



CAYUCOS SANITARY DISTRICT

200 Ash Avenue
P.O. Box 333, Cayucos, California 93430-0333
www.cayucossd.org
805-995-3290

GRANT OF LICENSE APPLICATION

SECTION 1: PROJECT ID AND CONTACT INFORMATION

PROPERTY OWNER NAME: _____

SERVICE ADDRESS: _____ APN: 064 - _____ - _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ EMAIL: _____

SECTION 2: APPLICATION REQUIREMENTS The following items must be submitted with your application in order to qualify for consideration of a sewer easement encroachment. Please check off items as verified. **INCOMPLETE APPLICATIONS ARE NOT ACCEPTED.**

Application Fee: **\$200.00**

The Board of Directors' consideration of a sewer easement encroachment is discretionary and will not necessarily be approved. In the event your application is denied, your application fee will not be refunded as it is associated with costs including, but not limited to, administrative processing, plan check, review and inspection, attorney costs, and recording fees. If it is determined that the cost of completing the Grant of License exceeds the application fee, the additional costs shall be billed to and paid by the owner prior to the issuance of a Grant of License.

A written statement describing the nature of the encroachment(s) and specifying any and all appurtenances or structures that will encroach into the District's sewer easement, including, but not limited to, eaves, decks, footings, fences, retaining walls and drainage facilities

Drawings depicting the District's sewer easement, the site plan, and building elevations that show all encroachments and appurtenances and their relationship to the District's sewer easement

SECTION 3: ENCROACHMENT TYPE DETERMINATION Select one

MINOR ENCROACHMENT (If selected skip to Section 4): A minor encroachment slightly interferes with the District's sewer easement and can be readily removed and restored. Examples of minor encroachments include flowerbeds, small plants, landscaping, groundcover, lawns, drip irrigation, loose paving stones, fences without a foundation, and portable hot tubs.

MAJOR ENCROACHMENT (If selected skip to Section 5): A major encroachment significantly interferes with the District's sewer easement and cannot be readily removed. Examples of major encroachments include concrete slabs, paving, buildings, decks and eaves, walls, footings, fences or gates with a foundation, large trees and bushes, and lighting and drainage facilities.

SECTION 4: MINOR ENCROACHMENT APPLICATIONS: The following items must additionally be included with your Grant of License Application. Please check off items as verified. **INCOMPLETE APPLICATIONS ARE NOT ACCEPTED.**

A Grant Deed, Title Insurance Policy, or Lot Book Guarantee, any of which will provide the following required information (Alternatively, it is permissible to submit the following required information "a-la-carte"):

- Legal owner's name showing to whom the title to the estate or interest in the land is vested
- Legal description of the District's recorded sewer easement
- Legal description of the real property

Upon receipt and review of a complete Grant of License Application, District staff will determine whether the minor encroachment shall be approved. Should the minor encroachment be approved, the property owner agrees to remove the encroachment should the District so request in order to gain access to or conduct maintenance or repair of the sewer pipeline or appurtenances, or to replace the sewer pipeline or any portion thereof. The property owner shall remove the encroachment within thirty (30) days of written notice, unless the District notifies the property owner of an emergency necessitating removal in a shorter time period. Should the property owner fail to remove the encroachment within the timeframe specified by the District, the District, in its sole discretion, may elect to remove the structures and any other encumbrances affecting the easement or facilities therein and recover all costs and expenses for such removal from the property owner.

Alternatively, in its sole and absolute discretion, the District may use other construction methods or techniques to maintain, repair or replace the sewer pipeline and related appurtenances that do not require removal of some or all of the encroachment, in which case the property owner shall pay for the additional cost between traditional construction methods for such work and the other construction methods or techniques.

The property owner will pay for any and all increased costs for the maintenance, repair or replacement of the sewer line located in the easement resulting from or caused by, in whole or in part, the design construction or location of the encroachment within the easement.

The property owner will defend, hold harmless and indemnify the District from any and all liabilities, damages, costs, claims, causes of action, complaints or proceedings of any kind or nature arising or alleged to arise from the design, construction or use of the encroachment by property owner, his agents, contractors, assigns or successors in interest, of any kind.

The District may immediately revoke the encroachment approval, without notice, for a breach of or failure to comply with any of the terms and conditions set forth herein. This approval shall be binding upon the successors in interest of any kind to the property. In the event of legal action to enforce the terms and conditions of the encroachment approval, the prevailing party shall be entitled to recover their costs, including reasonable attorney fees.

SECTION 5: MAJOR ENCROACHMENT APPLICATIONS The following items must additionally be included with your Grant of License Application. Please check off items as verified. **INCOMPLETE APPLICATIONS ARE NOT ACCEPTED.**

A Grant Deed, Title Insurance Policy, or Lot Book Guarantee, any of which will provide the following required information (Alternatively, it is permissible to submit the following required information "a-la-carte"):

Legal owner's name showing to whom the title to the estate or interest in the land is vested

Legal description of the District's recorded sewer easement

Legal description of the real property

A licensed engineer's report that verifies the proposed encroachment and appurtenances will not damage or place additional loadings on the District's existing facilities (pipes, manholes etc.)

A licensed engineer's report that verifies the proposed encroachment will not be damaged when the District's entire easement is excavated to a depth of one foot below all sewer structures

Upon receipt and review of a complete Grant of License Application, District staff will prepare a Grant of License and Agreement Affecting Real Property corresponding to the proposed encroachment for the Board of Directors' consideration. The property owner will be subject to all terms and conditions contained within the Grant of License and Agreement Affecting Real Property.

SECTION 6: LEGAL DECLARATION

I declare that I am the legal owner of record of this property. I acknowledge that I have completed this form accurately and declare that all information provided herein is true. I have read, understand and agree to all conditions set forth herein.

Property Owner Signature: _____ Date: _____