

approved 9/27/2017

RUSSELL COUNTY ENGINEERING DEPARTMENT
PERMIT TO CONSTRUCT A TURNOUT
TO PROVIDE ACCESS TO A COUNTY ROAD

Permit Number: _____

This form is to be used for private entrances where the Russell County Engineering Department or an approved contractor lays pipe and substantially completes construction of a turnout. This includes drives to individual residences, farm fields, churches, and schools. (Does not include logging road turnouts.)

Note: The County does not install driveways in subdivisions.

Name of Applicant: _____

Address: _____

Description of Work: _____

The APPLICANT hereby requests permission of the Russell County Engineering Department to construct a turnout to the county road above noted and agrees with the Russell County Commission that upon approval of this request by the Russell County Engineering Department, the permission for the APPLICANT to construct, maintain, and/or use such turnout shall be subject at all times to revocation by the Russell County Engineering Department, and the permission to construct, maintain, and/or use the turnout by the APPLICANT, shall be especially subject to the following terms and conditions as respectively applicable, and that such permission will be revoked or denied by the Russell County Engineering Department at any time the APPLICANT fails to comply with any such term or condition hereinafter stated:

1. The turnout shall be in compliance with applicable provisions of the attached specifications and with the drawing(s) attached hereto (Information is available from Russell County Engineering Department to assist the APPLICANT in this regard).
2. The APPLICANT is not granted any right, claim, or control over any part of the county road right-of-way. The APPLICANT is not permitted to use the access turnout or adjacent county road right-of-way for any purpose other than for county road access and for maintenance of the access turnout. Signs, mailbox structures, or any other

county road right-of-way encroachment not shown on the attached drawing(s) and approved as a part of this permit are specifically prohibited.

3. The APPLICANT agrees to maintain, and keep in satisfactory condition, at the sole cost and expense of the APPLICANT, any drainage structure(s) that may be necessary in connection with this turnout and keep same cleaned out at all times.
4. The Clean Water Act, 1987, and the Alabama Nonpoint Source Management Program, 1989, are hereby made a part hereof by reference and will be conformed to by the APPLICANT as the provisions thereof are applicable hereto.

The APPLICANT will conform to the regulations of the Environmental Protection Agency (EPA) and the Alabama Department of Environmental Management (ADEM) (latest edition), for both installation and maintenance of permitted facilities.

5. If hazardous material is encountered in the execution of this Agreement, it will be the responsibility of the APPLICANT to notify the proper agency responsible for said hazardous material and to comply with any and all environmental regulations as established by the Environmental Protection Agency (EPA), the Alabama Department of Environmental Management (ADEM), and the Occupational Safety and Health Administration (OSHA) in the proper disposition of the hazardous material encountered.
6. If it becomes necessary to remove and/or reconstruct said turnout, the Russell County Commission, or its Contractors, have the right to remove and/or reconstruct said turnout without any payment whatsoever to the APPLICANT.
7. The APPLICANT will not make additions to or otherwise modify the access turnout after its completion without obtaining a new permit from the Russell County Engineer. This stipulation applies to the turnout itself and adjacent county road right-of-way.
8. Nothing in this permit shall be construed to permit violation of the denial of access of the county road as indicated on the Russell County Commission's right-of-way maps relating to the county road, which are of record within the Russell County Commission.
9. To the fullest extent permitted by law, the APPLICANT shall defend, indemnify, and hold harmless the Russell County Commission, the Russell County Engineering Department, and their agents and employees from and against claims, damages, losses and expenses, including but not limited to, attorney's fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused in whole or in part by alleged or proven negligent acts or omissions of the APPLICANT, anyone directly or indirectly employed by the APPLICANT or anyone for whose acts the APPLICANT may be liable, regardless of whether such claim damage, loss or expense is caused in part, or alleged but not legally established to have been caused in whole or part by a party indemnified hereunder.

The term "hold harmless" includes obligation of the APPLICANT to pay damages on behalf of the Russell County Commission, the Russell County Engineering Department, and their agents and employees.

10. The access turnout and related work covered by this permit shall be completed within one year from the date shown on this permit; otherwise this permit becomes null and void. Once work is begun on the turnout, the APPLICANT shall pursue the work, continuously and diligently until completion.
11. The decision of the Russell County Engineering Department will be final on any question that may arise hereunder and concerning any work performed or to be performed pursuant hereto.
12. A Landowner is responsible for all cost and installation of driveways in new and/or existing subdivisions. The installation of these driveways must be in accordance with these specifications. The contractor must be approved.
13. A landowner outside of subdivision shall have the County install their pipe for an estimated amount of \$400, which is to be paid in advance of the installation by the landowner. This provides (3) three (tri-axle, 20 cy. each) loads of dirt. A fee of \$70 per load will be charged after 3 loads. Please make all checks/money orders payable to Russell County Commission. Also, a licensed contractor may install the landowner's pipe with the approval of the Russell County Engineering Office.
14. The pipe specifications are typically 16' – maximum 40' of concrete pipe or 20' – maximum 40' of 16 gauge corrugated metal pipe with minimum of 24" cover. All pipes shall have end sections sloped 3 to 1 or better unless otherwise specified by the Engineer.
15. I FURTHER AGREE, that if I am granting permission to construct said turnout, that I will supply all necessary materials to complete the turnout as deemed by the Russell County Engineering Department at the location of the job site.
16. I FURTHER AGREE, to maintain any drainage structure connected with this structure (i.e. removal of blockages) and not to alter or reconstruct the drainage structures without permission from the County Engineering Department. (This includes ditch alteration and construction causing additional ditch flow load.)
17. **I FURTHER AGREE, not to hold the County Commission or the Engineering Department to any pertinent time schedule to inspect, approve, or if applicable, build the said turnout.**
18. In no case shall post development drainage from beyond the right-of-way limits, directed toward the roadway, be greater than the pre-construction runoff.

In witness whereof the parties hereto have caused this agreement to be executed by their respective officers, officials, and person's thereunto duly authorized to be effective on the day and year first above stated.

Name of APPLICANT

By:

Address

Phone Number

RECOMMENDED FOR APPROVAL:

RUSSELL COUNTY ENGINEERING DEPARTMENT

Permit Engineer

Russell County Engineer

Date

Date

FOR OFFICE USE ONLY:

Design Recommendations:

Concrete Length _____ Diameter _____

Inspector/Design (date): _____ Metal Length _____ Diameter _____

Owner Notified (date) _____ Material Delivered (date) _____

Work Order # & date _____ Date Completed _____