



UTILITIES

UTILITIES ACKNOWLEDGMENT & WAIVER

EXPLANATION OF PUBLIC & PRIVATE UTILITIES

Arriving at your yard, you may find flags, stakes, and/or spray painted marks in your yard. These are used by utility companies for marking an approximate location of the buried public utilities. These markers help reduce the risk of contractors, such as Jackson Fence Company LLC, hitting a public utilities while working in the area.

DO NOT REMOVE, MOVE OR ALTER ANY MARKERS UNTIL JACKSON FENCE COMPANY LLC HAS COMPLETED YOUR FENCE.

The Difference Between “Public Utilities” and “Private Utilities”

A public utility is a utility line that is coming into your home providing a service TO your home. An example of a public utility would be a power line that provides electricity TO your home. This also includes but not limited to incoming gas lines that supply gas to your home, incoming phone lines, incoming internet, etc.

A private utility line is typically providing a service FROM your home to somewhere else on your property. Private utilities usually have something that is leaving your home. An example of a private utility would be an underground gutter or drainage line that takes water away FROM your home. This includes but not limited to a sprinkler line that takes water from your home to the lawn, gas lines that supply gas to an outdoor grill or generator, buried electric lines that provide electricity to a shed or outdoor living area. Water is almost always private beyond the meter.

CONTRACTOR RESPONSIBILITIES

As your “Contractor,” Jackson Fence Company LLC is responsible for having the PUBLIC UTILITIES MARKED on your property by the Local Public Utility Locator Service. The public utilities will be marked within the work areas defined by the services you have ordered the Contractor to perform.

HOMEOWNER RESPONSIBILITIES

As the homeowner (“Owner”), prior to Contractor arriving to work, you are responsible for locating and marking, with flags and/or spray paint, the boundaries and rights of Owner’s property including all applicable easements and all private underground utilities or personal property including, but not limited to, irrigation systems, private extensions of electric, internet, phone lines, water lines, invisible fencing wires, and/or anything not otherwise located by public utility services. Owner’s failure to fulfill these obligations can result in delay. Owner shall indemnify and hold Contractor harmless from and against all claims and damages, including attorney fees, resulting in whole or in part from inadequate access, any omitted marking or otherwise incorrect marking of utilities, and/or any omitted marking or otherwise incorrect marking of property rights.

If Contractor is instructed by the Owner to complete work where digging is required within 24” of a marked public utility or property rights, the Owner agrees to hold Contractor harmless from and against all claims and damages, including attorney fees, personal injury claims, property damage or trespass resulting in whole or in part from any resulting damage caused from or by means of the Contractor’s work.

By Signing Below

I acknowledge that I understand the difference between private utilities and public utilities. I also agree to not remove, alter, change, or otherwise disturb any public utility markers and furthermore understand that it is my responsibility to mark all underground private utilities and property rights as described above prior to the arrival of Jackson Fence Company LLC for work commencement.

Signature of Agreement

Date