

DODGE COUNTY UTILITY INSTALLATION AGREEMENT  
Public Utilities

**COPY**

Asentia, Inc.  
Date: 2/27/2019  
18 p. 1  
2019-2019

WITNESS, that this shall be an agreement between Dodge County, hereafter referred to as the County and  
hereby agree, Midstates Data Transport \_\_\_\_\_, hereafter referred to as the Applicant. Whereas, the County and Applicant do

- 1. THAT, The Applicant shall be permitted to install a 1.25" HDPE Conduit w/ fiber optic cable \_\_\_\_\_ under, through, or aerial, the Public Right-of-Way of Dodge County.
- 2. THAT, the County and Townships are the owners and responsible for the Public Right-of-Way in the County and Applicant desires to install a Utility on Public Right-of-Way.
- 3. THAT, in consideration of this agreement, the County does hereby permit Applicant to lay, install, and construct said Utility in the Public Right-of-Way between \_\_\_\_\_ (Description of Property or Sections) in Sec: 2, Town: 17, Rng: 8E \_\_\_\_\_

Along RD T from CO Rd 23 going west 850'

- 4. THAT, the permit on the part of Dodge County is revocable at the will of the County, and Applicant agrees that upon written notice from the County Board of Supervisors, he will immediately and forthwith remove said Utility and any and all pipes or other material contained or used in connection with said Utility and return the roadway occupied by said Utility to substantially it's original condition as before installation of said Utility.
- 5. THAT, the Applicant shall notify the Highway Superintendent or local Township for the purpose of removing the gravel windrow to the opposite side of road so as not to lose any gravel in the open trench.
- 6. THAT, all backfill in the Public Right-of-Way proper shall be made with material excavated from the crossing or with material equivalent thereto in texture. Material shall be placed in six inch lifts for the full depth of the trench and compacted by tamping to the original cross section. All utilities placed in areas susceptible to erosion shall place adequate protection against erosion. This protection may include bale checks, silt fence and erosion blankets. All vegetation destroyed shall be replaced. Disturbed areas will be reseeded with native grasses and a starter fertilizer. The minimum depth of earth cover over the utility line shall be 3 feet. Installation of underground utility lines under the traveled portion of an existing county road way must be encased in a plastic or steel conduit. The casing shall be bored from the toe of the shoulder slope to the toe of the opposite shoulder slope. The utility shall be placed at a minimum depth of 3 feet below the bottom elevation of the parallel road ditch. Applicant and his contractor or subcontractors are responsible for temporary traffic control on Dodge County Right-of-Way based on the standards and guidelines found in Part 6 of the 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD) to insure a safe work zone for the workers and the public. Applicant will provide all necessary signs, barricades, cones, flaggers and message boards.
- 7. THAT, the Applicant shall obtain approval of all County road restoration from the County Highway Superintendent or Township Official prior to leaving the site(s).
- 8. THAT, all backfilled area(s) disturbed by excavation and backfill operations shall be graded, hand dressed as required to restore the terrain to it's original shape, grade, and cross section, and regraded or reroaked at a rate of 150 tons per mile as directed by the County Highway Superintendent or Township Official.
- 9. THAT, the Applicant shall as directed by the County Highway Superintendent or Township Official remove at the Applicant's expense from the Public Right-of-Way all temporary structures, and waste materials resulting from their operations.
- 10. THAT, the Applicant shall file a scaled set of plans, showing the Utility route, depth, and distance from the section line with the Dodge County Highway Superintendent.
- 11. THAT, the Applicant shall when installing an aerial Utility, shall install such Utility one foot inside the Public Right-of-Way and at a minimum height of 18 feet above the traveled way.
- 12. THAT, the future maintenance of said Utility and reinstallation or reconstruction of same for any purpose whatsoever shall be borne by Applicant.
- 13. THAT, Applicant does hereby agree to hold the County or any of it's Officers, Agents, or Employees forever harmless of all liabilities due to improper installation, construction, and maintenance of said Utility.
- 14. THAT, the Applicant shall submit an Insurance Certificate verifying General Liability of \$1,000,000.00; Personal Injury of \$500,000.00; Product & Completed Operations Aggregate of \$1,000,000.00; Medical Expense (Any One Person) of \$5,000.00; Each Occurrence of \$500,000.00. Certificate to be filed with this application.

IN WITNESS WHEREOF, the parties aforesaid have hereto set their hand this 20 day of February, 2019

Signature of Applicant  
\_\_\_\_\_ *Anna Kavan* \_\_\_\_\_  
Address of Applicant

*Shawn Boyce*  
Dodge County Highway Superintendent  
2-27-19  
Date Filed with Dodge County Board of Supervisors

Midstates Data Transport  
2200 Taylor Ave Ste 200  
Norfolk, NE 68701

RECEIVED  
Dodge Co Hwy Dept  
2019 FEB 20 AM 11:48

MDT PROPOSED FIBER ROUTE  
FREMONT, NE  
DODGE COUNTY

DODGE COUNTY  
SECTION: 2  
TOWN: 17  
RNG: 8E

Set 24"x36" vault  
at back of ROW

Proposed 1.25" conduit w/ fiber  
cable ~2' off north side of road.

N Yager Rd

T Rd

850'

23



DODGE COUNTY UTILITY INSTALLATION AGREEMENT  
Public Utilities



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WITNESS, that this shall be an agreement between Dodge County, hereafter referred to as the County and Midstate's Data Transport, hereafter referred to as the Applicant. Whereas, the County and Applicant do hereby agree,

1. THAT, The Applicant shall be permitted to install a 1.25" HDPE Conduit w/ Fiber Optic cable under, through, or aerial, the Public Right-of-Way of Dodge County.
2. THAT, the County and Townships are the owners and responsible for the Public Right-of-Way In the County and Applicant desires to install a Utility on Public Right-of-Way.
3. THAT, In consideration of this agreement, the County does hereby permit Applicant to lay, install, and construct said Utility in the Public Right-of-Way between Co Rd 1 along Co Rd 0 (Description of Property or Sections) in Sec 10 & Sec 14 Town 18 Rng 8 E Township, Dodge County, Nebraska.
4. THAT, the permit on the part of Dodge County is revocable at the will of the County, and Applicant agrees that upon written notice from the County Board of Supervisors, he will immediately and forthwith remove said Utility and any and all pipes or other material contained or used in connection with said Utility and return the roadway occupied by said Utility to substantially it's original condition as before installation of said Utility.
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IN WITNESS WHEREOF, the parties aforesaid have hereto set their hand this 19 day of February, 2019  
Anna He  
Signature of Applicant

[Signature]  
Dodge County Highway Superintendent

Address of Applicant  
2200 Taylor Ave Ste 200  
Norfolk, NE 68701

2-27-19  
Date Filed with Dodge County Board of Supervisors

2019 FEB 20 AM 11:38  
RECEIVED  
Dodge Co Highway Dept

MDT FIBER ROUTE  
 HWY 77 & RD O  
 NICKERSON, NE (DODGE CO)

Midstates Data Transport	Project Nickerson VZW Tower	Sheet 1
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2-19-2019

