

Department of Engineering  
Tim Bryan, P.E., County Engineer

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Office (601) 790-2525 FAX (601) 859-3430

**MEMORANDUM**

May 23, 2022

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

From: Tim Bryan, P.E., PTOE  
County Engineer

Re: NETSPEEDMS Utility Permit  
County Road Name, Holmes Hollow Lane

The Engineering Department recommends approval of the permit application for NETSPEEDMS to direct bury fiber optic cables within the back 5 feet of county ROW. All cables will be no less than 48" below lowest adjacent grade. All handholes and pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The following county roads are included in this permit:

- Allenwood Drive
- Ratliff Ferry Road
- Pleasant Gift Road
- Robinson Road
- Miggins Road
- Barns Road
- Cedar Ridge Drive
- Skier Point
- Whiddon Road

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SHEILA JONES  
District One

TREY BAXTER  
District Two

GERALD STEEN  
District Three

KARL BANKS  
District Four

PAUL GRIFFIN  
District Five

Revised: 2/14/2019



## PERMIT APPLICATION FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY WITHIN COUNTY ROAD RIGHT-OF-WAY

Utility Information: Utility Name: NETSPEEDMS

Address: 201 N Hargon St City/State/Zip: Canton, MS 39046

Contact Person: Michael K Ozborn Jr Contact's Phone: 601-201-1045

Project Information: County Road Name: Holmes Hollow Lane  
*(If located within more than one road right-of-way, use Appendix 1 for additional descriptions)*

Beginning Location: 629 Holmes Hollow Lane Ending Location: 103 Holmes Hollow Lane

Length of Project: 1.2 miles Section: 14 Township: 09N Range: 04E

Description of Work: Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records.

Check Box if Appendix 1 is to be included as a part of this Application

Whereas the above stated Utility makes application to the **Madison County Board of Supervisors** for a Construction Permit. Attached hereto are drawings and plans for the construction of the above facilities located within Madison County owned public rights-of-way. Once stamped by the Madison County Engineering Department, these plans shall not be changed or altered without written approval of the County Engineer, or his representative. A copy of the approved permit and plans shall be on-site at all times during construction.

The Applicant Utility 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* (hereinafter referred to as the "Policy"), as adopted on November 1, 2005, by the **Madison County Board of Supervisors**, and which is hereby made a part of this Application Agreement.

If facilities are to be located within the Rights-of-Way of the County-Federal or State Aid System, Applicant Utility also agrees to comply with applicable provisions of *S.O.P. No. SA II-2-8, Accommodation of Utilities on Rights-of-Way*, issued by the State Aid Engineer and dated July 1, 2005.

The Applicant Utility 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. If this Utility is 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 Utility 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. If work impacts traffic in any way, the appropriate traffic control shall be installed per the *Manual of Uniform Traffic Control Devices*, Latest Edition.

The Applicant Utility understands that the County Engineer, or his representative, may issue a Stop Work Order at any time if it is deemed that site conditions are not suitable for construction or if any of the requirements of this permit are not being met.

Many County Roads have variable Rights-of-Way and/or no Right-of-Way at all and are maintained under a Prescriptive Easement. It is the sole responsibility of the Applicant Utility to verify the existence and limits of public rights-of-way. If none exists, it is the responsibility of the Applicant Utility to acquire an easement for their Facilities from the applicable property owner(s). Madison County in no way verifies the limits of Right-of-Way as shown on the permit application.

The Applicant Utility shall be responsible for all future maintenance and repair of the facilities installed under this permit. The Applicant Utility shall make future adjustments to, 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 Madison 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 Engineer. 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 Utility understands that any damages caused by routine maintenance and construction by County forces shall be borne by the Applicant Utility.

The Applicant Utility further agrees to indemnify and hold Madison 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.

All underground facilities shall be installed at a depth equal to or greater than 48" below the lowest adjacent grade.

All pipes carrying liquid shall be encased under County maintained roads.

WITNESS the signature of the Applicant this the 20 day of May, 2022.

By: [Signature]  
(Applicant Signature)

Title: Manager

**Note:** Applicant must be an employee of the Utility named in this application. The Madison County Board of Supervisors will not recognize a Contractor, Subcontractor, Agent, or Consulting Engineer as the Applicant. Utility Company shall be fully responsible for all work performed under this application.

I, or my authorized representative, have reviewed this application and determined that the drawing, sketches, and plans submitted by the Applicant meet the requirements of *A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads*.

By: \_\_\_\_\_  
Tim Bryan, P.E.  
County Engineer

AGREED TO AND APPROVED BY:

\_\_\_\_\_  
Madison County Board President

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

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

### Appendix 1

County Road Name: Allenwood Drive

Beginning Location: 114 Ending Location: 342

Length of Project: .4 miles Section: 14 Township: 09n Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops (FTTH)

County Road Name: Ratliff Ferry Road

Beginning Location: 1134 Ending Location: 234

Length of Project: .7 Miles Section: 14 Township: 09n Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops to homes and Businesses

Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records.

County Road Name: Pleasant Gift Rd

Beginning Location: 1977 Ending Location: Robinson RD

Length of Project: 1.3 Miles Section: 14 Township: 09n Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops (FTTH)

Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records.

County Road Name: Robinson Rd

Beginning Location: 1113 Ending Location: Pat Lockett Rd

Length of Project: 450 feet Section: 14 Township: 09n Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops (FTTH)

County Road Name: Miggins Rd

Beginning Location: Natchez Trace ROW Ending Location: HWY 16 ROW

Length of Project: 1.1 miles Section: 14 Township: 09n Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops (FTTH)

Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records.

## Appendix 1

County Road Name: Barns Rd

Beginning Location: Ratiliff Ferry Intersection Ending Location: 500' south of intersection

Length of Project: 550' Section: 14 Township: 09N Range: 04E

Description of Work: Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records

County Road Name: Cedar Ridge Dr

Beginning Location: Robinson Rd Ending Location: Dead End

Length of Project: 1150' Section: 14 Township: 09N Range: 04E

Description of Work: Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county recordsCounty Road Name:

Beginning Location: Skier Point Ending Location: Dead End of road

Length of Project: 1325' Section: 14 Township: 09N Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops to homes and Businesses

Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records.

County Road Name: Whiddon Rd

Beginning Location: Holmes Hollow Intersection Ending Location: Robinson Rd Intersection

Length of Project: 2935' Section: 14 Township: 09N Range: 04E

Description of Work: Install fiber optic cable, handholes, pedestals, and fiber optic drops to homes and Businesses

Scope of work: Direct burial fiber optic cables will be placed within the back 5 feet of county ROW. Section: All cables will be direct burial no less than 48" below lowest grade where permitted. All handholes and Pedestals will be placed on the back ROW line or in private easements secured from landowners out of the county common maintenance area. The roads proposed in this phase of deployment all have legal county right of way according to county records.

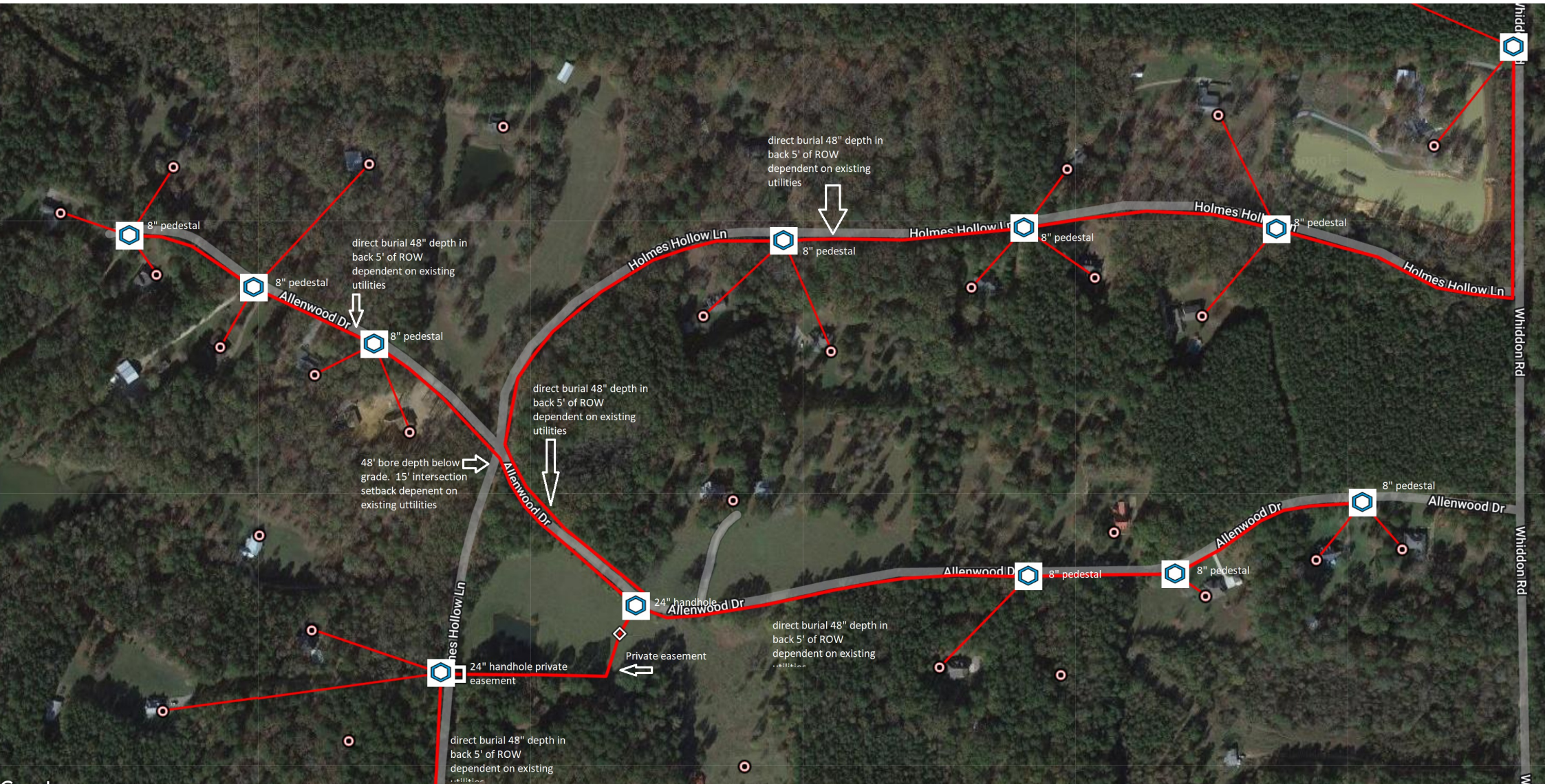
County Road Name: \_\_\_\_\_

Beginning Location: \_\_\_\_\_ Ending Location: \_\_\_\_\_

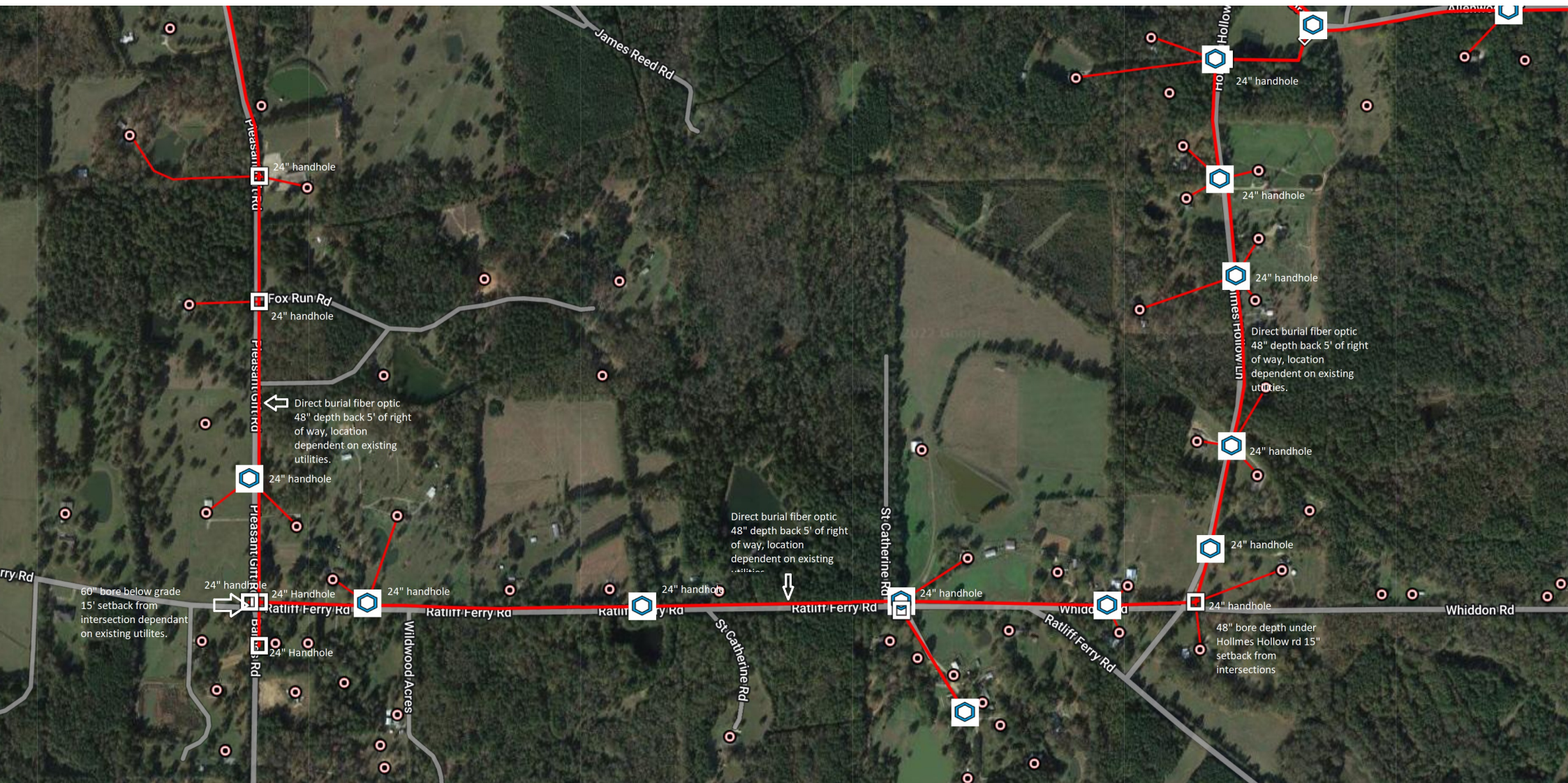
Length of Project: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Description of Work: \_\_\_\_\_

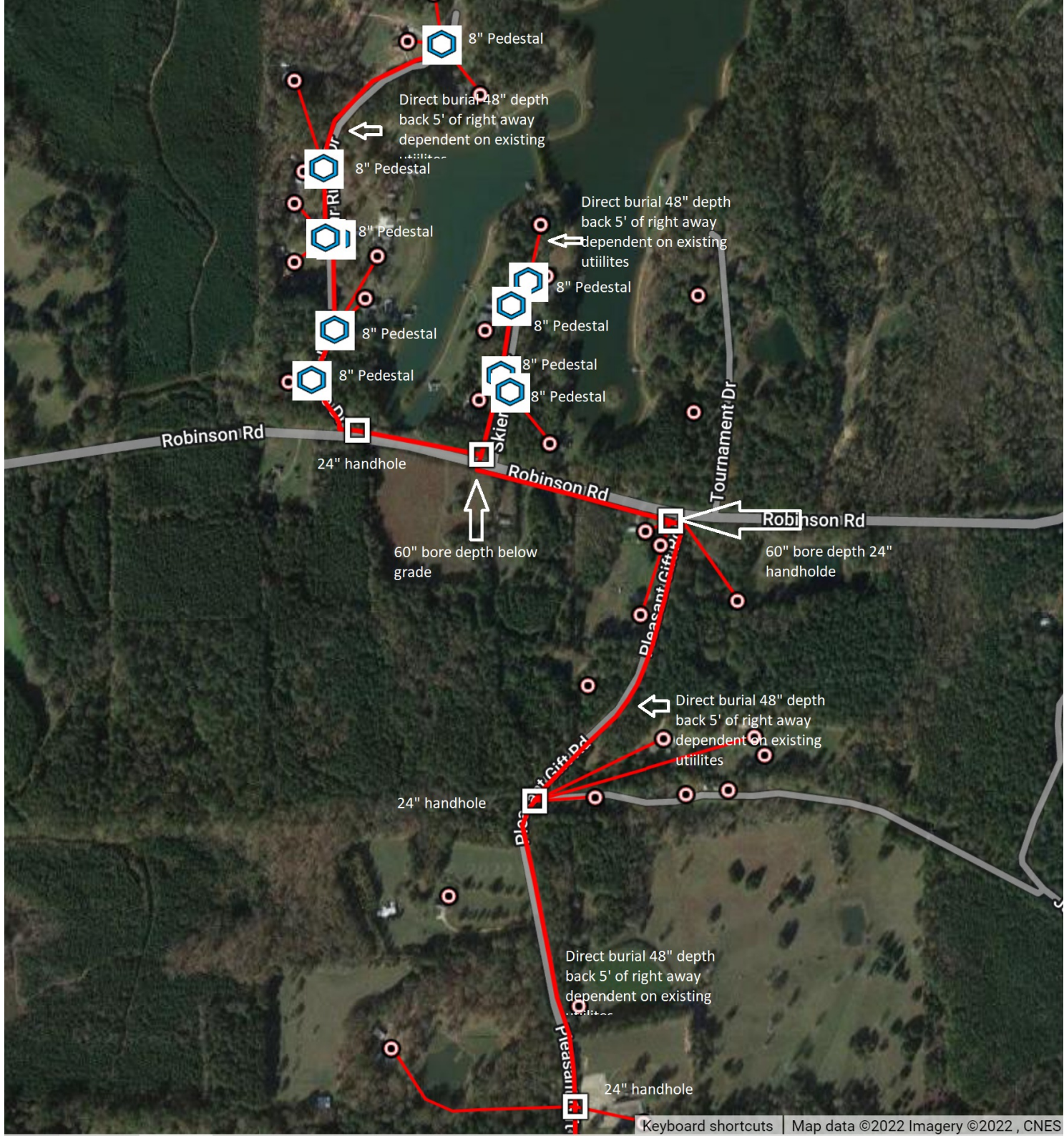














16

8" Pedesta



8" Pedestal



8" Pedestal



24" handhole



Direct burial fiber 48"  
Depth, located in back 5'  
of ROW dependent on  
Existing ustility locations



24" handhole



24" handhole



Direct burial fiber 48"  
Depth, located in back 5'  
of ROW dependent on  
Existing ustility locations

24" handhole



24" handhole



24" handhole



ROBINSON Rd

24" handhole

