

**AFFIDAVIT OF
OUTDOOR ADVERTISING SIGN TRANSFER OF OWNERSHIP**

INSTRUCTIONS

The corresponding template is provided by the Indiana Department of Transportation (INDOT) to provide written evidence in affidavit form as required under 105 Indiana Administrative Code 7-4-4 to prove an ownership transfer of an outdoor advertising sign. A transfer of sign ownership occurs when the sign is transferred by sale or assignment from the previous sign owner (“past permittee”) to a new sign owner (“transferee”), or where the sign owner of record changes and the INDOT permit record needs to be updated.

The affidavit can be completed and submitted by either the past permittee or the transferee.

Under Indiana Code 8-23-20-25(f)(3), sign owners are obligated to submit information about a transfer, along with the \$40 transfer fee, to INDOT within 180 days of the effective date of the transfer. Failure to timely do this will result in late fees or could even lead to revocation of the permit.¹

For transfers that preceded the adoption date of 105 IAC 7-4-4 (August 23, 2019) in which information about the transfer and the transferees have not been provided to INDOT’s reasonable satisfaction, information about the transfer and the fee are required within one year of the adoption date.

- **Who should complete the affidavit?** The past permittee or transferee, or an authorized designee of the past permittee or transferee.

Example: “JOHN SMITH DOE, Real Estate Manager of Example Outdoor Advertising”

- **Identify the entity:** References to entities should reference business names as registered with the Indiana Secretary of State’s Office, if applicable. Include any applicable assumed names or names of the entity — such as does business as (DBA) or was formerly known as (FKA) — which should be used in the affidavit, properly identified and explained if necessary.
- **Connect the permit to the transferee (current sign owner):** Using a separate numbered paragraph for each major detail, identify or trace back every step to link the past permittee to

¹ Fees required under IC 8-23-20-25(f)(3)(B): “A one-time fee of forty dollars (\$40) per structure for transfer of a sign and permit to any subsequent transferee. The fee is due to be paid not later than one hundred eighty (180) days after the effective date of the transfer. If the transfer fee is not timely paid, the department may charge a late fee of not more than four hundred dollars (\$400).”

See also 105 IAC 7-4-4(c)(2): “If any transfer form and transfer fee required by this subdivision is not timely received by the department, then the permittee and the transferee shall jointly and severally owe the department a late fee of one hundred dollars (\$100) per month from the due date of such form and fee until they are both received by the department, but subject to a maximum late fee of four hundred dollars (\$400) for any particular sign. Failure of the permittee or the transferee to submit this transfer form and to pay this transfer fee in a timely manner shall be a sufficient ground for the department to revoke any permit for that sign, but the permittee or the transferee may prevent this revocation by submitting the completed transfer form and paying the transfer fee and all late fees within thirty (30) days of the date of the department’s revocation notice.”

the transferee. Each major detail should include the effective date of the transfer or change. The following are examples:

- Transfers of ownership (buying, selling, or other conveyances)
 - Example: “Effective 12/2/2019, **Sample Outdoor Advertising** acquired the sign described below from **Old Owner Outdoor Advertising.**”
 - Example: “**Sample Outdoor Advertising** bought the sign described below from **Joe Edward Smith** on 8/30/2019.”
- Mergers or acquisitions
 - Example: “Effective 10/1/2019, **Old Owner Outdoor Advertising** merged with two other businesses to become **Sample Outdoor Advertising.**”
- Name changes of entities
 - Example: “Effective 1/2/2020, **Old Owner Outdoor Advertising** took action to officially change its corporate name, as registered with the Indiana Secretary of State, to **Sample Outdoor Advertising.**”
- **Identify the sign:** The sign(s) in question must be identified by permit number. The affidavit may cover multiple signs, but all permit numbers must be listed in the affidavit. The sign(s) should also be identified by location. Additional details such as the type of sign are also encouraged (single face, back-to-back, side-by-side, stacked, or V-shaped; electronic or tri-movement changeable message signs).
 - Examples:
 - “The single-face outdoor advertising sign located on property adjacent to Road Reference Point 10.3 on Interstate X Northbound”
 - “The back-to-back outdoor advertising sign located at 1234 State Road X, Sample City, Indiana 46111 and adjacent to State Road Y”
 - “The back-to-back electronic changeable message sign located 500 feet Northeast of the Intersection of State Road X and State Road Y in Sample County”
- **Confirm that the property owner consents:** The affidavit must make clear that the permitted signs continues to exist with the consent of the property owner of the real estate where the sign is located.
- **Signature:** *Before a notary*, sign and print name in the proper place.
 - If the person is signing as the past permittee or transferee that is a sign company or other type of entity, sign under “IF ENTITY.” The section also has a place to print the name of the entity, and to list the job title of the person signing the affidavit along with that person’s name.
 - If the person is only representing themselves as the past permittee or transferee, sign under “IF INDIVIDUAL.”

- **Notarization:** The affidavit must be signed and properly notarized, which includes signing in the presence of a notary public. The affidavit must include the notary seal or stamp.
- **Submission:** The form should be scanned and electronically submitted via INDOT's Electronic Permitting System (EPS).

Link to EPS (with instructions on how to set up an account if needed):

<https://eps.indot.in.gov>

- Keep the original for your records.