

Benton County Permit for Tile Crossing of Secondary Road System

To be Filled Out By Benton County Land Owner:

_____ hereby requests permission to tile across a secondary road in Benton County located _____ ft. _____ (direction) from _____ (nearest intersecting road) on _____ (road that work is being performed) in _____ Township. Work is to be performed by _____ (Contractor). This contractor is required to file an "Application to Perform Work within County Highway Right of Way", as well as have a copy of the application on site.

Please check the appropriate box for the options below.

- | | | |
|---|----------|------|
| • Type of Crossing: | Straight | Skew |
| • Has Adjacent Land Owner Consented to Such Action? | Yes | No |
| • Does Tile Dump in Ditch? | Yes | No |
| • Does the Tile Have Sewage Moving Through it? | Yes | No |

AGREEMENT:

Benton County will furnish tubing across the road and will pay (\$3.00) per foot toward digging to cross the road, upon proof of payment at the Benton County Engineer's Office. (Boring underneath road – County will reimburse applicant 50% of materials and labor.) It is further agreed by the applicant that he/she will notify the Utility Company of such ditching 48 (forty-eight) hours before crossing any highway wherein there are any buried utility lines. In the event that the applicant does not notify the Utility Company, he/she will be liable for all damages to the utility lines.

SPECIFICATIONS:

- No payment will be made or pipe furnished for tile crossings which are hooked to sanitary sewer tile.
- All tile crossings are to be properly connected on both ends to existing field tile.
- Tile pipe to be furnished by the County, is to be picked up at the County yards.
- All necessary and proper Signage shall be furnished and maintained by the contractor.
- Applicant assumes responsibility for all accidents and liabilities arising from this construction.

Applicant Signature

Benton County Engineer

Applicant Address

Date

Benton County, Iowa

Application to Perform Work Within County Highway Right of Way

To Be Completed by the Contractor:

Applicant:

Name of Individual or Company

Telephone

Address

Work to Be Accomplished:

Approval is hereby requested to enter within the county highway right of way and to complete the proposed work described as follows:

Applicant's Signature and Agreement:

The undersigned have read the stipulations of this permit agreement as stated as well as attachments which may be included and by signing this application agree to abide to all stipulations and to complete the work as proposed in compliance with the stipulations and attachments within one year from the date of County approval is received for said request. Failure on the part of the applicant to abide by the stipulations or to construct the work desired as stipulated and within the time frame stated shall render this agreement and request null and void. The undersigned also agrees to save harmless Benton County from any damage or losses that may be sustained by any persons, or person, on account of the conditions and requirements of this agreement.

Applicant Signature

Date

Type or Print Name

Benton County Final Action:

Application Approved

Application Denied

By _____
Authorized Benton County Representative

Date

Type or Print Name: _____

Notice of intention to commence activities on the highway rights of way shall be submitted by the applicant a minimum of 48 hours prior to actually commencing the activities as herein granted by this approved application: Notice is to be given to the following Benton County Representative:

Benton County Engineer
Phone: (319) 472-2211

1707 West 1st Street, PO Box 759, Vinton, IA 52349-0759
Fax: (319) 472-2737

Email: dcummings@bentoncountya.gov

AGREEMENTS

The applicant agrees that if granted a permit to do said work the following stipulations shall govern.

1. The applicant shall carry on the construction, repair, and maintenance with serious regard to the safety of the traveling public and adjacent property owners and shall save Benton County harmless of any damage or losses that may be sustained by the traveling public on account of such construction, repair, or maintenance operations.
2. The applicant shall indemnify and save harmless Benton County, its agencies, and employees, from any and all causes or actions, suits at law or in equity, for losses, damages, claims, or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with the applicant's use or occupancy of the public highway.
3. The applicant shall hold Benton County harmless of any damage that may result to said highway because of the construction or maintenance of the facility, and shall reimburse Benton County for any expenditures that Benton County may have to make on said highway rights-of-way on account of said applicant's construction or maintenance activity or lack thereof.
4. Traffic protection shall be in accordance with Park VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The applicant shall be responsible for correctly using signs as needed while work is in progress. Flagging operations are the responsibility of the applicant.
5. Before beginning any work within the highway rights-of-way, it is the responsibility of the applicant to contact utility companies whose installations may be effected or encountered. Contact should be made at 1-800-292-8989, a minimum of 48 hours in advance of starting construction. If the work requested in this application should cause a need to relocate or modify an existing utility, any cost associated shall be negotiated between the applicant and the utility owner.
6. A copy of the approved application shall be available on the job site at all times for examination by Benton County Officials.
7. The applicant shall seed and mulch all disturbed areas within the highway right-of-way and shall be responsible for the vegetative cover until it becomes well established. Any surfaced areas such as driveways or shoulders and sodded waterways and plantings which are disturbed shall be restored to their original condition.
8. If the proposed work results in a pool of water on the applicant's property, this pool of water will be exclusively owned, controlled, and maintained by the applicant. That part of the modification located on highway right-of-way will be maintained by Benton County for road purposes only.
9. The applicant shall maintain any drainage structure built within the right-of-way that is built for the benefit of the applicant and not necessary for highway use.
10. This permit is subject to any laws now in effect as well as any new laws which may be hereafter enacted and all applicable rules and regulations of local, state, and federal agencies.
11. This permit is subject to all the rules and regulations of Benton County, and to revocation by Benton County at any time and at no cost to the County, when in the judgement of the County it is necessary in the improvement or maintenance of the highway or for other reasonable cause.
12. The applicant agrees to give Benton County 48 hours notice of intention to start to start construction or perform maintenance on the highway right-of-way. Any modification to the proposed work shall be approved by the County prior to making the change.
13. Unless specifically noted in item #16, all work performed within the right-of-way shall be restricted to a time frame of 30 minutes after sunrise to 30 minutes before sunset.
14. After November 24, 2008, all personnel in the highway right-of-way shall wear ANSI 107 Class 2 apparel at all times when exposed to traffic or construction equipment.
15. All proposed work covered by this permit shall be at the applicant's expense.
16. The following special requirements shall apply to this permit:

DISCLOSURE STATEMENT:

The information furnished on this form will be used by Benton County to determine approval or denial of the application. Failure to provide all information will result in denial of the application. Information furnished is public information and copies may be provided to the public upon request.