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JUN 26 2006

BASS NIXON  
& KENNEDY

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS

MICHAEL F. EASLEY.  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

June 22, 2006

Chatham County

County Driveway Permit File Number 19-670  
(Shadowcreek Subdivision)

Subject: Commercial Driveway Permit Application with Entrance on SR 1738

Mr. Scott Wilson  
Bass, Nixon & Kennedy, Inc.  
6310 Chapel Hill Rd., Suite 250  
Raleigh, NC 27607

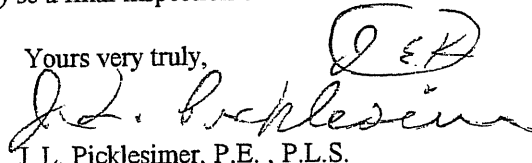
Dear Mr. Wilson:

Personnel assigned to this office have conducted a review of the permit Application and approval is granted subject to the following stipulations:

1. The entrance onto SR 1738 is to be constructed in accordance with the attached detail sheet.
2. The entrance onto SR 1738 shall be paved for at least 50' along the centerline of the entrance.
3. The entrance onto SR 1738 shall require radii on each side of the driveways as shown on the attached drawing.
4. No parking or outdoor advertising (signs) shall be allowed inside the right of way of SR 1738.
5. Any areas inside the right of way disturbed during construction shall be seeded and mulched immediately upon completion of construction.

Attached to this correspondence please find an approved copy of TEB Form 65-04 (Driveway Permit Application - N. C. Department of Transportation). Upon completion of the driveway entrance construction please notify the Chatham County Maintenance Department (Phone 919-742-3431) so a final inspection of the entrance can be made.

Yours very truly,



J. L. Picklesimer, P.E., P.L.S.  
District Engineer

JLP/jek  
Attachments

cc: Mr. Timothy Johnson P.E., Division Engineer  
Mr. B.F. Sloan, County Maintenance Engineer

## Policy On Street And Driveway Access to North Carolina Highways

<b>APPLICATION IDENTIFICATION</b>		<b>N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION</b>
Driveway Permit No. <u>19-670</u>	Date of Application <u>June 15, 2006</u>	
Development Name: <u>Shadowcreek</u>		

<b>LOCATION OF PROPERTY:</b>		
Exact Distance <u>0</u> _____	<input type="checkbox"/> Miles <input checked="" type="checkbox"/> Feet	N S E W <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
From the Intersection of Route No. <u>SR 1738</u> and Route No. <u>SR 1740</u> Toward _____		
Property Will Be Used For: <input checked="" type="checkbox"/> Residential /Subdivision <input type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other		
Property: <input type="checkbox"/> is <input checked="" type="checkbox"/> is not _____ within _____ City Zoning Area.		

### AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

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DIVISION 8 DISTRICT 1  
DEPT. OF TRANSPORTATION

**Policy On Street And Driveway Access to North Carolina Highways**

**SIGNATURES OF APPLICANT**

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY <u>Galaxy Investment LLC</u>	NAME <u>ROY E. MASHBURN JR.</u>	SIGNATURE <u>[Signature]</u>	ADDRESS <u>130 FOINBURGH-SOUTH #204</u>
SIGNATURE <u>[Signature]</u>	SIGNATURE	SIGNATURE	ADDRESS <u>CARY, NC 27511</u>
ADDRESS <u>3737 Glenwood Avenue, Ste. 400</u>	ADDRESS	ADDRESS	ADDRESS
<u>Raleigh, N. C. 27612</u> Phone No. <u>919-420-1750</u>			
AUTHORIZED AGENT		WITNESS	
COMPANY <u>Bass, Nixon &amp; Kennedy, Inc.</u>	NAME <u>SHEYL SIMMONS</u>	SIGNATURE <u>[Signature]</u>	ADDRESS <u>6310 CHAPEL HILL RD, STE. 250</u>
SIGNATURE <u>[Signature]</u>	SIGNATURE	SIGNATURE	ADDRESS <u>RALEIGH, NC 27607</u>
ADDRESS <u>6310 Chapel Hill Rd., Ste. 250</u>	ADDRESS	ADDRESS	ADDRESS
<u>Raleigh, N. C. 27607</u> Phone No. <u>919-851-4422</u>			

**APPROVALS**

APPLICATION RECEIVED BY DISTRICT ENGINEER

[Signature] 6-19-06

SIGNATURE DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

\_\_\_\_\_  
SIGNATURE TITLE DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

[Signature] 6-22-06

SIGNATURE DATE

INSPECTION BY NCDOT

\_\_\_\_\_  
SIGNATURE TITLE DATE

COMMENTS:

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**JUN 19 2006**

**DIVISION 8 DISTRICT 1**

**DEPT. OF TRANSPORTATION**