

Texas Department of Transportation

P.O. BOX 1386 – HOUSTON, TEXAS 77251-1386 – (713) 802-5000

July 31, 2007

CONTACT: DOM

Street Tie-in
Permit 07-0475RD
Brazoria County
BS 288B at Hospital Drive
Control Section 111-7

C Mr. Greg Smith
City Manager
City of Angleton
121 South Velasco
Angleton, Texas 77515

O Dear Mr. Smith:

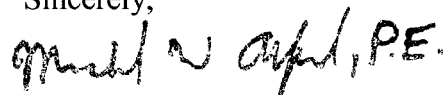
Reference is made to the letter received on June 26, 2007, covering the street tie-in within the right-of-way of BS 288B at Hospital Drive in Brazoria County. We offer no objection to your request, as submitted by Baker & Lawson, Inc., subject to the following provisions:

- P
- Y
1. It is expressly understood that the State does not purport hereby to grant any right, claim, title, or easement in or upon this highway.
 2. Pavement structure within State right-of-way shall equal or exceed the existing pavement structure.
 3. The grantee acknowledges and fully accepts responsibility and liability for the design, construction, maintenance, and operation of this proposed improvement. It is mutually agreed and understood that the grantee will indemnify and save harmless the State from any and all damage or loss that may develop due to this project.
 4. All work on highway right-of-way shall be performed in accordance with State 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.
 5. Barricades and warning signs, and flagmen, when necessary, shall be provided by the contractor or the owner. It is understood that the State considers proper traffic control measures as those complying with applicable portions of the Texas Manual on Uniform Traffic Control Devices required for adoption by the "Uniform Act Regulating Traffic on Highways" (V.C.S. 6701d).

6. The work covered by this permit shall be so conducted that it will not interfere in any way with any highway contract construction or repair work, or any State maintenance work that may be done on this road. In the event that such interference occurs, you will cease operations in the area involved until such time as the roadwork referred to above is completed.
7. Performance of work within highway right-of-way will constitute your acceptance of the terms herein listed.
8. This approval void if installation not complete within one year from date of approval.
9. This permit issued subject to a traffic control plan, which will be approved by the Area Engineer. No work within State right-of-way shall begin until this approval has been given.
10. It is mutually agreed and understood that the implementation and maintenance of the traffic control plan shall be the responsibility of the grantee and the grantee shall indemnify and save harmless the State from any and all damage or loss that may develop due to this project.

Please notify Mr. James M. McGuire, Maintenance Section Supervisor, at telephone number (979) 864-8550 at least 48 hours before beginning work so that he may have a representative present.

Sincerely,



Michael W. Alford, P.E.
Director of Maintenance
Houston District

LHM

Attachment

cc: Mr. James M. McGuire, w/attachment
Baker & Lawson Inc., w/attachment



Permit to Construct Access Driveway Facilities on Highway Right of Way

To: **City of Angleton**
121 South Velasco
Angleton, TX 77515

Hwy. **BS 288B**
Control **111**
979-849-6681
(Phone)

Permit No. **07-0475 RD**
Section **7**

The Texas Department of Transportation, hereinafter called the State, hereby authorizes City of Angleton, hereinafter called the Permittee, to construct/reconstruct a Public access driveway on the highway right of way abutting highway number BS 288B in in Brazoria County, located Hospital Drive.

Subject to the Following:

1. The Permittee is responsible for all costs associated with the construction of this access driveway.
 2. Design of facilities shall be as follows and/or as shown on sketch and is subject to conditions stated below:
Provide 1-36' wide "Public" street tie-in using a double line of 24" RCP with SETs. Minimum of a 30' radii.
- Access Only (No developed flow to TxDOT)
- All Construction and materials shall be subject to inspection and approval by the State.
3. Maintenance of facilities constructed hereunder shall be the responsibility of the Permittee, and the State reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the highway. Changes in design will be made only with approval of the State.
 4. The Permittee shall hold harmless the State and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of exercise of this permit.
 5. Except for regulatory and guide signs at county roads and city streets, the Permittee shall not erect any sign on or extending over any portion of the highway right of way, and vehicle service fixtures such as service pumps, vendor stands, or tanks shall be located at least 12 feet from the right of way line to ensure that any vehicle services from these fixtures will be off the highway right of way.
 6. The State reserves the right to require a new access driveway permit in the event of a land use change or change in driveway traffic volume or vehicle types.
 7. This permit will become null and void if the above-referenced driveway facilities are not constructed within six (6) months from the issuance date of this permit.
 8. The Permittee will contact the State's representative Mr. James M. McGuire at telephone (979) 864-8550 at least twenty-four (24) hours prior to beginning the work authorized by this permit.

July 31, 2007

Date of Issuance

Texas Department of Transportation
SEE LETTER PERMIT

Michael W. Alford, P.E.
Director of Maintenance, Houston District

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction of an access driveway on the highway right of way.

Date:

Signed:

(Property owner or owner's representative)