



ENCROACHMENT ON MUNICIPAL RIGHT OF WAY AGREEMENT

THIS AGREEMENT made this _____ day of _____, _____.

BETWEEN:

County of Warner No. 5 hereinafter called "the Municipality" OF THE FIRST PART	and	_____ hereinafter called "the Owner" OF THE SECOND PART
Box 90, Warner, AB TOK 2L0		_____
Warner, AB TOK 2L0		_____
		Complete mailing address

WHEREAS the Owner desires permission to _____
on _____;
Legal description of property

AND WHEREAS the Municipality desires to permit _____

_____;

WITNESSETH NOW THEREFORE, that the parties hereto in consideration of the mutual covenants and agreements contained herein do hereby agree as follows:

1. The Municipality grants permission to utilize the County of Warner No.5 road allowance along Township Road __-__ and Range Road __-__ adjacent to Section __-__-__-W4M in accordance with the plans and specifications attached hereto and any amendments noted thereto.
2. Authorizations and/or approvals under applicable Acts are to be obtained from Environment and Protected Areas for the proposed work and a copy shall be provided to the Municipality, if such authorization/approval is required.
3. Permits/consents are to be obtained from affected landowners and the *RID or SMRID*. Copies of these documents shall be provided to the Municipality.
4. The Owner is required to regulate or stop dewatering activities at the request of the Municipality by means of installing a valve. Discharge may be resumed with the approval of the Public Works Superintendent.
5. Any work to be done within the municipal road allowance will need to be done by a contractor approved by the Municipality and who is currently on the County Approved Contractor list. The name of the contractor must be approved prior to construction taking

6. Any work done that would need culvert capacity to be increased in size downstream will be the responsibility of the applicant. A Road Crossing Application must be filled out and submitted for approval.
7. Disturbed portions of the County Road allowance borrow ditch must be seeded back to grass to a mix acceptable to the Agricultural Fieldman at 403-642-2255.
8. Proper construction signage must be in place during construction within the County Road allowance.
9. The Municipality must be notified 48 hours prior to construction taking place within the road allowance for inspection purposes. Please contact the Public Works Superintendent at 403-642-3833.
10. The Owner shall indemnify and hold harmless the Municipality, its employees, and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from the operation.
11. If the construction intended under this permit has not been carried out within one year of the date of issuance, this permit lapses and the applicant must reapply for a new permit if they wish to proceed.
12. It is the responsibility of the Owner to contact Alberta One Call and ensure clearance is maintained within the presence of any underground facilities running within the road allowance.
13. Issuance of this permit does not excuse violation of regulation, bylaw or act which may affect the proposed project.
14. Further special conditions may be attached hereto.

Printed name of the Owner

Signature of the Owner

SIGNED, SEALED and DELIVERED in the presence of:

Printed name of the witness

Signature of the witness

Printed name of the County of Warner No. 5 CAO

Signature of the County of Warner No. 5 CAO