

UTAH DEPARTMENT OF TRANSPORTATION PERMIT

C/007/001 Incoming
CC: James
Priscilla

HIGHWAY RIGHT OF WAY ENCROACHMENT

App ID: 60083

Activity:

Function: 3320

Region 4

R4-143320-0

Date: **5/28/2014**

Application of: Carbon County

By: Brad McCourt

Office:(435) 636-3260 Cell:(435) 820-6186 Fax:(435) 636-3264

Address: 120 East Main St Price, UT 84501

is hereby granted subject to: Utah Department of Transportation's (UDOT's) Regulations For the Accommodation of Utilities on Federal Aid and Non Federal-Aid Highway Right-of-Way, Regulations for the Control and Protection of State Highway Rights of Way, Standard Specifications for Road and Bridge Construction, UDOT Specifications for Excavation of State Highway, State Occupational Safety and Health Laws, Manual on Uniform Traffic Control Devices, Instructions to Flaggers, the approved plans, and any special limitations set forth herein, permission for the purpose of **Provide traffic control to remove material from Mine reclamation project along SR0264** within the right of way limits in the following locations: **SR-264 milepost 16+/-**.

Highway 0264 Milepost 16.0000 to 16.5000 in/near Scofield, Carbon county

The permitted work shall commence **5/28/2014** and shall be diligently prosecuted to completion. The work shall be completed and all disturbed surfaces or objects restored on or before **9/1/2014**. In the event work is commenced under this Permit and the permittee fails or refuses to complete the work, UDOT may, at its election, correct any deficiencies or otherwise complete the permitted work at the expense of the permittee. Upon receipt of an invoice of the costs incurred by UDOT, permittee shall immediately pay the amount due. If an action is required to be filed in court to collect the amount due, permittee shall be liable for UDOT's costs and fees, including attorney's fees.

Before work permitted is commenced, the permittee shall notify Station Supervisor (Listed below). By applying for the Permit and UDOT issuing the Permit, permittee will comply with all instructions, conditions, requirements, and regulations of UDOT with respect to performance of the work described in the Permit. Permittee will properly control and warn the public of said work within UDOT's rights-of-way to prevent any accidents. Permittee shall defend, indemnify, and hold harmless UDOT from all damages or claims, including attorneys fees, arising out of any and all actions performed under this Permit by permittee, permittee's employees, agents or contractors, including failure to comply with terms and conditions in this Permit. Permittee shall pay for UDOT's inspections fees.

Permittee shall hold an insurance policy in the amount of \$1,000,000.00, as determined by the Regional Director/District Engineer.

Permittee shall not perform any work on state highway rights-of-way beyond those areas of operation described on this Permit.

If permittee fails to comply with UDOT's regulations, specifications, or instructions pertinent to this Permit, the Region Director/District Engineer or his duly authorized representative, may by verbal order, suspend the work until the violation is corrected. If permittee fails or refuses to promptly comply, the Region Director/District Engineer or his authorized representative may issue a written order stopping all or any part of the work. When satisfactory corrective action is taken, an order permitting resumption of work may be issued.

****** 24 Hours before starting work, call Dale Stapley at (435) 636-1402 ******

Special Limitations:

- This agreement and/or permit is UDOT approval only. You are responsible to obtain clearances from rail roads, private propertyowners and local jurisdictions that you are working within.
- Use current edition of UDOT standard drawing for traffic control. Use MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be posted at the encroachment site for entire encroachment period.
- This agreement and/or permit is UDOT approval only. You are responsible to obtain clearances from railroads, private property owners and local jurisdictions that you are working within.
- ANSI 107-2004 Class II clothing (or greater) is required of all workers within the right-of-way.
- Call 811, or contact Blue Stakes and check for other utilities in the area prior to excavation.
- If a historic, archeological, or paleontological item is encountered, construction shall be immediately stopped and UDOT notified.
- An inspector may be required at permittee's expense, with 48 hours notice. By accepting this permit, I agree to pay for inspection fees.
- Licensee is responsible for repairing and/or restoring any portion of the roadway damaged during construction.
- Licensee must restore shoulder of highway to its original or better condition. Including reseeding, replacing sidewalk, fencing, pipe, culverts or signs removed or damaged during construction and any other roadway features.

By carrying out the activities allowed by this permit it is conclusive evidence that I have accepted all provisions, limitations, and restrictions of the permit and attachments, understand and agree to all penalties for failing to comply with them, and understand my ability to review a permit and applicable attachments at the appropriate region/district office.

Brad McCourt (see app for signature)

(Permittee)

**UTAH DEPARTMENT OF TRANSPORTATION
PERMIT**

Approved By:



(for Region Director/District Engineer)