

LAVACA COUNTY ROAD SPECIAL USE AGREEMENT

Precinct No. _____

1. The undersigned applicant _____ is hereinafter referred to as First Party and Lavaca County, Texas is hereinafter referred to as Second Party. First Party makes this agreement with Lavaca County, acting by its Commissioners' Court, to use vehicles (as defined in Section 621.001(9) Texas Transportation Code) on Lavaca County Roads for transporting loads that consist of materials, supplies, equipment, commodities, liquids and other items where the combined weight of such vehicles and loads exceed either a combined total weight of 20,000 pounds or an axle weight of 15,000 pounds. Any weight that exceeds such total weight amount or axle weight amount, is an overweight load that is not allowed on Lavaca County Roads without a Special Use Agreement and Permit as required by the Commissioners' Court of Lavaca County, Texas. The overweight load amount was established by Lavaca County Commissioners' Court dated March 10, 1997.

2. First Party recognizes that the Lavaca County Commissioners' Court has the obligation to maintain Lavaca County Roads in good repair and First Party further recognizes that its use of Lavaca County Roads for transporting overweight loads may result in damages to Lavaca County Roads and consequently it is necessary for Second Party to regulate the transport of such overweight loads.

3. First Party agrees to be responsible for compliance herewith by each of its agents or subcontractors who are identified as follows:

<u>Name:</u>	<u>Address:</u>	<u>Phone Number:</u>

4. In connection with the use by First Party of overweight loads on Lavaca County Roads as defined above, First Party agrees to use only those roads in Lavaca County that are designated by Second Party as follows:

LAVACA COUNTY ROADS TO BE USED LOADED OR UNLOADED:

5. THIS AGREEMENT IS VALID FOR ONLY THOSE LAVACA COUNTY ROADS LISTED ON THE PERMIT FORM AND FOR THE PERIOD OF TIME STATED. THE FIRST PARTY IS RESPONSIBLE FOR NOTIFYING THE PRECINCT COMMISSIONER IN THE PROPER PRECINCT PRIOR TO EACH TIME FIRST PARTY USES A LAVACA COUNTY ROAD FOR TRANSPORTING AN OVERWEIGHT LOAD.

6. First Party recognizes that the maximum weight permitted on Lavaca County Roads is 80,000 pounds total weight or 18,000 pounds per axle and agrees not to exceed that total weight in its use or motor vehicles on Lavaca County Roads. However; load limits on specific county roads and bridges were established by Lavaca County Commissioners' Court Order dated March 10, 1997.

7. As to overweight loads, First Party agrees to avoid blocking, impeding, or interfering with other traffic

on any Lavaca County Road so that each County Road being used by First Party will be open and safe for travel by the public at all times.

8. In the event of road damage caused by overweight loads of the First Party, First Party agrees to pay Lavaca County for expenses incurred by Lavaca County in repairing such damage. Such payments will be made by First Party to Lavaca County on or before thirty (30) days after being billed by Lavaca County. Failure of First Party to make such payment will automatically cancel and terminate this agreement without further notice to First Party.

9. First Party agrees to secure and deliver a Certificate of Insurance in the amount of **\$100,000** to Lavaca County to insure payment by First Party for damages to Lavaca County Roads caused by overweight loads.

10. First Party request the County Commissioner, in whose precinct road damage occurs, to promptly notify First Party by telephone of such damages and First Party authorizes such County Commissioner to immediately commence repair operations to said county roads and Second Party grants to First Party the option to either make repairs or be billed for such repairs.

11. Nothing herein shall be construed as a Waiver by Lavaca County Commissioners' Court of the authority to regulate weight or size limits on Lavaca County Roads under and by virtue of Article 6702, Section 2.301, or any other authority granted under the Laws of the State of Texas as set forth in Vernon's Revised Texas Civil Statutes, but the Rights and Authority granted Lavaca County by the terms of said laws and regulation of Lavaca County roads on weight or size limits are expressly reserved by Lavaca County and the Commissioners' Court of Lavaca County in the event First Party willfully fails or refuses to abide by the terms and conditions set forth.

12. All Lavaca County Development Permits required for sites listed must be obtained prior to approval of this agreement. Permits can be obtained through the Lavaca County Commissioners Office at 109 North LaGrange St., Hallettsville, Texas, (361) 798-5310.

13. Operations permitted hereby shall begin on or after _____, 2021 and terminate on or before _____, 2022.

SIGNED ON _____, 2022

FIRST PARTY:

SECOND PARTY:

BY: _____

BY: _____

Lavaca County Judge

Address

P.O. Box 243
Address

City, State, Zip Code

Hallettsville, Texas 77964
City, State, Zip Code

Company Telephone Number

(361) 798-5310
Telephone Number

Fax Number

(361) 798-5490
Fax Number

Mobile Contact Supervisor

(361) 798-2121
Emergency Number

COMMISSIONER'S
INITIALS

LAVACA COUNTY SPECIAL ROAD USE PERMIT

(over 20,000 pounds or 15,000 pounds per axle)
Maximum legal weight: 80,000 pounds or 18,000 pounds per axle

THIS PERMIT MUST BE CARRIED IN EACH OF THE AUTHORIZED VEHICLES, THIS FORM
MUST BE MADE AVAILABLE UPON REQUEST BY ANY LAVACA COUNTY COMMISSIONER

PERMIT HOLDER: _____ PHONE: _____

LAVACA COUNTY ROADS THAT WILL BE USED: _____

RIG NAME: _____

DESIGNATED ROUTE WHETHER LOADED OR UNLOADED: _____

LIST OF AGENTS AND SUBCONTRACTORS AUTHORIZED BY HOLDER TO USE PERMIT

<u>NAME:</u>	<u>TYPE OF LOAD:</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

REMARKS: It is your company's responsibility to keep the above designated county roads bladed, maintained and add material when needed for the safety of the traveling public. It is also your responsibility to notify all contractors of the designated route.

DATES:
APPROVED BEGINNING: _____ AND ENDING: _____

LAVACA COUNTY COMMISSIONER
PCT # _____

LAVACA COUNTY JUDGE