

STATE OF COLORADO

Region 2 Traffic Section
905 Erie Ave., P.O. Box 536
Pueblo, Colorado 81002
(719) 546-5407 Fax:(719) 562-5523



December 13, 2011

ATTN: Wayne McCreesh
Conoco Phillips Pipe Line Company
3960 E 56th Avenue
Commerce City, CO 80022

**RE: State Highway Access Permit No. 211047, Located on Highway 024, Milepost 344.9,
in County El Paso**

Dear Wayne McCreesh,

Enclosed is your Notice to Proceed (NTP) for the above stated access permit. This NTP is valid only if the referenced access permit has not expired. Access permits expire one year from the date of issue if not under construction or complete. Your permit will expire on December 12, 2012. Access Permits may be extended in accordance with Section 2.3(11)(3), of the Access Code. You must obtain a new NTP following the suspension of work through the winter.

You shall notify the CDOT Inspector, Valerie Sword, at (719) 546-5407, at least 48-hours prior to commencing construction within the State Highway right-of-way. All construction shall be completed in an expeditious and safe manner and shall be finished within 45-days from initiation. You must also contact the CDOT Inspector upon completion of access construction to request a final inspection, prior to any use, as allowed by this permit.

All materials and construction shall be completed in accordance with all applicable Department Standards and Specifications, and constructed in conformance with 2 CCR 601-1, State Highway Access Code, including any additional terms and conditions of the issued permit. A fully endorsed copy of the issued access permit and NTP shall be available for review at the construction site during construction.

If you have any questions or need more information, please contact me at the office listed above.

Respectfully,

A handwritten signature in blue ink that reads "Valerie Sword".

Valerie Sword
Region 2 Access Manager

Xc: El Paso County
Karami
Lollar
Heller/Patrol 10
Hu/Buford/file w/211047

COLORADO DEPARTMENT OF TRANSPORTATION

STATE HIGHWAY ACCESS CODE

NOTICE TO PROCEED

CDOT Permit No. **211047**

SH/SMP
024 G / 344.900 / R

Local Jurisdiction
El Paso County

Permittee(s): **Conoco Phillips Pipe Line Company**
Wayne McCreesh
3960 E 56th Avenue
Commerce City, CO 80022

Applicant:

The permittee is hereby authorized to proceed with access construction within state highway right-of-way in accordance with the above referenced State Highway Access Permit and this Notice to Proceed.

This Notice to Proceed is valid only if the referenced Access Permit has not expired. Access Permits expire one year from date of issue if not under construction, or completed. Access Permits may be extended in accordance with Section 2.3(11)(d), of the Access Code.

Adequate advance warning is required at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permittee or applicant shall notify the Department prior to commencing construction as indicated on the Access Permit.

Both the Access Permit and this Notice To Proceed shall be available for review at the construction site.

This Notice to Proceed is conditional. The following items shall be addressed prior to or during construction as appropriate.

1. All conditions and terms apply as described in the Access Permit.
2. A traffic control plan must be submitted to Mr. Gary Heller at five working days prior to beginning work in the highway right-of-way for CDOT approval.
3. Five working days prior to beginning construction within the highway right-of-way, please contact Mr. Heller in Colorado Springs at (719) 227-3236.
4. Upon completion of the construction of the access, please contact Valerie Sword in writing by email valerie.sword@dot.state.co.us or fax (719) 562-5523 for final inspection.
5. The Notice to Proceed to construction and the Access Permit will expire on December 12, 2012 unless the construction of the access has been completed and accepted by the Department or a request for extension has been approved.

Municipality or County Approval (When the appropriate local authority retains issuing authority)

By (X)	Title	Date
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This Notice is not valid until signed by a duly authorized representative of the Department

Colorado Department of Transportation

By (X) <i>Valerie Sword</i>	Title <i>Access Mgr.</i>	Date <i>12/13/11</i>
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Copy distribution: Required: Make copies as necessary for: Form 1265 8/98, 6/99
 Region (original) Local Authority Inspector
 Applicant MTCE Patrol Traffic Engineer
 Staff Access Section

**COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT**


CDOT Permit No. **211047**

State Highway No/Mp/Side
24 G / 344.900 / R

Permit fee \$100.00	Date of transmittal 9/2/2011	Region/Section/Patrol 2 / 04 / Gary Heller	Local Jurisdiction El Paso County
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The Permittee(s); **Conoco Phillips Pipe Line Company**
Wayne McCreesh
3960 E 56th Avenue
Commerce City, CO 80022
303-376-4363

Applicant: _____ Ref No.: **3585**



is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the issuing authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location: **528 feet west from milepost 345.**

Access to Provide Service to:	(Land Use Code:)	(Size or Count)	(Units)
	Utilities (Pipeline Pump Station)	1,500	SQ FT

Additional Information:
See attached

PAID
\$100.00 12/13/11
CK# 58194

MUNICIPALITY OR COUNTY APPROVAL

Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Title	Date
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Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The permittee shall notify Valerie Sword with the Colorado Department of Transportation in Pueblo, Colorado at (719) 546-5407, at least 48 hours prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee Signature <i>Suen Calloway</i>	Print Name Brian Calloway	Date
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This permit is not valid until signed by a duly authorized representative of the Department.
COLORADO DEPARTMENT OF TRANSPORTATION

Signature <i>Valerie Sword</i>	Print Name Valerie Sword	Title Access Mgr	Date (of issue) 12/13/11
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The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.
2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.
3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.
4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)
2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.
3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.
4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger

highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the

right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

1. A NOTICE TO PROCEED TO CONSTRUCTION, CDOT Form 1265, is required before beginning the construction of the access or any activity in the highway right-of-way. The Notice to Proceed to construction will be issued upon receipt of this signed permit with appropriate fee.
2. The access is located on the south side of State Highway 24G, a distance of 528 feet west from milepost 345 or approximately milepost 344.90.
3. This section of highway is a Category R-A highway.
4. This Access Permit is issued to allow improvements to be made to an existing access to State Highway 24G. The improvements consist of relocation of existing cattle guard to further onto private property and widening the access to accommodate the large trucks servicing this site. The access will serve a pipeline pump station.
5. The Permittee shall refer to all additional standard requirements attached to this permit. This includes CDOT Form 101b, enclosed additional terms, conditions, exhibits, and noted attachments.
6. The following criteria were used to establish this Access Permit:
 - a. The Application for Access Permit (CDOT Form 137) dated August 23, 2011 and received in the regional office on August 26, 2011 and all attachments.
 - b. State Highway Access Code, Volume 2, CCR-601-1; Effective date August 31, 1998
 - c. The State Highway Access Category Assignment Schedule, as revised.
 - d. The Colorado Department of Transportation (CDOT) M&S Standard Plans
 - e. Vicinity Map
 - f. Exhibit A, "Seeding Requirements"
 - g. Standard Special Provision – Compliance with NCHRP 350 Crashworthiness Certification for Work Zone Traffic Control Devices.
7. Permittee shall comply with the requirements of Title II of the ADA, applicable federal regulations and the ADAAG (ADA Access Guidelines).
8. This Access Permit is issued in accordance with the 1998 State Highway Access Code (2CCR 601-1), and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes, based upon existing and/or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this permit void, requiring a new Application for Access Permit to be submitted for review by the Department and/or Issuing Authority.
9. If necessary, minor changes, corrections and/or additions to the Permit may be ordered by the Department Inspector, other Department representative, or the local authority, to meet unanticipated site conditions. Changes may not be in violation of the State Highway Access Code. All major changes to the permit must be approved in writing by the Department prior to commencement of any work on or within the State Highway right-of-way.
10. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within State Highway right-of-way.

11. Backing maneuvers within and into the State Highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the Permit by the Department and/or Issuing Authority.
12. This access will be allowed a full movement. However, left turn movements in and out of this access may be prohibited at some future date.
13. A Fully Executed Complete Copy of this Permit and a valid Notice to Proceed to Construction must be on the job site with the contractor at all times during the construction. Failure to comply with this or any other construction requirement may result in the immediate suspension of the work by order of the Department Inspector or the Issuing Authority.
14. Any additional permits and clearances required by other Federal, State, Local Government Agencies or Ditch Companies is the responsibility of the Permittee and/or Applicant.
15. Whenever there is work within the highway right of way, the Permittee shall develop and implement a traffic control plan. This plan shall utilize traffic control devices as necessary to ensure the safe and expeditious movement of traffic around and through the work site as well as ensure the safety of the work force. A certified Traffic Control Supervisor or a Professional Traffic Engineer shall prepare the traffic control plan. The plan shall be in conformance with the latest Manual on Uniform Traffic Control Devices (MUTCD) and other applicable standards. The plan must be submitted and approved by the State Access Inspector listed below five working days prior to beginning construction within the highway right of way. The approved traffic control plan will be attached to the Permit and the NOTICE TO PROCEED TO CONSTRUCTION and must be available on site throughout the duration of the construction. All work that requires traffic control shall be supervised by a registered professional traffic engineer or by a certified traffic control supervisor. The contractor in accordance with the Department Standards shall certify flagging personnel, when required.
16. If any traffic control devices are evident within 50 feet of the construction area, the Permittee/Contractor must contact Mr. Eric Lundberg, Asst. Traffic Operations Engineer, in Pueblo. Mr. Lundberg can be contacted in Pueblo at (719) 546-5405.
17. Five working days prior to beginning construction, the Permittee/Contractor must contact Mr. Gary Heller, Senior Maintenance Supervisor, to coordinate the construction with any scheduled maintenance activity. Mr. Heller can be contacted in Colorado Springs at (719) 659-9438. Failure to comply with this requirement may result in the revocation of this permit.
18. Work shall BEGIN AFTER 8:30 a.m. and all equipment shall be off the right-of-way BEFORE 3:30 p.m. each day. No work is allowed within the highway right-of-way on weekends or State/Federal holidays. No construction vehicles shall be parked, or construction materials stockpiled on the highway right-of-way overnight. No private vehicles may be parked on the highway right-of-way at any time during construction.
19. Two-way traffic shall be maintained throughout the work area at all times.

20. The Annual Average Daily Traffic (AADT) volumes using this access shall not exceed 2 trips. In addition, in the future, if the traffic volumes increase by greater than 20% of the permitted number, the Permittee (property owner) is required to apply for a new Access Permit and may be required to construct highway improvements.
21. All costs associated with the installation of this access are the responsibility of the Permittee. This includes the design, construction, utility relocation, testing of materials and inspection.
22. Reconstruction or improvements to the access may be required when the Permittee has failed to meet the required design and/or materials specifications. If any construction element fails within two years due to improper construction or material specifications, the Permittee shall be responsible for all repairs. Failure to make such repairs may result in the revoking of the permit and closure of the access.
23. All required access improvements shall be installed prior to the herein-authorized use of this access.
24. All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures and all applicable US Occupational Safety and Health Administration (OSHA) regulations- including but not limited to the applicable sections of 29 CFR Part 1910 – Occupational Safety and Health Standards and 29 CFR Part 1926 – Safety and Health Regulations for Construction.
 - a. Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment:
 - b. Head protection that complies with the ANSI Z89.1-1997 standard;
 - c. At all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999;
 - d. High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2).
 - e. Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.
25. All construction materials, techniques and processes shall be in conformance with the specification on the permit and shall be consistent with Department standard specifications for road construction as set forth in the latest "Standard Specifications for Road and Bridge Construction" manual.
26. The Permittee is responsible for any utilities and/or traffic control devices disrupted by the construction of this access and all expense incurred for repair. There are existing utilities on the highway right-of-way by permit. Owners of those utilities must be contacted. Any work necessary to protect existing permitted utilities, such as encasements, bulwarks, etc. will be the responsibility of the Permittee.
27. Additional CDOT permits are required for work involving water, sanitary sewer, gas, electrical, telephone and landscaping within the right-of-way.

28. Any damage to existing highway facilities shall be repaired immediately at no cost to the Department and prior to continuing other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by the Department inspector.
29. The Department Inspector or the Issuing Authority may suspend any work due to noncompliance with the provisions of this permit, adverse weather or traffic conditions, concurrent highway construction or maintenance in conflict with permit work or any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the Department Inspector or Issuing Authority.
30. The Permittee shall maintain adequate, unobstructed sight distance in both directions from the access. When determining the distance between accesses, the point of tangent shall be used where a radius is present, or the beginning of the curb cut. The minimum sight distance that shall be maintained along the highway for the access shall be 550 feet. The minimum sight distance that shall be maintained for the vehicle entering the highway shall be 650 feet.
31. Any landscaping or potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Planting of tree(s), which will be over 4 inches in caliper at maturity, will not be allowed within 30 feet of the edge of the traveled way. All other objects shall not exceed a total height of thirty inches from the top of final grade. The Department will require any object or landscaping that becomes unsightly or is considered to be a traffic hazard to be removed by the Permittee at no cost to the Department.
32. Within the right-of-way, maximum grades shall be limited to ten per cent for low volume field and residential access. All other accesses shall be limited to a maximum of eight percent grade. Lesser grades may be required for drainage control purposes.
33. The horizontal axis of an access to the highway shall be at a right angle to the centerline of the highway and extend a minimum of 40 feet from the edge of pavement or to the right-of-way line, whichever is greater.
34. An access that has a gate across it shall be designed so that the longest vehicle using it can clear the roadway when the gate is closed.
35. It is the responsibility of the Permittee to prevent all livestock from entering the State Highway right of way at this access location. Any livestock that does enter the highway right of way shall be the sole responsibility of the Permittee.
36. Fill slopes and cut slopes shall be constructed to the slope of the existing highway near the access.
37. All side slopes shall have a slope of 6:1 for 12 feet. [Z-distance]
38. The minimum side slope template shall provide a 4:1 slope for six feet, and then not steeper than 3:1 unless physical restricted.

39. Soil preparation including topsoil, seeding and mulching is required with the highway right-of-way on all disturbed areas not surfaced and those areas beyond the highway that may erode and send debris into the highway right-of-way. The Department or local municipality shall provide minimum seed mixes, types and rates of seeding and preparation. (See attached Exhibit)
40. Installation of any traffic control device necessary for the safe and proper operation and control of the access shall be required by the permit at the cost of the Permittee.
41. All traffic control devices within the highway or other public right-of-way or access that serve the general public shall conform to the M.U.T.C.D.
42. Prior to removing any existing highway signs within the limits of the construction activities, the Permittee must contact Mr. Gary Garcia with the Department. Mr. Garcia can be contacted at (719) 546- 5767.
43. The access width, for an access without curbs, shall be measured exclusive of the radii or flares. Only the travel portion is measured.
44. The surface width of the access shall be 24 feet at the ROW line.
45. All discharges to the CDOT highway drainage system must comply with the applicable provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations, and are subject to inspection by the CDOT and CDPHE. CDOT recommends this development devise and implement a permanent plan for periodic removal and disposal of sediment from detention facilities and for maintenance of development detention facilities. Attached is the CDOT Environmental Clearances Information Summary listing some of the more commonly encountered environmental permits/clearances that may apply to activities and contacts for questions regarding these permits/clearances.
46. Within unincorporated areas, the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the Permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by stature and local ordinance.
47. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system in the right-of-way or any adopted municipal system and drainage plan.
48. The highway drainage system is for the protection of the state highway right-of-way, structures, and appurtenances. It is not designed nor intended to serve the drainage requirement of abutting or other properties beyond undeveloped historical flow. Drainage to the state highway right-of-way shall not exceed the undeveloped historical rate of flow.
49. The Permittee shall provide, at their own expense, drainage structures for access that will become an integral part of the existing drainage system. Drainage structures under the access should extend beyond the access radius to accommodate the side slopes.

50. The Permittee shall install a new 18-inch corrugated metal pipe. It shall be a sufficient length to allow for the side slopes.
51. The Permittee or the contractor shall be required to provide comprehensive general liability and property damage insurance naming the Department and the issuing authority (if applicable) as an additional insured party, in the amounts of not less than \$600,000 per occurrence and automobile liability insurance of \$600,000 combined single limit bodily injury and property damage for each accident, during the period of access construction. By accepting the permit, the Permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the Permittee's use of the access permit during the construction of the access.
52. Attached is CDOT Standard Plan M-203-1, entitled "Approach Roads". The radii, surfacing, side drains, and side slope requirements shall be as specified in this permit.
53. The radii of the access shall be large enough to accommodate the largest vehicle using the access on a daily basis without encroaching on the adjacent travel lane.
54. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.
55. CDOT retains the right to perform any necessary maintenance work in this area.

**COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT APPLICATION**

Issuing authority application acceptance date:



- Instructions:
- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
 - Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
 - Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
 - Submit an application for each access affected.
 - If you have any questions contact the issuing authority.
 - For additional information see CDOT's Access Management website at <http://www.dot.state.co.us/AccessPermits/index.htm>
- Please print or type**

1) Property owner (Permittee) ConocoPhillips Pipe Line Company		2) Applicant or Agent for permittee (if different from property owner)															
Street address 3960 E. 56th Av.		Mailing address															
City, state & zip Cummins City, CO 80029	Phone # 303-376-4263	City, state & zip	Phone # (required)														
E-mail address t-wagner.mccaskey@conocophillips.com		E-mail address if available															
3) Address of property to be served by permit (required) 32795 Hwy 24																	
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? <table style="width:100%; border:none;"> <tr> <td style="border:none;">county</td> <td style="border:none;">subdivision</td> <td style="border:none;">block</td> <td style="border:none;">lot</td> <td style="border:none;">section</td> <td style="border:none;">township</td> <td style="border:none;">range</td> </tr> <tr> <td style="border:none;">EL PASO</td> <td style="border:none;">N/A</td> <td style="border:none;">N/A</td> <td style="border:none;">N/A</td> <td style="border:none;">NE14 Sec 21</td> <td style="border:none;">T15S</td> <td style="border:none;">R61W</td> </tr> </table>				county	subdivision	block	lot	section	township	range	EL PASO	N/A	N/A	N/A	NE14 Sec 21	T15S	R61W
county	subdivision	block	lot	section	township	range											
EL PASO	N/A	N/A	N/A	NE14 Sec 21	T15S	R61W											
5) What State Highway are you requesting access from? 24		6) What side of the highway? <input type="checkbox"/> N <input checked="" type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W															
7) How many feet is the proposed access from the nearest mile post? 528 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W from: MP345		How many feet is the proposed access from the nearest cross street? 2,411 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W from: Yoder Rd.															
8) What is the approximate date you intend to begin construction? ASAP																	
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated: _____) <input checked="" type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail: _____)																	
10) Provide existing property use Pipe Line Pump Station																	
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input type="checkbox"/> no <input checked="" type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: 847, Attached and/or, permit date: March 1, 1971																	
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe:																	
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.																	
14) If you are requesting agricultural field access - how many acres will the access serve? N/A																	
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.																	
business/land use	square footage	business	square footage														
Pump Station	1500 sq ft																
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?																	
type	number of units	type	number of units														
NO																	
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.																	
Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input checked="" type="checkbox"/> average daily volumes.		# of passenger cars and light trucks at peak hour volumes	# of multi unit trucks at peak hour volumes														
# of single unit vehicles in excess of 30 ft.		2 per week	0														
		# of farm vehicles (field equipment)	Total count of all vehicles														
2 per month		0	0 1-2 per week														

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- a) Property map indicating other access, bordering roads and streets.
- b) Highway and driveway plan profile.
- c) Drainage plan showing impact to the highway right-of-way.
- d) Map and letters detailing utility locations before and after development in and along the right-of-way.
- e) Subdivision, zoning, or development plan.
- f) Proposed access design.
- g) Parcel and ownership maps including easements.
- h) Traffic studies.
- i) Proof of ownership.

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage <http://www.dot.state.co.us/environmental/Forms.asp>.

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

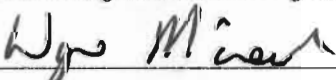
Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <http://www.dot.state.co.us/DesignSupport/>, then click on *Design Bulletins*.


If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature	Print name	Date
	Wayne McCreesh	8/23/11

If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Property owner signature	Print name	Date
	Wayne McCreesh	8/23/11



Vicinity Map
Access Permit # 211047

17-8303-00 8-06

81-881
829

CLAIM _____

FILE _____

PROJECT PRW 38385
EL PASO COLORADO
COUNTY STATE

STATE HIGHWAY

PERMIT - CALHAN
211047

STATION ACCESS

MODIFICATIONS

SEL 21, THIS R/L W.

EL PASO COUNTY, CO

THIS 5TH DAY OF DECEMBER 20 11 No. 3- 58194

PAYABLE THROUGH
ARVEST
BANK

PAYOR: CONOCO PHELPS COMPANY

PAY TO CDOT \$ 100⁰⁰
ONE HUNDRED & 00/100 DOLLAR

BY Edmund J. Brooks
AGENT

⑆082908816⑆ 0012745609⑆
#103912