

THE STATE OF TEXAS)(

COUNTY OF EASTLAND)(

A signed policy is required for all road crossings after May 12, 1981.

The undersigned, _____, hereinafter referred to as first party, enters into and makes an agreement with the Eastland County Commissioners Court, Eastland, Texas, and in order to get its products to market, it is necessary to construct a pipeline across an Eastland County road, being Eastland County Road # _____, over which the Commissioners have jurisdiction and obligation to maintain in good repair and both parties being aware of possible damage to said road as a result of crossing construction on and over same, enter into the following agreement:

(1)

First party agrees to cross only those sections of roads shown on the plat attached hereto and incorporated herein for all purposes. It is expressly understood that Eastland County does not purport hereby to grant any right, claim, title or easement in or upon this county road, and it is further understood that Eastland County may, at any time, require the owner to relocate this line, subject to provisions of governing laws, by giving thirty (30) days written notice to first party at the address first party has listed in this agreement.

_____ shall hold harmless and indemnify Eastland County and the Commissioners Court of Eastland County, Texas, against any and all damages to property or injuries to persons caused by the proposed construction, and by acceptance of this approval agrees to make all changes and alterations to said utility lines as may be required in connection with alteration, paving or relocation of any public road, without cost to Eastland County.

(2)

First party agrees to construct its crossing in such a manner as to cause minimum inconvenience to traffic and adjacent owners. Road must be kept open to traffic if possible and in no event shall road be inaccessible to traffic for a period longer than _____.

(3)

All lines shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing must be capable of supporting roadbed and traffic. All lines under roads carrying any form of petroleum products or by-products shall be in casing pipe at least 2 inches larger than carrier pipe, and must be vented on each end.

(4)

No parallel lines will be installed in County right-of-way without special permission and a separate written agreement of the Eastland County Commissioners Court.

(5)

All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 20 feet of same.

(6)

The cost of any and all repairs to road surface, roadbed, structures or other right-of-way features as a direct result of this installation will be borne by first party. Barricades, warning signs and lights and flagman when necessary shall be provided by first party or contractor.

(7)

All excavations within the right-of-way and under surfacing shall be backfilled according to instructions of Commissioner in whose precinct crossing occurred.

(8)

It is further understood that in the future should Eastland County need to work, improve, locate, widen, increase, add to, or in any manner change this crossing, it will be changed under the directions of the Eastland County Commissioners at the complete expense of the first party.

(9)

No crossing shall be removed from road without notification of the Eastland County Commissioners Court. First party will bear all expense of repair to road and filling of ditch, when removal is made.

(10)

Each crossing shall have a minimum of thirty-six (36) inches depth from ditch line. The top two feet of each crossing will be backfilled with crushed lime rock.

This agreement shall be binding upon the heirs, successors, and/or assigns.

ACCEPTED AND AGREED to this _____ day _____ 20____.

(Company and/or First Party)

By _____
(Representative)

(Company Address)

(Company Phone Number)

Rex Fields, County Judge

Wayne Honea, Commissioner Precinct 1

John A. (Buzzy) Rutledge, Commissioner Precinct 2

T. J. Cummings, Commissioner Precinct 3

Robert Rains, Commissioner Precinct 4