

**REQUEST TO CONSTRUCT ACCESS DRIVEWAY FACILITIES
ON WINKLER COUNTY RIGHT OF WAY**

The County of Winkler, State of Texas, hereinafter called the County, hereby authorizes _____, hereinafter called the Applicant, to construct access driveway in the county right of way abutting County Road _____, in County Commissioner Precinct Number _____, as shown on the attached sketch or plat, for the purpose of ingress/egress to a _____ (type of facility).

Name of Company _____

Agent _____ Telephone Number _____

Comments: _____

In consideration of the \$500.00 commercial application fee/ \$250.00 residential application fee, the undersigned Company / Resident agrees that such use shall be subject to the following terms, covenants and conditions, to-wit:

1. The Applicant hereby agrees to comply with the terms and conditions set forth in this permit for an access driveway on the county road right of way.
2. All construction and materials shall be subject to inspection and approval by the County Commissioner or Commissioners' Designee.
3. Maintenance of facilities constructed hereunder shall be the responsibility of the Applicant, and the County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the county road. Change in design will be made only with the written approval of the County.
4. The Applicant shall hold harmless and defend the County and it's duly appointed agents and employees against any action for personal injury or property damage

5. Except for regulatory and guide signs at county roads, the Applicant shall not erect any sign on or extending over any portion of the county right of way, and vehicle service fixtures such as fuel pumps, vendor stands or tanks shall be located at least twelve (12) feet from the right of way line to ensure that any vehicle services from these fixtures will not be in the county right of way.
6. The County reserves the right to require a new access driveway permit in the event of a material change in driveway traffic volume or vehicle types.
7. This permit will become null and void if the above referenced driveway facilities are not constructed within ninety (90) days from the issuance date of this permit.
8. Applicant shall have all underground utilities marked by contacting Texas Excavation Safety System at Dig-Tess (800) 344-8377 prior to installation. Installation will not occur unless markers are present.
9. Applicant agrees to repair county road to the same condition as existed prior to commencement of the work on the roadway. Said driveway access will be paved with asphalt by applicant and signage put in place to advise vehicles to stop before entering county road.
10. Applicant will indemnify County against all losses, damages, liabilities, expenses or cost incurred or made by County as the necessary result of actions, suits or proceedings from any negligence in the performance of work in connection herewith for any defect in the roadway as a result of the work done by Applicant or its agents, employees and assigns.
11. In the event it becomes necessary after the date of this agreement for the said County roadway to be widened, Applicant will indemnify County for all expenses and costs in connection therewith for adjusting, lowering, deepening and casing said driveway in the County roadway.
12. In the event that any of the cut sections of the identified County road should sink or drop within a five (5) year period after that above-mentioned repair of such section, the Applicant will indemnify County for all costs incurred in connection with the adjustment and repair of such damaged sections.
13. It is further understood that no work will be done under this permit until written approval from the County has been received by the Applicant, and that the offices of the Winkler

County Judge and the County Commissioner Precinct Number [redacted] be advised twenty-four (24) hours prior to the beginning of work covered by this application.

Witness our hands this the [redacted] day of [redacted], 20 [redacted].

[redacted]
APPLICANT

BY: [redacted]
[redacted], AGENT

[redacted]
ADDRESS

[redacted]
APPLICANT TELEPHONE

This Application was presented to the Winkler County Commissioners' Court on the [redacted] day of [redacted] 20 [redacted], and was Approved or Denied as reflected in the Minutes of said meeting.

Charles M. Wolf
Winkler County Judge