

Department of Engineering
Dan Gaillet, P.E., County Engineer

3137 South Liberty Street, Canton, MS 39046
Office (601) 790-2525 FAX (601) 859-3430

MEMORANDUM

January 30, 2018

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. *du*
County Engineer

Re: Cspire Utility Permit
Arrington Drive/Red Oak Subdivision

The Engineering Department recommends approval of permit application for Cspire to bore 1200' of fiber along Gluckstadt Road. Additional utility installation will take place along Arrington Drive and within Red Oak Subdivision.

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 RED OAK / ARLINGTON COUNTY OF MADISON,
BEIGINNING IN SECTION S29, TOWNSHIP T8N, RANGE
R2E, AND ENDING IN SECTION S29, TOWNSHIP T8N,
RANGE R2E. 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 GLUCKSTADT
RD a Utility Facility installed between ARLINGTON
SUBDIVISION and RED OAK SUBDIVISION

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:

Starting at the existing CSpire handhole (32.516898, -90.116852) at the South/East corner of the entrance to Red Oak Subd., bore Gluckstadt Rd to the North side and proceed West on the North side of Gluckstadt Road for approx. 1200' to the entrance to Arlington Subd., turn into Arlington Subdivision, placing fiber optic cable along Arlington Dr. for service to the homes. Back at the starting CSpire handhole proceed South into the Red Oak Subd., placing fiber optic cable along all streets within the subd for home service.

FIBER INSTALLED ALONG GLUCKSTADT RD SHALL BE IN
BACK 2' OF ROW WITH NO EXCEPTIONS.

ALL FIBER SHALL BE INSTALLED A MIN DEPTH OF
48" BELOW GRADE

IT IS THE RESPONSIBILITY OF APPLICANT TO VERIFY ROW
LIMITS AND INSTALL FIBER WITHIN THOSE LIMITS AS APPLICABLE

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 26 day of JAN, 2016.

By: Steve Case - STEVE CASE
(Applicant Signature)

Title: CONTRACTS & PERMITS

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 _____, 2017.



Dan Gaillet, P.E.
County Engineer


Department of Engineering
Dan Gaillet, P.E., County Engineer

3137 South Liberty Street, Canton, MS 39046
Office (601) 790-2525 FAX (601) 859-3430

MEMORANDUM

January 29, 2018

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

Re: Cspire
Calhoun Parkway

The Engineering Department recommends approval of the permit application for Cspire to bore 1015' of fiber from Church Road, along Calhoun Parkway.

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 COUNTY

ROAD PROJECT NAME OR NUMBER COUNTY OF

MADISON, BEGINNING IN SECTION TOWNSHIP RANGE

AND ENDING IN SECTION TOWNSHIP RANGE

UTILITY NAME CSPIRE BY STEVE CASE

TELEPHONE 662-590-3120 ADDRESS 1018 HIGHLAND COLONY PKWY #400,
RIDGELAND, MS 39157

herein called APPLICANT, purposes to construct on CALHOUN Pkwy 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:

*BORE FIBER OPTIC CABLE ALONG EAST SIDE OF CALHOUN Pkwy
FROM CHURCH RD GOING SOUTH. FIBER WILL BE PLACED
IN BACK 5FT OF COUNTY ROW MIN. 48" DEEP.*

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 18TH day of JAN,
2010.

By: Steve Cox
(Applicant Signature)

Title: CONTRACTS & PERMITS

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_____.

[Signature]
County Engineer