

**SPECIAL DRIVEWAY APPROACH AGREEMENT
 AGREEMENT FORM
 FOR
 JOINT USE APPROACHES
 AND APPROACH ENCROACHMENTS**

APPROACH INFORMATION:

Type of Approach Agreement		Sketch of Approach:
<input type="checkbox"/> A joint use approach <input type="checkbox"/> Approach encroachment		
Person initiating agreement:	Physical address of approach:	
Approximate parkway width(ft):	Planned throat width (ft):	
Total width of drive approach at street (including radii in feet):	Curb return radii (ft):	
Approximate frontage affecting property owner #1 (ft):	Approximate frontage affecting property owner #2 (ft):	
Reason for approach:		

AGREEMENT:

We the undersigned state that we are the legal owners of the joining property in question and that we both agree to the installation of the special driveway approach described above. In the case of an approach encroachment, the property owner being encroached upon agrees to the encroachment realizing that such encroachment could limit access to part of that property owner's frontage and increase the owner's liability if encroachment is adjacent to a utility facility. The above approach is hereby agreed to by the following property owners on this the _____ day of _____ 2005.

	Property Owner 1	Property Owner 2
Legal Name		
Mailing Address		
City, State, Zip		
Phone Number		
Volume/Page		
SIGNATURE		

State of Texas
 County of Parker

This instrument was acknowledged before me, this _____ day of _____, 2006, by _____

 Notary Public, State of Texas

State of Texas
 County of Parker

This instrument was acknowledged before me, this _____ day of _____, 2006, by _____

 Notary Public, State of Texas

SPECIAL DRIVEWAY APPROACH AGREEMENT

PURPOSE OF AGREEMENT

WHEREAS To protect the public investment in city streets and the rights of individual property owners to street access, the City of Weatherford regulates driveway approaches, hereinafter called the "approach".

The approach is the section of roadway (usually concrete) connecting individual driveways to the street. It includes curved sections (curb returns) on both sides to transition the curb to the flat drive and facilitate the turning movements of vehicles, such curved sections typically having a radius of 5 feet for residential driveways and 10 feet for commercial driveways. The "throat" of the approach is the interface of the approach and the driveway. It is the width of the private driveway. The "front" of the approach is the interface of the approach and street. It is the width of the throat plus the width of the radii for the curb returns on each side (allowing for geometry if the drive is skewed to the street).

There typically exists an area of city right-of-way between the back of curb and the private lot lines, called the "parkway". It can be any width depending on the specific location and is specified by right-of-way dedications, subdivision plats, etc. In most subdivisions, the parkway is generally 4.5 feet to 9.5 feet wide.

The property frontage is defined herein as the property line(s) adjacent to street right-of-way and including the city parkway bound on each end by the extensions of the the side property lines of each lot extended to the curb or edge of street.

Current city regulations require the front of all approaches to be located within the property frontage for the lot served. To do otherwise would impede on the frontage of neighboring lots further restricting access (driveway placement) for the neighboring lot.

In cases where it is not practical to have the front of an approach within the frontage for a single lot, encroachments on neighboring frontage are allowed, but only with consent of the adjoining property owner. Such consent is used for frontage encroachments or when joint access drives are desired. Also, in cases where it is desired to place part of a drive approach closer than 4 feet from a surface utility (power pole, fire hydrant, meter box, etc.), an encroachment agreement is required with the affected utility.

NOTICE: This agreement is to be executed in addition to a City "Street Cut Permit" required for any construction within City right-of-way. If the access is to be onto any portion of the state highway system, a TxDOT "Permit to Construct Access Driveway Facilities on Highway Right of Way" is also required.

