

RIGHT OF USE PERMIT

KNOW ALL MEN BY THESE PRESENT that on this _____ day of _____, 20__ the City of Columbia, a municipal corporation, does hereby permit **Boone County, Missouri, on behalf of its Office of Emergency Management**, (hereinafter referred to as "Permittee") to enter upon the following described lands owned by the City of Columbia and located within St. Charles Road right of way, Columbia, County of Boone, State of Missouri, and more particularly described as follows, to wit:

The right-of-way of St. Charles Road located in the right-of-way, within the limits of the City of Columbia, further described by the exhibit(s) attached to this right of use permit.

This permit is subject to the following conditions and stipulations:

1. This permit is for the exclusive purpose of construction, improvement, operation, and maintenance of a warning sirens with supporting infrastructure built in the right-of-way of St. Charles Road.
2. This permit does not grant Permittee or any of its officers, agents or employees the right to cut, break, excavate or damage the street pavement of St. Charles Road without City consent
3. Permittee will be responsible for the costs of any future repairs, maintenance or replacements which is the result from Permittee's use under this right-of-use-permit.
4. Prior to exercising its right granted herein, Permittee shall present its construction plans or diagrams locating the proposed warning sirens with supporting infrastructure to the City Public Works Department and City Water and Light Department and any other utility existing in the rights-of-way to insure that the proposed plans will not interfere with any existing utility. The Permittee will relocate its improvement if requested to do so by an existing utility.
5. Prior to exercising its right granted hereunder, Permittee agrees to obtain all necessary permits required by the City of Columbia pertaining to the work being done in the rights-of-way and to submit a traffic routing plan to be approved by the City Public Works Department.
6. If the warning sirens with supporting infrastructure is abandoned, all rights herein granted shall cease and terminate and Permittee shall have no further right of interest therein except that, upon abandonment, Permittee remains responsible for all of Permittee's facilities and structures left in place and any costs to remove them or store them or to otherwise clean up easement.
7. If at any time during construction, repair, modification or relocation of warning sirens with supporting infrastructure, or any utility existing in the rights-of-way at the time this permit is granted, is necessary which would require the relocation of the warning sirens with supporting infrastructure, the Permittee shall relocate warning sirens with supporting infrastructure at their own expense.
8. The Permittee agrees by exercising its rights under this permit that if the warning sirens with supporting infrastructure is damaged in anyway, whether negligently or intentionally by the construction, repair, modification or relocation of warning sirens with supporting infrastructure

or of any utility existing in the rights-of-way of said city street at the time this permit is granted it will repair or replace the warning sirens with supporting infrastructure at its own cost and hold the City of Columbia harmless for any of the costs associated with the repair or replacement or any other costs associated with the damage to the facilities.

This permit shall remain in effect until canceled by the City of Columbia, which shall be obligated to notify Permittee one (1) year in advance of the cancellation.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be signed by its officers the day and year first written above.

CITY OF COLUMBIA, MISSOURI

By: _____
John Glascock
City Manager

SSC

ATTEST:

By: _____
Sheela Amin
City Clerk

APPROVED TO AS FORM:

By: _____
Nancy Thompson
City Counselor

BOONE COUNTY, MISSOURI

(By and through its County Commission):

By: _____
Daniel K. Atwill
Presiding Commissioner

ATTEST

By: _____
Brianna L. Lennon, County Clerk
County Clerk

APPROVED AS TO LEGAL FORM

By: _____
Charles J. Dykhouse
County Counselor



Boone County

Office of Emergency Management

2145 E County Drive * Columbia, MO 65202 * 573 554-7908

Exhibit A

New Siren Site

