

Return to : Valley County, 501 Court Square
Glasgow, MT 59230

VALLEY COUNTY
APPLICATION AND PERMIT TO USE RIGHT-OF-WAY No.

The undersigned requests permission to construct the following item(s) on Valley County Right-of-Way

<input type="checkbox"/>	UNDERGROUND UTILITY LINE	<input type="checkbox"/>	APPROACH
<input type="checkbox"/>	OVERHEAD UTILITY LINE	<input type="checkbox"/>	OTHER (Explain):

Valley County requires that the permittee shall give at least 48 hour's advance notice prior to commencing initial work. All crossings will be inspected by a Valley County Road employee during the compaction process.

A sketch of the proposed work must be attached.

An Application Fee of \$50.00 must be included with this application. Additional fees may be accessed. If the crossing is bored there will be no \$1,000 maintenance fee. If the crossing is cut through the road, there is a \$1,000 fee to cover the additional maintenance, and the road crossing must be whack backed to 95% compaction. A Valley County Road employee must verify these requirements have been met during the construction process. If it is a PAVED ROAD, the crossing **MUST** be bored under the road. There will be no crossing through a paved, Valley County Road.

An Inspection Fee of 10 cents (10¢) per foot will be included with this application for the installation of an underground utility line or utility poles that run parallel to any Valley County Road.

List any Special Provisions:

LEGAL DESCRIPTION:

I certify that I am the owner or authorized representative of the proposed facility or property to be served and agree to do the work requested in this document and in accordance with Schedule 1 General Provisions (pages 3-4) and other attached documents.

Date Submitted: _____ **Fee Submitted:** _____

Please Type or Legibly Print Name:

Signature of Owner or Representative:

Applicant's Mailing Address:

Applicant's Phone No.

Subject to all terms, conditions and provisions shown on this form, Schedule 1 General Provisions, and other attachments, permission is hereby granted to the above named applicant to perform the work described herein.

Date Passed: _____ **Board of Valley County Commissioners**

Attest:

Marie Pippin, Clerk

Paul Tweten, Chair

CORPORATION NOTARY

STATE OF MONTANA) : ss
County of Valley)

On this _____ day of _____, 20_____, before me, the undersigned, a Notary Public
for the State of Montana, personally appeared _____ and
_____, known to me to be the President and Secretary, respectively, of the
corporation that executed the within instrument, and acknowledged to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Seal the day and year above
written.

Notary Public For the State of Montana

(Notarial Seal)

INDIVIDUAL NOTARY

STATE OF MONTANA) : ss
County of Valley)

On this _____ day of _____, 20_____, before me, the undersigned, a Notary Public
for the State of Montana, personally appeared _____ of
_____, known to me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Seal the day and year above
written.

Notary Public For the State of Montana

(Notarial Seal)

COUNTY NOTARY

STATE OF MONTANA)

: ss

County of Valley)

On this _____ day of _____, 20_____, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Paul Tweten and Marie Pippin personally known to me to be the Chairman of the Board of County Commissioners and the County Clerk and Ex-officio Recorder, respectively, of Valley County, Montana, the body politic and corporate that executed the within instrument, and acknowledged to me that such body politic and corporate executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Seal the day and year above written.

Notary Public For the State of Montana

Printed Name _____.

Residing at

My Commission expires _____.

(Notarial Seal)

SCHEDULE 1
GENERAL PROVISION

1. The permittee shall give at least **48 hours** advance notice prior to commencing initial work. It is the responsibility of the permittee to contact "One Call" before digging, 800-424-5555.
2. During progress of the work, such barricades, lights and other traffic control devices shall be erected and maintained as may be necessary or as may be directed for the protection of the traveling public. Said barricades, lights and other traffic control devices shall conform to the current issue of the Manual on Uniform Traffic Control Devices for Streets and Highways.
3. In accepting this permit, the permittee, its successors and assigns, agree to hold Valley County and its Road Department harmless from any and all liability on account of the erection, installation, construction, maintenance or operation of the facilities located under this permit.

In the event the utility line is damaged by routine repair, maintenance or operation of the adjacent roadway by Valley County or its agents, the owner of the line will agree to bear the cost of the repair of the line, provided that damages occurred in the usual course of repair, maintenance and operation of the roadway.

The Permittee will hold Valley County harmless and will pay to repair damage to other lines or facilities incurred in the process of installation, repair, operation or maintenance for the line referenced herein.

4. Except as herein authorized, no excavation shall be made or obstacle placed within the right-of-way in such a manner as to interfere with the travel over said roadway.

5. If the work done under this permit in any manner involves the disturbance of the traveled surface of the road and/or traffic control devices, said items shall be restored to the satisfaction of Valley County at the completion of the authorized work either by the permittee or by Valley County at the permittee's expense.
6. If the work done under this permit interferes in any way with the drainage of the roadway, the permittee shall wholly and at his own expense make such provisions as Valley County may direct to take care of the said drainage.
7. On completion of said work herein contemplated, all rubbish and debris shall be immediately removed and the roadway and roadside shall be left neat and presentable and to the satisfaction of Valley County.
8. All of the work herein contemplated shall be done to conform with current government and industry standards under the supervision and to the satisfaction of Valley County, and the entire expense of said supervision shall be borne by the permittee.
9. Valley County hereby reserves the right to order the change of location or the removal of any structure(s) or facility(ies) authorized by this permit, said change or removal to be made at the sole expense of the permittee, or its successor and assigns.
10. All such changes, reconstruction or relocation by the permittee shall be done in such a manner as will cause the least interference with any of the Valley County Road Department's work.
11. The permittee or privilege granted under this permit shall not be deemed or held to be an exclusive one and shall not prohibit Valley County from granting other permits or franchise rights of like or other nature to other public or private persons or entities, nor shall it prevent Valley County from using any of its roads, streets or public places or affect its right to full supervision and control over all or any part of them, none of which is hereby surrendered.
12. Valley County may revoke, annul, change, amend, amplify or terminate this permit or any of the conditions herein contained if the permittee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given, or if the utility herein granted is not installed or operated and maintained in conformity herewith or upon 60 days' written notice to the permittee.
13. The permittee shall maintain at his or their sole expense the structure or facility for which this permit is granted in a condition satisfactory to Valley County.
14. Neither the acceptance of this permit nor anything herein contained shall be construed as a waiver by the permittee of any rights given it by the Constitution of laws of the State of Montana or of the United States.
15. Adequate drawings or sketches shall be included showing the existing and/or proposed location of the facility or structure with respect to the existing and/or planned location of the roadway improvement, the traveled way, the rights of way lines, and where applicable, the control of access lines and approved access points.
16. No work shall be started until an authorized representative of Valley County has given notice to the permittee to proceed.

17. The permittee shall not assign or transfer this permit without prior written approval of County.

18. The use of public right-of-ways for utility lines and facilities shall be so constructed as not to incommodate or endanger the public in the use of said County Roads. (MCA 69-4-101.)

19. This permit shall be void unless the work herein contemplated shall have been completed

before _____ (date).

_____ (Initial - Applicant)

_____ (Initial - V.C. Road Supt.) _____ (Initial - V.C. Road Admin.)