

**RIGHT OF WAY
UTILIZATION PERMIT**

PERMIT NO: _____

THE COUNTY OF PINELLAS, a political subdivision of the State of Florida,
hereinafter called the Permitter, hereby grants to

_____ of _____
(Name) (Street Address, City, State, Zip)

hereinafter called the Permittee, a Permit to construct , operate , maintain , renew and/or remove _____
_____ on attached plan along, across, beneath, or over right of way
and/or property of Permitter at the following location:

County Road No. _____ Name: _____ Section _____ Township _____ South Range _____ East,
situated at _____, Florida, subject to the following provisions and conditions:
(Address or Street Intersection)

1. Construction, operation and maintenance of such utility shall not interfere with property and rights of prior occupant.
2. The construction, operation and maintenance of such utility shall not create obstruction or conditions which are or may become dangerous to the traveling public.
3. All work must be done in keeping with standards of the Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, Roadway and Traffic Design Standards, Florida Department of Transportation Standard Specifications for Road and Bridge Construction, AASHTO and by the County Director or his agent.
4. All materials and equipment shall be subject to inspection by an Engineer of the County or his agent.
5. The Permittee shall and does hereby agree to indemnify, pay the cost of defense, and save harmless the Permitter from and against payment of all claims, suits, actions, costs, attorneys' fees, expenses, damages, judgments, or decrees by reason of any person or persons or property being damaged or injured by the permittee, his employees, agents or sub-contractors or in any way attributable to the performance, prosecution, construction, operation, or maintenance of work herein permitted by Permitter and resulting from negligent acts or omissions of said Permittee in connection with the work herein permitted.
6. The Permittee shall repair any damage or injury to the road or highway or other County property by reason of the exercise of any of the privileges granted in this Permit, and shall repair the same promptly, within seven (7) days of opening, restoring it to a condition at least equal to that which existed immediately prior to the infliction of such damage or injury. (Note: All portions of the right of way other than paved areas disturbed by the construction of this utility will be compacted, grassed and mulched or sodded as required.)
7. All overhead installations shall conform to clearance standards of the State Utilities Accommodation Guide and all underground crossing installations shall be laid at a minimum depth of 36" below pavement, or at such greater depth as Permitter may require.
8. In the event of widening, repair or reconstruction of said road, the Permittee shall move or remove said utility installation at no cost to the Permitter.
9. This permit creates a permissive use only and the placing of facilities upon County property pursuant hereto shall not operate to create or to vest any property rights in said Permittee and is granted in perpetuity subject to termination by the Permitter upon the giving of 30-days notice in writing to the Permittee.
10. The Permittee shall furnish the Permitter with a survey showing the exact locations of all facilities to be installed pursuant to this permit, said survey to be sufficiently detailed to allow location of said installation by reference thereto.
The attached plan, covering details of this installation, shall be a part of this permit.
Upon completion of installation, if field adjustments are made, an as-built drawing will have to be submitted.
11. Section corner monuments subject to displacement shall first be referenced and later reset by a Florida Registered Land Surveyor.
12. All activities in accordance with this permit will require conformance to the "Manual on Traffic Control and Safe Practices for Street and Highway Construction, Maintenance and Utility Operations." (Chapter 316 Florida Statutes)
13. The Permittee's attention is directed to the provisions of the Trench Safety Act (Florida Statutes, Section 553.60 et. seq.) and the Occupational Safety and Health Administration Excavation Safety Standards (29 C.F.R. Section 1926.650, Subpart P) which shall apply to construction, operation, and maintenance pursuant to this permit.
14. Compaction within right of way to meet Pinellas County Minimum Standards.
15. Highway Department is to be notified a minimum of 48 hours prior to beginning work at 464-8900, otherwise the Permit will be voided.
16. If this permit is for a monitor well, copies of all testing reports are to be forwarded to the Pinellas County Highway Department.
17. The Permittee shall commence construction within 60 days from the date of this permit and it shall be completed within _____ days.

Permittee or Agent: _____ Phone: _____ Date: _____
Rev 9/8/99

