

## RIGHT OF WAY PERMIT

### Application Requirements

1. Applications must be submitted to the Planning & Zoning Department for review and submission to the Board of County Commissioners for approval. The Application must be received by noon on Thursday to be placed on the Commissioner's Agenda for the following Tuesday. Logan County Commissioners meet the first, third and fifth Tuesday each month in the morning at 9:00 a.m. unless otherwise advertised.
2. A fee of **\$100.00 (bore) under or \$200.00 (trench) across** will be charged for each request. Please make your checks payable to Logan County.
3. Underground installations should be at 48 inches below the lowest point of the borrow ditch.
4. Please provide a **detailed map** of the proposed Improvements in relation to the surrounding area.
5. A copy of the Application will be forwarded to the Logan County Road & Bridge Department. Logan County Road and Bridge may inspect all work done in the County rights-of-way before, during or after completion.
6. You will be sent copies of the Application and the Logan County Use Tax Agreement after it has been filed in the Logan County Clerk's Office.

Logan County Road & Bridge  
12603 CR 33  
Sterling, CO 80751  
970.522.3426

Logan County Planning & Zoning  
315 Main Street  
Sterling, CO 80751  
970.522.7879

REQUEST	FEES
Crossing (Bores)	\$100.00
Crossing (Trench)	\$200.00
Driveway Access	\$50.00
Distance	<= 1 Mile = \$50 > 1 Mile = \$50.00/Mile or portion thereof
Poles	\$50.00/Mile or portion thereof
Working Prior To Permit Approval (except in case of an approved emergency)	Fees double
Special Circumstances may cause additional fees, which will be considered on a case-by-case basis and approved by the Logan County Commissioners	

**AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY**  
**INDIVIDUAL PERMIT**

THIS AGREEMENT made this (County fills in) \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the County of Logan, State of Colorado, hereinafter called "County", and \_\_\_\_\_ the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): \_\_\_\_\_

\_\_\_\_\_ ; and

WHEREAS, Applicant desires to install and construct a \_\_\_\_\_, which will be located (**Circle One**): along, bore under, or trench across \_\_\_\_\_, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of **\$100.00** or **\$200.00** and keeping of the terms and covenants contained herein, the parties agree as follows:

- Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- Applicant shall have the right to install and construct \_\_\_\_\_, described above, in the right of way of \_\_\_\_\_, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- All work authorized by this Agreement **shall be completed no later than** \_\_\_\_\_.
- It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.
- All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

Applicant hereby releases the County from any liability for damages caused by said \_\_\_\_\_, whether caused by employees or equipment of the County, or others, at any time. Further, Applicant agrees to protect, save and hold harmless, and indemnify the County from and against all liability, loss, damages, personal injuries or expenses suffered by or imposed against the County by reason of the construction, installation or maintenance of the above described improvement.

No perpetual easement or right of way is granted by this instrument and should Applicant's use of said right-of-way interfere with the County's use, or intended use of said right-of-way, Applicant will remove or relocate the same upon demand of the County. Applicant shall pay all costs of such removal or relocation.

This Agreement shall be a covenant running with the above-described real property and shall be binding upon the parties hereto, their heirs, successors, personal representatives, and assigns.

Other Provisions: \_\_\_\_\_

Note: Applicants in the process of acquiring a Conditional Use Permit or a Special Use Permit - If easements containing signatures have been obtained and are in hand for the appropriate permit, then the landowner signatures required below can be waived.

**Owner #1**

\_\_\_\_\_ Printed name \_\_\_\_\_

Signature \_\_\_\_\_

**Owner #2**

\_\_\_\_\_ Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

**Individual Right-of-Way Permit Applicant:**

\_\_\_\_\_ Printed name \_\_\_\_\_

\_\_\_\_\_ Signature \_\_\_\_\_

Address: \_\_\_\_\_

Application Fee Paid \_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

Signed at Sterling, Colorado the day and year first above written.

**THE BOARD OF COUNTY COMMISSIONERS  
LOGAN COUNTY, COLORADO**

\_\_\_\_\_  
Byron H. Pelton (Aye) (Nay)

\_\_\_\_\_  
Joseph A. McBride (Aye) (Nay)

\_\_\_\_\_  
Jane E. Bauder (Aye) (Nay)

**RIGHT OF WAY  
INSPECTION FORM**

LOGAN COUNTY, 315 MAIN STREET, STERLING, CO 80751

PERMIT DATE \_\_\_\_\_

PROJECT ADDRESS \_\_\_\_\_

OWNER \_\_\_\_\_ ADDRESS \_\_\_\_\_

DESCRIPTION OF WORK \_\_\_\_\_

**TO SCHEDULE AN INSPECTION, PLEASE CALL 970-522-3426 OR 970-520-6370**

**THE ISSUANCE OR GRANTING OF THIS PERMIT SHALL NOT BE CONSTRUED TO BE A PERMIT FOR, OR AN APPROVAL OF ANY VIOLATION OF ANY OF THE PROVISIONS OF THE ORDINANCES OF LOGAN COUNTY. PERMITS PRESUMING TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ORDINANCES OF LOGAN COUNTY SHALL NOT BE VALID. THIS PERMIT SHALL EXPIRE IF WORK AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS.**

Logan County Inspector \_\_\_\_\_ Date \_\_\_\_\_

Work Performed By \_\_\_\_\_

Approved \_\_\_\_\_ NOT Approved \_\_\_\_\_ Depth \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

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