

Douglas County - NV
Karen Ellison - Recorder
Page: 1 Of 5 Fee: 18.00
BK-0110 PG- 0431 RPTT: 0.00



Assessor's Parcel Number: 1318-22-001-008

Recording Requested By:

Name: PAUL FLYNN
Address: 9101 AHA DRIVE, SUITE 503
City/State/Zip: LAS VEGAS, NEVADA 89145

Mail Tax Statements to:

Name: PAUL FLYNN
Address: 9101 AHA DRIVE, SUITE 503
City/State/Zip: LAS VEGAS, NEVADA 89145

Please complete Affirmation Statement below:

I the undersigned hereby affirm that this document submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that this document submitted for Recording contains the social security number of a person or persons as required by law: _____ (state specific law)

Paul Flynn
Signature (Print name under signature)

Owner
Title

REVOCALE APPLICATION AND PERMIT FOR OCCUPANCY OF NEVADA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY
(Title of Document)

If legal description is a metes & bounds description furnish the following information:

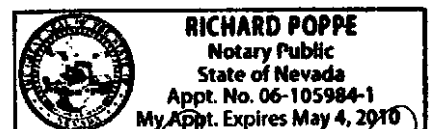
Legal description obtained from: _____ (Document Title), Book: _____ Page: _____
Document # _____ recorded _____ (Date) in the Douglas County Recorders Office.

-OR-

If Surveyor, please provide name and address:

This page added to provide additional information required by NRS 111.312 Sections 1-4.
(Additional recording fees apply)

CLARK COUNTY



Richard Poppe
12-15-09

WO# 20151231

Fee \$50 ⁰⁰	Permit No. 109935
Milepost 4550 DD 1.73 1.73	District II
District No.: 109935-9	
Applicant: Paul Flynn	
Type of Work: Construct NDOT Type 5 approach w/ Type 2 valley gutter & curb.	
FOR DEPARTMENT USE ONLY	

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REVOCABLE 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

US Highway 50	Elks Point Road
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 project involves construction of a right hand turn lane for driveway access to a single family residence. The driveway will have a Type 2A approach within the NDOT right-of-way. The construction schedule is unknown, but anticipated to begin by Sept. 1, 2009. See attached plans for details.

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.

Paul Flynn
 Name of PERMITTEE (Type or Print)

Paul Flynn
 Signature of PERMITTEE

9101 Alta Drive, Suite 503
 Address

owner
 Title
 775 5881717
 Phone No.

Las Vegas, NV 89145
 City, State, Zip

May 12, 2009
 Date of Application

(702) 880-0800 (702) 880-0900
 Phone No. Fax No.

APN 1318-22-001-008
 Permittee's I.D. No. or Parcel No.

NDOT
 035 001
 Rev. 10/03

PERMITTEE
 COPY

ADDITIONAL TERMS AND CONDITIONS

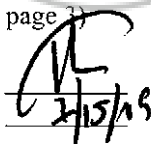
1. On US-50, (DO 1.73 / 1.73), HES "Z"100+40 Lt. to HES "Z"102+39 Lt., saw cut existing edge of oil (1' max), remove existing curb. Construct NDOT Type 5 approach, NDOT Type 2 Valley Gutter, NDOT Type 2 curb, stop sign and stop bar. Install type II guide post at each end of approach (match existing type in field). All work to be per attached plans dated 06/12/09 and 07/07/09 and NDOT 2007 Standard Plans.
2. **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.**
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 Recorders Office. A conformed copy shall be returned to NDOT.**
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. Prior to construction of permitted work, PERMITTEE will deposit with State a performance bond or other undertakings satisfactory to State in the amount of the Engineer's estimate plus **ten percent (10%)**, to ensure completion of the permit work. The bond shall remain in place until all the work in the right of way has been completed to the satisfaction of the Department.
6. 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.
7. **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

8. 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.**
9. 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.
10. 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

(Continued on page)

Initial
Date


2/15/19

PERMITTEE: Paul Flynn

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DISTRICT NO. 109935-9



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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.

- 11. No lane closures will be allowed the working day before, during, and the working day after scheduled special events without prior authorization from NDOT. All requests shall be submitted in writing to the District II Permits Office.
- 12. 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.
- 13. 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.
- 14. All vertical drop-offs 3" or greater that are within clear zone shall be protected by an NDOT approved method.
- 15. **The hours of work will be from 7:00 a.m. to 3:30 p.m., daily, Monday through Friday.**
- 16. **The hours of work for lane closures on US-50 will be from 9:00 a.m. to 3:00 p.m., daily, Monday through Thursday.**
- 17. 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.
- 18. Any deviation from the attached NDOT approved 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

- 19. All work within NDOT's right-of-way shall be in compliance with the Americans with Disabilities Act (ADA).
- 20. 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*, 2007 Edition.
- 21. 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.
- 22. Concrete mix designs for permits will be previously approved NDOT mix designs for each designated application.
- 23. Backfill material shall conform to NDOT Standard Specifications Section 207 for granular backfill and aggregate base shall conform to NDOT Standard Specifications Section 302. Material shall be from an NDOT source accepted pit.

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Initial 
Date 7/15/08
PERMITTEE
COPY

PERMITTEE: Paul Flynn

PERMIT NO. 109935

DISTRICT NO. 109935-9

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- 24. Trench plates shall not be used on paved surfaces within the NDOT right-of-way.
- 25. PERMITTEE shall submit "As-built" plans to the District Office showing exact location and depth on both plan and profile within thirty (30) days of completion of construction.

SITE MAINTENANCE DURING CONSTRUCTION

- 26. 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.
- 27. 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.
- 28. 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 (PLS), per the special instructions for survey, mapping, or GIS consultants and Nevada Revised Statutes.
- 29. Any highway appurtenances, which may become disturbed or destroyed by reason of this permit, shall be returned to a condition equal to or better than the original, and in accordance with NDOT Standards.
- 30. PERMITTEE shall remove large rocks (4" or larger) unearthed during construction from the surface of the right-of-way area..
- 31. PERMITTEE shall reinstall signs, object markers, milepost panels, marker posts and guideposts disturbed during construction by the end of the working day.
- 32. 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 15th day of July, 2009

STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION

By [Signature]
Director or District Engineer
THOR DYSON