

**TOWN OF LAKETOWN
COUNTY OF CARVER
STATE OF MINNESOTA**

APPLICATION FOR PERMIT NO. 2024-xx

ROAD UTILITY PERMIT

In accordance with the application attached herein, a Permit is granted to _____, (hereinafter “Permittee”) to place, construct and maintain a _____ on or under the right-of-way of _____ at the location legally described on the attached Exhibit A to this permit and identified in the Certificate of Survey which is part of said application, or in such location as may be specified by the Town of Laketown, a political subdivision of the State of Minnesota, (hereinafter “Township”) and pursuant to the Special and General Conditions hereof.

I. SPECIAL CONDITIONS:

The Permittee and his or her heirs, agents and assigns hereby agree to the following special conditions:

1. Contact Township 72 hours prior to initiation of construction and after restoration of area for a final review at (952) 442-5278
2. No open cuts across Township’s ROW – directional boring only
3. Rights of way must be restored to original conditions and seeded
4. Permit valid until 60 days after issuance
5. **Security Bond** in the amount of \$10,000.00
6. **Permit Fee** of \$300.00

II. GENERAL CONDITIONS

The Permittee and its heirs, agents and assigns hereby agree to the following general conditions:

1. The Permittee shall fully comply with all applicable laws, regulations and codes related to facilities located within public rights of way including but not limited to the requirements of Laketown Township Ordinance No. 2019-01 as may be amended from time to time.
2. The installation of the facilities shall be made in conformity with all applicable laws, regulations and codes covering the installation of the facilities, including but not limited to Laketown Township Ordinance No. 2019-01 as may be amended from time to time.
3. The Permittee’s facilities and its installation shall not interfere with any existing utility facilities or the Township right-of-way.

4. The Permittee shall provide any necessary barricades, warning devices and flagman during all phases of the construction, installation and maintenance operations involving the Township right-of-way.
5. The restoration of the right of way shall be done in conformity with the requirements of Laketown Township Ordinance No. 2019-01 as may be amended from time to time.
6. Prior to commencement of work, the person must deposit with the Town security in the form of certified check, letter of credit, or construction bond, in a sufficient amount as determined by the Town for the completion of the work. The securities will be held for up to 24 months. Upon written request all or part of the security may in the Board's sole discretion be released prior to the expiration of the 24-month period. Upon application of the person, providing such information as the Town may require, if two or more work projects are to be constructed during a calendar year, the Town may accept, in lieu of separate security for each project, a single security for multiple projects in such form and amount as determined, in the discretion of the Town Board, to be sufficient to assure completion of all projects which may be in progress at any one time during that calendar year and to guaranty that restoration work will be satisfactorily completed. The security will then be returned to the person with interest if required by law and then interest at the applicable statutory rate. The Town may draw on said security to complete work not performed by the permit holder, to reimburse itself for costs incurred in the enforcement of this Permit, including attorney fees, to repair or correct deficiencies or other problems which occur in the right-of way during the period in which the security is in place, or to otherwise fulfill the obligations of the Permittee under this Permit. This remedy is in addition to any other remedies available to the Town.
7. The Permittee shall pursuant to State Statute and Rule 7560 provides to the Township an as built drawing depicting the location of the facilities within the right of way including any service laterals.
8. The Permittee shall pursuant to State Statute and Rule 7560 install locating wire on any nonconductive underground facility within the public right-of- way.
9. The Permittee shall indemnify, keep, and hold the Township, its representatives, officers, employees or assigns free and Harmless from any and all liability on account of injury to persons or damage to property occasioned by the issuance of permits or by the construction, maintenance, repair, inspection, or operation of Permittee's facilities located in the right of way.
10. If a suit brought against the Township under circumstances where the Permittee is required to indemnify the Township, the Permittee, at its sole cost and expense, shall defend the Township in the suit. This condition is not, as to third parties a waiver of any defense, immunity or damage limitation otherwise available to the Township.
11. A \$300.00 permit fee per request must be received by the Town Clerk along with this permit request. (*Resolution 2019-03 effective January 28, 2019.*)

SUBMITTED BY PERMITEE

Dated: _____

By: _____

Its: _____

