

**PENNINGTON COUNTY HIGHWAY DEPARTMENT
AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD**

Agreement No. _____ Dated _____

WHEREAS, _____ (hereinafter referred to as Permittee) has requested authorization to use Pennington County Road _____ to haul equipment and materials as set forth in the attached inspection report: Start Date: _____ Finish Date: _____

WHEREAS, in order to complete said project it may become necessary for the contractor to utilize a portion of the Pennington County Highway System of Pennington County for the conveyance of construction equipment and materials;

and WHEREAS, the Permittee or its assignee will restore that portion of said highway system, after it has been used to convey construction equipment and materials, to the condition which existed immediately prior to its use, and;

WHEREAS, the Permittee agrees to maintain said highway in a safe condition satisfactory to the Highway Superintendent. Maintenance of gravel roads shall include dust control, blading, and gravel replacement as so determined. Maintenance of asphalt roads shall include repairing of road surface defects, deformities, and any other asphalt failures. All signing as determined shall be in accordance with the Manual of Uniform Traffic Control Devices.

WHEREAS, an inspection of the proposed route to be so utilized will be made, preferably not to exceed thirty days prior to expected initiation to its stated use, at which time the inspection team will determine and record the existing condition of the haul road, including the type, thickness and width of surfacing material in place, and;

WHEREAS, authorized representatives of the Pennington County Highway Department and the Permittee, after making said inspection and recording the existing condition of the haul road, shall all sign the inspection report, agreeing to the conditions stated therein.

NOW THEREFORE, in consideration of the premises, the mutual and independent covenants and any and all other requirements, agreements and covenants, all as hereinafter more fully set forth, the parties hereto agree as follows:

That the portion of the Pennington County Highway System as shown above, is maintained by Pennington County and is that portion which is proposed for use as a haul road, and that, after use of said highway as a haul road for the purposes herein set forth, the Permittee hereby agrees to restore, to the satisfaction of the Pennington County Highway Superintendent said highway to its existing condition, as reported in the Haul Road Inspection Report in accordance with measurements and observations of the inspection party at time of inspection.

IN WITNESS WHEREOF, the said parties hereto have caused this agreement to be signed by their respective and duly authorized officers.

Application Date: _____
Permittee Name: _____
Address: _____

Phone Number: _____
By: _____
 Representative Signature
Title: _____

<p>PENNINGTON COUNTY HIGHWAY DEPARTMENT 3601 Cambell Street, Rapid City, SD 57701 Phone: (605) 394-2166 Fax: (605) 394-2168 Email: pchd@co.pennington.sd.us</p> <p>_____ Approved this date</p> <p>_____ Superintendent Signature</p>
