

Philadelphia Streets Department

Property Owner Consent Letter Formats

The following sheets contain samples of the letters that the Streets Department uses to inform property owners when an ADA curb ramp design contains a physical impact at or beyond the right-of-way line. For such designs, the Streets Department requires that a signed property owner consent letter be provided by the ramp designer and/or prime contractor to construct the ramp for the department *before* the ramp design is approved and released for construction.

Ramp designers should adopt the sample documents, as appropriate, for any ADA ramps to be constructed in Philadelphia. Letters should be prepared under the letterhead of the ramp designer, developer, utility or contractor. Substitute "Philadelphia Streets Department" language in these three (3) sample documents with the appropriate company or agency responsible for obtaining property owner consent for the ADA ramp project.

Following is a summary of the three (3) sample documents provided:

The first document, an "**Authorization to Enter letter**", serves to notify the property owner of the ADA curb ramp project.

The "**Authorization to Enter letter**" contains an attachment; the second document shown. The attachment, entitled "**Authorization of Enter (Waiver of Claim)**" document must be signed and returned by the property owner.

The third document is an "**Authorization to Enter Failure to Respond**" letter. The Streets Department uses this letter to alert the property owner of their liability for not allowing the proper upgrade of the ADA curb ramp to current federal ADA guidelines.

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ON RAMP DESIGNER COMPANY LETTERHEAD

Date

Name

Address

City, State Zip

**RE: Authorization to Enter Property
.....Name of Project.... (City Bid # _____)**

Dear Property Owner:

The City of Philadelphia, acting through its Streets Department and **at no cost to you**, intends to upgrade the curb ramp in front of your property located at the **corner location here(northeast, northwest, southeast, southwest)** corner of the intersection of **"street name"** and **"street name"** to an ADA (American with Disabilities Act) compliant sidewalk ramp. In particular, as part of the ADA design a **"insert modification here"** is being constructed adjacent to your property.

On behalf of the City, I am directed to request, from you, an Authorization to Enter Property to allow City contractors and their agents to construct, **again at no cost to you**, the **"insert modification here"** adjacent to your property. This is needed to create a sidewalk ramp that complies with the current standards set forth in the Americans with Disabilities Act of 1990 ("ADA").

In order to move forward with this project, your consent is necessary to allow City contractors and their agents to enter onto your property to complete construction, as soon as possible. If we do not receive your response within **XX** days, a "Failure to Respond" notice will be sent to you.

Enclosed is the Authorization to Enter Property form, a copy of the proposed ADA ramp design, and a pre-addressed envelope for your convenience. If you have any questions, please contact **"Designer contact name here"** of **"Designer consultant company name here"** at **"phone"** or **"email."**

Sincerely,

Name of Ramp Designer Project Manager here

Enclosures:

- 1) Copy of Authorization to Enter Form
- 2) ADA Curb Ramp Design Plan

PHILADELPHIA STREETS DEPARTMENT

AUTHORIZATION TO ENTER

Rev 4, May 2015

I (we) the undersigned hereby authorize the City of Philadelphia, Streets Department, its agents, employees and contractors to enter upon my (our) property abutting the street in order to repair and/or replace the existing Pedestrian Access Facility which is comprised of the sidewalk and the associated curb ramp(s) to comply with the current federal standards set forth in the Americans with Disabilities Act ("ADA").

I (we) understand that the City is not acquiring, through Eminent Domain or other applicable law, any additional property interest as a result of the aforementioned construction, and that ownership of, and title to, the sidewalk and associated curb ramp(s) remain vested in the current property owner(s). In consideration of the above construction by the City of Philadelphia, Streets Department, the undersigned agree(s) to make no claim under the Eminent Domain Code against the City of Philadelphia, Streets Department, its agents, employees and/or contractors on account of said construction.

Property owner(s) printed name(s) _____

Street Address of ramp construction _____

Street Address of property owner _____

Property Owner Contact Phone No. _____

Property Owner Contact Email Address _____

Property Owner(s) Signature(s): _____

Date: _____



CITY OF PHILADELPHIA

DEPARTMENT OF STREETS
HIGHWAY DIVISION
940 Municipal Services Building
1401 John F. Kennedy Blvd.
Philadelphia, PA 19102-1676

CARLTON WILLIAMS
Streets Commissioner

Date: xx/xx/xxxx

Address:

**RE: Authorization to Enter Property – Failure to Respond
...Name of Project here ...(City Bid # _____)**

Dear Property Owner:

You are receiving this letter due to your failure to respond to the previous letter sent on xx/xx/xx in regards to this project (a copy is enclosed for your reference). As mentioned in the previous letter, the City of Philadelphia Streets Department, at no cost to you, intends to upgrade the curb ramp in front of your property located at the “**corner location here(northeast, northwest, southeast, southwest)**” corner of the intersection of “**street name**” and “**street name**” to an ADA (American with Disabilities Act) compliant sidewalk ramp. In particular, as part of the ADA design a “**insert modification here**” is being constructed adjacent to your property.

You are receiving this letter because you have not provided the City with your Authorization to Enter Property as requested in the attached letter copy previously sent to your attention via certified mail.

You are required to contact the City’s Project Manager, **name**, at **215.XXX.XXXX** or email **at email address** within 10 days of the date of this letter. If the City does not hear from you by this date, the City will assume you have no objection to the City’s Streets Department Contractors proceeding with construction of the ADA-compliant curb ramp and sidewalk area as detailed in the attached sidewalk curb ramp design plans.

Sincerely,

Project Manager Name

CC: Construction File

S. Gill, ADA Coordinator, 930 MSB

Enclosures: 1)Copy of Authorization to Enter Property Letter
2)Copy of Authorization to Enter Form
3)ADA Curb Ramp Design Plan