

## GONZALES COUNTY UTILITY & PIPELINE INSTALLATION REQUEST

|                      |   |                |
|----------------------|---|----------------|
| <b>PERMIT NUMBER</b> |   |                |
|                      | GLOBAL POSITIONING SYSTEM COORDINATES (GPS)<br>NORTH AMERICAN DATUM 1983 (1993 ADJUSTMENT)<br>IN DECIMAL DEGREES (DD) |                |
|                      | LATITUDE (DD)   | LONGITUDE (DD) |
| <b>BEGIN</b>         |   |                |
| <b>END</b>           |   |                |

DATE: \_\_\_\_\_

\_\_\_\_\_, TEXAS

Formal notice is hereby given that \_\_\_\_\_  
proposes to place a \_\_\_\_\_ line  
within the right of way of \_\_\_\_\_, RM \_\_\_\_\_, Displ. \_\_\_\_\_, to RM \_\_\_\_\_ Displ. \_\_\_\_\_ in  
Gonzales County, Texas, MNT Sec No. \_\_\_\_\_ as follows: (give location, length, general design, etc...  
Use additional sheet as needed)

**It is understood that Gonzales County right of ways shall only be used when all other options with adjoining land owners are exhausted. Gonzales County shall be entitled to the prevailing right of way fees paid to private land owners.**

We will construct and maintain the line on the right of way as shown on the attached drawing and in accordance with the rules, regulations, and policies of Gonzales County, and all governing laws, including, but not limited to, the "Texas engineering practice Act," the "Federal Clean Water Act," the "National Endangered Species Act," the "Americans with Disabilities Act," and the "Federal Historic Preservation Act." Upon request by Gonzales County at any time, we will submit to Gonzales County proof of compliance with all governing laws, rules, and regulations before commencement of construction. Plans shall include the design, proposed location, vertical elevations, and horizontal alignments of the facility based on the department's survey datum, the relationship to existing facilities and the right of way line, traffic safety and access procedures, and location of existing utilities that may be affected by the proposed utility facility. The location and description of the proposed line and appurtenances is more fully shown by a complete set of drawings attached to this Utility Installation & Pipeline request (Request). We will give plans to Gonzales County for each future proposed modification or expansion to our facility, and Gonzales County will have 30 days to review and approve the plans prior to commencement of the work. A new Request may be required as a condition of approval. Our organization will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will re-vegetate the project area as indicated under "Re-vegetation Special Provisions." We will also ensure that traffic control measures complying with applicable portions of the *Texas Manual of Uniform Traffic Control Devices* will be installed and maintained for the duration of this installation.

When installing, modifying, or maintaining our utility on controlled access facilities, we shall conform to the Texas Transportation Code, Title 6 Roadways, Chapter 203, Subchapter C, Control of Access, 203.031 (<http://www.statutes.legis.state.tx.us/>). We shall limit access for servicing this installation to access via (a) frontage roads where provided, (b) nearby or adjacent public roads or streets, (c) trails along or near the right of way lines, connecting only to an intersecting road; from any one or all of which entry may be made to the outer portion of the right of way for normal service and maintenance operations. Our rights of access to the through traffic roadways shall be subject to the same rules and regulations that apply to the general public.

It is expressly understood that Gonzales County does not purport hereby to grant any right, claim, title or easement in or upon right of way. Gonzales County may require us to relocate this line, subject to the provisions of governing laws, by giving us at least 30 days written notice. We understand a new Request will be required for the relocation. We will notify Gonzales county prior to commencement of any operation which requires pruning of trees so that Gonzales County may provide specifications to govern performance of work, including trimming, topping, tree balance, type of cuts, painting cuts, and clean up.

Our installation shall not damage any part of the roadway structure or associated appurtenances. We will make adequate provisions to cause minimum inconveniences to the traveling public and adjacent property owners. We will not open-cut driveways or intersecting roadways without specific written permission from the owner.

Following approval, we will begin construction on or after \_\_\_\_\_

Month/Day/Year

We understand Gonzales County may place additional provisions and requirements as listed below, based upon, but not limited to, the type of utility being installed, local site conditions, soil types and traffic.

| <b>Additional Provisions and Requirements</b>  |  |
|--|--|
| <b>• General Special Provisions:</b>   |  |
| <input type="checkbox"/> Are attached.<br><input type="checkbox"/> Are not attached.   |  |
| <b>• As-built Plans/Certifications of Construction:</b>  |  |
| <input type="checkbox"/> Are required and shall be certified as accurate by an authorized representative of the company.<br><input type="checkbox"/> Are required and shall be signed and sealed by a State of Texas Licensed Professional Engineer.<br><input type="checkbox"/> Are not required.<br><input type="checkbox"/> Certification that utility was installed as approved. |  |
| <b>• Re-vegetation Special Provisions:</b>   |  |
| <input type="checkbox"/> In order to minimize erosion and sedimentation resulting from the proposed installation, the project area will be re-vegetated:<br><input type="checkbox"/> with the the appropriate grass seed mix to be used, or:<br><input type="checkbox"/> As indicated on the attachment.   |  |
| Gonzales County representative to be notified 48 hours prior to beginning construction.  |  |

If approved, we understand we will assume all risks associated with this installation within the Gonzales County right of way. These risks include injuries to our workers, damage to contiguous utility lines that may be in the area and injuries or damage resulting from our failure to properly install and maintain the line.

If the character, use or function of our installation is materially changed from that approved under this Request, we will notify Gonzales County within 30 days after the change. In the event of a voluntary or involuntary loss of public utility status, or other legal authority for longitudinal placement of the utility facility in the right of way, or there is an abandonment of the facility without the approval of Gonzales County, we will at our expense remove the unauthorized portion of the facility from the right of way.

If installation of the line is not begun prior to the 91<sup>st</sup> calendar day from the date of issuance, we acknowledge that, unless otherwise extended, Gonzales County's approval of this Request will automatically **expire**, and we will be required to resubmit our Request. All Request submissions, whether due to expiration of approval under this paragraph or new Requests for modifications and relocations shall be in accordance with the governing laws, rules, regulations and policies existing at the time of submission. In the event we fail to comply with any or all of the requirements as set forth in this Request, Gonzales County may take such action as it deems appropriate to compel our compliance.

By signing as/for the requestor below, I certify that I am authorized to represent the requestor, that I agree to the provisions and requirements included in this Utility Installation & Pipeline Request, and our commencement of construction will further attest to our review and acceptance of said additional provisions and requirements.

| <b>REQUESTOR</b>  |                         |                 | <b>APPROVED BY GONZALES COUNTY</b> |                         |                 |
|-------------------|-------------------------|-----------------|------------------------------------|-------------------------|-----------------|
| <b>DATE:</b>      |                         |                 | <b>DATE:</b>                       |                         |                 |
| <b>BY:</b>        |                         |                 | <b>BY:</b>                         |                         |                 |
| <b>SIGNATURE:</b> |                         |                 | <b>SIGNATURE:</b>                  |                         |                 |
| <b>TITLE:</b>     |                         |                 | <b>TITLE:</b>                      |                         |                 |
| <b>ADDRESS:</b>   |                         |                 | <b>ADDRESS:</b>                    |                         |                 |
| <b>CITY</b>       | <b>STATE</b>            | <b>ZIP CODE</b> | <b>CITY</b>                        | <b>STATE</b>            | <b>ZIP CODE</b> |
| ( )               |                         |                 | ( )                                |                         |                 |
| <b>AREA CODE</b>  | <b>TELEPHONE NUMBER</b> |                 | <b>AREA CODE</b>                   | <b>TELEPHONE NUMBER</b> |                 |
|                   |                         |                 |                                    |                         |                 |