APPLICATION TO OCCUPY
HITCHCOCK COUNTY ROAD RIGHT-OF-WAY

Occupancy: □ Above Ground □ Below Ground

Type of Occupancy: _____

_____
(water, sewer, gas, telephone, etc.)
and for the purpose of entering upon the same, to bury, construct, maintain and repair said UNDERGROUND UTILITY.

Name and address of person and/or agency making Application: _____

_____

_____ Telephone: _____

Name and Telephone Number of contact person: _____

_____ Telephone: _____

Described Utility to Occupy the East □ West □ North □ South □ or Center □ side of the Hitchcock County Roadway, leading from point of origin to point of completion, listing appropriate legal descriptions:
_____

_____

_____

_____

_____

Listed Occupancy is to be placed _____ feet from the centerline on the described roadway, and said UNDERGROUND UTILITY shall be buried a minimum of forty-eight inches (48") below the lowest point of the area of the county road right-of-way occupied thereby and the same shall be buried in such manner as to not interfere with HITCHCOCK COUNTY 's reasonable, necessary and beneficial use of its existing county road right of way and HITCHCOCK COUNTY shall not be liable or otherwise responsible for any damage(s) whatsoever which may be caused to said UNDERGROUND UTILITY.

Name and Address of contractor and/or installer including name and telephone number of contact person:
_____

_____ Telephone: _____

OWNER/APPLICANT agrees to make this occupancy in accordance with the terms and conditions of the Hitchcock County Commissioners. This permit shall be NULL and VOID if the work specified in the permit is not completed within six (6) months from the date of issuance of this permit. Any extension in time will be requested in writing from the owner/applicant and approval of extension will be granted in writing from the Hitchcock County Commissioners. OWNER/APPLICANT may cancel the permit with written notification at any time prior to the beginning of work on the described occupancy.

OWNER/APPLICANT shall be responsible for any damage and/or destruction to any other utility in place at the location of requested occupancy. It is further the responsibility of the person(s) making the application to locate and identify any other utility in existence, at described location, and to contact the digging hotline prior to the start of work.

OWNER/APPLICANT shall be responsible for the occupancy item and damage to county road right-of-way or county road as a result of such installation. In addition, owner shall be responsible for removal of said item when county road construction requires, at no expense to HITCHCOCK COUNTY. Upon burying said UNDERGROUND UTILITY OWNER/APPLICANT shall cause to be recorded in the

Hitchcock County Register of Deeds office at OWNER/APPLICANT's expense a detailed survey showing the exact location of said buried UNDERGROUND UTILITY, and OWNER/APPLICANT shall mark, as directed by HITCHCOCK COUNTY's authorized agent or representative the locations where said UNDERGROUND UTILITY intersects the county road right of ways by setting at such points a PVC pipe or stake with the top 12 inches being painted flourescent orange.

OWNER/APPLICANT agrees that the surface of the County road where the UNDERGROUND UTILITY is buried shall be dug in such a manner so as to result in minimal damage, and that the surface so dug, removed and otherwise damaged by OWNER/APPLICANT while burying, constructing, maintaining and/or repairing said UNDERGROUND UTILITY shall be duly and properly replaced and shall be duly and properly packed with packing equipment specifically made for that purpose. OWNER/APPLICANT shall use reasonable and due diligence to return such damaged area to its original state as nearly as can be reasonably done and as accepted and approved by HITCHCOCK COUNTY.

If so requested by OWNER/APPLICANT, HITCHCOCK COUNTY agrees to provide traffic control barricades for use by OWNER/APPLICANT during the burying and construction of said UNDERGROUND UTILITY and OWNER/APPLICANT agrees to furnish and be solely responsible for all traffic control during the burying of said UNDERGROUND UTILITY and OWNER/APPLICANT shall provide adequate and proper warning(s) and signage to warn travelers of the work being done on and across said County Road, and OWNER/APPLICANT shall be solely responsible for any injuries suffered thereby and OWNER/APPLICANT agrees to hold HITCHCOCK COUNTY harmless therefore, and to indemnify HITCHCOCK COUNTY for any and all losses whatsoever incurred by HITCHCOCK COUNTY in relation to said injuries.

OWNER/APPLICANT shall be liable for all damages caused to HITCHCOCK COUNTY and HITCHCOCK COUNTY's county road and/or right-of-way in the event said UNDERGROUND UTILITY is or becomes ruptured or otherwise damaged. Furthermore, OWNER/APPLICANT agrees to hold harmless and indemnify HITCHCOCK COUNTY for any and all liability whatsoever arising or otherwise resulting from any and all claims or causes of action whatsoever filed against HITCHCOCK COUNTY relating in any manner to damages or losses caused by or resulting from OWNER/APPLICANT's burying, constructing, maintaining or repairing said UNDERGROUND UTILITY in accordance with this agreement, except those specifically resulting from unlawful acts of HITCHCOCK COUNTY.

The abandonment of the occupancy described herein for the purpose(s) herein stated shall render the same void and shall cause the same to terminate accordingly.

This *Application to Occupy Hitchcock County Road Right of Way* shall be recorded in the Hitchcock County Register of Deeds office at OWNER/APPLICANT's expense.

NOTE: Two sets of plans for the proposed work requested herein shall be submitted with this application. The plans shall show the general features of the occupancy and all information such as sizes, dimensions, distances from edge of road and distance from right-of-way line. Detail of all bridge attachments must be shown if applicable.

I intend to completely and fully comply with the above and that I have read and understand the instructions.

_____ _____

Signature Owner/Applicant and/or Responsible Individual Date

_____

Company

Approved by: _____ _____

Hitchcock County Zoning Administrator Date

_____ _____

Hitchcock County Commissioner Date

File Application with the Hitchcock County Zoning Administrator
229 East D St. – PO Box 248, Trenton, NE 69044
308-334-5851