



# COUNTY OF LEAVENWORTH

## Department of Public Works



### *Highway Permit/Use of Right of Way*

WHEREAS, Department of Public Works, Leavenworth County, 300 Walnut, Leavenworth, Kansas 66048

HEREINAFTER, referred to as County/Owner and \_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address City/State Zip Phone Number

As agent, Lessee, Contractor, hereinafter termed the Petitioner, requests permission and authority to do certain work involving County right-of-way, upon or along a County road described as follows:

Job Order # Location:

Please attach a sketch or map of where work is being performed.  
Type of work being done (describe in detail):

Subject to the following conditions and restrictions:

- 1.0 Plans: Petitioner shall furnish one (1) set of comprehensive plans or sketches, 8 1/2 x 11" or larger, of the proposed work.
- 1.1 An "As-Built" Survey signed by a registered Land Surveyor showing the location of the utility in relation to the nearest GLO corners be provided at the completion of construction
- 1.2 Entrance locations and utility installations must be approved by the Director or his duly authorized representative.
- 1.3 Drainage structure to be determined by the County Department of Public Works.
- 2.0 Materials and Methods: All materials and construction methods used on work within the limits of the right-of-way shall be in conformance with the standard requirements of the industry and the Director.
- 2.1 Commercial Entrances shall be surfaced with materials of the same general type as roadway surfacing.

3.0 Completion: The Petitioner shall furnish all materials, do all work, pay all costs and restore said right-of-way to the condition existing prior to approval of work described on this permit. Work to be completed within [REDACTED] Da/Mo. of APPROVAL DATE, otherwise permit is null and void. An extension of time may be requested in writing. After the petitioner has satisfactorily completed the work in accordance with this permit, any additional work at said site location involving the laying of future new lines will necessitate that the Petitioner shall apply for and obtain another permit from the County.

3.1 Petitioner agrees that an approved signed copy of permit will be on premises before any work is performed.

4.0 Bond: A check, or other suitable bond, in amount of \_\_\_\_\_ dollars \$ \_\_\_\_\_ made payable to the Leavenworth County Road and Bridge Fund is hereby deposited with this permit to guarantee performance of the conditions of the permit.

4.1 The Petitioner agrees that bond will be forfeited in case of failure or refusal to perform the work to the satisfaction of the Director.

4.2 The petitioner agrees to notify the Director when work covered by the permit is initiated and again when completed.

4.3 The County agrees that upon satisfactory compliance with all conditions of the permit, said bond will be released.

5.0 Obstruction of Traffic: Petitioner agrees that there will be no interference with traffic, unless specifically provided for as a part of the permit. Traffic protection to be in accordance with Uniform Manual for Traffic Control Devices. See Appendix A, page 38 & 39 attached and made a part of this permit.

6.0 Right-of-Way: Petitioner agrees that no portion of the right-of-way will be used for parking, advertising signs or any other commercial activity.

6.1 Any sod, shrubs or trees destroyed by this work shall be replaced as directed by the Director of his authorized representative.

7.0 The Petitioner, his successors, or assigns shall assume all risk and liability for accidents and damages that may accrue to persons or property on account of this work. In maintaining said work from time to time in the future the Petitioner agrees that he or his successors and assigns shall give forty-eight (48) hours advance notice of such work to be done to the Leavenworth County Engineer's office. This notice shall be in writing, unless an emergency exists at said site location in which event a telephone call to the engineer's office will suffice.

8.0 That in the event the County deems it necessary or proper to make any alterations or improvements along or upon the highway or right-of-way, the Petitioner agrees to hold the County harmless for any damage to said Petitioner's construction along or upon the said highway or right-of-way and the petitioner also agrees that upon notice being served upon him, he will, with a reasonable time, alter, change the location or move his construction work off the highway right-of-way as requested by the Director or his duly authorized representative without expense to the County aforesaid.

8.1 In the event the applicant is unable to comply within a reasonable time to request to alter, change the location, or move his construction or work off the highway or right-of-way, the Leavenworth County Department of Public Works may cause the work to be done, and the applicant will pay the costs therefore upon receipt of statement.

9.0 Other conditions and restrictions:

It is agreed between the parties hereto that the County shall have the right from time to time in the County sole and absolute discretion to have a representative of the County Engineer's office at the site of the installation where work is to be performed under this permit, so that the representative of the County Engineer's office can observe and determine the work being done at said site is being done in accordance with the conditions of this permit. The petitioner agrees to pay to

the County a fee for each such engineering inspection that may be made, said fee to be commensurate with the usual and regular fees or charges then prevailing in this area for such engineering inspection services.

Proposed construction approved on this permit is to be conducted in such a manner as to interfere in no way with construction or contractor's work on a project.

The following fees will be charged for obtaining a highway permit/use of right of way permit and these are non-refundable:

For lines in public right-of-way	\$25.00
Auger under the road	\$30.00
Cutting of rock road	\$60.00
Cutting of asphalt road	\$300.00

**\*Failure to obtain a permit, as required, prior to construction will result in double permit fees being assessed, or \$200.00, whichever is greater.**

This permit is hereby accepted and its provisions agreed to this as dated below.

Utility Owner: \_\_\_\_\_

Agent/Lessee/Contractor for utility:

\_\_\_\_\_ Company Name

\_\_\_\_\_ Street address City/State/Zip

\_\_\_\_\_ Phone Number Email address

\_\_\_\_\_ Applicant's signature

Permit granted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

LEAVENWORTH COUNTY PUBLIC WORKS

\_\_\_\_\_  
Director of Public Works Signature

By: \_\_\_\_\_  
For the Director of Public Works

PERMIT FEE AMOUNT  \$ _____
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PAID WITH ___ CASH ___ CREDIT CARD _____ CHECK  ___ INVOICED INVOICE # _____
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