

BOARD OF SUPERVISORS

MADISON COUNTY, MISSISSIPPI

Department of Engineering/Road Management
Dan Gaillet, P.E., County Engineer/ Road Manager

3137 South Liberty Street, Canton, MS 39046
Office (601) 855-5670 FAX (601) 859-5857

MEMORANDUM

August 15, 2017

To: Sheila Jones, Supervisor, District I
Trey Baxter, Supervisor, District II
Gerald Steen, Supervisor, District III
David Bishop, Supervisor, District IV
Paul Griffin, Supervisor, District V

From: Dan Gaillet, P.E.
County Engineer and Road Manager *DG*

Re: Cspire Utility Permit
Devlin Springs

The Engineering Department recommends approval of the permit application for Cspire to install fiber optic cable throughout Devlin Springs Subdivision. The following streets will be included:

- Devlin Springs Drive
- Deer Creek Cove
- Deer Creek Drive
- Springwater Cove
- South Branch
- North Branch
- Clear Creek
- Devlin Drive

SHEILA JONES
District One

TREY BAXTER
District Two

GERALD STEEN
District Three

DAVID BISHOP
District Four

PAUL GRIFFIN
District Five

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 DEVLIN SPRINGS COUNTY OF MADISON,
BEIGINNING IN SECTION S15, TOWNSHIP T8N, RANGE
R1E, AND ENDING IN SECTION S15, TOWNSHIP T8N RANGE
R1E. UTILITY NAME COMMUNICATIONS-FIBER-OPTIC
BY CSPIRE. PHONE 601-487-7367
ADDRESS HIGHLAND COLONY PARKWAY, SUITE 400, RIDGELAND, MS
39147

. Herein called APPLICANT, purposes to construct
on DEVLIN SPRINGS a Utility Facility installed between
_____ and
_____ 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:

Beginning 160' West of the Western most entrance to Devlin Springs subdivision at the existing handhole proceed East and enter the subdivision, place fiber on all streets with the subdivision.

Placing 432 and smaller fiber optic cables, associated splitter cabinets, handholes, and service terminals. This fiber is to provide telephone and internet service for homes within the design area. Fiber optic cable to be placed at 48" depth in the back 2' of the R/W and or easement using the directional bore method. Handholes are to be placed at the property lines for home service.

UTILITY SHALL BE PLACED WITHIN THE UTILITY BASEMENT, OUTSIDE OF COUNTY ROW, AT ALL LOCATIONS WITHIN SUBDIVISION LIMITS IF AVAILABLE

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 14th day of August, 2017

By: Steve Case - STEVE CASE
(Applicant Signature)

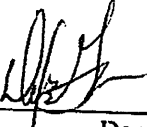
Title: CONTRACTS & PERMITS

AGREED TO AND APPROVED BY:

Mr. Trey Baxter
Madison County Board President

Date: _____

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON
COUNTY, MISSISSIPPI OF THIS _____ DAY OF _____, 2017.



Dan Gaillet, P.E.
County Engineer

IT IS THE SOLE RESPONSIBILITY OF THE
APPLICANT TO VERIFY THAT ALL UTILITIES
INSTALLED UNDER THIS PERMIT ARE ON
EITHER CO ROW OR ADJACENT UTILITY
BASEMENT.

BOARD OF SUPERVISORS

MADISON COUNTY, MISSISSIPPI


Department of Engineering/Road Management
Dan Gaillet, P.E., County Engineer/ Road Manager

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MEMORANDUM

August 15, 2017

To: Sheila Jones, Supervisor, District I
Trey Baxter, Supervisor, District II
Gerald Steen, Supervisor, District III
David Bishop, Supervisor, District IV
Paul Griffin, Supervisor, District V

From: Dan Gaillet, P.E.
County Engineer and Road Manager 

Re: Cspire Utility Permit
Timber Ridge Subdivision

The Engineering Department recommends approval of permit application for Cspire to install a fiber optic cable within Timber Ridge Subdivision to include the following streets:

- Buckhead Drive
- Federal Cove
- Hidden Hollow
- Winchester Cove
- Remington Cove

SHEILA JONES
District One

TREY BAXTER
District Two

GERALD STEEN
District Three

DAVID BISHOP
District Four

PAUL GRIFFIN
District Five

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 TIMBER RIDGE SUB _____ COUNTY OF MADISON, BEGINNING IN SECTION 20 , TOWNSHIP 8N , RANGE 2E , AND ENDING IN SECTION 20 , TOWNSHIP 8N , RANGE 2E . UTILITY NAME COMMUNICATIONS-FIBER-OPTIC BY CSPIRE _____ . PHONE 601-487-7367 _____ . ADDRESS HIGHLAND COLONY PARKWAY, SUITE 400, RIDGELAND, MS 39147 _____ . Herein called APPLICANT, purposes to construct on TIMBER RIDGE SUB _____ a Utility Facility installed between _____ and _____ 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:

Placing 288 and smaller fiber optic cables, associated splitter cabinets, handholes, and service terminals. This fiber is to provide telephone and internet service for homes within the design area. Fiber optic cable to be placed at 48" depth ~~within the easement~~ and or easement using the directional bore method. Handholes are to be placed at the property lines for home service.

WITHIN THE 10' UTILITY EASEMENT
ALONG FRONT PROPERTY LINE OF
EACH LOT.

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 11TH day of July, 2018.

By: 
(Applicant Signature)


Title: CONTRACTS & PERMITS

AGREED TO AND APPROVED BY:

Mr. Trey Baxter
Madison County Board President

Date: _____

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON
COUNTY, MISSISSIPPI OF THIS _____ DAY OF _____, 2017.



Dan Gaillet, P.E.
County Engineer

UTILITIES IN PLATTED NEIGHBORHOODS
WITH DEDICATED UTILITY EASEMENTS
ARE TO BE PLACED WITHIN EASEMENTS
& NOT ON COUNTY ROW

Department of Engineering/Road Management
Dan Gaillet, P.E., County Engineer/ Road Manager

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Office (601) 855-5670 FAX (601) 859-5857

MEMORANDUM

August 15, 2017

To: Sheila Jones, Supervisor, District I
Trey Baxter, Supervisor, District II
Gerald Steen, Supervisor, District III
David Bishop, Supervisor, District IV
Paul Griffin, Supervisor, District V

From: Dan Gaillet, P.E. *DG*
County Engineer and Road Manager

Re: Cspire Utility Permit
Northwind Subdivision

The Engineering Department recommends approval of permit application for Cspire to install fiber optic cable within Northwind Subdivision, beginning at the intersection of Stribling Road Extension and Buckhead Drive to include the following streets:

- Clearview Drive East
- Clearview Drive West
- Fairwind Way
- Northwind Drive
- Windy Hollow

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 STRIBLING ROAD EXTENSION / NORTHWIND COUNTY
OF MADISON, BEIGINNING IN SECTION 20 , TOWNSHIP 8N ,
RANGE 2E , AND ENDING IN SECTION 20 , TOWNSHIP
 8N , RANGE 2E . UTILITY NAME COMMUNICATIONS-FIBER
OPTIC BY CSPIRE . PHONE 601-487-7367
ADDRESS HIGHLAND COLONY PARKWAY, SUITE 400 RIDGELAND MS
 39147 . Herein called APPLICANT, purposes to construct on STRIBLING
ROAD EXTENSION / NORTHWIND a Utility Facility installed between
 GRAYHAWK PKWY and
 NORTHWIND DR INCLUDING NORTHWIND SUBD. 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:

Placing 288 and smaller fiber optic cables, associated splitter cabinets, handholes and service terminals. This fiber is to provide telephone and internet service for homes within the design area. Fiber optic cable to be placed at 48" depth in the back 2' of the R/W and or easement using the directional bore method. Handholes to be placed at the property lines for home service.

IF UTILITY EASEMENT AVAILABLE, IT IS TO
BE USED INSTEAD OF COUNTY ROW

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 11th day of July, 2016¹⁷.

By: Steve Cav
(Applicant Signature)


Title: CONTRACTS & PERMITS

AGREED TO AND APPROVED BY:

Mr. Trey Baxter
Madison County Board President

Date: _____

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON
COUNTY, MISSISSIPPI OF THIS _____ DAY OF _____, 2017.



Dan Gaillet, P.E.
County Engineer