

COUNTY USE ONLY
Application No: _____
____ Approved _____ Denied
Permit No: _____
Date: _____

ADAMS COUNTY HIGHWAY DEPARTMENT

201 Polk Street, Monroe, IN 46772

Phone: 260-692-6222

Fax: 260-692-6307

APPLICATION FOR PERMIT TO INSTALL UTILITY FACILITIES IN ADAMS COUNTY INDIANA RIGHT OF WAY

TO: THE BOARD OF COMMISSIONERS
COUNTY OF ADAMS, STATE OF INDIANA Date: _____

Commissioners:

_____ d/b/a _____ (hereinafter referred to as the "Applicant") hereby makes application for a permit to erect all necessary cable, pedestals, power poles/telephone poles, and attachments thereto or underground conduits as will be necessary and proper to be installed along and adjacent to the county highway, being a part of the highway system of Adams County, Indiana, and especially along the following location:

On County Road Beginning Crossroad Ending Crossroad City/Town Township

Plans and drawings showing the exact location, dimensions, depth of opening and distance from the main portion of the traveled highway and a print of the same shall be furnished by applicant.

(Applicant must attach the plans to this application)

The purpose of such work is as follows:

Type of Utility Work and Utility Facilities

Does this project require a road closure? Yes _____ No _____

Does this project require a lane closure? Yes _____ No _____

If this application for permit is granted, the Applicant hereby agrees to replace any portion of the highway or the part adjacent thereto, including the County's right-of-way, in as good condition as it is now and to backfill any trench or opening by thoroughly tamping the backfill in layers not exceeding four inches deep and to maintain the surface which has been disturbed in a smooth and uniform condition for a period of six months after the work is completed.

Applicant further agrees to indemnify and hold harmless Adams County against any claims for injury to persons or damage to property caused by Applicant, except to the extent such claims arise from the negligence or willful misconduct of Adams County. Applicant further agrees to execute a bond conditioned to pay such damage.

Applicant further agrees to notify the Adams County Highway Department (ACHD) in writing at least ten (10) days prior to beginning any work proposed under the permit by sending a signed copy of the form "REQUEST TO COMMENCE WORK WITHIN ADAMS COUNTY INDIANA RIGHT OF WAY" to the Superintendent of the Adams County Highway Department by one of the methods specified on the Form. The ACHD will send you this form when returning the permit.

One copy of this form must be filled out, signed and ATTACHED TO EACH PERMIT to perform work within a right-of-way of the highway system of Adams County, Indiana, including any trenching or cutting operation.

The undersigned Applicant acknowledges and agrees that the terms, covenants and obligations specified in this application will be incorporated into any permit issued to Applicant by Adams County and Applicant must also sign and submit the proposed permit form along with this application which contains the terms and conditions of the permit agreement and specifications for the work.

Applicant acknowledges receipt of the INSTRUCTIONS TO APPLICANT attached to this form and agrees to the terms therein.

"APPLICANT"

_____, INC. dba _____

Date: _____

BY: _____

Printed Name and Title

INSTRUCTIONS TO APPLICANT

- 1) Complete, sign and submit this application to the Adams County Highway Department located at 201 Polk Street, Monroe, IN 46772.
- 2) Attach to this 7 sheet application, a copy of the plans and drawings showing the exact location, dimensions, depth of opening and distance from the main portion of the traveled highway for the proposed utilities. The plans and drawings shall also show the existence and approximate location of your above and below ground utilities including but not limited to poles, cables, conduits, access boxes, etc. as determined by the Indiana One Call 811 System. A print of the same shall be furnished and attached to the application.
- 3) Sign and attach to this application the Permit and Specification for Work.
- 4) No work may commence until the Permit is approved, signed and issued by Adams County and the Applicant has received a NOTICE TO PROCEED from the ACHD. In order to obtain the "Notice to Proceed", the Applicant must provide Adams County with a completed REQUEST TO COMMENCE WORK WITHIN ADAMS COUNTY INDIANA RIGHT OF WAY prior to the time proposed for the work to start. Once the ACHD receives the request, they will issue the Notice to Proceed. The Adams County Commissioners may temporarily suspend the issuance of further permits to any firm that commences work without a "Permit" or a "Notice to Proceed".
- 5) All forms that are required, must be the forms that have been prepared and provided by Adams County Highway Department and its legal counsel.
- 6) Notify the County Highway Department and Sheriff's Department within two days of any road closures. Road closures must be approved by the County Highway Department.

Permit Applications shall be sent to all of the following:

byoder@adamscounty.in.gov

eschinnerer@adamscounty.in.gov

bcochran@adamscounty.in.gov

mwerling@adamscounty.in.gov

PERMIT AND SPECIFICATIONS FOR WORK
WITHIN ADAMS COUNTY INDIANA ROAD RIGHT-OF-WAY
ADAMS COUNTY, INDIANA

Company Name:

Work Order#: _____ (If Applicable)

APPLICANT AGREES THAT THIS PERMIT IS GRANTED UPON THE EXPRESS CONDITION THAT THE WORK SHALL BE COMPLETED ACCORDING TO THE FOLLOWING SPECIFICATIONS AND SUBJECT TO THE FOLLOWING TERMS:

1. Applicant shall be responsible for replacing in a workmanlike manner, any tile that is cut or damaged by any trenching or cutting operations. Applicant shall require all contractors to report in writing all tile hits to the Adams County Highway Department and detail the location of such hits and the work done to make repairs. Applicant will remain responsible for any damage done that is not reported and repaired.
2. Applicant shall not dig, trench or make any installation of utility facilities that are closer than 4' (48") from the edge of pavement of a roadway within Adams County.
3. The total linear feet of cable, conduits or lines approved to be installed at this location is limited to the amount stated on the Application. Applicant shall not install any additional lines, facilities or utilities not shown and disclosed in the Application and approved in the permit. Applicant shall at a minimum, install cable of telephone lines at 30" deep and gas lines shall be a minimum of 30" deep and shall be properly marked with a safety warning tape which shall be at least 12" directly above the location of the gas line.
4. All right-of-way or road surfaces which are disturbed shall be restored by the Applicant to the satisfaction of the County Highway Department. Applicant shall restore right-of-way, pavement and connecting approaches completely, properly and promptly as work progresses and will not be more than one (1) day after any trenching or cutting operation.
5. When Applicant bores under a roadway located in Adams County and a hole has been created by Applicant along the side of the road next to pavement Applicant shall backfill these holes with #73 or repair stone and compact the holes according to industry standards and the satisfaction of Adams County Highway Department.

When Applicant is installing utility facilities along any road located in Adams County, Applicant shall be required to have a person who is responsible for marking with a flag all of the catch basins and culvert pipes across the roads prior to any trenching, digging or boring. Applicant shall ensure that any trenching, digging or boring machine avoid running over all catch basins, culvert pipes or other pipes. Applicant shall be responsible

- for the repair and costs to repair all damage to culvert pipes, catch basins, or other pipes due to installation or repair of utilities by Applicant.
6. Applicant shall be responsible for any damage to the shoulder of any roadways located in Adams County or the bottom of a side ditch occupied by Applicant including, but not limited to grooves or shaping the ditch sides. Applicant shall be responsible for reseeding any grass necessary to damaged areas during the right season.
 7. Applicant agrees and acknowledges that any permit issued by Adams County as a result of this application is limited and subject to the County's rights and obligations concerning county owned right-of-ways. Responsibility or liability for damage to private property shall be between the Applicant and the Owner of such property.
 8. Adams County shall have the right to inspect the installation of the utilities facilities that are the subject of Applicant's permits. As a condition for approval, Applicant agrees that after all utility facilities have been installed, such installations are subject to inspection by the Adams County Highway Supervisor or their designated representative, who shall visually and/or physically inspect the installation including, but not limited to side ditches, catch basins, culvert pipes and tiles.
 9. If the County Surveyor has located tile marked on Applicant's permit, Applicant shall be responsible for any damage caused to said tile by Applicant and Applicant's contractor. Any disturbance of a county drain shall be immediately reported in writing by Applicant to the County Surveyor and all repairs to the drain shall be the responsibility of Applicant.
 10. Applicant shall notify the County when a contract for work covered under this permit is awarded. Adams County must be notified at least 5 working days in advance of the proposed start date for construction. Either party may request a pre-construction conference and when requested, it shall be scheduled, conducted and attended by appropriate County officials, and representatives of the Applicant and the Contractor. The Conference may be attended by teleconference or video conference if the parties are not reasonably available for an in person meeting.
 11. All road/lane closures must be approved by the County Highway Department and proper notification must be made to the Sheriff's Department.
 12. Proper warning signs and flagmen will be provided by the Applicant to the satisfaction of the County Highway Department for the purpose of traffic control and safety. If proper signs and flagmen are not used, the work shall be stopped by the County Highway Department until proper protection is provided.

13. All pedestal boxes in the right-of-way shall have attached to them bright fluorescent orange markers 30" above the boxes for identification purposes. Adams County will not be liable for damage to boxes that are not marked when maintaining the side ditch.
14. Applicant shall perform work so that there will be no extra maintenance work left for the County Highway Department as a result of said trenching or cutting.
15. It is also understood that the Adams County Highway Department and County Commissioners will be held harmless for damages and liabilities caused by Applicant during construction and henceforth for the duration of facilities covered by this permit except to the extent caused by the negligence of willful misconduct of the County.
16. In the event that the Adams County Board of Commissioners determine that County Highway road rehabilitation or repairs necessitate the relocation of Applicant's facilities described herein at a future date, the Applicant agrees to relocate such facilities provided that Adams County will advise the Applicant at least ten (10) working days prior to the date proposed for construction. In the event the Applicant shall fail to relocate such facilities or negotiate in good faith with the County for some alternate plan for relocation, the County may suspend the issuance of new permits until the dispute is resolved.
17. Unforeseen or emergency situations may require relocation of facilities in a shorter time span than listed above.
18. When Applicant or Applicant's contractors are billed for repairs to utilities due to alleged damage caused by the Applicant or Applicant's contractor, the Board of Commissioners may bill the Applicant for all damages and the Applicant and Applicant's contractor may take whatever measures those parties deem necessary to resolve the allocation of payment between those parties.
19. Should the Board of Commissioners be required to enforce its' rights under this permit due to Applicant's breach of any duty or covenant herein contained, then the County shall be entitled recover the cost of such action to the County including reasonable attorney fees.

“APPLICANT”

_____, INC. dba _____

Date: _____

BY: _____

Printed Name and Title

Approved by:
ADAMS COUNTY BOARD OF COMMISSIONERS

Date: _____