

**APPLICATION FOR OCCUPANCY
ON
THE RIGHT OF WAY OF COUNTY HIGHWAYS**

To: The Board of County commissioners of Clay County, Vermillion, SD.

Application is made by _____ for a (circle one) cable, pipe line, or tile line occupancy of Highway number _____ in Section _____, Township _____, Range _____ in Clay County, South Dakota.

Attach a sheet showing all locations.

All county roads shall be bored, pipe and cable shall be incased from toe of in-slope to toe of in-slope. Minimum depth of cable, pipe line, or tile line shall be five feet, 30" if buried in ditch bottom

Exceptions shall be obtained in writing from the Highway Superintendent or the Chairman of the County Commissioners.

The following information is pertinent to the proposed installation:

1. Intended usage _____
2. Cable, pipe, or tile size _____

3. Method of installation _____

All installations must comply with all AASHTO's and MUTCD's requirements. A marker sign will be installed where appropriate.

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

1. The applicant will at any time subsequent to placing the cable, pipe line, or tile line, and at his own expense, re-lay, 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 County Commissioners 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 of the Board of Commissioners and without cost to the County. If the applicant is unable to comply promptly, the Board of County Commissioners, may cause the work to be done, and the applicant will pay the cost thereof upon receipt of statement.
2. The County and the Board of County commissioners assume no responsibility for damages to the applicant's property occasioned by any construction of maintenance operations on said highways, including new or additional right-of-

way acquired in connection therewith, subsequent to the building of the said pipe line, conduit, or tile line.

3. 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 owner's and shall save the County and the County Board of Commissioners harmless of any damage or losses that may be sustained by the traveling public or adjacent property owners on account of such construction operations.
4. Operations in the construction and maintenance of said cable pipe line or tile line shall be carried on in such a way as to not interfere with or interrupt traffic on said highway.
5. The Applicant shall hold the County and the Board of County Commissioners 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 Commissioners for any expenditures that the County or the County Board of Commissioners may have to make on said highway on account of said applicant's cable, pipe line or tile line having been constructed thereon.
6. This permit is subject or any laws now in effect or any laws which may be hereafter enacted.
7. This application is subject to all the rules and regulations of the County Board of Commissioners and to revocation by the Board of commissioners 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. And in such event the applicant hereby agrees to remove all applicant's property from the said right-of-way without delay and without cost to the County.

Recommended for Approval

Submitted _____, 20__

By _____
Clay County Highway Superintendent

By _____

APPROVED _____, 20__

By _____
Chairman Board of County Commissioners
Vermillion, South Dakota

_____ (Address)

_____ (Signature)

Cable Co. Job No. _____

Pipe Line Co. Job No. _____

Tile Line Co. Job No. _____

_____ (Title)