

**PERMIT FOR USE OF COUNTY ROAD/HIGHWAY RIGHT-OF-WAY  
FOR OVERHEAD AND/OR BURIED UTILITIES ACCOMMODATION**

10a  
10/13/15

**REQUEST BY APPLICANT:**

Name Qwest d/b/a CenturyLink QC

Highway 20

Township Rutland & Union

Address 426 LAKE AVE  
STORM LAKE IOWA, 50588

City of Correctionville

Office Phone (712)732 8348 Local Phone (712)7328348

Section: SW TO SE 1/4 of 1/4 Sec(s): 31,32,33,34 & 36

Type of Utility Installation TELEPHONE

T 89 N, R 42 & 43 W

Plans Prepared By JUSTIN D MELOHN

Copy Enclosed  Yes  No

Map Showing Location Enclosed  Yes  No

Utility Location is  cross right-of-way  parallel to right-of-way

overhead  underground

Proposed Method of Installation

tunnel  suspend on poles  cased

Jack & bore  suspend on towers  trench

open cut  plow

Estimated Starting Date 10/19/2015

Estimated Restoration Date 10/30/2015

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions listed on the reverse side hereof, and special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof. Applicant is to complete in triplicate and send all copies including plans and maps to Woodbury County Engineer, Room 502 Courthouse Sioux City, Iowa 51101. One executed copy will be returned to the Applicant.

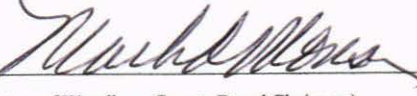
By   
(Signature of Authorized Utility Representative)

Title ENGINEER II

Date October 2<sup>nd</sup>, 2015

**PERMIT APPROVAL BY PERMITTING AUTHORITY**

The forgoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

By  Title Chairman

(Signature of Woodbury County Board Chairman)

Date 10/13/2015

By  Title County Engineer

(Signature of Woodbury County Engineer)

Date 10/13/2015

**Other Special Provisions:**

*Cable must be plowed around or bored under all county culverts. Cable may not be placed above any county culvert. 36" minimum depth required. JDM*

**Permit Provisions and Conditions of Issuance**

- The County and/or the County Board of Supervisors will not be charged with any responsibility for damages to the Applicant's property occasioned by any construction or maintenance operations on said county roads, including new or additional right-of-acquired in connection therewith, subsequent to the building of the Applicant's facilities. The Board will endeavor to give the Applicant sufficient notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way, that is likely to expose, cover up, or disturb any facilities belong to the Applicant, in order that the Applicant may arrange to protect the facilities. The Board will inform contractors, and others working on the job of the location of the facilities so that reasonable care may be taken to avoid damaging the facilities, however the County and the Board of Supervisors will assume no responsibility for failure to give such notice

Approved 19/1999

2. The Applicant shall take all reasonable precaution during the construction of said facilities to protect and safeguard the lives and property of the adjacent property owners and the traveling public and shall save the County and the Board of Supervisors harmless of any damages or losses that may be sustained by adjacent property owners and the traveling public on account of such construction operations.
3. Operations in the construction and maintenance of said facilities shall be carried on in such a way as to not interfere with, or interrupt traffic on said roads. However, should the performance of work called for in this permit in any way interfere with or obstruct traffic on said roads, the Applicant shall provide the necessary flagmen as required by the Statutes when one-way traffic is involved and/or otherwise mark said work so as to protect the traveling public.
4. The Applicant shall hold the County and the Board of Supervisors harmless from any damages that may result to said highway because of the construction or maintenance of said facilities and shall reimburse the County or the Board of Supervisors for any expenditures that the County or the Board of Supervisors may have to make on said roads on account of replacement of surfacing gravel and bridge and culvert repairs.
5. Applicant shall lay, construct, operate and maintain said facilities so as not to interfere with natural drainage of the road and so as not to interfere with the construction or maintenance of said roads. When buried cable or wire lines are to be placed lengthwise with the roadway, they shall be placed in the County road shoulder or ditch near the toe of the fore-slope and parallel to centerline of roadbed at a depth of three (3) to four (4) feet by using specially designed plows or by trenching, whichever is appropriate. Plow slots and trenches shall be repacked as necessary to restore the disturbed area to its original condition. For buried line crossings of roadways not paved, an open trench may be dug and the lines placed therein, and the trench back-filled over the lines. Buried line crossings on paved roadways, lines may be placed through the sub-grade by jacking, or by boring a hole just large enough to take the lines; or if the County Engineer approves, a tunnel may be dug through and the cable or wire lines placed therein. All backfill of tunnels and trenches shall be thoroughly compacted in layers of 6" or less in depth. Back-filling of trenches within the right-of-way but not under the traveled roadway shall be tamped sufficiently to avoid settlement. When crossing an existing roadway, all buried facilities shall be placed a minimum of three (3) to four (4) below the bottom of the existing adjacent ditches. Overhead lines where practical shall be placed adjacent to and with two (2) feet of the Road/Highway Right-of-Way Line.
6. The Applicant will at any time subsequent to placing the facilities, and at the Applicant's expense, relay, replace, alter, change, reconstruct or relocate its overhead and/or buried facilities and appurtenances thereto as may become necessary to conform to new grades, alignment, or widening right-of-way, resulting from maintenance or construction operations by the County board of Supervisors irrespective of whether or not additional right-of-way is acquired in connection with such road Improvements. The Applicant agrees to do this within ninety (90) days written notice from the Board of Supervisors and without cost to the County. If the Applicant is unable to comply within said ninety (90) days, the Board of Supervisors may cause the work to be done and the Applicant will pay the cost thereof upon receipt of statement.
7. All work shall be done in a workmanlike manner; the surrounding ground, slopes, and ditch bottoms shall be reshaped to conform to the area and left in a neat condition satisfactory to the County Engineer. All areas where sod has been damaged or destroyed shall be re-seeded.
8. The Applicant shall notify the County Board of Supervisors at least forty-eight (48) hours in advance of the Applicant's Intention of starting work, covered by this permit, on the road right-of-way. Said notice shall be in writing to the County Engineer.
9. Applicant, its successors, grantees and assigns shall and hereby agrees to assume all responsibility, risks and liabilities for all accidents and damages that may occur to persons and/or property on account of the work done under this permit, and to this end, indemnify and hold the County and all authorized representatives thereof harmless from any and all claims, damages, losses, and expense including judgments, costs, and including attorney's fees, for personal injuries (including death) or property damage arising or resulting from the activities of the Applicant in connection herewith, now and at all times in the future.
10. It is understood that this permit is issued only insofar as Woodbury County has jurisdiction and does not presume to release the Applicant from fulfilling any existing statutes relating to the installation, construction and operation of said facilities.
11. It is further understood that the facilities covered by this permit shall be constructed or installed within one (1) year after the date of approval of this permit, unless otherwise extended in writing by Woodbury County.
12. Engagement in the operations as herein applied for by the Applicant shall be considered and constitute an acceptance of all the terms and conditions herein set forth.

Approved 1/19/99

**FOR DEPARTMENT USE ONLY**

Permit Number	Highway Number	County
DOT Project Number		Expiration/Completion Date

**APPLICANT (INDIVIDUAL OR COMPANY)**

First Name JUSTIN	Middle D	Last Name MELOHN	Phone Number 712.732.8348	Ext.
Company Name QWEST CORPORATION D/B/A CENTURYLINK QC			Phone Number 712.732.8348	Ext.
Street Address 426 LAKE AVE		City/Town STORM LAKE	State IA	ZIP Code 50588

**INSTALLATION TO BE ACCOMMODATED**

Approval is hereby requested to enter within the state highway right-of-way for the accommodation of a utility installation as detailed on the attachments and further described as follows.

The installation shall consist of:  
 PER CONVERSATION WITH IDOT DOUG MANLEY & KELLY MULVIHILL, CENTURYLINK IS OK TO PROCEED WITH PLAN AND FILE FOR PERMIT WITHOUT HAVING THE OFFSET STATIONING MARKED. OFFSETS WERE NOT SUPPLIED ON THIS PROJECT VERSION, HOWEVER CENTURYLINK HAS PROVIDED WHAT THEY CAN FROM PREVIOUS VERSIONS OF THE PROJECT. CENTURYLINK'S INTENT IS TO PLOW OR BORE ALL FACILITIES 2' FROM BACK EDGE OF EXISTING OR NEWLY ACQUIRED ROW AT 48" DEPTH FOR MOST OF THIS PROJECT. PLEASE SEE ATTACHEMENT FOR ADDITIONAL DETAILS.

WORK AREAS:  
 T-89N, R42W, SECS: 31,32,33, & 34  
 T-89N, R43W, SEC: 36

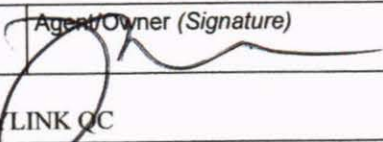
and shall be located as shown on the detailed plan attached hereto. (See current Iowa Department of Transportation Utility Accommodation Policy for submittal of detailed plan requirements.)

**WORK SITE LOCATION**

The proposed work as described above is located in Section SEE ABOVE, Twp. 89N, Range 42W & 43W on Highway No. US 20 generally located .09 (miles) W (direction) from INTERSECTION OF US HWY 20& MINNESOTA AVE (city, county line, or other land line). Work proposed is more specifically located as being from 29.15 (Milepost #) and 10634+50 (Highway Station) to 32.72 (Milepost #) and 820+92 (Highway Station) on the S side of highway.

**Applicant Signature and Agreement**

I have read this Agreement, understand its provisions, and agree to abide by it and the utility accommodation policy of the Iowa Department of Transportation

Name of Agent (Print or Type) JUSTIN D MELOHN	Agent/Owner (Signature) 	Title ENGINEER II
Name of Owner (Print or Type) QWEST CORPORATION D/B/A CENTURYLINK QC	Date 10/2/2015	

**CITY ACTION (IF PROPOSED WORK IS WITHIN AN INCORPORATED CITY, CITY ACTION IS REQUIRED)**

"The undersigned city joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned city and recommends action on said permit application as noted below by the delegated city official".

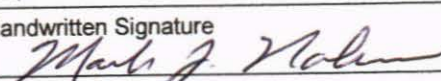
- Recommend Approval       Do Not Recommend Approval       None Required

Handwritten Signature	Title	Date
Type or Print Name	Authorized Official for the City of	

**COUNTY ACTION (IF PROPOSED WORK CROSSES COUNTY RIGHT-OF-WAY, COUNTY ACTION IS REQUIRED)**

"The undersigned county joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned county and recommends action on said permit application as noted below by the delegated county official".

- Recommend Approval       Do Not Recommend Approval       None Required

Handwritten Signature 	Title County Engineer	Date 10/13/2015
Type or Print Name Mark J. Nalwa	Authorized Official for the County of Woodbury	

(DOT/FHWA Signatures and Agreements on next page)



**Special Requirements** - in addition to the stipulations below, the following special requirements shall apply to this permit:

**FEDERAL HIGHWAY ADMINISTRATION ACTION (WHEN REQUIRED)**

Recommend Approval                       Do Not Recommend Approval                       None Required

Authorized FHWA Representative Signature	Date
--	------

**DEPARTMENT OF TRANSPORTATION FINAL ACTION**

Application Approved                       Application Denied                      Permit Number:

Authorized Highway District Representative	Signature	Date
--	-----------	------

Notice of intention to start construction or maintenance activities on the highway right-of-way shall be made to:

Local DOT Contact Person (Type or Print Name)		Phone Number	
Street Address	City/Town	State IA	ZIP Code

**AGREEMENTS**

The utility company, corporation, applicant, permit holder or licensee, (hereinafter referred to as the Permit Holder) agrees with the Iowa Department (hereafter referred to as Department) that the following stipulations and those special requirements as listed on this page shall govern under this permit.

**A. General**

1. The installation shall meet the requirements of local municipal, county, state, and federal Iowa franchise rules and regulations, regulations and directives of the Iowa State Commerce Commission; the Department of Natural Resources, all rules and regulations of the Department and any other laws or regulations applicable.
2. The Permit Holder shall be fully responsible for any future adjustments of the facilities within the established highway right-of-way caused by highway construction or maintenance operations.
3. Non-compliance with any of the terms of the Department's policy, permit or agreement, may be considered cause for shut-down of utility construction operations or withholding of relocation reimbursement until compliance is assured, or revocation of the permit. The cost of any work caused to be performed by the State in removal of non-complying construction will be assessed against the Permit Holder.
4. The work described in this permit shall be completed as proposed in compliance with the stipulations and special requirements within one year from the date Department approval is received for said request. Failure on the part of the Permit Holder to abide by the stipulations or in constructing the work described as stipulated and within the time frame stated shall render this agreement and request null and void. The Permit Holder also agrees to save the State of Iowa and the Department harmless of any damages or losses that may be sustained by any person, or persons, on account of the conditions and requirements of this agreement.

**B. Construction and Maintenance**

1. The location, construction and maintenance of the utility installation covered by this application shall be in accordance with the current Department's Utility Accommodation Policy.
2. Before beginning any work in the highway right-of-way, it is the responsibility of the Permit Holder to obtain an easement from the drainage district if necessary. The Department assumes no responsibility for advising the Permit Holder of each location of a drainage district crossing. It is the Permit Holder's responsibility to locate these crossings and obtain any necessary easements or permission from the drainage district. See Code of Iowa, Chapter 468 for additional information.
3. A copy of the approved permit shall be available on the job site at all times for examination by Department officials.
4. All traffic control including sign placement and flagging are the responsibility of the Permit Holder. The original placement of signs and their removal upon completion of the work shall be accomplished by the Permit Holder.
5. Operations in the construction and maintenance of said utility installation shall be carried on in such a manner as to cause minimum interference to or distraction of traffic on said highway.
6. After November 24, 2008, all personnel in the highway right-of-way shall wear ANSI 107 Class 2 apparel at all times when exposed to traffic or construction equipment.

**C. Liability**

1. The Permit Holder shall indemnify and save harmless the State of Iowa, its agencies and employees, from any and all causes of action, suits at law or in equity, for losses, damages, claims or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with the Permit Holder's use or occupancy of the public highway.
2. The state of Iowa and the Department assume no responsibility for damages to the Permit Holder's property occasioned by any construction or maintenance operations on said highway if Permit Holder has been notified in accordance with stipulation number D.3. or if the facilities are not located in accordance with this permit.
3. The State of Iowa, its agencies or employees, will be liable for expense incurred by the Permit Holder in its use and occupancy of the highway right-of-way only when negligence of the State, its agencies or employees, is the sole proximate cause of such expense. Whether in contract, tort or otherwise, the liability of the State, its agencies and employees, is limited to the reasonable, direct expense to repair damaged utilities, and in no event will such liability extend to loss of profits or business, indirect, special, consequential or incidental damages.

**D. Notification**

1. The Permit Holder is responsible for contacting Iowa One-Call (1-800-292-8989) and request the location of any underground utilities forty-eight (48) hours before excavation. Before beginning work in the highway right-of-way, the Permit Holder shall also contact any other known utility located in the area of the proposed work.
2. The Permit Holder agrees to give the Department forty-eight hours notice of its intention to start construction or to perform routine maintenance on the highway right-of-way. Said notice shall be made to the contact person whose name is shown on this page.
3. The Department shall give the Permit Holder at least forty-eight hours notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way when the proposed work will be ten feet of a utility location as previously approved by the Department by permit or written agreement. The Permit Holder shall be responsible within this time frame to arrange to protect its facilities.

**Disclosure Statement:** The information furnished on this form will be used by the Department of Transportation to determine approval or denial of the application. Failure to provide all information will result in denial of the application. Information furnished is public information and copies may be provided to the public upon request.