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OFFICIAL RECORD

Requested By:
TOWN OF GARDNERVILLE

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 4 Fee: 42.00
BK-0505 PG-03417 RPTT: 0.00



Assessor's Parcel Number: _____

Recording Requested By:

Name: Town of Gardnerville

Address: 1407 Hwy 395 N

City/State/Zip Gardnerville, NV 89410

Real Property Transfer Tax: _____

Applications Permit for Occupancy NDOT ROW
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

Fee 0	Permit No. 87000
Milepost US395 (D021.34-21,37)	District 2
District No.: 87000-5	
Applicant: Town of Gardnerville	
Type of Work: Upgrade existing approaches.	
FOR DEPARTMENT USE ONLY	

**APPLICATION AND PERMIT FOR OCCUPANCY OF
NEVADA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY
(Under the provisions of NRS 408.423, 408.210 and NAC 408)**

1. Location where excavation, construction, installation and/or occupancy is proposed

<u>Highway 395</u>	<u>1456 Highway 395 North</u>
Local name of highway	Street address or nearest cross street

2. Describe in detail the type and scope of work; capacity or size of facility; stages and time frame for development; scheduled dates for start and completion. Attach 4 sets of detailed plans or drawings.

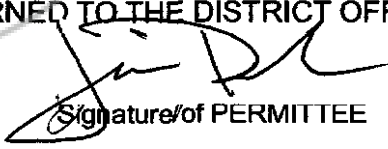
The work includes removal of two existing depressed driveway aprons and the installation of two concrete driveway aprons with valley gutters with spandrels, curb returns and curb ramps. Work also includes traffic control and replacement of existing landscaping and sidewalk with new sidewalk. Work is anticipated to begin in mid-April 2005, with completion by May 1, 2005. The work in the NDOT right-of-way is part of an overall project sponsored by the Town of Gardnerville. V & C Construction is the contractor for the project.

3. PERMITTEE hereby acknowledges that he has read and received a copy of the specific Terms and Conditions Relating to Right-of-Way Occupancy Permits issued by the State of Nevada Department of Transportation, and accepts said terms and conditions and any additional terms and conditions stated in this permit.

4. **SPECIFIC TERMS AND CONDITIONS APPURTENANT TO THIS PERMIT ARE LISTED ON PAGE 2.**

5. **THE PERMIT SHALL BE SIGNED AND RETURNED TO THE DISTRICT OFFICE.**

Town of Gardnerville; Jim Park, Town Manager
Name of PERMITTEE (Type or Print)


Signature of PERMITTEE

1407 Highway 395 North
Address

Town Engineer (775) 588-7178
Title Phone No.

Gardnerville, NV 89410
City, State, Zip

April 12, 2005
Date of Application

(775) 782-7134 (775) 782-7135
Phone No. Fax No.

Town Contract No. 2005-01; APN 1320-33-401-012 & -013
Permittee's I.D. No. or Parcel No.

NDOT
035 001
Rev. 10/03

ADDITIONAL TERMS AND CONDITIONS

1. From HES "B" 15+25 (US 395, DO 21.34) left to HES "B" 16+51 (US 395, DO 21.37) left upgrade two existing driveways to NDOT commercial driveways with valley gutters, curb and gutter, and curb ramps in accordance with the plan sheet dated 4-15-2005 and NDOT standard plans.
2. PERMITTEE agrees to indemnify, defend and save harmless the State of Nevada and its officers, agents, and employees against any and all liability, loss, damage, cost, and expense which it or they may incur, suffer, or be required to pay by reason of death, disease, or bodily injury to any person or persons, or injury to, destruction of, or loss of use of any property, including property belonging to the State of Nevada, arising out of or incident to activities contemplated by this permit, and proximately caused, in whole or in part, by any act or omission of the PERMITTEE, or its contractors, agents, or the employees of any one or all of them, or by the officers, agents, or employees of the State of Nevada, unless it is established by the PERMITTEE that the proximate cause was the willful misconduct or gross negligence of the officers, agents, or employees of the State of Nevada. Costs and expenses will include but are not limited to, the amount of the judgment, court costs, litigation expenses, expert witnesses fees, and reasonable attorney fees.
3. It shall be understood by PERMITTEE that this approach may sometime in the future be reduced to a right-in/right-out only configuration. By commencing work under this permit, PERMITTEE agrees to accept this condition and also agrees to not hold the Department of Transportation responsible for any costs or damages that may result from this change. PERMITTEE shall have this encroachment permit recorded through the County Records Office. A conformed copy shall be returned to NDOT.
4. PERMITTEE shall contact the permit office at 775-834-8330 two (2) working days prior to construction and two (2) working days prior to any lane closures on the State's Right-of-Way.
5. PERMITTEE shall attend a field pre-construction meeting with an NDOT inspector prior to the anticipated beginning of construction.

TRAFFIC CONTROL AND SAFETY

6. All traffic control shall conform to the "Manual on Uniform Traffic Control Device," chapter 6, and 2005 Nevada Standard Plans. Traffic shall not be impacted more than 20 minutes.
7. All Category 1 & 2 Traffic Control Devices used on NDOT roadways shall be National Cooperative Highway Research Program (NCHRP) Report 350 compliant. PERMITTEE and/or contractor shall have manufacturer's certificates of compliance available at the project site.
8. All traffic control devices are subject to being rated by the Permit Inspector for conformance to the current American Traffic Safety Services Association (ATSSA) publication "Quality Standards for Work Zone Traffic Control Devices" which is available from the American Safety Services Association, 5440 Jefferson Davis Highway, Fredericksburg, VA 22407, Phone: (703) 898-5400. Any device determined by the Inspector to not meet these quality standards shall be replaced with an acceptable device.
9. No work shall be allowed in the NDOT Right of Way from 6:00 am the working day before a holiday thru 7:00 pm the working day after a holiday unless prior written approval has been given by NDOT.
10. The hours of work will be from 7:00 a.m. to 3:30 p.m., daily, Monday through Friday provided all through lanes of traffic are unrestricted by work in progress. If traffic is restricted by work in progress, hours of work will be from 9:00 am to 3:00 pm, daily, Monday through Friday, or nightly, Sunday night through Friday morning, between the hours of 9:00 p.m. to 5:30 a.m.

(Continued on page 3)

Initial
Date

DW
5-4-05

BK- 0505
PG- 3419

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PERMITTEE: Town of Gardnerville

PERMIT NO. 87000

DISTRICT NO. 87000-5

(Continued from page 2)

- 11. All vertical drop-offs 3" or greater that are within clear zone shall be protected by an NDOT approved method.
- 12. Any deviation from the attached NDOT Standard Traffic Control Plans shall require prior written acceptance by NDOT District II. **PERMITTEE shall submit all requests and plans to the District II Permits Office.**

CONSTRUCTION PRACTICES

- 13. All work within NDOT's right-of-way shall be in compliance with the Americans with Disabilities Act (ADA).
- 14. All work within NDOT's right-of-way shall conform to the *State of Nevada Department of Transportation Standard Specifications for Road and Bridge Construction*, 2001 Edition and the *State of Nevada Department of Transportation Standard Plans for Road and Bridge Construction*, 2005 Edition.
- 15. A complete permit package including NDOT accepted traffic control plans shall be available at the job site at all times during construction. All contractors and subcontractors connected with work on this project shall have a complete copy of this permit with NDOT approved plans at the site at all times or the work will be closed down until a copy is made available.
- 16. **NO PAVEMENT SHALL BE CUT.**
- 17. Backfill material shall conform to NDOT Standard Specifications Section 207 for granular backfill.

SITE MAINTENANCE DURING CONSTRUCTION

- 18. PERMITTEE shall be responsible for maintaining the integrity of the roadway surface. Dust, dirt, mud, gravel, etc. carried onto the roadway surface shall be cleaned off on a regular basis (at least once a day or as requested by NDOT personnel). Failure to comply may result in the Nevada Department of Transportation having the roadway cleaned and the cost for the clean-up billed to PERMITTEE.
- 19. PERMITTEE shall return all highway appurtenances disturbed or destroyed to a condition equal to or better than the original and in accordance with NDOT Standard Plans and Specifications.
- 20. PERMITTEE shall remove large rocks (4" or larger) unearthed during construction from the surface of the right-of-way area. The rocks shall be disposed by burying in approved locations or use as riprap in approved drainage locations.
- 21. PERMITTEE shall not store equipment, materials or spoils in NDOT right-of-way outside of normal working hours.

This Right-of-Way Occupancy Permit is granted to the PERMITTEE in accordance with the provisions of Chapter 408 N.R.S. and subject to the TERMS AND CONDITIONS stipulated to perform the work described.

Dated this 4th day of MAY, 2005

STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION

By *D.M. Ina* **DEANSE M. INDA, P.E.**
Director or District Engineer



BK- 0505
PG- 3420