

Permit Number _____
Henry County, Indiana
Highway Department
Phone (765) 529-4100

**PERMIT:
TO WORK WITHIN COUNTY
ROAD RIGHT OF WAY**

**Type of Permit:
(check below)**

- Private Driveway 1 year Class _____
- Major Commercial Driveway 45 days Class _____
- Minor Commercial Driveway 45 days Class _____
- Utility \$75.00 1 year
- Open cut within right-of-way 1 year (Non-Utility)
- Borings or pushes under County roads (Non-Utility) 1 year
- Overweight/Oversize/ House Moving

Name of Applicant _____ Phone Number _____
Address _____ Fax _____
City _____ State _____ ZIP _____
Contractor _____ Phone Number _____
E-Mail Address _____

Project Location (Describe location by Lot No. in subdivision or direction and distance from nearest intersection and side of road.)

Nature of work to be done in Right of way (Attach plans or drawings of work to be done) _____

Bond Required Yes, Penal Sum \$ _____, Bond Number _____
 Waived, category for Bond waiver is _____

APPLICATION FEE \$ _____ Check or Bank Draft Payable to "Henry County Treasurer".

RECEIPT NUMBER _____

THE APPLICANT AGREES TO INDEMNIFY, DEFEND, EXCULPATE, AND HOLD HARMLESS HENRY COUNTY, INDIANA, ITS OFFICIALS AND EMPLOYEES FROM ANY LIABILITY DUE TO LOSS, DAMAGE, INJURIES, OR OTHER CASUALTIES OF WHATSOEVER KIND, OR BY WHOMSOEVER CAUSED, TO THE PERSON OR PROPERTY OF ANYONE ON OR OFF THE RIGHT-OF-WAY ARISING OUT OF, OR RESULTING FROM THE ISSUANCE OF THIS PERMIT OR THE WORK CONNECTED THEREWITH, OR FROM THE INSTALLATION, EXISTENCE, USE MAINTENANCE CONDITION, REPAIRS, ALTERATION, OR REMOVAL OF ANY EQUIPMENT OR MATERIAL, WHETHER DUE IN WHOLE OR IN PART TO THE NEGLIGENT ACTS OR OMISSIONS (1) OF THE COUNTY, ITS OFFICIALS, AGENTS, OR EMPLOYEES; OR (2) OF THE APPLICANT, HIS AGENTS OR EMPLOYEES, OR OTHER PERSONS ENGAGED IN THE PERFORMANCE OF THE WORK, OR (3) THE JOINT NEGLIGENCE OF ANY OF THEM; INCLUDING ANY CLAIMS ARISING OUT OF THE WORKMEN'S COMPENSATION ACT OR ANY LAW, ORDINANCE, ORDER, OR DECREE. THE APPLICANT FURTHER CERTIFIES THAT APPLICANT IS FAMILIAR WITH ANY AND ALL RULES, REGULATIONS, INSPECTIONS REQUIRED AND ORDINANCES THAT APPLY TO THE WORK BEING DONE WITH THIS PERMIT. THE APPLICANT FURTHER AGREES TO RENEW THIS PERMIT ON OR BEFORE THE EXPIRATION DATE WHEN NECESSARY TO CONTINUE WORKING IN RIGHT OF WAY. THE APPLICANT ALSO AGREES TO PAY ALL REASONABLE EXPENSES AND ATTORNEYS FEES INCURRED BY OR IMPOSED ON THE COUNTY IN CONNECTION HERewith IN THE EVENT THAT THE APPLICANT SHALL DEFAULT UNDER THE PROVISIONS OF THIS PARAGRAPH.

THE APPLICANT FURTHER AGREES TO ABIDE BY THE CONDITIONS ON PAGE TWO (2) OF THIS APPLICATION.

Signature of Applicant: _____ Date: _____

Permit is not valid without proper signatures on page 2.

Page 2, Application for permit to work in County Road Right of Way

APPROVED

COUNTY HIGHWAY

DATE

Variance and/or Conditions attached

DATE

If this application to construct a driveway entrance and approach is granted, the applicant agrees to the following applicable provisions:

- (1) All driveways and approaches shall be constructed so that they shall not interfere with the drainage of the road or highway.
- (2) A culvert pipe shall be installed unless a waiver is issued in writing.
- (3) No entrance or approach shall be located or constructed so as to interfere with or prevent the proper location of necessary highway signs.
- (4) The Permittee shall assume responsibility for all maintenance of such approaches from the right of way line to the edge of the traveled roadway. The driveway surface, from the right-of-way line to the edge of the traveled way, shall be paved or compacted aggregate.
- (5) No such entrance or approach shall be relocated or its dimensions altered without written permission of the County Highway Engineer.
- (6) The Permittee shall remove or relocate any such entrance or approach when requested to do so by the Board of County Commissioners in the interest of safety to highway traffic.
- (7) The Right-of-way area adjacent to or between the approaches shall be graded so as to remove storm water. Such areas shall be finished in a manner that will prevent vehicular encroachment if necessary.
- (8) Drainage pipes shall be metal or concrete, unless a variance is granted in writing.
- (9) An application under these regulations shall be made on this form and, if requested, drawings shall be submitted with and become a part of the permit agreement. When proposed driveway and approach are clearly defined by filling in dimensions on typical standard drawings, applicants may do so in lieu of submitted drawings.
- (10) On Class II and Class IV driveways, the centerline grade of all driveway approaches shall slope downward from the edge of the road pavement to a point directly above the driveway culvert; or, in cases where no culvert is required, to a point in line with the center of the roadside ditch. The centerline grade of the driveway at this point shall not be less than four (4) inches below the centerline elevation of the County Road at the intersection of the centerlines of the County Road and the driveway approach. On Class I and Class III driveways, the driveway grade shall meet the gutter grade.
- (11) The mailbox shall be in accordance with the Henry County Mailbox requirements.
- (12) Items such as trees, rough rock cuts, boulders, headwalls, landscaping, foundations, "invisible" pet fencing, irrigation systems, fences, and any other items that could interfere with the safe operation and maintenance of the county highway shall not be permitted to remain in the county right-of-way. The county shall not be held responsible for damage to such items while performing routine maintenance and construction work within the right-of-way.

**Copies to:
Henry County Highway Department
Applicant**