

NOTICE OF PROPOSED UTILITY LINE ACTIVITY

**KENEDY COUNTY RULES FOR APPLICANT'S PERMIT REGARDING THE
INSTALLATION/CONSTRUCTION OF UTILITY FACILITY STRUCTURE
IN KENEDY COUNTY**

To: Kenedy County Judge
Kenedy County
350 N. Mallory St.
Sarita, Texas 78385

Date: _____

Permit No. _____

Applicants for Kenedy County Permits to Construct/Install Proposed Pipelines, fiber optic cable and _____ in Kenedy County that are permitted and/or regulated by the Texas Railroad Commission shall:

1. Submit to the Kenedy County Commissioners' Court a copy of the Texas Railroad Commission permit.
2. Provide the name, address, email and phone number of the Owner of and Contractor for the installation of the proposed pipeline. _____

3. Not assign the Kenedy County Pipeline Permit without prior notice to the Kenedy County Commissioners' Court.
4. Provide the circumference size of the proposed pipeline. _____
5. Provide a plan/map showing that the installation of the proposed pipeline is in compliance of these rules and regulations.
6. Bury the proposed pipeline in a trench leaving 5' from the top of the pipeline to the surface of the natural ground at the lowest point of the bar ditch.
7. Place the proposed pipeline at the minimum distance as required by the Texas Railroad Commission.
8. Bore under an existing dedicated or open road/street or intersection.
9. Cut across a dedicated, unopened road/street or intersection and restore the surface to its original condition.
10. Submit separate permit applications for each Kenedy County road/street or intersection that will be bored under to install the proposed pipeline and/or fiber optic cable.
11. Not need to submit a permit application to cut across a dedicated but unopened road/street or intersection.

The Kenedy County Commissioners' Court, at a regular or special meeting, shall consider and act on the Applicant's permit for the installation of a proposed pipeline;

The Applicant/Contractor may proceed with the construction and installation of the proposed pipeline, after the Kenedy county Commissioners' Court approves the Applicant's permit regarding the installation of the proposed pipeline.

The application permit fee for each pipeline, fiber optic cable or _____ under each dedicated opened road/street or intersection shall be \$1,500.00.

The pipeline will be constructed and maintained on the County right-of-way as shown on the attached drawing(s) and in accordance with the Kenedy County rules for Accommodation of Utility Facilities Within County Rights-of-Way, and all governing laws, including but not limited to the Federal Clean Water Act, the Federal Endangered Species Act, and the Federal Historic Preservation Act. Upon request by Kenedy County, the owner will provide proof of compliance with all governing laws, orders, and regulations.

The owner will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and will revegetate the project area.

The owner will insure that traffic control devices complying with the applicable portions of the Texas Manual on Uniform Traffic Control Devices will be installed and maintained for the duration of the work involved for this installation.

The location and description of the proposed pipeline, along with any appurtenances, is more fully shown on the attached drawings.

It is expressly understood that Kenedy County does not purport to grant any right, claim, title, or easement in, under, or upon the road/street or intersection.

The installation shall not damage any part of the roadway and adequate provisions must be made to cause minimum inconvenience to the public. In the event the owner fails to comply with any or all of the requirements as set forth herein, the County may take such action as it deems appropriate to compel compliance at all times.

The owner agrees to indemnify and save harmless Kenedy County, it's agents and employees from all suits, actions or claims and from all liability and damages, including but not limited to attorney fees, for any and all injuries or damages sustained by any person or property in consequence of any neglect in the installation, operation or maintenance of the utility facility.

Construction of this pipeline will begin on or after the ____ day of _____, 20__.

By signing below, I certify that I am authorized to represent the owner listed below and that the owner agrees to the conditions and provision included in this permit.

Applicant Firm: _____ Address: _____

By (Print): _____

Signature: _____

Title: _____ Phone No. _____