

NICHOLAS J. TENNYSON Secretary

November 2, 2015

Newland Communities, LLC c/o Bill Mumford 13777 Ballantyne Corporate Pl, Ste. 550 Charlotte, North Carolina 28277

SUBJECT: ENCROACHMENT AGREEMENT (19.4297) Roadway Modification (Superstreet) US 15-501 Chatham County

Dear Mr. Mumford:

Attached is a properly executed copy of a Right of Way Encroachment Agreement which covers the following:

Roadway modifications on US 15-501 in Chatham County, and any associated pre-construction work.

This agreement is approved subject to the Special Provisions and plans which are attached to and made a part of the Encroachment Agreement. Any work associated with the subject project permitted under an NCDOT approved Driveway Permit shall be completed in accordance with this Encroachment Agreement.

Sincerely,

Michael L Holder, P.E. Chief Engineer DocuSigned by:

Phuz. C. Johnson E72EF75317784CB...Iman District Engineer

Attachments

cc: Robert Memory, State Utility Agent, Utility Coordination Unit (cover letter only) Marty C. Tillman., District Supervisor (with original) Justin Bullock, P.E., County Maintenance Engineer File S:\S_Drive\Dist1\Templates\ENCROACHMENTS\LETTERS\Encroachment APPROVAL LETTER.doc



ROUTE	US 15-501, SR1528, SR1529	PROJECT Briar Chap Developme FNC# 19 4	el COUNTY OF	STATE OF NORTH CAROLINA Chatham
DEP 16 WIN	ARTMENT OF TRANSPO -AND- NNP – BRIAR CHAPEL DY KNOLL CIRCLE, CHA 27516	, LLC PEL HILL, NC	RIGHT OF WAY ENCI CURB AND GUTTER, STORM DRAINAGE	ROACHMENT AGREEMENT FOR PAVEMENT WIDENING AND
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				party of the second part,
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T Route(s) Store Roa	HAT WHEREAS, the par US 15-501 ad and Taylor Road	ty of the second part desire	es to encroach on the right of v , located <u>at the intersec</u>	vay of the public road designated as tions of US 15-501 with Andrews
pavemen	t marking improvements.	pavement widening	, superstreet median reatures.	orainage, signals and
V the first p right of w and privile made a p T and T othe <u>Devi</u> regu	VHEREAS, it is to the mat art in the exercise of auth ay as indicated, subject to IOW, THEREFORE, IT IS age to make this encroacl art hereof upon the follow hat the said party of the s proper condition that it will hat the party of the secon r warning devices for the <u>ces for Streets and Highw</u> lations may be obtained f hat the party of the secon	terial advantage of the part ority conferred upon it by si o the conditions of this agre & AGREED that the party of ment as shown on attache ring conditions, to wit: eccond part binds and oblig Il not interfere with or endar and part agrees to provide du protection of traffic in confe vays and Amendments or S from the Division Engineer and part hereby agrees to inc	y of the second part to effect the tatute, is willing to permit the element; if the first part hereby grants to ed plan sheet(s), specifications ates himself to install the encr inger travel upon said highway. uring construction proper signs ormance with the latest <u>Manua</u> Supplements thereto. Informa of the party of the first part. demnify and save harmless the	his encroachment, and the party of encroachment within the limits of the the party of the second part the right s and special provisions which are oaching facility in such safe s, signal lights, flagmen and <u>I on Uniform Traffic Control</u> tion as to the above rules and e party of the first part from all
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T a co rese	hat the party of the secon py of this agreement show rves the right to stop all w	nd part agrees to have avait wing evidence of approval to vork unless evidence of app	lable at the encroaching site, a by the party of the first part. T proval can be shown.	at all times during construction, he party of the first part
F part worl of co	Provided the work contained y of the second part agree c contained herein has be completion of work on high that in the case of noncon-	ed in this agreement is beir es to give written notice to t en completed. Unless spe way projects under constru- npliance with the terms of t	ng performed on a completed l the Division Engineer of the part icifically requested by the party iction will not be required. this agreement by the party of	highway open to traffic; the irty of the first part when all y of the first part, written notice the second part, the party of
the right	first part reserves the right of way at no cost to the p	t to stop all work until the fa party of the first part.	acility has been brought into co	ompliance or removed from the

That it is agreed by both parties that this agreement shall become void if actual construction of the work contemplated herein is not begun within one (1) year from the date of authorization by the party of the first part unless written waiver is secured by the party of the second part from the party of the first part.

R/W (161B) : Party of the Second Part certifies that this agreement is true and accurate copy of the form R/W (161B) incorporating all revisions to date.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed the day and year first above written.

DEPA DocuSigned by: TRANSPORTATION	Newland Communities
BY: Plat C Julium E72EF7531779403 Asst. Manager of Right of Way District Supervisor	BY: Lawroha
ATTEST OR WITNESS:	
	NNP - BRIAR CHAPEL, LLC
	Laurie Ford, Vice President
	Second Party

INSTRUCTIONS

When the applicant is a corporation or a municipality, this agreement must have the corporate seal and be attested by the corporation secretary or by the empowered city official, unless a waiver of corporate seal and attestation by the secretary or by the empowered City official is on file in the Raleigh office of the Manager of Right of Way. In the space provided in this agreement for execution, the name of the corporation or municipality shall be typed above the name, and title of all persons signing the agreement should be typed directly below their signature.

When the applicant is not a corporation, then his signature must be witnessed by one person. The address should be included in this agreement and the names of all persons signing the agreement should be typed directly below their signature.

This agreement must be accompanied, in the form of an attachment, by plans or drawings showing the following applicable information:

- 1. All roadways and ramps.
- 2. Right of way lines and where applicable, the control of access lines.
- 3. Location of the proposed encroachment.
- Length and type of encroachment.
- Location by highway survey station number. If station number cannot be obtained, location should be shown by distance from some identifiable point, such as a bridge, road, intersection, etc. (To assist in preparation of the encroachment plan, the Department's roadway plans may be seen at the various Highway Division Offices, or at the Raleigh office.)
- 6. Drainage structures or bridges if affected by encroachment.
- Typical section indicating the pavement design and width, and the slopes, widths and details for either a curb and gutter or a shoulder and ditch section, whichever is applicable.
- 8. Horizontal alignment indicating general curve data, where applicable.
- Vertical alignment indicated by percent grade, P.I. station and vertical curve length, where applicable.
- 10. Amount of material to be removed and/or placed on NCDOT right of way, if applicable.
- Cross-sections of all grading operations, indicating slope ratio and reference by station where applicable.
- All pertinent drainage structures proposed. Include all hydraulic data, pipe sizes, structure details and other related information.
- 13. Erosion and sediment control.
- 14. Any special provisions or specifications as to the performance of the work or the method of construction that may be required by the Department must be shown on a separate sheet attached to encroachment agreement provided that such information cannot be shown on plans or drawings.
- The Department's Division Engineer should be given notice by the applicant prior to actual starting of installation included in this agreement.
- 16. Method of handling traffic during construction where applicable.
- 17. Scale of plans, north arrow, etc.

ENCROACHMENT SPECIAL PROVISIONS NNP- Briar Chapel, LLC. 19-4297 (Chatham County)

Approval of the encroachment agreement is made subject to the following Special Provisions:

- 1. Changes noted in red on the plans shall be incorporated into and made a part of the encroachment agreement. An executed copy of the encroachment agreement shall be available at the construction site at all times. NCDOT reserves the right to stop all work unless evidence of approval can be shown.
- **2.** Notify the following prior to beginning work:
 - Justin Bullock, P.E., Maintenance Engineer 1404 E Raleigh St. Siler City, NC 27344 (919)742-3431
- **3.** The Encroaching Party shall comply with all applicable federal, state and local environmental regulations, and shall obtain all necessary federal, state and local environmental permits, including but not limited to, those related to sediment control, stormwater, wetland, streams, endangered species, and historical sites.
- 4. All materials and construction shall be in accordance with NCDOT standards and specifications, including but not limited to the latest versions of the <u>NCDOT Standard Specifications for Roads and Structures</u>, the <u>NCDOT Roadway Standards Drawings</u>, and <u>NCDOT Policies and Procedures for Accommodating Utilities on Highway Rights of Way.</u>
- **5.** It shall be the responsibility of the Encroacher to determine the location of other utilities within the encroachment area in accordance with General Statute 87-102. The Encroacher shall be responsible for notifying other utility owners and providing protection and safeguards to prevent damage or interruption to existing facilities and to maintain accessibility to existing utilities. Costs to repair, restore, or relocate existing utilities due to this encroachment shall be the responsibility of the encroaching party.
- **6.** NCDOT does not guarantee the Right of Way on this road, nor will it be responsible for any claim for damages brought by any property owner by reason of this encroachment. All Right of Way and easements necessary for construction and maintenance shall be dedicated to NCDOT with the proof of dedication furnished to the District Engineer prior to beginning work. Encroachment within the Right of Way does not imply approval for encroachment onto adjacent property. The Encroacher shall be responsible for securing any easement, permit, permission, or approval for encroachment or other use of property outside the state maintained right of way. Right of Way monuments disturbed during construction shall be referenced by a Professional Land Surveyor and reset immediately after construction.
- 7. The encroaching Party shall take whatever measures are necessary to minimize soil erosion and siltation, water pollution, and air pollution. It shall be the responsibility of the Encroaching Party to keep fully informed to comply with the applicable regulations of all legally constituted authorities relating to pollution prevention and control. In the event of conflict between regulations, specifications, or requirements, the more restrictive requirement shall apply. All erosion and pollution control devices and measures shall be constructed, installed, maintained and removed by the encroaching party in accordance with all applicable Federal, State and Local laws, regulations, ordinances, and policies. No construction shall begin until all erosion control devices have been installed to the satisfaction of the District Engineer. Failure to comply with this provision shall be grounds for immediate suspension of all activities within the Right of Way.
- 8. NCDOT WORK ZONE TRAFFIC CONTROL QUALIFICATIONS AND TRAINING PROGRAM: Effective July 1, 2010, all flagging operations within NCDOT Right of Way require qualified and trained Work Zone Flaggers. Qualified and trained Work Zone Traffic Control Supervisors will be required on Significant Projects. Training for this certification is provided by NCDOT approved training sources and by private entities that have

been pre-approved to train themselves. If you have questions, contact our web site at <u>http://www.ncdot.org/doh/preconstruct/wztc/WZTCTrainingProgram/default.html</u>, or contact Stuart Bourne, P.E. with NCDOT Work Zone Traffic Control Unit at (919) 662-4338 or <u>sbourne@ncdot.gov</u>.

9. A **\$2,000,000.00** Performance and Indemnity Bond shall be executed and posted with the District Engineer prior to beginning any work on the Right of Way. The bond shall remain in effect for a period of **19.4297** years

following completion of the job. The encroaching party shall notify the District Engineer in writing when all work within the Right of Way has been completed. Upon receipt of written notification, the District Engineer will inspect the project and provide certification that the project has been completed. When the project has been satisfactorily completed for 1 year, the bonding company shall submit a written request along with a copy of the encroachment authorization to the District Engineer for release of the bond. The bond will be released upon satisfactory final inspection, review, and approval by the District Engineer.

- **10.** A **\$2,000,000.00** Performance and Indemnity Bond shall be executed and posted with the District Engineer prior to beginning any work on the Right of Way. The required bond may be executed in any of the following methods.
 - Cash bond in the form of a certified check payable to the North Carolina Department of Transportation.
 - Performance and indemnity bond underwritten by a surety company legally authorized to do business in North Carolina.
 - Continuing bond for the performance of work within the NCDOT Right of Ways.
 - Cashiers check or bank letter of credit (2 copies with original signature) in the amount of the bond.
 - The Bond shall be submitted to the District Engineer, North Carolina Department of Transportation, **P.O Box 1164 Asheboro NC 27204** Please identify the Encroachment Agreement by including File # **19.4297** on the Bond.
- 11. Bonds shall remain in effect for a period of 1 year following completion of the job. The encroaching party shall notify the District Engineer in writing when all work within the Right of Way has been completed. Upon receipt of written notification, the District Engineer will inspect the project and provide certification that the project has been completed. When the project has been satisfactorily completed for 1 year, the bonding company shall submit a written request along with a copy of the encroachment authorization to the District Engineer for release of the Bond. The Bond will be released upon satisfactory final inspection, review, and approval by the District Engineer.
- **12.** In the event this encroachment is constructed under multiple contracts and the bond requirement is delegated to the contractor or contractors, separate bonds may be posted. The amount of the bond secured by each contractor shall be proportional to the length and size of the contract. The bond will be held for a period of one (1) year following completion of the contract.
- **13.** No work shall commence until all Bond requirements have been satisfied.
- **14.** The encroaching party shall provide an inspector acceptable to the District Engineer for the work to be performed under this agreement. All costs and expenses for inspection shall be the responsibility of the encroaching party. The inspector's name, telephone and qualifications shall be provided in writing to the District Engineer prior to beginning construction.
- **15.** A pre-construction conference between NCDOT, the Encroaching Party or the Encroaching Party's designated representative, and the contractor(s) is required prior to commencing any work within the Right of Way.
- **16.** Storage of materials or equipment within the Right of Way is prohibited. During non-working hours, equipment shall be parked as close to the right of way line as possible and shall be properly barricaded so that no equipment obstruction shall be within the Clear Recovery Area.
- **17.** Construction equipment or vehicles shall not be parked on the pavement or roadway shoulder.
- **18.** Construction is authorized to be performed on Monday through Friday during the hours between sunrise and sunset.
- **19.** No lane(s) of traffic shall be closed or alteration of the traffic flow will be allowed on or during holidays, holiday weekends, special events, and/or any other time when traffic is unusually heavy. Holidays and holiday weekends shall include, but not be limited to Easter, Memorial Day, Independence Day, and Labor Day.
- **20.** No lane(s) of traffic shall be closed or restricted between the hours of 7:00am-9:00am and 4:00pm- 6:00pm.

- **21.** The encroaching party may delegate the performance of certain provisions of this agreement to contractors or other parties. However, this shall not in any way release the encroaching party from its obligations to the terms and provisions of the encroachment.
- **22.** The Encroaching Party shall provide certification signed by a licensed Professional Engineer verifying that construction meets NCDOT design requirements. Certification shall include the following:
 - Subgrade density
 - Base and pavement thickness by type
 - Stone Base density
 - Core and test locations
- **23.** The Encroaching Party shall provide the District Engineer with "as-built" plans upon completion of the installation.
- **24.** Written notification shall be provided to the District Engineer upon completion of the work proposed under this agreement. Materials test frequencies and methods shall be in conformance with the NCDOT Materials and Tests guidelines, or as directed by NCDOT. A letter of approval, or recommendations for compliance, will be provided upon receipt and review of test reports.
- **25.** The encroaching party or the contractor(s) for the encroaching party may request a written letter stating that the encroachment has been satisfactorily completed by making a request in writing to the appropriate County Maintenance Engineer. The letter of completion does not relieve the encroaching party from any obligations or responsibilities under the terms and provisions of the encroachment or from obligations or responsibilities for making repairs needed for a reasonable time period.
- 26. The traveling public shall be warned of construction with complete and proper signing and traffic control devices in accordance with the current <u>Manual on Uniform Traffic Control Devices (MUTCD)</u> and the latest <u>NCDOT Roadway Standard Drawing and Standard Specifications for Roads and Structures</u>. No work shall be performed in the Right of Way unless this requirement is satisfied. NCDOT reserves the right to require a written traffic control plan for encroachment operations. Traffic control devices and operations shall include, but are not limited to the following:
 - Adequate and appropriate advance warning signs for any and all work zones/closed or obstructed areas.
 - "End Construction" signage beyond the end of all work zones.
 - Adequate and appropriate delineation and control devices for all work zone areas including but not limited to lane closures, disturbed areas, and active work sites.
 - Properly trained and equipped flagmen/women.
 - Proper maintenance of all traffic control devices, including but not limited to proper signage and controls during periods of inactivity and removal of inappropriate traffic control signage and/or devices.
- 27. The Encroacher agrees to provide traffic control devices, lane closures, road closures, positive protection and/or any other warning or positive protection devices necessary for the safety of road users during construction and any subsequent maintenance. This shall be performed in conformance with the latest <u>NCDOT Roadway</u> <u>Standard Drawing and Standard Specifications for Roads and Structures</u> and Amendments or Supplements thereto. When there is no guidance provided in the Roadway Standard Drawings or Specifications, comply with the <u>Manual on Uniform Traffic Control Devices for Streets and Highways</u> and Amendments or Supplement thereto. Information as to the above rules and regulations may be obtained from the Division Engineer.
- **28.** Traffic shall not be detoured or rerouted without the prior written approval of the Division Engineer. Two-way traffic shall be maintained at all times.
- **29.** In the event work is completed in less time than permitted, the normal traffic pattern shall be restored as soon as the work has been completed.
- **30.** The Traffic Services Supervisor shall be notified at (910) 947-3930 in Carthage, NC, prior to beginning work on the Right of Way if there are existing NCDOT signs, traffic signals, or signal equipment in or near the proposed work zone. Costs to relocate, replace, or repair NCDOT signs, signals, or associated equipment shall be the responsibility of the Encroacher.

- **31.** Excavation within 500 feet of a signalized intersection will require notification by the party of the second part to the Division Traffic Engineer at telephone number (910) 947-3930. All traffic signal or detection cables must be located prior to excavation.
- 32. All temporary and final pavement markings, reflective pavement markers, traffic control devices, and signage are the responsibility of the encroaching party and shall be installed in accordance with current NCDOT standards. Final pavement marking plans shall be submitted to and approved by the Division Traffic Engineer at (910)947-3930, at 150 DOT Drive, Carthage, NC 28327. Plans should be submitted as soon as possible to allow adequate time for review. Pavement markings shall be pre-marked and the Division Traffic Services Supervisor shall be notified at (910) 947-3930 for inspection of pre-marking before permanent pavement markings are placed. The encroaching party shall provide at least two working days notification for the inspection. Pavement markings and reflective pavement markers which are damaged, obscured, or obliterated during construction shall be replaced in conformance with current NCDOT standards. Thermoplastic pavement markings shall be installed at locations where the adjacent pavement are thermoplastic or as directed by the Division Traffic Engineer.
- **33.** All pavement markings shall be thermoplastic and shall conform to the requirements of the latest version of the **NCDOT Standard Specifications for Roads and Structures**.
- **34.** Poles for aerial crossings should be located at or as near as practical to the right of way and outside the Clear Recovery Area.
- **35.** Guy wires to ground anchors and stub poles should not be placed between a pole and the travel way, and should be located outside the Clear Recovery Area.
- **36.** Parallel utility lines occupying highway right of way shall maintain a minimum vertical clearance of 15.5 feet as stated in the National Electric Safety Code. Minimum vertical clearance shall be 18' for aerial crossings over NCDOT roadways.
- **37.** Splice boxes shall be a traffic bearing type designed for HS-20 loading and approved for use within NCDOT right of ways. All such appurtenances shall be installed flush to or below the surface of the ground in such a manner that they do not pose obstacles or obstructions to pedestrians, vehicles, equipment, or roadway maintenance operations.
- **38.** All splice boxes installed during initial construction or any future splice boxes that may be required to repair damaged cables shall be installed adjacent to the right of way line. No splice boxes shall be allowed in the shoulder, ditch line, or slope of the ditch adjacent to the roadway.
- **39.** All signal installation and construction shall be inspected and approved by NCDOT. The encroaching party shall notify Mr. Jerry Porter, Deputy Division Traffic Engineer, at 910-947-3930 at least two (2) working days prior to commencing installation of the signal system in order to arrange for inspection of the signal system.
- **40.** Access to the site covered under this agreement shall remain closed (i.e. barricaded) to traffic until all requirements relating to traffic control and signalization have been satisfied.
- **41.** Curb cuts and ramps for handicapped persons shall be constructed in accordance with the current NCDOT "Standard for Wheelchair Ramp Curb Cuts" and the Americans With Disabilities (ADA) Accessibility Guidelines for Buildings and Facilities.
- **42.** Ingress and egress shall be maintained to businesses and dwellings. Driveways altered during construction shall be restored to a condition equal to that prior to beginning construction.
- **43.** Excavated material shall not be placed on the paved roadway surface at any time unless specifically approved by the District Engineer. Drainage structures shall not be blocked with excavated material at any time.
- **44.** Trenches/excavations/bore pits shall not remain open longer than a 24 hour period. No trench/excavation/bore pit shall be left open overnight except in the event of emergency, in which case the encroacher shall notify the District Engineer and inform him as to the nature and anticipated duration of the emergency. Any excavation left open overnight due to emergency shall be protected and delineated with complete, adequate and appropriate safety and traffic control devices.
- **45.** All backfill shall meet the Statewide Borrow Criteria and shall be placed in accordance with section 300-6 of the latest version of the <u>NCDOT Standard Specifications for Roads and Structures</u>. Backfill material shall be free from rocks and debris placed in six inch loose layers and compacted to at least 95% of standard density

as determined by AASHTO Method T-99 as modified by NCDOT, except that backfill material placed within eight (8) inches of the pavement subgrade shall be compacted to 100% of standard density. (Copies of these testing procedures are available on request from the NCDOT Materials and Tests Unit.) Each layer must be fully compacted by an approved mechanical tamp before the next layer is placed.

- **46.** Excavated areas adjacent to pavement having more than a 2 inch drop shall be backfilled and made safe with a 6:1 or flatter slope and shall be designated by appropriate delineation during periods of construction inactivity including, but not limited to, night and weekend hours.
- **47.** When burying around the end of a pipe, culvert, or bridge, the utility shall be located a minimum of five (5) feet from the nearest part of the pipe, culvert, or bridge, and buried to a minimum depth of five (5) feet below the stream bed. At points where the utility is placed under existing storm drains by trenching, the trench shall be backfilled with Class M concrete up to the outside diameter of the existing pipe.
- **48.** All excavations inside the theoretical 1:1 slope from the existing edge of pavement to the bottom of the nearest trench wall shall be made in accordance with the following conditions:
 - Traffic shall be moved to a travel lane outside the limits of a theoretical 1:1 slope from the bottom of the nearest trench wall to the pavement surface.
 - Active excavation shoring such as sheet piling shall be installed. The design of the shoring shall include the effects of traffic loads. The design shall be designed and sealed by an engineer registered in North Carolina. Shoring plans and design calculations shall be submitted to the Division Engineer for review prior to construction. **Trench boxes shall not be accepted as positive shoring.**
 - The trench backfill shall meet the Statewide Borrow Criteria. The trench shall be backfilled in accordance with Section 300-6 of the latest version of the **NCDOT Standard Specifications for Roads and** <u>Structures.</u>
 - At the first sign of trench failure, the trench shall be immediately backfilled with materials consisting of A-1, A-3, A-2-4 soils or A-4 soils having a maximum of 45% passing a No. 200 sieve and a maximum P.I. of 6. All work shall cease and the Division Engineer shall be contacted. The Encroaching party or contractor shall repair any damage to the pavement caused by the excavation.
 - All trench excavation inside the limits of the theoretical 1:1 slope from the bottom of the nearest trench wall to the pavement surface shall be completely backfilled and compacted at the end of each construction day. No portion of the trench shall be left open overnight.
 - The length of parallel excavation shall be limited to the length necessary to install and backfill on joint of pipe at a time, not to exceed twenty five (25) feet.
- **49.** Drainage structures and systems shall be preserved and protected. Any structure which is disturbed or damaged during construction shall be immediately restored to its original condition at no expense to the Department of Transportation. All utility installations shall be designed and constructed so as not to hinder, disrupt or interfere with existing storm drainage. All facilities shall pass over or under highway drainage facilities.
- 50. All manholes and/or vaults shall be of an NCDOT pre-approved design. Manholes or vaults shall be designed for HS-20 live loads and conform to the latest versions of the <u>NCDOT Standard Specifications for Roads</u> <u>and Structures</u>, the <u>NCDOT Roadway Standards Drawings</u>. Any proposed structure which is not of a design pre-approved by NCDOT shall be submitted to NCDOT with details and design calculations sealed by a Professional Engineer for approval prior to construction. A list of approved structures may be obtained from NCDOT Design Services at 919-250-4128.
- **51.** Manhole rings and covers and valve covers shall be a traffic bearing type designed for HS-20 loading and approved for use within NCDOT right of ways. All such appurtenances shall be installed flush to or below the surface of the ground in such a manner that they do not pose obstacles or obstructions to pedestrians, vehicles, equipment, or roadway maintenance operations.
- **52.** All vaults, manholes and other appurtenances within the NCDOT right of way shall be located behind the ditch and at the right of way line. Manholes and/or vaults shall not be placed in the ditch line, side slopes of ditches or in the pavement.
- **53.** Manholes/Valves should not be located in the pavement or shoulders of any State road. Exceptions may be made on roads at those locations where manholes/valves are essential parts of existing lines that are permitted to

remain in place under existing and proposed roadways. Every effort should be made to minimize such installations and to avoid their location in wheel paths or at street intersections, insofar as practicable. Manholes should be designed and located in such a manner that will cause the least interference with roadway users, other utilities, and future highway expansion.

- 54. Locating tape or detection wire shall be installed with non-ferrous pipelines.
- **55.** The encroaching party shall contact Justin Bullock, P.E., County Maintenance Engineer at (919) 724-3431 for inspection of forms or grade line prior to placing concrete for curb and gutter. A minimum of 24 hours notice is required for inspections.
- **56.** A ¹/₄ inch per foot pavement slope based on the existing centerline in tangent sections is required. In addition, a smooth transition must be maintained along areas of superelevation. The proposed widening may necessitate wedging or resurfacing one half of the existing roadway to accomplish this requirement. Widened areas less than 6 feet in width shall utilize a full depth asphalt pavement design. The minimum pavement design shall be:

2 inches Asphalt Surface Course – S9.5B 3 inches Asphalt Binder Course – I19.0B 8 inches Aggregate Base Course- B25.0B

57. Where an installation is by open cut, the pavement shall be neatly sawed or cut perpendicular to the surface. The replacement base and surface shall extend a minimum of one foot beyond the excavated opening on each side and shall be equivalent to the original base and pavement or the design as stated in the encroachment agreement, whichever is greater. The minimum pavement design for pavements on secondary roads shall be:

3 inches Asphalt Surface Course – S9.5B Flowable fill to within 3" of asphalt grade

- **58.** Pavement cuts shall be allowed for tapping purposes only and at the dimensions and locations shown on the approved plans.
- **59.** All disturbed soil areas shall be promptly seeded and mulched. The encroaching party shall obtain the District Engineer's approval of ditch and shoulder grading prior to seeding and mulching.
- **60.** All earth areas shall be regraded, seeded and mulched in accordance with Section 1660 of the latest version of the <u>NCDOT Standard Specifications for Roads and Structures</u>. Final determination of soil type shall be made by the Engineer. The following rates in pounds per acre apply:
 - YEAR ROUND MIXTURE (Sandy Soils) KY 31 Tall Fescue or Alta Tall Fescue – 50 pounds Pensacola Bahiagrass – 50 pounds Centipede – 5 pounds Fertilizer (10-20-20 analysis) – 500 pounds Limestone – 4000 pounds
 - YEAR ROUND MIXTURE (Clay Soils) KY 31 Tall Fescue or Alta Tall Fescue – 100 pounds Kenblue Bluegrass – 15 pounds Fertilizer (10-20-20 analysis) – 500 pounds Limestone – 4000 pounds
 - Add 10 pounds of Kobe or Korean Lespedeza and 10 pounds of Millet to the above mixture from May 1 to August 31.
 - On cut and fill slopes 2:1 or steeper, add 30# Sericea Lespedeza from January 1 to December 31.
 - Fertilizer shall be 10-20-20 analysis. Upon written approval of the Engineer, a different analysis may be used provided the 1-2-2 ratio is maintained and the rate of application is adjusted to provide the same amount of plant food as a 10-20-20 analysis.
- **61.** The encroaching party or any agent acting on behalf of the encroaching party shall exercise care and provide any and all necessary measures and precautions to preserve and protect existing landscaping and roadside plantings within the right of way. Existing landscaping and landscape plantings shall not be disturbed unless approved by the NCDOT Division 8 Roadside Environmental Engineer. All costs associated with restoration or

replacement of landscaping or landscape plantings damaged or destroyed by the encroaching party or its agents shall be the responsibility of the encroaching party.

- **62.** In the event it is determined that there is a conflict between the existing landscaping or landscape plantings and the proposed utility installation, the encroaching party or any agent acting on behalf of the encroaching party shall not proceed until the Division 8 Roadside Environmental Engineer has been notified and the conflict has been resolved to his satisfaction.
- **63.** The Division 8 Roadside Environmental Engineer can be contacted as follows:

Roadside Environmental Engineer 902 N. Sandhills Boulevard P. O. Box 1067Aberdeen, NC 28315 (910-944-2344)

- **64.** The encroaching party shall assume all responsibility, obligation, and liability for maintenance of the structure permitted under this encroachment agreement. This condition shall be conveyed in any future buy, lease, sell or rental agreement. In the event that the encroaching party or any future responsible party should fail to satisfy this condition, NCDOT reserves the right close or remove the structure.
- **65.** The District Engineer will make a field inspection during construction to evaluate the need for guardrail. If the District Engineer determines that the location meets the current NCDOT warrants and criteria for the installation of guardrail, the encroaching party shall furnish and install guardrail at locations and as directed by the District Engineer.
- **66.** Notify Justin Bullock, P.E., County Maintenance Engineer, 1404 E Raleigh St, Siler City, NC 27344 (919) 724-3431, prior to beginning work. The encroaching party shall provide the District Engineer with the following information at least 3 working days prior to commencing operations:
 - Proposed schedule of operations
 - The name(s) and phone number(s) of project contact person(s).
 - Tentative locations where directional bores will commence and terminate.
- **67.** All activities or operations approved under this agreement which fall within the project limits or contract period of any active NCDOT project shall require a waiver from the prime Contractor for the NCDOT project, granting the encroaching party access within the project and releasing NCDOT from claims against NCDOT by the prime Contractor resulting from the encroaching party's operations or activities. The NCDOT project shall have precedence and priority over all others.
- **68.** Ingress and egress through the controlled access right of way is prohibited. No staging or queuing of vehicles or equipment within the Controlled Access Right of Way, travel lanes, or shoulders shall be permitted.



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<u>NOTES:</u> 1. PAVEMENT EDGE SLOPES ARE 1:1 UNLESS OTHERWISE NOTED	 Stantow Limits Sections FOR EXCEPTIONS TO STATION LIMITS SEE PLANS FOR TAPER LOCATIONS SEE CAOSS SECTIONS AND PROFILES FOR SPECIAL DITCH GRADES SEE PLANS FOR SPECIFIC ISLAND LOCATIONS SPECIAL DITCH GRADES SEE PLANS FOR SPECIFIC ISLAND LOCATIONS SUBBRELEVATION AND CROSS SECTIONS FOR SUBBRELEVATION AND CROSS SECTIONS FOR AND FOR AN	 S. Y.LINE AJVERNE DESIGN ALAFEL PHASE BEEN TAKEN FROM THE BRIAS CHAPEL PHASE 2 CONSTRUCTION PLANS, PRODUCED BY THE JOHN R. MCADAMS COMPANY. J. US 15-501 PAYEMENT DESIGNS HAVE BEEN PROVIDED BY NCDOT 		PAVEMENT SCHEDULE	PROPOSED APPROX.LS ASPHUT CONCRETE SUPFACE COURSE TYPE SASA, AT M. WERAGE RUTE OF 188 LBS. PER SO.TO.	PROPOSED APPRIL & ASPINIT ONWORLE SURFICE COURSE TYPE \$958. IT IN NEPROE RATE OF 224 LBS. PER 50.70.	PAGP VAR DEPTH ASPHAT CONCRETE SURFACE COURSE TYPE 53584,AT M AFENAGE RATE OF 112 LISS PERF SQLYD, PERF A DEPTH, TO BE PLACED M LVERS NOT LESS THAM 12 M DEPTH OR OREATER THAM 2" M DEPTH.	PROPOSED APPRIX, & ASPINIZ CONCRETE INTERMEDIATE COURSE TYPE 19308 AT AN AUGRAGE RATE OF 342 LIBS, PER SO, YO.	PAGP VAR DEPTH ASPHAT INTERNEDUTE SUBFACE COURSE. TYPE 19408. AT M. NEENDE RATE OF MILLSS, PER SQLADPER 1 DEPTH. TO BE PLACED IN LPERS NOT LESS TYNN 22'N DEPTH OR OREATER THM # IN DEPTH.	PROPOSED APPROX. 5' ASPHAIT CONCRETE BASE COURSE, TYPE B25.0B AT AN INCRAGE RATE OF 570 LBS.PER SO YARD.	PROPOSED APPROX, & ASPHALT CONCRETE BASE COURSE, TYPE BESOB AT M. NERAGE RATE OF 456 LBS.PER SO YARD. IN EACH OF TWO LIVERS.	PROP.VAR. DEPTH ASPHAT CONCRETE BASE COURSE, TYPE BESORA AT M AVENDE RATE OF THA LESS PERF SO, YA, PEHF / DEPTH TO BE PLUCED IN LIVERS NOT LESS THAN & OR OREATED THAN SS IN DEPTH.	of adorecarte base course	SHOULDER BERN GUTTER	S MONOUTHIC CONCRETE ISLAND INDIED INI	EARTH WATERIAL	EXISTING PAREMENT	PAREMENT WEDGING	stut nestu parsueut peuntut
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						PROJEC 34	CT REFERENCE NO. SHEET NO.
	\langle	INSTALL REA, PE = 22, SHIELDED, TWISTED PAIR COMMUNICATIONS CABLE				TEGEND	
7]<	INSTALL REA. PE = 38. (FIGURE = 8) SHIELDED.	35	REMOVE EXISTING CABINET FOUNDATION		NEW FIBER OPTIC COMMUNICATIONS CA NEW TWISTED PAIR COMMUNICATIONS C	ABLE
7	2	TWISTED PAİR COMMUNICATIONS CABLE	36	INSTALL CCTV CAMERA ASSEMBLY	- 54	EXISTING COMMUNICATIONS CABLE	
7	3	INSTALL REA, PE – 39, (UNDERGROUND) SHIELDED, TWISTED PAIR COMMUNICATIONS CABLE	37	INSTALL CCTV CAMERA WOOD POLE	80	EXISTING COMMUNICATIONS CABLE TO BE REMOVED	
	<		5			NEW AERIAL GUY ASSEMBLY	
7	- - -		82	Install cctv camera metal pole and foundation		NEW CONDUIT EXISTING CONDUIT	
7	< <u>c</u>	INSTALL MMFO CABLE	39	INSTALL JUNCTION BOX		NEW DIRECTIONAL DRILLED CONDUIT	
	~	INSTALL FIBER OPTIC DROP CABLE	40	INSTALL OVERSIZED JUNCTION BOX		NEW BORED AND JACKED CONDUIT NEW ILINCTION ROX	
		INSTALL TRACER WIRE	[4	REMOVE EXISTING JUNCTION BOX		EXISTING JUNCTION BOX	
](<u></u>		0	NEW WOOD POLE	
	@)(TRENCH	47	INSIALL WOOD FOLE	• 6	EXISTING WOOD FOLE NEW ARRIAL SPLICE ENCLOSURE	
	٥	INSTALL PVC CONDUIT	43	REMOVE EXISTING WOOD POLE		NEW METAL POLE	
	0	INSTALL RIGID, GALVANIZED STEEL CONDUIT	44	INSTALL AERIAL GUY ASSEMBLY		EXISTING METAL POLE NEW CCTV CAMERA ASSEMBLY	
)(=	INSTAIL RIGID GALVANIZED STEEL RISER WITH WEATHERHEAD	45	INSTALL STANDARD GUY ASSEMBLY		NEW STANDARD GUY ASSEMBLY	
] 4	VISTALL SIDEWALK GLIV ASSEMBLY	, ↓	NEW STANDARD GUY USING EXISTING	ANCHOR
	<u>=</u>)(Insiall Rigid, Galvanized Steel Riser with Fiber Optic Cable Seal	2	INSTALL SUDEWALN GOT ASSEMBLI	J	NEW SIDEWALK GUY ASSEMBLY	
	[3	INSTALL OUTER-DUCT POLYETHYLENE CONDUIT	47	INSTALL MESSENGER CABLE	Y Þ) NEW CABLE STORAGE RACKS (SNOW SH. EXISTING CONTROLLER AND CABINET	HOES)
	- 1	INSTALL POLYETHYLENE CONDUIT	48	REMOVE EXISTING COMMUNICATIONS CABLE AND MESSENGER CABI	ц Ш	EXISTING SPLICE CABINET	
)(<u>1</u>))	DIRECTIONAL DRILL CONDUIT	49	REMOVE EXISTING COMMUNICATIONS CABLE	s s	NEW SPLICE CABINET	
)(20	INSTALL TELEPHONE SERVICE	XX-XXX	SIGNAL INVENTORY NUMBER	
uõp.	•)		3	INSTALL CABLE STORAGE RACKS (SNOW SHOES) AND STORE	CONSTRUCTION	I NOTE SYMBOLOG	Y KEY
0-836	1	INSTALL CABLE(S) IN EXISTING CONDUIT	5	100 FEET OF CABLE		WRER OF CARLES LOOPS ETC	
uîtuo9	(18	INSTALL CABLE(S) IN NEW CONDUIT	52	INSTALL DELINEATOR MARKER		WBER OF EIDEDE DER CADIF	
- Cable)(6	INSTALL CABLE(S) IN EXISTING RISER	53	STORE 20 FEET OF COMMUNICATIONS CABLE	TWISTED PAIRS	PER CABLE, ETC.	
95#1040	50)	NSTALL CABLE(S) IN NEW RISER	54	LASH CABLE(S) TO EXISTING SIGNAL/COMMUNICATIONS CABLE	XX INDICATES NUA	WBER OF RISER(S)/CONDUIT(S)	
515 OII	$\mathcal{D}($		55	LASH CARIF(S) TO EXISTING MESSENGER CARIF			
*Traff	<u>م</u>		3			Meter of Riser(s)/conduit(s)	(INCH)
	22	INSTALL NEW CONDUIT INTO EXISTING CABINET BASE (USE EXISTING CONDUIT STUB-OUTS WHEN AVAILABLE)	56	LASH CABLE(S) TO NEW MESSENGER CABLE			
ised ID4	53)	INSTALL NEW RISER INTO EXISTING CABINET BASE	57	MODIFY EXISTING ELECTRICAL SERVICE		PL FIBERS/	UMBER OF TWISTED PAIRS
138(100)(;	(USE EXISTING CONDUIT STUB-OUTS WHEN AVAILABLE)	58	INSTALL NEW ELECTRICAL SERVICE			
hteredu	4	INSTALL NEW CONDUIT INTO EXISTING POLE MOUNTED CABINET	6	INSTALL EIBED OPTIC TRANSCEIVED			
	(25	INSTALL NEW RISER INTO EXISTING POLE MOUNTED CABINET	2	INSTALL FIDER OFIC TRANSCEIVER		XX XX	
-\$1) - £2	2 6	TERMINATE COMMUNICATIONS CABLE ON EXISTING TELEMETRY	60	INSTALL SPECIAL SIZED JUNCTION BOX	v		
0191510840	×23	INSTALL NEW TELEMETRY INTERFACE PANEL IN TRAFFIC SIGNAL CONTROLLER CABINET		NC Dept of Transportation			
WDDOR. JA	5	INSTALL INTERCONNECT CENTER, PATCH PANEL, JUMPERS, AND FLISION SPILCE CARIE IN CARINET		Division of Highways Einal Drawing Date:			
¥:#8	3	INSTALL UNDERGROUND SPLICE ENCLOSURE			NUMBER		ETER
nott	\sim			•	OF RISER(S)/CONDUIT(S)	RISER(S)/CONDI	UIT(S) (INCH)
20100eq	\gg	INSTALL AERIAL SPLICE ENCLOSURE			Properted For:		SEAL
•ubsns	्र	INSTALL POLE MOUNTED SPLICE CABINET			US 15-1 Constr	501 CLOSED - LOOP SYSTEM	APRIL CHROLE
MA 20:71	32	INSTALL BASE MOUNTED SPLICE CABINET		PLANS REPARED N THE OFTIC OF	Division 8	Chatham County Fearrington	030472
-	33	REMOVE EXISTING SPLICE CABINET		Kimley » Horr Not Lisense # F-102	259 N. Greenfields St. General N. 2759 PREPARED BY: S	APRIL 2015 REVIENED BY: KW SMITH SP PENNINGTON REVIENED BY: INIT OATE C Tevisions	
102/#1/4	34	INSTALL CABINET FOUNDATION		P.O. Box 33068 Rate(p) NC 27536 read:r2:000	0 N/A		DEVIL SHOW STATE
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