

OWNER'S COVENANT

- A. Any grading, special ditching, alteration of slopes, or any other disturbance of any portion of the right of way, shall be restored by and at the expense of the applicant, to the condition existent prior to such disturbance and to the satisfaction of the Town of Wilson or designated representative.
- B. The entire cost of the driveway construction or installation shall be the obligation of the applicant.
- C. Applicant **shall** at all times keep the driveway culvert free of debris and other obstructions to provide proper drainage along the highway.
- D. Maintenance and upkeep of driveway on and Right of Way shall be the responsibility of the applicant.
- E. The area within 5 feet of a property line shall be a restricted area over which no driveway may be developed. The 5 foot restriction shall be measured parallel to the pavement edge and shall be effective between the right of way line and a line 10 feet from and parallel to the pavement edge. This is to serve as an island area should the adjoining property owner request a permit for a driveway.
- F. The centerline of that part of the driveway lying on the county right of way shall be at approximately right angles to the pavement except as topography may make certain angular placement necessary.
- G. Driveway width is measured at the ditch line, and is equal to the actual drivable width.
- H. Culvert materials are restricted to corrugated steel, concrete, and Corrugated Polyethylene Pipe (HDPE), meeting AASHTO M 294, Type S Specifications.
- I. At a distance of six (6) feet from the edge of the road pavement, the finished grade of the driveway shall be at least four (4) inches below the grade of the edge of the adjacent pavement.
- J. **This permit is revocable.** If the applicant fails to complete the driveway within 90 days, or if the road right of way is not restored within thirty (30) calendar days, or if the driveway is not installed in accordance with this permit and/or the Town of Wilson rules for driveway construction, the Town may arrange for the restoration, and all resulting costs shall be the obligation of the permit applicant.
- K. The applicant, his successors, or assigns, agree to hold harmless the Town of Wilson and it's duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the issuance or exercise of this permit.
- L. All new driveways shall be constructed to have permanently vegetated sloped sides, unless the streets have curb and gutter. Such construction shall be accomplished using only soil materials. The side slopes of the driveway shall be sloped at no more than a length to height ration of 2.5:1. All slopes shall be seeded or sod by the property owner.

The following special provisions, as deemed necessary by the Town of Wilson duly appointed agents and employees, shall apply to this permit: