

**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 4th Street, Suite 5, Spencer IA 51301
Name Address
County _____

Application Number _____

CLAY COUNTY BOARD OF SUPERVISORS
APPLICATION FOR APPROVAL OF UNDERGROUND
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 underground construction of

(Describe fully, work contemplated)

Plat of proposed underground 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 trenches constructed longitudinally along the road shall be placed not closer than _____ feet from the edge of the pavement, or not closer than _____ feet from the centerline of unpaved highways, the exact location more specifically described as follows:

2. The applicant will at any time subsequent to placing the cable, pipe line, or tile line, and at his own expense, relay, reconstruct, or encase 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 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 expose, cover up, or disturb, any cable, pipe line, or tile line, 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 the construction or maintenance operations on said highways, including new or additional right-of-way acquired in connection therewith, subsequent to the buildings of said pipe line, conduit or tile line.

4. The applicant shall take all reasonable precautions during the construction of said cable, pipe line, or tile line, to protect and safeguard the lives and property of the traveling public and adjacent property 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 cable, pipe line, or tile line, shall be carried in such a way as to not interfere with, or interrupt traffic on said highway.

6. The applicant shall hold the County and the Board of Supervisors harmless from any damage that may result to said highway because of the construction or maintenance of said cable, pipe line, or tile line, 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 cable, pipe line, or tile line, 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. Cable, pipe line, and tile line, crossing shall be constructed as follows: Water mains 2" or less inside diameter shall be copper, lead, or cast iron. Water mains of more than 2" inside diameter shall be cast iron and be encased. The casing shall be of adequate strength, and of sufficient length to extend 2" beyond the edge of the shoulder line. Pressure sewer lines shall meet the same requirements as water mains. Gravity sewer lines and tile lines shall be cast iron pipe or an approved extra strength pipe and need not be encased. On paved roads, cables, pipe lines and casings, may be placed through the sub-grade by jacking, or by boring a hole just large enough to take the line; or if the highway engineer approves, a tunnel may be dug through the cable, pipe line, or casing, placed therein. On roads not paved, an open trench may be dug and the cable, pipe line, or tile line placed therein, and the trench backfilled over the line. All backfill of tunnels and trenches shall be thoroughly compacted in layers of 6" or less in depth. Backfilling of trenches within the right-of-way but not under the traveled roadway, shall be tamped sufficiently to avoid settlement. All work shall be done in a workman line manner, the ground, slopes and ditch bottoms reshaped in a neat manner and all areas where sod has been destroyed shall be reseeded. All work in the highway right-of-way shall meet with the approval of the County.

9. Pipe lines conveying gas, natural or artificial, oil, gasoline, motor fuel, or other inflammable substance under across secondary roads shall be installed in accord with rules of the above Iowa State Commerce Commission and American Standard Transmission and Distribution Piping System requirements.

10. The applicant agree to maintain adequate structures through all temporary and permanent ditch crossings. The ditch crossings and drainage structures shall be approved by the County Engineer before such crossings are constructed.

11. This Permit is subject to laws now in effect or any laws which may be hereafter enacted.

Revised: May 9, 2006

12. 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.

13. 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.

14. All road crossings and crossings of tile lines will be in accord with the attached standards, or similar standards approved at the time of this application and submitted therewith.

15. 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.

16. Crossings at the following locations shall be bored or jacked and cased:

Crossings at the following locations shall be bored or jacked but need not be cased:

Crossings at the following locations may be by open trench and need not be cased:

Name of Company

RECOMMENDATIONS
Recommended for Approval:

By _____
Signature Title

By _____
Scott Rinehart, County Engineer

By _____
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 4th St., Suite 5
Address

By _____

Spencer Iowa 51301
City, State, Zip

By _____
Marjorie A Pitts – Auditor of Clay County

***Notary section on next page

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

**ADDENDUM TO APPLICATION FOR APPROVAL OF
UNDERGROUND CONSTRUCTION**

On this _____ Day of _____, 20_____, the undersigned _____, an applicant for approval of underground construction in Clay County, Iowa, and the Clay County Board of Supervisors hereby enter into the following agreement as an addendum to the application for approval of underground construction on county highway right-of-way, which application is dated the _____ day of _____, 20_____.
20_____.

In consideration for permission for underground construction which is set forth in the application to which this is an addendum, the undersigned applicant hereby enters into the following agreements with the Clay County Board of Supervisors.

1. That the applicant shall cause the location of all underground construction and lines located underground during said construction to be marked at each road corner and at each splice between road intersections, which markings shall be at least every eighty (80) rods commencing at the intersection. These markings shall be above ground, permanent in nature, and in such a manner as to notify the neighboring land owners, construction employees and other persons of the location of the underground cable.

2. The undersigned applicant further agrees to indemnify Clay County, Iowa from all costs directly or indirectly relating to claims, demands or litigation which arise directly or indirectly from the approval by the Clay County Board of Supervisors of the application or subsequent construction as contemplated in the application, to which this is an addendum. These costs shall include, but shall not be limited to, attorney fees, judgments, court costs, investigation costs, settlement amounts which may be paid by Clay County, Iowa directly or by third person on behalf of Clay County, Iowa. It is further understood between the parties that this indemnity agreement shall cover claims in tort, contract, or otherwise, in law or in equity, which do arise either directly or indirectly from the granting of the application or subsequent construction as contemplated in the application.

Name of Company

By _____
Signature Title

CLAY COUNTY BOARD OF SUPERVISORS

By _____