

MORGAN COUNTY RIGHT OF WAY PERMIT AND APPLICATION

Name of Owner or Operator of facilities (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) _____)

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.
(repeat in this format on separate page if continuing)

Identify location of any bridges or culverts: _____

Permit No. 2019 PMT

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 Applicants 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. Permittee must be the owner/operator of the facilities to be placed in the county right of way and not the owner/operator's contractor or agent. Permittee must supply a copy of this permit to its contractor prior to commencement of 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 48 inches below the roadway surface or the barrow pit, as applicable.

Permit No. 2019 PMT

4. All trenches parallel to county roads must be placed at least 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 36 inches of horizontal separation must be maintained between different facilities using the county right of way.
5. The applicant specifically waives the right to any damages for injury to the facilities caused by Morgan County if the location of the damage to such facilities does not meet the depth and separation requirements of this permit.
6. The road and the barrow ditch shall be returned to equal or better condition as found. On graveled roads lines must be placed 3' from shoulder of road. Roads and barrow ditches must be backfilled with a minimum of 95% compaction. Any settling of the trench or cut must be further backfilled by the Permittee to the County's satisfaction.
7. The road surface and any other disturbed areas of the right of way must be restored to as good or better condition, including re-vegetation, as it was prior to the installation of the Permittee's facilities. The Permittee warrants any restoration of the road surface for a period of 12 months.
8. 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.
9. 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.
10. Any damages to the Permittee's structures caused by normal County maintenance operations, including mowing, grading and snowplowing in the county right of way are the responsibility of the Permittee and not that of Morgan County.
11. 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.
12. Upon request 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 48" tall and is placed at least 24" 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.
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.

Permit No. 2019 PMT

- 15. Installation of facilities must be completed within 12 months of the date of this issuance of the permit except for reclamation which must be completed within 18 months.
- 16. Permittee must contact the Morgan County Public Works Department (970) 542-3560 at least 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.
- 17. Permittee must provide the Morgan County Geographic Information Systems Department with GIS shape files compatible with County mapping within 30 days of completion of installation. (If Permittee and Morgan County have a current map sharing agreement 30 days requirement not applicable.)
- 18. Permittee must provide the County with a notice of assignment if this Permit is assigned to a third party. Only after such notice is received by the County will the original Permittee be released from the obligations and conditions of this Permit.
- 19. 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.
- 20. This Permit does not guarantee compliance with any applicable easement, covenant, or other private agreement. Permittee is responsible for ensuring compliance with any applicable easement, covenant, or other private agreement.
- 21. 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 Construction Manager