

08/01/14

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 COX FERRY RD.
COUNTY ROAD PROJECT NAME OR NUMBER _____
COUNTY OF MADISON, BEGINNING IN SECTION 07, TOWNSHIP 08N,
RANGE 01W, AND ENDING IN SECTION 11, TOWNSHIP 08N,
RANGE 02W. UTILITY NAME CSPIRE BY CHRIS SULLIVAN
TELEPHONE (601)573-1333 ADDRESS 1018 HIGHLAND COLONY PKWY
SUITE 400 RIDGELAND, MS 39157,

herein called APPLICANT, purposes to construct on COX FERRY RD. a
(Name of Road)
Utility Facility installed between station AS SHOWN ATTACHED and station AS
SHOWN ATTACHED of Project Name / Number N/A 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.

UTILITY PERMIT STATUS	
<input checked="" type="checkbox"/> FIELD REVIEW	<u>SDM</u> <u>THE 11:30</u> <u>DATE 8-17-2014</u>
<input type="checkbox"/> ELECTRONIC REVIEW	_____
COMMENTS _____	
<input type="checkbox"/> APPROVED _____	<input type="checkbox"/> DENIED _____
PRESENTED TO BOARD OF SUPERVISORS DATE	

08/01/14

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 COX FERRY RD.
COUNTY ROAD PROJECT NAME OR NUMBER _____
COUNTY OF MADISON, BEGINNING IN SECTION 07, TOWNSHIP 08N,
RANGE 01W, AND ENDING IN SECTION 11, TOWNSHIP 08N,
RANGE 02W. UTILITY NAME CSPIRE BY CHRIS SULLIVAN
TELEPHONE (601)573-1333 ADDRESS 1018 HIGHLAND COLONY PKWY
SUITE 400 RIDGELAND, MS 39157,

herein called APPLICANT, purposes to construct on COX FERRY RD. a
(Name of Road)
Utility Facility installed between station AS SHOWN ATTACHED and station AS
SHOWN ATTACHED of Project Name / Number N/A and within
road or highway right-of-way, and hereby makes application to the County for
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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.

UTILITY PERMIT STATUS	
<input checked="" type="checkbox"/> FIELD REVIEW	<u>SDM</u> <u>11:30</u> <u>8-17-2014</u>
<input type="checkbox"/> ELECTRONIC REVIEW	_____
COMMENTS _____	
<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED
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 Industrial Drive N & Old Jackson Rd COUNTY

ROAD PROJECT NAME OR NUMBER CW 387439 COUNTY OF

MADISON, BEGINNING IN SECTION S21, TOWNSHIP T8N, RANGE

R2E, AND ENDING IN SECTION S28, TOWNSHIP T8N, RANGE

R2E. UTILITY NAME Contact Network LLC BY Kevin McCoy

TELEPHONE 251-583-1936 ADDRESS 600 Lakeshore Parkway, Birmingham AL 35209,

herein called APPLICANT, purposes to construct on Industrial Drive N & Old Jackson Rd a
(Name of Road)

Utility Facility installed between station Church Rd and station

118 Weisenburger Road of Project Name / Number CW 387439 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.

UTILITY PERMIT STATUS			
<input checked="" type="checkbox"/>	FIELD REVIEW <u>3PM</u> TIME <u>2:00</u> DATE <u>8-13-2009</u>	RESIDENT TO BOARD SUPERVISORS	
<input type="checkbox"/>	ELECTRONIC REVIEW _____ DATE _____		
COMMENTS _____			
<input type="checkbox"/>	APPROVED _____	<input type="checkbox"/>	DENIED _____

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:

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 13th day of August,
2014.

By: 
(Applicant Signature)


Title: Project Manager

AGREED TO AND APPROVED BY:


Madison County Board President

Date: _____

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

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.

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

Install telecommunications facilities crossing county ROW, as shown on attached drawings. All facilities that will parallel county ROW will be on private property.

Cox Ferry Rd. – begin at intersection of Cox Ferry Rd. and Old Hwy 49 (private) and continue west for 11,000'.

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.

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WITNESS the signature of the Applicant this the 1 day of August,
2014.

By: 
(Applicant Signature)


Title: Facilities Engineer

AGREED TO AND APPROVED BY:

Mr. Karl Banks
Madison County Board President

Date: _____

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

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- (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 1 day of August,
2014.

By: 
(Applicant Signature)

Title: Facilities Engineer

AGREED TO AND APPROVED BY:

Mr. Gerald Steen
Madison County Board President

Date: _____

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