ITD-2109 07-98

APPLICATION AND PERMIT TO USE RIGHT-OF-WAY
APPROACHES AND OTHERS

SEE: TRAFFIC MANUAL 12-450

PROJECT NO. M-7231 (007) PARCEL NO. _____ PERMIT NO. 05-04-01

TOWNSHIP 6 S. RANGE 34 E. SECTION 3 COUNTY Bannock ROUTE US 91 SEG 002350

225+90 Station to _____ Station 2175 ft South of Siphon Road Distance from Nearest Town or Jct. BEG. MP 81.168 END MP

RECEIPT NO. _____

SIGHT DISTANCE: RH unlimited FT(m) LH unlimited FT(m) POSTED SPEED 35 mph FEE $ NC

☐ Inspection Fee Required $ _____ ☐ Performance Bond Required $ _____

☐ Traffic Impact Study Required ☐ Appraisal Required

Access Control Type III Board Minute Entry Date _____

ACCESS PERMIT TYPE: [x] NEW APPROACH [X] EXCHANGE ☐ CHANGE IN USE

APPROACH:	1 QUANTITY	55 ft. WIDTH	500 EST. VOLUME (VEHICLES/DAY)
TYPE:	urban street RESIDENTIAL, COMMERCIAL, AGRICULTURAL	restaurant BUSINESS TYPE	
OTHER:	EXPLAIN:		

Attach the following:

1. **A copy of the applicable deed.**
2. **Written authorization from the owner (if needed).**
3. **Plans or drawings (3 sets) showing proposed work, approach locations, drainage details, landscaping, striping plans and traffic control.** (Include Department roadway alignment or project plans when available)
4. **Special Provisions and/or variance when applicable.**

I certify that I am the Owner or Authorized representative of the property to be served and request permission to construct the above facilities within the State Highway Rights-of-Way in accordance with the general provisions printed on the reverse side of this form, the Special Provisions and the Plans made a part of this permit. This permit SHALL BE VOID if all work is not completed and the Department has not made final inspection and approval within one year of issuance date.

City of Chubbuck PO Box 5604, 5160 Yellowstone Ave. Chubbuck, ID 83202			
OWNER'S NAME ADDRESS		CITY	STATE ZIP
		237-2430	237-2409
OWNER'S SIGNATURE		OWNER'S PHONE	OWNER'S FAX
Steven M. Smart same			
AUTHORIZED REPRESENTATIVE'S NAME	ADDRESS	CITY	STATE ZIP
Steven M. Smart 7-1-03		237-2430	237-2409
AUTHORIZED REPRESENTATIVE'S SIGNATURE		REPRESENTATIVE'S PHONE	REPRESENTATIVE'S FAX

Subject to all terms, conditions and provisions shown on this form or attachments, permission is hereby granted to the above named applicant to perform the work described.

Local Government Approval When Required

By: _____ Signature Title Date

Department Approval

By: Greg M. Laragan 1/27/04 District Engineer Date

NOTE: If fee assessed, permit is **NOT** valid unless accompanied by fee receipt (DH-1958). Permit will be considered **TEMPORARY** until final inspection and approval by a Department representative.

ITD-2109 07/98 W
Reverse Side

GENERAL PROVISIONS

1. During the progress of all work, such barricades, lights and other traffic control devices shall be erected and maintained as may be necessary or as may be directed for the protection of the traveling public. All barricades, lights and other traffic control devices shall conform to the current issue of the Manual on Uniform Traffic Control Devices for Streets and Highways. Parked equipment and stored materials shall be as far from the main traveled way as feasible. Items left overnight within 30 feet of the main traveled way shall be marked and/or protected.

2. In accepting this permit, the permittee, its successors and assigns, agrees to indemnify, save harmless and defend regardless of outcome the State from the expenses of and against all suits or claims, including costs, expenses and attorney fees that may be incurred by reason of any act or omission, neglect or misconduct of the permittee or its contractor in the design, construction and maintenance of the work, which is the subject of this permit.

3. Approaches shall be for the bona fide purpose of securing access and not for the purpose of parking, conducting business, or servicing vehicles on the highway right of way.

4. Any disturbance of the highway and/or traffic control devices shall be restored to the satisfaction of the District Engineer.

5. If the work done under this permit interferes in any way with the drainage of the state highway, the permittee shall, at his sole expense, make such provision as the District Engineer may direct to correct the drainage problem.

6. On completion of said work herein contemplated all rubbish and debris shall be immediately removed and the highway shall be left neat and presentable to the satisfaction of the District Engineer.

7. All of the work herein contemplated shall conform to current government and industry standards under the supervision and to the satisfaction of the District Engineer and the entire expense of said supervision shall be borne by the permittee.

8. This permit or privilege granted under form ITD-2109 shall not be deemed or held to be an exclusive one and shall not prohibit the State from using any of its highways, streets, or public places, or affect its right to full supervision and control over all or any part of them, none of which is hereby surrendered. The Department reserves the right to make at any time such changes, additions, repairs and relocations to any existing approach or it's appurtenances within the highway right of way or any approach(es), structure(s) or subject(s) authorized by this permit as may be necessary to permit the relocation, reconstruction, widening, and maintenance of the highway and/or to provide proper protection to life and property on or adjacent to the highway.

9. Any change or removal required due in part to negligence of the permittee shall be made at the sole expense of the permittee. All such changes, reconstruction or relocation by the permittee shall be done in such a manner as will cause the least interference with any of the state's work.

10. The Department may revoke, amend, amplify, or terminate this permit or any of the conditions herein enumerated if permittee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given, or if the approach, structure or subject herein granted is not installed or operated and maintained in conformity herewith.

11. The permittee shall maintain at its sole expense the approach, structure or subject for which this permit is granted.

12. Adequate drawings or sketches shall be included showing the existing and/or proposed location of the approach, structure or subject with respect to the existing and/or planned location of the highway improvement including the main traveled way, the rights of way lines and, where applicable, the control of access lines and approved access points.

13. The permittee shall furnish all material, labor, and equipment involved in the construction of the approach and it's appurtenances. This shall include furnishing drainage pipe of a size specified on the permit (12-inch minimum), curb and gutter, concrete sidewalk, etc., where required. Materials and workmanship shall conform to current government and industry standards and are subject to inspection by the Department.

14. No work shall be started until an authorized representative of the Department has given notice to the permittee to proceed.

15. Any replacement of, addition to, or change in the approach or it's use, structure or subject granted by this permit shall require a new permit prior to commencement of such work.

HEADQUARTERS STAFF REVIEW

REVIEW		Reviewer Initial	Recommendation Yes/No
Traffic		S. Holland 1-27-99	☒ Yes ☐ No*
Bridge			☐ Yes ☐ No*
Utilities			☐ Yes ☐ No*
Right of Way			☐ Yes ☐ No*

DISTRICT STAFF REVIEW

REVIEW		Reviewer Initial	Recommendation Yes/No
Traffic		RE	☐ Yes ☐ No*
Maintenance			☑ Yes ☐ No*
Design			☑ Yes ☐ No*
Right of Way			☑ Yes ☐ No*

ADE BR ✓

***ATTACH REASON(S) FOR DENIAL AND/OR RECOMMENDATIONS FOR VARIANCE.**

SPECIAL PROVISIONS

Approach Permit No. 05-04-01

1. All underground utilities shall be located prior to beginning work.

2. Permittee shall contact Maintenance Foreman Oscar Tracy (208-239-3376 or 251-4283) at least forty-eight (48) hours prior to starting project for permission to begin work. Upon completion of project, the permittee shall again notify Maintenance Foreman Oscar Tracy and arrange for final inspection of work area.

3. A copy of the permit shall be at the work site during working hours.

4. A Traffic Control Plan shall be submitted to the Idaho Transportation Department (ITD) two weeks (fourteen days) prior to the beginning of the project. Work on the project shall not begin until Maintenance Foreman Oscar Tracy has reviewed the plan.

5. ITD understands that Adams Street shall be closed by October 1, 2006 and all traffic shall be rerouted to an access road leading to the new Park Lawn city street location.

6. The City of Chubbuck shall be responsible to expand US-91 from the four existing lanes to five lanes from approximately Highway Ave. to 150 feet north past the proposed Park Lawn approach with appropriate transitions. This widening shall be completed when required by development or by October 1, 2006, whichever occurs first and shall meet or exceed State standards.

7. The City of Chubbuck shall provide a complete design of the Park Lawn intersection with US-91 to ITD for review. This design is to include plans for the widening of US-91 and appropriate transitions. ITD shall have final approval of any plans before construction.

8. ITD and the City of Chubbuck will jointly fund the cost of a signal installation at US-91 and Park Lawn when warranted. The City of Chubbuck shall be responsible for the federal-aid match for the entire cost of the signal. At this time, the estimated cost of the signal is approximately $300,000.00. The federal-aid match is 10% which would equate to $30,000.00 which the City of Chubbuck agrees to pay when warranted.