

Explanation of Public And Private Utilities

Prior to the commencement of your project, 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 Magnolia, from hitting any public utilities while working in the area.

DO NOT REMOVE, MOVE, OR ALTER ANY MARKERS UNTIL MAGNOLIA HAS COMPLETED YOUR PROJECT. Please contact us if the markings become invisible or hard to see.

Public Utilities vs. Private Utilities

Public lines are owned and maintained by utilities and are located to a “point of service,” which is usually some sort of meter. A private utility line goes beyond that point or meter and must be maintained by the property owner.

Public Utilities:

These utilities are owned and maintained by municipalities or utility companies and are part of a large network. When approaching a home, a public utility will usually end at a meter, transformer, vault, valve, or junction box.

Examples Include the following lines going into your home, up to the point of service:

- Buried Electric Lines
- Gas Mains
- Water Mains
- Fiber Optic Lines
- Telecommunication Lines
- Sewers

Private Utilities:

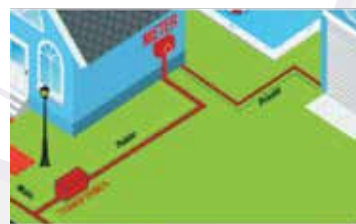
These utilities extend beyond the point of contact and are the responsibility of the property owner. It is recommended the property owner hire a private utility locator to help locate all private utilities.

Examples of private utilities include but are not limited to:

- Any electric, gas, water, sewer, drainage, or other utility line running to a barn, patio, pool, or other outside structure
- Lines to septic systems and water lines between the water meter and your home; Such as irrigation systems and sprinklers
- Propane
- Grills
- Wells
- Pool Pumping
- Landscape Lighting



The public gas line extends from the main to the meter. The private gas line extends from the meter to the lamp post.



The public power line extends from the main to the meter. The private power line extends from the the meter to the detached garage.



The public water line extends from, the main to the meter. The private water lines extend beyond the meter to the house.



UTILITIES

UTILITIES ACKNOWLEDGMENT & WAIVER

Magnolia's Responsibilities

As your ("Contractor") Magnolia 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 Magnolia to perform. Once a "dig tess" is called in, all public utilities will be marked within 48 hours and a new "dig tess" is required every 14 days during construction.

Homeowner Responsibilities

As the homeowner ("Owner"), prior to the contractor arriving to work, we recommend 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, sprinklers, phone lines, water lines, private extensions of electric lines, invisible fencing wires, and/or anything not otherwise locatable by the public utility services. Owner's failure to fulfill these obligations could 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 18" of a marked public utility or property rights, the Owner agrees to hold the 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.

Magnolia Fence & Patio is NOT RESPONSIBLE for damage to unmarked sprinklers and underground irrigation systems.

Interruption to Service

Please know that even if all private and public utilities are marked, there can be mismarking's causing damage to a utility. This will result in a disruption of service. We understand this is inconvenient and frustrating. If a disruption of service does occur, please contact your provider. Magnolia cannot speak to the utility company on your behalf. If they have questions, they will contact us. Please see our list of common providers for assistance.

By Signing My Contract

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 I am responsible for unmarked private utilities and property rights as described above, prior to Magnolia's arrival for work commencement.

Signature of Agreement

Date