

DRAINAGE CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY IN HAMILTON COUNTY, IOWA

- 1. _____ (Owner/Renter) of the _____ side of the _____ ¼ of Section _____, _____ Township applies for a permit to enter upon, or cross a Hamilton County Secondary Highway Right-of-Way with a _____ inch diameter drainage tile. Approximate location shown on reverse side of this application.
2. Crossings under paved roads shall be bored. Crossings under granular surfaced roads may be open trenched. Applicant shall compact backfill, remove excess material, reshape, and reseed all areas disturbed to restore the original condition of the R-O-W.
3. For open trenched crossings, the full width of the roadbed shall be backfilled in 8 inch, or less, lifts with suitable material and proper compaction effort. Hamilton County must approve the backfill material and compaction effort. The top one (1) foot of backfill material shall consist of crushed stone. Open trenched crossings shall not be performed between November 15th and April 1st unless specifically authorized by the County Engineer.
4. Hamilton County shall be notified forty-eight (48) hours in advance of the start of drainage construction operations in the public right-of-way.
5. Hamilton County will deliver and retrieve all necessary traffic control signs in accordance with the MUTCD. Signs shall be maintained by applicant during construction. Open trenches shall not be left open overnight without County Engineer approval.
6. The contractor shall notify Iowa One Call at 1-800-292-8989 at least 48 hours prior to work and protect existing utilities. The contractor is responsible for any damages as a result of their work in the right-of-way.
7. The applicant does hereby agree to hold harmless, indemnify, and defend Hamilton County, its Supervisors, Officers, Employees, and Agents, against any and all claims, losses, damages, or law suits for damages, arising from, allegedly arising from, or related to the provision of services hereunder by the contractor, landowner, or renter, under the Permit Application for Drainage Construction in the Public Right-of-Way in Hamilton County, Iowa.
8. The contractor does agree, that in order to protect itself, as well as Hamilton County, under the indemnity agreement provision, herein above set forth, will at all times, during the time of construction, have in force, a general liability insurance policy in the amount of not less than Seven-hundred, fifty-thousand dollars (\$750,000). The Certificate of Insurance shall be provided to Hamilton County prior to construction.
9. The applicant agrees that they shall not cancel or materially change said policy without two (2) days prior notification to Hamilton County.
10. Upon completion of this crossing the applicant shall pay the contractor for work associated with this agreement. Applicant shall provide Hamilton County with proof of payment to the contractor for payment by Hamilton County of 50% of crossing cost up to \$1500.00 on an open trenched crossing or up to \$5000.00 on a bored crossing.
11. Payments for crossings will be made from available budgeted Hamilton County Secondary Road funds. Payments will be reimbursed to the applicant in chronological order of permitted and completed crossings. If funds are not available in the Hamilton County Secondary Road funds it is understood the applicant will be reimbursed at such time funds are available.
12. Drainage district/sub district boundaries shall be respected. Drainage across boundaries shall not be allowed without adhering to Drainage District procedures as per Iowa Code, Section 468.

Comments:

Date: _____ (Property Owner)

DATE PERMIT EXPIRES: _____ (Renter)

(Contractor)

APPROVED BY HAMILTON COUNTY:

_____ Date: _____

TILE CROSSING AGREEMENT
In the event the foregoing permit application involves a drainage tile crossing a secondary highway right-of-way, and said drainage tile will enter upon, or cross property owned by another person, the following agreement must be completed. If modification to a Drainage District facility is required by this crossing, Drainage District approval is required and shall be attached to this application.

_____ (Owner) of the _____ side of the _____ ¼ of Section _____, _____ Township; AND _____ (Owner) of the _____ side of the _____ ¼ of Section _____, _____ Township, jointly agree to the installation of _____ inch drainage tile crossing the County Highway Right-of-Way to drain the above described land.

_____/_____
(Applicant Property Owner) / Date

_____/_____
(Receiving Property Owner) / Date