

RELEASE
FOR
STORM WATER DRAINAGE SYSTEM
OUTSIDE A
COUNTY HIGHWAY RIGHT OF WAY

MADE AND CONCLUDED this _____ day of _____, 20____, by and between

Name: _____

Address: _____

party(ies) of the first part, and

Herkimer County Department of Highways
313 Third Avenue
Herkimer, NY 13350

party of the second part,

WHEREAS, the party of the first part is establishing and/or maintaining a storm water drainage system as more fully set forth herein and

WHEREAS, the County of Herkimer, by its Department of Highways, requires access to said premises owned by the undersigned at a location more fully set forth herein and

WHEREAS, the party of the first part for and in consideration of the sum of One Dollar (\$1.00) paid by the Herkimer County Department of Highways, shall permit and allow Herkimer County Department of Highways, its agents, officers, employees and contractors the right and privilege to go upon the land and premise of the party of the first part with vehicles, tools and workmen for the purpose of

**ESTABLISHING AND MAINTAINING A
STORM WATER DRAINAGE SYSTEM
OUTSIDE THE HIGHWAY RIGHT OF WAY**

To be placed on lands or premise known as

_____ Official property address or description of location

at a distance of approximately _____ feet from the centerline of
_____ in the town(s) of _____

County Route Name and Number

The system shall consist of:

NOW, upon agreement between the parties, it is hereby agreed that:

The right and privilege hereby granted shall bind the party of the first part, their heirs, legal representatives and assigns to this instrument.

Herkimer County Department of Highways shall have rights to free ingress, egress and regress upon the lands and premises at all times without unnecessary damages thereto during installation, repair or maintenance.

The purposes for drainage system installation are including, but not limited to: safety concerns of the traveling public, highway rehabilitation/reconstruction, and flooding as determined by Herkimer County Department of Highways. The drainage systems include, but not limited to: open ditches, pipes, manholes, catch basins and all other appurtenances.

The party of the first part does hereby release and save harmless Herkimer County Department of Highways, its agents, officers, employees and contractors of and from any and all damages the party of the first part has or may hereafter sustain on account of storm water drainage system installation, repair and maintenance.

IN WITNESS WHEREOF, the party(ies) of the first part have set their hand and seal.

Owner

Owner

Witnessed By: _____
Herkimer County Department of Highways Employee