

APPLICATION / PERMIT TO CROSS COUNTY ROAD TO CONSTRUCT PIPELINE OR UTILITY

THE STATE OF TEXAS

COUNTY ROAD _____

COUNTY OF SCHLEICHER

Now on this ____ day of _____, 20____ at a meeting of the Commissioners Court of Schleicher County, Texas, came on to be considered the application of _____ for a permit and right-of-way to lay pipeline / utility under a public road of the County of Schleicher, State of Texas, and the Court having considered such application which was filed on the ____ day of _____, 20____, and is referred to and made a part of Schleicher County Commissioners Court minutes. And said Court, having determined that the permit and right-of-way for such pipeline / utility should be GRANTED / DENIED, it is accordingly ordered by the court:

1. That the County of Schleicher, State of Texas, does hereby _____ the right, privilege and right-of-way to _____ to lay, construct, maintain and operate a pipeline / utility under said public road in the County of Schleicher, State of Texas, as described at designated and described location (Map Included), pursuant to the following conditions: 1). **PERMIT FEE OF \$500. 00** 2). **CONFIRMATION OF 8-1-1 SERVICE** 3). **NOTIFICATION 48 HRS. PRIOR TO INSTALLATION** Permit fee may be refundable, if applicable. This permit is valid for 90 days subject to extension.

Description and Location:

2. That such pipeline / utility crossing shall be (bored) (buried), any cut for maintenance, constructed and maintained as not to interfere with the use and occupancy of such public road by the public. That such pipeline / utility shall comply to the Schleicher County Pipeline Crossing Policy.

3. Pipeline / utility shall be marked with proper signage in a clear and visible manner on each side of said County Road right-of-way.

SCHLEICHER COUNTY COMMISSIONERS COURT

BY: _____
County Judge, Schleicher County, Texas

ATTEST: _____
Schleicher County Clerk

Date: _____

- ☐ **BORE ONLY**
- ☐ **ROAD CUT PERMISSIONABLE**

Revised: 6/1/2021

THE STATE OF TEXAS §

COUNTY OF SCHLEICHER §

A signed policy is required for all road crossings

The undersigned, _____,
hereinafter referred to as first party, enters into and makes an agreement with the Schleicher County Commissioners Court, Eldorado, Texas, and in order to get its products to market, it is necessary to construct a pipeline across an Schleicher County road, being Schleicher County Road # _____, over which the Commissioners have jurisdiction and obligation to maintain in good repair and both parties being aware of possible damage to said road as a result of crossing construction on and over same, enter into the following agreement:

(1)

First party agrees to cross only those sections of roads shown on the plat attached hereto and incorporated herein for all purposes. It is expressly understood that Schleicher County does not grant any right, claim, title or easement in or upon this county road, and it is further understood that Schleicher County may, at any time, require the owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days written notice to first party at the address first party has listed in this agreement.

_____ shall hold harmless and indemnify Schleicher County and the Commissioners Court of Schleicher County, Texas, against any and all damages to property or injuries to persons caused by the proposed construction, and by acceptance of this approval agrees to make all changes and alterations to said utility lines as may be required in connection with alteration, paving or relocation of any public road, without cost to Schleicher County.

(2)

First party agrees to construct its crossing in such a manner as to cause minimum inconvenience to traffic and adjacent owners. Road must be kept open to traffic if possible and in no event shall road be inaccessible to traffic for a period longer than _____.

(3)

LOW PRESSURE GAS LINES:

a. Total clear depth of cover for an encased line shall be 24" minimum at all points inside the Right-of Way (ROW) line. If line is encased, casings are required from ROW line to TOW line and vents with identification of ownership shall be placed immediately above the pipeline at each ROW line and situated so as not to interfere with highway/County Road maintenance or material; however, materials deemed to be of equal – or greater strength could be substituted. The casing should have the durability to withstand all conditions to which it may be subjected. Extra depth is required at drainage structures.

- b. Gas lines may be installed without encasement provided they are welded steel construction and of sufficient strength to withstand the internal design pressure plus the dead and live loads of the pavement structure and traffic. Additional protective measures include cathodic protection, coating and wrapping and crossing depth at **sixty inches (60")** below pavement surface or **forty-eight inches (48")** below the lowest ditch, whichever is lower. Markers with identification of ownership shall be placed immediately above the line at each ROW line and situated so as not to interfere with highway maintenance or be concealed by vegetation.
- c. Bore pits shall be located at the specified end of encasement and shall be constructed in such a manner as to not interfere with highway structural footings, safe roadside clearance and traffic operations. If necessary, shoring shall be used. When possible, excavated dirt should be placed on the oncoming traffic side of the bore pit. Under normal conditions, bore pits should be located approximately 30 feet from edge of roadway (on low volume Farm to Market roads/County roads, allow at least 15 feet from edge of roadway).
- d. Longitudinal installations shall be located on uniform alignment as near as practicable to the ROW line. Markers with ownership identification shall be located every 1500 feet along the ROW line.
- e. Where longitudinal trenching is permitted on the ROW, backfill shall be compacted to densities of the surrounding soil.
- f. Plastic lines may be used **provided the internal pressure will not exceed 60 PSI**, - they are encased ROW to ROW line on crossings, and have at least 30 inches of cover. The maximum size of plastic lines for crossings shall not exceed 24". The maximum size of plastic lines placed longitudinally shall not exceed six inches. Where plastic pipe is installed longitudinally, a durable metal wire shall be concurrently installed or other means shall be provided for detection purposes.
- g. When utility installation is complete, the ROW shall be reshaped to its original condition or better and the area reseeded or resodded to reduce erosion. Should settlement or erosion occur within six (6) months after utility installation, the utility shall reshape, reseed, or resod the areas.
- h. The owner shall guarantee all work for one year against defects and failures due to workmanship and materials. All warranty repairs shall be made timely.

HIGH PRESSURE GAS LINES:

- a. Total clear depth of cover for an encased line shall be 30" minimum at all points inside the Right-of Way (ROW) line. For that portion of the carrier line outside of the casing pipe, including longitudinal portions, the minimum depth of cover within the highway ROW shall be 42 inches. If line is encased, casings are required from ROW line to ROW line and vents with identification of ownership shall be placed immediately above the pipeline at each ROW line and situated so as not to interfere with highway/County Road maintenance or material; however, materials deemed to be of equal – or greater strength could be substituted. The casing should have the durability to

withstand all conditions to which it may be subjected. Extra depth is required at drainage structures.

- b. Gas lines may be installed without encasement provided they are welded steel construction and of sufficient strength to withstand the internal design pressure plus the dead and live loads of the pavement structure and traffic. Additional protective measures include cathodic protection, coating and wrapping and crossing depth at **sixty inches (60")** below pavement surface or **forty-eight inches (48")** below the lowest ditch, whichever is lower. Markers with identification of ownership shall be placed immediately above the line at each ROW line and situated so as not to interfere with highway maintenance or be concealed by vegetation.
- c. Bore pits shall be located at the specified end of encasement and shall be constructed in such a manner as to not interfere with highway structural footings, safe roadside clearance and traffic operations. If necessary, shoring shall be used. When possible, excavated dirt should be placed on the oncoming traffic side of the bore pit. Under normal conditions, bore pits should be located approximately 30 feet from edge of roadway (on low volume Farm to Market roads/County roads, allow at least 15 feet from edge of roadway).
- d. Longitudinal installations shall be located on uniform alignment as near as practicable to the ROW line. Markers with ownership identification shall be located every 1500 feet along the ROW line.
- e. Where longitudinal trenching is permitted on the ROW, backfill shall be compacted to densities of the surrounding soil.
- f. Plastic lines may be used **provided the internal pressure will not exceed 60 PSI**, - they are encased ROW to ROW line on crossings, and have at least 30 inches of cover. The maximum size of plastic lines for crossings shall not exceed 24". The maximum size of plastic lines placed longitudinally shall not exceed six inches. Where plastic pipe is installed longitudinally, a durable metal wire shall be concurrently installed or other means shall be provided for detection purposes.
- g. When utility installation is complete, the ROW shall be reshaped to its original condition or better and the area reseeded or resodded to reduce erosion. Should settlement or erosion occur within six (6) months after utility installation, the utility shall reshape, reseed, or resod the areas.
- h. The owner shall guarantee all work for one year against defects and failures due to workmanship and materials. All warranty repairs shall be made timely.

(4)

No parallel lines will be installed in County right-of-way without special permission and a separate written agreement of the Schleicher County Commissioners Court.

(5)

All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 20 feet of same.

(6)

The cost of any and all repairs to road surface, roadbed, structures or other right-of-way features as a direct result of this installation will be borne by first party. Barricades, warning signs and lights and flagman, when necessary, shall be provided by first party or contractor.

(7)

All excavations within the right-of-way and under surfacing shall be backfilled according to instructions of Commissioner in whose precinct crossing occurred. The Precinct Commissioner and the Road Superintendent will have discretionary powers as to whether the pipeline will need to be bored or ditched. All pipelines across paved County Roads will need to be bored. All decisions of the Precinct Commissioner and Road Superintendent are final.

(8)

It is further understood that in the future should Schleicher County need to work, improve, locate, widen, increase, add to, or in any manner change this crossing, it will be changed under the directions of the Schleicher County Commissioners at the complete expense of the first party.

(9)

No crossing shall be removed from road without notification of the Schleicher County Commissioners Court. First party will bear all expense of repair to road and filling of ditch, when removal is made.

This agreement shall be binding upon the heirs, successors, and/or assigns.

ACCEPTED AND AGREED to this _____ day of _____ 20____.

(Company and/or First Party)

(Representative)

(Company Address)

(Company Phone Number)

Charlie Bradley, County Judge

Gary Gibson, Commissioner Precinct 1

Steve Nelson, Commissioner Precinct 2

Kirk Griffin, Commissioner Precinct 3

Chris Meador, Commissioner Precinct 4