

Osceola County, Iowa

APPLICATION

FOR

CONSTRUCTION OF UTILITIES ON COUNTY HIGHWAY
RIGHT-OF-WAY (July 1, 2020)

Applicant _____
Name of Company/Individual

Address _____
Street/P.O. Box No.

_____ IA _____
City State Zip Code

Osceola County Board of Supervisors:

Sibley, Iowa

To whom it concerns:

Approval is hereby requested for construction of _____

The proposed utility improvement will be located on a County Road, as follows:

****Plat of proposed utility construction showing locations and other pertinent information shall be attached to each copy of the application.**

(2)
AGREEMENTS

The Applicant agrees that the following stipulations shall govern under this permit:

1. All cable, pipeline, and tile constructed longitudinally along the road shall be placed not closer than _____ feet from the edge of pavement, or not closer than _____ feet from the center line of unpaved highways, the exact location more specifically described as follows: (Include proposed depth) _____

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 be necessary to conform to new grades, alignment or widening right-of-way, resulting from maintenance or construction operations by the county, irrespective of whether or not additional right-of-way is acquired in connection with such highway improvement and it shall pay the County any extra cost in working around the underground utility whenever the County projects a tile line across the right-of-way. 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 assess a monetary compensation for time lost to the County or a contractor.

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 lines, or tile lines belonging to the Applicant, in order that the Applicant may arrange to protect his line. The County Engineer will inform contractors, and others working on the job, of approximate 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.

3. The County assumes 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 building of the said cable, pipe line, conduit or tile line.

4. The Applicant shall take all reasonable precaution during the construction of said cable, pipe lines, 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 lines shall be carried on in such a way as to not interfere with or interrupt traffic on said highway.

6. The Applicant shall not hold the County or the Board of Supervisors responsible for 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 for any expenditure that the County may have to make on said highway on account of said Applicant's cable, pipe line, or tile line having been constructed thereon.

(3)

7. The Applicant agrees to give the Board of Supervisors forty-eight (48) hours notice of its intention to start construction on the highway right-of-way. Said notice shall be made in writing to the Osceola County Engineer.

8. Cable, pipe line, and tile line crossings shall be constructed as follows: Watermain 2" or less inside diameter shall be copper, Schedule 40 PVC, or cast iron. Watermains of more than 2" inside diameter shall be cast iron or Class C-900 PVC and can be encased. The Casing shall be of adequate strength and of sufficient length to extend 2' beyond the toe of the fore slope. Pressure sewer lines shall meet the same requirements as water main. Gravity sewer lines and tile lines shall be cast iron 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 County Engineer approves, a tunnel may be dug through and the cable, pipe line or casing placed therein. On roads not paved, and open trench may be dug and the cable, pipe line or tile 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-like manner, the ground, slopes and ditch bottoms reshaped in a neat manner and all areas where sod has been destroyed or damaged shall be re-seeded. All work in the highway right-of-way shall meet with the approval of the County Engineer.

9. Some special provisions may be enacted by the County Engineer or the Board of Supervisors at the time an application for pipe lines conveying as natural or artificial, oil, gasoline, motor fuel or inflammable substance, is received.

10. This permit is subject to any laws now in effect or any laws which may be hereinafter enacted.

11. This application is subject to all the rules and regulations of the Board Supervisors and to revocation by the Board of Supervisors 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. And in such event the Applicant hereby agrees to remove all of Applicant's property from said right-of-way without delay and without cost to the County.

12. As-built plans for all installations shall be furnished to the County within ninety (90) days after completion of the project. Said plans shall include a plan and profile and location from the civil monuments.

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

14. Applicant agrees to reimburse the County for all inspection costs during construction as deemed necessary by the County Engineer.

(4)

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

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

17. Crossing at the following locations may be by open trench and need not be cased:

18. The Applicant shall restore all agricultural tile, broken or disturbed by applicant during said construction. Applicant shall be responsible, according to the laws of Iowa, to adjacent property owners for the destruction of their crops proximately caused by the acts of the Applicant in breaking agricultural tile. The applicant shall seed and mulch all disturbed areas within the highway Right-of-Way and shall be responsible for vegetative cover until it becomes well established. Any surfaced areas such as driveways or shoulders and sodded waterways and planting which are disturbed shall be restored to their original condition. Any damage to any other underground facilities during installation shall be repaired at the permit holder's expense. Unless specifically noted in the special requirements section, all work performed in the right-of-way shall be restricted to 30 minutes after sunrise to 30 minutes before sunset.

19. The following special requirements will apply to this permit:

20. Non-compliance with any of the terms of Osceola County policy, permit of agreement may be considered cause for shut-down of operation, or revocation of this permit. The cost of any work caused to be performed by the County in removal of non-complying construction will be assessed against the Applicant. **A check for \$100 must be submitted with each application. This will be returned if work is completed satisfactorily.**

21. **The applicant hereby acknowledges and understands that the County's approval of this application is merely the County's permission and consent for the applicant to perform the approved utility work within the county highway right of way and it does not confer any rights held by other potential interest holders in the easement area that may exist. You are advised to make your own independent investigation of the existence of other potential property interest holders in the easement area and to determine your own legal responsibility in this regard. The County does not assume any such responsibility.**

Name of Company

Authorized Representative

Title

Signature

Date

COUNTY ENGINEER

BOARD OF SUPERVISORS

Recommended for Approval _____
Disapproval _____

Approved _____
Disapproved _____

County Engineer

Date

Chairperson

Date