



YARD LICENSE CASE # YL _____
COMMUNITY DEVELOPMENT DEPARTMENT
1203 N. HUDSON/PO Box 1188
SILVER CITY, NM 88062 (575)534-6348 FAX (575)534-6381

DATE
STAMP

The purpose of the Yard License is to authorize a property owner to make use of public rights-of-way that are officially mapped but not constructed as such. The Yard License does not authorize the property owner to build structures within the public right-of-way.

***NOTE:** Please fill out entire application. Incomplete or illegible applications will not be accepted. A survey, plat or site plan is required. The application fee is \$50.00.

Yard License for the _____ (northern, southern, eastern or western) half of the _____ right-of-way, totaling _____ square feet in area.

APPLICATION DATE: _____

APPLICANT INFORMATION:

Name: _____ Proprietary interest in property: _____

Property street address: _____

Mailing address: _____

Phone: _____ Alternate phone _____ Email: _____

OTHER CONTACT (Agent/Surveyor):

Name: _____ Title _____ Business: _____

Mailing address _____

Phone: _____ Alternate phone: _____ Email _____

PROPERTY INFORMATION:

Property street address: _____

Adjacent streets _____

Zoned (please circle one): Rural Res A Res B Res C Commercial Industrial

Located in floodplain? No Yes: FEMA map # _____

LEGAL DESCRIPTION of lot(s) adjacent to property request in Yard License:

Platted: Lot(s) _____ Block(s) _____

Subdivision/Addition _____

Section _____ Township _____ Range _____

Total area: _____ square feet Property code: 3-_____-_____-_____-_____

(The property code # can be obtained from the County Assessor's Office or from the tax bill)

REASON FOR REQUEST:

The reason(s) for the request must comply with Section 6.3.20 (Yard License) of the 2010 Land Use and Zoning Code. (Please attach additional sheets if necessary.)

Signature of Applicant

Date

FOR STAFF USE ONLY

Fee:\$ _____ cash/ck.# _____ Paid: _____ Receipt #: _____

DECISION OF COMMUNITY DEVELOPMENT DIRECTOR

Criteria: The Community Development Director shall approve the Yard License unless he or she finds that:

- 1) The proposed use of the public right-of-way is inconsistent with the Town’s Comprehensive Plan, the Land Use Code, or adopted policies; or
- 2) The proposed use of the public right-of-way would endanger the health, safety or general welfare of the community; or
- 3) The property owner refuses to execute a License Agreement which assigns the rights and responsibilities of the parties.

Terms of License. The License Agreement shall include the following terms:

- 1) The Yard License may be terminated by the Town upon 90 days written notice to the property owner.
- 2) The Yard License shall never ripen into an easement, use or claim of ownership by the applicant.
- 3) The Town will not be liable for any injury or damage incurred on the property.
- 4) The property owner will indemnify and hold the Town harmless against any claims made against the Town.
- 5) The specific uses for which the Yard License is granted shall be enumerated on the Agreement.
- 6) The Yard License may require payment of a reasonable lease fee for the use and enjoyment of the public right-of-way.
- 7) Yard Licenses are not transferable and shall not run with the land. All Yard Licenses shall expire upon the sale, transfer, or lease of the property to a new tenant or owner.

_____ Approved _____ Denied _____ Staff Initials