



Town of
Stallings

315 Stallings Road • Stallings, North Carolina 28104

TOWN OF STALLINGS
and

THIS AGREEMENT, made and entered into the ____ day of _____, 20____, by and between the Town of Stallings herein referred to as "TOWN" and _____, herein after referred to as "COMPANY",

WITNESSETH:

THAT WHEREAS, the Company desires to encroach on the right-of-way of the public road designated as _____ located _____ with the construction and/or erection of _____

WHEREAS, it is to the material advantage of the Company to effect this encroachment, and the Town in the exercise of authority conferred to it by statute, is willing to permit the encroachment within the limits of the right-of-way as indicated, subject to the conditions of this agreement.

NOW THEREFORE IT IS AGREED that the Town hereby grants to the Company the right and privilege to make this encroachment as shown on the attached plan sheet(s), specifications, and special provisions that are made a part hereof upon the following conditions, to wit:

That the installation, operation, and maintenance of the above-described facility will be accomplished in accordance with Construction Standards and other Town ordinances and policies as applicable.

That the said Company binds and obligates itself to install and maintain the encroaching facility in such safe and proper condition that it will not interfere with or endanger travel upon said street, nor obstruct nor interfere with the proper maintenance thereof. The Company agrees to reimburse the Town for the cost incurred for any repairs or maintenance to its roadways and structures necessary due to the installation and existence of the facilities of the Company.

That, if any time the Town shall require the removal of, or changes in, the location of the said facilities, then the Company binds itself, its successors and assigns, to promptly remove or alter the said facilities, in order to conform to the said requirement, without any cost to the Town.

That the Company agrees to provide, during construction and any subsequent maintenance, proper signs, signal lights, flagmen and other warning devices for the protection of traffic in conformance with Town standards and the latest Manual on Uniform Traffic Control Devices for Streets and Highways and Amendments or Supplements thereto.

The Company agrees to acquire all required permits and maintain a copy of all required permits onsite.

The Company agrees to conduct all activities in accordance with the North Carolina Department of Transportation Standard Specifications and Roadway Standard Drawings (latest editions).

That the Company agrees to restore all areas disturbed during installation and maintenance to the satisfaction of the Town. The Company agrees to give a minimum of 48-hour notice to the Town both before work is initiated and once all work contained herein has been completed.

That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun within six (6) months from the date of authorization by the Town unless written waiver is secured by the Company from the Town.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed as of the date first above written.

TOWN OF STALLINGS

By: _____
Town Engineer (or designee)

**NO OPEN STREET CUTS
THIS ENCROACHMENT REQUEST**

INCLUDES (Applicant to check all that are applicable)

- Open cut(s) of roadway(s)
- Bore(s) of roadway(s)
- Repair of existing facilities
 - overhead
 - underground
- New overhead facilities
- New underground facilities

Name of Company: _____

Signature: _____

Please Print Name and Title: _____

Address: _____

City, State & Zip: _____

Fax: _____

Telephone: _____

24 Hour Emergency contact name & phone #: _____

ALL INSTALLATIONS SHALL BE AT LEAST 36" BELOW GRADE

1. Call North Carolina One-Call Center, Inc. at 1-800-632-4949 and Union County Public Utilities at (910) 296-4210 for Utility locations 48 hours before digging. Field locates by Union County Public Works personnel shall be approximate. It shall be the responsibility of the Company to field verify/spot-locate Union County Public Works utilities.
2. Attach 11"x17" Plans to this Document.
3. An approved copy of this document must be present on the job site at all times.
4. The installation of utilities in Town of Stallings right-of-way may not be performed in the Town's right-of-way on weekends or holidays. The installation of facilities shall be performed during the weekday hours of 7:00 AM to 9:00 PM.
5. All bores must be minimum 36 inches in depth. The Town reserves the right to require additional bore/burial depth for any and all installations.