

Date: \_\_\_\_\_

**MADISON COUNTY UTILITY AGREEMENT**

Permit: \_\_\_\_\_

**PERMIT EXPIRES ONE (1) YEAR AFTER DATE OF ISSUE**

The Board of County Commissioners of Madison County, Indiana hereinafter referred to as the "Board", and

hereinafter referred to as the "Permittee", hereby agree that utility facilities consisting of \_\_\_\_\_

located at the following described location: \_\_\_\_\_

are hereby granted permit to be located within the highway right of way in accordance with the attached drawings, the utility facility will be placed adjacent to the present utility facilities and within two feet of the right of way line as indicated on the plans for the proposed project. In consideration thereof the Permittee hereby agrees to abide by and conform with the following conditions:

1. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right of way limits will be relocated and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.
2. The Permittee hereby agrees to assume liability for making any necessary utility adjustments should future traffic conditions or road improvement necessitate when so requested by the Board and assume the cost hereof, except where Permittee has a compensable property right therein or where reimbursement of such cost is provided by law.
3. The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities.
4. The Permittee shall save harmless and indemnify the Board from any claim for damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.
5. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.
6. All damage to drainage structures, tiles, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work began. **FINAL CLEAN UP MUST BE COMPLETED WITHIN 60 DAYS OF WORK COMPLETED.**
7. It is understood and agreed by the Board and Permittee that the Permittee shall comply with the "State of Indiana, Indiana State Highway Commission Policies Covering the Use and Occupancy of Public Highway Right of Way by Utilities 1971".
8. The Permittee shall notify the Board in writing five (5) days before construction begins and shall notify the Board in writing within thirty (30) days after construction has been completed.

\_\_\_\_\_  
Permittee

\_\_\_\_\_  
Address

\_\_\_\_\_  
Printed Name - Authorized Representative

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Signature - Authorized Representative

\_\_\_\_\_  
Telephone

Comments/Recommendations: Do not disturb any pavement, side ditches or drainage structures. Open cut aggregate pavements only utilities must be a minimum of 2 feet deep. Minimum clearance to be 2 feet from existing edge of pavement, where utility passes a drainage structure such as a culvert or field drainage tile, utility is to be a minimum of 5 feet below, invert 25 feet either side of structure. Special conditions may apply near bridges and box culverts. Plowing is not permitted for underground utilities, directional bore or open trench only.

**FINAL CLEAN UP MUST BE WITHIN 60 DAYS OF WORK COMPLETED**

**DO NOT WRITE IN THIS SECTION**

COMMENTS: \_\_\_\_\_

Application Reviewed By: \_\_\_\_\_

Date: \_\_\_\_\_

Application Approved By: \_\_\_\_\_

Date: \_\_\_\_\_