

INSTRUCTIONS FOR TEMPORARY EASEMENT ENCROACHMENT APPLICATION AND AGREEMENT

These instructions are intended to help you complete the application, complete the sketch and provide proof of ownership.

1. **First Step: Completing Application.** Please neatly print or type the application. Complete it fully. Please carefully measure the proposed improvement. You can only build the same as what is shown on the plans. Square feet are obtained by multiplying the length by the width. You can get your lot size by looking at the survey or plat plan, which should be a part of the closing documents on your home. The survey will also show the easement size. Make sure you explain what hardship you will suffer if the easement is not granted.
2. **Making the Sketch.** On an 8-1/2" x 11" clean sheet of paper, draw a sketch. It does not have to be to scale. Distances, however, need to be accurately marked on the drawing. Mark accurately the length and width of the patio, deck or other encroaching structure. Mark accurately the width and length of the easement and the width and length of the area encroaching into the easement. An example sketch is attached.
3. **Proof of Ownership.** An accurate legal description of the property and the easement encroachment must be obtained by the property owner through the use of a plot plan provided by a licensed professional engineer. A licensed professional engineer must insert the legal description of the property and legal description of the easement encroachment into the easement encroachment agreement. Look through the closing papers that you received at the time you bought your home. Provide a copy of a document called a "Warranty Deed" and a copy of either a document called "Title Commitment" or "Title Policy". The legal description for the property will be on both of these documents. Furnish a copy of either document with your application.
4. **Application Fee.** Submit your application fee of \$500.00. After you have completed all of these requirements, your application will then be forwarded to the City Attorney for their review and recording at the Macomb County Register of Deeds. You are responsible for the filing costs of the agreement of \$14.00 for the first page and \$3.00 per each additional page. All fees must be paid in full prior to obtaining your deck/patio permit.

No: _____

CITY OF NEW BALTIMORE
EASEMENT ENCROACHMENT APPLICATION
PATIO'S & DECKS

ADDRESS: _____

TYPE: _____ PATIO _____ DECK

TYPE MATERIAL TO BE USED: _____

AREA - SQUARE FEET: _____ LENGTH: _____ WIDTH: _____

LOT SIZE: _____ EASEMENT SIZE: _____

OWNER: _____ PHONE NUMBER _____

OWNERS ADDRESS: _____

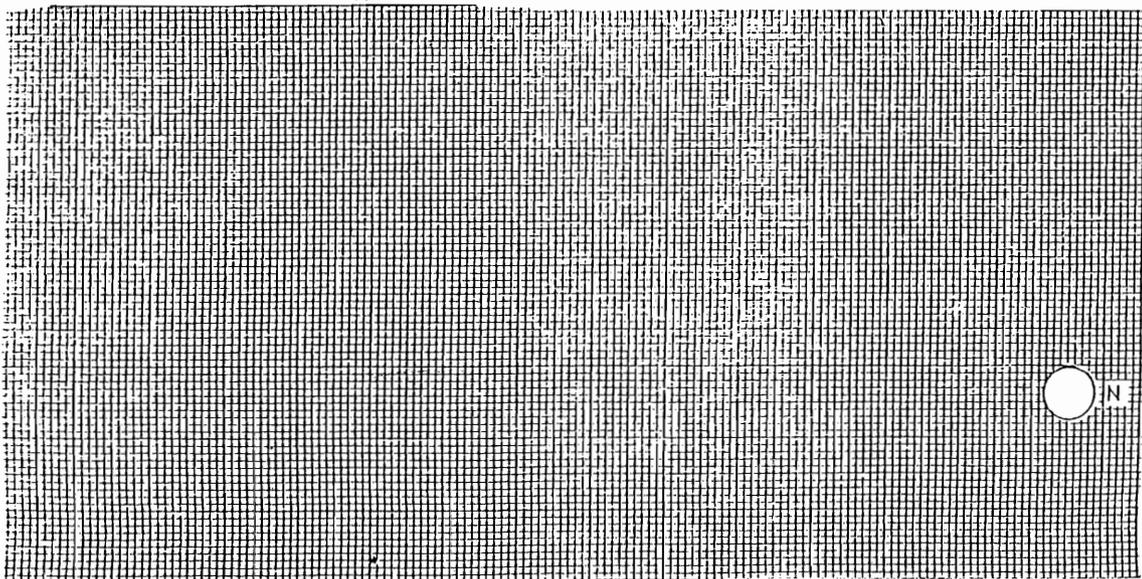
APPLICANT: _____

APPLICANT'S ADDRESS: _____

APPLICANTS MUST PROVIDE THE FOLLOWING: 1. AN ACCURATE LEGAL DESCRIPTION OF THE ENTIRE PROPERTY. 2. ACCURATE LEGAL DESCRIPTION OF THE EASEMENT. 3. AN ACCURATE LEGAL DESCRIPTION OF THE ENCROACHMENT. 4. A COMPLETE SKETCH. 5. TITLE POLICY AND/OR COMMITMENT PAPERS FOR THE PROPERTY.

THE FOLLOWING HARDSHIP WILL RESULT IF THE EASEMENT ENCROACHMENT AGREEMENT IS NOT PERMITTED:

SITE OR PLOT PLAN - For Applicant Use



BLDG. DEPT. COMMENTS _____

PERMIT NUMBER: _____

PERMIT ISSUED: _____ COUNCIL APPROVED: _____ DENIAL _____

PERMIT FEE: \$500.00 _____ DATE OF APPROVAL: _____