

POLICY FOR INSTALLATION ON COUNTY RIGHTS-OF-WAY: PIPELINE & UTILITY CROSSINGS

Fees: Upton County sets fees to (be paid) at the time of application for a permit. Applications not accompanied by the appropriate fee will not be processed. Application fees are to cover all or part of the costs of review and are not refunded should the permit application be rejected or withdrawn after review.

Application for a permit and payment of fees does not obligate Upton County to issue a permit.

Permit Fee: \$ 200.00 per Application: Boring, Casing, Tunneling or other underground utility crossing.

Permit Applications: No pipeline shall be installed, constructed, rebuilt, relocated, enlarged or otherwise modified within the right-of-way of any Upton County road without a duly executed permit from Upton County. Applications for permits shall be submitted to the Upton County Commissioner's Court or the County Judge, and shall be submitted by the owner of the pipeline (or the authorized representative of the owner), who shall represent all parties involved. Pipelines may only be placed in Upton County rights-of-ways in such a manner as to cross the county road (as close as possible to perpendicular to the roadway). Any proposed installation of a pipeline parallel to the roadway must be expressly approved by action of the Upton County Commissioners Court.

Rights & Obligations: It is expressly understood that Upton County does not purport to grant any right, claim, title or easement in this right-of-way and it is further understood that Upton County may require the Permittee, at the Permittee's expense, to lower or relocate this line, subject to provisions of governing laws, by giving thirty (30) days written notice.

Specifications & Requirements: All work within the right-of-way (shall be performed) in accordance with this Policy and Specifications and with the Commissioner's Court instructions. The installation shall not damage any part of the roadway and adequate provisions (must be made) to cause minimum inconvenience to traffic and adjacent property owners. Upon the completion of any such construction, installation, removal or lowering, Permittee shall replace and restore all fences relocated or removed during the construction period to the satisfaction of the Upton County Commissioners.

Inspection & Maintenance: Upton County reserves the right to inspect pipeline-crossing installations at the time of construction and at all times thereafter, and to require such changes, maintenance, and repairs at any time when considered necessary to provide protection of life and property within the county right-of-way. The cost of changes, maintenance and repairs of pipelines and other appurtenances on the right-of-way will be the responsibility of the Permittee. In the event a Permittee fails to make corrective measures as directed, Upton County may perform the necessary work on Upton County roads and hold the Permittee financially responsible.

Signs: The Permittee shall not erect any signs (fixed or movable) on, or extending over, any portion of the county road right-of-way.

Liability & Hold Harmless: The Permittee shall be liable for any and all damages to the personal and real property of Upton County and to any third person or persons by reason of these operations in installing, repairing, maintaining, using or removing from the right-of-way the above mentioned pipeline, whether caused by the Permittee's negligence or otherwise. Permittee further agrees to indemnify and hold harmless Upton County and its duly appointed agents and employees against any action (including expenditures of defending any suit) for personal injury or property damage sustained during any actions associated with this permit.

Non-Exclusivity: The rights and privileges granted herein are non-exclusive and Upton County reserves the right to convey similar rights, and privileges to such other persons as it may deem proper.

Temporary Water Lines: No temporary water lines (may be placed) in or across county rights-of-ways unless expressly approved by action of the Upton County Commissioner's Court.

Notification: The Upton County Judge shall be notified forty-eight (48) hours prior to start of any work within the county right-of-way.



Office Use Only:

Date Received _____ Check # _____

Permit for Installation of County Right-of-Way Pipeline & Utility Crossings

All Permit application shall be submitted to the Upton County Judge's Office
P.O. Box 482
Rankin, TX 79778
cquigg@co.upton.tx.us

Application:

Applicant (Permittee / Company): _____

Address: _____

City: _____ State: _____ Zip Code: _____

Email: _____ Phone: _____

Proposed Pipeline shall be _____ inches in diameter, shall be made of _____ (PVC, Steel, Cast Iron) and shall be used for transmission of _____ (Water, Sewer, Oil, Natural Gas or Utility Services).

Proposed Location is in Upton County on _____ (County Road) and in precinct _____.
A map or sketch showing the location and description of the proposed pipeline attached to this form.

Proposed Timeline of Construction within the right-of-way will begin on or after _____, 20____, and will be completed' on or before _____, 20____. (Maximum length of permit Two (2) weeks unless specifically extended by action of the Upton County Commissioner's Court).

I propose to place above described pipeline within the right-of-way of the named road in Upton County Texas, and do hereby apply to the Upton County Commissioner's Court for approval of this installation. A map showing the location and description of the proposed pipeline and appurtenances for this permit application are attached. I agree to construct and maintain this installation in the county right-of-way as directed by the Upton County Commissioner's Court and made a part of this Permit.

Date: _____

Signature: _____

Print Name: _____

ACTION OF THE UPTON COUNTY COMMISSIONERS COURT CONCERNING THE APPLICATION

The Commissioner's Court of Upton County Texas, offers no objection to the location in the right-of-way of your proposed pipeline as described in this document and as shown on the attached map. This installation (shall be performed) in strict compliance with directions of the Upton County Commissioner's Court and the Policy and Specifications are a part of this Permit. This Permit is not assignable by the Permittee, and any assignment shall terminate the rights and privileges herein.

The foregoing Application is Approved / Granted _____ Denied _____ by Order of the Upton County Commissioners Court on this the ____ day of _____, 20____

Dusty Kilgore
Upton County Judge

ATTEST:

Upton County Clerk and
Clerk of the Commissioners Court

SPECIFICATIONS FOR INSTALLATION ON COUNTY RIGHTS-OF-WAY: PIPELINE & UTILITY CROSSINGS

1. All pipeline installations under the roadbed of a county road within the county right-of-way shall be placed by boring. Where right-of-way widths permit, boring shall extend for a minimum distance of 10 feet from either edge of the roadway surface. Bore pits shall be located a minimum of 10 feet away from the edge of the roadway. Over-cutting in excess of one (1) inch shall be remedied by pressure grouting the entire length of the installation.
2. All pipelines placed in the right-of-way shall have a minimum cover of 36 inches.
3. All pipelines carrying pressured gas or liquid fuel contents shall be enclosed in satisfactory encasement extending from right-of-way line to right-of-way line, with vents provided at the ends of the encasement.
4. Any poles, pedestals, vent pipes or other similar appurtenances must be placed within the right-of-way, within eighteen (18) inches of the right-of-way line.
5. When boring is considered impracticable. The Commissioners Court may consider a variance request to these specifications and grant permission to open cut and backfill a specific installation. In this case, the following conditions shall govern:
 - a. All backfilling of dirt and/or caliche base, within the entire roadway width, shall be done at optimum moisture, in six (6) inch lifts and compacted sufficiently to obtain 95% Standard Proctor Density. Density tests from a reliable laboratory shall be furnished as required by the Upton County Commissioner's Court.
 - b. In lieu of compacted backfill described above the open-cut ditch within the entire roadway, width may be backfilled with cement stabilized caliche base. Caliche base material must be approved by the Upton County Commissioner's Court and base material shall be batched and mixed (with transit mix equipment) with (2) sacks of cement per cubic yard of mix, and shall have a maximum slump of six (6) inches.
 - c. All cuts, backfill, base replacement and re-surfacing are to be performed in a neat and Craftsman like manner and shall conform to all directions of the Upton County Commissioner's Court.
6. Pavement or roadway damaged by any of the operations associated with this installation shall be repaired as directed by and to the satisfaction of the Upton County Commissioner's Court.
7. Necessary traffic control devices, including barricades, cones and warning signs (and when necessary, flagmen) shall be provided by the Permittee and used as required to warn the driving public and to provide protection to the workers. All traffic control shall be designed, installed, operated and maintained in accordance with the latest revised edition of the Texas Manual on Uniform Traffic
8. Control Devices. The roadway shall be open to traffic at all times, unless the Permittee is specifically authorized by the Upton County Commissioner's Court to temporarily close the road to traffic. All operations shall be conducted in the interest of traffic safety and access to adjacent property.

Applicant Certification:

I have read the requirements above and agree to abide by the terms therein. I certify that I am, authorized on behalf of the adjacent property owner, contractor, builder or installer of operations within a county right of way to make this application:

Signature of Person Making Application

Date