



CITY OF BATAVIA

RIGHT-OF-WAY (ROW) PERMIT APPLICATION

The City of Batavia requires a ROW permit for:

- Any work in the right-of-way including, but not limited to (those with an asterisk require an additional form for that specific type of work):
 - Curb and gutter removal and replacement
 - Driveway Apron Replacements *
 - Street Cuts
 - Planting Trees *
 - Service Walks *
 - All Sump Pump Connections (also requires a Building Permit for connection from house to ROW)
 - Utility Improvements / Repairs
 - Work where sidewalk will be removed and replaced

Please complete the checklist below and include the following items with the submittal package to:

City of Batavia
 Building Division
 100 North Island Avenue
 Batavia, IL 60510
 (630) 454-2750

Hours M-F 8am – 5pm, closed W 11am -12pm

Provided			
Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Plat of Survey highlighting the area in which the work will be conducted.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. A Surety Bond must be provided for contractors only for either:
			a. \$10,000 or 1.5 times the estimate of cost of work, whichever is greater, being site specific by indicating the address of the job site OR
			b. \$75,000 to perform & complete work for a period of one calendar year from the effective date of the bond
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Insurance Certificates must be provided:
			a. Contractors need Certificates of Insurance listing the City of Batavia as Additional Insured
			b. Homeowners do not need to provide anything
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. A copy of a IDOT and/or County ROW Permit, if applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Residential Driveway Apron Permit Application & \$47 recording fee, if applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Agreement for Non-Standard Pavement or Sidewalk & \$47 recording fee, if applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Parkway Tree Planting/Removal Permit Application, if applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Traffic Control Plan, if applicable

Applicant is responsible to call J.U.L.I.E. to obtain locations of underground utilities prior to excavating.

Please allow a minimum of one (1) week for permit review and issuance of either permit or comments from the date of submittal.

When designing and replacing existing materials please use the details that are attached to this permit application to comply with City standards. In addition there are samples of bonds and certificates of insurance filled out to comply with City requirements. If at any time there are questions regarding any of this information please contact the Building Division. Below is a list of available details:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Driveway • Curb • Sidewalk • Junction Box Connection | <ul style="list-style-type: none"> • Drainage Pipe / Trench • Pavement Cross Section • Commercial Driveway Approach • Residential Driveway Approach |
|---|---|



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Please contact the Building Division at least 48 hours in advance to schedule required inspections. Required inspections include:

- **Curb:**
 - Inspect proof roll of sub-base
 - Inspect stone, rebar and curb thickness
 - Inspect grades of the curb to provide positive drainage
 - Final inspection when restoration is completed
- **Driveway Apron:**
 - Inspect width at curb and walk
 - Inspect stone and thickness
 - Final inspection when restoration is completed
- **Junction Box / Sump Pump Connections:** (Both ROW & Building Permit)
 - Inspect connection point to junction box
 - Ensure that the connection is properly sealed and backfilled
 - Final inspection when restoration is completed
- **Sidewalk:**
 - Inspect sidewalk depth and thickness of stone
 - Inspect grade in conjunction with curb or overflow route
 - Final inspection when restoration is completed
- **Utility Improvements:**
 - Ensure that there is proper installation, including spring line or trench backfill
 - Ensure proper slope and grades
 - Inspect connection points
 - Inspect backfill and compaction
 - Inspect pavement and landscape
 - Verify proper testing has been completed (air, vacuum, mandrel, televised)
- **Utility Repairs:**
 - Ensure that a proper connection or repair has been made with trench backfill as necessary
 - Inspect backfill and compaction
 - Inspect roadway or pavement replacement meeting specifications
 - Final inspection when restoration is completed
- **Mailboxes:**
 - Inspect to make sure that installation complies with United States Postal Service code

NOTE: Not every application will require each inspection. Please contact John Kennedy in the Engineering Department regarding questions about inspections.

Please refer to Title 7 of the Batavia Municipal Code, Chapter 1: Streets and Sidewalks, Section 3: Driveways and Title 11 of the Batavia Municipal Code, Chapter 5: Required Improvements, Section 9: Sidewalks and Driveways for more information.



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RIGHT-OF-WAY (ROW) PERMIT APPLICATION

Application Date: _____

P.I.N. #: _____

I, _____, do hereby apply for a permit for the following described work located at _____

Estimated Cost: \$ _____

Description of proposed work: _____

- | | | |
|---|--|---------------------------------------|
| <input type="checkbox"/> Curb | <input type="checkbox"/> Sidewalk | <input type="checkbox"/> Mailbox |
| <input type="checkbox"/> Driveway apron | <input type="checkbox"/> Utility Improvement | <input type="checkbox"/> Parkway Tree |
| <input type="checkbox"/> Junction Box/Sump Pump | <input type="checkbox"/> Utility Repair | <input type="checkbox"/> Other _____ |

Estimated time from commencement of construction until restorations are complete _____

Construction will be completed in:

- Parkway Only ½ of Street Full Street
 Other – Describe location: _____

Owner of the Property:

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

Applicant:

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

General Contractor:

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

Contractor:

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

IL License #: _____

Email: _____

I agree to comply with the City of Batavia Code governing excavations. I further agree to indemnify the City of Batavia and its employees for any loss, liability or damage that may result or accrue from or because of the conduct of the applicant, its employees and/or agents relating to the work covered by the permit. I also agree to conform to OSHA guidelines for work completed in open trenches and/or confined spaces.

Applicant Signature: _____

Date: _____



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FOR STAFF USE ONLY

Date Permit Received: _____

Received By: _____

Permit # _____

City Franchised Operator Yes No

Bond Required Yes No

Cash Deposit Required Yes No

Approved Yes No

Amount _____

Amount _____

By _____ Date _____

.....
(Space Above this line for Recorder's Use Only)

**CITY OF BATAVIA
NON-STANDARD SIDEWALK
BETWEEN THE CITY OF BATAVIA
AND
Property Owner Names
(**Address**, Batavia)
P.I.N. #**_**_***_*****

**After Recording Return To:
City of Batavia
Engineering Department
100 North Island Avenue
Batavia, Illinois 60510**

AGREEMENT FOR NON-STANDARD SIDEWALK RUNNING WITH THE LAND – RECORD

THIS AGREEMENT made this

_____ day of _____, 20____,

by _____

being **all** of the owners (“OWNERS”) of the following described property; to-wit: **(Insert Legal Description)**

Parcel Number: _____

Commonly known as: _____ Batavia, IL
(Address – Please Print)

WHEREAS, the City of Batavia (“CITY”) regulates the right-of-ways within its boundaries; and

WHEREAS, the OWNER’S PROPERTY abuts a public right-of-way held in trust by the CITY as shown on Exhibit “A” attached hereto and made a part hereof (“CITY PROPERTY”); and

WHEREAS, the OWNERS request that the CITY grant a permit to construct, install, maintain and use Non-Standard Sidewalk in said public right-of-way; and

WHEREAS, Non-Standard Sidewalk is defined as a service walk within the said right-of-way consisting of Asphalt, Concrete, Stamped Concrete, Colored Concrete, Stamped Asphalt, Paving Bricks, or Landscape Bricks; and

WHEREAS, the CITY finds that the encroachment of the Non-Standard Sidewalk in the CITY PROPERTY is minor and as such will not impede the public use of the CITY PROPERTY; and

WHEREAS, the City is willing to enter into an Agreement for Non-Standard Sidewalk (the “AGREEMENT”) to permit the installation, construction, existence and use of Non-Standard Sidewalk in the CITY PROPERTY under certain conditions and restrictions as stated below; and

WHEREAS, the City Engineer is authorized to execute the AGREEMENT on behalf of the City; and

WHEREAS, OWNERS agree to abide by those conditions and restrictions in exchange for the CITY entering into the AGREEMENT;

NOW, THEREFORE, in consideration of the City of Batavia issuing a permit to the OWNERS to install Non-Standard Sidewalk in the right-of-way adjacent to the above described property, said property is hereby made subject to the following covenants and restrictions, all of which shall be deemed to run with the above described property:

1. OWNERS represent, warrant and covenant that they are all of the record owners of the OWNER’S PROPERTY.
2. The CITY grants to OWNERS, and OWNERS do hereby accept, a permit to construct, install, maintain, and use the above-described Non-Standard Sidewalk subject to all the terms and conditions of this AGREEMENT.

3. The Non-Standard Sidewalk shall be constructed and installed by OWNERS, at their expense, in strict accordance with descriptions contained in Exhibit "B". All plans and specifications for construction and installation of the Non-Standard Sidewalk shall be submitted and approved by the Engineering Department prior to the commencement of any construction and/or installation whatsoever. All construction, installation, maintenance and use shall be done pursuant to all the laws, ordinances, resolutions, rules and regulations of the CITY, Kane County, State of Illinois or any other governmental unit or agency applicable thereto as amended from time to time.
4. Upon construction and installation or removal of said Non-Standard Sidewalk, OWNERS shall restore the surrounding area to its original condition immediately prior to construction and installation, or removal. In the event OWNERS do not restore the surrounding area, the CITY may restore the surrounding area and charge the costs thereof to OWNERS. Any such expense incurred by the CITY in connection with this Paragraph shall create a lien against the OWNERS PROPERTY.
5. The Non-Standard Sidewalk shall at all times remain the property of the OWNERS and the CITY shall not be responsible for the continued maintenance of the Non-Standard Sidewalk; provided, however, the CITY may at its option, maintain the Non-Standard Sidewalk and charge OWNERS the costs and expenses incurred therein. Any such expense incurred by the CITY in connection with this Paragraph shall create a lien against the OWNER'S PROPERTY.
6. THE OWNER understands, acknowledges and accepts any and all responsibility for repair, restoration and any and all other work necessary to restore Non-Standard Sidewalk as a result of CITY damage during use or access of public R.O.W. shall be OWNER'S sole responsibility. The CITY shall have no responsibility under any condition for repair or restoration of Non-Standard Sidewalk.
7. This Agreement shall not give rise to any right of ownership in the CITY PROPERTY to OWNERS; the CITY PROPERTY shall continue to be a public property held by the CITY in trust for the general public.
8. The Non-Standard Sidewalk shall be constructed, installed, maintained and used so as to not interfere with either the public use of the CITY PROPERTY or the rights of abutting and adjoining landowners. The construction, installation, maintenance or use of the Non-Standard Sidewalk shall not at any time interfere with the public use of the CITY PROPERTY.
9. The OWNERS, their assigns and successors in title agree to indemnify and hold the CITY, its officers, officials, employees and agents harmless from (a) any causes of action or claims for damages to the Non-Standard Sidewalk caused by work by the CITY or its agents, within the CITY PROPERTY, and/or (b) any and all claims and causes of action (including, but not limited to, those brought, asserted or alleged by third parties), and liabilities or expenses, including judgments, costs and damages, and including any and all attorney's fees and costs incurred by the CITY, alleged to have occurred from the installation, construction, repair, maintenance, continued existence, or removal of the Non-Standard Sidewalk.
10. OWNERS understand and agree that the CITY, public utilities and/or cable television companies, and their successors and assigns, may also have certain rights in, over, under, upon or across the CITY PROPERTY and that this Permit Agreement does not affect or diminish the rights of those parties and that the construction, installation, repair, maintenance and/or use of the Non-Standard Sidewalk will not affect or diminish those parties rights referred to above.
11. This Permit Agreement shall be binding upon and inure to the benefit of the respective heirs, successors and assigns of the parties hereto.
12. The OWNERS, their assigns and successors in title hereby agree to and do hereby release the City of Batavia, its officers, agents and employee's which are from time to time authorized to use said right-of-way for any obligations as a result of damages to the Non-Standard Sidewalk which may occur in the course of the installation, removal, maintenance or repair of any utility within said right-of-way, or as the result of street construction/repair, snow removal, utility construction/repair, or street cleaning by the City of Batavia.

USE BLACK INK ONLY

City of Batavia

By: _____
City Engineer

IN WITNESS WHEREOF, we have hereunto set our hands and seals the date and year first above written.

OWNERS (S)

State of Illinois)
)SS
Kane County)

I, the undersigned, a Notary Public in, and for said County and State aforesaid, DO HEREBY CERTIFY that _____ and _____ Personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this _____ day of _____, A.D., _____.

Notary Public