

**CODINGTON COUNTY
TEMPORARY FENCING WITHIN RIGHT OF WAY AGREEMENT**

Type and purpose: _____

Legal Description:

Section _____ Township _____
Range _____ Distance from nearest section line _____
Length _____

I, the undersigned, request permission to construct a temporary fence within the Public Right of Way at the above location. In consideration of this permission, I agree to abide by all conditions as herein stated:

1. To build the fence to the following specifications:
 - a. Wood posts shall be 4" diameter or less
 - b. Steel posts shall be 5/8" diameter or less.
 - c. No more than four wires may used within the Right of Way
 - d. Bottom wire shall be a minimum of 16" above ground
 - e. No portion of the fence shall be within 6' of the driving surface
2. Installation shall not be initiated before April 1, and all materials shall be removed by October 1. After October 1, Codington County shall assume ownership of fence, and cause to have fence removed and applicant shall be responsible for all associated costs. Applicant shall pay all costs associated with restoration of any damaged portions of the Right of Way to equal or better conditions than existed prior to installation.
3. Tilling, excavating, or planting is prohibited within Right of Way.
4. Applicant shall be responsible for utility location associated with installation.
5. Codington County shall not be responsible for damages or any or all claims of liability associated with above mentioned project.
6. Failure to comply with any provision of this agreement shall render this agreement null and void and constitute grounds for removal at the applicant's expense.

Print name _____ Phone _____

Signature _____ Date _____

Address _____

Codington County Highway Superintendent

Date _____