

UTILITY REQUEST

TO WORK IN A REGULATED DRAIN RIGHT OF WAY OR CROSS A REGULATED DRAIN

Hancock County Surveyor's Office
111 American Legion Place, Suite 171
Greenfield, IN 46140
317-477-1150 or sbodkin@hancockcoingov.org

Project Name _____

Applicant's Name: _____ Phone: _____

E-mail: _____ Address: _____

Contractor/Installer: _____ Phone: _____

E-mail: _____ Address: _____

Type of Utility (gas, fiber, electric, water, sanitary, other) _____

Crossing Type: Open Cut _____ Push or Bore _____ Other: _____

Number of Crossings: _____ Total Amount Due: _____

Location of Crossings: _____

I hereby request permission to work in a Regulated Drain Right of Way or Cross a Regulated Drain.

The work or crossing shall conform to the standards of the County Surveyor. I have included a plan showing the location and specifications of the crossing. This request is made per I. C. 36-9-27-29; 36-9-27-48; 36-9-27-33(d); and 36-9-27-72(c).

Applicant's Signature

Date

Drainage Board Approval Date _____

Fees Paid _____

**AGREEMENT FOR CONSTRUCTION
WITHIN DRAINAGE RIGHT-OF-WAY**

Come now the Hancock County Drainage Board, acting by and through the Hancock County Surveyor, (hereinafter "Drainage Board") and

_____, (hereinafter "Utility") and hereby agree as follows:

1. The Utility shall have the right to perform work within the Drainage Board's drainage right-of-way;
2. The Utility shall apply for a construction permit prior to the commencement of such work and pay the permit fee;
3. The Utility agrees to cooperate with the Drainage Board in coordinating any work performed within the drainage right-of-way; and
4. The Utility further agrees to the following:

THE UTILITY AGREES TO INDEMNIFY, DEFEND, EXCULPATE, AND HOLD HARMLESS HANCOCK COUNTY, INDIANA, ITS OFFICIALS AND EMPLOYEES FROM ANY LIABILITY DUE TO LOSS, DAMAGE, INJURIES, OR OTHER CASUALTIES OF WHATSOEVER KIND, OR BY WHOMSOEVER CAUSED, TO THE PERSON OR PROPERTY OF ANYONE ON OR OFF THE RIGHT-OF-WAY ARISING OUT OF, OR RESULTING FROM THE ISSUANCE OF THIS PERMIT OR THE WORK CONNECTED THEREWITH, OR FROM THE INSTALLATION, EXISTENCE, USE MAINTENANCE CONDITION, REPAIRS, ALTERATION, OR REMOVAL OF ANY EQUIPMENT OR MATERIAL, WHETHER DUE IN WHOLE OR IN PART TO THE NEGLIGENT ACTS OR OMISSIONS (1) OF THE COUNTY, ITS OFFICIALS, AGENTS, OR EMPLOYEES; OR (2) OF THE UTILITY, ITS AGENTS OR EMPLOYEES, OR OTHER PERSONS ENGAGED IN THE PERFORMANCE OF THE WORK, OR (3) THE JOINT NEGLIGENCE OF ANY OF THEM; INCLUDING ANY CLAIMS ARISING OUT OF THE WORKMEN'S COMPENSATION ACT OR ANY LAW, ORDINANCE, ORDER, OR DECREE. THE UTILITY FURTHER CERTIFIES THAT UTILITY IS FAMILIAR WITH ANY AND ALL RULES, REGULATIONS, INSPECTIONS REQUIRED AND ORDINANCES THAT APPLY TO THE WORK BEING DONE WITH THIS PERMIT. THE UTILITY FURTHER AGREES TO RENEW THIS PERMIT ON OR BEFORE THE EXPIRATION DATE WHEN NECESSARY TO CONTINUE WORKING IN RIGHT-OF-WAY. THE UTILITY ALSO AGREES TO PAY ALL REASONABLE EXPENSES AND ATTORNEYS FEES INCURRED BY OR IMPOSED ON THE COUNTY IN CONNECTION HERewith IN THE EVENT THAT THE UTILITY SHALL DEFAULT UNDER THE PROVISIONS OF THIS PARAGRAPH.

ALL OF WHICH IS AGREED THIS ____ DAY OF _____, 2021.

UTILITY

HANCOCK COUNTY SURVEYOR

UTILITY WORK in REGULATED DRAIN EASEMENTS

The following items are needed for permission for utility work within regulated drains easements:

- Topographic profile along the utility route within the drain easement.
- Show open channel flow lines and original channel bottom grades (use tile probe to determine original bottom).
- Existing tile elevations (prefer both top and bottom of tile elevations - excavations may be needed to determine these).
- Vertical separation: a)Open channel- Top of utility piping to be seven (7) feet below bottom of the ditch; and b)Tile- Nearest edge of the utility piping to be two (2) feet **minimum** above or below **nearest edge** of tile.
- Horizontal separation: a)Open channel -When parallel with channel, utility piping to be 25 feet back from the top of bank; b)Tile- When parallel with tile, utility piping to maintain fifteen (15) feet between nearest edge of tile and utility piping.
- At regulated and private tile drain crossings, use granular backfill (#8 stone- preferred) around existing tile. Compact said granular backfill in a manner to support the existing tile alignment. (Additional support may be needed above the tile/piping.) Secure the joints at each side of the utility trench wall. If needed, use geo-textile fabric around the drain joints.
- In all cases, approval by the Hancock County Surveyor and the Hancock County Drainage Board are required. The Surveyor sets design standards, reviews plans submitted, and conducts field investigations for compliance (IC 36-9-27-29)(See also, IC 36-9-27-48). The Board grants permission to place permanent structures within the regulated drain easement (IC 35-9-27-33(d)).
- Variation from these standards may be granted for **good** cause by the Surveyor.

Special note should also be made concerning **private tile/drain** repair. Include a specification detail on your plans for such repair.

File your plans with the Hancock County Surveyor. The Surveyor's Office will schedule the request with the Drainage Board.