

MORGAN COUNTY RIGHT-OF-WAY PERMIT AND APPLICATION

Name of Owner or Operator of facilities or Individual/Entity performing work (Permittee):

Address: _____

Telephone Number: _____

Fax Number: _____ Email: _____

Contact Person: _____

Name and address of Owner/Operator's agent or contractor (if any):

Phone Number: _____ Mobile Phone Number: _____

Fax Number: _____ Email: _____

Contact Person: _____

Description of Right-of-Way Use:

____ Trenching/Digging in Morgan County Road _____
Morgan County Staff: (HUFT Road segment(s) _____)

____ Boring in Morgan County Road _____
Morgan County Staff: (HUFT Road segment(s) _____)

____ Crossing Morgan County Road _____
Morgan County Staff: (HUFT Road segment(s) _____)

____ Use of Culvert/Ditches Adjacent to County Road _____
Morgan County Staff: (HUTF Road segment(s) _____)

Location and Type of Right of Way Use:

Using the following format:

Starting _____ feet (east, west, north or south) of the intersection of
Morgan County Road _____ and Morgan County Road _____

If available at GPS coordinates _____ and _____

in the (east, west, north or south) right of way of Morgan County Road _____
(digging/trenching/boring/crossing/overhead) (east, west, north or south) _____ feet.

Complete the form located at the end of application packet for additional locations. Use as many copies necessary to complete all locations. Insert all additional completed forms after this page.

<i>For Office Use Only</i>	
Date Approved:	____ / ____ / ____
Approved By:	_____
Permit Fee:	\$ _____
Check:	# _____

Permit No. 2025 PMT

Identify location of any bridges or culverts: _____

Additional location information. Use additional sheets as necessary:

For the purpose of: _____

Attach site plan clearly identifying requested permit. Applications without a site plan will not be considered.

Fee Calculation:	Crossing(s) @ \$100 each	\$ _____
	Distance @ .10/foot	\$ _____
	Poles @ \$25/pole	\$ _____
	Inspection and processing fee @ \$50/road	\$ _____
	Total	\$ _____

(Morgan County staff initial payment received in amount shown _____)

The Undersigned Applicant agrees:

That the Applicant has read and understands all of the requirements, restrictions and conditions, and agrees to comply with all requirements and conditions of this Permit, if granted by the Morgan County Public Works Department, to the satisfaction of Morgan County and the Morgan County Public Works Department.

PERMITTEE _____ REP. NAME (PRINT) _____

SIGNATURE _____ DATE _____ PHONE NUMBER _____

CONDITIONS:

1. If the permit is for the placement of facilities in the right-of-way, the Permittee must be the owner/operator of the facilities and not the owner/operator's contractor or agent. The Permittee must supply a copy of this permit to its contractor prior to commencement of work. If the permit is for work only in right-of-way, the applicant may be the individual or entity performing the work.
2. No road cuts are allowed on paved roads. All crossings of paved roads must either be bored under the road or installed overhead.
3. Any facility such as a pipeline, cable, or any other facility must be buried a minimum of forty-eight (48) inches below the roadway surface or the bar ditch, as applicable.
4. All facilities and trenches that parallel to County roads must be placed at least three (3) feet from the shoulder of the road. If the desired location is already occupied by an existing facility the County Road Superintendent shall be notified so that he may establish where the new facility will be located. A minimum of thirty-six (36) inches of horizontal separation must be maintained between different facilities using the County right-of-way.
5. The height of overhead facilities is limited to seventy-five (75) feet. The diameter of any poles or width of any other type of facilities is limited to three (3) feet.
6. The right-of-way and the bar ditch shall be returned to equal or better condition prior to the commencement of the work, including but not limited to revegetation if required by the County Road Supervisor. The Permittee must supply adequate evidence of the right-of-way and bar ditch condition for both pre- and post-construction. Such evidence must be supplied prior to commencement of any work. Roads and bar ditches must be backfilled with a minimum of ninety-five percent (95%) compaction. Any settling of a trench or cut must be further back filled by the Permittee to the County's satisfaction. The Permittee will be required to warrant any restoration of the road surface for a period of twelve (12) months.
7. Installation of facilities must be completed within twelve (12) months of the date of this issuance of the permit except for reclamation which must be completed within eighteen (18) months.
8. Upon request by the County, the Permittee must accurately mark the location of its facilities to avoid damage. The above ground facilities must be marked with a fiberglass or other non-deteriorating material marker in a contrasting color which is at least forty-eight (48) inches tall and is placed at least twenty-four (24) inches into the ground. The marker shall be placed as close to the above ground facility as possible on the side away from the County road.
9. The Permittee specifically waives the right to any damages for injury to the facilities caused by the County. Any damage to the Permittee's facilities caused by normal County maintenance operations, including mowing, grading, and snowplowing in the County right-of-way is the responsibility of the applicant and not that of Morgan County.
10. The Permittee and its contractor must provide proof of at least one million (\$1,000,000.00) dollars general liability insurance at the time of application. Such insurance must remain in effect during all installation and reclamation activities.
11. The Permittee agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the Permittee's facilities in the County right of way.

Permit No. 2025 PMT

- 12. In the event it is necessary to remove or relocate the Permittee's facilities because of road construction or maintenance such removal shall be at the sole cost of the Permittee.
- 13. Morgan County may require the presence of a county inspector when installing facilities under, around, or near bridges and culverts. The cost of a county inspector shall be \$50 per inspection.
- 14. Violation of the conditions of this permit may be cause for the permit to be revoked and the facilities being removed from the county right of way at the Permittee's sole expense. Any correction or mitigation of violations of the conditions of this permit or damages to the county roads or right of way caused by the Permittee or its agent or contractor will be at the sole cost of the Permittee. The County may choose, at its sole discretion, to have the Permittee or its agent or contractor correct such damage or problem, conduct such work itself, or contract such work to a third party.
- 15. The Permittee must contact the Morgan County Public Works Department (970) 542-3560 at least forty-eight (48) hours prior to the beginning of installation work and inform the Department of the time of the start of work and the estimated time of the completion of work.
- 16. The Permittee must provide the Morgan County Geographic Information Systems Department with GIS shape files compatible with County mapping within thirty (30) days of completion of installation, unless the Permittee and Morgan County have a current map sharing agreement.
- 17. The Permittee must provide the Morgan County Public Works Department with a notice of assignment if this Permit is assigned to a third party. Only after such notice is received by the Morgan County Public Works Department will the original Permittee be released from the obligations and conditions of this Permit.
- 18. The Permittee grants permission to the County to undertake all maintenance, grading and shoulder work without engaging in any required notification process under state law, including but not limited to those requirements adopted in Senate Bill 18-167.
- 19. This Permit does not guarantee compliance with any applicable easement, covenant, or other private agreement. The Permittee is responsible for ensuring compliance with any applicable easement, covenant, or other private agreement.
- 20. Other conditions: _____

This permit is valid for the Permittee and the Permittee's successors and assigns **only**.

Dated this ____ day of _____, 20__.

MORGAN COUNTY, COLORADO
Public Works Department

Road Supervisor

Permit No. 2025 PMT

(Use as many copies of this necessary to complete all locations. Insert all completed copies after page 1.)

Description of Right of Way Use:

 Trenching/Digging in Morgan County Road _____

Morgan County Staff: (HUFT Road segment(s) _____)

 Boring in Morgan County Road _____

Morgan County Staff: (HUFT Road segment(s) _____)

 Crossing Morgan County Road _____

Morgan County Staff: (HUFT Road segment(s) _____)

 Use of Culvert/Ditches Adjacent to County Road _____

Morgan County Staff: (HUTF Road segment(s) _____)

Location and Type of Right of Way Use:

Using the following format:

Starting _____ feet (east, west, north or south) of the intersection of
Morgan County Road ___ and Morgan County Road _____

If available at GPS coordinates _____ and _____

in the (east, west, north or south) right of way of Morgan County Road _____
(digging/trenching/boring/crossing/overhead) (east, west, north or south) _____ feet.

Description of Right of Way Use:

 Trenching/Digging in Morgan County Road _____

Morgan County Staff: (HUFT Road segment(s) _____)

 Boring in Morgan County Road _____

Morgan County Staff: (HUFT Road segment(s) _____)

 Crossing Morgan County Road _____

Morgan County Staff: (HUFT Road segment(s) _____)

 Use of Culvert/Ditches Adjacent to County Road _____

Morgan County Staff: (HUTF Road segment(s) _____)

Location and Type of Right of Way Use:

Using the following format:

Starting _____ feet (east, west, north or south) of the intersection of
Morgan County Road ___ and Morgan County Road _____

If available at GPS coordinates _____ and _____

in the (east, west, north or south) right of way of Morgan County Road _____
(digging/trenching/boring/crossing/overhead) (east, west, north or south) _____ feet.