

**TEMPORARY
PETITION FOR UTILITY PERMIT - ROAD CROSSING**

Approved by County Legal Advisor (Revised October 2014)

SUBMIT TRIPLICATE COPIES

**TO THE BOARD OF PAYNE COUNTY COMMISSIONERS
STATE OF OKLAHOMA**

We (I), the undersigned, hereby petition your Honorable Board to Grant a permit for the installation of a _____ line to be located within the section line right-of-way as follows: (Material Carried)

SIZE AND TYPE OF LINE TO BE INSTALLED: _____

LOCATION: Approximately _____ feet _____ of _____ & _____
(FEET) (N,S,E,W) Road Name & Road Name

A COPY OF THE PAGE OF THE PAYNE COUNTY PLAT BOOK SHOWING THE PROPOSED LOCATION IS ATTACHED

Said line will conform to the following rules: When paralleling the roadway, it shall be located as close to the edge of the right-of-way line as possible. No line shall be located in any barrow ditch. If a culvert is used for a road crossing, no line shall be located such that it takes more than ten percent (10%) of the culvert's flow. All lines shall be located and maintained two (2) feet below the surface of the road and barrow ditch or ditches, and shall be maintained at this depth to the edge of the right-of-way line; provided, however, that this requirement may be varied by the Board of County Commissioners in its discretion at the time this permit is approved. **ALL LINES INSTALLED PURSUANT TO THIS PERMIT SHALL BE TAGGED AT BOTH ENDS OF THE LINE, WITH THE TAGS TO SHOW THE NAME OF THE PERMIT HOLDER, TELEPHONE CONTACT NUMBER, AND THE DATE THAT THE LINE WAS INSTALLED.** If the line exceeds one mile in length, tags shall be placed on the line at each mile.

This permit shall expire sixty (60) days after the date it is approved by the Board of Payne County Commissioners.

ANY LINE(S) LOCATED IN THE COUNTY RIGHT-OF-WAY PURSUANT TO THIS PERMIT SHALL BE REMOVED NOT LATER THAN SIXTY (60) DAYS AFTER THIS PERMIT IS APPROVED. **Petitioner shall pay to the County the sum of Twenty-Five Dollars (\$25.00) for each and every day that any line remains or is permitted to remain in the right-of-way after said sixty (60) days.**

Failure to install, operate, and maintain any line pursuant to the requirements contained in this permit shall forfeit the right of the holder of this permit to use the county right-of-way, and the permit holder may thereupon be ousted from the use of the county right-of-way.

The holder of this permit agrees to assume all responsibility for handling traffic during the installation, repair, and maintenance of the line. Should any lowering, modification, or relocation of the line be required in the regular operation of the road work, said lowering, modification or relocation shall be made by the permit holder or their successors in ownership of the line, at their sole cost, without claim against the County. Should any damage to the line occur in the regular operation of the road work, said damage shall be repaired by the holder of this permit or its successors, at their sole cost, without claim against the County.

This permit is granted on conditions that the petitioner shall use only the county roads designated for that purpose by the Payne County Commissioner in whose district the property described in this permit is located, and to observe the applicable road weight limits and posted "No Through Trucks" restrictions regarding any truck brought into Payne County before, during, or after the line or lines requested by this permit have been installed. Petitioner understands that a permit may be revoked, or that the Board of County Commissioners may refuse to issue any additional permits to any person, company, or entity who fails, neglects, or refuses to comply with this condition.

The holder of this permit assumes all liability for any damage to persons or property caused by the installation, maintenance, operation, or repair of any line located within said right-of-way, **and agree to reimburse the County for any and all monies expended by it in repairing any damage to the road, culvert, or bar ditches caused by the installation, maintenance, operations or other activity thereon of the petitioners.**

All work by petitioners in the public right-of-way shall be subject to **THE INSPECTION AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS. A PROCESSING AND INSPECTION FEE OF \$250.00 PER CROSSING SHALL BE PAID TO PAYNE COUNTY.** (Board reserves the right to waive the processing and inspection fee if deemed necessary.)

PETITIONER

APPROVED THIS _____ DAY OF _____ 20____
PAYNE COUNTY BOARD OF COMMISSIONERS

Company Name

Chairman

Company Address

Vice-Chairman

Company Representative

Member

On Behalf Of (Company ultimately responsible)

Phone Number Emergency Phone (24 hrs)

Attest: County Clerk