



**REVIEW BY FORT BEND COUNTY
COMMISSIONERS COURT**

**Fort Bend County
Engineering Department**
301 Jackson Suite 401
Richmond, Texas 77469
281.633.7500
Permits@fortbendcountytexas.gov

☒ Right of Way Permit
☐ Commercial Driveway Permit
Permit No: 2017-13077

Applicant: PS Light Wave, Inc.

Job Location Site: Steep Bank Trace, Missouri City, TX 77459

Bond No. 12130000 **Date of Bond:** 12/13/2016 **Amount:** \$50,000.00

The above applicant came to make use of certain Fort Bend County property subject to, "The Order Regulating the Laying, Construction, Maintenance, and Repair of Buried Cables, Conduits, and Pole Lines, In, Under, Across or Along Roads, Streets, Highways, and Drainage Ditches in Fort Bend County, Texas, Under the Jurisdiction of the Commissioners Court of Fort Bend County, Texas," as passed by the Commissioners Court of Fort Bend County, Texas, of the Minutes of the Commissioners Court of Fort Bend County, Texas, to the extent that such order is not inconsistent with Chapter 181, Vernon's Texas Statutes and Codes Annotated.

Notes:

1. Evidence of review by the Commissioners Court must be kept on the job site and failure to do so constitutes grounds for job shutdown.
2. Written notices are required:
 - a. 48 hours in advance of construction start up, and
 - b. When construction is completed and ready for final inspection, submit notification to Permit Administrator thru MyGovernmentOnline.org portal.
3. This permit expires one (1) year from date of permit if construction has not commenced.

On this 13th day of June, 2017, Upon Motion of Commissioner Meyers, seconded by Commissioner Morales, duly put and carried, it is ORDERED, ADJUDGED AND DECREED that said notice of said above purpose is hereby acknowledged by the Commissioners Court of Fort Bend County, Texas, and that said notice be placed on record according to the regulation order thereof.

Signature

By: Charles O. Ay
County Engineer

N/A

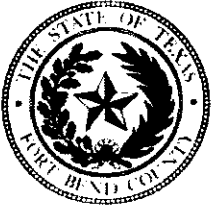
By: _____
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.

Date Recorded 6-13-2017 Comm. Court No. 14C

Clerk of Commissioners Court

By: Ronda Walker
Deputy



**PERMIT APPLICATION REVIEW FORM FOR
CABLE, CONDUIT, AND POLE LINE ACTIVITY
IN FORT BEND COUNTY**

**Fort Bend County
Engineering Department**
301 Jackson Suite 401
Richmond, Texas 77469
281.633.7500
Permits@fortbendcountytx.gov

- ☒ Right of Way Permit
☐ Commercial Driveway Permit

Permit No: 2017-13077

The following "Notice of Proposed Cable, Conduit, and/or Pole Line activity in Fort Bend County" and accompanying attachments have been reviewed and the notice conforms to appropriate regulations set by Commissioner's Court of Fort Bend County, Texas.

(1) COMPLETE APPLICATION FORM:

- ☒ a. Name of road, street, and/or drainage ditch affected.
☒ b. Vicinity map showing course of directions
☒ c. Plans and specifications

(2) BOND:

- ☐ County Attorney, approval when applicable.
- ☒ Perpetual bond currently posted. Bond No: Amount: \$50,000.00
- ☐ Performance bond submitted. Bond No: Amount:
- ☐ Cashier's Check Check No: Amount:

(3) DRAINAGE DISTRICT APPROVAL (WHEN APPLICABLE):

Drainage District Approval

Date

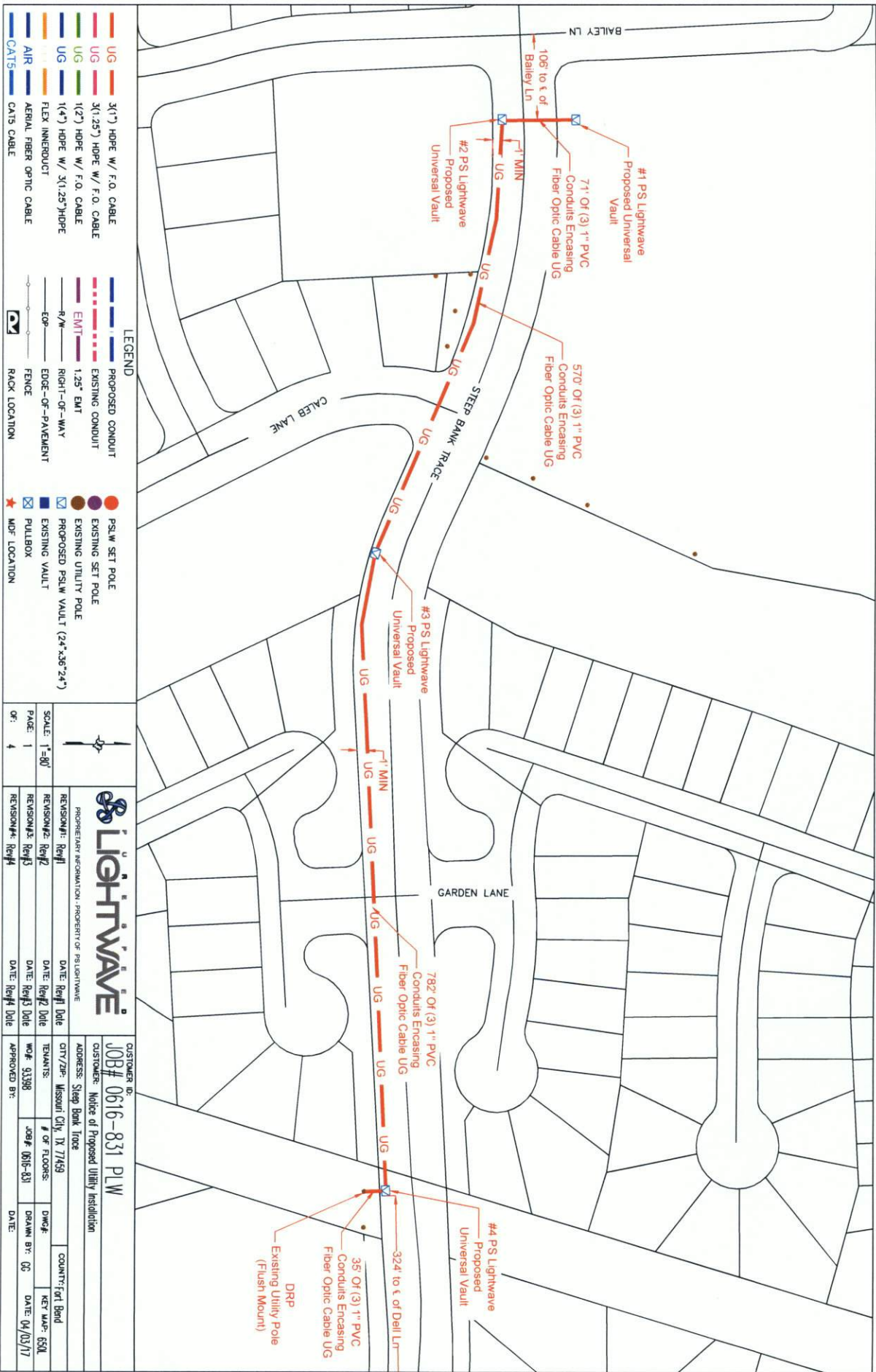
We have reviewed this project and agree it meets minimum requirements.

Charles O. Ay

Permit Administrator

6/5/17

Date



LEGEND

UG	3/1" HDPE W/ F.O. CABLE	PROPOSED CONDUIT	PSLW SET POLE
UG	3/1.25" HDPE W/ F.O. CABLE	EXISTING CONDUIT	EXISTING SET POLE
UG	1/2" HDPE W/ F.O. CABLE	EMT 1.25" EMT	EXISTING UTILITY POLE
UG	1/4" HDPE W/ 3/1.25" HDPE	R/W RIGHT-OF-WAY	PROPOSED PSLW VAULT (24"x36"x24")
AIR	FLEX INNERDUCT	EDGE-OF-PAVEMENT	EXISTING VAULT
AIR	AERIAL FIBER OPTIC CABLE	FENCE	PULLBOX
CATS	CATS CABLE	RACK LOCATION	MDP LOCATION

SCALE: 1"=80'

PAGE: 1

OF: 4

PROFESSIONAL ENGINEERING - PROPERTY OF LIGHTWAVE

REVISION#1: Rev#1	DATE: Rev#1 Date
REVISION#2: Rev#2	DATE: Rev#2 Date
REVISION#3: Rev#3	DATE: Rev#3 Date
REVISION#4: Rev#4	DATE: Rev#4 Date

CUSTOMER ID: **JOB# 0616-831 PLW**

CUSTOMER: Notice of Proposed Utility Installation

ADDRESS: Steep Bank Trace

CITY/ZIP: Missouri City, TX 77459

TENANTS:

WOF: 93388

DATE: 06/16-831

APPROVED BY:

DATE:

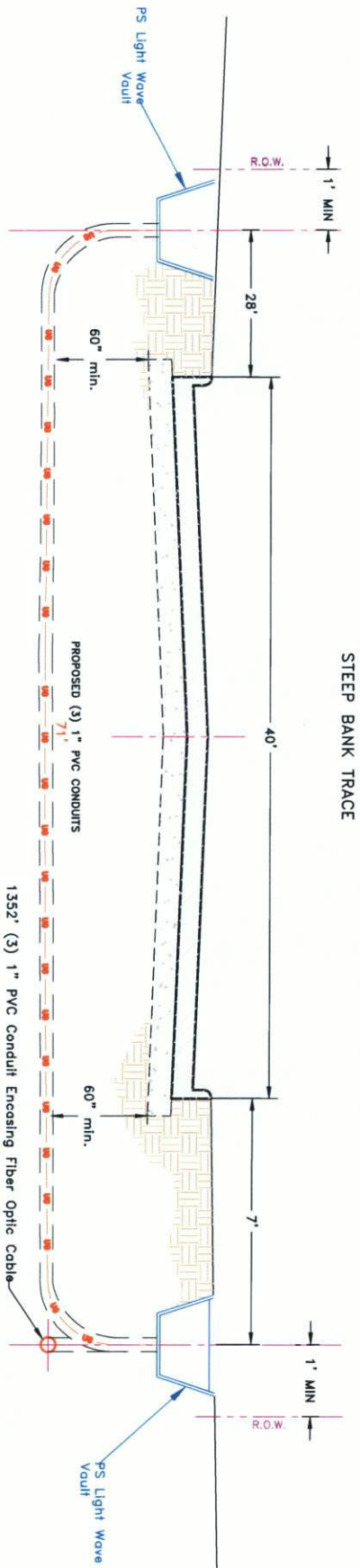
COUNTY: Fort Bend

KEY MAP: 6501

DATE: 04/03/17

General Notes:

- 1) Surface to be restored to its original condition in compliance with Fort Bend County Standards.
- 2) Contractors shall provide and install traffic control devices in conformance with part VI of Texas manual on Uniform Traffic Control Devices (TMUTCD—Latest Edition with Revisions) during construction.
- 3) No Lanes shall be blocked 7am–9am and 4pm–6:30pm Monday thru Friday.



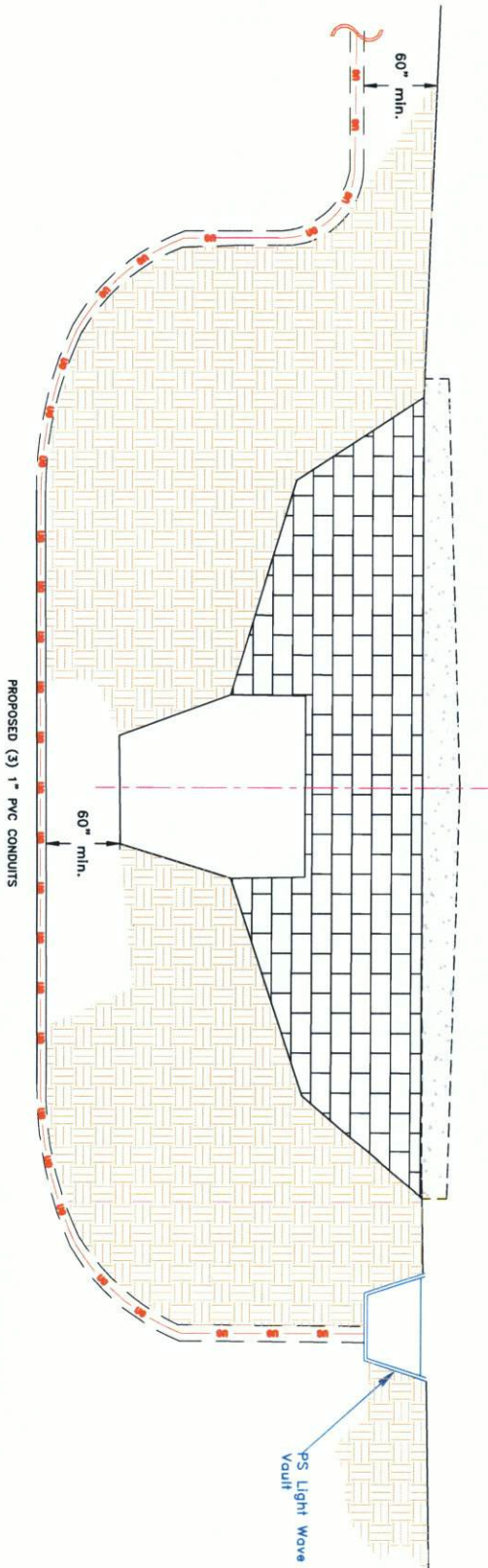
LEGEND		JOB# 0616-838 PLW	
UG	3(1") HOPE W/ F.O. CABLE	PROPOSED CONDUIT	PSLW SET POLE
UG	3(1.25") HOPE W/ F.O. CABLE	EXISTING CONDUIT	EXISTING UTILITY POLE
UG	1(2") HOPE W/ F.O. CABLE	EMT	PROPOSED PSLW VAULT (24"x36"24")
UG	1(4") HOPE W/ 3(1.25")HOPE	R/W	PROPOSED PSLW VAULT (24"x36"24")
UG	FLEX INNERDUCT	EDGE-OF-PAVEMENT	PULLBOX
AIR	AERIAL FIBER OPTIC CABLE	FENCE	MDP LOCATION
CATS	CATS CABLE	RACK LOCATION	

SCALE: N.T.S.	REVISION#1: Ref1	DATE: Ref1 Date	JOB# 0616-838 PLW
PAGE: 3	REVISION#2: Ref2	DATE: Ref2 Date	DESCRIPTION: Notice of Proposed Utility Installation
OF: 4	REVISION#3: Ref3	DATE: Ref3 Date	ADDRESS: 16403 Lexington Blvd
	REVISION#4: Ref4	DATE: Ref4 Date	CITY/ZIP: Sugar Land, TX 77479
			TELEPHONE: 90228
			WOP# 90228
			DATE: 06/16-838
			APPROVED BY: DATE: 02/03/17
			COUNTY: Fort Bend
			KEY MAP: 6088

General Notes:

- 1) Surface to be restored to its original condition in compliance with Fort Bend County Standards.
- 2) Contractors shall provide and install traffic control devices in conformance with part VI of Texas manual on Uniform Traffic Control Devices (TMUTCD—Latest Edition with Revisions) during construction.
- 3) No Lanes shall be blocked 7am-9am and 4pm-6:30pm Monday thru Friday.

STEEP BANK TRACE
(LEVEE BRIDGE)

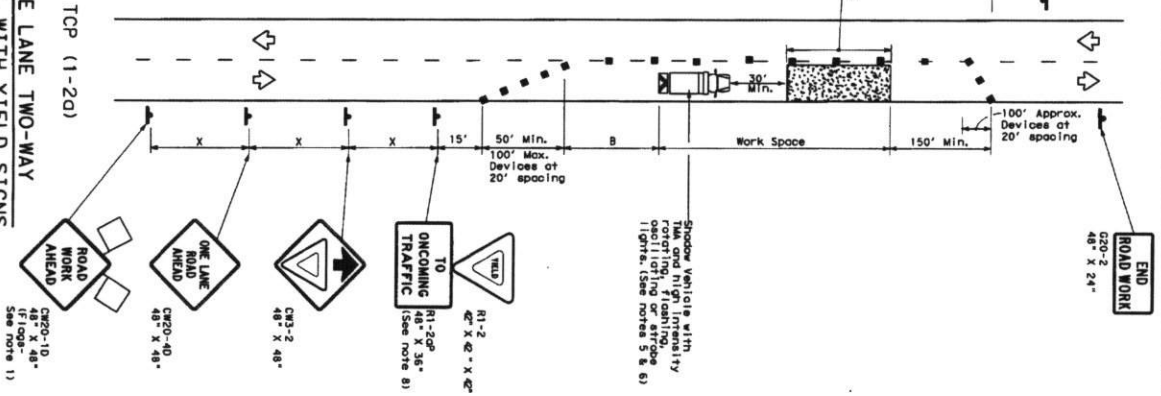


UG	3(1") HDPE W/ F.O. CABLE	PROPOSED CONDUIT	PSLW SET POLE
UG	3(1.25") HDPE W/ F.O. CABLE	EXISTING CONDUIT	EXISTING SET POLE
UG	1(2") HDPE W/ F.O. CABLE	1.25" EMT	EXISTING UTILITY POLE
UG	1(4") HDPE W/ 3(1.25") HDPE	R/W	PROPOSED PSLW VAULT (24"x36"x24")
UG	FLEX INNERDUCT	EDGE-OF-WAY	EXISTING VAULT
AIR	AERIAL FIBER OPTIC CABLE	FENCE	PULLBOX
CATS	CATS CABLE	RACK LOCATION	MDF LOCATION

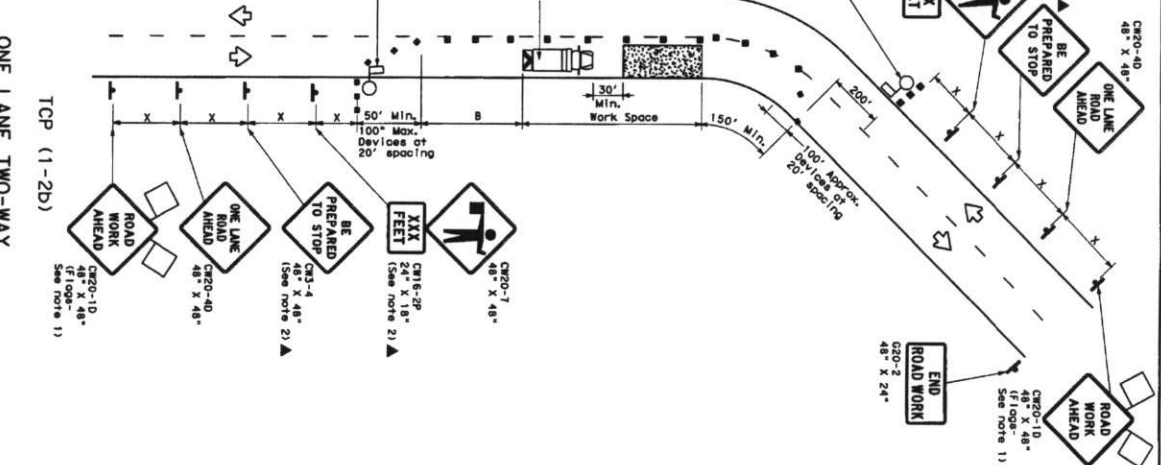
SCALE: N.T.S.	REVISION#1: Rev1	DATE: Rev1 Date	JOB# 0616-838 PLW
PAGE: 4	REVISION#2: Rev2	DATE: Rev2 Date	DESCRIPTION: Notice of Proposed Utility Installation
OFF: 4	REVISION#3: Rev3	DATE: Rev3 Date	ADDRESS: 16400 Lexington Blvd
	REVISION#4: Rev4	DATE: Rev4 Date	CITY/ZIP: Sugar Land, TX 77479
			TENANTS: # OF FLOORS: COUNTY: Fort Bend
			WOF: 90328 JOB#: 0616-838 DWG#: KEY MAP: 6088
			APPROVED BY: DATE: 02/03/17

DATE: FILE:

ONE LANE TWO-WAY CONTROL WITH YIELD SIGNS (Less than 2000 ADT - See note 7)



ONE LANE TWO-WAY CONTROL WITH FLAGGERS TCP (1-2b)



LEGEND

Symbol	Description
[Symbol]	Type 3 Barricade
[Symbol]	Heavy Work Vehicle
[Symbol]	Tractor Mounted Attenuator (TMA)
[Symbol]	Tractor Mounted Attenuator (TMA) - Portals (Changable)
[Symbol]	Tractor Mounted Attenuator (TMA) - Fixed
[Symbol]	Tractor Mounted Attenuator (TMA) - Fixed
[Symbol]	Tractor Mounted Attenuator (TMA) - Fixed
[Symbol]	Tractor Mounted Attenuator (TMA) - Fixed

MINIMUM SUGGESTED MAXIMUM

Post Type	Post Length	Post Spacing	Post Spacing	Post Spacing
30	150'	150'	150'	150'
35	205'	225'	245'	35'
40	265'	285'	320'	40'
45	325'	345'	380'	50'
50	385'	405'	440'	60'
55	445'	465'	500'	70'
60	505'	525'	560'	80'
65	565'	585'	620'	90'
70	625'	645'	680'	100'
75	685'	705'	740'	110'

TYPICAL USAGE

MOBILE	SHORT DURATION	INTERMEDIATE DURATION	LONG TERM STATIONARY
[Symbol]	[Symbol]	[Symbol]	[Symbol]

GENERAL NOTES

1. Use of this standard is governed by the "Texas Engineering Practice Act". No warranty of any kind is made by TxDOT for any purpose whatsoever. TxDOT assumes no responsibility for the conversion of this standard to other formats or for incorrect results or damages resulting from its use.
2. All traffic control signs should be placed in the work area, except those placed with the barricade. Signs should be placed in the work area, except those placed with the barricade.
3. The "YIELD" sign (R1-2a) should be placed in the work area, except those placed with the barricade.
4. Sign spacing may be increased or decreased on a project. The "YIELD" sign (R1-2a) should be placed in the work area, except those placed with the barricade.
5. A shadow vehicle with a TMA should be used on projects. It can be positioned 30 to 100 feet behind the work area. It should be used to protect the work area from the rear.
6. Additional shadow vehicles with TMA may be positioned off the paved surface, next to the work area, in order to protect other work spaces.
7. R1-2 "YIELD" sign traffic control may be used on projects with approaches that have a single lane in each direction. For projects in urban areas, work spaces should be no longer than 400 feet. On roads with less than 2000 ADT, work spaces should be no longer than 400 feet.
8. R1-2 "YIELD" sign with R1-2a "TO ONCOMING TRAFFIC" placard shall be placed on a support or a 1 foot minimum mounting height.
9. TCP (1-2b)
10. Flaggers should use two-way radios or other methods of communication to control traffic.
11. Length of work space should be based on the ability of flaggers to communicate. It should be increased in order to allow for a 100 foot stopping distance to the flagger.
12. Channelizing devices on the center-line may be omitted when a pilot car is leading the work area.
13. Flaggers should be trained in the proper use of the standard.

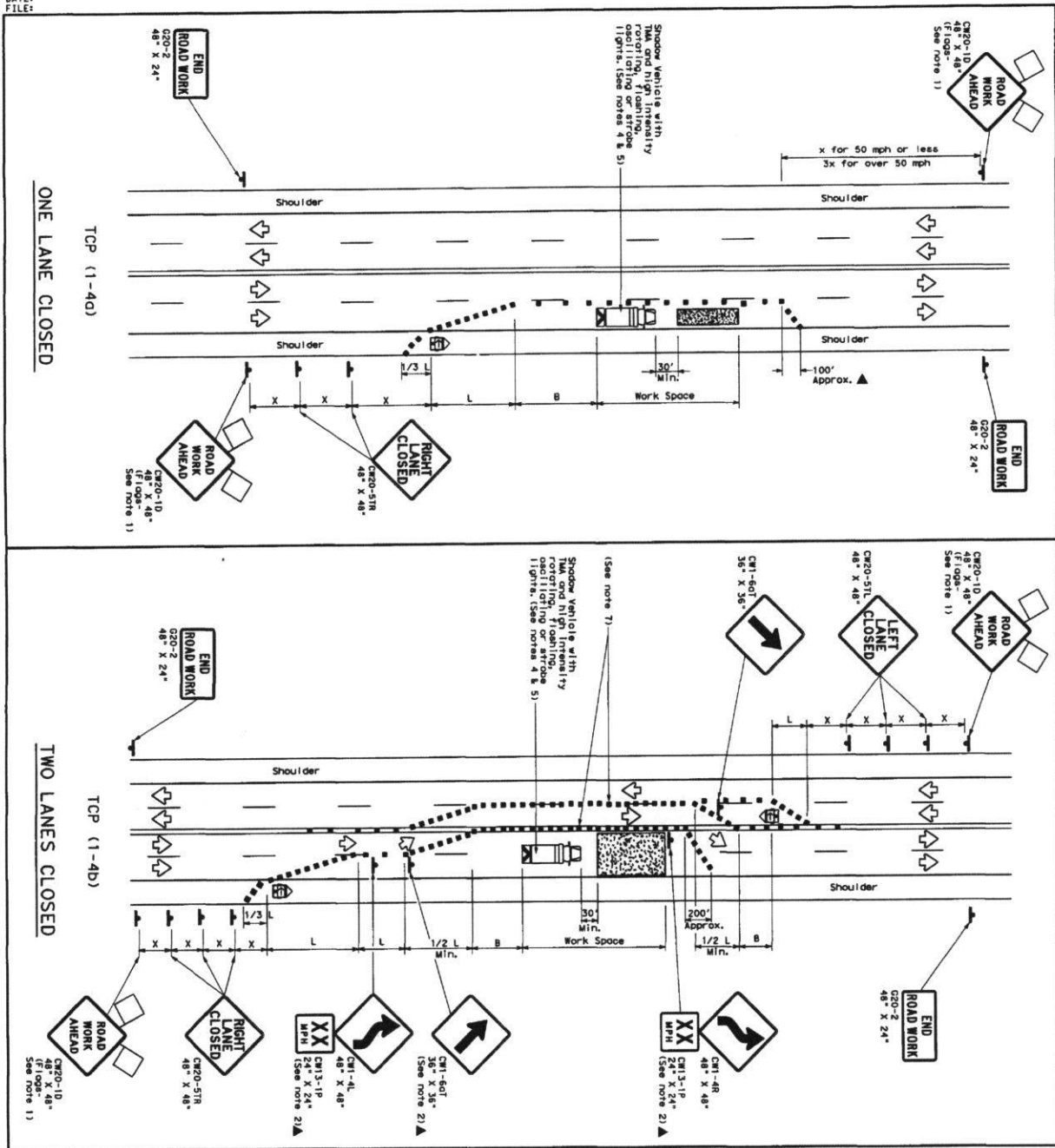
Texas Department of Transportation
Traffic Operations Division

TRAFFIC CONTROL PLAN
ONE-LANE TWO-WAY
TRAFFIC CONTROL
TCP (1-2) - 12

DATE: 1-1-2000
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

DISCLAIMER: The use of this standard is governed by the "Texas Engineering Practice Act". No warranty of any kind is made by TxDOT for any purpose whatsoever. TxDOT assumes no responsibility for the conversion of this standard to other formats or for incorrect results or damages resulting from its use.

DATE:
FILE:



LEGEND	
	Type 3 Barricade
	Heavy Work Vehicle
	Trailer Mounted Attenuator (TMA)
	Portable Changeable Flashing Arrow Board
	Sign
	Flagger
	Traffic Flow

Posted Speed	Minimum Taper Length	Minimum Sign Xing Distance	Minimum Sign Xing Buffer Space
10'	11'	12'	13'
20'	22'	24'	26'
30'	33'	36'	39'
40'	44'	48'	51'
50'	55'	60'	63'
60'	66'	72'	75'
70'	77'	84'	87'
80'	88'	96'	99'
90'	99'	108'	111'
100'	110'	120'	123'
110'	121'	132'	135'
120'	132'	144'	147'
130'	143'	156'	159'
140'	154'	168'	171'
150'	165'	180'	183'
160'	176'	192'	195'
170'	187'	204'	207'
180'	198'	216'	219'
190'	209'	228'	231'
200'	220'	240'	243'
210'	231'	252'	255'
220'	242'	264'	267'
230'	253'	276'	279'
240'	264'	288'	291'
250'	275'	300'	303'
260'	286'	312'	315'
270'	297'	324'	327'
280'	308'	336'	339'
290'	319'	348'	351'
300'	330'	360'	363'
310'	341'	372'	375'
320'	352'	384'	387'
330'	363'	396'	399'
340'	374'	408'	411'
350'	385'	420'	423'
360'	396'	432'	435'
370'	407'	444'	447'
380'	418'	456'	459'
390'	429'	468'	471'
400'	440'	480'	483'
410'	451'	492'	495'
420'	462'	504'	507'
430'	473'	516'	519'
440'	484'	528'	531'
450'	495'	540'	543'
460'	506'	552'	555'
470'	517'	564'	567'
480'	528'	576'	579'
490'	539'	588'	591'
500'	550'	600'	603'
510'	561'	612'	615'
520'	572'	624'	627'
530'	583'	636'	639'
540'	594'	648'	651'
550'	605'	660'	663'
560'	616'	672'	675'
570'	627'	684'	687'
580'	638'	696'	699'
590'	649'	708'	711'
600'	660'	720'	723'
610'	671'	732'	735'
620'	682'	744'	747'
630'	693'	756'	759'
640'	704'	768'	771'
650'	715'	780'	783'
660'	726'	792'	795'
670'	737'	804'	807'
680'	748'	816'	819'
690'	759'	828'	831'
700'	770'	840'	843'
710'	781'	852'	855'
720'	792'	864'	867'
730'	803'	876'	879'
740'	814'	888'	891'
750'	825'	900'	903'

* Conventional Roads Only
* Taper lengths have been rounded off.
* L-length of taper (ft), W-width of offset (ft), S-Posted Speed (mph)

TYPICAL USAGE	
MOBILE	SHORT TERM STATIONARY
DURATION	INTERMEDIATE TERM STATIONARY
STATIONARY	LONG TERM STATIONARY

GENERAL NOTES

- Flags oriented to signs where shown are REQUIRED.
- All traffic control devices illustrated are REQUIRED, except those denoted with the triangle symbol may be omitted when proven a safety hazard in the plan, or when the triangle symbol is not shown.
- The C20-10 "ROAD WORK AHEAD" sign may be repeated if the visibility of the work zone is less than 1500 feet.
- A shadow vehicle with a TMA should be used anytime it can be positioned 30 to 100 feet in advance of the work zone or the work zone without otherwise being visible to the traffic. The shadow vehicle should be equipped with a flashing amber light and a TMA. The shadow vehicle should be positioned in the work zone, next to the work area, in order to protect other work spaces.
- Shaded areas shown in the plan are intended to protect other work spaces.

TCP (11-40)

6. If this TCP is used for a left lane closure, C20-51L, "LEFT LANE CLOSED" sign should be placed in the work zone. The work zone should be placed in the centerline where needed to protect the work space from opposing traffic with the arrow panel placed in the closed lane near the end of the merging taper.

TCP (11-40b)

7. Where traffic is directed onto a yellow centerline, channelizing devices which separate two-way traffic should be spaced on towers at 20' or 15' where S is the speed in mph, and for tangent sections, or 1/2S for the radius of curving markings, not the entire work zone.

Texas Department of Transportation
Traffic Division

TRAFFIC CONTROL PLAN
LANE CLOSURES ON MULTILANE CONVENTIONAL ROADS

TCP (1-4) -12

For construction or maintenance of right-of-way, specific project and shadow vehicle can be found in the project notes. For Item 502, Barriercodes, Signs and Traffic Control Devices.

1. TxDOT Standard 1385

DATE	REVISION	BY	FOR	DATE	REVISION	BY	FOR
3-94	1-12	CMR	1287	408	1287	CMR	1287
8-98	1-12	CMR	1287	408	1287	CMR	1287
1-99	1-12	CMR	1287	408	1287	CMR	1287
1-99	1-12	CMR	1287	408	1287	CMR	1287

PERMIT FOR CONSTRUCTION OF FACILITIES IN LEVEE RIGHT-OF-WAY

THE STATE OF TEXAS

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF FORT BEND

§

§

THAT SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT OF FORT BEND COUNTY, TEXAS, a conservation and reclamation district and a body politic of the State of Texas ("District"), hereby authorizes PS Lightwave ("Permitee") to construct, install, repair, replace, or remove Fiber Optic Cable ("Facilities"), across, under, over, and upon those certain tracts of land described in the metes and bounds descriptions attached hereto as **Exhibit A** and shown on **Exhibit B**, said exhibits being made a part hereof for all purposes (the "Levee Tract") subject to the terms and conditions set forth herein:

1. District and Permitee acknowledge and agree that this Permit is for the purpose of constructing, installing, repairing, replacing, removing, maintaining, and operating the Facilities, and re-establishing vegetative cover on the disturbed areas within the Levee Tract.

2. Subject to the limitations set forth in this Permit, Permitee may have such access across, over, and upon the Levee Tract and may enter upon the Levee Tract to engage in such activities as may be necessary, requisite, convenient, or appropriate in connection with the Permit. Permitee's rights shall include the right to bring and operate such equipment thereupon as may be necessary, requisite, convenient, or appropriate to effectuate the purposes for which this Permit is granted. Permitee will at all times, after doing any work in connection with the Permit hereby conveyed, restore the premises to its condition prior to the undertaking of such work. Permitee shall limit the use of the Levee Tract as much as possible. All of Permitee's activities on District's property shall be limited to the Levee Tract. Parking of vehicles within the Levee Tract shall not be permitted. Vehicles and equipment shall be parked outside of the Levee Tract when not in use. All equipment shall be removed from the Levee Tract during non-working hours.

3. Permitee further acknowledges: (a) that utilization of the Levee Tract for construction, installation, repair, replacement or removal of the Facilities and access by heavy machinery or trucks may be dangerous, may cause damage to or undermine the integrity of the Levee Tract, (b) that District's rights to use the Levee Tract for flood protection and/or drainage purposes are superior to the rights granted to Permitee hereunder ("District's Superior Rights"); and (c) that Permitee's activities within the Levee Tract are performed at Permitee's sole risk.

4. Permitee shall not conduct any activities upon District's levee or within the toe of said levee. Permitee's Facilities shall not be permitted to be installed under District's

levee by open excavation. The Facilities shall be required to be installed under District's levee through the use of directional drilling and shall be encased in a welded steel pipe to prevent leakage under the levee, with said encasement extending as far as possible past the toe of District's levee, up to fifty feet (50').

5. Permittee shall not commence any work upon the Facilities until the plans and specifications for such work have been reviewed and approved in writing by District's Engineer. District's Engineer and District's Operator, shall be notified at least 2 business days prior to commencement of any construction, installation, repair, replacement, removal, or maintenance operations within the Levee Tract by Permittee, its contractors, or other representatives. Contact Mr. James Brown, P. E. at 713-953-5284 and Mr. Jeff Perry at 281-755-4292.

6. Further, Permittee agrees (1) to repair any damage caused by Permittee's or its contractors' use of the Levee Tract and all areas within District's right-of-way disturbed by the construction, installation, repair, replacement or removal of the Facilities to District's satisfaction; and (2) after doing any work in connection with the Permit hereby conveyed, to restore the Levee Tract and all areas within District's right-of-way disturbed by the construction, installation, repair, replacement, or removal of the Facilities to its condition prior to the undertaking of such work, including, without limitation, removing all spoil generated by Permittee's or its contractors' activities within the Levee Tract or distributing such spoil in a manner consistent with the plans and specifications approved by District's engineer, re-filling or re-compacting soil to meet the requirements for the Levee Tract, and re-seeding and establishing grass coverage acceptable to District. All disturbed areas will have turf established immediately upon completion of the construction, installation, repair, replacement, removal, maintenance and operation of the Facilities and will be restored to the original lines and grades. Turf establishment shall consist of solid sodding of all sloped areas with Bermuda sod to prevent slope erosion. Berm areas shall receive hydromulch seeding and fertilizer to the extent necessary. Permittee shall be responsible for ensuring adequate water and fertilizer is applied to maintain the sod and seeded areas for the term of the maintenance period of one year from the date of initial acceptance of work. If Permittee fails to repair or restore the Levee Tract to its condition prior to the undertaking of the Facility construction, installation, repair, replacement or removal and to the satisfaction of District within 30 days of the completion of any such work to the Facilities, District may elect to complete such repair or restoration and charge Permittee for such repair or restoration. District reserves the right to revoke the Permit if the construction and installation of the Facilities impairs District's Superior Rights.

7. Prior to commencement of the initial construction and installation of the Facilities, Permittee will provide to District a Maintenance Deposit in the amount of \$7,500.00 to be held by District for a period of one year from the date of final acceptance of such work, which acceptance must be acknowledged in writing by District's engineer. The Maintenance Deposit must be a check, cashier's check, or other form of deposit made payable to the District by the Permittee. The District will not accept payment of the Maintenance Deposit from any party other than the Permittee. Permittee further agrees to reimburse District for all actual and reasonable expenses from District's consultants associated with granting and administering the Permit.

8. Permittee agrees to require that any of its contractors and subcontractors performing work on the Facilities will maintain general liability insurance in an amount not less than \$1,000,000.00 per occurrence.

9. This conveyance is further made subject to any restrictions, covenants, Permits, rights-of-way, encumbrances, and mineral or royalty reservations or interests affecting the property and appearing of record in the Official Records of Fort Bend County, Texas, to the extent that said items and matters are in effect and validly enforceable against the Permit granted herein; provided, however, District, to the extent that it has the ability to enforce any of said items or matters, agrees that it shall not enforce any of said items or matters in a manner which would prejudice or interfere with Permittee's rights in the Permit granted herein.

10. Permittee shall make application for, and secure from, any and all federal, state, and local governmental authorities having jurisdiction thereof, and during the term of this Permit shall maintain in effect and comply with all permits, licenses and other authorizations required for the purposes of the Permit. Permittee shall pay for all such permits, licenses, and other authorizations and for all renewals thereof required during the term of this Permit.

11. Permittee shall keep the Levee Tract free and clear of any and all liens and encumbrances resulting from any work or act done by Permittee or on its behalf pursuant to this Permit.

12. All notices given or required under this Permit shall be given in writing and shall be given either by hand delivery or by depositing such notice in the United States first-class mail, postage prepaid, by certified or registered mail, return receipt requested, enclosed in an envelope addressed to the party to be notified at the following address, or at such other address as any such party shall from time to time designate in writing:

If to District:
Sienna Plantation Levee Improvement District
of Fort Bend County, Texas
c/o The Muller Law Group, PLLC
16555 Southwest Freeway, Suite 200
Sugar Land, Texas 77479
Attn: Mr. Richard Muller

If to Permittee:
PS Lightwave
5959 Corporate Dr. Suite 3300
Houston, TX 77036
Attn: Gabriel Gonzalez

13. Notice delivered in accordance with this paragraph shall be deemed delivered upon delivery, if delivered by hand, and three (3) business days after deposit in a domestic United States depository box, if delivered by mail.

14. The terms and conditions of this Permit shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns. The Permit and rights granted to Permittee herein shall not be assigned in whole or in part without the prior written consent of District, which consent shall not be unreasonably withheld.

15. If any provision of this Permit shall, for any reason, be held violative of any applicable law and/or unenforceable, then the invalidity of such specified provision herein shall not be held to invalidate any other provision herein, all of which such other provisions shall remain in full force and effect.

16. This is not a conveyance of the real estate or property included within the Levee Tract or of any interest in the oil, gas and other minerals in, on or under the real estate covered hereby, but is a grant solely of the Permit, as described above.

17. District reserves to itself, its successors and assigns, all oil, gas, and other minerals in, on, or under said premises, but waives all rights of ingress and egress for the purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing in this grant shall prohibit or in any manner restrict the right of District to develop the premises for oil, gas, and other minerals by directional drilling from a nearby site.

18. It is further agreed that Permittee shall pay all costs of any improvements to or relocations of the Facilities at any time made necessary in crossing the Levee Tract. Said costs shall include, but are not limited to, the costs of crossing the Levee Tract made necessary by the constructing of public highways, roads and streets, public utilities and drainage ditches, in, on and along other Permits or rights of way granted at any time.

19. This Permit is being executed and delivered and is intended to be performed in the State of Texas, and the laws of such State shall govern the validity, construction, enforcement, and interpretation of this Permit, unless otherwise specified herein.

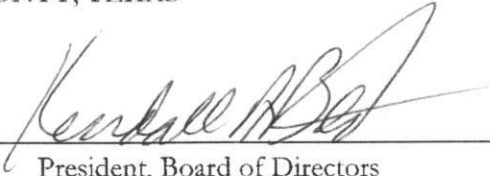
20. This Permit embodies the entire agreement between the parties and supersedes all prior agreements and understandings, if any, relating to this Permit and may be amended or supplemented only by an instrument in writing executed by the party against whom enforcement is sought.

[EXECUTION PAGE FOLLOWS]

EXECUTED this the 3rd day of may, 2017.

DISTRICT:

SIENNA PLANTATION LEVEE
IMPROVEMENT DISTRICT OF FORT BEND
COUNTY, TEXAS

By: 
President, Board of Directors

ATTEST:


By: 
Secretary, Board of Directors

(SEAL)



AGREED TO AND ACCEPTED this _____ day of _____, 20____

PERMITEE:

By: 
Name: GABRIEL GONZALEZ
Title: AUTOCAD OPERATOR

DATA SHEET

Applicant Contact Information:

Name: Gabriel Gonzalez Title: AutoCAD Operator

Company: PS Lightwave, Inc.

Mailing Address: 5959 Corporate Drive, Suite 3300

City: Houston State: TX Zip Code: 77036

Phone No.: (832) 917 - 5565 Extension:

Fax No.: (713) 510 - 1650

Email Address: ggonzalez@pslightwave.com

24 hour Emergency Contact: Frank Torres (832) 367 - 0914
Name Phone Number

Location of Facilities (Distance to Nearest Roadway Intersection):

Steep Bank Trace at Caleb Lane

Anticipated Construction Start Date: 06/05/2017

Anticipated Length of Time for Construction: 5 days

Description of Construction Activities: ☒ Underground ☐ Overhead

Conduit Type: PVC Size: (3) 1" (inch)

Casing Pipe Type (If Applicable): N/A Size: N/A (inch)

Pipe Contents: Fiber Optic Cable

Coordinates of Crossing: Northing = 29.503443° Easting = -95.513496°

*Coordinates shall be in surface coordinates NAD 27 1973 Adjustment

Proposed Depth of Cover below Levee bottom = 5 (feet)

Easement Width Required = 1 (feet)