

**AGREEMENT
PRIVILEGE IN THE STREET**

AGREEMENT made this ____ day of _____, 20____, by and between the TOWN OF SEVASTOPOL (“Town”), Door County, Wisconsin, and _____ (hereafter referred to as “UTILITY”)

WHEREAS, UTILITY has requested a privilege in the street in accordance with Section 66.0425 of the Wisconsin Statutes; and

WHEREAS, the Town has duly considered said request and finds that the public interest will not be adversely affected by the granting of the requested privilege;

NOW, THEREFORE, IT IS AGREED as follows:

1. UTILITY wishes to excavate and place a utility line below the road surface of:

[name of road/street, at/near intersection, at/near address, description of work],
said road(s) owned by the Town.

2. UTILITY may excavate across and/or under the above described road(s) in said vicinity described above for the placement of a utility line. The utility line under said road shall be placed in a manner that it will be completely below the ground surface within the Town right-of-way.

3. UTILITY shall replace and repair the disturbed area, including the ditch, to its previous condition.

4. UTILITY shall be entirely responsible for all costs associated with the excavation and repair of the area(s) described above.

5. UTILITY agrees to indemnify and hold the Town harmless for any liability that may be incurred for damages to person or property resulting from the granting of this privilege and to reimburse the Town for all costs of defending any claims related to this privilege, including attorney fees incurred.

6. This agreement constitutes a permissive use of Town property that does not cause any adverse possession right to accrue against the Town’s real estate title; UTILITY permanently waives any adverse claim against the Town’s real estate affected by this agreement.

7. The foregoing terms and conditions are authorized and required by Section 66.0425 of the Wisconsin Statutes and are binding on UTILITY, its assigns and successors in interest for the term of this privilege.

UTILITY: _____

TOWN OF SEVASTOPOL

By: _____

By: _____

Name: _____

Name: _____

Title: _____ Phone: _____

Title: _____

Date: _____, 20__

Date: _____, 20__