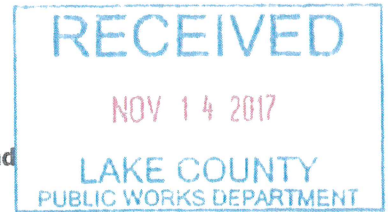




Right-of-Way Utilization Permit



Please complete a separate application for each road

Date: 11/06/2017
Eustis Gun Club; c/o Bowen | Schroth
Business / Applicant's Name:
600 Jennings Ave.
Applicant's Street Address
Eustis, FL 32726

18 / 20 South / 26 East
Section Township Range
Frankie's Road
Project Road Name

Applicant's City, State, Zip
(352)589-1414 atrumbly@bowenschroth.com
Telephone Number Applicant's e-mail address
 11/15/17 / Check # 5306
Paid Date Rec'd By

If this project will result in any new above ground structures, poles, or facilities please state where and what is proposed. Applicant may be requested to provide an engineer's certification that roadway clearance and sight distances have been met.

Description of Work: A sliding gate crossing Frankie's Road and an adjacent fixed fence running north to south on the eastern portion of the property; and two (2) swinging gates and fixed fence running north to south on the western portion of the property.

Contractor: Rembrandt's Fencing, Inc. Telephone Number: 352-589-1849
Start of Construction Date: 10/27/2017 Construction duration: 1 days
Is proposed work within city limits? Yes If so, what city? Tavares

A letter of notification was mailed on 11/06/2017 to the following utilities & municipalities:
Lake County, Florida
Lake County, Florida

Applicant declares that he/she has determined the location of all existing underground and aerial utilities.
Applicant declares that he/she has read the attached application requirements and permit conditions.

Adam Trumbly Adam Trumbly
Signature of Applicant Applicant (Print Name)

Road # <u>3246</u>	To be completed by County Staff	
Permit # <u>7895</u>	Permit Fee: \$100.00	Fee Code: PWRW
Checked by: <u>[Signature]</u>	Date Checked: <u>12/6/17</u>	
Approved by: <u>[Signature]</u>	Date Approved: <u>12-7-17</u>	
Special Conditions: <u>Perpetual access by applicant to Lake County employees for any lawful purpose. Applicant will not take any action which would prevent Lake County's access to entire right-of-way, including changing of gate lock, without consent of the County.</u>	Expiration Date: <u>12/7/18</u>	
For inspection, call the Lake County Public Works Department at 352-253-6019 Submit Permit to: Lake County Public Works, Post Office Box 7800, Tavares, FL 32778		

Public Works Department
Road Operations Division

Entered Data One	<u>11/14/17</u>
First Scan	<u>11/14/17</u>
Updated Data One	<u>11/15/17</u>
Second Scan	<u>11/15/17</u>
Returned to Client	<u>11/17</u>

Right-of-Way Utilization Permit
Effective Sept 2015



Right-of-way Utilization Permit Requirements

The purpose of the Right-of-Way Utilization permit is to control the use of public rights-of-way and public easements and protect the health, safety and welfare of the public. Any work within public rights-of-way requires an approved right-of-way utilization permit.

Application Requirements:

For each road involved, please submit one (1) original application and supporting documentation to the Lake County Department of Public Works.

Completed applications must include a sketch or construction plans drawn to scale, showing the following:

1. The offset from the centerline of the right-of-way or roadway to the proposed utility installation, the road right-of-way width and pavement width, the distance from the edge of pavement to the utility, sidewalks, and the location of all other utilities, including traffic signal utilities, within the area of work.
2. One or more typical cross sections to adequately reflect the location of the utility. Please indicate the minimum vertical clearance above or below the pavement or natural ground.
3. The location of the area of work in relation to the nearest road intersection, bridges, railroad crossings, and other physical features. Please include a location or vicinity map showing the general location of the installation.

All permit applications must demonstrate that the proposed improvements conform to the right-of-way utilization requirements included in the *Lake County Land Development Regulations*.

Projects of significant length and land size may require a complete right-of-way survey.

A performance bond may be required of the applicant in the event the work covered by the right-of-way utilization permit has the potential to significantly damage the right-of-way. The amount of the performance bond shall be 110% of the estimated cost to repair such damage, as determined by Lake County.

Prior to construction, applicant shall provide written notice to all property owners adjacent to the project limits. This notice shall include, at a minimum, the anticipated construction schedule, maintenance of traffic plan and any impacts, permanent or temporary, to the adjacent properties. The notice must provide contact information including the name and telephone number of the project manager. Within a minimum of fourteen (14) calendar days prior to construction, applicant shall provide to the County a copy of the notification with a list of the parties notified.

A copy of the approved permit and related supporting documents shall be on site at all times during construction.

Permit Conditions:

Whenever necessary for the construction, maintenance, operation or alteration of the right-of-way, as determined by the County, any or all of the appurtenances authorized by this permit shall be immediately removed from the right-of-way or relocated, as required by the County, at the expense of the applicant unless reimbursement is specifically authorized.

If above ground utilities are being replaced, the old utilities and utility appurtenances must be removed from County right-of-way within thirty (30) days after new utilities are installed.

All work, materials and equipment shall meet all County codes and standards and shall be subject to inspection by the County. All right-of-way disturbed by this work shall be restored to its original condition or better and in accordance to applicable County Codes. All disturbed areas must be sodded, matching existing grass type. Bahia sod shall be used if no grass is present at time of construction.

The construction and maintenance of this utility shall not interfere with the property and rights of a prior applicant.

Where possible, excavation shall not be allowed within five (5) feet from the edge of the pavement. Situations that cannot meet this requirement shall require prior approval of the County.

The County shall be notified twenty-four (24) hours in advance of starting work. In the interest of public safety all operations shall take place during daylight hours, unless specifically authorized, and discontinued by sunset with proper signage and traffic control devices maintained during off hours.

All traffic detours shall be restricted to the limits of right-of-way with necessary flagmen and marking devices. A traffic detour or lane closure shall require specific approval by the County.

Written approval from the Lake County Engineer shall be required before any alterations to existing traffic signal equipment including, but not limited to: vehicle detection loops and signal timing.

If traffic signal vehicle detection loops are rendered inoperable, temporary detection shall be installed within twenty-four (24) hours.

All traffic signal utilities disturbed by this work shall be restored to its original condition or better. Traffic signal utilities include but not limited to: vehicle detection loops, conduit, cabling, pull boxes, pedestrian signal equipment, span assemblies, signal heads, cabinet assemblies, cameras and fiber optic infrastructure.

All utility construction and maintenance shall be performed with proper shoring, barricades, and maintenance of traffic signage in accordance with the FHWA Manual on Uniform Traffic Control Devices (MUTCD), OSHA law and regulations, and the Florida Department of Transportation Highway Safety Plan.

The County shall not be responsible for damages to any structure placed within the right-of-way. All structures shall be properly maintained, adequately visible or properly delineated to prevent damage due to normal maintenance of the right-of-way.

Open cuts of roads will not be allowed unless specifically authorized by Lake County. Directional bore or jack and bore operations should maintain a five (5) foot minimum clearance from edge of pavement on road crossing each side. Recommended bore depth is thirty-six inches (36") and a minimum bore depth is thirty inches (30"). Any overhead installations should maintain a minimum of eighteen (18) feet vertical clearance over all roadways and driveways.

This permit is effective for one year from its approval date, unless otherwise rescinded by Lake County.

Inspection and Approval of Work:

The County shall have the right to inspect and approve all materials and/or phases of work. Final inspection and acceptance of work by the County must be obtained to document the completion of the work. All work shall be subject to the construction requirements and inspections as required in other provisions of the *Lake County Land Development Regulations*. Pursuant to Section 337.403(1), Florida Statutes, any utility placed upon, under, over, or along any public road or publicly owned rail corridor that is found by Lake County to be unreasonably interfering in any way with the convenient, safe, or

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continuous use, or maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor shall, upon thirty (30) days written notice to the utility or its agent by Lake County be removed or relocated by such utility at its own expense.

It is agreed that in the event the installation, adjustment or relocation of said utilities are scheduled to be done simultaneously with Lake County construction work, the applicant shall coordinate with Lake County before proceeding and shall cooperate with the Lake County's contractor to arrange the sequence of work so as not to delay the work of Lake County contractor, defend any legal claims of Lake County's contractor due to delays caused by the applicant's failure to comply with the approved schedule, and shall comply with all provisions of the law and Lake County's current *Utility Accommodation Manual*. The applicant shall not be responsible for delay beyond its control.

All right-of-way utilization activities shall be reported to Sunshine State One-Call at least seventy-two (72) hours prior to commencement.

Guarantee and Responsibility for Compliance:

In the case of noncompliance with the County's requirements, this permit will be void and the facility will be brought into compliance or removed from the right-of-way at no cost to the County.

The County may issue "Stop Work" order(s) upon any permittee committing or creating an unsafe act which may create a public hazard or who is not complying with this permit or the applicable codes. The order shall remain in effect until such time as these matters are corrected.

Permits shall be issued with the understanding that the applicant shall guarantee all work performed under the terms of the permit for a period of one (1) year from the date of final inspection and acceptance of work.

Any failures shall be repaired by the applicant, at the direction of the County, within five (5) days, unless the urgency of the problem requires a quicker reaction time.

The applicant shall be responsible for all repair costs incurred due to damages to existing utilities by failure to use due care, including errors in locating existing utilities during construction.

Removal/Relocation of Improvements: Upon ten (10) days written notice, the applicant shall be required to remove and/or relocate the improvements placed within the right-of-way at the applicant's sole expense.

It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the County's right, title and interest in the land to be entered upon and used by the holder, and the holder will, at all times, assume all risk of and indemnify, defend and save harmless the County of Lake from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise or attempted exercises by said holder of the aforesaid rights and privileges.

I have read and understand the above requirements



Applicant's Signature/Date

CHECK REQUEST

\$ 100.00

PAYABLE TO: Lake County Public Works

REQUESTED BY: Adam Trumbly FILE # 4519-004

CLIENT: Eustis Gun Club

PURPOSE OF CHECK: Payment for a Right of Way Utilization Permit with Lake County

BOWEN | SCHROTH

Bowen, Schroth, Mazenko and Broome, P.A.
Attorneys at Law

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** Of Counsel
* Florida Supreme Court Certified Circuit Civil Mediator
† Also Admitted to Practice in Alabama
‡ Of Counsel - Florida Bar Certified in Wills, Trusts and Estates
■ Of Counsel - Florida Supreme Court Certified
Circuit Civil and Appellate Mediator
◇ Florida Bar Certified Expert in Business Litigation and
Local Government Law

November 6, 2017

Lake County
c/o Diane Johnson, Assistant County Attorney,
315 W. Main Str., Ste. 335,
Tavares, FL 32778

County Attorney
RECEIVED
NOV 13 2017

Diane,

Pursuant to the requirements of the Right-of-Way Utilization Permit, below is a list of adjacent property owners who were notified of the proposed gate and fence project the Eustis Gun Club will be completing on Frankie's Road.

Astatula Landfill
13130 Astatula Landfill Road,
Tavares, FL 32778

Lake County School Board
201 West Burleigh Blvd.,
Tavares, FL 32778

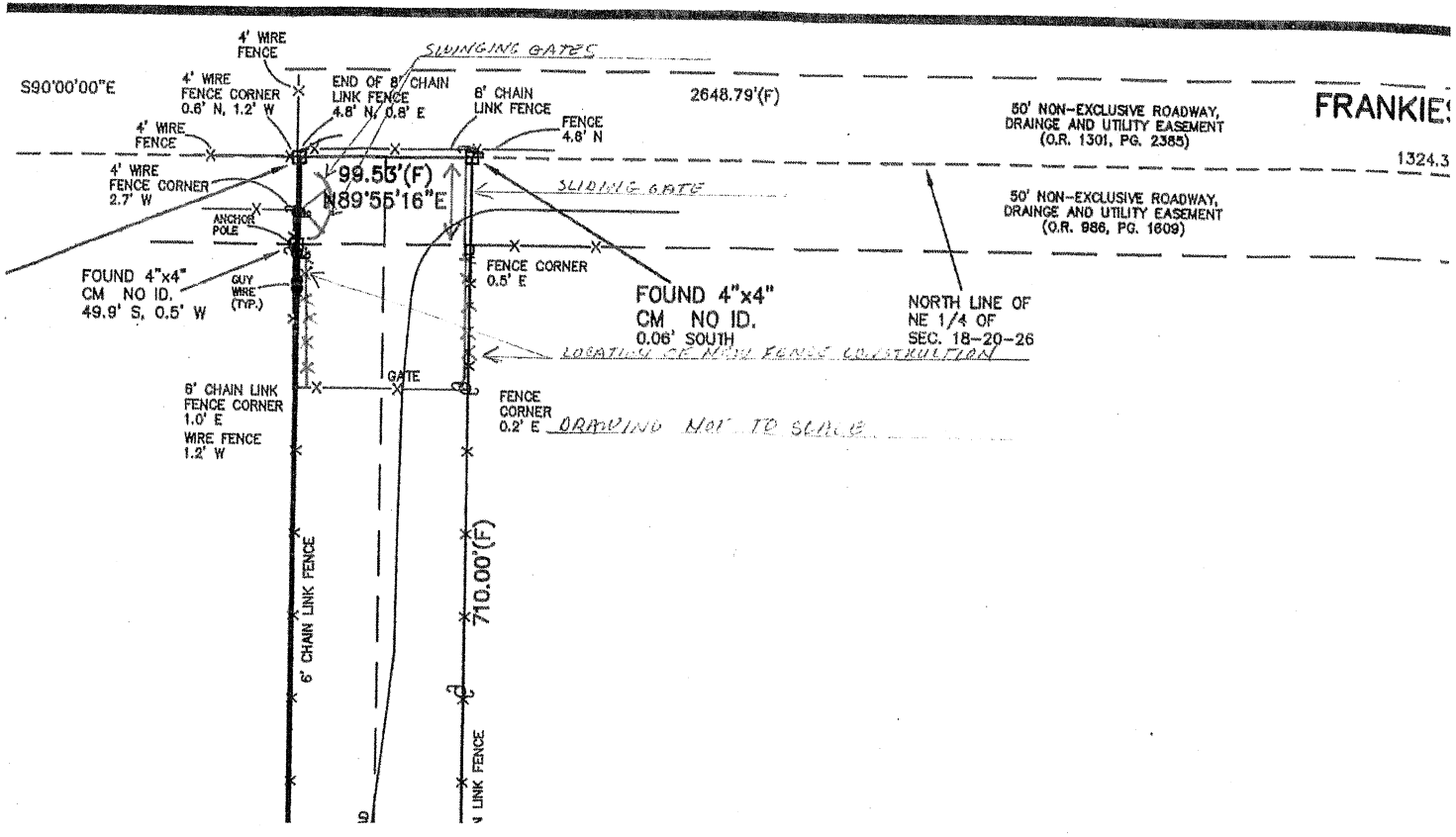
Loma Linda Corporation
35543 Estes Road,
Eustis, FL 32736



Thank you.

Respectfully,

Adam Trumbly



FRANKIE