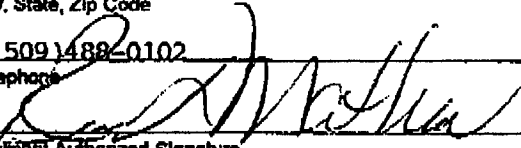
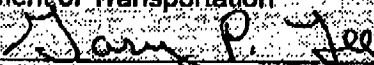




# Application for Permit or Franchise Request to Occupy State DOT Right of Way

<b>Applicant - Please print or type all information</b>			
Application is Hereby Made:			
<input type="checkbox"/> Permit	<input type="checkbox"/> Category 1 Fee \$500	<input checked="" type="checkbox"/> Category 2 Fee \$300	<input type="checkbox"/> Category 3 Fee \$150
<input checked="" type="checkbox"/> Franchise	<input type="checkbox"/> Consolidation Fee \$300	<input type="checkbox"/> Renewal Fee \$250	<input type="checkbox"/> General Permit No Fee
<input type="checkbox"/> Amendment			
Intended Use of State Right of Way is to Construct, Operate, and Maintain a: <u>16" D.I. Water Main, 50PSI, 2500 GPM Hydrants and Appurtenances-This portion of Improvements is outside of jurisdiction and corporate limits of City of Othello, pursuant to R.C.W. 47.24.020. Emergency Contact Phone No. - Public Works Director - (509)488-3302.</u>			
State Route Number <u>24</u>		County <u>ADAMS</u>	
At Mile Post	From Mile Post <u>78.45</u>	To Mile Post <u>78.55</u>	
Beginning in The <u>SE</u> 1/4 of the <del>NE</del> <u>SE</u> 1/4 of Section <u>9</u> Township <u>15</u>	North: Range <u>29</u> <del>West</del> East W.M.		
Ending in The <u>SE</u> 1/4 of the <u>SE</u> 1/4 of Section <u>9</u> Township <u>15</u>	North: Range <u>29</u> <del>West</del> East W.M.		
Fees in the amount of \$ <u>300.00</u> are paid to defray the basic administrative expense incident to the processing of this application according to WAC 468-34 and/or RCW 47.32 and amendments. The applicant further promises to pay additional costs incurred by the Department on the behalf of the applicant.			
<b>Checks or Money Orders are to be made payable to "Washington State Department of Transportation."</b>			
Applicant Field Review Contact Person		<b>Authorization to Occupy Only If Approved Below</b>	
Name: <u>David Van Cleve, P.E.</u> Gray & Osborne, Consulting Engineers Phone: <u>(509)453-4833</u>			
The Washington State Department of Transportation referred to as the "Department," hereby grants this document subject to the terms and conditions stated in the General Provisions, Special Provisions, and Exhibits attached hereto and by this reference made a part hereof:			
<u>City of Othello</u> Applicant (Referred to as Grantee) <u>512 E. Main Street</u> Address <u>Othello, WA 99344</u> City, State, Zip Code <u>(509)488-0102</u> Telephone  Applicant Authorized Signature <u>Rex Mather</u> Print or Type Name <u>City Administrator</u> Title <u>91-6001482</u> Federal Tax ID Number or Social Security Number Dated this <u>24th</u> day of <u>September</u> , 1996		<b>Exhibits Attached (Department Use Only)</b> EXHIBIT "A" Special Provisions, Pages 1-3 EXHIBIT "B" Utility Facility Desc. Form, Page 1 of 1 EXHIBIT "C" Right of Way Plan Titled, "SR 24, Sagehill Road to Jct. SR 26", sheet 9 of 10 sheets, page 1-1 Construction of facilities proposed under this application shall begin within one year and must be completed within three years from the date of approval. Otherwise, this document shall become null and void. <b>Approval</b> Department of Transportation By:  Title: <u>REGIONAL UTILITIES ENGINEER</u> Date: <u>OCTOBER 30, 1996</u>	
Grantee Reference (W.O.) Number	Permit Number	Expiration Date <u>10/30/2021</u>	
	Franchise Number <u>20178</u>		
	Amendment Number	State Route <u>24</u>	



**Washington State  
Department of Transportation**

**Special Provisions for  
Permits and Franchises**

Permit/Franchise No. 20178

Applicable provisions are denoted by (  )

1. No work provided for herein shall be performed until the Utility is authorized by the following Department representative:  
Lionel Heinhold - Maintenance Supt.  
804 N. Basin St.  
Ephrata, WA 98823  
(509) 754-2056
2. A copy of the permit or franchise must be on the job site, and protected from the elements, at all times during any of the construction authorized by said permit/franchise.
3. In the event any milepost, right of way marker, fence or guard rail is located within the limits of this project and will be disturbed during construction, these items will be carefully removed prior to construction and reset or replaced at the conclusion of construction to the satisfaction of the Department. All signs and traffic control devices must be maintained in operation during construction.
4. Prior to construction, the Utility shall contact the Department's representative (listed under Special Provision Number 1) to ascertain the location of survey control monuments within the project limits. In the event any monuments will be altered, damaged or destroyed by the project, appropriate action will be taken by the Department, prior to construction, to reference or reset the monuments. Any monuments altered, damaged or destroyed by the Utility's operation will be reset or replaced by the Department at the sole expense of the Utility.
5. During the construction and/or maintenance of this facility, the Utility shall comply with the Manual on Uniform Traffic Control Devices for Streets and Highways. If determined necessary by the Department, the Utility shall submit a signing and traffic control plan to the Department's representative for approval prior to construction or maintenance operations.
6. The Utility shall notify the Department's representative upon completion of the work under this permit/franchise so that a final inspection can be made and shall immediately furnish to the District Utilities Engineer a revised franchise or permit plan of the final location or relocation of its facilities if the original permit/franchise plans have been revised during the course of construction.
7. Prior to the beginning of construction, a preconstruction conference shall be held at which the Department and the Utility and utility's engineer, contractor, and inspector shall be present.
8. Should the Utility choose to perform the work outlined herein with other than its own forces, a representative of the Utility shall be present at all times unless otherwise agreed to by the District representative. All contact between the Department and the Utility's contractor shall be through the representative of the Utility. Where the Utility chooses to perform the work with its own forces, it may elect to appoint one of its own employees engaged in the construction as its representative. Failure to comply with this provision shall be grounds for restricting any further work by the Utility within the State right of way until said requirement is met. The Utility, at its own expense, shall adequately police and supervise all work on the above described project by itself, its contractor, subcontractor, agent, and others, so as not to endanger or injure any person or property.
9. The Utility agrees to schedule the work herein referred to and perform said work in such a manner as not to delay the Department's contractor in the performance of his contract.
10. Work within the right of way shall be restricted to between the hours of daylight and , and no work shall be allowed on the right of way Saturday, Sunday, or holidays, unless authorized by the Department. Any lane closures must be submitted for approval in advance of use. The hours of permitted closure may differ from the above noted hours.
11. If determined necessary by the Department, any or all of the excavated material shall be removed and replaced with suitable material as specified by the Department.
12. Wherever deemed necessary by the Washington State Department of Labor and Industries and/or the Department for the safety of the workers and the protection of the highway pavement, the sides of the trench (or excavation) shall be adequately supported to reduce the hazard to workers and prevent any damage by cracks, settlement, etc., to the pavement. No other work in the trench or excavation area will be allowed until this requirement is met.
13. Trenches shall be backfilled as soon as possible behind the laying of pipe or cable. No open trenches shall be left overnight. This includes boring or jacking pits which shall be covered with material of sufficient strength to withstand the load of highway traffic if the pit is not to be backfilled with material each night.

14. All slopes, slope treatment, top soil, ditches, pipes, etc., disturbed by this operation shall be restored to their original cross section and condition. All open trenches shall be marked by warning signs, barricades, lights and if necessary, flagmen shall be employed for the purpose of protecting the traveling public. Roadside operations may be specified by the Department's representative.
15. Where applicable, markers shall be placed at each right of way line for all crossings and placed every 500 feet for longitudinal lines to include: company name, pipeline or cable identification, telephone number for contact, and the distance from the marker to the line in feet. Markers shall be placed so as to minimize interference with maintenance operations. Markers shall also be placed at all changes in offset distance from right of way line or centerline of highway.
16. The utility shall install detector tape or cable approximately 12 inches above the underground facility. The tape shall conform to the standards of the American Public Works Association Uniform Color Code.
17. In the event that construction and maintenance of the highway facility within the proximity of the utility installation becomes necessary during the period which the Utility will occupy a portion of the right of way, it is expressly understood that, upon request from the Department's representative, the Utility will promptly identify and locate by suitable field markings any and all of their underground facilities so that the Department or its contractor can be fully apprised at all times of its precise location.
18. The shoulders, where disturbed shall be surfaced with crushed surfacing top course \_\_\_\_\_ inches minimum compacted depth, or as directed by the Department's representative. The surface of the finished shoulder shall slope down from the edge of pavement at the rate of 0.02 foot per foot unless otherwise directed. The restored shoulder must not have any strips or sections less than 2 feet wide. The restored shoulder shall be surfaced with \_\_\_\_\_
19. All crossings of roadways surfaced with oil, asphalt concrete pavement or cement concrete pavement shall be accomplished by jacking, boring, or augering the cable or pipe under the roadway, unless specifically provided for otherwise under special provision No. 21.
20. The cable or pipe shall be placed within a suitable encasement as specified on the attached exhibits. Said encasement pipe shall be jacked, bored, or augered through the highway grade with a minimum depth of 5 feet from top of casing to finished road grade and a minimum of 3 1/2 feet of depth from bottom of ditch to top of casing.
21. Open trench construction will be allowed only at those locations identified on the plan exhibits and/or listed on Exhibit(s) \_\_\_\_\_, with restoration to be performed as noted on the attached "Open Cut Detail," Exhibit \_\_\_\_\_
22. No routine maintenance of this facility will be allowed within the limited access area.
23. Routine maintenance of this facility will not be permitted from the through traffic roadways or ramps of SR \_\_\_\_\_ and all service to this facility will be by access from \_\_\_\_\_
24. Bond coverage required to ensure proper compliance with all terms and conditions of said permit or franchise will be furnished by a Blanket Surety Bond held at Headquarters in Olympia.
25. The Utility shall provide to the Department in the amount of \$ \_\_\_\_\_ a surety bond written by a surety company authorized to do business in the State of Washington or an escrow account with a bank approved by the Department, prior to start of construction, to insure compliance with any and all of the terms and conditions of this permit or franchise. Said bond/account to remain in force for a period ending one year after date of completion of construction.
26. The utility agrees to bury the aerial lines covered by this franchise in Scenic Classes "A" and "B", as defined on attached Exhibit(s) \_\_\_\_\_ either at the time of major reconstruction of the line, for that portion of line to be reconstructed, or prior to expiration of this franchise.
27. Utility agrees to bury the aerial lines covered by this franchise in Scenic Classes "A", "AX", "B", and/or "BX", as defined on attached Exhibit(s) \_\_\_\_\_ at the time the pole owner buries its facility.
28. The Utility agrees to bury or relocate aerially the existing overhead lines in Scenic Classes "AX" and "BX", as defined on attached Exhibit(s) \_\_\_\_\_ to a location acceptable to the Department either at the time of major reconstruction of the line, for the portion of line to be reconstructed, or prior to the expiration of this franchise. The existing aerial lines may remain in their present location if acceptable to the Department.
29. The Utility agrees to be responsible for any construction deficiencies as a result of the roadway installation.
30. No lane closures shall be allowed except as approved by the Department representative. Approvals may cause revision of special provisions, including hours of operation.
31. The responsibility of the Utility for proper performance, safe conduct, and adequate policing and supervision of the project shall not be lessened or otherwise affected by Department approval of plans, specifications, or work or by the presence at the work site of Department representatives, or by compliance by the Utility with any requests or recommendations made by such representatives.
32. All material and workmanship shall conform to the Washington State Department of Transportation *Standard Specifications for Road, Bridge and Municipal Construction*, current edition, and amendments thereto, and shall be subject to inspection by the Department.
33. Any changes or modifications to the approved franchise/permit shall be subject to prior review and approval by the Department.

**SPECIAL PROVISIONS (continued)**

- 34. The Utility shall be responsible to acquire any necessary environmental and/or regulatory permits.
- 35. The Utility shall contact the Department's Traffic Systems Office before construction begins to determine Traffic Control requirements:  
Jennene Ring  
North Central Region Traffic Engineer  
P. O. Box 98  
Wenatchee, WA 98807-0098  
(509) 663-9638
- 36. The Utility shall notify the Department's Area 2 Maintenance Superintendent a minimum of two business days before working at any location within the Department's R/W (see Special Provision No. 1).
- 37. All of the Utility's operations within the Department's right of way shall be subject to inspection by the State, at the expense of the Utility. Nothing, in either inspection or acceptance, shall reduce the Utility's responsibility for their work.
- 38. Only equipment with rubber tires or street pads will be allowed on the roadway. Tracked vehicles with cleats or other devices that damage the road surfacing will not be allowed.
- 39. The Utility shall be responsible to bury, or remove from the Department's R/W, all rocks not previously existing above the original contour.
- 40. All construction under this Franchise shall comply with the safety regulations of Washington State Department of Labor and Industries.
- 41. Final cleanup, within R/W, shall be completed within one week after installation of the facility.
- 42. Fire hydrants shall be constructed within 3 ft. of the right of way line.
- 43. All signs removed shall be re-installed prior to the end of the same day. Regulatory signs shall not be removed.

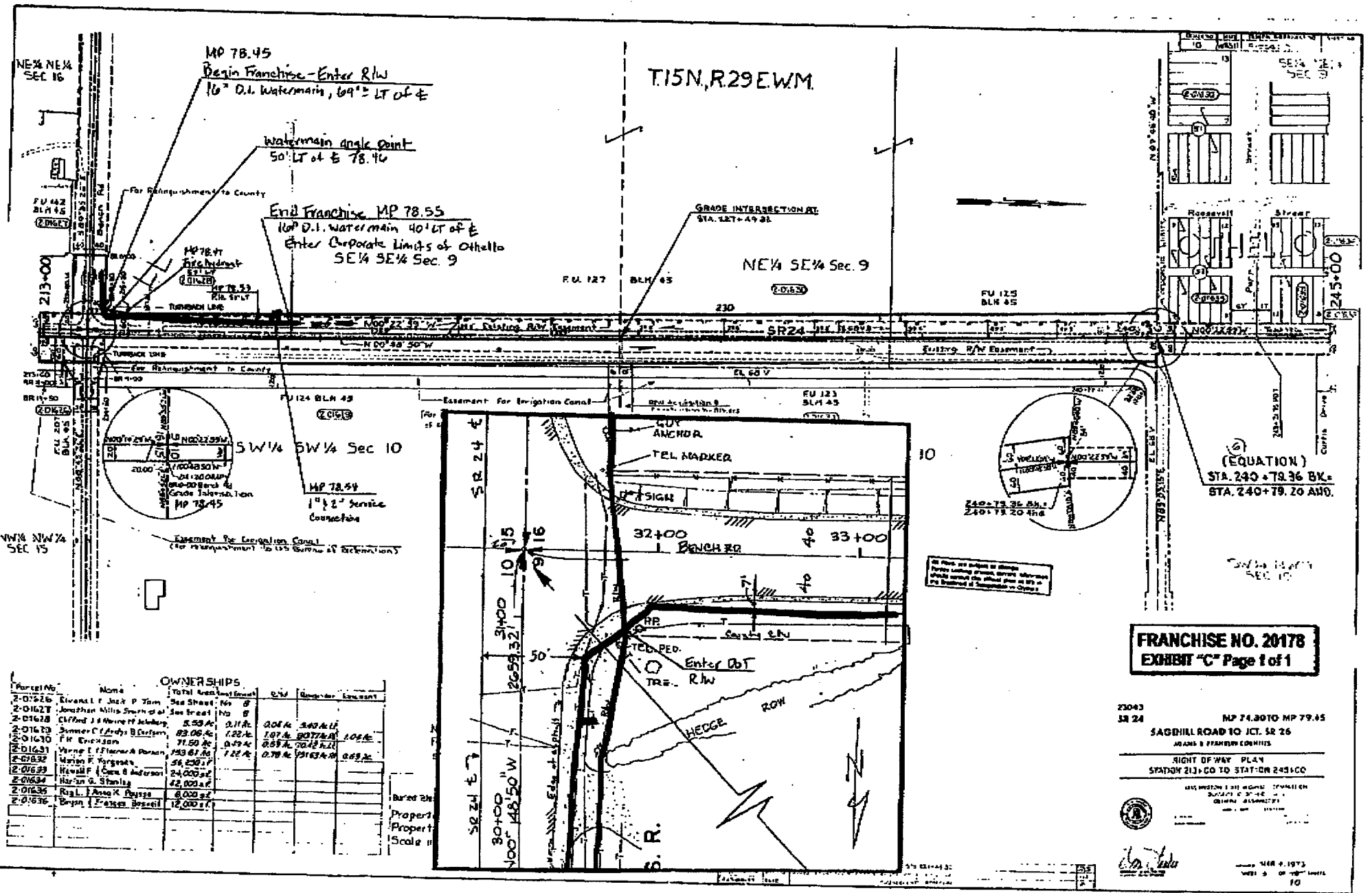
# Utility Facility Description

State Route 24	Highway Scenic Class N/A	County Adams	Township / Section / Range 15 N. 9 29 E.		Utility Reference Number / Work Order Number
Begin MP 78.45	End MP 78.55	Reference MP 78.45, Grade intersection	Distance From 26' from sect. corner	Beginning of Facility SE 1/4, SE 1/4, Sect. 9	End of Facility SE 1/4, SE 1/4, Sect 9
Facility Description 16 inch diam. ductile iron watermain					

## Facility Detail

MP to MP	Lt/ R/ Xing	Offset Distance				D <sub>r</sub>	Description  Item to be installed / constructed, Xing Technique, Control Zone Obj., Enter - Leave R/W	Highway Appurtenance Conflicts  Including Pertinent Topography Info. (Turnouts, Road Approaches, Intersections, Cut, Fill, Culvert, Guardrail, etc.)	R/W  Width and Access Control	Remarks
		From Centerline	From Pavement Edge	Depth/ Height						
78.45	Lt.	69'	10'	5'		Enter R/W from Bench Rd.		69'+-	non-limited access controlled	
78.46	Lt.	50'	7'	5'		angle point		65'+-		
78.47	Lt.	57'	14'	n/a		fire hydrant		60'	hydrant 3' from R/W	
78.53	Lt.	57'	29'	n/a		fire hydrant		60'	hydrant 3' from R/W	
78.54	Lt.	40'-60'	n/a	4'-5'		1" & 2" service connect.	right angle connections	60'	leave R/W to the west	
78.55	Lt.	40'	12'	5'		Enter corp. limits Othello		60'		

Permit Number	Franchise Number 20178	Amendment Number	Utilities References (W.O.) Number	State Route 24	Exhibit B
Utilities Field Review Contact Person David Van Clevé, Gray & Osborne, Consul		Telephone Number (509)453-4833		Sheet Number 1 of 1	



**OWNER SHIPS**

Parcel No.	Name	Total Ac.	Int.	Comp.	Res.	Other
2-01526	Eivand L. Jack P. Tom	See Sheet No. 8				
2-01627	Jonathan Mills Smith et al	See Sheet No. 8				
2-01628	Clifford J. & Marie H. Leberg	8.53 Ac.	0.11 Ac.	208 Ac.	349 Ac.	
2-01629	Summer C. & Judy B. Carlson	83.06 Ac.	1.22 Ac.	107 Ac.	20778 Ac.	108 Ac.
2-01630	F.H. Erickson	71.50 Ac.	0.99 Ac.	858 Ac.	2042 Ac.	
2-01631	Vernon E. & Florence A. Pearson	193.61 Ac.	1.22 Ac.	0.78 Ac.	19162 Ac.	669 Ac.
2-01632	Vernon F. Vargese	56,200 sq ft				
2-01633	Harold F. & Carol B. Anderson	24,000 sq ft				
2-01634	Harlan G. Stanley	82,000 sq ft				
2-01635	Rog. L. & Anna K. Payne	8,000 sq ft				
2-01636	Devin J. & Ellen Bessel	12,000 sq ft				

**FRANCHISE NO. 20178**  
**EXHIBIT "C" Page 1 of 1**

23043  
 SR 24  
 MP 74.80 TO MP 79.45  
 SAGEHILL ROAD TO JCT. SR 26  
 ADAMS & FRANKLIN COUNTIES  
 RIGHT OF WAY PLAN  
 STATION 213+00 TO STATION 243+00  
 PREPARED BY: [Signature]  
 DATE: 1/27/09

1/27/09  
 10