



EXCAVATION APPLICATION AND PERMIT

Application is hereby made for a permit to excavate within a street, alley or other public right-of-way within the limits of Mineral County, Colorado ("County", herein) in accordance with adopted regulations; and in support of this application, the following information is submitted.

Name: _____

Address: _____

Phone #: _____

Location of Excavation:

Purpose of Excavation:

I/We, the undersigned applicant(s), agree to the following general provisions:

The applicant shall be responsible for and hereby indemnifies the County with respect to safety measures sufficient to protect the public from any and all harm during the construction period.

Installation of underground services shall only be made in accordance with proper accepted practices and only after having been inspected and approved by an official of the County. Trenches shall remain open until approval has been received.

Any road cut made by the applicant will be backfilled and compacted in accordance with current requirements and the surface restored to a condition equal to or better than that condition which existed prior to making of the cut.

The responsibility for maintenance of the restored cuts shall rest with the applicant for five (5) years after the cut has been filled. Any cut which indicates settling at any time during or at the end of the five (5) year period shall be restored to the level of the surrounding area.

No open trench will be permitted in a travelled roadway after dark, unless otherwise specified under special provisions.

Release of liability and indemnification of the County- Applicant or applicants, as the case may be, as partial consideration for the issuance of this permit, does hereby remise, release, and forever discharge Mineral County of and from all claims, actions, causes of action, torts, trespasses, damages, suits, debts, accounts, controversies, negligence, and contracts of every kind and character as the same may arise as a result of the excavation work, whether such claim is that of the applicant or such claim is that of entity. The applicant holds Mineral County and its officers, agents, and employees harmless and blameless from any and all such laws, claims or damages as a result of the excavating permitted under the application. In the event of claim by



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any third person, firm, or corporation, regardless of the nature of such claim, the applicant agrees that, as between the applicant and Mineral County, The applicant shall be absolutely liable and Mineral County shall have no liability whatsoever and applicant will and does hereby indemnify Mineral County from any loss incurred by Mineral County as a result of any such law, accounts, controversies, negligence and contracts, including reasonable attorney fees incurred by the County in defending and of the forgoing or in enforcing this indemnification.

Insurance, Bonds, and Fees

1. If the applicant is a contractor then prior to the issuance of any permit and prior to any excavation work the applicant shall:
 - A. Be bonded under the laws of the State of Colorado.
 - B. Have in full force and effect liability insurance to cover any injury or damage whatsoever to a third persons or property, in the minimum amount of \$500,000.
 - C. Shall post a performance bond in the full amount of the value of the project giving rise to the excavation, to secure the initial restoration of the street, alley, or right-of-way to its original condition.
 - D. Pay a non-refundable application fee to the County in the amount of \$100.00 dollars plus the projected inspection mileage.

2. If the applicant is a private individual not engaged in the contracting business, then the applicant shall:
 - A. Be the owner of the real property which is to be benefitted by the excavation.
 - B. Have in effect a general home owner's liability insurance policy for the payment of any claims for damages to the third persons or property.
 - C. Grant and does hereby grant a lien against the real property to be benefitted by the excavation, in favor of Mineral County, Colorado, to secure the initial restoration of the street, alley or right-of-way to the original condition prior to excavation.
 - D. Deposit the sum of \$1000.00 with the Treasurer of Mineral County to further secure the initial restoration of the street, alley or right-of-way to the original condition prior to excavation. Such funds shall be held until completion of the initial restoration to the satisfaction of the County.
 - E. Pay a non-refundable application fee to the County in the amount of \$100.00 dollars plus the projected inspection mileage.



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In accepting a permit for excavation as outlined above, the applicant verifies that he has read and understands the foregoing provisions and is bound by all conditions set forth therein.

Dated at Creede, Colorado:

This _____ day of _____, 20____

(Applicant Signature)

Filed with _____ this _____ day of _____ 20____

Reviewed By: _____

If contractor:

If not a contractor:

Bond Insurance: Yes No

Liability insurance: \$_____

Liability insurance: \$_____

Performance Bond: \$_____

Performance Bond: Yes No

Total Fees Paid \$_____

Approval:

(County Representative's Signature)

(Date)

Comments:

Inspection after completion:

