



REVOCABLE LICENSE
Application Packet

This packet deals only with Revocable Licenses. Generally, a Revocable License is only issued to residential property owners. A Revocable License is required when private improvements encroach into easements or rights-of-way. Not all improvements are allowed and you are strongly encouraged to contact Public Works' Real Property Services Division at 303-739-7300 to discuss your particular situation. If it is determined that a particular encroachment is allowed then a Revocable License must be obtained. In order to avoid this Revocable License requirement, property owners may choose to move proposed improvements out of the easement or right-of-way area.

A Revocable License may be issued within an easement or right-of-way for the following improvements:

- Retaining walls,
- Certain types of gates & fences,
- Sheds,
- Improvements that are easily removable.

Each Revocable License will be considered on a case-by-case basis. Issuance of a Revocable License shall be at the City of Aurora's sole discretion.

Items such as swimming pools, garages, and building expansions are not allowed within easements or rights-of-way.

Per applicable Aurora City Code, a building permit may also be required and it can be obtained through the City's Building Department. If the improvement is not in an easement or right-of-way, a Revocable License is not necessary, however, a building permit may still be required. It is the property owner's responsibility to determine whether a building permit is required.

A property owner may request the City release its interest in a particular easement or right-of-way which is a separate and different process. More information on Easement/Right-of-way Releases may be obtained in the "Easement/Right-of-way Release Packet" which can be found at [https://www.auroragov.org/business_services/development_center/tools_and_resou rces/real_property/](https://www.auroragov.org/business_services/development_center/tools_and_resources/real_property/) or by contacting Real Property Services at 303-739-7300.

Necessary applications, process steps, contact people, and samples of forms are included in this packet.

REQUIRED ITEMS:

- 1) Proof of ownership (i.e. WARRANTY Deed, NOT Deed of Trust)
An illustration prepared on a sheet no larger than 8 1/2" x 11" must be prepared by applicant/owner. Please ensure a 1" margin at the top of first page, and 1/2" on all other sides of all sheets (if more than 1). Number each page. (see sample graphic and bubble around encroachment area)
- 2) A completed Application Form, including utility approvals (see attached).
- 3) A non-refundable fee of \$71.75 payable by cash or personal check made out to: **City of Aurora**

All of the above items must be submitted at the same time ("Complete Application"). Failure to submit a Complete Application will delay processing.

Steps to obtaining a Revocable License:

1. Do a preliminary check with City departments and outside agencies such as CenturyLink, Xcel (aka Public Service Co.) and Comcast to determine whether your encroachment request is allowed. If yes, continue to Step 2.
2. Prepare a drawing depicting the following items:
 - Location of property lines,
 - Location of the easement and/or right-of-way,
 - Location of the proposed improvement.
 - North arrow,
 - Street name(s),
 - Building materials to be used,
 - Height,width and length.
 - Notate the encroachment with, 'Licensed encroachment point of beginning'

A sample graphic depicting each item is included in this packet. Additional items may be included in order to more clearly depict the proposed improvement.
3. Fill out the Application Form completely and accurately, then sign and submit your completed application and drawing to the outside agencies for their approval prior to submitting to City of Aurora. You may mail or fax these forms to the outside agencies. Addresses, phone and fax numbers, for the outside agencies are included in this packet (see attachment titled Outside Agencies Contact). **ENSURE OUTSIDE AGENCIES RETURN THE SIGNED APPLICATION FORM TO YOU, NOT TO THE CITY.**
4. Upon approval from outside agencies, submit the approved application form, drawing, and \$71.75 processing fee (cash or check only made payable to "City of Aurora") to Real Property Services, 15151 East Alameda Parkway, 3rd Floor, Aurora, Colorado 80012.
5. Real Property will review your application and, if complete, will accept it for processing. A legal document, known as a Revocable License (see Sample A), will be prepared by Real Property and attached to the submitted application. Real Property will be responsible for obtaining approval from interested City departments. Processing normally takes 6-8 weeks after receipt of Complete Application.
6. Upon approval or denial of one or all interested City departments, Real Property will contact the applicant/owner, requesting they come to our office and sign the Revocable License or explain the basis for denial. If for some reason a department denies the application, we will call you to discuss the matter to see if the issue(s) can be resolved. The final City approval will be the signature of the Director of Public Works. **(The owner will sign twice, once at the beginning of the process on the application and once at the end of the process on the Revocable License.)** Once complete the Revocable License will be sent to the appropriate county for recording. If for some reason your application is denied, the **processing fee of \$71.75 is non-refundable.**
7. When the Revocable License is complete and ready to record, Real Property will provide a copy to the applicant/owner then a building permit (if required) may be obtained from the Building Department. The Revocable License is not a permit. **DO NOT BEGIN INSTALLATION OF YOUR IMPROVEMENT UNTIL THE REVOCABLE LICENSE IS FULLY APPROVED BY THE CITY AND APPLICABLE PERMITS OBTAINED.**

If you have any questions regarding this process, please contact Real Property Services at 303-739-7300.



Revocable License Application Form

(Not a license, application only)

1. Is the proposed improvement in an easement or street right-of-way (Check one)?

If easement, describe size and type of easement in space below? (i.e. 6' gas easement; 4' utility easement, etc.)

2. What is the legal description of the property? (i.e. lot number, block number, and subdivision plat name) This information may be obtained from the owner's deed for the property.

3. What is the property's street address?

4. What is the property owner(s) legal name? (Names given should be as they appear on the deed; i.e. Mary A. Jones and Robert L. Jones; ABC Inc., a Colorado corporation, etc.)

5. If the property owner does not live at the address where the improvement is being located, what is the property owner's address?

6. What is the proposed improvement? (i.e. retaining wall, fence, gate, etc.)

7. What are the main construction materials being used on the proposed improvement? (i.e. concrete, railroad ties, wrought iron fencing, brick, etc.)

8. What will be the overall height of the improvement? _____
Length? _____ Width? _____ Other comments:

9. Contact Person _____ Phone No. _____

Email _____

APPROVALS (*OWNER MUST OBTAIN SIGNATURES FROM THE FOLLOWING ENTITIES, FACSIMILE SIGNATURES ARE ACCEPTABLE)

On behalf of the company listed below, I hereby agree to the above-defined encroachment. If denied, put the word 'denied' on the signature line.

***Public Service Company (aka Xcel)**

Underground Electric Division By: _____

Overhead Electric Division By: _____

Gas Division By: _____

***CenturyLink** By: _____

***Comcast** By: _____

City of Aurora (Real Property Services will obtain these signatures)

Real Property By: _____

Engineering By: _____

Life Safety By: _____

Utilities By: _____

Legal By: _____

Other: _____ By: _____

Comments: _____

OWNER'S AGREEMENT

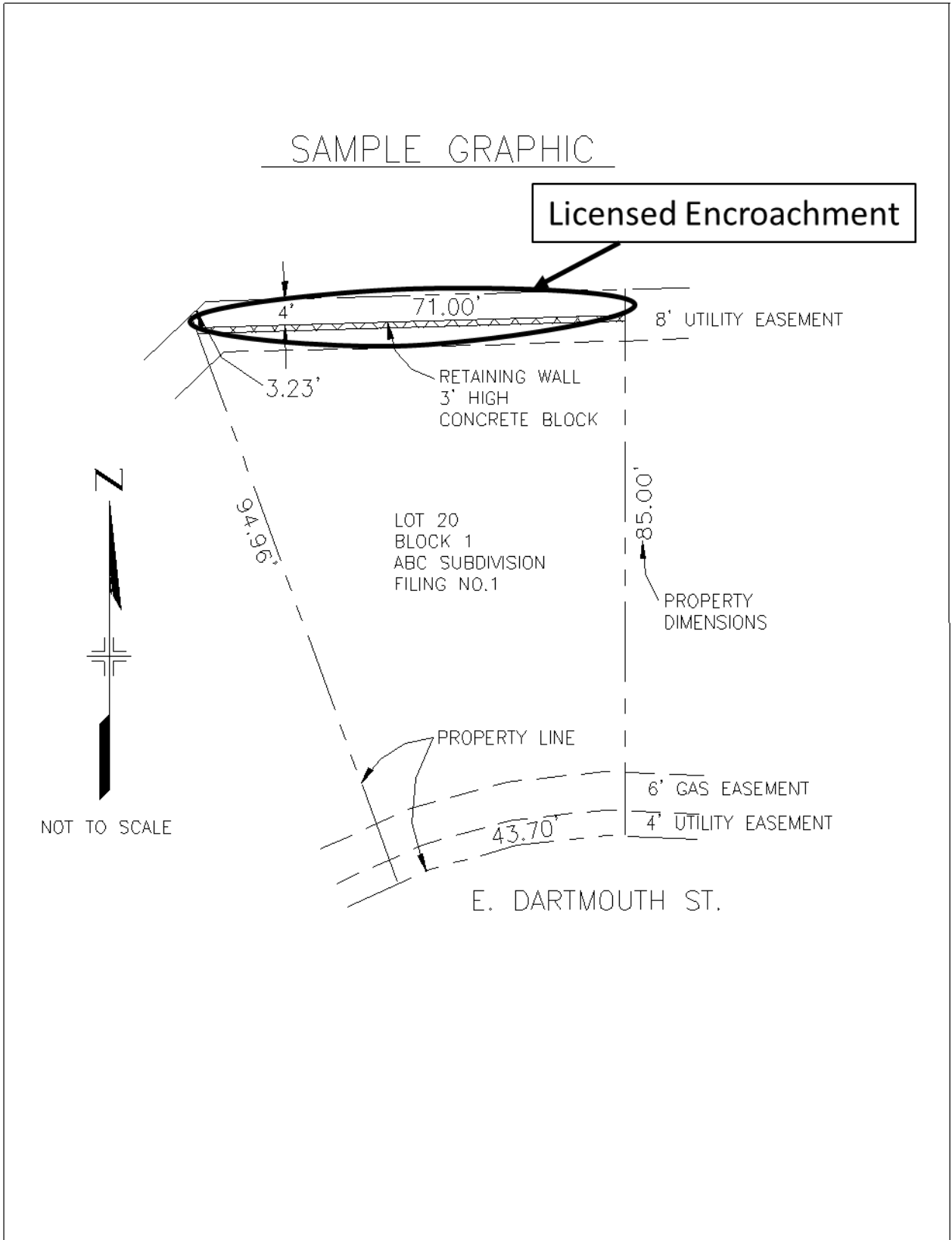
As owner of the property described herein: I hereby agree, as partial consideration for a Revocable License, to fully indemnify said utility agencies and pay for any relocation of any utility service necessitated by this application, if said utility services currently exist within this parcel of land.

By: _____
(Must be owner of the property)

Owner will also need to sign the Revocable License after this application has been reviewed and approved by all parties.

Return this application form, your drawing, and non-refundable fee of \$71.75 to:
City of Aurora
Real Property Services
15151 East Alameda Parkway, 3rd Floor
Aurora, Colorado 80012

EXHIBIT



DRAFT\ROW\SAMPLE

SAMPLE A

REVOCABLE LICENSE

The City of Aurora, Colorado a municipal corporation of the Counties of Adams, Arapahoe, and Douglas, State of Colorado, hereby grants unto _____, Licensee, whose address is _____, a Revocable License, to construct or cause to be constructed and maintained on public right-of-way and/or public easements, the following structure(s): _____, within Lot _____, Block _____, _____ Subdivision Filing No. _____, City, County, State.

The Licensee hereby agrees that the construction and maintenance of said _____, will be in full compliance with this Revocable License and the provisions of the Aurora City Code pertaining thereto.

Licensee shall indemnify officers, employees and agents, actions, or causes of action and subjected by reason of Licensee's across the property of the City or by made by Licensee, its agents, or construction, operation, maintenance, repair, or removal of Licensee's installation. If the construction of all or any part of Licensee's installation is to be performed by an independent contractor under contract with the Licensee, the Licensee shall so notify the City and shall incorporate the stipulations and conditions of this license into the contract specifications and, if required by the City, cause said independent contractor to obtain, prior to commencement of the work, an insurance policy or policies in amounts and with companies satisfactory to the City, which will protect the City from any loss or damage resulting from the work performed by the contractor.

SAMPLE

and save harmless the City, its against any and all claims, damages, expense to which it, or they may be installation being located within and reason of any work done or omission employees, in connection with the modification, replacement,

The covenants herein contained shall run with the aforesaid property to be binding upon the grantee or successors in title of Licensee, and Licensee hereby agrees and consents that this license be recorded in the office of the County Clerk and Recorder of the County of _____.

It shall be the Licensee's sole obligation to repair and maintain said _____ at Licensee's sole cost and expense and to adhere to conditions listed herein: _____.

This License and the authority granted hereunder is conditioned upon the Licensee's contacting Utility Notification Center of Colorado, Inc. at 1-800-922-1987, and ensuring that the Licensee's contractor contacts the same, prior to the commencement of any construction.

The Licensee hereby Agrees and understands that if in fact the City, CenturyLink, Comcast, Xcel Energy Company, or any public utility with preexisting rights in the property may have cause to interrupt usage or in any way construct or reconstruct in the subject properties, it may do so at any time and without any cost to the City, or said public utilities, for replacement or refurbishment.

All rights and privileges acquired under the provisions herein contained are mere revocable licenses and may be revoked with or without cause at any time by the Director of Public Works.

Signed and delivered this ____ day of _____, 20 ____.

Licensee (must be owner of property)

STATE OF COLORADO)
) ss.
County of _____)

The above and foregoing instrument was subscribed and sworn to before me this ____ day of _____, A.D., 20____, by

SAMPLE

_____.

My Commission expires:

Witness my hand and official seal.

Notary Public

SEAL

The City of Aurora, Colorado

Director of Public Works

Approved as to form:

Reviewed by:

