

ENCROACHMENT PERMIT

PERMITTEE PORTION: THE UNDERSIGNED DOES HEREBY ACKNOWLEDGE THAT THEY HAVE READ AND CONSENT TO THE TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS PERMIT.

Permittee Name _____

Permittee Address _____

Permittee Phone Number _____

Signature of Permittee _____

PERMIT FEE: \$150.00

A. NATURE OF PERMIT: _____

B. LENGTH OF TIME REQUESTED FOR PERMIT: _____

C. LOCATION: Sketch road and ENCROACHMENT location on typical section below:

1. SECTION: _____

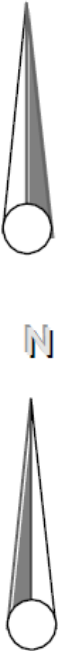
SCALE: 1" = 1/4 MILE

2. TOWNSHIP: _____

3. RANGE: _____

4. ROAD:
Name (if applicable)

5. RURAL ADDRESS: _____



COUNTY PORTION

D. APPROVED WITH CONDITIONS (COMMISSION): _____

E. DATE OF APPROVAL _____

F. COMMISSIONER SIGNATURE: _____

G. COUNTY ROAD SUPERVISOR: _____

FALLON COUNTY
COMMISSIONERS
PO BOX 846
BAKER, MT 59313

INSTRUCTIONS FOR FILLING OUT THE PERMIT:

PERMITTEE PORTION:

- A. NATURE OF PERMIT: A brief explanation of the reason for the permit, i.e. an oil pipeline crossing a county road; etc.
- B. LENGTH OF PERMIT: i.e. Temporary, permanent, 30 days, etc.
- C. LOCATION: Sketch road and encroachment on typical section below:
 - 1,2,3: Describe the location of the encroachment by the Section, Township, and Range.
 - 4: The name or number of the County Road affected (if applicable).
 - 5: Rural Address (if applicable).
- D. CONDITIONS: Specify any special provisions. Examples are:
a pipeline crossing: gravel backfill, 3 foot cover in barrow ditch, boring, etc.

COUNTY PORTION:

- E. CONDITIONS: The Commission may approve with or without conditions.
- F. DATE OF APPROVAL: Date the permit was approved by the Fallon County Board of Commissioners.
- G. AUTHORIZED SIGNATURES: Signature of County Commissioner approving permit.
Signature of Road Superintendent/Foreman.

ENCROACHMENT PERMIT PROCESS: Encroachment permits can be obtained from the Clerk and Recorder’s office or on the Fallon County Website-www.falloncounty.net

- 1. Fill out the Permittee portion of the permit.
- 2. Turn in to the Clerk and Recorder’s Office at - 10 W. Fallon Ave. – Baker, MT 59313, along with the \$150.00 fee.
- 3. Encroachment permit information and a viewing will be completed by the Commission and Road Superintendent/Foreman. This is a process and will not happen immediately. After an inspection is completed, the permit will be noticed on the agenda for approval by the Board of County Commission.
- 4. As soon as the permit has been approved you will be notified.

SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS: THE PERMIT APPLIED FOR ON THE REVERSE SIDE HEREOF

- 1. CHANGES IN ROAD: If the County changes the road which necessitates changes in structure or installations installed under this permit, the Permittee shall make necessary changes without expense to the County.
- 2. COUNTY SAVED HARMLESS FROM CLAIMS: In accepting this permit, the Permittee, and their/its successors or assigns, agree to protect the County and save it harmless from all claims, actions or damage of every kind and nature which may accrue to, or be suffered by, any person(s), corporations or property by reason of the performance of any such work, materials used, or manner of installation, maintenance, and operation, or by the improper occupancy of said highway right of way. If any suit or action is brought against the County arising out of this permit, the Permittee, their/its successors, or assigns, will, upon notice to them/it of the commencement of such action, defend the same at their/its sole cost and expense and satisfy any judgment which may be rendered against the County in any such suit or action.
- 3. HIGHWAY AND DRAINAGE: If the work done under this permit interferes in any way with the drainage of the County Road affected, the Permittee shall, at their/its own expense, make such provisions as the County may direct.
- 4. RUBBISH AND DEBRIS: Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and roadside left in a neat and presentable condition satisfactory to the County.
- 5. WORK TO BE SUPERVISED BY THE COUNTY: All work contemplated under this permit shall be done to the satisfaction of the authorized representative of the County, and the County hereby reserves the right to order the change of location or removal of any structure or installation authorized by this permit at any time, said changes or removal to be made at the sole expense of the Permittee.
- 6. COUNTY’S RIGHT NOT TO BE INTERFERED WITH: All such changes, reconstructing or relocation shall be done by Permittee in such a manner as will cause the least interference with any of the County’s work, and the County shall not be liable for any damage to the Permittee by reason of any such work by the County, its agents, contractors or representatives, or by the exercise of any rights by the County upon the County Road by the installation or structures placed under this permit.
- 7. MAINTENANCE AT EXPENSE OF PERMITTEE: Permittee shall maintain, at their/its sole expense, the installations and structures for which this permit is granted, in a condition satisfactory to the County.
- 8. COUNTY NOT LIABLE FOR DAMAGE TO INSTALLATIONS: In accepting this permit, the Permittee agrees that any damage or injury done to said installations or structures by any County employee engaged in construction, alteration, repair, maintenance or improvement of the County Road, shall be at the sole expense of the Permittee.
- 9. COUNTY TO BE REIMBURSED FOR REPAIRING ROADWAY: Upon being billed therefore Permittee agrees to promptly reimburse County for any expenses incurred in repairing surface of roadway due to settlement at installation, or for any other damage to roadway or structure because of the work performed under this permit.
- 10. Contact Fallon County Weed Dept. 778-7131 before removing vegetation so they may determine the presence of noxious weeds. The Weed Dept. may reserve the right to require that construction equipment be washed before being moved to a new location or before entering the county. This is to prevent the spread of Noxious Weeds.
- 11. MODIFY, REVOKE OR SUSPEND. The County may modify, revoke or suspend this permit at any time.

COMMISSION CONDITIONS FOR MAIN COUNTY ROADS:
ROADS MUST BE BORED & PIPE MUST BE SLEEVED