

**THIS FORM  
MUST BE PRINTED ON  
LEGAL-SIZED  
PAPER TO ALLOW FOR  
A 3" MARGIN  
AT THE TOP  
AS REQUIRED BY IOWA CODE**

Prepared By: \_\_\_\_\_  
Name Address Telephone

Return To: Clay County Engineer's Office 300 West 4<sup>th</sup> Street, Suite 5, Spencer IA 51301  
Name Address  
County \_\_\_\_\_

Application Number \_\_\_\_\_

CLAY COUNTY BOARD OF SUPERVISORS  
APPLICATION FOR APPROVAL OF OVERHEAD  
CONSTRUCTION ON COUNTY HIGHWAY RIGHT-OF-WAY

Applicant: \_\_\_\_\_  
Name of Individual or Company

Address \_\_\_\_\_  
Incorporated under the laws of the State of \_\_\_\_\_ with principal place  
of business in \_\_\_\_\_  
City State

Date \_\_\_\_\_

Clay County Board of Supervisors  
Spencer, Iowa

Supervisors:

Approval is hereby requested for overhead construction of \_\_\_\_\_

\_\_\_\_\_  
(Describe fully, work contemplated)

Plat of proposed overhead construction showing location and other pertinent information shall be attached to each copy of the application. The proposed line will be located on County Road Number \_\_\_\_\_ Clay County, \_\_\_\_\_ miles \_\_\_\_\_ from

More specifically described as follows: \_\_\_\_\_

Agreements: The applicant agrees that the following stipulations shall govern under this permit:  
1. All pole placement longitudinally along the road shall be placed not closer than \_\_\_\_\_ feet from the edge of the right-of-way, or not closer than \_\_\_\_\_ feet from the centerline of unpaved highways, the exact location more specifically described as follows:  
(include proposed height) \_\_\_\_\_

2. The applicant will at any time subsequent to placing the overhead line, and at his own expense, place, reconstruct, or remove his lines as may become necessary to conform to new grades, alignment or widening right-of-way, resulting from maintenance or construction operations by the Board of Supervisors irrespective of whether or not additional right-of-way is

acquired in connection with such highway improvement. The applicant agrees to do this promptly on order by the Board of Supervisors, and without cost to the County. If the applicant is unable to comply promptly, the Board of Supervisors may cause the work to be done and the applicant will pay the cost thereof upon receipt of statement.

The Board of Supervisors will endeavor to give the applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way, that is likely to disrupt cable lines, belonging to the applicant, in order that the applicant may arrange to protect his lines. The Board of Supervisors will inform contractors, and others working on the job, of the location of the lines so that reasonable care may be taken to avoid damaging the lines. The County and the Board of Supervisors assume no responsibility, however, for failure to give such notice.

3. The County and the Board of Supervisors assume no responsibility for damages to the applicant's property occasioned by any construction or maintenance operations on said highways, including new or additional right-of-way acquired in connection therewith, subsequent to the buildings of said lines.

4. The applicant shall take all reasonable precautions during the construction of said lines, to protect and safeguard the lives and property of the traveling public and adjacent owners and shall save the County and the Board of Supervisors harmless of any damage or losses that may be sustained by the traveling public or adjacent property owners on account of such construction operations.

5. Operations in the construction and maintenance of said lines shall be carried on in such a way as to not interfere with, or interrupt traffic on said highway.

6. The applicant shall hold the County and Board of Supervisors harmless from any damage that may result to said highway because of the construction or maintenance of said lines and shall reimburse the County or the Board of Supervisors for any expenditure that the County or the Board of Supervisors may have to make on said highway on account of said applicant's lines, having been constructed thereon.

7. The applicant agrees to give the Board of Supervisors forty-eight hours notice of its intention to start construction on the highway right-of-way. Said notice shall be made in writing to said person whose name is shown below.

8. The permit is subject to any laws now in effect or any laws which may be hereafter Enacted.

9. This application is subject to all the rules and regulations of the Board of Supervisors and to revocation by the Board of Supervisors at any time, when in the judgment of the Board, it is necessary to the improvement or maintenance of the highway or for other reasonable cause. And in such event, the applicant hereby agrees to remove all of applicant's property from the said right-of-way without delay and without cost to the County.

10. As built plans for all installations shall be furnished to the County within 90 days of the completion of the project. Said plans shall include a plan and profile and location from the civil monument.

11. Applicant agrees to pay County Recorder's fees for recording application and to reimburse the County for all inspection costs during construction as deemed necessary by the County Engineer.

	_____ Name of Company	
RECOMMENDATIONS	By	_____
Recommended for Approval:	Signature	Title
By	By	_____
Scott Rinehart, County Engineer	Signature	Title
Date	_____	

The Applicant shall send notice of date of construction to:

Scott Rinehart  
County Engineer

APPROVAL OF BOARD OF SUPERVISORS

Admin. Bldg., 300 West 4<sup>th</sup> St., Suite 5  
Address

By \_\_\_\_\_

Spencer Iowa 51301  
City, State, Zip

By \_\_\_\_\_  
Marjorie A Pitts – Auditor of Clay County

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_ SS:

On this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_ Before me, \_\_\_\_\_  
a Notary Public in and for \_\_\_\_\_ County, State of \_\_\_\_\_ appeared  
of \_\_\_\_\_

the Corporation which executed the above and foregoing instrument, who being to me personally known as the identical person who signed the forgoing instrument, and by me duly sworn, did say that he/she is the \_\_\_\_\_ of the said Corporation and that said instrument was signed in behalf of said Corporation, and said \_\_\_\_\_ acknowledged said instrument to be the voluntary act and deed of said Corporation.

\_\_\_\_\_  
Notary Public in and for said last mentioned County

STATE OF IOWA, CLAY COUNTY, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, before me, the undersigned, a Notary Public in and for Clay County, Iowa, personally appeared \_\_\_\_\_, Chairman of the Board of Supervisors of Clay County, Iowa, and \_\_\_\_\_, Auditor of said County, to me personally known, who did say that they are the Chairman of the Board of Supervisors and the Auditor of said County, respectively, and that the foregoing permit was signed and sealed by them on behalf of Clay County, Iowa, by authority of its Board of Supervisors and that the seal affixed thereto is the Official Seal of said County; and the said \_\_\_\_\_ and \_\_\_\_\_ acknowledged said instrument to be the voluntary act and deed of Clay County, Iowa by them voluntarily done and executed.

\_\_\_\_\_  
Notary Public – Clay County, Iowa