



ESTABLISHED 1879

Westmoreland County, Commonwealth of Pennsylvania

3735 SEVENTH STREET ROAD
NEW KENSINGTON, PA 15068

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EXCESS MAINTENANCE AGREEMENT

THIS AGREEMENT entered into on this the _____ day of _____, 20____ between _____ Applicant/Permittee, party of the first part and the Township of Upper Burrell, Westmoreland County, Pennsylvania, party of the second part, hereby witnessed as follows:

1. Applicant/Permittee, in consideration of the issuance of a permit for overweight use of roads pursuant to Ordinance No. 2 of 1989 of the Township of Upper Burrell, Westmoreland County, Pennsylvania, hereby covenants and agrees to accept financial responsibility for excess maintenance of the posted highway or portion thereof to be used by the Applicant/Permittee.

2. Excessive maintenance is maintenance required due to heavy hauling in excess of usual and routine activities. Normal maintenance activities include minor patching, cutting shoulders, and repairing worn out pipes. Excess maintenance activities include, but are not limited to, extensive patching and base repair, shaping shoulders that are pushed and heaved due to heavy hauling and repairing crushed pipes.

3. It is agreed that any excess maintenance required may be performed by the Township or its contractor or by the Applicant/Permittee or its contractor except that in the case of a self-bonding Applicant/Permittee. The Applicant/Permittee agrees that all work will be performed by the said Applicant/Permittee or its contractor.

4. The Township of Upper Burrell will continue to be responsible for normal maintenance activities.

IN WITNESS WHEREOF, intending to be legally bound hereby, the Applicant/Permittee has hereunto set its hand and seal on the day and year first above written.

Applicant/Permittee

By: _____

Title: _____