

**Application for Use of Lee County Secondary Road
Right-of-Way for Utilities/Tile Line Accommodation**

Applicant: _____
(Name of Owner)

(Address) (City) (State) (Zip)

**Lee County Board of Supervisors
Fort Madison, Iowa**

Gentlemen:

Approval is hereby requested for the use of Secondary Road _____

in Section _____, Township _____, Range _____, Lee County, _____ Miles,

from _____ from _____
(Direction) (Place, Town, Etc.)

for the accommodation of a(n) _____

for the transmission of _____

The installation shall consist of _____
(Detailed Description)

Minimum depth or cover within public right-of-way shall be _____ inches.

Plat of proposed underground construction showing location and other pertinent information, shall be attached to each copy of the application.

AGREEMENTS: The utility company, corporation, applicant, permit holder or licensee, (hereinafter referred to as the permit holder) agrees that the following stipulations shall govern under this permit.

1. The location, construction and maintenance of the utility/tile line installation covered by this application shall be in accordance with all county, state, and federal laws; franchise rules and regulations; regulations and directives of the Iowa State Commerce Commission, Utilities Division; the Department of Water, Air and Waste Management; all rules and regulations of Lee County and any other laws or regulations applicable or which may be hereinafter enacted.

2. The permit holder shall be fully responsible for any future adjustments of its facilities within the established highway right-of-way caused by highway construction or maintenance operations by Lee County irrespective of whether or not additional right-of-way is acquired in connection with such highway improvement. The permit holder agrees to do this promptly on order by the Board of Supervisors. If the permit holder is unable to comply promptly, the County may cause the work to be done, and the permit holder will pay the cost thereof upon receipt of statement.

3. The County will endeavor to give the permit holder 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 its facility, in order that the permit holder may arrange to protect its lines. The County 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 assumes no responsibility, however, for failure to give such notice.

4. The permit holder shall take all reasonable precautions during the construction and maintenance of said installation to protect and safeguard the lives and property of the traveling public and adjacent property owners and shall save the County harmless of any damage or losses that may be sustained by the traveling public or maintenance operations.

5. The permit holder agrees to give the County forty-eight (48) hours notice of intention to start construction on the highway right-of-way. Said notice shall be made in writing to the County Engineer.

6. Flagging operations are the responsibility of the permit holder. The original placement of signs and removal on completion of the work shall be accomplished by the permit holder.

7. The permit holder shall be responsible for any damage that may result to said highway because of the construction operation or maintenance of said facility, and shall reimburse the County any expenditure that the County may have to make on said highway because of said Permit Holder's facility having been constructed, operated and maintained thereon.

8. The permit holder shall indemnify and save harmless the County from any and all causes of action, suits at law or in equity, or losses, damages, claims, or demands, and from any and all liability and expenses of whatsoever nature for, on account of, or due to the acts or omissions of said Permit Holder's officers, members, agents, representatives, contractors, employees or assigns arising out of or in connection with its (or their) use or occupancy of the public highway under this permit.

9. Non-compliance with any of the terms of the County policy, permit or agreement, may be considered cause for shutdown of utility/tile line construction operations or withholding of relocation reimbursement until compliance is assured, or revocation of the permit. The cost of any work caused to be performed by the County in removal of non-complying construction will be assessed against the permit holder.

10. This application is subject to revocation by the Board of Supervisors at any time, when in the judgment of the Board it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

11. The following special requirements shall apply to this permit.

Name of Company

By _____
Name Title

Address _____

Date _____ Phone _____

**APPROVED UNDER AUTHORITY OF BOARD
OF SUPERVISORS, LEE COUNTY, IOWA**

Lee County Engineer or
Assistant County Engineer

Date _____

(3 copies of the application and plat must be filed with the County Engineer, Fort Madison, Iowa, for each underground construction project on County right-of-way.)

The construction shall be completed on or before _____