

**APPLICATION AND PERMIT  
STARK COUNTY  
ROAD CROSSING/RIGHT-OF-WAY ENCROACHMENT/PIPELINE/UTILITY PERMIT**

Brady Wind, LLC, a Delaware limited liability company

700 Universe Blvd., FEJ/JB Juno Beach, FL 33408

(Name and address of applicant)

hereinafter called the Applicant, is hereby granted permission to install and maintain the following described facilities on, across, or adjacent to county right-of-way, as shown on the plans attached hereto and made a part hereof: (describe type of facilities to be located on county right-of-way, give legal description of location of said facilities, and attach map or plans)

See attached "collection" crossing locations (35 crossings)--Note:C9 coordinated with NDDOT

**INSTALLATION AND MAINTENANCE:** Installation and maintenance of said facilities on county right-of-way shall be subject to the following terms and conditions:

1. Upon construction, maintenance, relocation, or removal of said facilities, any right-of-way scars shall be removed and the disturbed areas restored to original condition, including the re-seeding thereof where necessary. Trenches dug within county right-of-way shall be backfilled and compacted to density equal to that of the adjacent undisturbed soil.
2. Installation, maintenance, relocation, and removal of said facilities on county right-of-way shall be completed in a manner satisfactory to, and subject to supervision by, the County Road Superintendent and/or County Commissioners.
3. Stark County shall not be liable for damage to said facilities resulting from reconstruction or maintenance of the right-of-way.
4. Applicant shall hold the County harmless for injury to persons or damage to property resulting from the location of said facilities on County right-of-way.
5. Applicant shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under county right-of-way, which may be damaged as a result of the installation and maintenance of said facilities on County right-of-way.

6. Applicant agrees to comply with all County road restrictions and load limit restrictions. Contact the County Road Superintendent for information.
7. Applicant shall promptly remove said facilities from county right-of-way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by the County to accommodate any road construction or re-construction.
8. Applicant agrees that buried road crossings on all County Major Collector (CMC) Roads, all paved roads, and any other road crossing designated at the time of application and noted hereon, shall be bored or jacked under the roadway. Plans for boring or jacking at each crossing shall be submitted to the County Road Superintendent for approval prior to construction.
9. Applicant agrees to provide to the County Global Positioning System data on the location of said facilities upon completion, collected by the following process: Data collection must be completed with a Global Positioning System (GPS) receiver capable of sub-meter data collection. Location data collected by GPS must be corrected, either through the use of post processing (differential correction from a reliable base) or real-time differential correction. Data must be collected in the NAD83 coordinate system, with locations (points) collected in geographic (latitude, longitude) coordinates. These coordinates must be in decimal degrees (not degrees, minutes, seconds) calculated to 6 decimal places.
10. Applicant agrees to provide the above requested GPS data to Stark County within 120 days of approval of permit or Stark County will collect the data and charge the cost to the company receiving the permit. If an extension of time is needed, applicant must get specific written permission from the Board of County Commissioners.
11. All buried utilities including pipelines, power lines, telephone lines and water lines must be ~~set back a minimum of 100 feet from the centerline~~ of all sections lines and county roads unless perpendicular to said road or section line, or as approved by the Board of County Commissioners. All pipelines must be set back 200 feet from water bodies or unoccupied buildings, or as approved by the Board of County Commissioners.  
\*...set back a minimum of 75 feet from the centerline... (per Stark County Ordinance, section 6.28)
12. Maps (see additional requirements below) shall be CAD generated drawings based on field survey, showing ties to section corners, section lines, and other features as deemed necessary by the County. Hand drawn maps or sketches are not acceptable.

ADDITIONAL REQUIREMENTS: The following information must be included with the application before a permit will be approved and issued:

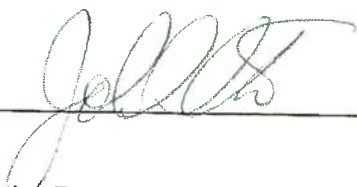
1. A map indicating the route, and county roads or right of ways intended for use by Applicant, and location of gas plants, compressor stations, substations, or other

facilities, if any;

2. Name and address of the contractor, including their ND contractor license number;
3. Name of contractor bonding company and bond or insurance number;
4. Copies of all easements or letters of consent obtained from adjacent private landowners;
5. Proposed commencement date April 2016 and completion date October 2016;
6. Size of line or facility (diameter, kV, etc.): 34.5 kV (with parallel fiber optic lines);
7. For pipelines, indicate the length of pipeline within Stark County. In addition, please indicate if the pipeline will extend beyond Stark County.
8. This application shall be accompanied by a \$250.00 fee for pipelines and \$100.00 for crossing permits.

The Stark County Road Superintendent will review this application and will either approve it as submitted or require a public hearing before the Stark County Planning and Zoning Commission. Commission approval is only to the extent the County has legal rights to and does not affect obligations of the Applicant to any other landowner or holders of legal rights.

Applicant  
Signature



Title

Vice President

Approved by the Road Superintendent, Stark County, Dickinson, North Dakota this

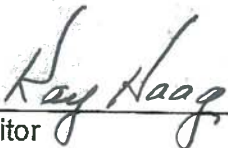
24 day of MARCH, 2016

Stark County



Stark County Road Superintendent

Attest:



Stark County Auditor