

**YORK COUNTY  
RIGHT-OF-WAY REQUIREMENT  
PERMISSION TO CROSS/ENTER/FOLLOW**

This indenture is made the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ between the County of York, Nebraska hereinafter called the COUNTY and \_\_\_\_\_ hereinafter called the:  
GRANTEE:

WHEREAS, the COUNTY is charged by law with the responsibility of keeping and maintaining county roads within the county.

AND WHEREAS, the GRANTEE is desirous of (crossing, entering, following) a county road with \_\_\_\_\_ at the following Legal Description, to wit:

Between Sections _____ & _____	Road _____ between Road _____ & _____
Township _____ North	Location: _____
Range _____ West	Mailing Address: _____
	City: _____ State _____ Zip _____
	Telephone: _____

AND WHEREAS, the COUNTY is agreeable to granting said permission to the GRANTEE under the terms and conditions herinafter expressed;

Now, this indenture witnesseth as follows:

1. The COUNTY agrees and hereby grants permission to the GRANTEE to (cross, enter, follow) the county road with \_\_\_\_\_ at the above described Legal Description.
2. The GRANTEE agrees to notify any or all Utilities Companies that have property in the area that may be disturbed.
3. The GRANTEE agrees to notify the York County Highway Superintendent Forty Eight (48) hours in advance of proposed crossing.
4. The GRANTEE agrees that burial of crossing by six (6) Feet below the centerline elevation of roadway and Four (4) Feet below the elevation of ditchline. The GRANTEE further agrees that mechanical methods for compaction or "Flowable Fill" be used to backfill the entire excavated area. Compaction of backfilled area is to be accepted by York County Highway Superintendent or one of his assigns prior to GRANTEE leaving the construction area.
5. If there is more than one utility to cross Right-of-Way, a minimum distance of Twelve (12) Feet is required between any two utilities. Therefore a separate permission is needed for each entering of Right Of-Way.
6. The GRANTEE agrees to leave the York County Right-Of-Way in the same condition as was prior to entry by GRANTEE. The parties further agree that the determination of whether the Right-Of-Way is properly restored to prior condition shall be by the York County Highway Superintendent or one of his assigns. In the event the said Right-Of-Way is determined to be in disrepair or need of further reconstruction, the GRANTEE agrees to reimburse the COUNTY for any expenses incurred in restoring the said Right Of-Way to its original condition.
7. The GRANTEE agrees to construct a magnetic source throughout the entire crossing of COUNTY Right-Of-Way. This source must be magnetic so that location of said crossing is easily detectable. Place steel wire with pipe when crossing a road.
8. The GRANTEE agrees to pay York County the sum of Ten Dollars (\$10.00) for processing this request. This fee shall accompany any request for permission. If said fee is not presented at the time of request, the request for permission shall be null and void.
9. The GRANTEE agrees that all construction shall be at Ninety Degree (90°) to the traveled roadway direction. The only exception that may be acceptable is a proposed crossing within a roadway intersection, and only with the written permission of the York County Highway Superintendent.
10. The GRANTEE agrees to indemnify and hold harmless COUNTY fully for any and all claims made against COUNTY by or on behalf of any person or entity who claims to have suffered any personal injury, property damage or other loss as a result of the use of the Right-Of-Way by said person or entity which injury, property damage or loss results from or is claimed to have resulted from the condition to said Right-Of-Way as a result of the use of Right-Of-Way or the burial, construction, compaction or restoration of the Right-Of-Way by the GRANTEE.

In witness whereof we have set our hand on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
COUNTY OF YORK, NEBRASKA

By: \_\_\_\_\_  
York County Highway Superintendent

Attest: \_\_\_\_\_  
Witness

GRANTEE: \_\_\_\_\_  
Signature

Fee Received: \_\_\_\_\_  
Date Initials

Approved on the condition that the line will be bored if done between November 15 and March 31.