

**RIGHT-OF-WAY (“ROW”) WORK PERMIT**  
**LYNDEN TOWNSHIP, STEARNS COUNTY, MINNESOTA**  
21367 County Road 44, Clearwater, MN 55320

Telephone 320-774-8507 | Web: [www.lyndentownship.net](http://www.lyndentownship.net) | Email: [clerk@lyndentownship.net](mailto:clerk@lyndentownship.net)

Pursuant to *Lynden Township Ordinance 12*, a permit application and fee (\$200) is required for ANY excavation, installation, or other work in the Lynden Township Right-of-Way. Permit fee (\$200) and other fees MAY be waived if the work benefits Lynden Township (“Township”).

**Permit Applicant**

**Name:** \_\_\_\_\_

\_\_\_\_\_  
Address City State Zip  
Email: \_\_\_\_\_ Telephone No. \_\_\_\_\_

**Work Location:**

\_\_\_\_\_  
Address City State Zip

**Gopher State One Call (GSOC) Ticket #** \_\_\_\_\_ **Date** \_\_\_\_\_

**Describe Work** (Specify type of project, material to be used and length, depth of placement, distance from centerline, above ground placements, i.e. cabinets, pedestals, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

Underground? Y  N  | Roadway or Shoulder disturbed? Y  N  | Traffic restricted? Y  N   
**A MAP OR DRAWING SHALL ACCOMPANY THE PERMIT APPLICATION**

**Expected**  
**Start Date:** \_\_\_\_\_

**Expected Restoration**  
**Completion Date:** \_\_\_\_\_

**General Information**

Pursuant to *Lynden Township Ordinance 12*, “*Ordinance 12*”, a RIGHT-OF-WAY WORK PERMIT, “permit”, must be submitted for each Lynden Township Road on which work will be performed, prior to any work within the right-of-way by any person or utility/contractor. Emergency conditions which threaten the safety of the public and require immediate repair are an exceptions to this rule. In an emergency, the person or utility/contractor, is permitted to begin and/or complete the necessary repairs, but must call and leave word of such work as soon as possible with Lynden Township Clerk or Supervisor at **320-774-8507** or **Email: [clerk@lyndentownship.net](mailto:clerk@lyndentownship.net)**. A written permit must be completed and delivered to the Lynden Township Clerk or Supervisor by 12 noon, the next business day. Township will not invoice for fee of \$200.

**Authorization of Permit**

1. In consideration of the applicant as the owner or authorized agent for the owner of the installation, agrees to comply in all respects with *Lynden Township Ordinance 12*, hereby incorporated by reference to this agreement, and regulations of the Township covering such operations, permission is hereby granted for the work to be done as described in the above application upon \$200 fee payment and completed, APPROVED application. Work is to be done in accordance with *Ordinance 12*, the general conditions listed, and the special conditions required as attached. ***It shall be the responsibility of the applicant to abide by the Ordinance and any special conditions listed with the permit.***
2. All modifications and/or adjustments necessary to item(s) installed under this permit due to future roadway improvements, utility improvements, utility failures, etc. shall be born solely by the permittee owner with no compensation by Lynden Township, Stearns County, Minnesota.

3. **A map or drawing shall accompany each copy of the permit application**, which will show the location of the proposed work with reference to the township road centerline and right-of-way line. **A COMPLETE SET OF PLANS IS REQUIRED FOR ALL SEWER/WATER PROJECTS.**
4. It is expressly understood, that this permit is conditioned upon replacement or restoration of the Township Road and its right-of-way to their original or to a satisfactory condition. It is further understood that this permit is issued subject to the approval of local city or county authorities having joint supervision over said street or highway.
5. **Encroachment Agreement:** An Encroachment Agreement in addition to this permit may be required at the discretion of the Township which will require a Construction Performance Bond or Letter of Credit, among other financial and insurance requirements under *Ordinance 12*.
6. Any privately owned utility in the right-of-way is the responsibility of the permittee. The permittee is responsible for all GOPHER ONE CALL locates. Any damage to unlocated private utilities by a public utility, during a permitted construction is the responsibility of the permittee.
7. **The Township reserves the right to revoke any ROW permit and halt work if, upon inspection of any job site, the conditions, terms of the Ordinance and/or special conditions listed or referenced on this form are not met and/or a hazard exists for the applicant or public safety is threatened.**

I/we, the under-signed permit applicant, as the owner or authorized agent for the owner of the installation accept the terms and conditions of this permit issued by the Town of Lynden and agree to fully comply with *Ordinance 12* and this permit to the satisfaction of the Township. Furthermore, I/we agree to indemnify, save, defend and hold harmless from any demands, claims or suits, Lynden Township, its officials, and employees from any liability for any injury or damage arising out of the actions or omissions of the permit applicant, its agents or sub-contractors, in performance of the work; or, arising out of the granting of the permit; or, any expense whatsoever incurred by the Town, incident to a claim or action brought or commenced by any person or entity arising there from.

**Applicant** **Applicant Printed**  
**Signature:** \_\_\_\_\_ **Name:** \_\_\_\_\_  
**Email:** \_\_\_\_\_ **Telephone No.** \_\_\_\_\_  
**Dated:** \_\_\_\_\_

**TOWNSHIP APPROVAL** **Date** \_\_\_\_\_ **Township Official Printed**  
**Signature:** \_\_\_\_\_ **Name:** \_\_\_\_\_

**AFTER ALL WORK & RESTORATION IS COMPLETED, SIGN, DATE AND RETURN THIS FORM TO:**

Lynden Township, c/o Clerk Jenny Schmidt, 20517 Woodbine Road, Clearwater, MN 55320

**Applicant** **Applicant Printed**  
**Signature:** \_\_\_\_\_ **Name:** \_\_\_\_\_

**DATE WORK & RESTORATION COMPLETED:** \_\_\_\_\_

**Township Official** **Township Official Printed**  
**Signature:** \_\_\_\_\_ **Name:** \_\_\_\_\_

**FINAL INSPECTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

|   |  |   |                      |
|---|--|---|----------------------|
| <b>FOR OFFICE USE ONLY</b>              |  |   |                      |
| Utility Permit <input type="checkbox"/> | ; Other Permit <input type="checkbox"/>  | ENCR AGGRMT NEEDED <input type="checkbox"/> | <i>Rev 3-29-2023</i> |
| Permit Number _____                     | Town Road Name or Specific Address _____ |   |                      |
| Permit Fee Required \$200.00            | Paid \$ _____                            | Chk# _____                                  | Date: _____          |

## Special Conditions 7-15-2021

**NOTICE.** To facilitate and coordinate compliance inspection, the applicant shall call the Township contact directly by phone (320-558-7766), providing notice in a conversation forty-eight (48) hours—exclusive of Saturday, Sunday, or legal holiday-- prior to commencing any such work in the right-of-way (“ROW”) and for any horizontal boring.

**GSOC.** A copy of the approved and signed ROW permit must be available on site as well as a copy of the details of the notification of Gopher State One Call (GSOC) showing the completion status of the locates by the effected underground utilities. Work must be done with a valid, non-expired GSOC locate number.

### **INSTALLATION.**

1. Installation shall be done according to the installation plan presented. Specifically, the installation shall be within the ditch bottom and back slopes and for it to be placed twenty-five (25) feet or more from the roadway centerline. Installation requires that a line or lines are buried thirty-six (36) inches deep and no closer than twenty-five (25) feet from the centerline of the roadway.
2. The best situation for the Township is when the utility is located on the back slope of the ditch and as far away from the roadway as possible. At no time should installation of the utility be allowed to run parallel to the roadway within the ditch in-slope area.
3. All culverts, ditches, shoulders and back slopes shall be restored to their original condition unless otherwise directed by the Township. Shoulders, which have been previously constructed or reconstructed with special materials, shall be replaced in kind. Restoration of signs, guardrails, guard posts, etc., is the sole responsibility of the applicant and shall be restored to their original condition as approved by the Township.
4. The applicant shall be responsible for the performance and work of their agents or subcontractors and compliance with this permit and Township Ordinance 12.
5. **Restoration of disturbed work area is to be completed by date indicated on the application or within sixty (60) calendar days of commencing work, whichever date is earlier.**

### **HORIZONTAL BORING AND JACKING.**

1. Regardless of the method of construction for crossing a Township Road, the minimum depth from the road surface is always sixty (60) inches and can be accomplished by directional boring, pneumatic gopher or jacking.
2. All lateral or variation thereof crossings of Lynden Township maintained roadbeds shall be made by boring inside a casing or carrier pipe or by jacking unless otherwise directed by the Township. The auger shall lag the casing or carrier pipe by at least six (6) inches whenever possible and never lead the carrier pipe by more than one (1) inch.

**SAFETY AND WARNING DEVICES.** The applicant shall be responsible for the proper placement and use of safety and warning signs, cones and other devices warning of the work site, equipment, materials, and vehicles or redirecting vehicle, pedestrian or other traffic related to this permit by the applicant, their agents or subcontractors to the satisfaction of the Township contact.

**NON COMPLIANCE.** Failure to comply with any terms or conditions related to this permit by the applicant, their agents or subcontractors, the applicant shall be subject to a \$100.00 assessment per day for each incidence.

## Special Conditions