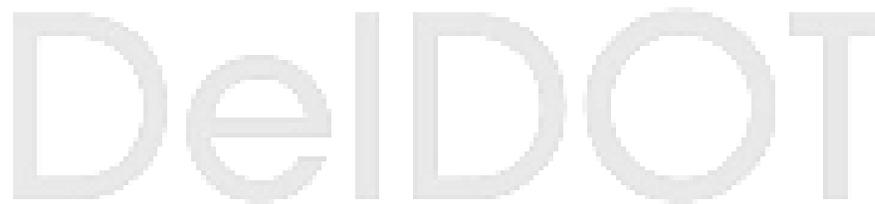


*Appendix E      Commercial Site Applications and Forms*



**Commercial Entrance Application Checklist**

- Application for Commercial Entrance Permit
- Verification of property ownership
- Power of Attorney form (notarized)
- Construction drawings approved by the DelDOT Subdivisions Engineer
- Itemized Construction Cost Estimate
- Security (check type below)
  - Letter of Credit
  - Surety Bond
  - Certified Check
- Commercial Entrance Construction Permit



**DELAWARE DEPARTMENT OF TRANSPORTATION  
APPLICATION FOR COMMERCIAL ENTRANCE PERMIT**

Property Owners Name : \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
City State Zip Code

Telephone No.: (\_\_\_\_\_) \_\_\_\_\_ Cell No.: (\_\_\_\_\_) \_\_\_\_\_

Fax No.: (\_\_\_\_\_) \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Tax Map I.D. No.: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
City State Zip Code

Telephone No.: (\_\_\_\_\_) \_\_\_\_\_ Cell No.: (\_\_\_\_\_) \_\_\_\_\_

Fax No.: (\_\_\_\_\_) \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Proposed/Existing entrance location (Mailing Address, Road Name, or Road Number): \_\_\_\_\_

Nearest intersecting road (Name): \_\_\_\_\_

Distance from entrance to nearest intersecting road: \_\_\_\_\_

Date when you will place stakes at entrance: \_\_\_\_\_ (mm/dd/yy)

*applicant shall place wooden stakes on both sides of proposed entrance location. Name of Property Owner must be written on the stakes. If stakes are not in place, a permit will **NOT** be issued.*

Are you requesting a permit for an existing entrance or a proposed entrance? Existing or Proposed  
(Circle one)

If applying for a permit for existing entrance:

\* Will you be modifying or relocating the existing entrance? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes (explain): \_\_\_\_\_

\* Was the existing entrance constructed within the past three years? Yes \_\_\_\_\_ No \_\_\_\_\_

Describe modifications you are proposing on the property (*building additions, new building construction, parking lot modifications, etc.*):

\_\_\_\_\_

**DELAWARE DEPARTMENT OF TRANSPORTATION  
APPLICATION FOR COMMERCIAL ENTRANCE PERMIT**

Prior use of property (describe the type of business previously operating on the Property):

\_\_\_\_\_

\_\_\_\_\_

Proposed use of property (describe the type of business operation proposed on the Property):

\_\_\_\_\_

\_\_\_\_\_

Present \_\_\_\_\_ square footage of each building (facility):

Proposed \_\_\_\_\_ square footage of each building (facility):

Existing \_\_\_\_\_ Zoning:

Proposed \_\_\_\_\_ Zoning:

Off street parking as required by local code:

Spaces required \_\_\_\_\_ Spaces Provided \_\_\_\_\_

Federal Tax I.D. No. : \_\_\_\_\_

(For Escrow Deposits ONLY)

*Address to District Public Works Engineer in appropriate District as follows:*

<b>New Castle County</b> (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	<b>Kent County</b> (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	<b>Sussex County</b> (DelDOT South District) Public Works Engineer <b>{23697 DuPont Boulevard}</b> P.O. Box 490 Georgetown, DE 19947
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**POWER OF ATTORNEY**

KNOW ALL PERSONS by These Presents that \_\_\_\_\_ (Property Owner)

whose \_\_\_\_\_ address \_\_\_\_\_ is

\_\_\_\_\_ a corporation/partnership duly organized under the laws of the State of \_\_\_\_\_,

has made, constitute and appoint \_\_\_\_\_, whose address

and \_\_\_\_\_ telephone \_\_\_\_\_ number \_\_\_\_\_ is:

\_\_\_\_\_ Phone Number: (\_\_\_\_\_) \_\_\_\_\_

to represent the aforesaid corporation/partnership before the State of Delaware for the purpose of obtaining the requisite permit and security for the establishment and construction of access to a State maintained highway to serve the following Land Development Project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

located

at \_\_\_\_\_

This Power of Attorney and the authority granted herein hereby binds the undersigned to perform as agreed upon by its agent, named herein, and shall continue to be in full force and effect until such time as the aforesaid entrance/access has been completed and accepted by representatives of the State of Delaware at which time the monetary security required hereby shall be released.

BY: \_\_\_\_\_  
(Signature)

TITLE: \_\_\_\_\_

*DelDOT Standards and Regulations for Subdivision Streets and State Highway Access*

Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

Notary

Public

Signature

---



**SAMPLE LETTER OF CREDIT  
FOR  
COMMERCIAL ENTRANCE CONSTRUCTION**

Bank Letterhead

Address to District Permit Supervisor in appropriate District as follows:

<b>New Castle County</b> (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	<b>Kent County</b> (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	<b>Sussex County</b> (DelDOT South District) Public Works Engineer <b>{23697 DuPont Boulevard}</b> <del>P.O. Box 490</del> Georgetown, DE 19947
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**RE: Irrevocable Commercial Letter of Credit No.**

\_\_\_\_\_  
\_\_\_\_\_  
*(name of Development)*  
in \_\_\_\_\_ County.

Dear Sir or Madam:

We hereby establish our Irrevocable Commercial Letter of Credit in favor of the State of Delaware, Department of Transportation as beneficiary at the request of and for an account of \_\_\_\_\_(app  
licant), for an amount or amounts not to exceed  
\_\_\_\_\_ (\$\_\_\_\_\_).

This Letter of Credit is subject to the following terms and conditions:

Effective Date: \_\_\_\_\_

This credit is to be available by sight draft being presented to

\_\_\_\_\_ (Name  
of Bank) at its main office at  
\_\_\_\_\_ (Address). All drafts

so drawn must bear the clause "Drawn Under" and the following information: Bank Name, Letter of Credit Number, and date.

*DelDOT Standards and Regulations for Subdivision Streets and State Highway Access*

The sight draft must be signed by the Director of the Division of Maintenance and Operations stating that “ \_\_\_\_\_ (applicant) has failed to perform construction of the site entrance, in accordance with the entrance construction permit and the irrevocable Letter of Credit in favor of the State of Delaware, Department of Transportation, pertaining thereto. Demand is hereby made in the amount of the enclosed draft.”

This Letter of Credit will expire on \_\_\_\_\_. The bank agrees to notify the State thirty (30) calendar days prior to expiration to permit a request for an extension or to permit the State to draw thereon. Bank agrees that such notice will be sent by registered mail to the appropriate Public Works Engineer as indicated in the table below and shall contain the Development name, applicant name, and County where the property is located.

<b>New Castle County</b> (DelDOT Canal District) Public Works Engineer 250 Bear-Christiana Road Bear, DE 19701	<b>Kent County</b> (DelDOT Central District) Public Works Engineer 930 Public Safety Blvd. Dover, DE 19901	<b>Sussex County</b> (DelDOT South District) Public Works Engineer <b>{23697 DuPont Boulevard}</b> P.O. Box 490 Georgetown, DE 19947
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Bank agrees that such notice would be effective only if it is sent by registered mail. In the event such notice is not given, this Letter of Credit shall automatically renew until such notice is received. It shall then expire (60) sixty calendar days from the receipt of such notice. This credit will automatically terminate as of the date the State of Delaware, Department of Transportation, notifies Bank that it has accepted the entrance and exit appurtenances.

Except as otherwise stated herein, no modification or revocations may be made by the undersigned to the irrevocable credit created hereby, without the express written approval of the Public Works Engineer, Delaware Department of Transportation.

All bank charges connected with this Letter of Credit are for the account of the applicant.

This Letter of Credit is neither negotiable nor assignable.

Very Truly Yours,

\_\_\_\_\_  
(Signature)

---

(Printed Name)



**SURETY AGREEMENT**

**FOR**

**COMMERCIAL ENTRANCE CONSTRUCTION**

KNOW ALL PERSONS BY These Presents that: \_\_\_\_\_  
(applicant) whose address is

\_\_\_\_\_ hereinafter called "Developer" and

\_\_\_\_\_ as surety legally authorized  
to do business in Delaware,  
whose address is

\_\_\_\_\_ hereinafter called "Surety" are held firmly bound unto the State of Delaware  
in the sum of \_\_\_\_\_ (\$  
\_\_\_\_\_) (said sum being ~~150~~ 400 percent of the total price agreed upon by DelDOT and  
the Developer for the construction of the entrance and exit appurtenances as set forth in this  
Agreement), to be paid to the State of Delaware for the use and benefit of DelDOT if the  
Developer fails to meet the conditions of this obligation.

SEALED with our seals and dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

NOW THE CONDITIONS OF THIS OBLIGATION ARE SUCH that if the Developer, who is  
responsible for the construction of the entrance and exit appurtenances set forth in this Agreement  
for the property known as  
\_\_\_\_\_, fails to  
construct such entrance and exit appurtenances in accordance with the provisions of the fully  
executed permit for entrance construction, as determined by DelDOT, the bond shall be forfeited  
in favor of the State of Delaware. Bond forfeiture shall occur within sixty (60) days of receipt of  
written notification by DelDOT. Should the Developer complete all construction in accordance  
with the aforesaid permit, then this obligation shall be void and of no effect, or else shall be and  
remain in full force and virtue until such entrance and exit appurtenances are accepted by  
DelDOT.

EXECUTED by the parties hereto the day and year first herein written.

**For Surety Company:**

Attest:

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Typed Name)

\_\_\_\_\_

(Position Title)

**For Developer:**

Attest:

\_\_\_\_\_

Secretary

(Signature)

\_\_\_\_\_

(Typed Name)

\_\_\_\_\_

(Position Title)

DeIDOT

**ESCROW AGREEMENT  
FOR  
COMMERCIAL ENTRANCE CONSTRUCTION**

KNOW ALL PERSONS by These Presents that: \_\_\_\_\_ (Property Owner) whose address is \_\_\_\_\_ and whose Employer Federal Identification Number is \_\_\_\_\_, hereinafter call "Developer" having furnished DelDOT a certified check in the amount of \_\_\_\_\_ (\$ \_\_\_\_\_) (said sum being 150 ~~100~~ percent of the total price agreed upon by DelDOT and the Developer for the construction of the entrance and exit appurtenances as set forth in this Agreement), to be deposited into DelDOT's Escrow Account, does hereby relinquish said amount to the State of Delaware for the use and benefit of DelDOT, to which payment will and truly be made we bind ourselves, our successors and assigns, firmly by these presents.

SEALED with our seals and dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

NOW THE CONDITIONS OF THIS OBLIGATION are such that if the Developer, who is responsible for the construction of the entrance and exit appurtenances set forth in this Agreement for the \_\_\_\_\_ the \_\_\_\_\_ property \_\_\_\_\_ known \_\_\_\_\_ as \_\_\_\_\_, fails to construct such entrance and exit appurtenances in accordance with the provisions of the fully executed permit for entrance construction, as determined by DelDOT, the funds shall be forfeited in favor of the State of Delaware. Forfeiture shall occur within sixty (60) days of receipt of written notification by DelDOT. Should the Developer complete all construction in accordance with the aforesaid permit, then this obligation shall be void and of no effect, or else shall be and remain in full force and virtue until such entrance and exit appurtenances are accepted by DelDOT. Upon completion of all work to the satisfaction of DelDOT the funds held in escrow shall be released by DelDOT.

EXECUTED by the parties hereto the day and year first herein written.

*DelDOT Standards and Regulations for Subdivision Streets and State Highway Access*

Attest: Secretary

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Typed Name)

\_\_\_\_\_

(Position Title)

Attest: Owner/Developer

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Typed Name)

\_\_\_\_\_

(Position Title)

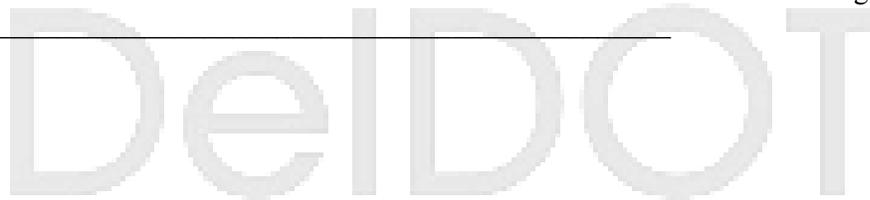
Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary

Public

Signature

\_\_\_\_\_



**COMMERCIAL ENTRANCE CONSTRUCTION PERMIT**

District: \_\_\_\_\_ Phone No. (302)  
 \_\_\_\_\_ Issued \_\_\_\_\_ To:  
 \_\_\_\_\_

Business \_\_\_\_\_ Name:  
 \_\_\_\_\_

Approved for an estimated volume of traffic of \_\_\_\_\_ Average Daily  
 Traffic \_\_\_\_\_ (ADT)

Location: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

On \_\_\_\_\_ an inspection of the above entrance was made and the  
 entrance was found to be in compliance with the Delaware Department of Transportation (DelDOT)  
 specifications, traffic and safety standards, and according to plans approved by  
 \_\_\_\_\_

\_\_\_\_\_. Should this property be sold, or the size or type of the business be changed to which there  
 is an increase in volume of traffic, the entrance will require a review by the appropriate District  
 Permit Office as indicated in table below. At such a time a design change may be required, or a  
 new permit will be issued accordingly.

<p><b>New Castle County</b>                  (DelDOT Canal District)                  Public Works Engineer                  250 Bear-Christiana Road                  Bear, DE 19701</p>	<p><b>Kent County</b>                  (DelDOT Central District)                  Public Works Engineer                  930 Public Safety Blvd.                  Dover, DE 19901</p>	<p><b>Sussex County</b>                  (DelDOT South District)                  Public Works Engineer  <b>{23697 DuPont Boulevard}</b>                  P.O. Box 490                  Georgetown, DE 19947</p>
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*DelDOT Standards and Regulations for Subdivision Streets and State Highway Access*

By copy of this letter the 100% security offered to DelDOT to guarantee the construction of this entrance is hereby released.

- Security Bond
- Irrevocable Commercial Letter of Credit
- Certified Check
- None Required

Date      Approved: \_\_\_\_\_  
\_\_\_\_\_

Approved      By:  
Public Works Engineer

