

Russell County Highway Department

4288 U.S. HIGHWAY 40
RUSSELL, KS 67665
PHONE (785) 483-4032 FAX (785) 483-4852

UTILITY PERMIT

Whereas, _____ Owner,
(name and mailing address)

and _____
(name and mailing address)

as Agent, Lessee, Contractor, hereinafter termed the petitioner, request permission and authority to do certain work involving the County Highway right-of-way in, upon, or along Section _____ Township _____ S, Range _____ W, Quarter _____ Russell County; Closest road intersection _____

Description of work: _____

Subject to the following conditions and restrictions:

PLANS: Petitioner shall furnish two (2) sets of comprehensive plans or sketches, 8½" X 11" or larger, for the proposed work. For commercial entrances include a plot plan of the proposed installation. Entrance locations and utility installations must be approved by the County Road and Bridge Superintendent or his authorized representative. Drainage structural requirements to be determined by the County Road and Bridge Superintendent.

INSTALLATION AND WORK ACTIVITIES: Activities shall be undertaken as described in the permit request and in compliance with all submitted and approved plans. Any deviations from submitted plans require written approval by Russell County prior to installation. All installations shall require a minimum of 36 inches of cover or a minimum of 5 feet below the shoulder of the road.

MATERIALS AND METHODS: All materials and construction methods used on the work within the limits of the road right-of-way shall be equal to or better than that required by the Standard Specifications for State Road and Bridge Construction, current edition. Commercial entrances shall be surfaced with material of the same general type as roadway surfacing.

COMPLETION: The petitioner shall furnish all material, do all work, pay all costs and restore said right-of-way to the condition existing prior to approval of the work described on this permit. Work to be completed within _____ day(s) of Approval Date, otherwise permit is null and void. An extension of time may be requested in writing. Petitioner agrees that an approved signed copy of permit will be on the premises before any work is performed.

OBSTRUCTION OF TRAFFIC: Petitioner agrees that there will be no interference with traffic, unless specifically provided for as a part of the permit. Traffic protection to be in accordance with the Uniform Manual for Traffic Control Devices.

RIGHT-OF-WAY: Petitioner agrees that no portion of the right-of-way will be used for parking, advertising signs or any other commercial activity. Petitioner shall furnish all materials, perform all work, and pay all cost to restore right-of-way to conditions prior to installation within fourteen (14) days of work completion, and shall maintain grading and backfill for one year from date of completion. Any sod, shrubs or trees destroyed by this work shall be replaced as directed by the County Road and Bridge Superintendent. The Petitioner, his successor or assigns, shall assume all risk

and liability for accidents and damages that may accrue to persons or property on account of this work. That in the event the County deems it necessary or proper to make any alterations or improvements along or upon the highway or right-of-way, the petitioner agrees to save Russell County harmless to any damage to said petitioners construction along or upon the said highway or right-of-way and the Petitioner further agrees that upon notice being served upon him, he will, within a reasonable time, alter, change, relocate or move his construction or work off the highway or right-of-way as requested by Russell County without expense to the County.

Petitioner and/or Utility shall move, lower or alter said Utility at any time it is necessary for road or bridge construction or maintenance, as determined by the County, at no cost to the County.

ROAD CROSSINGS: All road crossings shall be bored under existing roadways unless an exception is specifically noted on the permit by Russell County. Right-of-way crossings shall be identified at the edge of the right-of-way with properly installed post or pole markers consistent with industry standards for the underground utility installations.

INSURANCE: Petitioner shall furnish a current certificate of insurance showing proof of liability insurance indicating coverage of not less than \$500,000 per occurrence. This certificate shall also show Russell County Highway Department as the certificate holder.

INDEMNITY: Petitioner and/or Utility will hold Russell County, and its representatives, harmless from any damage claims that might arise from said Utility due to construction, maintenance, and use thereof.

COUNTY REQUIREMENT: The following requirements are to be followed in the installation and maintenance of the requested work to be done.

VIOLATION: Violation of the terms of this permit may be enforced by civil action for monetary damages and/or injunctive relief. Violation may also be punished by fine and/or confinement in county jail in accordance with penalties for a Class C Misdemeanor pursuant to K.S.A. 19-101d and K.S.A. 19-4701 *et seq.*

PERMIT GRANTED THIS _____ DAY OF _____, _____

PETITIONER

ROAD & BRIDGE SUPERINTENDENT
RUSSELL COUNTY

I accept: By submitting, I (Petitioner) acknowledge that I have read and understand this permit, and I accept and agree to all of the conditions and restrictions.