

**FILLMORE COUNTY
REQUEST TO OCCUPY COUNTY RIGHT-OF-WAY**

_____, hereinafter referred to as "Owner", request to construct a/an _____ occupying the Fillmore County public highway system at (legal description) _____

The Owner proposes to place and maintain the aforesaid construction on Fillmore County Public Right-of-Way at owner's risk and expense and hereby absolves Fillmore County, its' officials and employees from any liability arising from the placing and maintaining of said construction. Fillmore County will not be liable for any damage to the aforesaid construction that may be caused by Fillmore County during maintenance of the right of way and if a future road improvement project is scheduled through this area and if the aforesaid construction conflicts with the road improvement project, the landowner will relocate the aforesaid construction at the landowners expense.

The item that is crossing the roadway and that will occupy the County Right-of-Way shall be bored under the roadway. It is recommended the holes dug for the boring process should be located on private right-of-way. The Owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County Public Right-of-Way. The new aforesaid construction shall be placed at least four foot below the present flow line of both adjoining ditches. The surface of the roadway and the road ditch will be restored to the same condition as it was prior to the work and such restoration will be accomplished to the reasonable satisfaction of Fillmore County Officials.

The person to be contacted, PRIOR TO CONSTRUCTION by anyone needing a permit, is the County Highway Superintendent, 615 F Street, Geneva, NE. 402/759-3611.

Each location is to be inspected by the Fillmore County Roads Department when the permit is submitted and upon project completion, at which latter time any work or supply of gravel reasonably required to restore the surface of the roadway or work to restore the County Right-of-Way to the same condition as it was prior to the work will be determined and the work performed and gravel supplied by Owner.

A plat map and sketch indicating approximate location to or from some easily recognizable landmark must be attached.

The applicant shall be responsible for calling Diggers Hotline at 1-800-331-5666, and having utilities located before beginning any work. The applicant will be responsible for all damages to any utilities.

The applicant shall be responsible to furnish signs, barricades and/or flag persons and whatever is necessary to protect the traveling public from exposure to accidents.

Date _____ (Signature of Owner) _____

(Complete Mailing Address)

PERMIT

At the option of the County Board of Supervisors, the owner shall furnish a Surety Bond for an amount specified by the County Board of Supervisors. The form of the Surety Bonds shall be acceptable to the Fillmore County Board.
Surety Bond Required: Yes _____ No _____ Amount _____

COMMENTS: (County only) I recommend that this permit be granted subject to the Owner agreeing to all of the terms listed above.

_____ Signature - Highway Superintendent _____
Date

We hereby grant permission to occupy the County Right-of-Way at the location and according to the procedures and conditions described in this document. This permit is valid for 6 months from date of issue.

_____ Signature - Board Chairman _____
Date