

RCP# _____
DIST # _____

Submit in quadruplicate (4 copies)
Original Signature Required on Each Form

**STATE OF OKLAHOMA
LOGAN COUNTY
APPLICATION FOR PERMIT
PUBLIC SERVICE/PIPELINE CROSSING/UTILITY PERMIT**

Before placing a public service/pipeline crossing facility on any county right-of-way, a permit must be obtained, using standard forms furnished by the county. All information requested on this form must be supplied.

Print:

Company/Owner of Line Name _____

Personal Contact _____

Mailing Address _____

City _____ State _____ Zip _____

Office Phone _____ Cell Phone _____

Email _____

Print:

Contractor Company Performing Work: _____

Contact Person Name: _____

Address _____

City _____ State _____ Zip _____

Office Phone _____ Cell Phone _____

Email _____

Type of Installation

Electric _____ Gas _____ Oil _____ Sewer _____ Telephone _____ Water _____

Other _____

LOCATION:

To _____ freeway route _____ approximately _____ miles _____
Cross or Parallel

of _____ and further describes as: _____ feet _____ of the
(Junction or other definite point)

_____ corner of Section _____ Township _____ Range _____

The installation will be made in the following manner:

Size of Line _____ Size of casing _____

PIPELINES

ELECTRIC

Size _____
Alloy/Material _____
Wall Thickness _____
Contents _____

Voltage _____
Conductor or Type _____
Type of Structure _____

TELEPHONE/COMMUNICATION

Mfg. Test Pressure _____
Max. Operating Pressure _____
Working Pressure _____

Wires/Pairs _____
Gauge _____
Cable Type _____

IF GRANTED, THIS PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS, REQUIREMENTS, AND COVENANTS, TO-WHIT:

Applications for road crossing must be submitted in quadruplicate (four copies), with original signature on each copy, to the County Clerk no later than FIVE (5) DAYS before a meeting of the Board of Logan County Commissioners with a check for five hundred (\$500.00) dollars per crossing (per mile) made payable to **LOGAN COUNTY**.

Applicant/Contractor must contact the County Commissioners office (405-282-2124) twenty-four (24) hours or one business day prior to actual construction, so an inspector can be at the site during construction

A drawing, map, or photo of the area detailing the route including road names and legal description must be attached.

In construction of pipelines or utility routes that cross county highways or roads, **NO DITCH OR TRENCH SHALL BE OPENED BY THE APPLICANT/PETITIONER/CONTRACTOR. ALL CROSSINGS SHALL BE BORED AT A MINIMUM DEPTH OF SIX (6) FEET BELOW THE LOWEST PORTION OF THE ROAD UNLESS APPROVED BY THE COUNTY COMMISSIONER OF THE DISTRICT. Opening of a ditch or trench without obtaining permission will result in a fine in the amount of five thousand (\$5000.00) dollars per occurrence.**

Said line will conform to the following rules: When paralleling the roadway, it shall be located A MAXIMUM OF SIX (6) FEET FROM RIGHT-OF-WAY LINE, provided that if this is not possible, an alternate route shall be worked out between the petitioner and the County prior to the submission of the utility permit. An overhead line shall be a MINIMUM OF TWENTY (20) FEET ABOVE THE SURFACE OF THE ROAD and shall be in accordance with current ODOT Standard Specifications. ALL ELECTRIC LINES SHALL BE ENCASED IN A CONDUIT FROM POLE TO POLE. Where the road has a "permanent type" surface, pipe shall be bored through the roadway rather than trenched. NO DRIVEWAYS, LOCAL ROADS, COUNTY ROADS, DITCH LINERS, STRUCTURES OR SURFACED AREA WILL BE CUT UNLESS APPROVED BY THE COUNTY COMMISSIONER OF THE DISTRICT. When trenching is used, the trench shall be backfilled with no more than 8" lifts, compacted with mechanical tampers to a minimum density of 95% of Standard Proctor maximum density of sub grade. Resurfacing over trench shall be of the same type and double in thickness that of the original surface The Board of County Commissioners, in its discretion, may vary these requirements for small lines, but in no case shall any variance be less than the original permit.

Boring of unpaved roads: At any location that is bored or a culvert, tin horn or conduit is installed for the purpose of carrying a temporary line applicant/contractor shall apply 1.5" crushed rock or Traffic Bound Surface Course (TBSC) twenty (20) feet wide x fifty (50) feet each direction from the center of the pipeline crossing at a depth of four (4") inches. NO GYPSUM TO BE USED.

Dust control shall be provided when necessary.

No diagonal crossing will be permitted unless specifically approved by the county.

All work on the County right-of-way is to be done in accordance with current ODOT "Standard Specification for Highway Construction". At the conclusion of such work the right-of-way must be cleaned up and left in presentable condition. Cleanup will include replacing any protective grass cover destroyed by trenching or the operation of any equipment, and correcting any other damage that may have been caused, as directed by the County Commissioner of the District. Failure to clean up and/or repair county right-of-way will result in a fine in the amount of five thousand (\$5000.00) dollars in addition to reimbursement to Logan County the cost to correct and/or repair the right-of-way.

Petitioners agree to assume all responsibility for handling traffic during construction, repair and maintenance of this line. Should any lowering, modification or relocation of the line be required in the regular operation of the road work, said lowering, modification or relocation shall be made by the undersigned petitioners or their successors in ownership of the line, at their sole cost, without claim against the County. Should any damage to the line occur in the regular operation of the road work, said damage shall be repaired by the petitioners or their successors, at their sole cost, without claim against the County.

Petitioners assume all liability for any damage to persons or property caused by construction, installation, maintenance, operations or repairs of its facilities on or under said right-of-way, and agree to reimburse the County for any and all monies expended by it in repairing any damage to the road, culvert, or bar ditches caused by the construction, installation, maintenance, operations or other activity thereon of the petitioners.

When notified to do so by the County, the petitioner agrees to make all changes in the facilities on County right-of-way within the County's established time period and at the petitioner's own expense, unless otherwise provided by law or order of the County. All work by petitioners in the public right-of-way shall be subject to THE INSPECTION AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS. **A PROCESSING AND INSPECTION FEE OF FIVE HUNDRED (\$500.00) dollars PER CROSSING SHALL BE PAID TO LOGAN COUNTY.** (Board reserves the right to waive the processing and inspection fee if deemed necessary)

Installation without first securing permission shall incur a fee of Five Thousand (\$5,000.00) dollars and no future permit shall be issued until all costs, damages and other requirements of these rules and regulations have been met to the satisfaction of the Board of County Commissioners.

The name, address and phone number of the Petitioner/Owner of the line shall be clearly posted at each location a line crosses **ANY** egress point.

The petitioner must agree to hold the County harmless for any and all damage that the petitioner's facilities might sustain while occupying County right-of-way.

The attached certificate containing the Applicant's statement under penalty of perjury that landowner consent has been obtained or is not required to be obtained shall be attached to this application. The Board of County Commissioners will not consider any permit which does not include this certificate.

I hereby attest to the accuracy of the information contained on this application. Further, agreement is made to comply with the conditions, requirement with the conditions, requirements and covenants listed on this form.

Date

Signature

Print Name and Title

Phone Number



Permit approved _____ disapproved _____ this _____ day of _____, 20 _____.

Attest:

County Clerk

Board of Logan County Commissioners

Chairman

Member

Member

County Use Only

County District _____

Payment Received Yes _____ No _____

Check # _____

Amount \$ _____

Notes/Special Instructions: _____

Note: Complete and sign Certification A or B below, as applicable and attach to Application:

A. CERTIFICATION REGARDING LANDOWNER CONSENT

The undersigned applicant (“Applicant”) for a permit to be issued by the Board of County Commissioners of Logan County, Oklahoma to place a pipeline or utility line within the right-of-way of a public road in Logan County hereby certifies under penalty of perjury that:

1. The pipeline or utility line for which Applicant seeks a permit is a privately-owned line operated for private gain in pursuit of private business objectives, and not for a public use.
2. Applicant obtained the consent of all owners of the real estate underlying the roadway across which the pipeline or utility line is to be installed, prior to making application for a permit from the Board of County Commissioners of Logan County, Oklahoma.
3. Applicant has paid all owners of the real estate underlying the roadway across which the pipeline or utility line is to be installed the compensation to which such owners are entitled for the additional servitude upon such owners’ property, as required pursuant to Article II, Section 23 of the Oklahoma Constitution.

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

Date

Signature

Place Where Signed

Name of Applicant

B. CERTIFICATION THAT LANDOWNER CONSENT NOT REQUIRED

The undersigned applicant (“Applicant”) for a permit to be issued by the Board of County Commissioners of Logan County, Oklahoma to place a pipeline or utility line within the right-of-way of a public road in Logan County hereby certifies under penalty of perjury that:

1. The pipeline or utility line for which Applicant seeks a permit does not constitute a private use of the county road right-of-way resulting in an additional servitude requiring the consent of and compensation to parties owning the fee interest below the road right-of-way, according to Oklahoma Attorney General Opinion No. 1982-1 and the holding of the Oklahoma Court of Civil Appeals in *Vertex Holdings, LLC v. Cranke*, 2009 OK CIV APP 10, 217 P.3d 120.

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

Date

Signature

Place Where Signed

Name of Applicant

Permission for Permit Deviation

Deviations are approved on a case by case basis and will be strictly enforced.

Permission for deviation must be obtained prior to submission of application to Board of County Commissioners

Nature of the Deviation: _____

Reason for the Deviation: _____

Any Contingencies of the Deviation: _____

Company Contact (print): _____ Phone: _____

Email: _____

Company Contact Signature: _____ Date: _____

Logan County Official Granting the Deviation (print name): _____

Logan County Official Signature: _____ Date: _____