

**APPLICATION FOR SPECIAL ROAD USE PERMIT  
HOLMES COUNTY, OHIO**

Application is hereby made by \_\_\_\_\_ for a permit to use Holmes County Road # \_\_\_\_\_ and/or \_\_\_\_\_ Township Road # \_\_\_\_\_ for the purpose of transportation of vehicles used for the oil and gas, mining, or timber industry. Applicant understands that the terms of such permit are that applicant must repair or provide for the repair of any and all damages to the County and/or Township roads which the permit authorizes applicant to use. Applicant understands that as the permit holder, he is primarily responsible for all damages done to said roads by vehicles or equipment used in said operation. Bond shall be posted pursuant to the terms of the Resolution containing the Rules, Regulations and Procedure passed by the Board of Commissioners, Holmes County, Ohio, a copy of which is attached as Exhibit A.

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Person to contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

Driller, Sub-Contractor, etc.: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Person to contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

Well Servicer, sub-Contractor, etc.: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Person to contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

**SPECIAL ROAD PERMIT- BOND  
HOLMES COUNTY, OHIO**

Permit Holder: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Location: \_\_\_\_\_  
\_\_\_\_\_  
Authorized Route: \_\_\_\_\_  
\_\_\_\_\_  
Amount of Bond: \_\_\_\_\_

1. This permit allows the above designated permit holder to transport the necessary vehicles and equipment in and out of the above specified site over the above specified route.
2. The permit holder agrees that he or it is primarily responsible for any and all damages caused by the vehicles and equipment necessary for this operation which travel over said roads. This responsibility attaches whether or not the permit holder owns the vehicles which have caused the damages or whether he has hired these vehicles.
3. The permit holder will guarantee payment for damages in the following manner (See #7 of the Holmes County Board of Commissioners Rules, Regulations and Procedures):
  
4. Arrangements for maintaining and restoring said roads are as follows: (See #8, 9, 10, and 12 of the Rules, Regulations and Procedures):
  
5. Estimated date all related operations will cease:

\_\_\_\_\_  
Holmes County Engineer

IMPORTANT NOTE: This permit is given on the condition that its terms are followed. Also the "Rules, Regulations and Procedures" for Special Road Permits set down by the Holmes County Board of Commissioners are incorporated by reference into the terms of this permit. If any of such terms are violated by the permit holder or any persons he has hired to complete the operations necessary for the work being done, this permit is subject to revocation without notice by the Holmes County Engineer.



# HOLMES COUNTY COMMISSIONERS

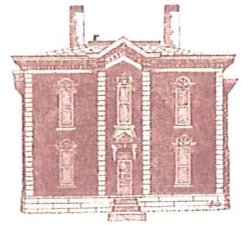
2 COURT STREET, SUITE 14

MILLERSBURG, OHIO 44654-2001

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## Resolution #04-03-06-4

### A RESOLUTION ADOPTING THE UPDATED SPECIAL ROAD PERMIT FOR USE BY THE HOLMES COUNTY ENGINEER

**WHEREAS**, this Board of Holmes County Commissioners has found that excessive use of the County and Township Roads by heavy vehicles used in the oil and gas business, the mining business and the timber business has damaged and continue to damage said roads, and

**WHEREAS**, the Board of County Commissioners for Holmes County have authority pursuant to Section 5577.08 and Section 5577.09 Ohio Revised Code to pass rules and regulations restricting the use of the County and Township Roads, and

**WHEREAS**, the load limits which this Board has placed on said roads so as to prevent them from being damaged will have the effect of prohibiting any use of said roads by the above mentioned businesses, and

**WHEREAS**, this Board wishes to cooperate with said businesses so as not to cause them undue hardship, and

**THEREFORE BE IT RESOLVED**, that the representatives of the oil and gas, mining, or timber business be permitted to use the County and Township roads if they file for a permit in accordance with Section 4513.34 subject to the following "Rules, Regulations and Procedure for Special Road Permits:"

1. Before moving any heavy vehicles into the County, the permit holder or his agent must apply to the Holmes County Engineer for a permit to use certain County and Township roads.
2. The County Engineer shall direct on what roads the permit holder's vehicles are permitted to travel. The criteria for the County Engineer's decision will be the weight capacity of said roads, and the present condition of said roads.
3. The permit holder is responsible for informing the operators of all vehicles and equipment used for this operation on what roads they are permitted to travel.
4. The County Engineer along with the permit holder or his representative shall then inspect the present condition of the designated roads for travel.



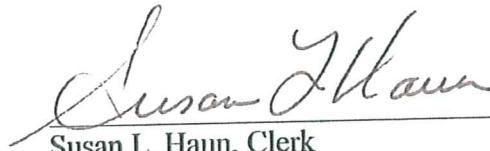
5. The County Engineer shall make an estimate of the amount of money it will cost to restore the road or roads to the condition existing immediately before the vehicles used for said operations began using said road or roads.
6. The County Engineer may then give the permit holder a special road permit allowing him to transport the subject vehicles on the designated roads.
7. A condition precedent for issuing said permit is that the permit holder makes arrangements to insure payment to the County and/or Township for the damage to said roads. Whether the financial arrangements are appropriate shall be left totally to the discretion of the County Engineer. His options include but are not limited to the following or any combination of the following:
  - (1) Require the permit holder to post a cash or surety bond for the entire amount of the estimated damage.
  - (2) Require the permit holder to post a cash or surety bond for part of the estimated damage
  - (3) Require the permit holder to post a cash or surety bond for part of the estimated damage, which would be added to if, in the opinion of the County Engineer, the balance was getting to low.
  - (4) Require the permit holder to file a financial statement with the County Engineer stating the present net worth of said permit holder and the identity, value and location of his assets permanently located in Holmes County.
8. The subject road or roads shall be adequately maintained during the course of all related operations so that a passing car can easily pass.
9. The County Engineer and permit holder shall decide, and the permit shall stipulate, who is responsible for providing or hiring the equipment and men to perform the maintenance and restoration of the road or roads.
10. Subject to the agreement between the County Engineer and permit holder, the County and/or Township may:
  - (a) Maintain and restore said road or roads and be reimbursed by the permit holder for labor, materials and equipment.
  - (b) The County and/or Township may hire private contractors to perform the maintenance and restoration. Said contractors could be paid out of the bond or cash deposit,
  - (c) The permit holder may hire private contractors and pay them out of the bond or cash deposit.
  - (d) Any combination of the above.

11. Regardless of the arrangements concerning who is to perform the maintenance and restoration of the roads, if the permit holder fails to cause the road or roads to be properly maintained or restored, the County or Township may do the work or cause it to be done and charge the amount of the labor, materials and equipment to the permit holder.
12. After all operations have ceased at the subject site or after the heavy vehicles cease to use the subject road or roads (whichever event occurs later), the road shall be restored to its previous condition. The County Engineer or his representative and the permit holder or his representative shall inspect the subject road or roads to insure said road or roads have been properly restored.
13. If the County Engineer determines that the restoration has been completed in a satisfactory manner, he shall release the balance of the bond or cash deposit.
14. The County Engineer shall have discretion over what size culvert pipe shall be placed in the ditch adjacent to the road when the approach or driveway into the well site is constructed. This shall be done as a part of the access management permit.
15. Although the permit holder is ultimately responsible for obtaining the permit and making arrangements for payment for restoration and maintenance of the subject road or roads, these rules and regulations in no way exempt the other participants in any operations connected to this permit from liability for the damages or responsibility of maintenance and restoration of the roads.
16. All the above Rules, Regulations and Procedures for Special Road Permits shall be incorporated by reference into all the permits issued.

Mr. Feikert moved for the adoption of the preceding Resolution. Mr. Hall seconded the motion. Upon call of roll, the vote was as follows:

David L. Hall	<u>David L. Hall</u>	<u>yes/no</u>
Joe D. Miller	<u>Absent</u>	<u>yes/no</u>
Ray L. Feikert	<u>R. Feikert</u>	<u>yes/no</u>

The preceding Resolution is a true and exact copy of a Resolution adopted during the regular business day of April 03, 2006, and is recorded in Commissioners Journal 41 under that date.

A handwritten signature in cursive script, reading "Susan L. Haun", written in dark ink. The signature is positioned above a horizontal line.

Susan L. Haun, Clerk  
Holmes County Commissioners