



# Right of Way Entry Permit Application

## Monticello Road District

823 East Old Rt 47  
 PO Box 557  
 Monticello, IL 61856  
 Phone: (217) 762-7524

**INSTRUCTIONS:** Complete (type or print legibly) ALL information requested and submit to the Monticello Road District at the above address. This form is for informational purposes only, is NOT a permit and does NOT authorize the Applicant to enter any Monticello Road District highway right-of-way without the issuance of a Permit from the Monticello Road District.

It is understood that the work authorized by this permit shall be completed within 90 days after the date this permit is approved; otherwise, the permit becomes null and void. This permit is subject to the conditions and restrictions on the following pages.

Petitioner:		Submitted By:	
Company:		Name:	
Address:		Phone: ( ) -	
City:		Fax: ( ) -	
State:		Alt Phone: ( ) -	
Zip: -		Email:	

Location and description of work must be complete. Refer to a Monticello Road District Map for applicable tax routes. The above referenced Petitioner hereby requests permission and authority to do certain work hereinafter described on the attached sketch and/or as follows:

**Location and Description of Work:**

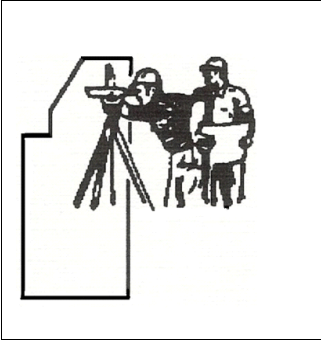
There shall be no additions or changes of location in the work authorized by this permit without prior approval of the Highway Commissioner or his duly authorized representatives.

**Monticello Road District Use Only:**

Permit Number: \_\_\_\_\_

Issue Date: \_\_\_\_\_ Issued By: \_\_\_\_\_

A copy of this permit, including the General Provisions, Indemnification, Insurance shall be on the job site.



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## General Provisions

**This form is part of your permit:** The provisions, requirements and restrictions stated herein shall govern the entry of right of way authorized by this permit, issued by the Monticello Road District. Failure to comply with any of these provisions may result in the Monticello Road District denying future permits on Monticello Road District rights-of-way until such time as proper compliance can be provided.

**Material and Workmanship:** The said petitioner shall furnish material, do all work, pay all costs and shall in a reasonable length of time restore said highway to a condition similar or equal to that existing before the commencement of the described work. It is also understood that the work shall be completed within 90 days after the date this permit is approved; otherwise the permit becomes null and void. The proposed work shall be located and constructed to the satisfaction of the Highway Commissioner or his duly authorized representative and the material used shall conform to the latest edition of the "Standard Specifications for Road and Bridge Construction", adopted by the Illinois Department of Transportation. All utilities placed according to this permit shall be within 2 feet of the right of way line as established by the petitioner.

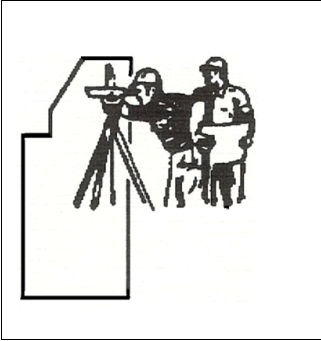
**Equipment and Vehicles:** No equipment will be allowed to operate on bridge decks. All vehicles shall display proper Illinois License Plates or display current license plates from the state in which the vehicles are titled. All sensors, low voltage circuitry, and accessories for recording vehicles shall be located near the roadway shoulder line and they shall not remain on the shoulder overnight.

**Traffic Control:** In performing this work the petitioner shall not interfere with or obstruct traffic on said highway. The petitioner shall not serve any patron while the vehicle of the patron is parked on any portion of the Right of Way. The Applicant or his assigns or contractors shall be required to provide traffic control signs as listed in the "Latest Edition of the Manual of Uniform Traffic Control Devices". Failure to provide these devices shall be just reason for this office to stop all work until such time the above devices are properly erected and maintained. This is a minimum requirement and additional or supplemental devices may be required. In addition to the appropriate traffic control standards, flagmen shall be equipped with walkie-talkie type radios. Rotating and flashing amber lights meeting the requirements of Sec. 12-215 of the Illinois Vehicle Code as amended shall be mounted on each vehicle and be in operation during all the activity along the road.

**Authority and Jurisdiction:** This permit is effective insofar only as the Monticello Road District has jurisdiction and does not presume to release said petitioner from compliance with the provisions of any existing statutes relating to the construction of such work.

THIS PERMIT IS VALID ONLY from sunrise to sunset, seven days a week. This permit is further restricted on specified holidays, beginning at noon the day preceding the holiday or the holiday weekend. The specified holidays are: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day.

THIS PERMIT IS VOID when visibility is impaired due to rain, snow, fog or when the pavement is wet, icy or snow covered, wholly or partially, or when travel conditions are considered to be unsafe by the Road District. This permit is



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also limited to such time as the unsurfaced portion of the right-of-way is in a dry and sufficiently firm condition to support required vehicles or other equipment without rutting or otherwise damaging the right-of-way.

MONTICELLO ROAD DISTRICT does not have fee simple title to this right of way. This permit only authorizes how the work should be performed and what traffic control devices are required. ***This permit does not relieve you of your responsibilities to contact the land owners prior to starting construction.***

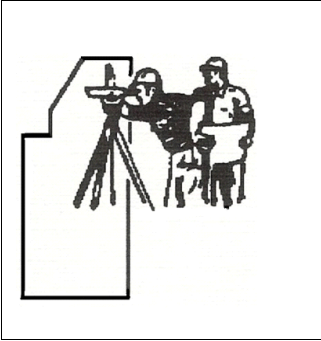
**Liability:** The said petitioner, his successors or assigns, shall assume all risk and liability for accidents and damages that may accrue to persons or property on account of this work.

**Site Conditions:** The petitioner shall not trim cut or in any way disturb any trees or shrubbery, along said highway without the approval of the Highway Commissioner or his duly authorized representative. All disturbed areas on Road District right-of-way shall be seeded and restored to a condition equal to the original. All mud and/or debris shall be promptly removed from the pavement. All driveways, side roads, and mailbox turnouts which are disturbed shall be restored to original condition as soon as they are crossed. They shall be maintained until a final inspection has been made by the Highway Commissioner or his duly authorized representatives. No access to the state highway shall be closed to traffic during this operation.

**Future Relocations:** The petitioner agrees that, should the construction or operation of said highway require any alteration or change of location of the work called for in this permit, such alteration or change of location shall be made by the Petitioner upon written request by the Highway Commissioner without expense to the Road District of Piatt (Road District), and should the Petitioner fail to make satisfactory arrangements to comply with this request within 60 days, the Road District reserves the right to make such alterations or change of location or remove the work and the Petitioner agrees to pay for the cost incurred.

**Requirements to Bore:** The casing shall be a minimum of 36" below the flow line of the ditches. This 36" minimum shall be the same for back slopes as well. A steel casing shall be required and shall be at least 2" larger diameter than the flow line pipe. The Petitioner will notify the Highway office upon completion so that the Highway Commissioner may inspect the project. Upon completion of the installation of the flow line, electric line, telephone cable or any other installations, a permanent sign shall be erected directly beside the line on both sides of the road at the Right-of-Way line. The sign shall give the type of utility there, the owner of the utility, who to notify in case of an emergency and the telephone number for working and digging in that area.

**If the Petitioner violates any terms of this permit, the Road District shall have the option to prosecute Petitioner under all applicable laws of the State of Illinois.**



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## INDEMNIFICATION

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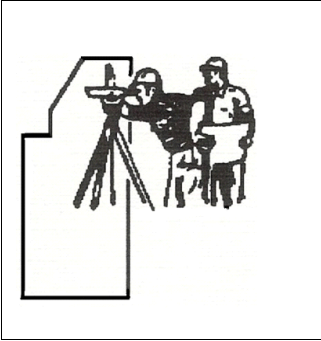
To the fullest extent permitted by law, the applicant, his assigns and Contractors shall be responsible for any and all injuries to persons or damages to property due to the activities of the applicant, his assigns, Contractors, subcontractors, suppliers, agents, or employees arising out of or resulting from performance of the contract, or any activity in connection therewith. The applicant, his assigns and Contractors shall indemnify and hold harmless the Road District, its officers, employees, and agents from any and all claims, lawsuits, actions, costs, and fees (including reasonable attorney fees and expenses) of every nature or description, arising from, growing out of, or connected with the work, or on account of or in consequence of using unacceptable materials in constructing the work or because of any act or omission, neglect, or misconduct of the applicant, his assigns, contractors, suppliers, employees, or agents, anyone directly or indirectly employed by them, and/or anyone for whose acts they may be liable or because of any claims or amount recovered by reason of any infringement of any patent, trademark, or copyright or by reason of the violation of any law, ordinance, order or decree. This obligation is binding on the applicant, his assigns and Contractors without regard to whether or not such claim, damage, loss, or expense is caused in part by the act omission, or negligence of the Road District, its officers, employees, or agents.

In claims against the Road District or any individual indemnified under this permit by an employee of the applicant, his assigns and Contractors, or anyone for whose acts they may be liable, the indemnification herein shall not be limited by a limitation on amount or type of damages payable by or for the applicant his assigns and contractors under any employee benefits act including but not limited to the Worker's Compensation Act.

No inspection by the Road District, its employees or agents shall be deemed a waiver of full compliance with the requirements of the Permit. This indemnification shall not be limited by the required minimum insurance coverage provided in the contract.

It shall be the Applicant's, agents' or contractors' responsibility to contact the utility companies or other agencies, prior to the start of the work authorized in this permit, for the location of any buried utilities or facilities which are on Road District right-of-way.

Any underground drainage facility, whether farm tile, sanitary sewer, or storm sewer, cut or damaged by this operation shall be restored to a functional condition and to the satisfaction of the owner of the facility.



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## INSURANCE

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The Applicant and/or his Contractor shall obtain and thereafter keep in force the following insurance coverage provided by insurance companies acceptable to the Road District and authorized to transact business under the laws of the State of Illinois. The insurance companies providing coverage shall be rated in the Best's Key Rating Guide. The Road District will accept companies with a rating not lower than B+, provided the financial size category is VII or larger. Companies rated A- or better shall have a financial size category of not less than VI. Coverage limits shall be written at not less than the minimum specified as shown below. Higher minimum limits and additional coverage may be specified by a special provision elsewhere in this Permit. Whether stated in this Permit or elsewhere, the Road District does not warrant the adequacy of the types of insurance coverage or the limits of liability specified.

### I. Workers Compensation and Employers Liability

A. Workers compensation shall be provided according to the provisions of the Illinois Worker's Compensation Act, as amended. Notwithstanding the rating and financial size categories stated in this Permit, coverage may be provided by a group self-insurer authorized in Section 4(a) of the Act and approved pursuant to the rules of the Illinois Department of Insurance.

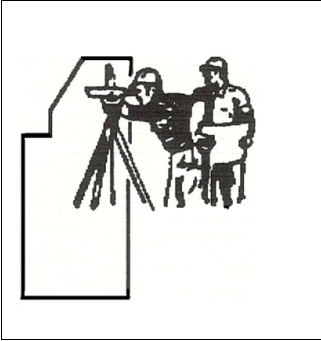
### B. Employers Liability

- |                          |           |
|--------------------------|-----------|
| 1. Each Accident         | \$500,000 |
| 2. Disease-policy limit  | \$500,000 |
| 3. Disease-each employee | \$500,000 |

II. Commercial General Liability. Required liability insurance coverage shall be written in the occurrence form and shall provide coverage for operations of the Applicant and/or his Agents; operations of his Contractors (contingent or protective liability); completed operations; broad form property damage and hazards of explosion, collapse and underground; and contractual liability. The general aggregate limit shall be endorsed on a per project Basis.

- |  |             |
|--|-------------|
| 1. General Aggregate Limit                       | \$2,000,000 |
| 2. Products-Completed Operations Aggregate Limit | \$2,000,000 |
| 3. Each Occurrence Limit                         | \$1,000,000 |

The coverage shall provide, by an endorsement in the appropriate manner and form, the following: The Road District, its officers, and employees shall be named as additional insured with respect to the



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policies and any umbrella excess liability coverage for occurrences arising in whole or in part out of the work and operations performed as a result of this Permit. The Road District may accept a separate owner's protective liability policy in lieu of the Road District, its officers, and employees being insured on the Applicant's and/or his Contractor's policies.

III. Commercial Automobile Liability. The policy shall cover owned, non-owned, and hired vehicles.

Bodily Injury & Property Damage

Liability Limit Each Occurrence                      \$1,000,000

IV. Umbrella Liability. Any policy shall provide excess limits over and above the other insurance limits stated in this Permit. The Applicant and/or his Contractor may purchase insurance for the full limits required or by a combination of primary policies for lesser limits and remaining limits provided by the umbrella policy.

All insurance shall remain in force during the period covering occurrences happening on or after the effective date this Permit is approved and remain in effect during performance of the work and at all times thereafter when the Applicant and/or his Contractor may be correcting, removing, or replacing defective work until notification or the date of final inspection and approval by the Highway Commissioner. Termination or refusal to renew shall not be made without thirty (30) days prior written notice to the Highway Commissioner by the insurer and policies shall be endorsed so as to remove any language or limiting liability concerning this obligation.

Certified copies, the original policies or certificate(s) of insurance by the insurer(s) issuing the policies and endorsements setting forth the coverage, limits, and endorsements shall be filed with the Highway Commissioner before the Permit will be approved. A certificate of insurance shall include a statement "the coverage and limits conform to the minimums required by the Permit as issued by Monticello Road District". Any exception or deviation shall be brought to the attention of the Highway Commissioner for a ruling of acceptability. In no event shall any failure of the Highway Commissioner to receive policies or certificates, or to demand receipt, be construed as a waiver of the Applicant's and/or his Contractor's obligation to obtain and keep in force the required insurance.

The Applicant and/or his Contractor shall, at their expense and risk of delay, cease operations if the insurance required is terminated or reduced below the required amounts of coverage. Coverage in the minimum amounts set forth herein shall not be construed to relieve the Applicant and/or his Contractor from his/their obligation to indemnify in excess of the coverage according to the Permit.