

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS)
) **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF UPSHUR)

The undersigned, Forrest Roraback, hereinafter referred to as First Party, enters into an agreement with Upshur County Commissioner of Precinct No. 3, Upshur County, and in order to get material to market it is necessary to use a portion of Upshur County roads located in Precinct No. 3, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as a result of hauling on and over same, enter into the following agreement:

1.
First Party agrees to use only that section of (described exact route, direction and miles in tenths)
.25 of a mile south on Holly Road.

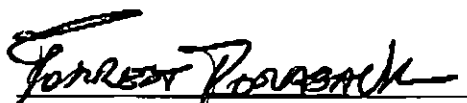
2.
First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road, so that said road will be open to travel by the public at all times.

3.
First Party agrees to grade, maintain and otherwise repair said road, using its own equipment, labor and materials, if any needed, during the duration of time that First Party is logging/clearing from lands location in Precinct No. 3, Upshur County.

4.
First Party agrees to put said road back into same condition as it was prior to the commencement of hauling operations on the part of First Party.

5.
First Party agrees to POST PERFORMANCE BOND in the amount of \$-0-, to Upshur County Commissioner's Court to insure performance of agreement.

6.
Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.



First Party Signature
Forrest Roraback

32 County Road 3121

Street or Box

Clarksville, TX 75426

City, State and Zip Code

903-739-5705

Telephone

Hall/Mario Guterirrez

Timber Tract / Property Owner

Issued by Annette M. Norton Valid December 1, 2022 to March 1, 2023

PERMIT ISSUED NOT TO EXCEED 90 DAYS UNLESS OTHERWISE NOTED

A COPY OF THIS PERMIT MUST BE IN EVERY TRUCK BEING USED

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS } KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF UPSHUR }

The undersigned, Pat’s Roustabout Services/Bobby Patterson, hereinafter referred to as First Party, enters into an agreement with Upshur County Commissioner of Precinct No. 2, Upshur County, and in order to get material to market it is necessary to use a portion of Upshur County roads located in Precinct No. 2, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as a result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in tenths)

Rodgers Road at the intersection of Red Bud Lane and Rodgers Road.

2.

First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road, so that said road will be open to travel by the public at all times.

3.

First Party agrees to grade, maintain and otherwise repair said road, using its own equipment, labor and materials, if any needed, during the duration of time that First Party is Railroad Commissioner Project (cleaning up an abandoned well) from lands location in Precinct No. 2, Upshur County.

4.

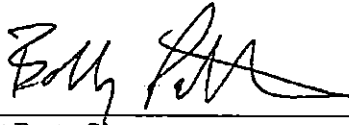
First Party agrees to put said road back into same condition as it was prior to the commencement of hauling operations on the part of First Party.

5.

First Party agrees to POST PERFORMANCE BOND in the amount of \$-0-, to Upshur County Commissioner’s Court to insure performance of agreement.

6.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.



First Party Signature
Bobby Patterson

P.O. Box 870

Street or Box

Carthage, TX 75633

City, State and Zip Code

903-918-8282

Telephone

N/A

Timber Tract / Property Owner

Issued by Annette M. Norton Valid 11/23/22 to 2/23/23

PERMIT ISSUED NOT TO EXCEED 90 DAYS UNLESS OTHERWISE NOTED

A COPY OF THIS PERMIT MUST BE IN EVERY TRUCK BEING USED

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS }
 } KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF UPSHUR }

The undersigned, Matt Raulston , hereinafter referred to as First Party, enters into an agreement with Upshur County Commissioner of Precinct No. 2 , Upshur County, and in order to get material to market it is necessary to use a portion of Upshur County roads located in Precinct No. 2 , over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as a result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in tenths)
 3/4 mile on Mistletoe N of FM 593

2.

First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road, so that said road will be open to travel by the public at all times.

3.

First Party agrees to grade, maintain and otherwise repair said road, using its own equipment, labor and materials, if any needed, during the duration of time that First Party is hauling logs from lands location in Precinct No. 2 , Upshur County.

4.

First Party agrees to put said road back into same condition as it was prior to the commencement of hauling operations on the part of First Party.

5.

First Party agrees to POST PERFORMANCE BOND in the amount of \$-0-, to Upshur County Commissioner's Court to insure performance of agreement.

6.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S., are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

Spencer Madden
First Party Signature

P.O. Box 911
Street or Box

Clarksville, TX 75426
City, State and Zip Code

870-602-1110
Telephone

Gary Jones
Timber Tract / Property Owner

Issued by Lisa Tefteller Valid 12/2/2022 to 3/2/2022

PERMIT ISSUED NOT TO EXCEED 90 DAYS UNLESS OTHERWISE NOTED

COPY OF THIS PERMIT MUST BE IN EVERY TRUCK BEING USED

*****A TEMPORARY CULVERT MUST BE INSTALLED IN DITCH BEING
USED FOR ACCESS TO LAND*****

APPROVAL

TO: Etex Telephone Coop., Inc.
P.O. Box 130 Gilmer, TX 75644

DATE 11/28/2022

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed New Fiber Optic line across Aster Rd., Horton Rd., Hydrangea Rd., & Begonia Rd. as shown by accompanying drawings and notice dated Approved, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.
2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.
4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of Supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)
5. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of a bridge unless approved by the County Engineer in writing. No lines shall be placed inside any culvert or within 10 feet of the closest point of same.
6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.
7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.
8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.
9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.
10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED:


County ROAD ADMINISTRATOR

APPROVED:

Chairperson, Upshur County Commissioners Court
Revised 11/30/10

NOTICE OF PROPOSED INSTALLATION
NOTICE OF PROPOSED INSTALLATION
PIPE AND/OR UTILITY LINES

DATE: 11/28/2022

TO: UPSHUR COUNTY COMMISSIONERS COURT
c/o UPSHUR COUNTY ENGINEER
UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT
P. O. BOX 730
Gilmer, TX 75644

EXPIRES: 03/28/2023

Formal notice is hereby given that Etex Telephone Coop., Inc. proposes to bore a New Fiber Optic line within the right-of-way of County Roads across Aster Rd., Horton Rd., Hydrangea Rd., & Begonia Rd. as follows: Installing new fiber and duct on both sides of said county roads. All construction will be directionally bored at a min depth of 60" within the Upshur county Road and Bridge right-of-way.

The location and description of the proposed line and appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County right-of-way as directed by the County Engineer in accordance with current Upshur County specifications.

Construction of this line will begin on or after the 6th day of December, 2022 and will be completed within 120 days of the date of approval.

Firm Etex Telephone Coop., Inc.
By Caleb McNeil
Title Right-of-way solicitor
Address P.O. Box 130 Gilmer, TX 75644

- NOTE: 1. This form to be submitted in triplicate for each proposed installation.
2. The permit shall be in effect until the utility line is removed from the right of way.
3. Inform the County Engineer if work is not completed within this time

APPROVAL

TO: Etex Telephone Coop., Inc.
P.O. Box 130 Gilmer, TX 75644

DATE 11/28/2022

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed New Fiber Optic line across Aster Rd., Horton Rd., Hydrangea Rd., & Begonia Rd. as shown by accompanying drawings and notice dated Approved, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.
2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.
4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of Supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)
5. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of a bridge unless approved by the County Engineer in writing. No lines shall be placed inside any culvert or within 10 feet of the closest point of same.
6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.
7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.
8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.
9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.
10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED: _____
County Engineer

APPROVED: _____
Chairperson, Upshur County Commissioners Court
Revised 11/30/10

APPROVAL

TO: Etex Telephone Coop., Inc.
P.O. Box 130 Gilmer, TX 75644

DATE 11/28/2022

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed New Fiber Optic line across Aster Rd., Horton Rd., Hydrangea Rd., & Begonia Rd. as shown by accompanying drawings and notice dated Approved, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.
2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.
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7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.
8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.
9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.
10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED: _____
County Engineer

APPROVED: _____
Chairperson, Upshur County Commissioners Court
Revised 11/30/10

NOTICE OF PROPOSED INSTALLATION
NOTICE OF PROPOSED INSTALLATION
PIPE AND/OR UTILITY LINES

DATE: 11/28/2022

TO: UPSHUR COUNTY COMMISSIONERS COURT
c/o UPSHUR COUNTY ENGINEER
UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT
P. O. BOX 730
Gilmer, TX 75644

EXPIRES: 03/28/2023

Formal notice is hereby given that Etex Telephone Coop., Inc. proposes to bore a New Fiber Optic line within the right-of-way of County Roads across Aster Rd., Horton Rd., Hydrangea Rd., & Begonia Rd. as follows: Installing new fiber and duct on both sides of said county roads. All construction will be directionally bored at a min depth of 60" within the Upshur county Road and Bridge right-of-way.

The location and description of the proposed line and appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County right-of-way as directed by the County Engineer in accordance with current Upshur County specifications.

Construction of this line will begin on or after the 6th day of December, 2022 and will be completed within 120 days of the date of approval.

Firm Etex Telephone Coop., Inc.
By Caleb McNeil
Title Right-of-way solicitor
Address P.O. Box 130 Gilmer, TX 75644

- NOTE: 1. This form to be submitted in triplicate for each proposed installation.
2. The permit shall be in effect until the utility line is removed from the right of way.
3. Inform the County Engineer if work is not completed within this time

NOTICE OF PROPOSED INSTALLATION
NOTICE OF PROPOSED INSTALLATION
PIPE AND/OR UTILITY LINES

DATE: 11/28/2022

TO: UPSHUR COUNTY COMMISSIONERS COURT
c/o UPSHUR COUNTY ENGINEER
UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT
P. O. BOX 730
Gilmer, TX 75644

EXPIRES: 03/28/2023

Formal notice is hereby given that Etex Telephone Coop., Inc. proposes to bore a New Fiber Optic line within the right-of-way of County Roads across Aster Rd., Horton Rd., Hydrangea Rd., & Begonia Rd. as follows: Installing new fiber and duct on both sides of said county roads. All construction will be directionally bored at a min depth of 60" within the Upshur county Road and Bridge right-of-way.

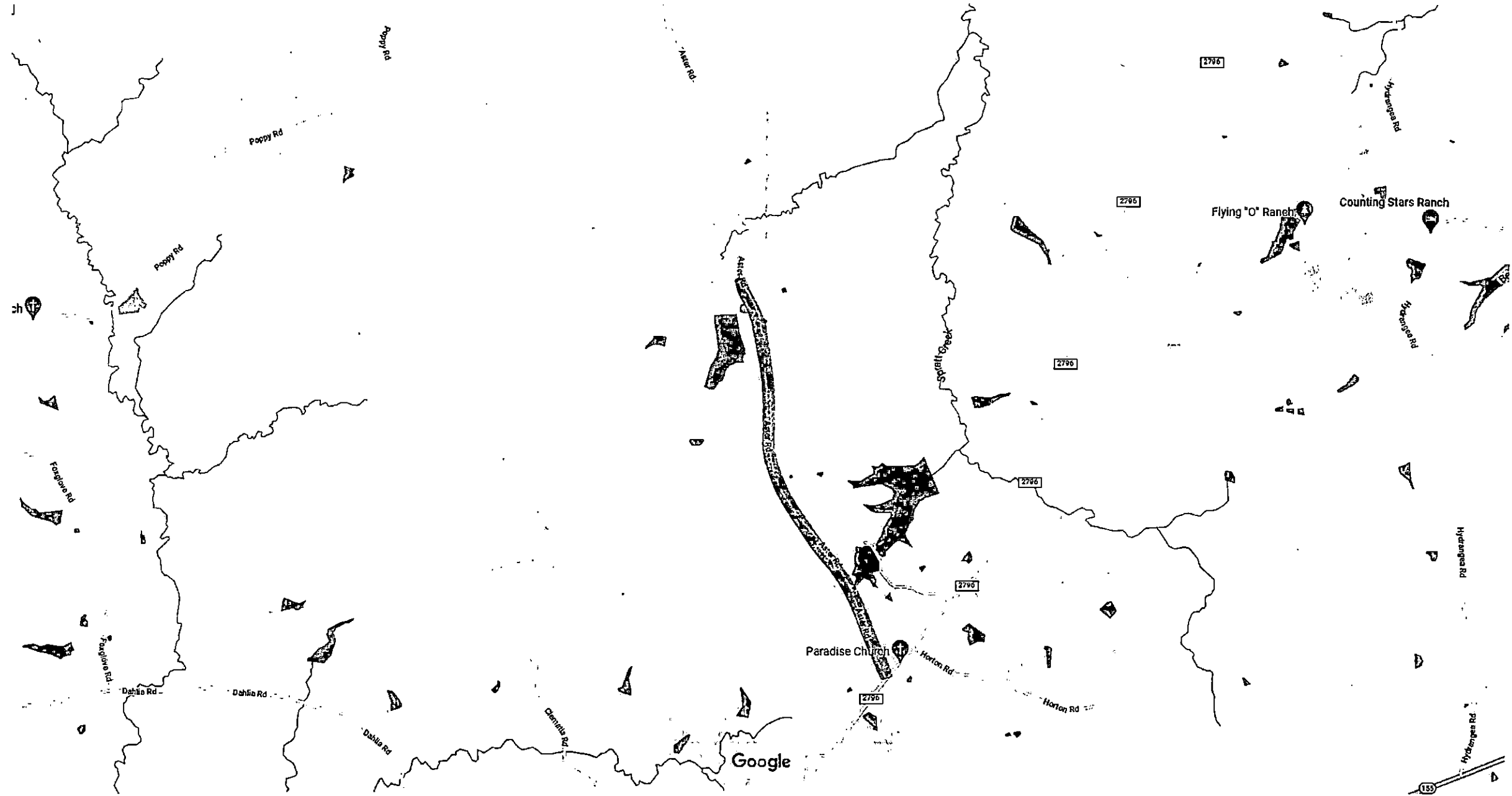
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Construction of this line will begin on or after the 6th day of December, 2022 and will be completed within 120 days of the date of approval.

Firm Etex Telephone Coop., Inc.
By Caleb McNeil
Title Right-of-way solicitor
Address P.O. Box 130 Gilmer, TX 75644

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2. The permit shall be in effect until the utility line is removed from the right of way.
3. Inform the County Engineer if work is not completed within this time

Google Maps



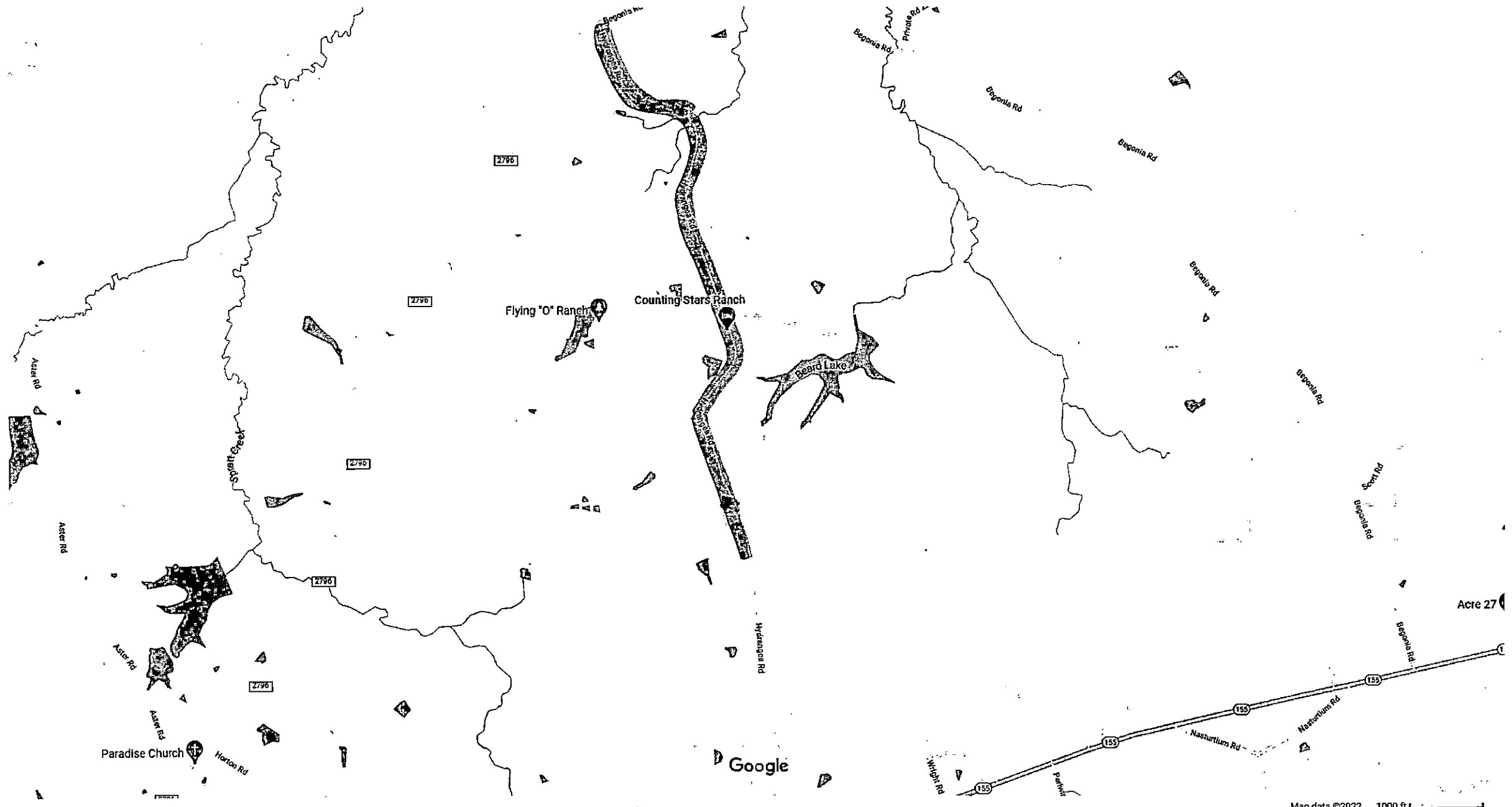
Map data ©2022 1000 ft

Google Maps



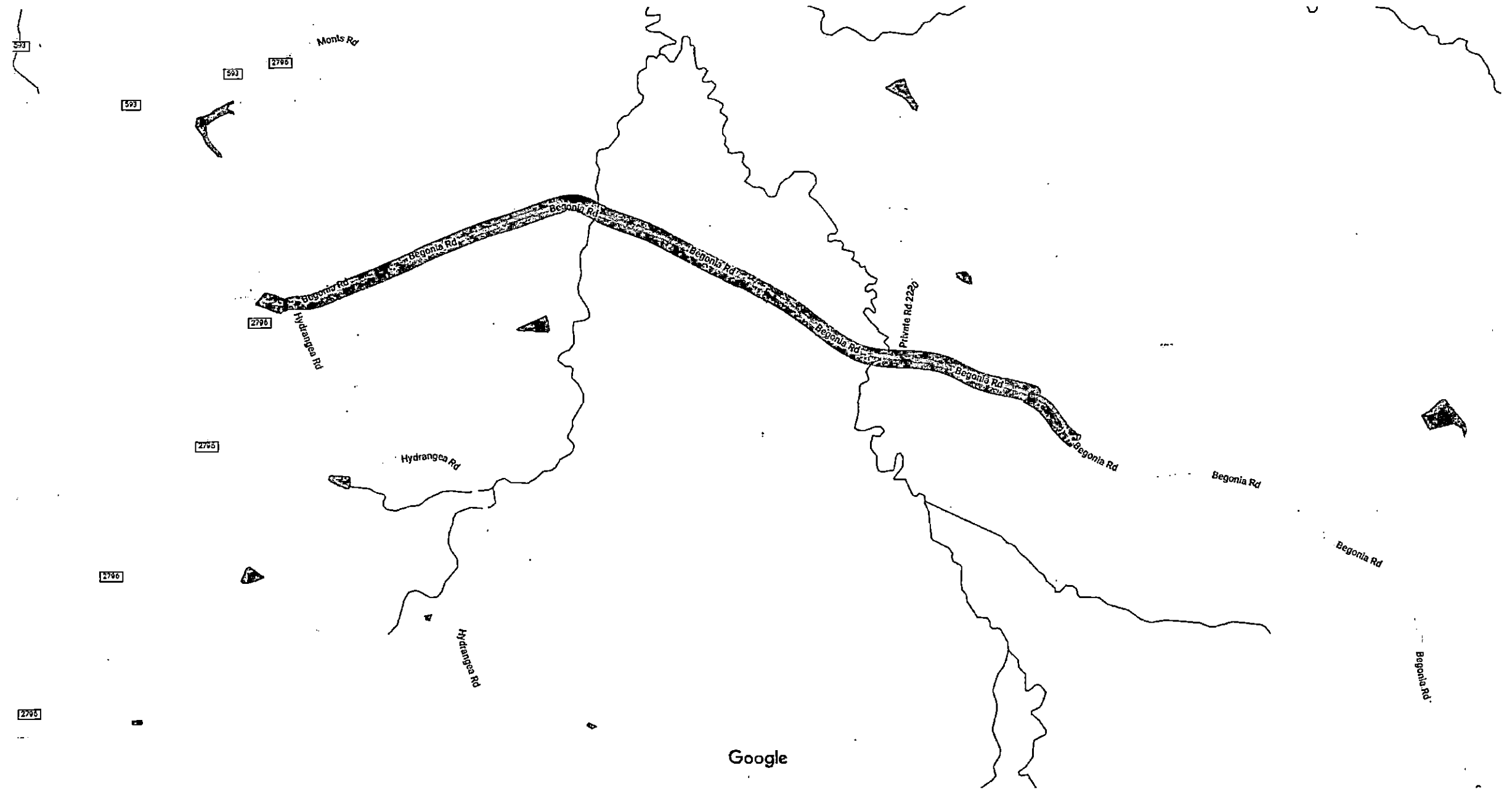
Google

Google Maps



Map data ©2022 1000 ft

Google Maps



Map data ©2022 500 ft

APPROVAL

TO: Etex Telephone Coop., Inc.
P.O. Box 130 Gilmer, TX 75644

DATE 11/28/2022

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed New Fiber Optic line across Grouse Rd., Goldfinch Rd., Kingfisher Rd., & Flamingo Rd. as shown by accompanying drawings and notice dated Approved, except as noted below:

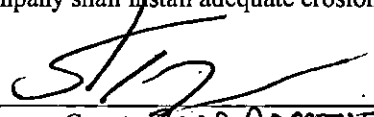
N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner, change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.
2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.
4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of Supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)
5. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of a bridge unless approved by the County Engineer in writing. No lines shall be placed inside any culvert or within 10 feet of the closest point of same.
6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.
7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.
8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.
9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.
10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED:


County ROAD ADMINISTRATOR

APPROVED:

Chairperson, Upshur County Commissioners Court
Revised 11/30/10

NOTICE OF PROPOSED INSTALLATION
NOTICE OF PROPOSED INSTALLATION
PIPE AND/OR UTILITY LINES

DATE: 11/28/2022

TO: UPSHUR COUNTY COMMISSIONERS COURT
c/o UPSHUR COUNTY ENGINEER
UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT
P. O. BOX 730
Gilmer, TX 75644

EXPIRES: 03/28/2023

Formal notice is hereby given that Etex Telephone Coop., Inc. proposes to bore a New Fiber Optic line within the right-of-way of County Roads across Grouse Rd., Goldfinch Rd., Kingfisher Rd., & Flamingo Rd. as follows: Installing new fiber and duct on both sides of said county roads. All construction will be directionally bored at a min depth of 60" within the Upshur county Road and Bridge right-of-way.

The location and description of the proposed line and appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County right-of-way as directed by the County Engineer in accordance with current Upshur County specifications.

Construction of this line will begin on or after the 5th day of December, 2022 and will be completed within 120 days of the date of approval.

Firm Etex Telephone Coop., Inc.
By Caleb McNeil
Title Right-of-way solicitor
Address P.O. Box 130 Gilmer, TX 75644

- NOTE: 1. This form to be submitted in triplicate for each proposed installation.
2. The permit shall be in effect until the utility line is removed from the right of way.
3. Inform the County Engineer if work is not completed within this time

APPROVAL

TO: Etex Telephone Coop., Inc.
P.O. Box 130 Gilmer, TX 75644

DATE 11/28/2022

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed New Fiber Optic line across Grouse Rd., Goldfinch Rd., Kingfisher Rd., & Flamingo Rd. as shown by accompanying drawings and notice dated Approved, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

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1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.
2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.
4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)
5. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of a bridge unless approved by the County Engineer in writing. No lines shall be placed inside any culvert or within 10 feet of the closest point of same.
6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.
7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.
8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.
9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.
10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED: _____
County Engineer

APPROVED: _____
Chairperson, Upshur County Commissioners Court
Revised 11/30/10

APPROVAL

TO: Etex Telephone Coop., Inc.
P.O. Box 130 Gilmer, TX 75644

DATE 11/28/2022

The Upshur County Commissioners Court offers no objections to the location on the right-of-way of your proposed New Fiber Optic line across Grouse Rd., Goldfinch Rd., Kingfisher Rd., & Flamingo Rd. as shown by accompanying drawings and notice dated Approved, except as noted below:

N/A

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant and right, claim, title, or easement in or upon this county road; and it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase add to or any manner change the structure of this right-of-way line, this line, if affected, will be moved under the direction of the Upshur County Engineer and shall be relocated at the complete expense of the owner. Upshur County shall be notified a minimum of 48 hours prior to the beginning of any work.

All work on the county right-of-way shall be performed in accordance with the County Engineer's instructions. The installation shall not damage any part of the highway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners. Special specifications for placing this line are as follows:

1. All ground lines are to be installed a minimum of 36 inches below the flowline of the adjacent drainage or borrow ditch.
2. All excavations within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfaced cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line.
4. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from right-of-way line to right-of-way line. Pipe used for casing may be of any type approved by the County Engineer and shall be capable of Supporting the load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through the casing for its entire length. Inside diameter of casing shall be at least 2 inches greater than the largest outside diameter of carrier pipe, joint or couplings. (Encasement is not required on lines installed 48 inches or greater below flowline.)
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6. Parallel lines will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and roadbed unless approved by the County Engineer in writing.
7. Overhead lines will have a minimum clearance of 18 feet above the road surface at point of crossing.
8. Operations along roadways shall be performed in such a manner that all excavated material be kept off the pavements at all times, as well as all operating equipment and materials. Do not use equipment or installation procedures which will damage any road surface or structure. The cost of any repairs to road surfaces, roadbed, structures or other right-of-way features as direct result of this installation will be borne by the owner of this line.
9. Barricades, warning signs, lights and flagmen, when necessary, shall be provided by the contractor or owner. One half of the traveled portion of the road must be open to traffic at all times. All traffic control shall be in accordance with the requirements of the current version of the Texas MUTCD.
10. Utility company shall install adequate erosion control measures for any excavation work being performed.

APPROVED: _____
County Engineer

APPROVED: _____
Chairperson, Upshur County Commissioners Court
Revised 11/30/10

NOTICE OF PROPOSED INSTALLATION
NOTICE OF PROPOSED INSTALLATION
PIPE AND/OR UTILITY LINES

DATE: 11/28/2022

TO: UPSHUR COUNTY COMMISSIONERS COURT
c/o UPSHUR COUNTY ENGINEER
UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT
P. O. BOX 730
Gilmer, TX 75644

EXPIRES: 03/28/2023

Formal notice is hereby given that Etex Telephone Coop., Inc. proposes to bore a New Fiber Optic line within the right-of-way of County Roads across Grouse Rd., Goldfinch Rd., Kingfisher Rd., & Flamingo Rd. as follows: Installing new fiber and duct on both sides of said county roads. All construction will be directionally bored at a min depth of 60" within the Upshur county Road and Bridge right-of-way.

The location and description of the proposed line and appurtenances is more fully shown by three copies of drawings attached to this notice. The line will be constructed and maintained on the County right-of-way as directed by the County Engineer in accordance with current Upshur County specifications.

Construction of this line will begin on or after the 5th day of December, 2022 and will be completed within 120 days of the date of approval.

Firm Etex Telephone Coop., Inc.
By Caleb McNeil
Title Right-of-way solicitor
Address P.O. Box 130 Gilmer, TX 75644

- NOTE: 1. This form to be submitted in triplicate for each proposed installation.
2. The permit shall be in effect until the utility line is removed from the right of way.
3. Inform the County Engineer if work is not completed within this time

NOTICE OF PROPOSED INSTALLATION
NOTICE OF PROPOSED INSTALLATION
PIPE AND/OR UTILITY LINES

DATE: 11/28/2022

TO: UPSHUR COUNTY COMMISSIONERS COURT
c/o UPSHUR COUNTY ENGINEER
UPSHUR COUNTY ROAD & BRIDGE DEPARTMENT
P. O. BOX 730
Gilmer, TX 75644

EXPIRES: 03/28/2023

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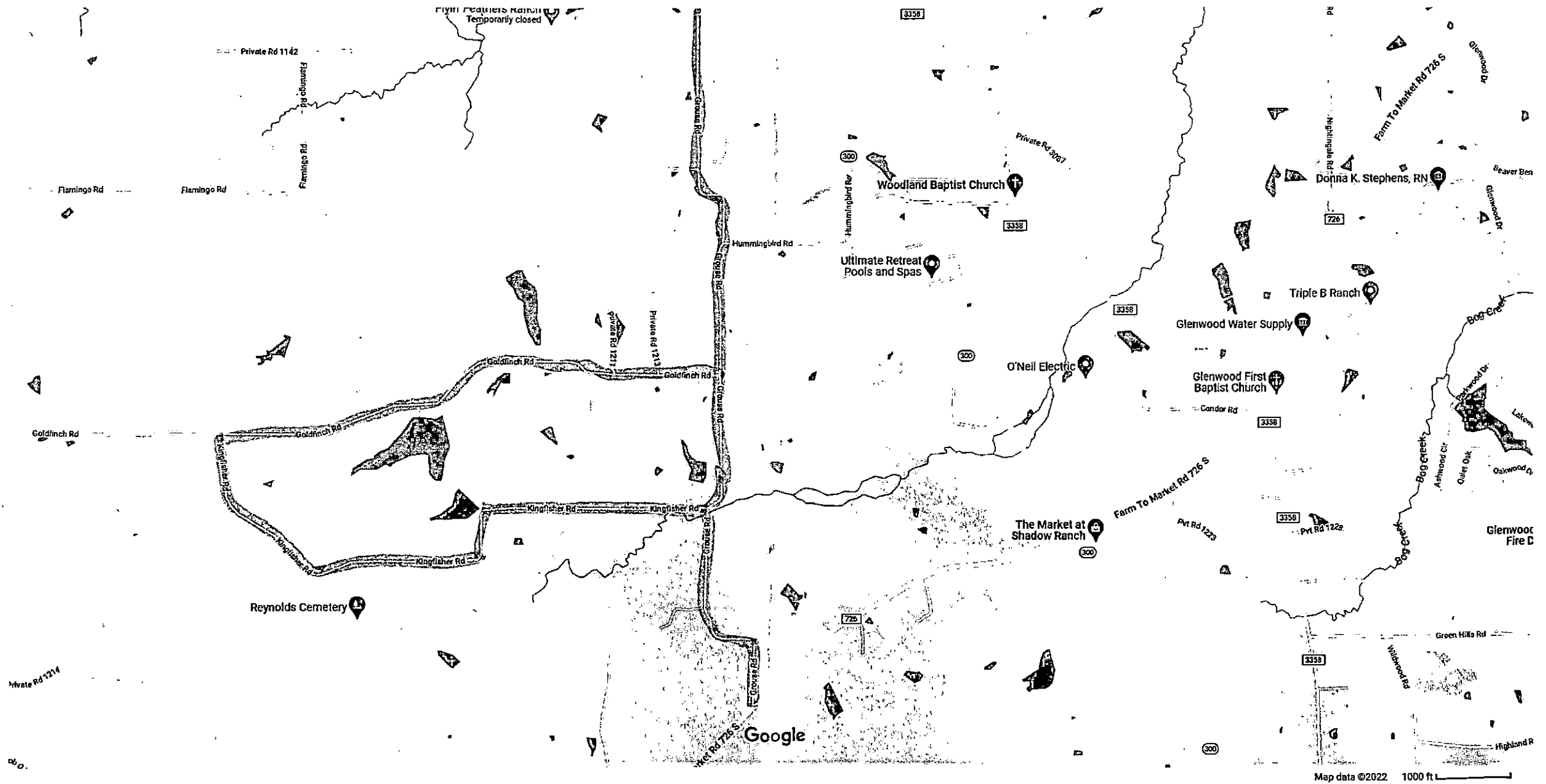
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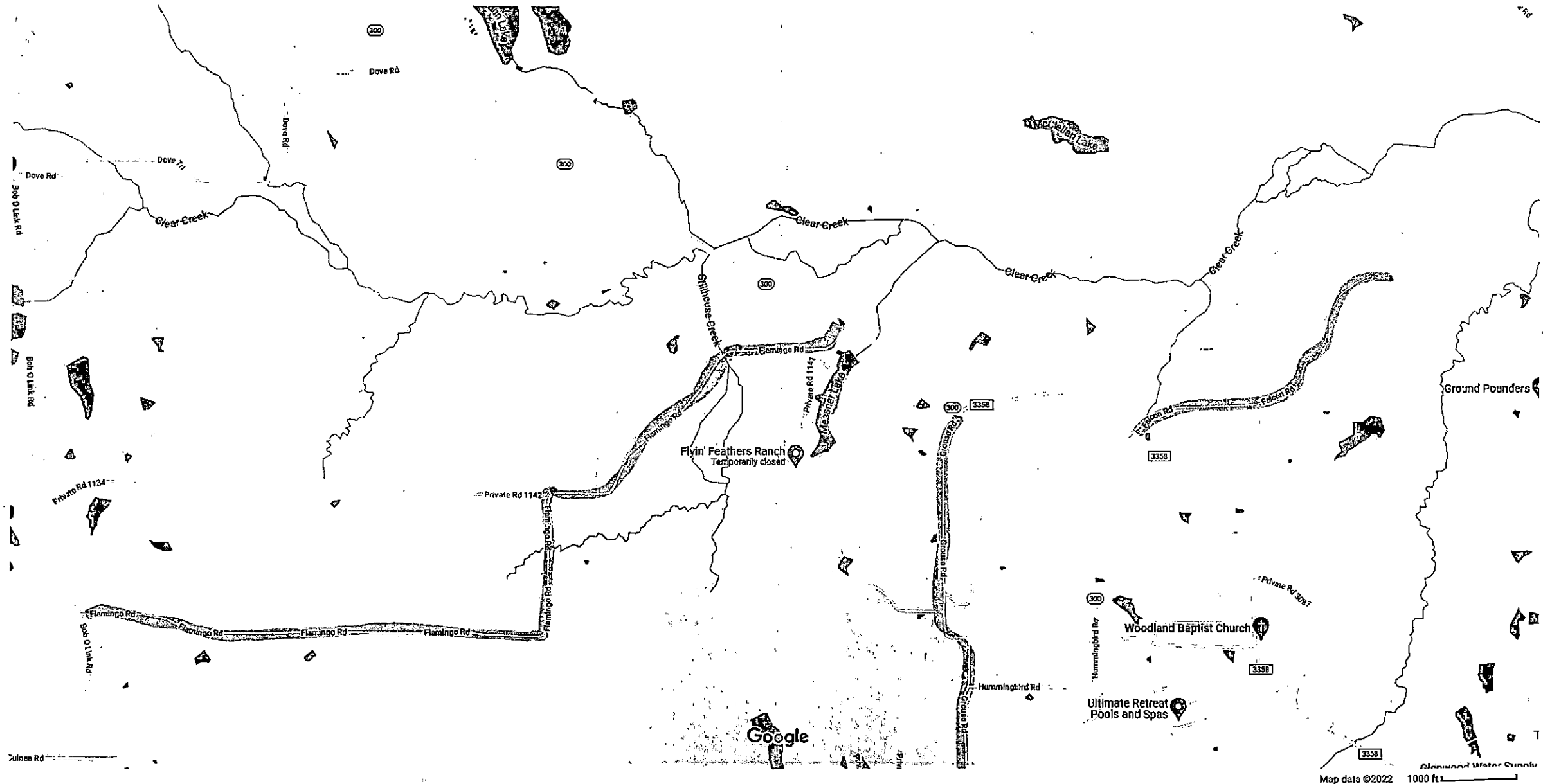
Firm Etex Telephone Coop., Inc.
By Caleb McNeil
Title Right-of-way solicitor
Address P.O. Box 130 Gilmer, TX 75644

- NOTE: 1. This form to be submitted in triplicate for each proposed installation.
2. The permit shall be in effect until the utility line is removed from the right of way.
3. Inform the County Engineer if work is not completed within this time

Google Maps



Google Maps



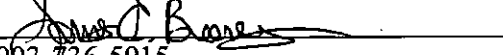
DRIVEWAY PERMIT APPLICATION

TO: THE UPSHUR COUNTY COMMISSIONERS COURT
COUNTY OF UPSHUR
GILMER, TEXAS

PRECINCT: 1

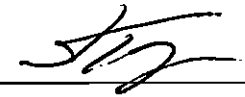
DATE: November 17, 2022

Formal notice is hereby given that James Bornes, whose principal address is 7827 Green Hills Road, does hereby purpose to place a driveway culvert within the ROW of County Road Green Hills. Proposed construction will begin, if approved, on or after the 30th day of November, 2022. I, James Bornes, hereby attest that I have read the conditions set forth in this application and understand its contents. The culvert will be placed by County equipment and personnel. This is a extension.

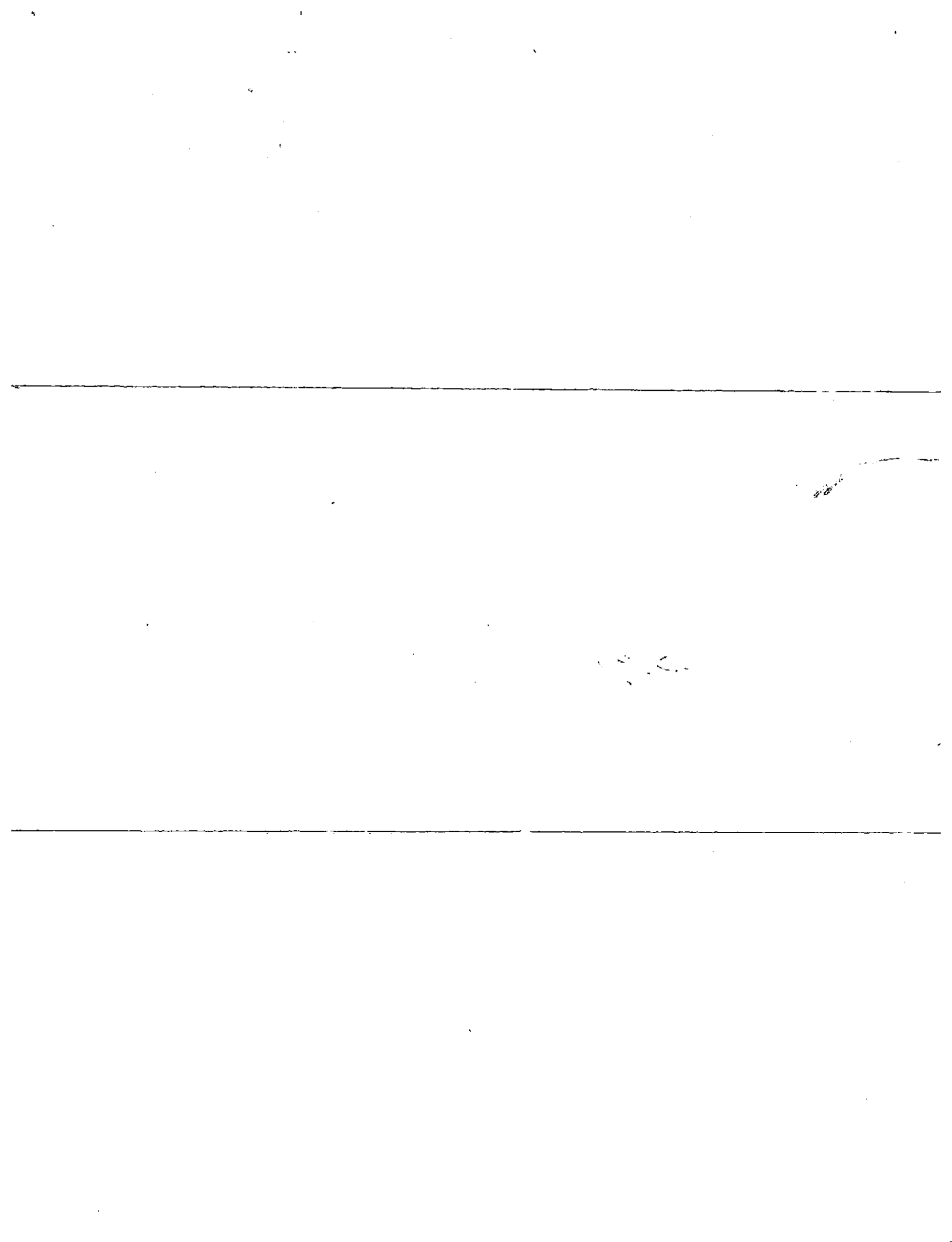
SIGNATURE: 
TELEPHONE: 903-736-5915

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed driveway culvert for the address shown above. The proposed driveway structure will be a 15 "x 20 ' culvert.

Recommended by 

APPROVED ON THIS _____ DAY OF _____, 20__.



Property of:
Property Address/Description:

Telephone No:

LETTER AGREEMENT

Date: November 9, 2022.

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and Jim Bertet, the owner or person legally entitled to possession of the above described property ("Property Owner").

RECITALS

WHEREAS, County needs to enter private property to ensure proper roadway drainage and/or other work required by the County; and

WHEREAS, Property Owner represents that he/she is the owner or legal possessor of the referenced property; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road & Bridge Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of performing necessary drainage maintenance operations.

2. County agrees that it will use due care to avoid damage to Property Owner's land in the drainage maintenance operations upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents will not be held responsible for any related damage in connection with operations, and Property Owner hereby agree to indemnify and hold County harmless from any and all other damages to persons or property associated with County's work on Property Owner's property.

3. Both parties agree that this letter agreement contains the parties' entire agreement.

Note: Describe property at top of page if there is not a physical address for the property.

PROPERTY OWNER/
LEGAL POSSESSOR

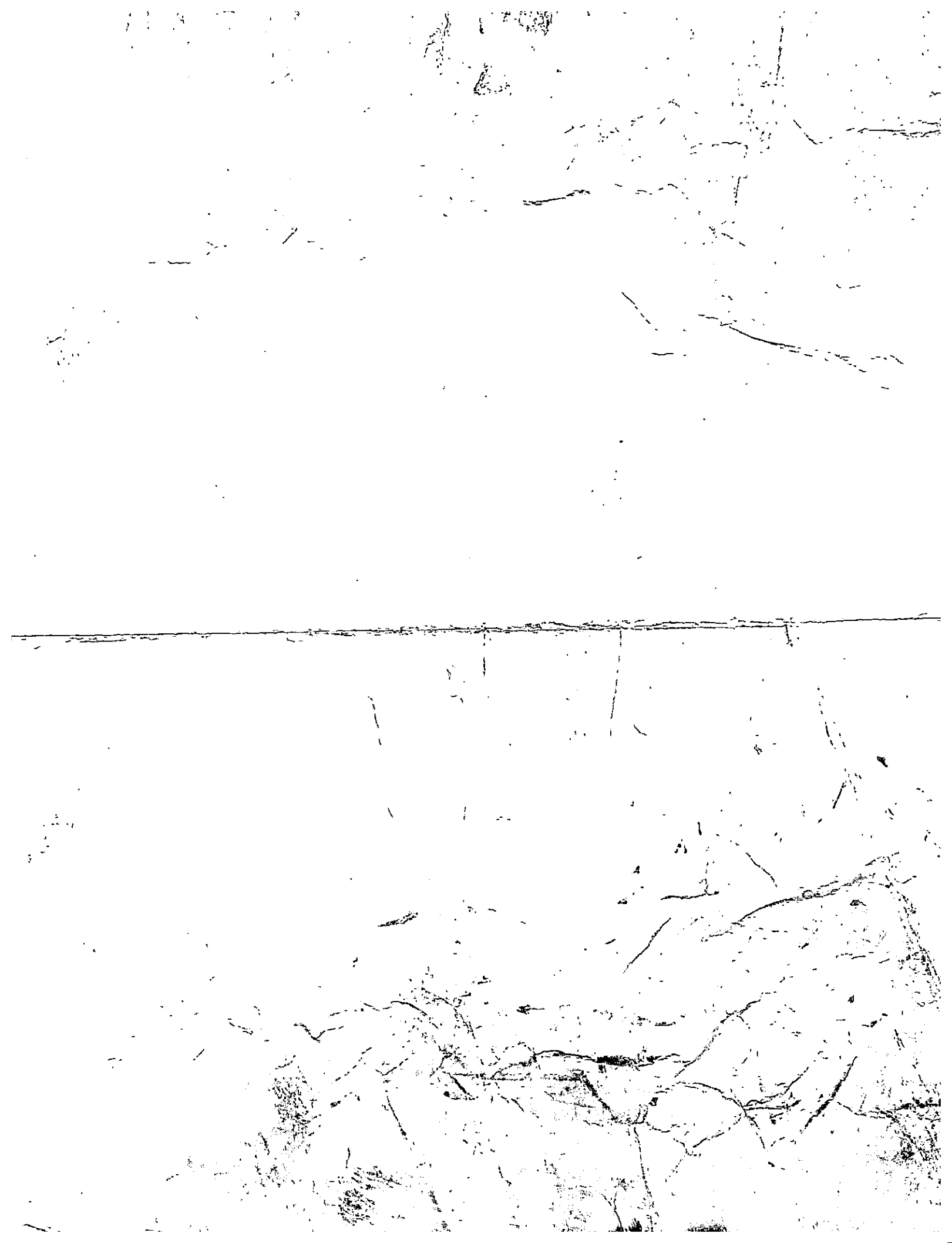
UPSHUR COUNTY

Jim Bertet

By STJ
County Representative

1514 Scarlet Oak Rd

By _____
County Judge



DRIVEWAY PERMIT APPLICATION

TO: THE UPSHUR COUNTY COMMISSIONERS COURT
COUNTY OF UPSHUR
GILMER, TEXAS

PRECINCT: 2

DATE: November 2, 2022

Formal notice is hereby given that Dean Haws, whose principal address is 2143 Goldfinch Road, Gilmer, TX 75645, does hereby purpose to place a driveway culvert within the ROW of County Road Forget Me Not Road. Proposed construction will begin, if approved, on or after the 15th day of October, 2022. I, Dean Haws, hereby attest that I have read the conditions set forth in this application and understand its contents. The culvert will be placed by County equipment and personnel. This is a new installation.

SIGNATURE: _____

Dean Haws

TELEPHONE: 903-790-7116

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed driveway culvert for the address shown above. The proposed driveway structure will be a 15" x 30' culvert.

Recommended by _____

[Signature]

APPROVED ON THIS _____ DAY OF _____, 20__.