**In the Commissioners Court**

**Of**

**Eastland County, Texas**

**DRIVE-WAY REQUEST/CONSENT FORM**

Pursuant to §§251.003, 251.017, 251.102 of the Texas Transportation Code, and §§181.044, 181.045 and 181.046 of the Texas Utilities Code, the Commissioners Court of Eastland County, Texas hereby promulgates this Drive-way Request/Consent form, to be used by Eastland County to monitor and regulate the installation of access drive-ways across the county maintenance easement on either side of a county road, and to insure that such installations do not pose a traffic hazard to the public or impose any unnecessary or unduly burdensome maintenance obligations upon the County regarding maintenance of the roadway easement, drainage or maintenance easement on either side of the county road.

No Drive-way installation may be commenced without the express authorization of the Commissioner’s Court or its designated Agent, to be reflected upon a signed duplicate copy of this form. No Drive-way installation may be placed into actual use without the express authorization of the Commissioner’s Court or its designated Agent, to be reflected upon a signed duplicate copy of this form.

This Drive-Way Request/Consent Form, and any fee associated with this form, must be received and approved before work commences upon the drive-way. Any disapproved or non-conforming drive-way installed pursuant to this form is subject to removal or repair, at the sole discretion of Eastland County, with any and all related expenses incurred in the removal or repair of the disapproved or non-conforming drive-way charged to the Applicant.

Upon satisfactory completion of the drive-way installation the completed Approval of Installation form attached hereto and incorporated herein shall be filed of record in the Commissioners Court.

APPLICANT\* INFORMATION:

Applicant for Drive-Way:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Owner/Easement Holder)

\*Applicant must be fee title owner to real-estate to be served by the drive-way, or an easement holder with an express easement for access to the property served by the right-of-way executed by the fee title owner of the real estate to be served by the drive-way. Execution of this agreement by an easement holder is a formal representation that a proper express easement is in place, and an agreement to indemnify Eastland County for any claims asserted by the Owner.

Applicant Contact Person:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or 911 Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-Mail address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

LOCATION OF DRIVE-WAY:

County Road Drive-way to be located upon: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Location of Drive-way: Identify nearest intersection of primary County Road with another public roadway, and the cardinal direction (which side) of county road the drive-way will be located upon,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_or 911 Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY designated AGENT: (Typically County Commissioner for Precinct affected)

Agent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_E-Mail address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SPECIFICATIONS:

\_\_\_\_\_\_\_\_\_\_Option 1: Applicant will purchase, and cause to be delivered to the drive-way site, a culvert of a sufficient size to provide adequate drainage of the roadway, as determined in the sole discretion by the County’s designated Agent identified herein, at the Applicant’s cost, and the County will install the culvert.

Culvert Size required:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Culvert Purchase Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Delivery Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approval by County designated Agent:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_Option 2: Applicant will prepare specifications of all materials, including base rock, culvert of a sufficient size, and cover rock, and where necessary at the sole discretion of the County designated Agent, such reinforced concrete required to support or protect the culvert to provide a suitable drive-way, and will schedule the work in a manner approved by the County designated Agent, at the sole cost of the Applicant. The County designate Agent will review and approve or disapprove the specifications within not more than ten (10) business days from receipt. Installation may not proceed until approval is given. County designated Agent will review and approve or disapprove any installation within not more than ten (10) business days from receipt. Any defects of an installation will be remedied immediately, but not to exceed ten (10) days after notice of disapproval. An installation that has not been approved, and has not been remedied, will be removed and/or repaired to a suitable level by the County, and all costs of removal or repair will be charged to the Applicant. Any Notice required by this Procedure will be given in writing, by either regular mail or e-mail to the addresses above.

Specifications submitted Date:\_\_\_\_\_\_\_\_\_\_\_ Specifications Approved Date:\_\_\_\_\_\_\_\_\_

Inspection of Installed Driveway Date: \_\_\_\_\_\_\_\_\_\_\_\_ Approved date:\_\_\_\_\_\_\_\_\_\_\_\_\_

Approval by County designated Agent:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FEE $50.00

Fee Paid date:\_\_\_\_\_\_\_\_\_ Receipt Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

EXECUTION:

I have read the above and foregoing Drive-Way Request/Consent form, and I understand and agree to the obligations imposed by this form.

Dated:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant