

CITY OF GOODING

PERMIT TO USE THE RIGHT-OF-WAY

THIS PERMIT, made this day ____ of _____, by and between the City of Gooding, a political subdivision of the State of Idaho, hereinafter called the Grantor and _____ hereinafter called the Grantee, WITNESSETH:

THAT the said Grantor, does hereby grant and convey unto the said Grantee, its successors and assigns, a PERMIT TO USE a portion of the right-of-way of the City of Gooding hereinafter described, and the right to construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace, and/or remove a _____ for the conveyance of under the City Roads as described below and as identified with attached plans:

Description of Project;

Location of Excavation;

together with the right to ingress and egress, for the purpose for which the above mentioned rights are herein granted, subject to the condition that if it is necessary for the public good, convenience, or welfare, that the right-of-way given hereunder may be terminated as a result of public necessity, and the Grantee shall remove its property, at its sole expense, from said right-of-way without any compensation, remuneration or damages as a result of the termination of said right-of-way rights.

CONDITIONS:

THE said shall be laid to the depth to allow a minimum of three (3) feet of cover, or a minimum of twenty four (24) inches cover for buried cable. Casing pipe shall be required for all pressurized liquid pipelines crossing roads, except for domestic water lines up to 2 inches in diameter. All material shall be new. The proposed project must be installed under any culverts that are crossed. Adequate drawings or sketches shall be included showing the depth and type of the proposed facility and its location with respect to the existing location of the roadway, the public right-of-way and approved access points.

THE Grantee shall install said facility at his or their own costs and expenses and shall assume all responsibility with reference to proper protection to the public by installing all necessary warning signals and other safety precautions to properly protect the public during and after installation.

THE Grantee further agrees to properly backfill the excavated area and compact the same to a 90% compaction rate. Any pavement that must be cut shall not be broken out rough, but shall be cut to a neat line with an asphalt/concrete saw or other similar cutting tool. The pavement shall be patched with asphalt to the same depth as the existing asphalt or 4", whichever is greater. The Grantee shall leave the area adjacent to the roadway in the same condition that existed prior to the Grantee's project. All work by the Grantee shall conform to the standards set forth in the current volume of the Idaho Standards for Public Works Construction (ISPWC), and City of Gooding's Standards for Roadway Design and Construction.

IN accepting this permit, the Grantee, its successors and assigns, agrees to hold City of Gooding harmless from any and all liability on account of the installation, construction, maintenance or operation of the facilities located under this permit.

During and upon completion of said work herein contemplated, all rubbish and debris shall be removed and the roadway and roadside shall be left neat and presentable and to the satisfaction of the Public Works Department.

THE Grantee shall maintain at his or their sole expense, the structure or objects in perpetuity for which this permit is granted in a condition satisfactory to the Public Works Department.

IF trench or pavement settlement should occur on the above described right-of-way, repairs shall be made by the Grantee as directed by the Public Works Director and at no cost to the City. The Grantee shall place appropriate warning signs and barricades as per the standards of the Uniform Traffic Control Devices Manual.

ALL individuals, utility companies, and/or contractors including third parties are required to follow the latest edition of the Uniform Traffic Control Manual for signing, traffic control, closing roads, and impeding traffic. Parked equipment and stored materials shall be kept as far away from the travel-way as feasible. Items left overnight within 30 feet of the travel-way shall be marked and/or protected.

ALL trenching, placing of pipes, cables, conduits, and culverts will be installed and placed according to the ISPWC and the City of Gooding Standards for Roadway Design and Construction.

THE issuance of this permit in no way supercedes the requirement of the Grantee to obtain a right-of-way from each owner of property over which the construction will cross, or any other required permit.

ANY Grantee that has a project adjacent to or crossing a City roadway that could damage the roadway will be required to pay the City an amount sufficient to cover any and all repairs to City roads and bridges that may be caused by any portion of the project, at any time in the future.

THE City reserves the right to have any and all crossings bored on any and all roads in the City.

THE Gooding City Public Works Director will review applications to approve or reject right-of-way permits.

Sufficient time must be allowed between application and approval for a site visit to be completed if needed.

THE Grantee (applicant) shall notify the Gooding City Public Works Office 48 hours in advance of beginning construction.

THE project shall be completed within the timeframe established below.

ESTIMATED Construction Begin Date_____

ESTIMATED Construction Completion Date_____

THE Grantee (applicant) assumes all liability for the construction within the road right-of-way and holds the City of Gooding harmless from any actions performed by the Grantee.

THIS permit shall not be valid for excavation until, or unless, the provisions of Idaho Code Title 55, Chapter 22 have been complied with. PRIOR TO EXCAVATION, CALL DIGLINE LOCATION SERVICE. Telephone No. 1-800-342-1585. Digline requires 48 hours notice.

APPLICANT:

Grantee

Agent

Address

Phone

Date of Application

CITY OF GOODING:

Public Works Director

Additional Conditions of Approval

Date of Approval

Date Project Inspected