



**County Permit**

Permit Fee \$35.00

\_\_\_\_\_, hereinafter called the Applicant, is hereby granted permission to install and maintain the facilities as described herein on highway right-of-way, of County Road \_\_\_\_\_

Facilities to be installed pursuant to this permit are \_\_\_\_\_ in accordance with plans and specifications attached hereto,

For purpose of this permit "highway right-of-way" shall mean the highway right-of-way as it exists on the date of execution of this permit and shall also include that area within seventy-five feet of the center of the highway wight-of-way over which the Board of Stutsman County Commission has control pursuant to North Dakota Century Code Section 24-01-42.

**INSTALLATION AND MAINTENANCE:** Installation and maintenance of said facilities on highway right-of-way shall conform to the following provisions:

- (1) Upon construction, maintenance, relocation or removal of said facilities, any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the reseeding thereof where necessary. Trenches dug within the highway right-of-way exclusive of the roadway and inslopes shall be backfilled and compacted to the density equal to that of the adjacent undisturbed soil. Trenching in the inslopes and roadway surface shall not be allowed. Any and all costs incurred with regard to inspection and compaction testing conducted by Stutsman County or its designees shall be borne by applicant.

**TERMS AND CONDITIONS:** Installation and maintenance of said facilities on the highway right-of-way shall be subject to the following terms and conditions:

- (A) Installation, maintenance, relocation, and removal of said facilities on the highway right-of-way shall be done in a manner satisfactory to and subject to supervision by the County Road Superintendent for the Stutsman County Highway Department
- (B) Stutsman County shall not be liable for damage to said facilities resulting from construction, reconstruction, expansion, alteration, maintenance, replacement and repair of the highway. Applicant shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on highway right-of-way.
- (C) Applicant shall repair or replace highway structures and appurtenances, and any existing facilities located on, over or under the highway right-of-way, which may be damaged as a result of the installation and maintenance of said facilities on the highway right-of-way.
- (D) Applicant shall promptly remove said facilities from the highway right-of-way or shall relocate or adjust said facilities at its sole cost and expense when requested to do so by the County.
- (E) No open-trench construction shall be permitted across any county roadway. All facilities must be bored beneath all paved and gravel surfaces.

**WHEREAS**, the terms of Section 24-01-42 of the North Dakota Century Code, provide that the Board of County Commissioners may grant such a permit, and it is approved by the Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_ , at \_\_\_\_\_ ,North Dakota.

**APPROVAL RECOMMENDED:**

**ATTEST:**

\_\_\_\_\_  
**JIM WENTLAND**  
**COUNTY ROAD SUPERINTENDENT**

\_\_\_\_\_  
**JESSICA ALONGE**  
**COUNTY AUDITOR, C.O.O.**

**ACCEPTANCE OF TERMS  
AND CONDITIONS**

Billing Address

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

City, State Zip \_\_\_\_\_

\_\_\_\_\_  
**BY:** \_\_\_\_\_

**ITS:** \_\_\_\_\_