

GD line
WO# 201553

COUNTY OF NELSON

RE: APPLICATION FOR UTILITY PERMIT ON COUNTY ROADS

KNOW ALL MEN BY THESE PRESENTS, that Nelson County, North Dakota, a political subdivision, by its Board of County Commissioners, for good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto _____

Great River Energy, Inc a corporation, whose post office address is 12300 Elm Creek Blvd, Maple Grove, MN 55369, and to its successors or assigns, the right to enter upon lands of the undersigned, situated in the County of Nelson, State of North Dakota, more particularly with the following land description as described as follows: two aerial crossings of CR 23 by a 230 kV electric transmission line in the NW¹/₄ NW¹/₄ of Section 6, Township 152, Range 60 + NW¹/₄ NE¹/₄ of Section 1, Township 152, Range 61 (see attached plans)

H-frame structures; conductor 954 ACSS 5417 (Cardinal) + 7/16" EHS shield wire
And to construct, operate and maintain on the above described lands an electrical transmission or distribution line or system and to license, permit, or otherwise agree to the joint use or occupancy of the line or system by other person, association or corporation for electrification or telephone purposes.

Application to bury telephone lines is hereby requested. The following rules and regulations will be followed:

The undersigned agrees that all poles, wires and other facilities, installed on the above described premises at the applicant's expense shall remain the property of the utility, removable at the option of the utility upon termination of the service to or on said land.

It is further understood that the easement shall at all times be subject to the right of the County to include but not limit to the placing, constructing, reconstructing, maintaining and improving roads and highways in and upon right of ways wherein there is buried lines pertinent facilities of the applicant and in the event of damage to said lines, without regard to fault, the cost of the repair and replacement shall be assumed by the utility. The utility shall assume all liability for, and save the county, its agents and employees, harmless from any and all claims for damages, actions of causes of action arising out of the work done herein and the continuing uses of the utility as stated under this application and permit. That wherever such lines are buried in or under such right of ways, the same shall be buried at a minimum depth of three and one half feet below the surface of any road or highway and such insulation shall be by boring. The utility shall repair any damage to road or highway surfaces caused by burying.

All waterways and lines of drainage shall remain operative. The utility facility and installation shall not interfere with any existing utility facilities on the county right of way. When necessary, barricades, warning devices and flagmen shall be provided by the utility during all phases of their construction and maintenance operations on county right of way.

The utility shall notify the county engineer of its intent to perform service and maintenance operations which will interfere with the flow of traffic on county highway s and shall obtain his approval prior to regular maintenance as well as emergency situations.

If at any time Nelson County, acting through its county board, shall deem it necessary to make any improvement or changes on all or any part of the right of way of the county road which affect a utility located on county highway right of way, then the owner of the utility shall upon notice from the county engineer proceed to alter, change, vacate or remove said utility from the county highway right of way so as to conform to said county highway changes and as directed by the county engineer. Such work shall be done without any cost whatsoever to Nelson County and shall be completed by the date specified by the County. The utility shall assume and save Nelson County harmless from any and all claims or damage of any nature whatsoever occasioned by reason of not having removed said utility within the time specified.

Upon completion of an installation, the utility shall restore the county highway right of way to its original condition. The utility shall then notify the office of the county engineer of the completion of the work so that inspection can be made to determine its acceptability.

Odell Laugen
Nelson County Chairman

2-11-13
Date

Richard Howard
County Road Superintendent

2-11-13
Date

Tosha Barthel
Corporation signature & title
Tosha Barthel - Title - Permitting Coordinator

2/7/13
Date