



City of Larkspur

400 Magnolia Avenue, Larkspur, California 94939
Telephone: (415) 927-5110 Fax: (415) 927-5022
Website: www.cityoflarkspur.org

INSTRUCTION TO APPLICANT/PROPERTY OWNER RE: LICENSE AGREEMENT TO PERMIT ENCROACHMENT ON CITY PROPERTY

Purpose of License Agreement

You have made a request to the City of Larkspur to encroach in the public right-of-way with new and/or existing private improvements. These improvements benefit you as property owner while exposing the City to liability against possible claims made by a 3rd party for injuries and damages as a result of your private improvements. The license agreement, among other things, serves to identify these improvements and indemnifies the City by requiring the property owner to carry sufficient liability and property damage insurance.

Requirements and Conditions

The City will agree to your private improvements in the public right-of-way provided you successfully execute an Encroachment License Agreement with the City. Since the successful execution of this agreement is a condition of various encroachment and building permits associated with your project, permits cannot be closed nor certificates of occupancy issued until the process is complete.

Fees

The applicable fee is \$250 which must be paid at the same time as other associated permit fees. The fee includes the County recording fees.

Directions

Attached is a sample of the agreement that you will be signing. The following documents and information is needed to prepare the agreement

- 1) Email the Public Works staff member listed below to acknowledge your receipt of this packet and that you are initiating the license agreement process. A confirmation email will be sent to you;
- 2) Provide a copy of a Title Report or Grant Deed, which shows a legal description of the property and legal title in which the property is held (needed for Exhibit A);
- 3) Provide a written description and drawing of proposed work (needed for Exhibit B.)
 - o Use numbered or lettered bullets for a written description of the Proposed Work. This description can be on the drawing or on a separate sheet of paper.
 - o Provide an 8½" x 11" drawing showing the encroachments (the private improvements) with respect to the public right-of-way.
 - o Note: any text in the drawing must be completely legible otherwise the County Recorder may refuse to record the document. Please see the attached "Sample Drawing" for examples of drawings that have been accepted by the County Recorder. Hand-drawn drawings are acceptable.
- 4) Provide a Certificate of Insurance with an Endorsement Page naming the City of Larkspur as an Additional Insured. A Declaration or Evidence of Coverage is not sufficient. It is suggested that you forward the Sample License Agreement and "Instruction for your Insurance Broker" documents to your insurance agent to facilitate this process (needed for Exhibit C).
- 5) After you submit all the documents needed for Exhibits A to C, the City will prepare an executable agreement, which you will then sign in front of a notary public. The agreement will then be sent to the County Recorder's Office for recordation. A copy of the recorded agreement will be sent to you afterwards.

Timing

For most property owners, completing the steps listed above takes approximately 4-5 weeks. You are encouraged to get started early the process to avoid any delays in closing out your project.

If there are questions or you need further information, please call or email:

Scott Metcho, Public Works Technician
Email: smetcho@cityoflarkspur.org
Phone: 415-927-6744