SPECIAL ROAD USE AGREEMENT CONTRACT

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}

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF UPSHUR

The undersigned, _____Johnson Timber____, hereinafter referred to as First Party, enters into an agreement with Upshur County Commissioner of Precinct No. _4_, Upshur County, and in order to get material to market it is necessary to use a portion of Upshur County roads located in Precinct No. _4_, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as a result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in tenths)

3 miles on N Caribou off Hyw 154

2.

First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road, so that said road will be open to travel by the public at all times.

3.

First Party agrees to grade, maintain and otherwise repair said road, using its own equipment, labor and materials, if any needed, during the duration of time that First Party is _hauling logs____from lands location in Precinct No. _4_, Upshur County.

4.

First Party agrees to put said road back into same condition as it was prior to the commencement of hauling operations on the part of First Party.

5.

First Party agrees to POST PERFORMANCE BOND in the amount of \$-0-, to Upshur County Commissioner's Court to insure performance of agreement.

6.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

B-Z_ First Party Signature

P=0 BOX 69 Street or Box

<u>PHeBa</u> <u>MS</u> <u>39755</u> City, State and Zip Code

<u>662 494 4492</u> Telephone Bz 903 650 0942

Barpeic fract Timber Tract / Property Owner

Issued by fisc Afteller Valid 4/23/24 to 7/23/24

PERMIT ISSUED NOT TO EXCEED 90 DAYS UNLESS OTHERWISE NOTED

A COPY OF THIS PERMIT MUST BE IN EVERY TRUCK BEING USED

APPROVAL

TO: Etex Telephone Coop., Inc. P.O. Box 130 Gilmer, TX 75644

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed <u>New</u> <u>Fiber Optic</u> line across <u>Smilax RD and Brandy RD</u> as shown by accompanying drawings and notice dated <u>Approved</u>, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.

2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.

3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.

4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of Supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)

5. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of a bridge unless approved by the County Engineer in writing. No lines shall be placed inside any culvert or within 10 feet of the closest point of same.

6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.

7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.

8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.

9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.

10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED:

Road Administrator

APPROVED:

NOTICE OF PROPOSED INSTALLATION NOTICE OF PROPOSED INSTALLATION PIPE AND/OR UTILITY LINES

DATE: 04/12/2024

 TO: UPSHUR COUNTY COMMISSIONERS COURT c/o UPSHUR COUNTY ENGINEER UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT P. O. BOX 730 Gilmer, TX 75644

EXPIRES:06/28/2024

Formal notice is hereby given that <u>Etex Telephone Coop., Inc.</u> proposes to bore a <u>New Fiber Optic</u> line within the right-of-way of County Roads<u>Glenwood Dr., Beaver Bend Rd., Pinewood Dr., Gumwood Trail.</u>, as follows: Installing new fiber and duct on both sides of said county roads. All construction will be directionally bored at a min depth of 60" within the Upshur county Road and Bridge right-of-way.

The location and description of the proposed line and appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County right-of-way as directed by the County Engineer in accordance with current Upshur County specifications.

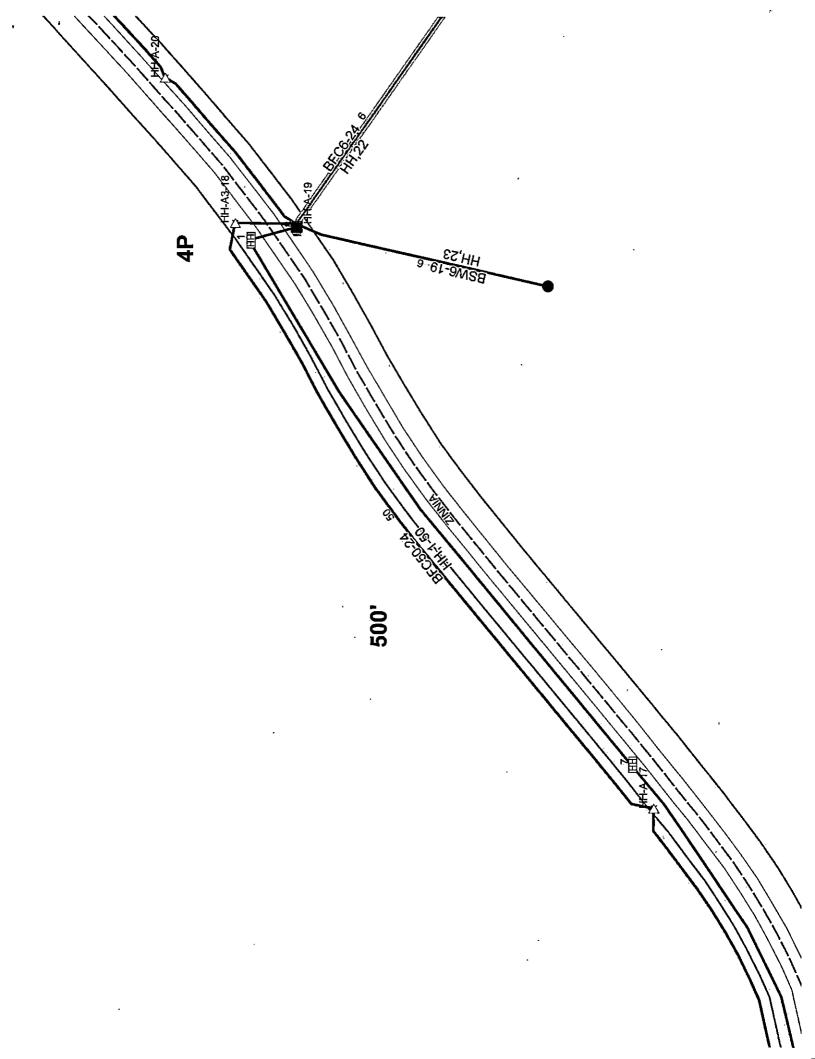
Construction of this line will begin on or after the 17th day of <u>April</u>, 2023 and will be completed within 120 days of the date of approval.

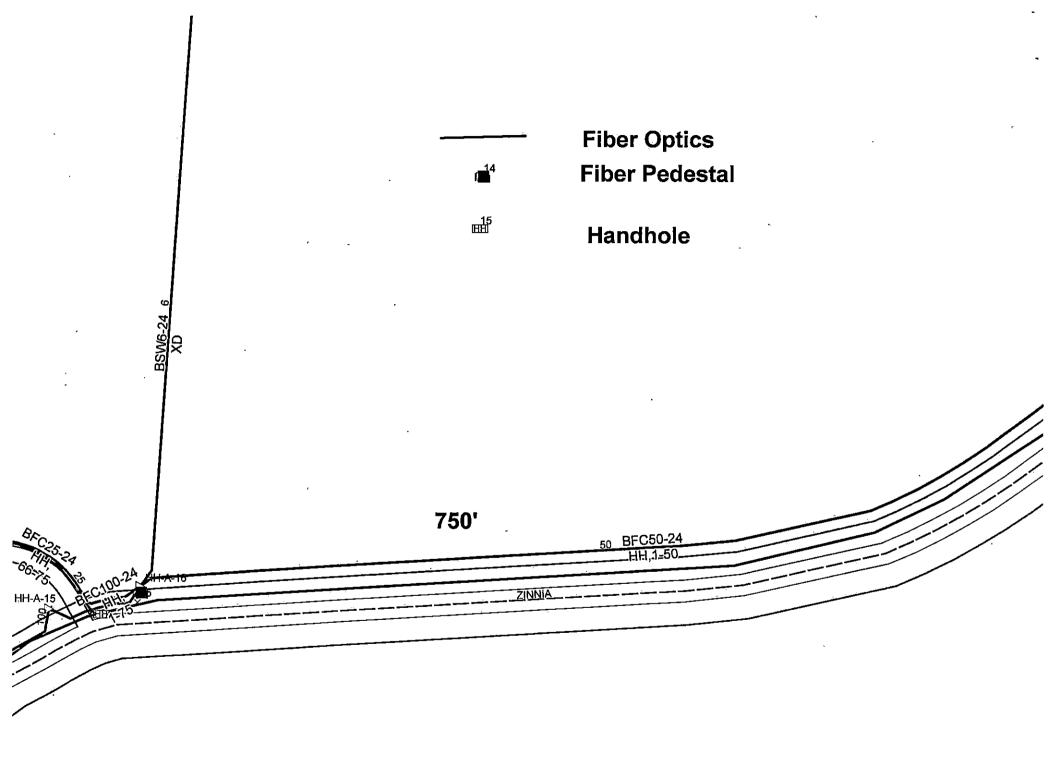
FirmEtex Telephone Coop., Inc.ByTae' BlanksTitleEngineerAddress P.O. Box 130 Gilmer, TX 75644

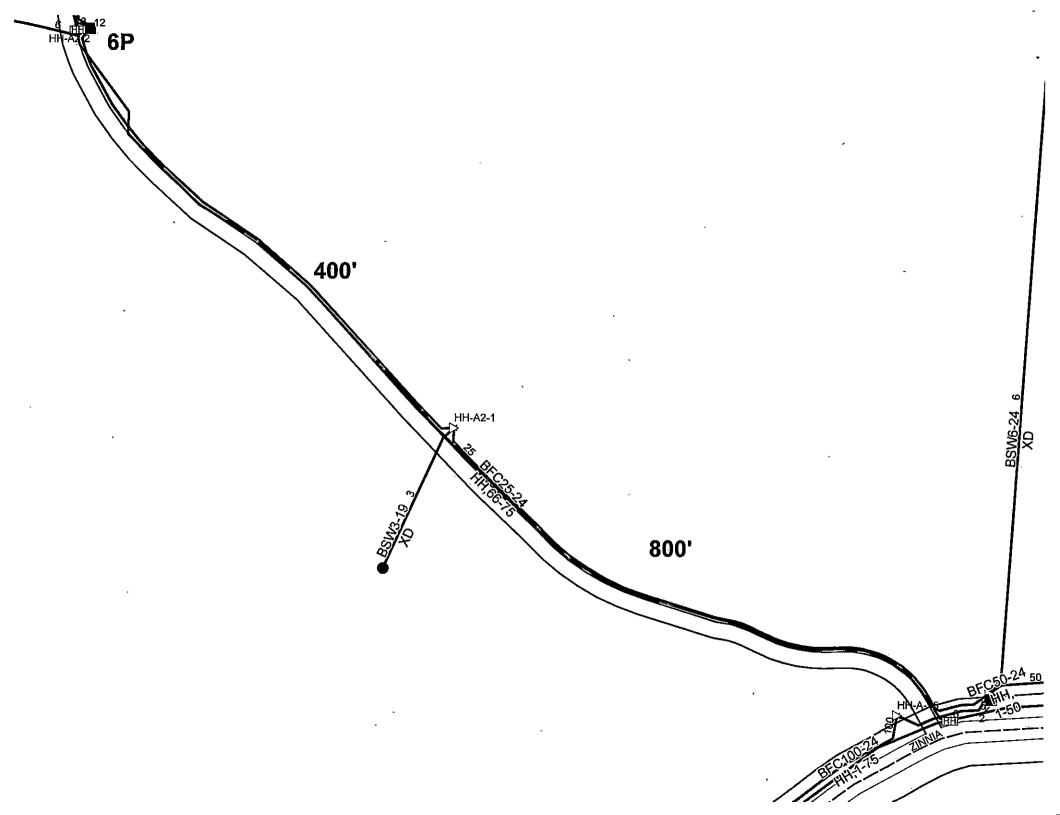
NOTE: 1. This form to be submitted in triplicate for each proposed installation.

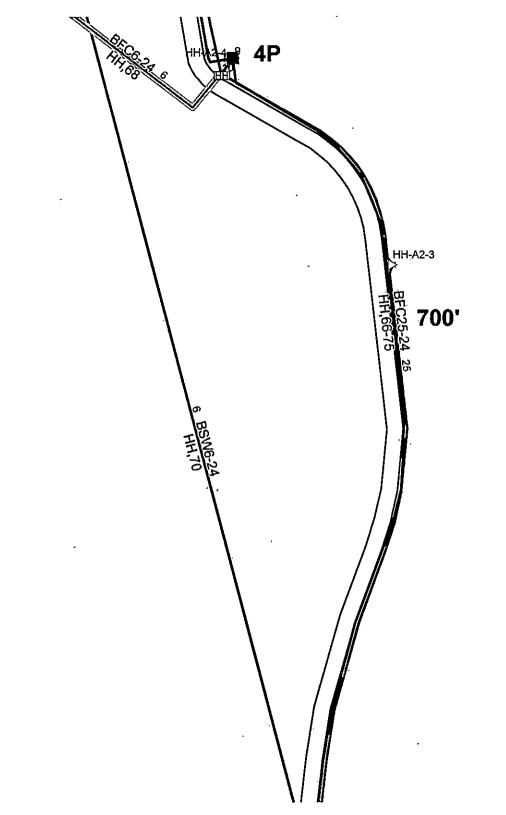
2. The permit shall be in effect until the utility line is removed from the right of way.

3. Inform the County Engineer if work is not completed within this time





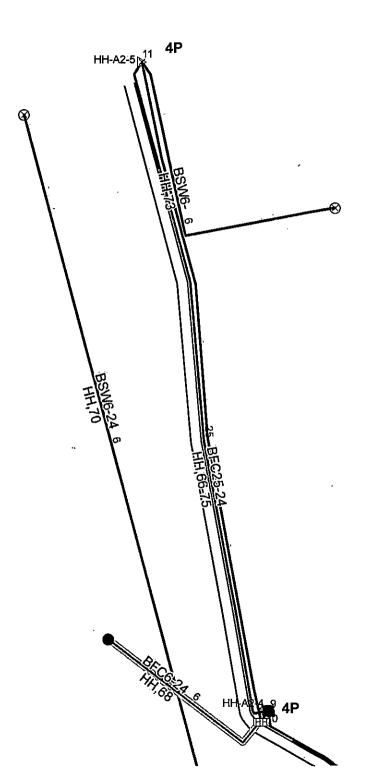


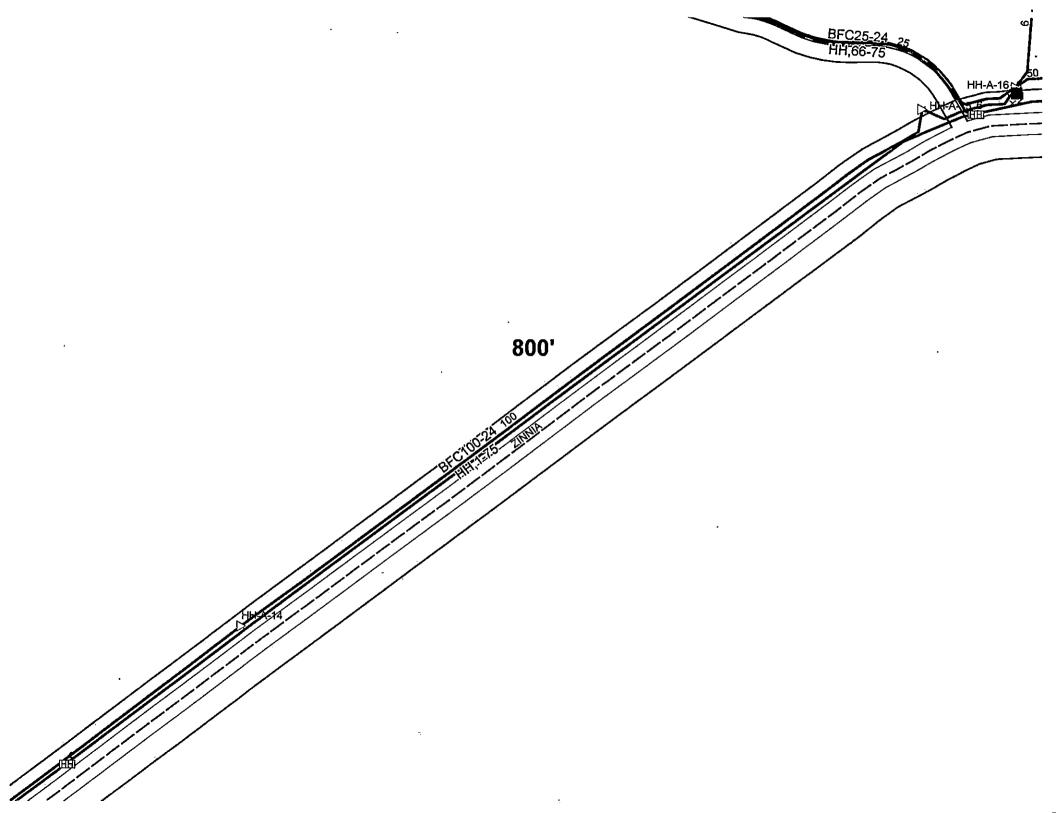


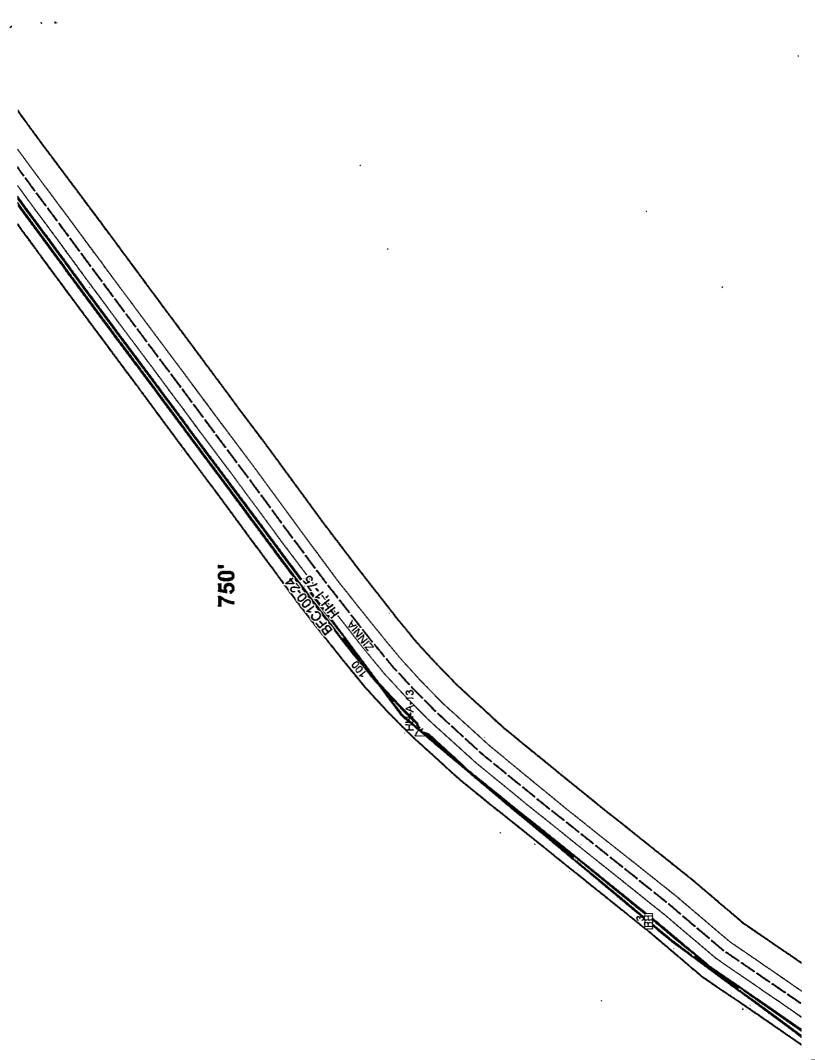
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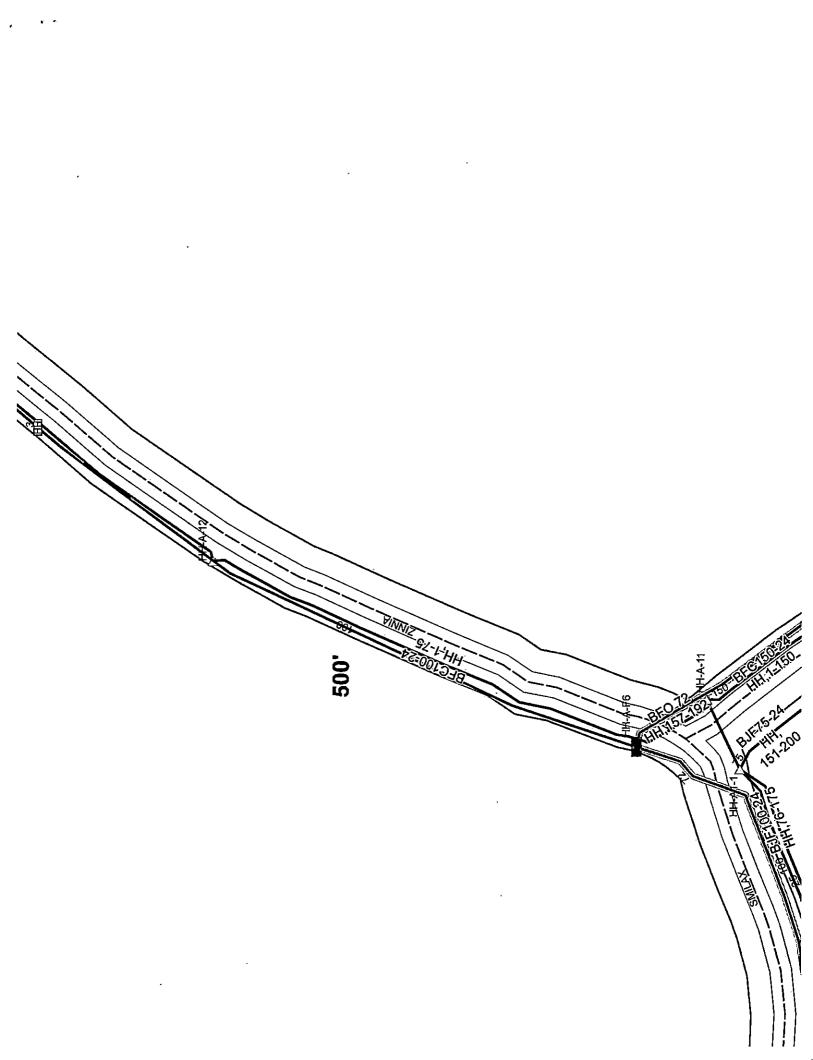
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APPROVAL

DATE 4/29/2024

TO: <u>Charter-Spectrum</u> <u>6060 N Central Expwy, Suite 400</u> Dallas, TX 75206

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed <u>2</u>". <u>HDPE conduits</u> line across <u>Catalpa & Tangerine Road</u> as shown by accompanying drawings and notice dated <u>4/26/2024</u>, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.

2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.

3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.

4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of Supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)

5. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of a bridge unless approved by the County Engineer in writing. No lines shall be placed inside any culvert or within 10 feet of the closest point of same.

6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.

7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.

8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.

9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.

10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED: dministrator

APPROVED:

Chairperson, Upshur County Commissioners Court Revised 11/30/10

NOTICE OF PROPOSED INSTALLATION PIPE AND/OR UTILITY LINES

DATE: 4/28/24

EXPIRES:

TO: UPSHUR COUNTY COMMISSIONERS COURT c/o UPSHUR COUNTY ENGINEER UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT P. O. BOX 730 Gilmer, TX 75644

> Charter-Spectrum 2-2" HDPE conduits

Formal notice is hereby given that _____ proposes to bore a _____ line within the right-of-way of County Road CATALPA RD & _as follows: TANGERINE RD.

Charter-Spectrum is proposing to install approx. 1000' of underground conduits e/w fiber optic cable, and place 1 vaults within the ROW of CATALPA RD & TANGERINE RD.

The location and description of the proposed line and appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County right-of-way as directed by the County Engineer in accordance with current Upshur County specifications.

Construction of this line will begin on or after the 6th day of June, 20 24 and will be completed within 90. days of the date of approval.

> Charter Spectrum Firm Thai Bul Project Manager By Title Address 6060 N. Central Expwy, Suite 400 Dallas, TX 75206

- NOTE: 1. This form to be submitted in triplicate for each proposed installation.
 2. The permit shall be in effect until the utility line is removed from the right of way.

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3. Inform the County Engineer if work is not completed within this time.

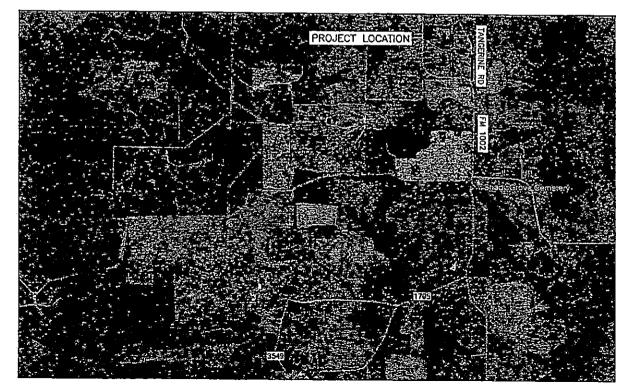
Revised 11/30/10

SHEET INDEX:

- 1. COVER SHEET
- 2. LEGEND & SYMBOLS
- GENERAL NOTES
- 4. TYPICAL CONSTRUCTION DETAILS
- 6. TYPICAL CONSTRUCTION DETAILS CONT.
- 6-7, OSP PLAN

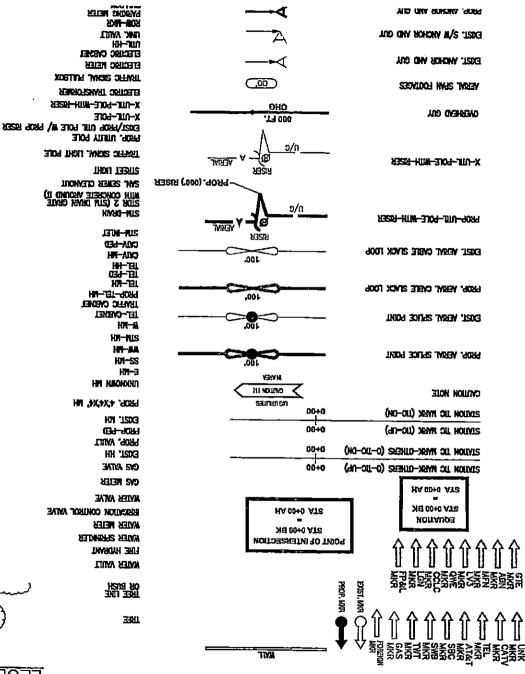


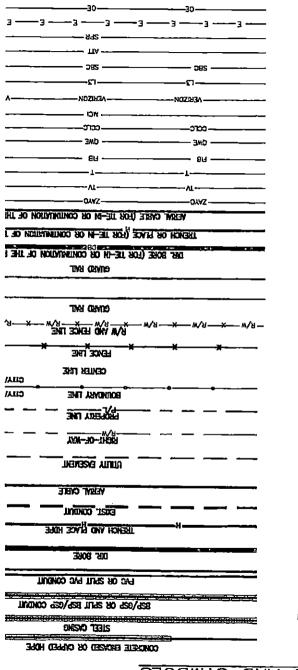
RDOF_TX_CLUSTER_2_TBD_WI32E UPSHUR COUNTY, TX 75755 APRIL 25, 2024



SCOPE OF WORK

CHARTER COMMUNICATIONS PROPOSES TO INSTALL FIBER OPTIC CABLE ALONG UPSHUR COUNTY ROADS: CATALPA RD, TANGERINE RD.





LEGEND AND SYMBOLS

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GENERAL NOTES

1. ALL EXISTING FACILITIES CURRENTLY IN SERVICE MUST REMAIN IN SERVICE, UNLESS OTHERWISE NOTED IN THE DRAWINGS.

2. CONDITION OF THE ROAD AND/OR RIGHT-OF-WAY, UPON COMPLETION OF JOB SHALL BE AS GOOD AS OR BETTER THAN PRIOR TO STARTING WORK,

3. ALL EFFORTS HAVE BEEN MADE TO INDICATE ALL DOSTING UTILITIES ON PLANS, IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO LOCATE AND PROTECT ALL SAID UTILITIES AS WELL AS SERVICE CONNECTIONS (WHETHER OR NOT INDICATED ON PLANS). PRIOR TO CONSTRUCTION, CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES TO VERIFY LOCATION OF EXISTING UTILITIES.

4. CALL UTUTY COORDINATING COMMITTEE 48 HRS. PRIOR TO CONSTRUCTION AT 1-800-344-8377 (1-800-DIG-TESS).

5. CONTRACTOR IS RESPONSELE FOR COORDINATING WITH GAS, OIL ELECTRIC, TELEPHONE, FIER OPTIC, CABLE TV, SEWER AND WATER UTULITIES OWNERS, ETC. FOR ANY RELOCATION AND/OR PROTECTION OF EQISTING LINES OR CABLES AS REQUIRED, DUE TO CONSTRUCTION ACTIVITIES.

6. CONTRACTOR TO PROMOE A MINUMUM OF 2' OF CLEARANCE AT ALL CROSSINGS OF SANITARY SEWERS, STORM SEWERS, ELECTRIC, WATER LINES AND LEADS.

 CONTRACTOR MUST COMPLY WITH OSHA SPECIFICATIONS, TXDOT STD, SPEC (DIVISION IV, STRUCTURES) AND UTILITY OWNER STANDARDS FOR TRENCHING, BACKFILLING, EXCAVATION AND SHORING REQUIREMENTS.

B. THE CONSTRUCTION CONTRACTOR SHALL ALSO BE SOLELY RESPONSELE FOR THE MEANS, METHODS, SEQUENCE, PROCEDURES, TECHNIQUES OR SCHEDULING ALL PORTIONS OF THE WORK OF CONSTRUCTION IN ACCORDANCE WITH THE CONTRACT DOCLMENTS. THE CONSTRUCTION CONTRACTOR SHALL ALSO BE SOLELY RESPONSELE FOR SAFETY IN OR ABOUT THE JOB SITE IN ACCORDANCE WITH ANY HEALTH OR SAFETY PRECAUTIONS, RECULATIONS, STANDARDS OR CODES REQUIRED BY O.S.N.A. OR ANY OTHER REGULATORY AGENCY.

9. NO MORE TRENCH OPENED AT ONE TIME THAN CAN BE BACKFILLED AND COMPACTED IN 8" LIFTS AT THE END OF EACH WORK PERIOD; NO TRENCH LIFT OPEN OVERNICHT UNLESS COVERED BY METAL PLATES.

10. CONTRACTOR TO TAKE NECESSARY PRECAUTIONS TO PROTECT ROOT SYSTEMS OF SHRUBS, PLANTS AND TREES ALONG THE AREA OF EXCAVATION.

11. EXISTING PAVEMENT, CURBS, SIDEWALKS, AND DRIVEWAYS DAMAGED OR REMOVED DURING CONSTRUCTION SHALL BE REPLACED BY BONDED CONTRACTOR IN CONFORMANCE WITH LOCAL STANDARDS, WHEELCHAR RAWPS SHALL BE CONSTRUCTED AT ALL PEDESTRIAN CROSSINGS WHERE CURB REMOVAL IS REQUIRED FOR INSTALLATION OF THE UNDERGROUND CONDUIT SYSTEM.

12. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING BORE PIT LOCATIONS AND DMENSIONS, INFORMATION SHOWN ON PLANS ARE FOR REFERENCE PURPOSE ONLY.

13. IF IT BECOMES NECESSARY TO OPERATE MACHINERY ON A PORTION OF THE PAVEMENT, PRECAUTIONS MUST BE TAKEN TO PREVENT ANY DAMAGE WHATSOEVER TO THE PAVEMENT.

14. CONTRACTOR SHALL INSTALL TRAFFIC CONTROL DEVICES IN CONFORMANCE WITH PART W OF THE TEXAS MANUAL ON UNFORM TRAFFIC CONTROL DEVICES (2014 EDITION) AND TX007 STANDARDS DURING CONSTRUCTION TO PROVIDE COMPLETE SAFETY TO THE GENERAL PUBLIC. AND PAYEMENT MARKINGS, INCLUDING CENTERLINES, BARRIER UNES, LANE LINES, RAISED PAVEMENT MARKING, ECT.

18. CONTRACTOR IS REQUIRED TO PREPARE AND INPLEMENT AN APPROVED STORM WATER POLLUTION PREVENTION (SWEP) PLAN IN ACCORDANCE WITH STATE AND LOCAL REQUIREMENTS AND CONTRACT DOCUMENTS. CONTRACTOR SHALL KEEP ALL DEBRIS & SPOL OUT OF DRAINS, CULVERTS, AND DROP INLETS AND ENSURE THAT THEY DO NOT BECOME CLOGGED AS A RESULT OF CONSTRUCTION ACTIVITIES.

19. ANY DISCREPANCIES FROM WHAT IS SHOWN ON THE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER.

20. The conduit, fittings, conduit bodies and accessories shall be inspected upon delivery and during the progress of the work. Any material found to be defective will be rejected by the owners representative and the contractor shall remove such defective material from the site of the work.

21. CONTRACTOR SHALL COORDINATE AND VERIFY ANY UTILITY ABANDONNENT WITH THE UTILITY COMPANY. NO FACILITY MAY BE CONSIDERED ABANDONED WITHOUT WRITTEN CONSENT FROM UTILITY OWNER.

22. CONTRACTOR IS TO PLUG ALL INSTALLED DUCTS.

23. THE CONSTRUCTION CONTRACTOR SHALL PLACE UTILITY LOCATION TAPE OVER ALL EXPOSED CONDUIT.

24. ALL PROPOSED BENDS SHALL BE GRADUAL SWEEPS WITH A MINIMUM 20-FOOT RADIUS, UNLESS NOTED ON THE PLANS.

25. CONTRACTOR SHALL CONSTRUCT HORIZONTAL DIRECTIONAL DRILL IN ACCORDANCE WITH ASTER F 1982 "STANDARD CUIDE FOR USE OF MAXI-HORIZONTAL DIRECTIONAL DRILLING FOR PLACEMENT OF POLYETHYLENE PIPE OR CONDUIT UNDER OBSTACLES INCLUDING RIVER CROSSINGS"

26. CONTRACTOR TO PROVIDE AND PLACE 2500LB MULE TAPE IN EACH INSTALLED DUCT.

27. ALL PROPOSED TELECOM FACILITES SHOULD BE INSTALLED AT VAN DEPTH IS 48° FOR LONGITUDINAL UNES AND MIN DEPTH IS 50° FROM LOWEST POINT OF GRADE FOR CROSSINGS.

28. USE OF WATER AND OTHER FLUIDS IN CONNECTION WITH BORING OPERATIONS WILL BE PERMITTED ONLY IN SUFFICIENT QUANTITY TO LUGRICATE BORING BIT AND PROVIDE A SMOOTH FLOW OF CUITINGS. JETTING WILL NOT BE PERMITTED.

28. OPERATIONS ON THE ROADWAY SHALL BE PERFORMED IN SUCH A MANNER THAT OPERATING EQUIPMENT AND EXCAVATED MATERIAL ARE KEPT OFF THE PAVEMENT AT ALL TIMES.

30. BARRICADES AND WARMING SIGNS, AND FLAGMEN WHEN NECESSARY, SHALL BE PROVIDED BY THE CONTRACTOR OR OWNER. ONE- HALF THE TRAVELED PORTION OF THE ROADWAY MUST BE OPEN TO TRAFFIC AT ALL TIMES. CONTRACTOR TO REFER TO COMPLY WITH TEXAS MUTCH BARRICADE AND CONSTRUCTION STANDARDS.

31. WORK PERFORMED ON RALFOAD RIGHT-OF-WAY IS SUBJECT TO THE CONCURRENCE OF THE RALFOAD COMPANY, WORK PERFORMED WITHIN WATERWAYS SUCH AS RIVERS, CREEKS, BAYOUS, AND DRAINAGE 34. ALL FIBER OPTIC CABLE AND COOPI OWNER, CONTRACTOR SHALL BE RESPON STRUCTURE COMPLETION FOR INSPECTION

35. UTILITY CONTRACTOR TO CONTACT I TO EXISTING MANHOLE OR DUCTS TO CO-PERSONNEL.

38. CONTRACTOR TO PROVIDE OVERHEA EXCAVATION IS WITHIN 5' OF AN OVERHE

37. CONTRACTOR MUST OBTAIN PERMIS: CONSTRUCTION RELATED ACTIVITIES THAT

38. CONTRACTOR SHALL NOTIFY CAPITA

39. CONTACT LAURIE SHAW WITH CAPIT. LAURIE SHAWGCAPMETRO.ORG PRIOR TO / CONTROL DEVICES AFFECTING ANY BUS !

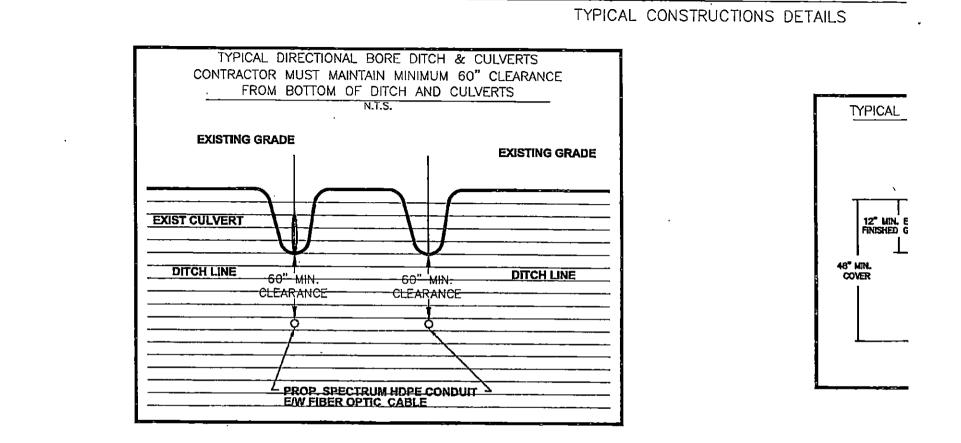
40. Austin Energy Facilities - oft i Service Trenches to Homes and Busi Existing Austin Energy Facilities Unu Austin Energy Field Personnel.

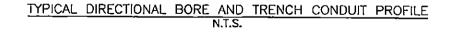
41. CONTRACTOR SHALL BE RESPONSIBI STRUCTURE COMPLETION FOR INSPECTION

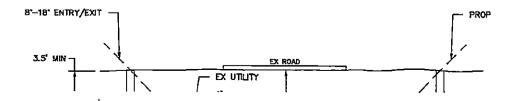
42. ONLY I STUB RISER CONDUIT FOR L LOCATIONS SHOWN ON PLANS.

43. ALL VAULTS, MANHOLES, AND HANE RILLS OR OUTS NEED TO BE USED AT EX WORKING SPACE EXISTS AROUND THE PE

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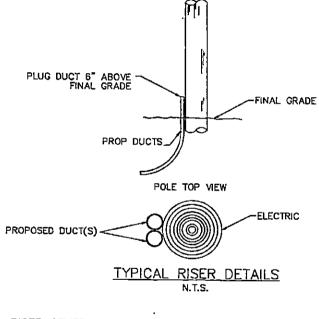




COUNTYREDESIGN DESIGN/UPSHUR VIORTH TEXAS\2024\2005-24-NO29 RDOF_TX_CUUSTER_2_TBD_M32E (3993808)\CADD\UNDERGROUND

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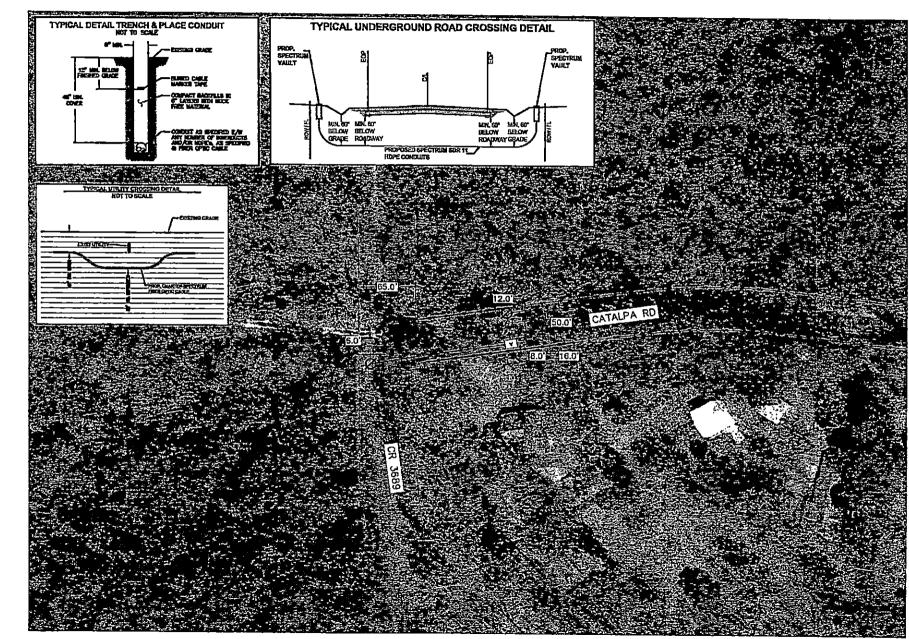
TYPICAL CONSTRUCTIONS DETAILS



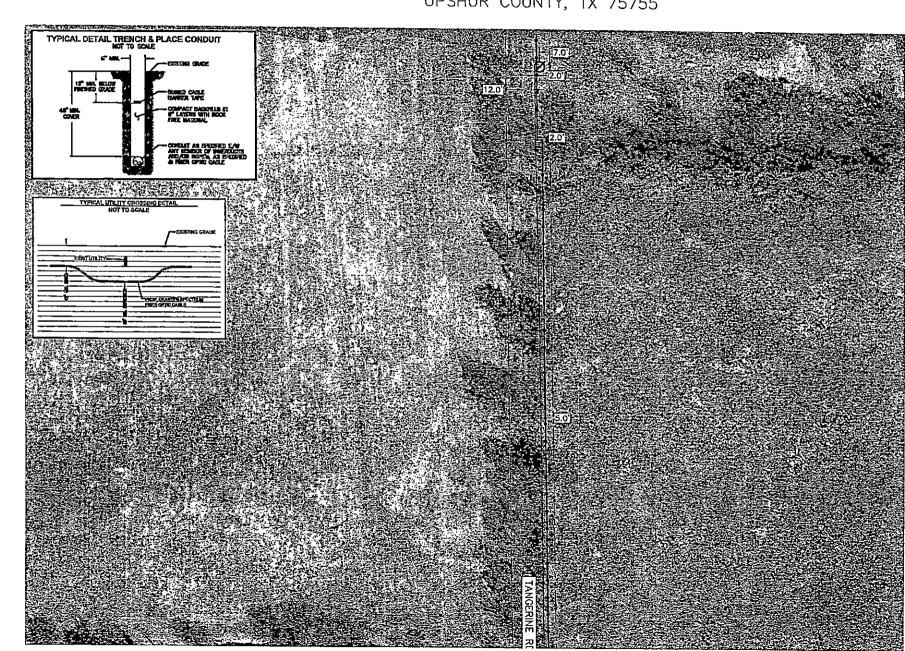
RISER GENERAL NOTES

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- 1. RISERS TO BE GROUPED IN QUADRANT THAT DO NOT INTERFERE WITH CLIMBING SPACE.
- 2. RISERS SHALL NOT OBSCURE ANY NUMBERING ON THE POLE.
- 4. NO MORE THAN 3 RISERS PER POLE.



UPSHUR COUNTY, TX 75755



UPSHUR COUNTY, TX 75755

adru עוסונון זבאמאלמסביל/2002,24-24-2009 מסטר_וא_כנעמדניר_2.160-2002 (3993808)/CADD/UNDERGROUND DESIGN/UPSI/UR כטטווזי/Redesign/2007