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DOC # 0735361  
01/06/2009 11:10 AM Deputy: DW  
OFFICIAL RECORD  
Requested By:  
ALBERT G GIORDANO

Assessor's Parcel Number: \_\_\_\_\_

Recording Requested By: ALBERT G GIORDANO

Name: ALBERT G. GIORDANO

Address: P.O. BOX 1096

City/State/Zip GENOA NV 89411

Real Property Transfer Tax: \$ \_\_\_\_\_

Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 OF 5 Fee: 18.00  
BK-0109 PG- 0456 RPIT: 0.00



Application & Permit

(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	\$ 500 <sup>00</sup>	Permit No.	108266
Milepost	SR206 DD 11.69/11.69	District	II
District No.:	108266-3		
Applicant:	Al G. Giordano		
Type of Work:	Upgrade existing ag approach to NDOT Type 2A		
Work Order #	20151233		

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)

- Location where excavation, construction, installation and/or occupancy is proposed  
S.R.206 aka Foothill Road 1765  
Local name of highway 1756 Foothill Road  
Street address or nearest cross street
- 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. Use existing driveway at existing farmhouse to access (2) new single family residences being proposed to be constructed, as primary residence and ranch hand residence, and an existing residence (3) TOTAL RESIDENCES. Replace existing gravel agricultural driveway access with paved access and remove existing extra agricultural access & ranch access gate. Start of work will comence upon completion of permit. Time to construct new paved entry is estimated at three days.

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.

Al G. Giordano  
 Name of PERMITTEE (Type or Print)

Al G. Giordano  
 Signature of PERMITTEE

P.O. Box 1096  
 Address

Owner  
 Title

Genoa, NV 89411  
 City, State, Zip

Date of Application

(831) 512-3225 ( )  
 Phone No. Fax No.

1319-22-000-014  
 Permittee's I.D. No. or Parcel No.



BK- 0109  
 PG- 457

## ADDITIONAL TERMS AND CONDITIONS

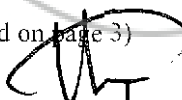
1. On SR-206, (Foothill Road, DO.9.04 – 9.13), at HES "X1" 494+02 (9.13/9.17) rt., upgrade an existing agricultural approach to an NDOT type 2A approach for agricultural use only, at HES "X1" 490+05 (9.06/9.09) rt., existing agricultural access and pasture gate to be removed, at HES "X1" 489+03 (9.04/9.07) rt., existing paved access currently serving one (1) single family home to now be used for a total of three (3) single family homes with no changes to the access, and at HES "X1" 488+09 (9.02/9.05) rt., existing agricultural access and pasture gated to remain with no changes to the access. All work to be per plans dated 11/20/08 and NDOT 2007 Standard Plans.
2. 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 Recorders Office. A conformed copy shall be returned to NDOT.
3. In the event the right-of-way encumbered by this permitted encroachment is needed for future highway purposes, PERMITTEE agrees to modify, adjust, remove, or relocate the encroachment authorized herein to accommodate the highway need at no cost to the Department.
4. **In the event of forecasted inclement weather conditions, PERMITTEE shall insure that permit activities are ceased and the NDOT right of way has been prepared and is safe for weather related maintenance activities and motorists.**
5. 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 witness fees, and reasonable attorney fees.
6. 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.

### TRAFFIC CONTROL AND SAFETY

7. All traffic control shall conform to the "Manual on Uniform Traffic Control Device," chapter 6, and 2007 Nevada Standard Plans. **Traffic shall not be impacted more than 20 minutes. Failure to adhere to this condition will result in immediate suspension of work in the right of way.**
8. 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.

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9. 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.
10. 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.
11. All vertical drop-offs 3" or greater that are within clear zone shall be protected by an NDOT approved method.
12. Any appurtenance installed that represents a hazard to the traffic shall be protected in accordance with the AASHTO Roadside Design Guide and approved by NDOT prior to installation.
13. The hours of work will be from 7:00 a.m. to 3:30 p.m., daily, Monday through Friday.
14. The work of setting up and tearing down traffic control devices as required shall be completed each day within the hours specified on the permit and/or on the approved traffic control plan. All traffic control devices shall be completely removed from the roadway and sidewalk at the end of the work period.
15. Any deviation from the attached NDOT approved Traffic Control Plan shall require prior written acceptance by NDOT District II. **PERMITTEE shall submit all requests and plans to the District II Permits Office.**

### CONSTRUCTION PRACTICES

16. All work within NDOT right-of-way shall be in compliance with the Americans with Disabilities Act (ADA).
17. All work within NDOT 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, 2007 Edition*.
18. 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.
19. **NO PAVEMENT SHALL BE CUT ON SR-206 (FOOTHILL Rd.)**

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### SITE MAINTENANCE DURING CONSTRUCTION

20. 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.
21. 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.
22. PERMITTEE shall not store equipment, materials or spoils in NDOT right-of-way outside of normal working hours.
23. PERMITTEE shall coordinate relocation of disturbed survey monuments with the NDOT Location Division, Dave Hamlin at (775) 888-7256. Monuments shall be replaced by a Nevada Licensed Professional Land Surveyor (P.L.S), per the special instructions for survey, mapping, or GIS consultants and Nevada Revised Statutes.
24. 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.
25. PERMITTEE shall reinstall signs, object markers, milepost panels, marker posts and guideposts disturbed during construction by the end of the working day.

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 23<sup>rd</sup> day of December, 2008

**STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION**

By   
Director or District Engineer