

GARY W. MOORE  
COUNTY JUDGE/EXECUTIVE

JUDITH S. EARLYWINE  
COUNTY ADMINISTRATOR



# BOONE COUNTY

PUBLIC WORKS

[BOONECOUNTY.KY.ORG](http://BOONECOUNTY.KY.ORG)

SCOTT PENNINGTON  
DIRECTOR

## Encroachment Permit Application

Date 4/8/16

Applicant Name: DUKE ENERGY  
Address: 139 EAST FOURTH STREET, EX460  
City, State, Zip: CINCINNATI, OH 45202  
Phone: (513) 287-8338

Contact Person: JOHN PERKINS  
Phone: (513) 287-1276  
Email: JOHN.PERKINS@DUKE-ENERGY.COM

### Type of Encroachment

- Industrial Entrance  
 Commercial Entrance  
 Residential Entrance  
 Farm Entrance  
 Utility Encroachment  Underground  Overhead  
 Other (Specify) \_\_\_\_\_

Encroachment Location: Old Nicholson Road/Suncrest Dr/Decker Ln/Richwood Church Rd/Gum Branch Rd

Description of Work to be Completed: INSTALL 12.75" X-52 STEEL GAS MAIN WITH 0.250" WALL THICKNESS VIA OPEN CUT CROSSING OLD NICHOLSON ROAD, SUNCREST DRIVE, RICHWOOD CHURCH ROAD, DECKER LANE, & GUM BRANCH ROAD. TRENCHES SHALL BE COVERED WITH STEEL PLATES AND RESTORED TO "LIKE EXISTING" CONDITIONS WHEN MAIN INSTALLATION IS COMPLETE.

Separate Attached Drawings Required for All Encroachments Other than Residential

Application Fee: Industrial Entrance - \$400.00 ea  
Commercial Entrance - \$200.00 ea All  
Other Entrances - Free  
Utility encroachment - Free

Make checks payable to: Boone County Fiscal Court

Return completed application and fee to: Boone County Public Works  
5645 Idlewild Rd.  
Burlington, KY 41005

**The applicant agrees to the following terms and conditions:**

1. The applicant shall comply with and is bound by the requirements of the Boone County Public Works Department's Regulations.
2. Applicant agrees that if the Department determines that vehicular capacity deficiencies or over capacity conditions develop as a result of the installation and use of this facility, the applicant shall adjust, relocate or reconstruct the facilities and/or provide and bear the expense for signs, storage lanes or other corrective measures reasonably deemed necessary by the Department and set forth in the Department's Regulations within a reasonable length of time after receipt of written notice regarding such adjustments, relocation, additions modifications and/or corrective measures, such time to be specified in the notice.
3. The said encroachment will not infringe on the frontage rights of an abutting owner without written consent of the said owner as hereto: "I (we) consent to the granting of attached permit."  
Date: \_\_\_\_\_ (This does not apply to utilities which serve the general public).
4. Any permit granted hereunder shall be with the full understanding that it shall not interfere with any similar rights or permits heretofore granted to any other party except as otherwise provided by law.
5. A plan prepared by \_\_\_\_\_ and dated \_\_\_\_\_ is attached hereto and made a part hereof, which describes the facilities to be constructed by the applicant for which facilities this permit is granted. The applicant agrees as a condition to the issuance of the permit to construct and maintain such facilities in accordance with said plan, and the applicant shall not use the facilities authorized herein in any manner contrary to that prescribed by this permit and plan. Normal usage and routine maintenance only are authorized under this permit.
6. Applicant shall comply with the Manual on Uniform Traffic Control Devices as revised to and in effect on the date of the issuance of this permit which is made a part hereof by reference.
7. Applicant shall at all times from date when work is first commenced and until such time as all facilities are removed from the right-of-way premise, defend, protect and save harmless the Department from all liability, claims, and demands arising out of work undertaken by the applicant pursuant to this permit, due to any negligent act or omission by the applicant, its servants, agents employees or contractors. This provision shall not inure to the benefit of any third party or operate to enlarge any liability of the Department beyond that existing at common law if this right to indemnity did not exist.
8. Upon a violation of any of the provisions of this permit, the Department may revoke the permit by giving notice to the applicant in writing to remove from the right-of-way any facilities placed thereon within a reasonable time as set forth in the notice, and in the event said facilities are not so removed, and the right-of-way restored the Department may cause same to be removed, and the costs thereof shall be charged to the applicant.
9. If the work authorized by this permit is on a project in the construction phase, it shall be the responsibility of the applicant to make contact the Inspection Services Division of the Boone County Public Works Department.
10. This permit does not alleviate any requirements of any other government agency.
11. Applicant agrees to keep the priority route in which this permit was issued clear of dirt, mud and debris during construction and for the life of this permit.
12. An asphalt concrete or portland cement concrete apron, of a minimum of 19 feet in length for the width of the driveway, shall be provided from the edge of the paved portion of the street upon which the driveway is encroaching (per section 3314 of the Boone County Zoning Regulations).
13. This application will become void one (1) year from applicant signature date. Applicant must contact Engineering Services when the work is complete. (859) 334-3600.

Applicant Signature John Perkins  
Approval [Signature]  
Release Date \_\_\_\_\_

Date 4/13/16  
Date 6/1/16  
Permit No. 16-141



# BOONE COUNTY

PUBLIC WORKS

*BOONECOUNTYKY.ORG*

DATE: 6-1-16

TO: Duke Energy  
Attn: John Perkins

PERMISSION HAS BEEN REQUESTED TO PERFORM THE FOLLOWING WORK  
WITHIN THE PUBLIC RIGHT-OF-WAY OF- Old Nicholson Rd., Suncrest Dr. Decker Ln.,  
Richwood Church Rd., and Gumbranch Rd.

DESCRIPTION OF WORK IS AS FOLLOWS:

- Must bore under all county roads listed. Do not open cut roads.
- Bore pits must be protected at all times.
- Traffic Control is to be by MUTCD Standards.
- Do not store equipment or materials within R.O.W.
- Restoration is required to all disturbed areas.

**INSPECTION REQUIRED**

PERMISSION IS HEREBY GRANTED, PER ATTACHMENTS.

PERMIT # 16-1141

DANIEL D. RICE/ ADAM ENGELS  
INSPECTION SERVICES  
ENGINEERING DIVISION

INSPECTION REQUIRED **YES** NO  
IF YES, A FOURTY EIGHT (48) HOUR NOTICE REQUIRED

THANK YOU.



**ATTENTION ALL UTILITIES AND THEIR CONTRACTORS:**

PERMISSION TO PERFORM WORK WITHIN THE DEDICATED PUBLIC RIGHT-OF-WAY HAS BEEN REQUESTED BY Duke Energy – John Perkins.

IN APPROVING THIS APPLICATION, THE UTILITY OF CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE FOLLOWING:

1. COMPACTION WITHIN THE RIGHT-OF-WAY IS REQUIRED. REFER TO THE BOONE COUNTY SUBDIVISION REGULATIONS, APPENDIX "A", ITEM 1.0, PARAGRAPH 1.4 (BACKFILL). WRITTEN RESULTS TO BOONE COUNTY PUBLIC WORKS IMMEDIATELY.
2. ALL EXCAVATIONS, I.E. BORE PITS, ROAD CUTS, SERVICE TAPS, OR REPAIRS SHALL BE BACKFILLED AT THE END OF EACH WORKING DAY, OR OTHER ARRANGEMENTS SHOULD BE MADE WITH THE INSPECTOR.
3. PRE-CONSTRUCT MEETINGS ARE ENCOURAGED.
4. NO FIXED STRUCTURES SHALL BE ALLOWED WITHIN FOUR (4) FEET OF THE EDGE OF ANY PAVEMENT, OR HAMPER MAINTENANCE OF DRAINAGE SYSTEMS.
5. THE COMPANY AGREES TO SAVE BOONE COUNTY HARMLESS FROM ANY ACTION FOR DAMAGES ARISING OUT OF ITS PROSECUTION OF THE WORK DESCRIBED HEREIN.
6. ALL RESTORATION OF THE ROADWAY OR RIGHT-OF-WAY SHALL BE TO THE SATISFACTION OF THE BOONE COUNTY SUBDIVISION REGULATIONS.
7. WORK ZONE TRAFFIC CONTROL, ROADWAY SIGNS AND MARKINGS MUST BE UTILIZED, AND IN CONFORMANCE WITH THE CURRENT M.U.T.C.D.
8. KENTUCKY LABOR CABINET, OCCUPATIONAL SAFETY AND HEALTH, (O.S.H.A.), STANDARDS 803 KAR 2:415 AND 803 KAR 2:309 (TRENCHING/SHORING, CONFINED SPACES) WILL BE OBSERVED BY THE INSPECTOR. ANY UNSAFE CONDITIONS, IN THE OPINION OF THE INSPECTOR, WILL BE BROUGHT TO THE CONTRACTOR'S ATTENTION. IF THE SITUATION IS NOT IMMEDIATELY RECTIFIED, THE O.S.H.A. DIVISION OF COMPLIANCE AND UTILITY COMPANY/OWNER WILL BE NOTIFIED IN WRITING.
9. A TWENTY-FOUR HOUR (24 HR.) NOTICE OF INSPECTION IS REQUIRED FOR ANY WORK PERFORMED WITHIN COUNTY RIGHT-OF-WAY.

ANTHONY UTZ, CHIEF TECH.  
OFFICE: (859) 334-3600  
MOB: (859) 393-2205