

LAKE COUNTY ROAD DEPARTMENT
106 4TH AVE E POLSON, MT 59860
APPLICATION AND PERMIT FOR ROAD ENCROACHMENT
ON LAKE COUNTY ROADS/RIGHT OF WAY

Lake County hereby grants conditional authorization to:

_____ Of _____,
(Name) (Company)

_____ to trench or encroach upon a Lake
(Address Continued)

County public roadway or right-of-way _____,
In _____ Sec. _____ Twn. _____ Rge for a fee of \$ _____.

SCOPE OF WORK:

1. Lake County Commissioners will be notified before the start of work and all work will be done under the supervision of the road supervisor.
2. All roads shall be bored in a manner not to disturb the road surface. If boring is not feasible and the road surface must be cut a repair and maintenance fee will be charged.
 - a. Gravel surfaced road fee shall be \$100.00 per cut (50 square feet or less of surface) additional area will be charged on a time and material basis.
 - b. Asphalt surfaced roads fee shall be \$250.00 per cut (50 square feet or less of surface) additional area will be charged on a time and material basis.
3. The cut shall not be more than _____ in width; not less than _____ in depth, and is for the purpose of _____ and will not obstruct traffic for more than _____ hours per day. If construction work exceeds _____ hours a detour must be provided. All detours must be constructed and approved by the road supervisor before the existing road is cut.
4. The cut shall be filled and compacted with non-settling material to a level 12" below the road surface. The top 12" shall be filled and compacted with gravel (2" minus) to the level of the adjoining roadway. Final surfacing of gravel or asphalt surfacing shall be completed by Lake County.
5. The permittee will follow accepted procedures for flagging, signing, and any other means necessary for the protection of the public during the construction period.
6. The holder of this permit agrees to restore any disturbed areas within the right-of-way to the original condition to include filling, compacting, grading, and seeding all disturbed areas.
7. Cost of relocation of lines by the utility will be done at the applicant's or the utility's expense.
8. Adequate drawings or sketches showing the existing and/or proposed location of the utility facilities within the right-of-way may be required for this permit.
9. Underground utilities will be appropriately marked.

10. Any persons cutting or opening county roads or right-of-ways without obtaining this permit will be assessed a fee of twice the normal fee. Installations not complying with this regulation will be removed by Lake County.

USE NOT TO EXCEED COUNTY'S RIGHTS:

In accepting this permit, the permittee agrees not to make any use of the roadway or right-of-way which exceeds the County's rights in the roadway or right-of-way. The permittee shall be solely liable for damages resulting from use in excess of County rights.

COUNTY SAVED HARMLESS FROM CLAIMS:

In accepting this permit, the Permittee, its successors or assigns, agree to protect the County and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character or materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said highway right-of-way, and in case any suit or action is brought against the County and arising out of, or by reason of, any of the above causes, the Permittee, its successors or assigns, will, upon notice to it of the commencement of such action, defend the same at its sole cost and expense and satisfy the judgment which may be rendered against the County in any such suit or action.

COUNTY NOT LIABLE FOR DAMAGE TO INSTALLATIONS:

In accepting this permit, the Permittee agrees that any damage or injury done to said installation or structures by a contractor working for the County, or by any County employee engaged in construction, alteration, repair, maintenance or improvement of the County road, shall be at the sole expense of the Permittee.

REVOCATION:

This permit may be revoked by the County giving _____, _____ days notice by ordinary mail, directed to the address shown above, but the County reserves the right to revoke this permit without giving said notice in the event Permittee breaks any of the conditions or terms set forth herein.

The above conditions will be binding and are hereby acknowledged and accepted by the execution of this application and permit.

Permittee

Board Chairman

Address

Commissioner

Phone Number

Commissioner

Date

Road Supervisor