

UTILITY PERMIT STATUS

FIELD REVIEW JP TIME 2:00 DATE 3-11-13  
 ELECTRONIC REVIEW K. LITTLE DATE 3-11-13  
COMMENTS \_\_\_\_\_

PRESENTED TO BOARD  
OF SUPERVISORS  
DATE

01/09/04

~~MADISON COUNTY, MISSISSIPPI~~

PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG OR ACROSS MADISON COUNTY

ROAD PROJECT NAME OR NUMBER Middleton Road COUNTY OF

MADISON, BEGINNING IN SECTION 36, TOWNSHIP 9-N, RANGE  
1-E, AND ENDING IN SECTION 36, TOWNSHIP 9-N, RANGE

1-E UTILITY NAME Water BY Bear Creek Water Association, Inc.

TELEPHONE (601) 856-5969 ADDRESS P.O. Box 107 Canton, MS 39046

herein called APPLICANT, purposes to construct on Middleton Road a  
(Name of Road)

Utility Facility installed between station Parkinson Road and station  
Battmore Road of Project Name / Number Middleton Road and within

road or highway right-of-way, and hereby makes application to the County for  
construction permit. Attached hereto are drawings or plans for the construction, which  
will not be changed or altered without approval of the Road Manager, or his  
representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the  
right to locate its facilities upon, across, under, over and along public highways and streets  
within the State of Mississippi; Applicant agrees to comply with applicable provisions of  
S.O.P. No. SAD II-2-8, Policy for the Accommodation of Utility Facilities within the  
Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as  
the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and  
which is hereby made a part of this application Agreement, and agrees to perform the  
construction according to the applicable industry code and according to the plans and  
specifications for the Project.

The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.

Madison County agrees to the following stipulations:

- (1) To cooperate with the Utility Company in every way to avoid conflicts in the location, construction, and maintenance of the County Highway and Utility Facility.
- (2) To pursue any and all legal means to see the Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation.
- (3) If the County Road Manager or his authorized representative approved the drawing, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in the Agreement for the installations.
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).
- (5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.



The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows:

Bear Creek Water Association is proposing a direct bury installation of 40 L.F. of 10" steel casing across Middleton Road approximately 60' west of the intersection with Battmore Road. This new installation is being proposed in conjunction with Bear Creek's latest change order to the on-going Parkinson-Virlilia Road waterline extension project. This change order would extend a new 6" line east along Middleton Road to the intersection with Battmore Road, then north along the west side of Battmore for an additional 1,500'. The road crossing will be backfilled and compacted to a 95% density.

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

WITNESS the signature of the Applicant this the 18 day of FEB, 2013.


By:   
(Applicant Signature)  
Title: PROJECT MANAGER

AGREED TO AND APPROVED BY:

\_\_\_\_\_ Date: \_\_\_\_\_

Madison County Board President

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY, MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

  
\_\_\_\_\_  
Rudy M. Warnock, P.E.  
County Engineer



UTILITY PERMIT STATUS		
<input checked="" type="checkbox"/> FIELD REVIEW	SP	TIME 12:06 DATE 3-11-13
<input checked="" type="checkbox"/> ELECTRONIC REVIEW	K. Little	DATE 3-9-13
COMMENTS _____		
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	

PRESENTED TO BOARD OF SUPERVISORS  
DATE

MADISON COUNTY, MISSISSIPPI  
PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG OR ACROSS MADISON COUNTY

ROAD PROJECT NAME OR NUMBER Gluckstadt Road COUNTY OF

MADISON, BEGINNING IN SECTION 29, TOWNSHIP 8-N, RANGE

2-E, AND ENDING IN SECTION 20, TOWNSHIP 8-N, RANGE

2-E. UTILITY NAME Sewer BY Bear Creek Water Association, Inc.

PHONE 601-856-5969 ADDRESS P.O. Box 107 Canton, MS 39046

herein called APPLICANT, purposes to construct on Gluckstadt Road a  
(Name of Road)

Utility Facility installed between station Calhoun Station Parkway and station  
Distribution Drive of Project Name / Number Gluckstadt Road and within

road or highway right-of-way, and hereby makes application to the County for a  
construction permit. Attached hereto are drawings or plans for the construction, which  
will not be changed or altered without approval of the Road Manager, or his  
representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi; Applicant agrees to comply with applicable provisions of S.O.P. No. SAD II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this application Agreement, and agrees to perform the construction according to the applicable industry code and according to the plans and specifications for the Project.

The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows:

**On behalf of Bear Creek Water Association, Inc., we are submitting this permit application to allow the association to bore, on-grade, an 18" steel casing under Gluckstadt Road to accommodate a 12" gravity sewer main.**

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.



Madison County agrees to the following stipulations:

- (1) To cooperate with the Utility Company in every way to avoid conflicts in the location, construction, and maintenance of the County Highway and Utility Facility.
- (2) To pursue any and all legal means to see the Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation.
- (3) If the County Road Manager or his authorized representative approved the drawing, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in the Agreement for the installations.
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).
- (5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

WITNESS the signature of the Applicant this the 4<sup>th</sup> day of March, 2013.

By:   
(Applicant Signature)

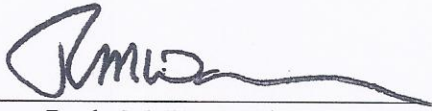
Title: General Manager

AGREED TO AND APPROVED BY:

\_\_\_\_\_ Date: \_\_\_\_\_

Madison County Board President

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY, MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.



\_\_\_\_\_  
Rudy M. Warnock, P.E.  
County Engineer



UTILITY PERMIT STATUS		PRESENTED TO BOARD OF SUPERVISORS	DATE
<input checked="" type="checkbox"/> FIELD REVIEW	SP		
<input checked="" type="checkbox"/> ELECTRONIC REVIEW	K. LITTLE		3-9-13
COMMENTS _____			
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED		

MADISON COUNTY, MISSISSIPPI  
PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG OR ACROSS \_\_\_\_\_ MADISON \_\_\_\_\_ COUNTY

ROAD PROJECT NAME OR NUMBER \_\_\_\_\_ Dee's Drive \_\_\_\_\_ COUNTY OF

MADISON, BEGINNING IN SECTION \_\_\_\_\_ 28 \_\_\_\_\_, TOWNSHIP \_\_\_\_\_ 8-N \_\_\_\_\_, RANGE

\_\_\_\_\_ 2-E \_\_\_\_\_, AND ENDING IN SECTION \_\_\_\_\_ 28 \_\_\_\_\_, TOWNSHIP \_\_\_\_\_ 8-N \_\_\_\_\_, RANGE

\_\_\_\_\_ 2-E \_\_\_\_\_. UTILITY NAME \_\_\_\_\_ Sewer \_\_\_\_\_ BY \_\_\_\_\_ Bear Creek Water Association, Inc. \_\_\_\_\_

PHONE \_\_\_\_\_ 601-856-5969 \_\_\_\_\_ ADDRESS \_\_\_\_\_ P.O. Box 107 Canton, MS 39046 \_\_\_\_\_.

herein called APPLICANT, purposes to construct on \_\_\_\_\_ Dee's Drive \_\_\_\_\_ a  
(Name of Road)

Utility Facility installed between station \_\_\_\_\_ Gluckstadt Road \_\_\_\_\_ and station

\_\_\_\_\_ Dee's Plaza \_\_\_\_\_ of Project Name / Number \_\_\_\_\_ Dee's Drive \_\_\_\_\_ and within

road or highway right-of-way, and hereby makes application to the County for a

construction permit. Attached hereto are drawings or plans for the construction, which

will not be changed or altered without approval of the Road Manager, or his

representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi; Applicant agrees to comply with applicable provisions of S.O.P. No. SAD II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this application Agreement, and agrees to perform the construction according to the applicable industry code and according to the plans and specifications for the Project.

The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows:

**On behalf of Bear Creek Water Association, Inc., we are submitting this permit application to allow the association to bore an 18" steel casing under Dee's Drive to accomodate a 12" gravity sewer main.**

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.



Madison County agrees to the following stipulations:

- (1) To cooperate with the Utility Company in every way to avoid conflicts in the location, construction, and maintenance of the County Highway and Utility Facility.
- (2) To pursue any and all legal means to see the Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation.
- (3) If the County Road Manager or his authorized representative approved the drawing, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in the Agreement for the installations.
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).
- (5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

WITNESS the signature of the Applicant this the 4<sup>th</sup> day of March, 2013.

By:   
(Applicant Signature)

Title: General Manager

AGREED TO AND APPROVED BY:

\_\_\_\_\_ Date: \_\_\_\_\_

Madison County Board President

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY, MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.



\_\_\_\_\_  
Rudy M. Warnock, P.E.  
County Engineer



UTILITY PERMIT STATUS		
<input type="checkbox"/> FIELD REVIEW	JP	TIME 12:00 DATE 3-11-13
<input checked="" type="checkbox"/> ELECTRONIC REVIEW	K. LITTLE	DATE 3-9-13
COMMENTS		
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	PRESENTED TO BOARD OF SUPERVISORS
		DATE

MADISON COUNTY, MISSISSIPPI  
PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG OR ACROSS MADISON COUNTY  
 ROAD PROJECT NAME OR NUMBER Business Park Drive COUNTY OF  
 MADISON, BEGINNING IN SECTION 21, TOWNSHIP 8-N, RANGE  
2-E, AND ENDING IN SECTION 21, TOWNSHIP 8-N, RANGE  
2-E. UTILITY NAME Water BY Bear Creek Water Association, Inc.  
 PHONE 601-856-5969 ADDRESS P.O. Box 107 Canton, MS 39046.

herein called APPLICANT, purposes to construct on Business Park Drive a  
 (Name of Road)  
 Utility Facility installed between station Gluckstadt Road and station  
Business Park Drive Terminus of Project Name / Number Gluckstadt Road and  
 within road or highway right-of-way, and hereby makes application to the County for a  
 construction permit. Attached hereto are drawings or plans for the construction, which  
 will not be changed or altered without approval of the Road Manager, or his  
 representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the right  
 to locate its facilities upon, across, under, over and along public highways and streets within the  
 State of Mississippi; Applicant agrees to comply with applicable provisions of S.O.P. No. SAD  
 II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County  
 Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the  
 State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this  
 application Agreement, and agrees to perform the construction according to the applicable  
 industry code and according to the plans and specifications for the Project.

The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows:

**On behalf of Bear Creek Water Association, Inc., we are submitting this permit application to allow the association to bore a 12" steel casing under Business Park Drive to accommodate an 8" water main.**

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.



Madison County agrees to the following stipulations:

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- (2) To pursue any and all legal means to see the Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation.
- (3) If the County Road Manager or his authorized representative approved the drawing, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in the Agreement for the installations.
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).
- (5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

WITNESS the signature of the Applicant this the 4<sup>th</sup> day of March, 2013.

By:   
(Applicant Signature)

Title: General Manager

AGREED TO AND APPROVED BY:

\_\_\_\_\_

Date: \_\_\_\_\_

Madison County Board President

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY, MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.



\_\_\_\_\_  
Rudy M. Warnock, P.E.  
County Engineer



UTILITY PERMIT STATUS		
<input checked="" type="checkbox"/> FIELD REVIEW	<u>SP</u> TIME <u>11:00</u>	DATE <u>3-11-13</u>
<input checked="" type="checkbox"/> ELECTRONIC REVIEW	<u>K. LITTLE</u>	DATE <u>3-9-13</u>
COMMENTS _____		
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	
		PRESENTED TO BOARD OF SUPERVISORS DATE _____

01/09/06

MADISON COUNTY, MISSISSIPPI  
PERMIT APPLICATION FOR USE AND OCCUPANCY  
FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY  
WITHIN ROAD OR HIGHWAY RIGHT-OF-WAY

FACILITY ALONG OR ACROSS Stout Road COUNTY

ROAD PROJECT NAME OR NUMBER N/A COUNTY OF

MADISON, BEGINNING IN SECTION 9, TOWNSHIP 8N, RANGE

2E, AND ENDING IN SECTION 8, TOWNSHIP 8N, RANGE

2E. UTILITY NAME Entergy BY Josh Gwinn

TELEPHONE (601)-925-6302 ADDRESS 905 Hwy 80 E Clinton, MS 39056,

herein called APPLICANT, purposes to construct on Stout Road a

(Name of Road)

Utility Facility installed between station \_\_\_\_\_ and station

\_\_\_\_\_ of Project Name / Number \_\_\_\_\_ and within

road or highway right-of-way, and hereby makes application to the County for

construction permit. Attached hereto are drawings or plans for the construction, which

will not be changed or altered without approval of the Road Manager, or his

representative.

Whereas, the Legislature of Mississippi has heretofore granted to the applicant the right to locate its facilities upon, across, under, over and along public highways and streets within the State of Mississippi; Applicant agrees to comply with applicable provisions of S.O.P. No. SAD II-2-8, Policy for the Accommodation of Utility Facilities within the Rights-of-Way of County Federal Aid and State Aid Highways (hereinafter referred to as the "Policy"), promulgated by the State Aid Engineer and dated January 1, 1983, and which is hereby made a part of this application Agreement, and agrees to perform the construction according to the applicable industry code and according to the plans and specifications for the Project.

The Applicant shall comply with all policies, procedures and construction practices as outlined in "A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads", as adopted on May 1, 1992, by the Madison County Board of Supervisors.

The Applicant shall be responsible for the future maintenance and repair of the facilities. The Applicant shall make future adjustments in, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to the county. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County's Road Manager. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the applicant understands that any damages caused by routine maintenance and construction by county forces shall be borne by the applicant Utility.

A general description of the size, type, nature, and extent of the Utility work to be done is as follows:

Entergy to reconductor existing single phase overhead primary line and add an additional phase along Stout Road per WR# 544492 (sketches included). Also, Entergy will install two poles, two anchors, and two guy wires across Stout Road to help support said line.

The applicant understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and if this Utility Facility as listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans.

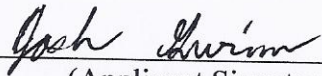


The applicant further agrees to indemnify and hold county harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.

Madison County agrees to the following stipulations:

- (1) To cooperate with the Utility Company in every way to avoid conflicts in the location, construction, and maintenance of the County Highway and Utility Facility.
- (2) To pursue any and all legal means to see the Policy Standards, except to the extent of any variance shown on the plans filed herewith and approved, are complied with in the facility installation.
- (3) If the County Road Manager or his authorized representative approved the drawing, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this application, and the Applicant may proceed with the installation; if the drawings, sketches, and plans are not approved, he shall promptly notify the Applicant, and advise it of the reason or reasons. He will also act as the duly appointed representative of the Board of Supervisors and will give his approval to the completed work as being in compliance with the location and standards shown in the Policy and in the Agreement for the installations.
- (4) That all joint highway construction and utility adjustment or relocation operations will comply with the requirements of Section S-105.06 and Section S-107-18, Mississippi Standard Specifications for State Aid Road and Bridge Construction, 1989 edition (or current edition).
- (5) Should any term of provision of this Applicant Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant or the County any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

WITNESS the signature of the Applicant this the 25th day of February, 2013.

By:   
(Applicant Signature)

Title: Engineer I

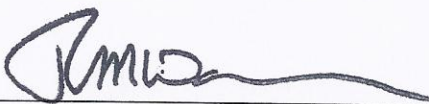
AGREED TO AND APPROVED BY:

\_\_\_\_\_

Date: \_\_\_\_\_

Madison County Board President

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON  
COUNTY, MISSISSIPPI OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.



Rudy M. Warnock, P.E.  
County Engineer