STATE OF TEXAS §

COUNTY OF GOLIAD §

ROAD USE AGREEMENT BETWEEN GOLIAD COUNTY AND [COMPANY]

WHEREAS, [Company] (hereinafter [Trade Name or Initials]) intends to conduct [describe operation], (hereinafter the "Project") at a site located on [county] [road name]; and

WHEREAS, the proposed project will require the transportation of heavy equipment or loads (loads shall include any building supplies, material or other bulk loads, including rock, gravel, cement, asphalt, timber, etc. in amounts that exceed the capacity of the road) over one or more Goliad county road(s) identified as: [1st road name] and County [2nd road name]; and

WHEREAS, the weight of the equipment will exceed the load bearing capacity of the identified county roads and bridges on the proposed route; and

WHEREAS, the transportation of the equipment or loads may cause substantial damage to the county roads and bridges; and

WHEREAS, [TRADE NAME] and Goliad County agree that the transportation of this equipment or loads is necessary for the Project and that the County should be compensated for any damages or additional maintenance costs incurred by the County as a result of the Project; and

WHEREAS, the [Company] and Goliad county hereby agree and contract as follows:

- 1. [TRADE NAME] may utilize County [1st road name] and County [2nd road name] for the transport of all necessary equipment and/or loads to the Project location on Goliad County [road name] without weight limitations for a time period from a commencement date of [start date] to a termination date of [end date]. The Project time period may be extended only by agreement of the County after not less than five (5) days notice of a need for extension by [Company].
- 2. **[TRADE NAME]** shall pay Goliad County its actual cost, including labor, equipment use (including fuel, depreciation and overhead costs) and materials, for all repairs, replacement or maintenance incurred as a result of the transport of equipment to the Project location. An estimate of these costs is attached as Exhibit 1 and incorporated herein by reference.
- 3. **[TRADE NAME]** shall **[detail preliminary work [Company]** will perform prior to use of road, for example: install two 1" X 8' X 25' steel plates across the bridge located north of the intersection of County **[road name]** and County **[2nd road name]** for additional support.
- 4. **[TRADE NAME]** shall provide a surety bond in the sum of [\$ Estimated cost] dollars with the County Treasurer of Goliad County upon execution of this agreement. All provisions of this agreement are contingent upon review and approval of the bond by the Goliad County Commissioners Court. The bond shall provide for prompt payment by the surety upon demand by [county] County for the repairs, replacement and maintenance costs incurred to return the road to substantially the same condition the road possessed prior to the commencement date of

the project. However, the liability of <code>[TRADE NAME]</code> for such costs is not limited to the face amount of the bond and <code>[TRADE NAME]</code> agrees to pay any additional sums actually incurred to return the road to substantially the same condition of the road prior to the commencement date upon demand.

5.	[TRADE NAME] agrees to provide 48 hours notice to Goliad County before transporting any equipment on County [road name] and County [2nd road name] that would interrupt the normal flow of traffic. [Trade name] agrees to bear the cost of any County manpower and equipment necessary to interrupt and redirect traffic during any interruption of the normal flow of traffic.								
	Agreed and Executed this,,								
				Goliad County	Judge				
	Approved by	Goliad	County	Commissioners	Court o	n the		day	of
Attest:									
Golia	d County Clerk								
				Authorized Agent for [Company]					
THE STATE OF TEXAS,				§ §					
COUNTY OF GOLIAD				\$ \$					
declare to exec	I,	ocument	on behalf	of [Compa] of the corporation	, be <mark>ny</mark>] and that	ing by m the has b	e first du een duly a	ly swo: uthoriz	rn,
				Notary'	Public, Stat 's Typed/Pri nmission ex	nted Nam		_	

Exhibit 1

Estimate of Cost:

Length of [1st road name]:

Type of road surface/material:

Number of culverts/bridges:

Any other special features:

Length of [2nd road name]:

Type of road surface/material:

Number of culverts/bridges:

Any other special features:

Anticipated cost of Repair:

Repeat for each Road: [1st road name]

Foreman at \$ per hour x hours = \$ Equipment Operator at \$ per hour x hours = \$ Other at \$ per hour x hours = \$ Equipment: (Rate includes fuel, depreciation and overhead costs (insurance). Truck at \$ per hour x hours = \$ Grader at \$ per hour x hours = \$ Other at \$ per hour x hours = \$ Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$ Other at \$ per hour x hours = \$	Labor: (Rate includes salary/benefits/overtime, where applicable)							
Other at \$ per hour x hours = \$ Equipment: (Rate includes fuel, depreciation and overhead costs (insurance). Truck at \$ per hour x hours = \$ Grader at \$ per hour x hours = \$ Other at \$ per hour x hours = \$ Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Foreman at	\$ per hour x hours = \$						
Equipment: (Rate includes fuel, depreciation and overhead costs (insurance). Truck at \$ per hour x hours = \$ Grader at \$ per hour x hours = \$ Other at \$ per hour x hours = \$ Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Equipment Operator at \$_	per hour x hours = \$						
Truck at \$ per hour x hours = \$ Grader at \$ per hour x hours = \$ Other at \$ per hour x hours = \$ Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Other at	\$ per hour x hours = \$						
Grader at \$ per hour x hours = \$ Other at \$ per hour x hours = \$ Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Equipment: (Rate includes fuel, depreciation and overhead costs (insurance).							
Other at \$ per hour x hours = \$ Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Truck at	\$ per hour x hours = \$						
Material: (Rate includes cost to acquire and transport to location) Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Grader at	\$ per hour x hours = \$						
Base material \$ per hour x hours = \$ Asphalt \$ per hour x hours = \$	Other at	\$ per hour x hours = \$						
Asphalt	Material: (Rate includes cost to acquire and transport to location)							
1	Base material	\$ per hour x hours = \$						
Other at \$ per hour x hours = \$	Asphalt \$_	per hour x hours = \$						
	Other at	\$ per hour x hours = \$						
Total for [1 st road name] \$	Tz	otal for [1 st road name]						