

COUNTY OF MARSHALL
DEPARTMENT OF HIGHWAYS
APPLICATION FOR UTILITY PERMIT ON
COUNTY HIGHWAY RIGHT-OF-WAY

Marshall County Engineer
 Warren , Minnesota

Project: _____
 C.S.A.H.: _____
 C.R.: _____

Application is hereby made for permission to place, construct and thereafter maintain a _____
 _____ along or across County Highway No. _____ from _____
 _____ to _____
 _____ feet from center line on the _____ (east, west, north or south) side of the county highway in accordance
 with the sketch shown on the inside hereof, or attached thereto. SEE ATTACHED DRAWINGS OF THIS PROJECT.

I. AERIAL CONSTRUCTION

- | | |
|--|---|
| <input type="checkbox"/> Single pole | <input type="checkbox"/> Open wire |
| <input type="checkbox"/> H-Frame | <input type="checkbox"/> Cable |
| <input type="checkbox"/> Single pole and H-Frame | <input type="checkbox"/> Vertical |
| <input type="checkbox"/> Steel tower | <input type="checkbox"/> Cross-arm |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Vertical and cross-arm |

VOLTAGE	NUMBER OF CONDUCTORS	SIZE OF CONDUCTORS
Minimum height of conductor:	ft. along highway	ft. at crossing over highway

EXTENT AND LOCATION OF TREE TRIMMING AND/OR CLEARING:

II. UNDERGROUND CONSTRUCTION

CONDUIT

- | | |
|--|--|
| <input type="checkbox"/> Multiple tile | <input type="checkbox"/> Sectional concrete |
| <input type="checkbox"/> Transite | <input type="checkbox"/> Steel pipe |
| <input type="checkbox"/> Clay tile | <input type="checkbox"/> Other _direct buried_____ |

CASING

- | | | |
|-------------------------------------|---|--------------------------------------|
| <input type="checkbox"/> Steel pile | <input type="checkbox"/> Sectional concrete | <input type="checkbox"/> Other _____ |
|-------------------------------------|---|--------------------------------------|

SIZE	DEPTH
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VOLTAGE	NUMBER OF CONDUCTORS	SIZE OF CONDUCTORS
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METHOD OF INSTALLING UNDER ROADBEDS (if open trench, explain why necessary)

- | | |
|--------------------------------------|---|
| <input type="checkbox"/> Open Trench | <input type="checkbox"/> Directional Boring |
| <input type="checkbox"/> Jacking | <input type="checkbox"/> Boring |
| | <input type="checkbox"/> Pneuma Gopher |

EXTENT AND LOCATION OF TREE CLEARING	New Facility	Replacement Facility
None	<input type="checkbox"/>	<input type="checkbox"/>

III. Work to start on or after _____ and to be completed on or before _____

IV. The applicant in carrying on any and all of the work herein above mentioned or referred to in its application and in the Permit issued hereof, shall strictly conform to the terms of such Permit, and the regulations of the Marshall County Board of Commissioners, together with the Special Provisions, all of which are made of part hereof. The applicant specifically agrees to be bound hereby. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public. The work shall be accomplished in a manner that will not be detrimental to the highway and that will safeguard the public.

Dated this _____ day of _____
Name of Company making application

Signature _____ By: _____
 Title: _____

Address _____
 Phone: _____

Regulations of Marshall County for Utilities on Marshall County Highways

DEFINITIONS

Utility. Under this order “utility” shall mean and include all privately, publicly or co-operatively owned communication lines and facilities, any systems, lines and facilities for the distribution and transmission of electrical energy, oil, gas, water, sewer, steam and other pipe lines, railways, ditches, flumes or other structures which under the laws of this State or the ordinance of any town or city may be constructed, placed or maintained across, along or on Marshall County highway right-of-way. Dependent upon the meaning intended in the context, “Utility” shall also mean the utility company, inclusive of any wholly owned subsidiary.

GENERAL

I. Except as otherwise permitted, utility construction and relocation on Marshall County highway right-of-way shall not be commenced until an application for a Permit has been made and such Permit granted. The Permit sketch shall show the location of the proposed utility with reference to Marshall County highway center line. A copy of the sketch shall be provided for each copy of such Permit.

II. Burning or disking operations and/or the use of chemicals to control or kill trees, brush and other vegetation is prohibited without prior approval from the Marshall County Highway Engineer.

III. All waterways and lines of drainage shall remain operative.

IV. Wherever topsoil and sod are disturbed they shall be replaced and maintained satisfactorily until the turf is established.

V. The utility facility and installation shall not interfere with any existing utility facilities on the Marshall County highway right-of-way.

VI. When necessary, barricades, warning devices and flagmen shall be provided by the Utility during all phases of their construction and maintenance operations on Marshall County highway right-of-way.

VII. At the time of construction of the utility and at the times of subsequent maintenance, prior approval shall be obtained from the Marshall County Highway Engineer for the cutting and trimming of trees within Marshall County highway right-of-way. Wherever trees are cut, the resulting stumps shall be removed unless otherwise provided in the Special Provisions of the Permit. Any holes caused by stump removal shall be backfilled, the area leveled and all materials associated therewith disposed of outside Marshall County highway right-of-way. The utility shall advise the Marshall County Highway Engineer at least 48 hours in advance of its intent to start clearing and grubbing operations so that proper supervision can be provided.

VIII. The Utility shall notify the Marshall County Highway Engineer of its intent to perform service and maintenance operations which will interfere with the flow of traffic on Marshall County highways, and shall obtain his approval prior to performing such operations. However, the Company may perform service and maintenance operations on Marshall County highways including opening and disturbing the surface of the right-of-way without prior approval in those instances where an emergency exists that is dangerous to the life or safety of the public and which requires immediate repair. The Utility shall take all necessary and reasonable safety measures to protect the traveling public and shall notify the Marshall County Highway Engineer at the earliest possible moment.

IX. If at any time Marshall County, acting through its Board of County Commissioners, shall deem it necessary to make any improvements or changes on all or any part of the right-of-way of the Marshall County highway which affect a utility located on Marshall County highway right-of-way, then and in such event, the owner of the utility shall within 15 days after written notice from the Marshall County Board of Commissioners, or its authorized agent, proceed to alter, change, vacate or remove said utility from the Marshall County highway right-of-way so as to conform to said Marshall County highway changes and as directed by the Marshall County Board of Commissioners. Such work shall be done without any cost whatsoever to Marshall County and shall be completed within the date specified in said written notice. The Utility shall assume all liability and save Marshall County harmless from any and all claims of damage of any nature whatsoever occasioned by reason of not having removed said utility within the time specified in said notice.

X. The Utility shall assume all liability for, and save Marshall County, its agents and employees, harmless from, any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the Utility, including but not limited to the placing, constructing, reconstructing, maintaining and using of said utility under this application and Permit.

XI. The Marshall County Board of Commissioners may require the Utility, or its contractor, to furnish a deposit in the form of a certified check, a surety bond or corporate undertaking, in favor of the Marshall County Board of Commissioners, for any expense incurred by Marshall County in the repairing of damage to any portion of the Marshall County highway right-of-way caused by work performed under a Permit, including any out of the ordinary engineering supervision and inspection expense provided by Marshall County. In those instances wherein a deposit is required, the amount of the deposit shall be specified in the Special Provisions of the Permit. If a check is furnished, any monies remaining over and above such expense shall be returned to the applicant.

XII. The Permit as issued does not in any way imply an easement on private property.

XIII. The installations shall be made in conformity with all applicable laws, regulations and codes covering said installations. All installations shall be made in conformity with regulations of governmental agencies for the protection of the public.

XIV. Upon completion of an installation, the Utility shall restore the Marshall County highway right-of-way to its original condition. The Utility shall then notify the office of the Marshall County Highway Engineer of the completion of the work so that inspection can be made to determine its acceptability.

AERIAL

- I. There shall be only a single pole line on the Marshall County highway right-of-way on either side of the center line thereof.
- II. Longitudinal installations on Marshall County highways shall normally be located in the outer five feet of the right-of-way. At crossing of the Marshall County highway, poles shall be placed at a minimum of thirty feet from the shoulder lines of the through roadbeds unless right-of-way widths are prohibitive to such location.
- III. The location of all brace poles, anchors and anchor poles within the limits of the Marshall County highway right-of-way shall be approved by the Marshall County Highway Engineer.
- IV. In those instances in which a Utility is issued a Permit or Permits for construction on both sides of Marshall County highway right-of-way in a given area, such Permit is conditioned upon the Utility subsequently providing joint use to other Utilities upon reasonable terms mutually agreeable to the Utilities.

UNDERGROUND

- I. All crossings of the roadbeds of Marshall County highways shall be made by boring inside a casing or carrier pipe, or by jacking, unless this procedure is modified in the Special Provisions of the Permit. The auger shall not lead the casing or carrier pipe by more than one inch. Open trenching shall be restricted to the area from 5 feet beyond the shoulder to the right-of-way line except as modified in the Special Provisions of the Permit.
- II. When pipes with bells or flanges are installed, the crossing of the roadbeds of the Marshall County highway shall be made by boring inside a conduit as provided in paragraph I of this section or jacking a conduit of sufficient diameter to permit threading the carrier pipe through it.
- III. All voids caused by jacking or boring shall be filled by pressure grouting. The grout material shall consist of a sand-cement slurry of at least two sacks of cement per cubic yard and a minimum of water to assure satisfactory placement.
- IV. The underground utilities shall be so installed as virtually to preclude any necessity for disturbing the roadbeds to perform maintenance operations.
- V. Underground installations shall be accomplished without damaging or destroying the principal root structure of specimen trees.

LOCATION SKETCH

Show location of proposed facility in relation to the center line of the Marshall County highway and other pertinent features such as right-of-way line, curb line and edge of surfacing. The facility should also be referenced to adjacent land lines.

UTILITY PERMIT

Reference: Project _____
C.S.A.H. _____
C.R. _____

In accordance with the application herein, a Utility Permit is granted to _____
_____ to place, construct and thereafter maintain _____
_____ on or across, or under the right of way of County Highway No. _____
in the location shown on the sketch which is a part of said application, or in such location as may be specified by the Marshall County
Department of Highways in the Special Provisions hereof.

SPECIAL PROVISIONS:

1. Gopher State One Call shall be notified of actual starting time of construction. (Phone: 800-252-1166)
2. In the event Marshall County subsequently damages the utility inadvertently through legitimate use of its right-of-way, Marshall County is not liable and the utility is responsible 100% for any damages.

Approved _____
(Date)

Board of Commissioners, Marshall County, Minnesota

By _____
Marshall County Highway Engineer

Permit No. _____
Certified Check No. _____
Surety Bond No. _____
Date of S. Bond or C. Check _____
Bank or Bonding Co. _____
Deposit Made by _____