

LINCOLN COUNTY HIGHWAY DEPARTMENT ENTRANCE POLICY

INTRODUCTION:

This Policy is adopted by the Lincoln County Commission acting pursuant to the power and authority granted by Kansas State Law K.S.A. 68-543. The purpose of this policy is to establish written guidelines and procedures for new and existing entrances and to regulate ingress and egress to the county road system. The goal of this is to provide protection of the public traveling along the county road system.

NEW ENTRANCES:

According to state law, property owners' are entitled to reasonable access to their property K.S.A. 19-101, 68-101, 68-1701, 68-543. All proposed entrances will require a "Lincoln County Roadway Entrance Application" form to be completed by the property owner. The application must be approved by the Lincoln County Highway Department before any work in the county right-of-way is allowed.

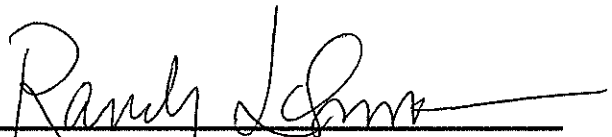
- The location of all proposed entrances require approval by the Lincoln County Highway Department. Applications with entrances having poor sight distance or other safety concerns may be denied.
- The landowner will be responsible for the cost of the culvert and any tree or debris removal that limit sight distance to an unsafe amount
- Proposed entrance locations within 125 feet of an intersection shall be denied due to safety concerns.
- When a structure is required for drainage, the structure shall be a new pipe, made of corrugated metal or steel pipe. Polyethylene pipe and used pipe will not be permitted. If a drainage structure is required that has an opening larger than a pipe can provide, the Applicant shall have the large structure constructed by a contractor approved by the Highway Department. Plans for large structures shall be prepared by a licensed Professional Engineer and approved by the Highway Department. All new entrance pipes shall have a minimum length of 24 feet.
- If the existing right of way is too narrow for the entrance pipe and back slopes to be constructed within said right of way, the property owner shall donate the necessary right-of-way to Lincoln County for said construction. The amount of additional right-of-way shall be determined by the Highway Department.
- The Applicant, successor, or assigns, shall assume all risk and liability for accidents and damages that may occur to persons or property as a result of this work, and shall indemnify and hold Lincoln County harmless from any and all costs, liabilities, expenses, suits, judgements, or damages to persons or property, or claims of any nature whatsoever arising out of or in connection with the work being permitted, or the operation and performance thereunder by the Applicant, their agents, employees, or subcontractors.
- After the new entrance has been accepted by the final inspection process, the maintenance of the entrance pipe and ditch drainage shall be the county's responsibility. Maintenance of the surface and additional surfacing material shall be the owner's responsibility.
- If any new entrance is installed without a permit, the owner shall have thirty days to bring the construction into compliance with this policy.

- Noncompliance with any of the terms of this policy or entrance permit may be considered cause for shut down of operation or revocation of all permits. By signing the application, the property owner consents to Lincoln County performing any and all work required pursuant to this policy. The property owner further consents, should Lincoln County incur costs in bringing the entrance into compliance with the policy, the owner agrees to pay Lincoln County for said costs.
- Upon request by the Petitioner, the County Commission may consider variances to the entrance policy.

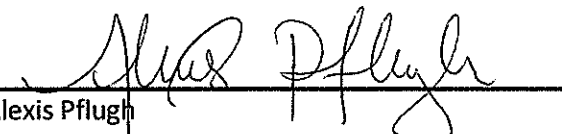
EXISTING ENTRANCES:

- Maintenance of all existing entrance drainage structures and ditches within county right-of-way is the responsibility of Lincoln County. However, if the damage to entrance pipes caused by negligence, construction activities by others, or by repeated inattentive driving, the Highway Department may charge the offending party for replacement of said damaged pipe.
- A "Lincoln County Roadway Entrance Application" permit is required to widen or relocate any existing entrance. Under these circumstances the provisions set out under "New Entrances" shall apply except for the relocation or widening of a mound entrance
- Whenever it is necessary for the Highway Department to construct a ditch along a public road at such depth that ingress and egress is obstructed or existing entrances are no longer function properly, it has been the policy of Lincoln County to provide and maintain access over said ditch so as to make a good and safe crossing. The County shall bear all costs associated with such entrance.
- Lincoln County does not assume any responsibility for the removal or clearance of snow or ice, or the opening of windrows of such material, upon any portion of any entrance.

BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, KANSAS



Randy Lohmann



Alexis Pflugh



James Gabelmann

Date

**LINCOLN COUNTY ROADWAY
ENTRANCE APPLICATION FORM**

Return to: Lincoln County Highway Department
203 E Spring Street
Lincoln, KS 67455

Phone: 785-524-4656
Fax: 785-524-3516
Email: lchighwayoffice@lincolncoks.org

(Completed by Petitioner)

Date _____

I, the undersigned applicant of the described property, located as follows:

Quarter _____ Section _____ Township _____ Range _____

County Road Name _____

Entrance is requested to the above premises for the following reason: _____

In requesting this entrance, the undersigned agrees to comply with the conditions established by Lincoln County for entrances to county roadway as defined by policy

Owner Name: _____ Signature: _____ Phone: _____

Applicant

Name: _____ Signature: _____ Phone: _____

Mailing Address: _____

COUNTY REVIEW

Culvert Size: _____ Length: _____

Highway Department Approval: _____ Date: _____

Field Checked By: _____ Date: _____

Applicant Notified By: _____ Date: _____

Installation Completed: _____

Application Rejected Due To: _____