
AES Ohio
1900 Dryden Road
Dayton, Ohio 45439

January 21, 2022

Chairman Jenifer French
Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43215

Re: **West Milton – Eldean 138kV Line**
Ohio Power Siting Board Case Number 18-1259-EL-BTX
Notification of ODOT Temporary Construction Driveways & Utility Crossing Permits

Dear Chairman French,

The Dayton Power and Light Company (“DP&L”) doing business as AES Ohio submits this notice to inform you of agency approval to satisfy Conditions 9 and 19 related to the January 15, 2020 Ohio Power Siting Board (“OPSB”) approval of the above referenced project. On January 14, 2022, Ohio Department of Transportation (“ODOT”) determined that the above referenced project has been approved to install temporary construction driveways and to install utility crossings along State Routes 55, 718, and 41 (Enclosures 1, 2, 3, 4, & 5). In addition, the permits include approved traffic control plans, as appropriate (Enclosures 2, 3 & 4).

Additional permits to satisfy Conditions 9 and 19 are forthcoming, and AES Ohio will submit those permits once obtained.

Please feel free to contact me if you have any questions regarding this notification letter.

Respectfully submitted,

ss:/ *Randall V. Griffin*

Randall V Griffin (Ohio Bar No. 0080499)
Chief Regulatory Counsel
AES Ohio
937-479-8983 (cell)
Randall.griffin@aes.com

Enclosure: (1) Ohio Department of Transportation approved permit number 7-012-22; (2) Ohio Department of Transportation approved permit number 7-013-22; (3) Ohio Department of Transportation approved permit number 7-015-22; (4) Ohio Department of Transportation approved permit number 7-016-22; (5) Ohio Department of Transportation approved permit number 7-019-22

Enclosure 1
Ohio Department of Transportation Approved Permit No.7-012-22

MR 509
Permit No. 7-012-22

Office Use Only

State of Ohio
Department of Transportation
Permit

County: MIA
Rte: SR 55
Log Pt: 5.55
Acc Cat: 3

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name: AES Ohio; Andrew Schieltz
Address: 1900 Dryden Road Dayton OH 45439
Company Phone: (937) 331-4032

Is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or attached to this permit.

Utility - Temporary Construction Drive

Description of Work: Installing two new steel structures carrying 138kV transmission line conductor over Ohio State Route 55. The lowest wire at this crossing has at least 40 feet of clearance to the road centerline. Work is expected to start 10/15/2021 and work is to be completed 09/30/2023.

[2] This permit shall be in the possession of employees /agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

Contact ODOT Representative 3 days before work begins, also contact ODOT Representative when work is completed for final inspection.

Failure to notify the ODOT Representative could result in work stoppage!

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

ODOT Representative: Chuck Craun
Permit Tech II
Phone: (937) 497-6947

NOTE: Any work performed by the permittee may be stopped if this requirement is not met.

[4] Prior to any excavation in the highway right-of-way, the Ohio811, <https://www.oups.org/excavators> must be contacted in accordance with ORC Section 3781.25 to 3781.32. Ohio811 can be reached at 1-800-362-2764 or 811.

[5] If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to mark as described, will result in the Department of Transportation being held harmless and no reimbursement for damage to your property.

[6] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[7] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

[8] Performance Bond Required? No: XXXX Company: N / A

[9] This permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 07/14/2022 Dated 01/11/2022

(the remainder of this page is left blank intentionally)

**General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)**

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation and within the time determined by the Director. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.

[9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee. Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.

[10] Any damage to ODOT or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to ODOT property are needed that cannot be performed by the permittee or permittee's agent or contractor, ODOT shall cause the repairs to be performed at the sole cost of permittee.

[11] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.

[12] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.

[13] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.

[14] All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.

[15] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.

[16] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.

[17] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:

(1) No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.

(2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.

(3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT— Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(4) In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate

the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

This permit is granted subject to the following attached conditions:

Permittee will be stringing new power lines across SR 55. **Proposed work will also include the construction of a temporary construction drive.** Permittee will be installing two steel transmission lines outside of the state R/W.

All poles, pedestals, vaults, manholes shall be placed within 1' inside State Right of Way. All above ground facility installations shall be marked with a fluorescent colored marker that corresponds with the universal OUPS Color Code.

Guy wires must be marked a fluorescent yellow. Marker must be no shorter than 6' in height and utility owner must maintain marker. Failure to follow these requirements will result in no reimbursement for damage to utility property from ODOT.

Highway shall always be kept free of mud and debris.

PERMITTEE SHALL CONTACT CHUCK CRAUN, PERMIT TECH II; 937-497-6947, AT LEAST 2 DAYS PRIOR TO WORK.

***** A copy of this permit shall always be located at the project location. *****

NOTE: ALL WORK SHALL MEET OR EXCEED NESC STANDARDS, GUIDELINES, & POLICIES.

NOTE: PERMITTEE IS RESPONSIBLE FOR ALL CLEAN OUT WORK TO KEEP THIS INSTALLATION IN OPERATING CONDITION.

NOTE: PERMITTEE SHALL BE RESPONSIBLE FOR ANY & ALL UTILITY INSTALLATIONS / RELOCATIONS AS A RESULT OF THIS WORK.

NOTE: EQUIPMENT AND MATERIALS SHALL NOT BE STORED WITHIN THE STATE R/W.

NOTE: MINIMUM VERTICAL CLEARANCE FROM CENTERLINE OF PAVEMENT SURFACE OR PRIVATE DRIVEWAYS TO AERIAL CROSSING IS TO BE 18'.

NOTE; ANCHORS SHALL BE IN -LINE WITH THE POLE ROUTE OR SET AWAY FROM THE STATE HIGHWAY; NO ANCHORS SHALL BE SET BETWEEN THE POLE AND THE STATE HIGHWAY.

NOTE: ALL DISTURBED EARTH SHALL BE REPLACED, COMPACTED, AND RESHAPED TO ITS ORIGINAL CROSS-SECTION AND THEN RE-SEED IT TO THE SATISFACTION OF THE DIRECTOR OF TRANSPORTATION OR HIS AGENT.

NOTE; TRAFFIC CONTROL SHALL BE PERFORMED AS PER THE LATEST OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, OMUTCD.

*** **NOTE;** THE TEMPORARY CONSTRUCTION DRIVE SHALL BE COMPLETELY REMOVED AND THE PROPERTY / RW RESTORED. ***

Enclosure 2
Ohio Department of Transportation Approved Permit No.7-013-22

MR 509
Permit No. # 7-013-22

Office Use Only

State of Ohio
Department of Transportation
Permit

County: MIA
Rte: SR 55
Log Pt: 4.14
Acc Cat: 3

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name: AES Ohio; Andrew Schieltz
Address: 1900 Dryden Road Dayton, OH 45439
Company Phone: (937) 331-4032

Is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or attached to this permit.

Utility / Temporary Construction Drive

Description of Work: Installing two new steel structures carrying 138kV transmission line conductor with distribution under build over Ohio State Route 55. The lowest wire at this crossing has at least 16' feet of clearance to the road centerline. Work is expected to start 10/15/2021 and work is to be completed 09/30/2023.

[2] This permit shall be in the possession of employees /agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

Contact ODOT Representative 3 days before work begins, also contact ODOT Representative when work is completed for final inspection.

Failure to notify the ODOT Representative could result in work stoppage!

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

ODOT Representative: Chuck Craun
Permit Tech II
Phone: (937) 497-6947

NOTE: Any work performed by the permittee may be stopped if this requirement is not met.

[4] Prior to any excavation in the highway right-of-way, the Ohio811 <https://www.oups.org/excavators> must be contacted in accordance with ORC Section 3781.25 to 3781.32. Ohio811 can be reached at 1-800-362-2764 or 811.

[5] If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to mark as described, will result in the Department of Transportation being held harmless and no reimbursement for damage to your property.

[6] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[7] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

[8] Performance Bond Required? No: XXXX Company: N / A

[9] This permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 01/11/2023 Dated 01/11/2022

General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation and within the time determined by the Director. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.

[9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee. Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.

[10] Any damage to ODOT or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to ODOT property are needed that cannot be performed by the permittee or permittee's agent or contractor, ODOT shall cause the repairs to be performed at the sole cost of permittee.

[11] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.

[12] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.

[13] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.

[14] All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.

[15] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.

[16] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.

[17] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:

(1) No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.

(2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.

(3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT— Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(4) In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate

the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

This permit is granted subject to the following attached conditions:

Permittee will be stringing new power lines across the highway. Proposed work will also include the installation of an temporary construction drive.

All poles, pedestals, vaults, manholes shall be placed within 1' inside State Right of Way. All above ground facility installations shall be marked with a fluorescent colored marker that corresponds with the universal OUPS Color Code.

Guy wires must be marked a fluorescent yellow. Marker must be no shorter than 6' in height and utility owner must maintain marker. Failure to follow these requirements will result in no reimbursement for damage to utility property from ODOT.

PERMITTEE SHALL CONTACT CHUCK CRAUN, PERMIT TECH II; 937-497-6947, AT LEAST 2 DAYS PRIOR TO WORK.

***** A copy of this permit shall always be located at the project location. *****

NOTE: ALL WORK SHALL MEET OR EXCEED NESC STANDARDS, GUIDELINES, & POLICIES.

NOTE: PERMITTEE IS RESPONSIBLE FOR ALL CLEAN OUT WORK TO KEEP THIS INSTALLATION IN OPERATING CONDITION.

NOTE: PERMITTEE SHALL BE RESPONSIBLE FOR ANY & ALL UTILITY INSTALLATIONS / RELOCATIONS AS A RESULT OF THIS WORK.

NOTE: EQUIPMENT AND MATERIALS SHALL NOT BE STORED WITHIN THE STATE R/W.

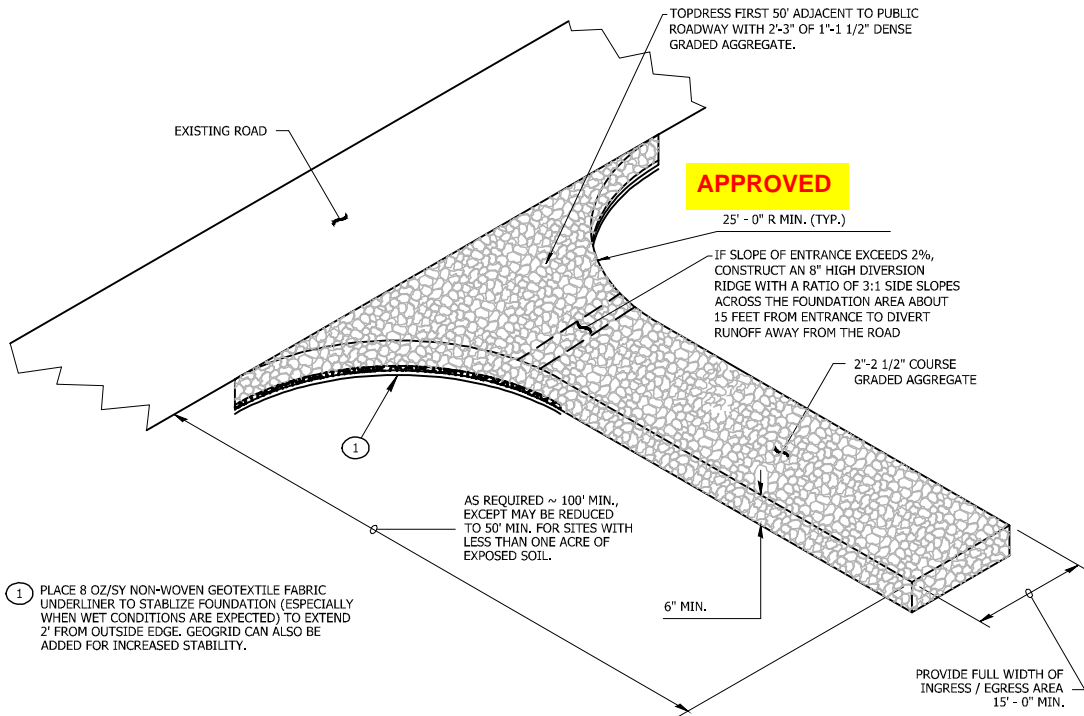
NOTE: MINIMUM VERTICAL CLEARANCE FROM CENTERLINE OF PAVEMENT SURFACE OR PRIVATE DRIVEWAYS TO AERIAL CROSSING IS TO BE 18'.

NOTE: ANCHORS SHALL BE IN -LINE WITH THE POLE ROUTE OR SET AWAY FROM THE STATE HIGHWAY; NO ANCHORS SHALL BE SET BETWEEN THE POLE AND THE STATE HIGHWAY.

NOTE: ALL DISTURBED EARTH SHALL BE REPLACED, COMPACTED, AND RESHAPED TO ITS ORIGINALCROSS-SECTION AND THEN RE-SEED IT TO THE SATISFACTION OF THE DIRECTOR OF TRANSPORTATION OR HIS AGENT.

NOTE: TRAFFIC CONTROL SHALL BE PERFORMED AS PER THE LASTEST OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, OMUTCD.

*** NOTE: THE TEMPORARY CONSTRUCTION DRIVE SHALL BE COMPLETELY REMOVED AND THE PROPERTY / RW RESTORED ***



CONSTRUCTION ENTRANCE

APPROVED

Following Construction, Disturbed Topsoil
Shall Be Returned To Original Conditions
Unless Otherwise Specified by Affected Landowner

ODOT Permit
Application: 20598

Install Construction Entrance
(CE44) (See Typical Detail 003)

Install Construction Entrance
(CE43) (See Typical Detail 003)

Install Construction Entrance
(CE42) (See Typical Detail 003)

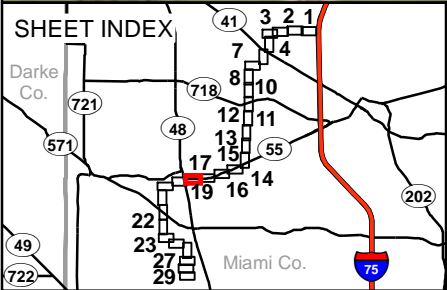
Utilize Filter Socks and/or Silt Fence Between Structure Replacements and
Areas of Concentrated Stormwater Flow as Required if Not Otherwise Shown
(See Typical Details 004 and 005)

Seed and Stabilize All Disturbance if Left Inactive for
15 days and/or at Project Completion

Utilize Erosion Control Blanket on All
Disturbed Slopes 3:1 or Greater or as Otherwise Required
(See Typical Detail 002)

See Erosion and Sediment Control Typical Details

Undefined
(#117 in
line)



REFERENCE:
AERIAL PHOTOGRAPH:
- Esri's World Imagery 2019, Accessed: 12/29/2021
HIGHWAY:
- Esri's U.S. Major Roads, 5/10/2018.
LOCAL ROAD:
- Ohio Department of Transportation's Roads, 7/27/2021.
INCORPORATED AREA:
- Ohio Department of Transportation's Cities, 9/11/2018.
NHD FLOWLINE:
- United States Geological Survey's National Hydrography Dataset Best Resolution, 6/16/2020.
NWI WETLAND:
- United States Fish and Wildlife Service's National Wetland Inventory, 10/1/2020.
FLOODPLAIN AND FLOODWAY:
- Federal Emergency Management Agency's National Flood Hazard Layer, 7/26/2021.
PARCEL BOUNDARY:
- Downloaded from Miami County Website, 04/30/2021.
5-FOOT CONTOUR:
- Created from Ohio Spatial Information Portal DEM, Miami County, 2010.
DELINEATED FEATURE AND SWPPP CONTROL:
- GAI Consultants.
PROJECT DETAILS:
- AES Ohio.

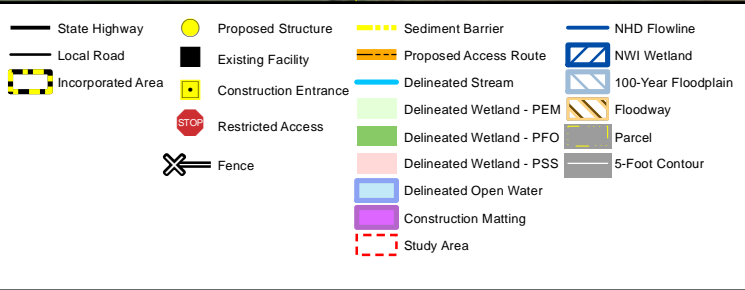


FIGURE 1
EROSION AND SEDIMENT CONTROL PLAN

SHEET 18 of 29

Storm Water Pollution Prevention Plan

West Milton - Eldean
138kV Transmission Line Project

DRAWN BY: MBH
CHECKED: TDB
DATE: 12/29/2021
APPROVED: MRW

Guidance:

- 02- *Detours should be clearly signed over their entire length so that road users can easily use existing highways to return to the original highway.*

Support:

- 03- A diversion is a temporary rerouting of road users onto a temporary highway or alignment placed around the work area.

Section 6C.10 One-Lane, Two-Way Traffic Control*Standard:*

- 01- **Except as provided in Paragraph 5, when traffic in both directions must use a single lane for a limited distance, movements from each end shall be coordinated.**

Guidance:

- 02- *Provisions should be made for alternate one-way movement through the constricted section via methods such as flagger control, a flag transfer, a pilot car, traffic control signals, or stop or yield control.*

- 03- *Control points at each end should be chosen to permit easy passing of opposing lanes of vehicles.*

- 04- *If traffic on the affected one-lane roadway is not visible from one end to the other, then flagging procedures, a pilot car with a flagger used as described in Section 6C.13, or a traffic control signal should be used to control opposing traffic flows.*

Option:

- 05- *If the work space on a low-volume street or road is short and road users from both directions are able to see the traffic approaching from the opposite direction through and beyond the worksite, the movement of traffic through a one-lane, two-way constriction may be self-regulating.*

Section 6C.11 Flagger Method of One-Lane, Two-Way Traffic Control*Guidance:*

- 01- *Except as provided in Paragraph 2, traffic should be controlled by a flagger at each end of a constricted section of roadway. One of the flaggers should be designated as the coordinator. To provide coordination of the control of the traffic, the flaggers should be able to communicate with each other orally, electronically, or with manual signals. These manual signals should not be mistaken for flagging signals.*

Option:

- 02- *When a one-lane, two-way TTC zone is short enough to allow a flagger to see from one end of the zone to the other, traffic may be controlled by either a single flagger or by a flagger at each end of the section.*

Guidance:

- 03- *When a single flagger is used, the flagger should be stationed on the shoulder opposite the constriction or work space, or in a position where good visibility and traffic control can be maintained at all times. When good visibility and traffic control cannot be maintained by one flagger station, traffic should be controlled by a flagger at each end of the section.*

Section 6C.12 Flag Transfer Method of One-Lane, Two-Way Traffic Control*Support:*

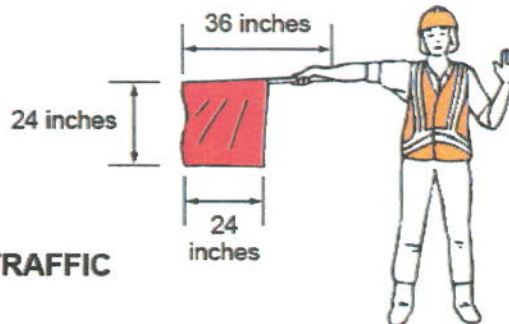
- 01- *The driver of the last vehicle proceeding into the one-lane section is given a red flag (or other token) and instructed to deliver it to the flagger at the other end. The opposite flagger, upon receipt of the flag, then knows that traffic can be permitted to move in the other direction. A variation of this method is to replace the use of a flag with an official pilot car that follows the last road user vehicle proceeding through the section.*

Guidance:

- 02- *The flag transfer method should be employed only where the one-way traffic is confined to a relatively short length of a road, usually no more than 1 mile in length.*

Figure 6E-3. Use of Hand-Signaling Devices by Flaggers

PREFERRED METHOD
STOP/SLOW Paddle

EMERGENCY SITUATIONS ONLY
Red Flag
TO STOP TRAFFIC

TO LET TRAFFIC PROCEED

TO ALERT AND SLOW TRAFFIC


Option:

- 02 The distances shown in Table 6E-1, which provides information regarding the stopping sight distance as a function of speed, may be used for the location of a flagger station. These distances may be increased for downgrades and other conditions that affect stopping distance.

Guidance:

- 03 *Flagger stations should be located such that an errant vehicle has additional space to stop without entering the work space. The flagger should identify an escape route that can be used to avoid being struck by an errant vehicle.*

Standard:

- 04 Except in emergency situations, flagger stations shall be preceded by an advance warning sign or signs. Except in emergency situations, flagger stations shall be illuminated at night.

Table 6E-1. Stopping Sight Distance as a Function of Speed

| Speed * | Distance |
|---------|----------|
| 20 mph | 115 feet |
| 25 mph | 155 feet |
| 30 mph | 200 feet |
| 35 mph | 250 feet |
| 40 mph | 305 feet |
| 45 mph | 360 feet |
| 50 mph | 425 feet |
| 55 mph | 495 feet |
| 60 mph | 570 feet |
| 65 mph | 645 feet |
| 70 mph | 730 feet |
| 75 mph | 820 feet |

* Posted speed; off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed

Notes for Figure 6H-13—Typical Application 13
Temporary Road Closure

Support:

1. Conditions represented are a planned closure not exceeding 20 minutes during the daytime.

Standard:

2. **A flagger or uniformed law enforcement officer shall be used for this application. The flagger, if used for this application, shall follow the procedures provided in Sections 6E.07 and 6E.08.**

Guidance:

3. *The uniformed law enforcement officer, if used for this application, should follow the procedures provided in Sections 6E.07 and 6E.08.*

Option:

4. A BE PREPARED TO STOP sign may be added to the sign series.

Guidance:

5. *When used, the BE PREPARED TO STOP sign should be located before the Flagger symbol sign.*

Figure 6H-13. Temporary Road Closure (TA-13)

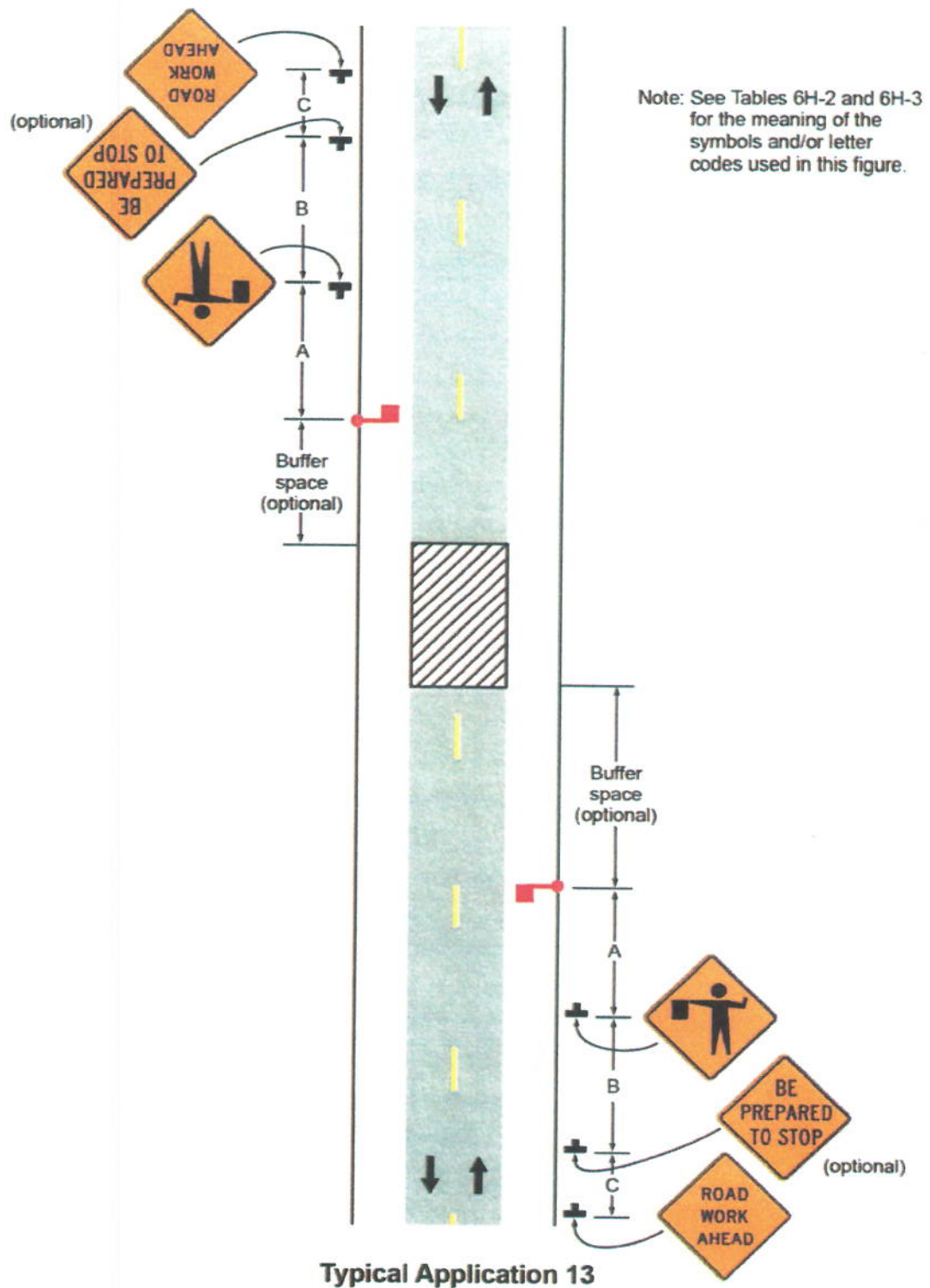


Table 6C-1. Recommended Advance Warning Sign Minimum Spacing

| Road Type | Distance Between Signs ** | | |
|----------------------|---------------------------|------------|------------|
| | A | B | C |
| Urban (low speed) * | 100 feet | 100 feet | 100 feet |
| Urban (high speed) * | 350 feet | 350 feet | 350 feet |
| Rural | 500 feet | 500 feet | 500 feet |
| Expressway / Freeway | 1,000 feet | 1,500 feet | 2,640 feet |

* Speed category to be determined by highway agency.

** The column headings A, B, and C are the dimensions shown in Figures 6H-1 through 6H-46. The A dimension is the distance from the transition or point of restriction to the first sign. The B dimension is the distance between the first and second signs. The C dimension is the distance between the second and third signs. (The "first sign" is the sign in a three-sign series that is closest to the TTC zone. The "third sign" is the sign that is furthest upstream from the TTC zone.)

04 On urban streets, the effective placement of the first warning sign in feet should range from 4 to 8 times the speed limit in mph, with the high end of the range being used when speeds are relatively high. When a single advance warning sign is used (in cases such as low-speed residential streets), the advance warning area can be as short as 100 feet. When two or more advance warning signs are used on higher-speed streets, such as major arterials, the advance warning area should extend a greater distance (see Table 6C-1).

05 Since rural highways are normally characterized by higher speeds, the effective placement of the first warning sign in feet should be substantially longer—from 8 to 12 times the speed limit in mph. Since two or more advance warning signs are normally used for these conditions, the advance warning area should extend 1,500 feet or more for open highway conditions (see Table 6C-1).

06 The distances contained in Table 6C-1 are approximate, are intended for guidance purposes only, and should be applied with engineering judgment. These distances should be adjusted for field conditions, if necessary, by increasing or decreasing the recommended distances.

Support:

07 The need to provide additional reaction time for a condition is one example of justification for increasing the sign spacing. Conversely, decreasing the sign spacing might be justified in order to place a sign immediately downstream of an intersection or major driveway such that traffic turning onto the roadway in the direction of the TTC zone will be warned of the upcoming condition.

Option:

08 Advance warning may be eliminated when the activity area is sufficiently removed from the road users' path so that it does not interfere with the normal flow.

Section 6C.05 Transition Area

Support:

01 The transition area is that section of highway where road users are redirected out of their normal path. Transition areas usually involve strategic use of tapers, which because of their importance are discussed separately in detail.

Standard:

02 When redirection of the road users' normal path is required, they shall be directed from the normal path to a new path.

Option:

- 03 Because it is impractical in mobile operations to redirect the road user's normal path with stationary channelization, more dominant vehicle-mounted traffic control devices, such as arrow boards, portable changeable message signs, and high-intensity rotating, flashing, oscillating, or strobe lights, may be used instead of channelizing devices to establish a transition area.

Section 6C.06 Activity Area

Support:

- 01 The activity area is the section of the highway where the work activity takes place. It is comprised of the work space, the traffic space, and the buffer space.
- 02 The work space is that portion of the highway closed to road users and set aside for workers, equipment, and material, and a shadow vehicle if one is used upstream. Work spaces are usually delineated for road users by channelizing devices or, to exclude vehicles and pedestrians, by temporary barriers.

Option:

- 03 The work space may be stationary or may move as work progresses.

Guidance:

- 04 *Since there might be several work spaces (some even separated by several miles) within the project limits, each work space should be adequately signed to inform road users and reduce confusion.*

Support:

- 05 The traffic space is the portion of the highway in which road users are routed through the activity area.
- 06 The buffer space is a lateral and/or longitudinal area that separates road user flow from the work space or an unsafe area, and might provide some recovery space for an errant vehicle.

Guidance:

- 07 *Neither work activity nor storage of equipment, vehicles, or material should occur within a buffer space.*

Option:

- 08 Buffer spaces may be positioned either longitudinally or laterally with respect to the direction of road user flow. The activity area may contain one or more lateral or longitudinal buffer spaces.

- 09 A longitudinal buffer space may be placed in advance of a work space.

- 10 The longitudinal buffer space may also be used to separate opposing road user flows that use portions of the same traffic lane, as shown in Figure 6C-2.

- 11 If a longitudinal buffer space is used, the values shown in Table 6C-2 may be used to determine the length of the longitudinal buffer space.

Support:

- 12 Typically, the buffer space is formed as a traffic island and defined by channelizing devices.

- 13 When a shadow vehicle, arrow board, or changeable message sign is placed in a closed lane in advance of a work space, only the area upstream of the vehicle, arrow board, or changeable message sign constitutes the buffer space.

Table 6C-2. Stopping Sight Distance as a Function of Speed

| Speed * | Distance |
|---------|----------|
| 20 mph | 115 feet |
| 25 mph | 155 feet |
| 30 mph | 200 feet |
| 35 mph | 250 feet |
| 40 mph | 305 feet |
| 45 mph | 360 feet |
| 50 mph | 425 feet |
| 55 mph | 495 feet |
| 60 mph | 570 feet |
| 65 mph | 645 feet |
| 70 mph | 730 feet |
| 75 mph | 820 feet |

* Posted speed, off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed

APPROVED

Temporary



Traffic

Control

Manual

2012 Edition

Reprint of three Parts from the
Ohio Manual of Uniform Traffic Control Devices, 2012 Edition:
Part 1, General
Part 5, Traffic Control Devices for Low-Volume Roads
Part 6, Temporary Traffic Control

Ohio Department of Transportation
Office of Traffic Engineering

Ohio Department of Transportation
Office of Traffic Engineering
1980 W. Broad St., P.O. Box 899
Columbus, OH 43216-0899

Web addresses:

ODOT: <http://www.dot.state.oh.us>

Office of Traffic Engineering:

<http://www.dot.state.oh.us/Divisions/Operations/Traffic/Pages/OTHomePage.aspx>

ODOT Publications (Design Reference Resource Center): <http://www.dot.state.oh.us/drrc/>

To purchase a copy of this manual, contact the ODOT Office of Contracts
at the above address, or by phone at 1-800-459-3778.

An Equal Opportunity Employer

Notes for Figure 6H-1—Typical Application 1

Work Beyond the Shoulder

Guidance:

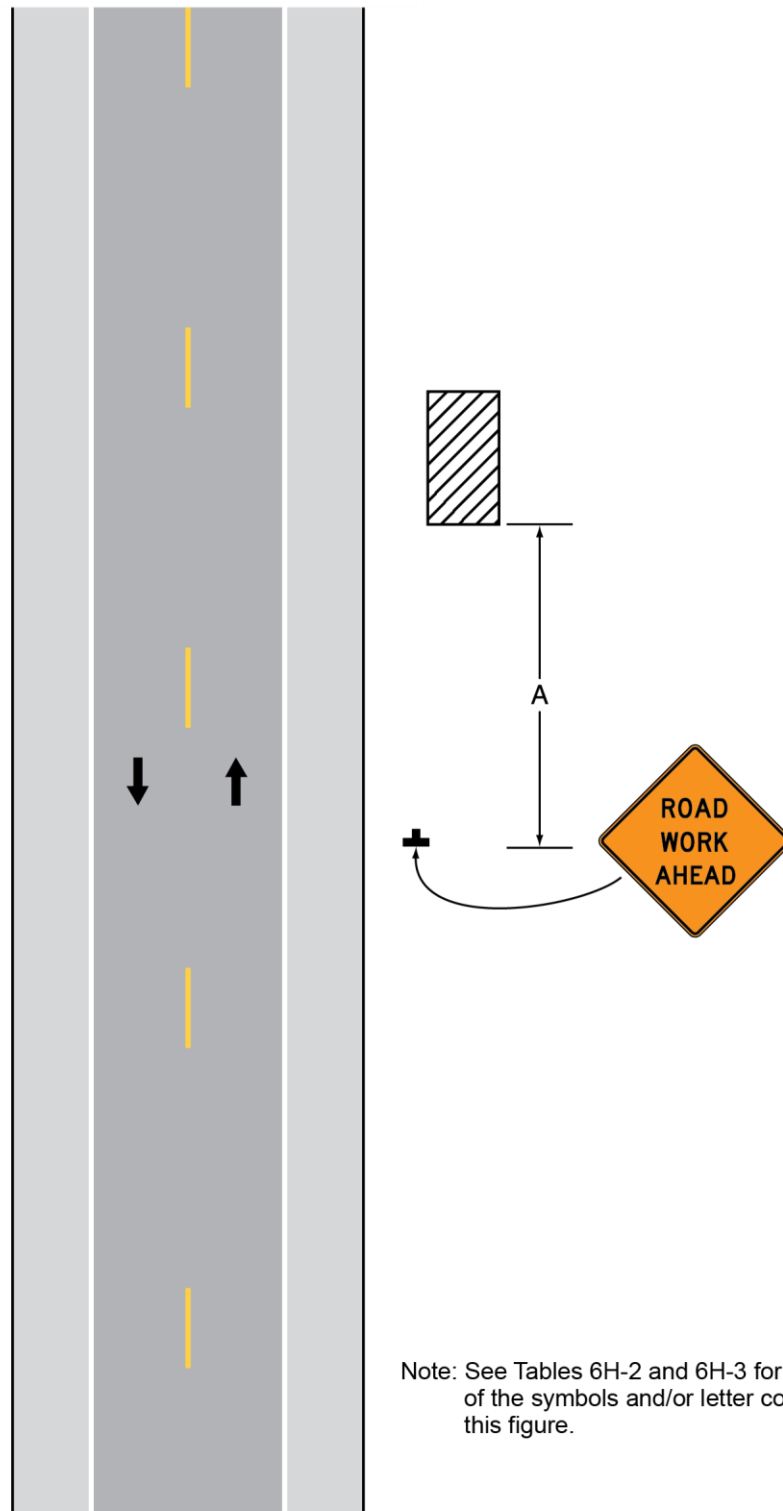
1. *If the work space is in the median of a divided highway, an advance warning sign should also be placed on the left side of the directional roadway.*

Option:

2. The ROAD WORK AHEAD sign may be replaced with other appropriate signs such as the SHOULDER WORK sign. The SHOULDER WORK sign may be used for work adjacent to the shoulder.
3. The ROAD WORK AHEAD sign may be omitted where the work space is behind a barrier, more than 24 inches behind the curb, or 15 feet or more from the edge of any roadway.
4. For short-term, short-duration or mobile operation, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**

Figure 6H-1. Work Beyond the Shoulder (TA-1)

Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

Typical Application 1

Notes for Figure 6H-3—Typical Application 3

Work on the Shoulders

Guidance:

1. A *SHOULDER WORK* sign should be placed on the left side of the roadway for a divided or one-way street only if the left shoulder is affected.

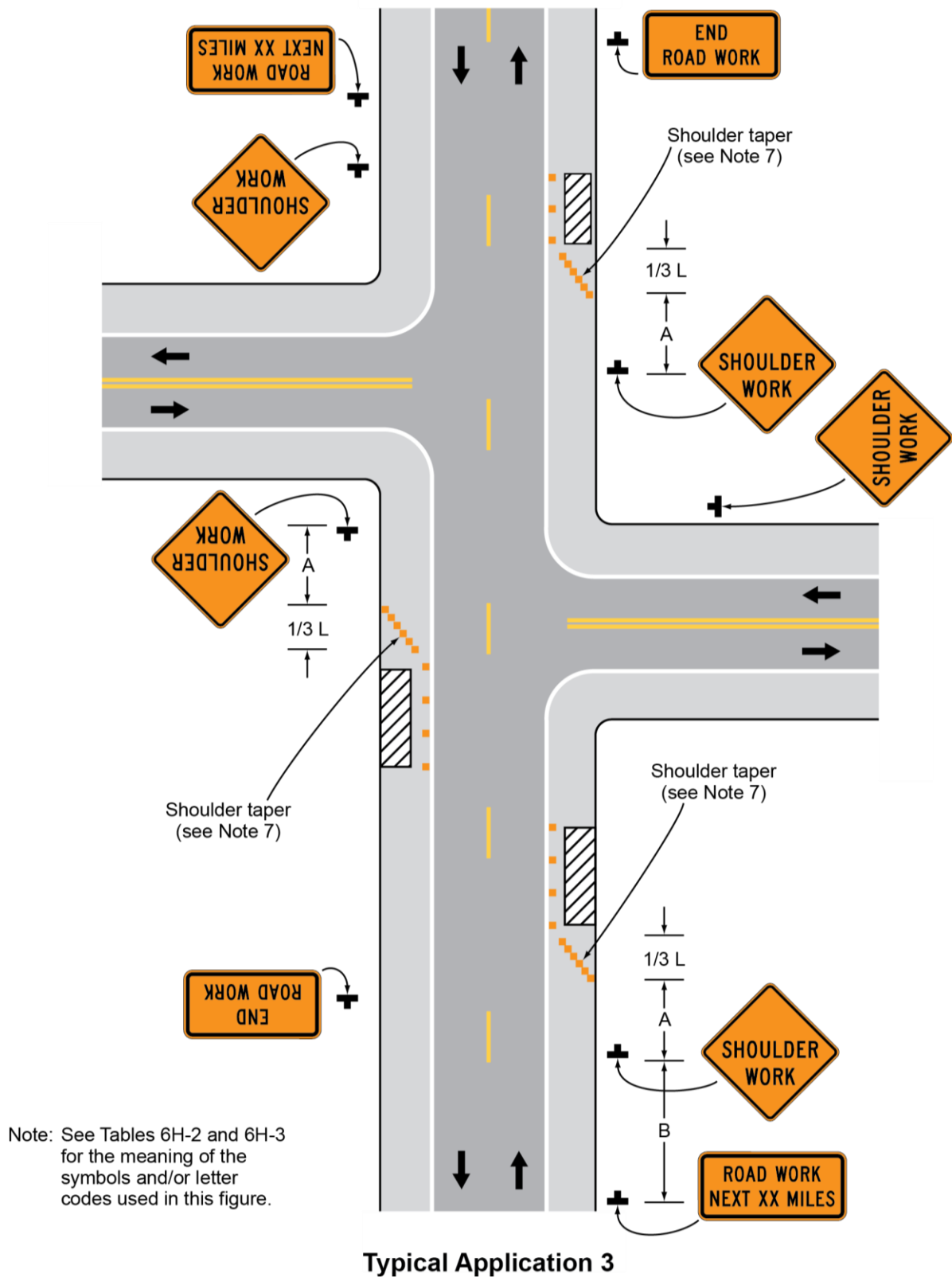
Option:

2. The Workers symbol signs may be used instead of *SHOULDER WORK* signs.
3. The *SHOULDER WORK AHEAD* sign on an intersecting roadway may be omitted where drivers emerging from that roadway will encounter another advance warning sign prior to this activity area.
4. For short-duration operations of 60 minutes or less, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**
7. **When paved shoulders having a width of 8 feet or more are closed, at least one advance warning sign shall be used. In addition, channelizing devices shall be used to close the shoulder in advance to delineate the beginning of the work space and direct vehicular traffic to remain within the traveled way.**

Figure 6H-3. Work on the Shoulders (TA-3)



Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

Notes for Figure 6H-4—Typical Application 4
Short-Duration or Mobile Operation on a Shoulder

Guidance:

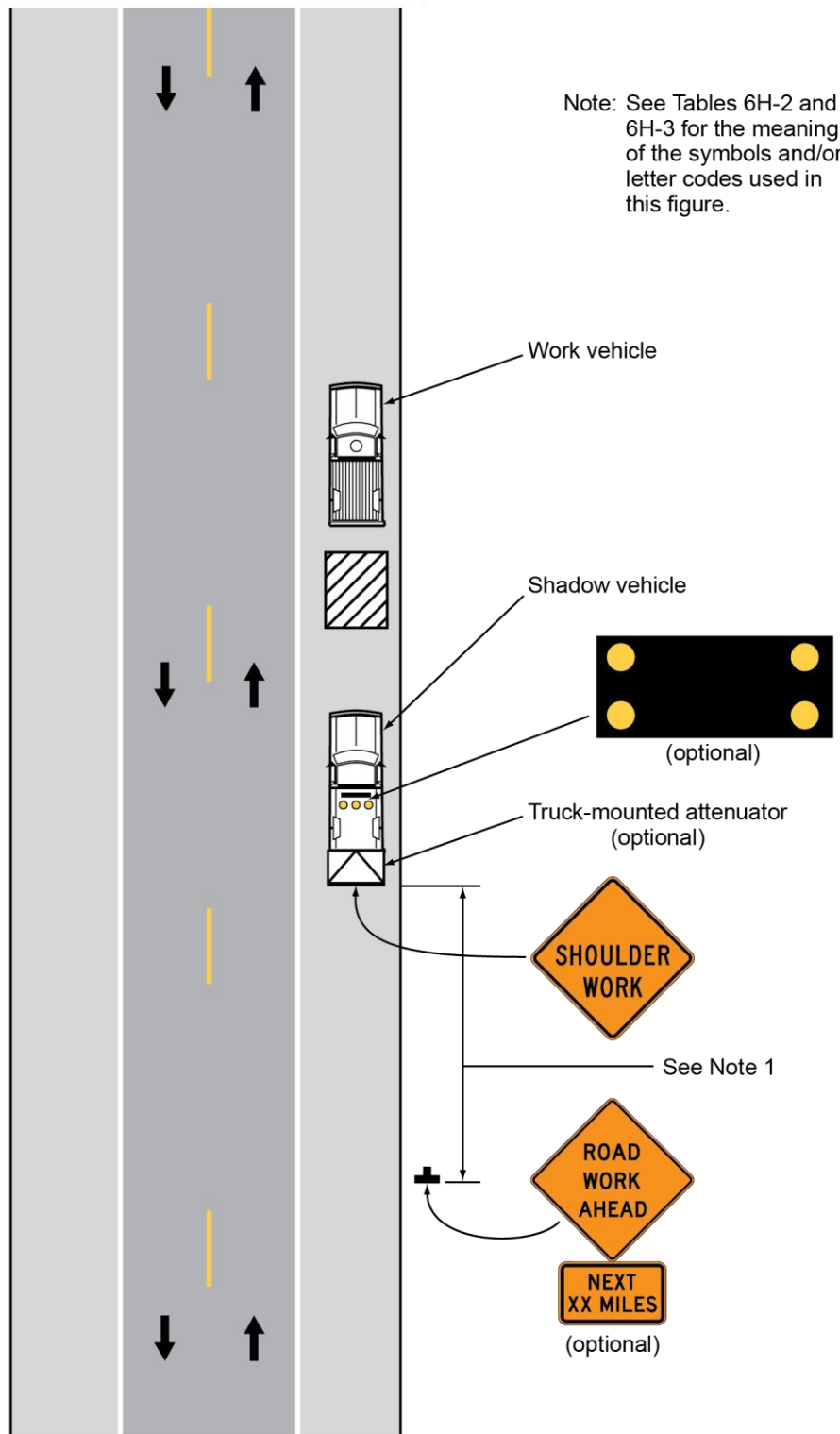
1. *In those situations where multiple work locations within a limited distance make it practical to place stationary signs, the distance between the advance warning sign and the work should not exceed 5 miles.*
2. *In those situations where the distance between the advance signs and the work is 2 miles to 5 miles, a Supplemental Distance plaque should be used with the ROAD WORK AHEAD sign.*

Option:

3. The ROAD WORK NEXT XX MILES sign may be used instead of the ROAD WORK AHEAD sign if the work locations occur over a distance of more than 2 miles.
4. Stationary warning signs may be omitted for short-duration or mobile operations if the work vehicle displays high-intensity rotating, flashing, oscillating, or strobe lights.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**
7. **If an arrow board is used for an operation on the shoulder, the caution mode shall be used.**
8. **Vehicle-mounted signs shall be mounted in a manner such that they are not obscured by equipment or supplies. Sign legends on vehicle-mounted signs shall be covered or turned from view when work is not in progress.**

Figure 6H-4. Short-Duration or Mobile Operation on a Shoulder (TA-4)**Typical Application 4**

Notes for Figure 6H-5—Typical Application 5
Shoulder Closure on a Freeway

Guidance:

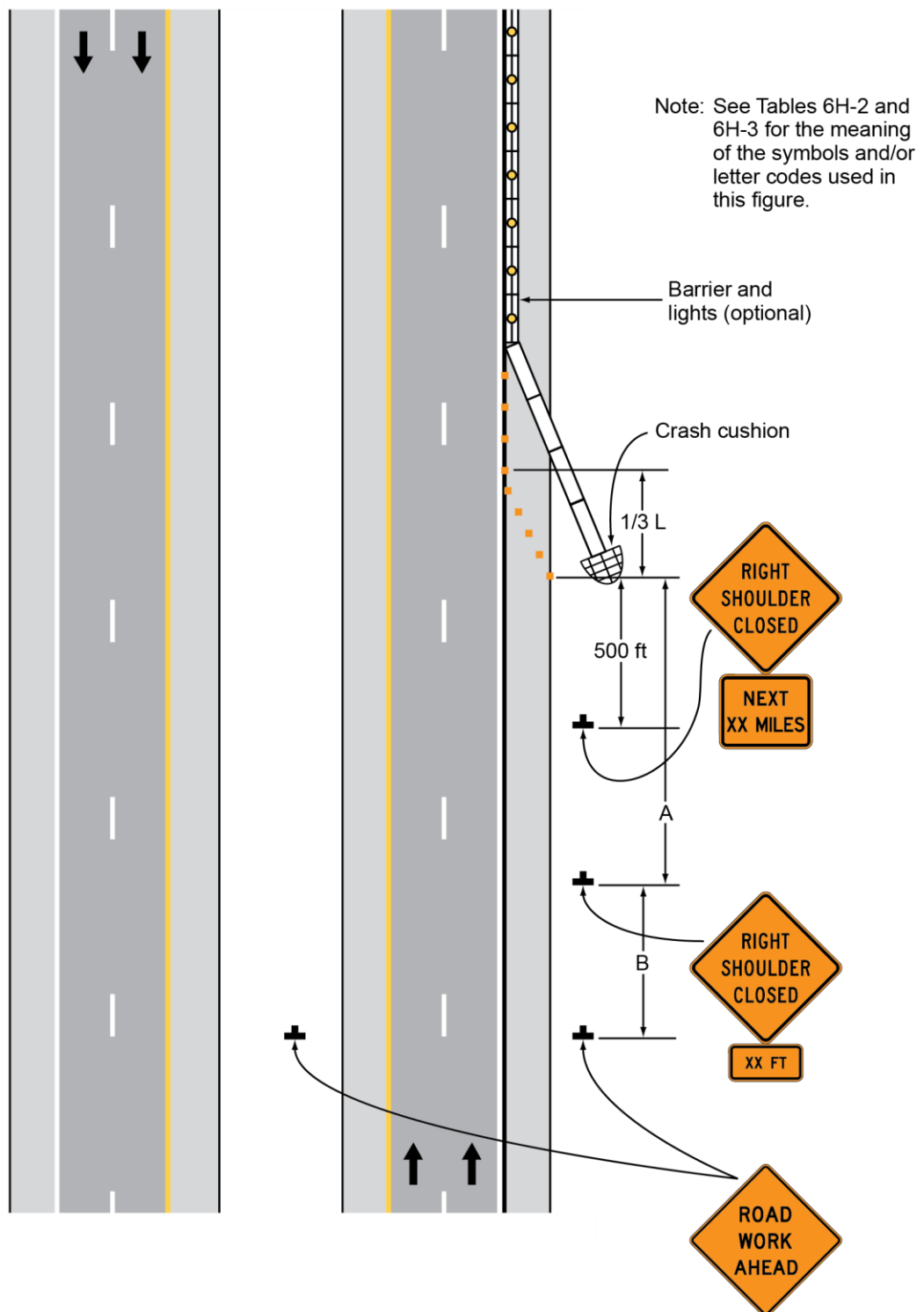
1. *SHOULDER CLOSED* signs should be used on limited-access highways where there is no opportunity for disabled vehicles to pull off the roadway.
2. *If drivers cannot see a pull-off area beyond the closed shoulder, information regarding the length of the shoulder closure should be provided in feet or miles, as appropriate.*
3. *The use of a temporary traffic barrier should be based on engineering judgment.*

Standard:

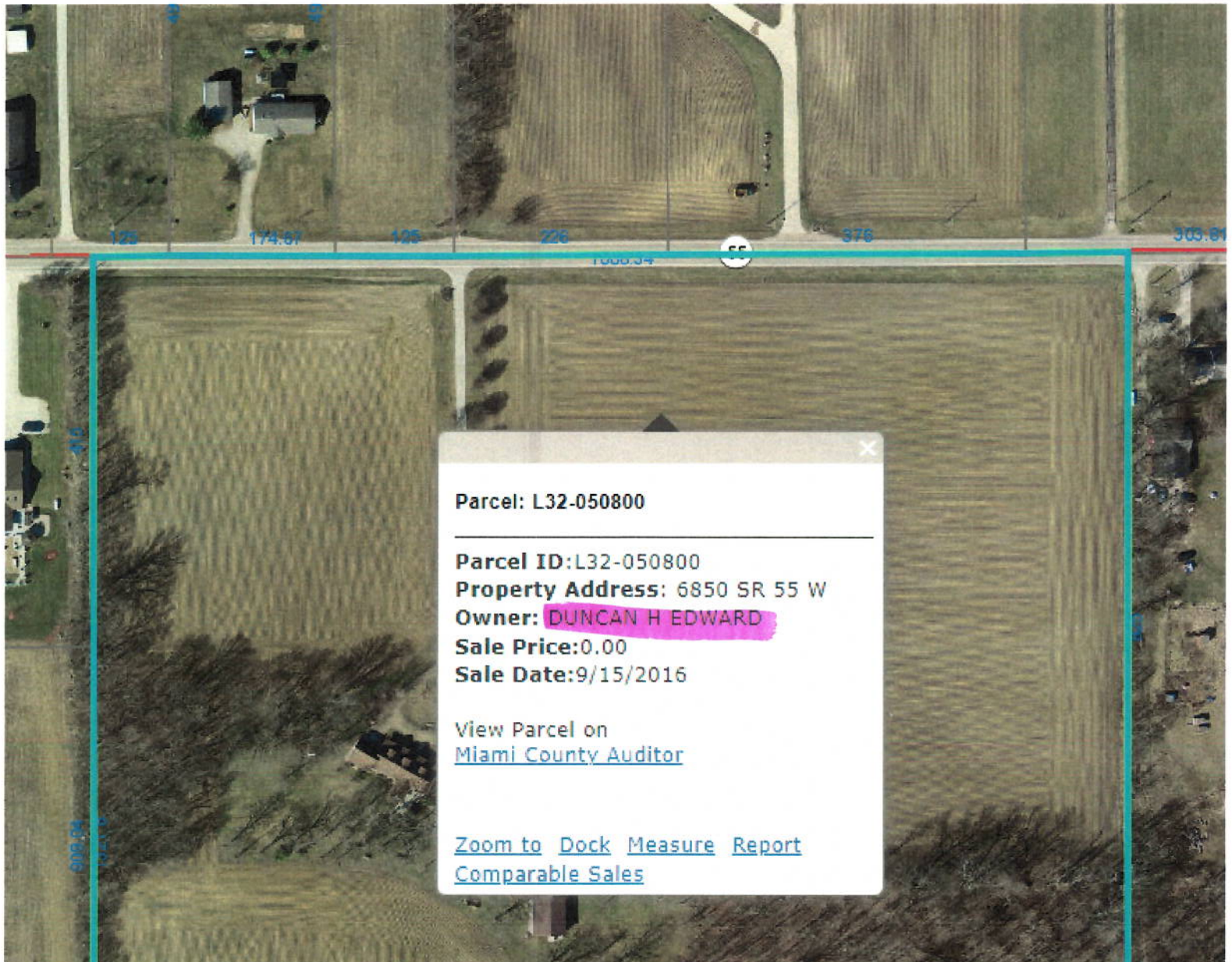
- 4. Temporary traffic barriers, if used, shall comply with the provisions of Section 6F.85.**

Option:

5. The barrier shown in this typical application is an example of one method that may be used to close a shoulder of a long-term project.
6. The warning lights shown on the barrier may be used.

Figure 6H-5. Shoulder Closure on a Freeway (TA-5)**Typical Application 5**

21-20598



21-20598



8 1 9 5 8 5 0
Tx:4099694

3
144
154
TPE

TRANSFER NOT NECESSARY

8/30, 2021
MATTHEW W. GEARHARDT, AUDITOR
MIAMI COUNTY, OHIO

MIAMI COUNTY RECORDER
JESSICA A LOPEZ
2021OR-15138
PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO
08/30/2021 10:42:28 AM
REFERENCES 0
RECORDING FEE 42.00
PAGES 3

REVIEW NOT REQUIRED
MIAMI COUNTY ENGINEER
BY EJS DATE 8-30-21

**THE DAYTON POWER AND LIGHT COMPANY
GRANT FOR ELECTRIC RIGHT OF WAY AND EASEMENT**

Know all men by these presents that **H. Edward Duncan, T.O.D.** (hereinafter "Grantor"), for valuable consideration provided by **THE DAYTON POWER AND LIGHT COMPANY**, an Ohio Corporation (hereinafter "Grantee"), does hereby grant to the Grantee, its successors and assigns forever, a Right of Way and Easement for any and all purposes for which electric energy is now or may hereafter be used, and also, to construct, reconstruct, erect, add to, operate, maintain, use, remove, replace either overhead or underground electric facilities consisting of poles, lines, structures, wires, underground lines, cables, conduits, manholes, anchors, grounding systems, communication circuits, fiber optic cables, equipment, and all other necessary and incidental appurtenances contained in, over, upon, under and through, subject to the conditions hereinafter on the following premises, viz:

Situate in the Northwest Quarter of Section 9, Town 6 N, Range 5 E, Union Township, Miami County, Ohio, and being a 33.059 acre tract of land conveyed to **H. Edward Duncan, T.O.D.** by T.O.D. Affidavit as recorded in Official Record 2016OR-15732 of the deed records of said county.

Parcel ID: L32-050800

Said Right of Way and Easement shall be **THIRTY (30)** feet in width and shall be approximately along the following course identified on Exhibit "A" attached hereto and made a part hereof.

The Grantee, its successors and assigns, its agents, contractors and employees shall have the right of ingress and egress over the right of way and the adjoining premises of the Grantor for all purposes previously stated, together with the right to trim, cut, and remove or otherwise control trees, roots, undergrowth or overhanging branches or other obstructions both within and without the limits of the right of way and easement which according to the Grantee's standards and its opinion may interfere with the construction, maintenance, use or successful operation of the electric facilities.

No buildings or other structures shall be erected within the limits of the said Right of Way and Easement by the Grantor. No excavating or filling shall be done or be permitted by the Grantor within Right of Way and Easement that would either (A) reduce or add to the distance between the Grantee's facilities and the land surface without the Grantee's prior written consent and which consent will not be unreasonably withheld, (B) impair the Grantee's ability to maintain the facilities or (C) create a hazard.

The Grantor shall have the right to use the land within the easement area in any manner not inconsistent within this grant for Right of Way and Easement

The Grantee, its successors and assigns, shall reimburse the Grantor for any damage or loss to growing crops and other property damages that may be caused by the Grantee, its agents, contractors or employees in construction, repair or removal of said electric facilities.

The Grantor(s) covenant with the Grantee, that they are the true and lawful owners of the property herein described and have full power and authority to grant this Right of Way and Easement.

In the event that any road should be widened or relocated so that its right of way extends onto the Grantee's Right of Way and Easement herein provided for, the Grantee may, but shall not be required to, relocate or reconstruct its facilities, so that the Grantee's right of way as relocated has a centerline of said right of way that shall not be more than fifteen (15) feet off the road right of way as widened or relocated.

The grant of right of way and easement shall run with the land and be binding on and inure to the benefit of the parties, their heirs, successors, and assigns.

As used herein, words in plural number include words in the singular number.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name this 27 day of AUGUST, 2021.

GRANTOR:

H. Edward Duncan [Grantor]
H. Edward Duncan, T.O.D.

WIDOWER [Grantor]

STATE OF OHIO)

COUNTY OF MIAMI)

CLAUDIUS R. WALKER III, Notary Public
in and for the State of Ohio
My Commission Expires Sept. 28, 2021

The foregoing instrument was acknowledged before me this 27TH day of AUGUST, 2021, by H. Edward Duncan, T.O.D. Grantor.

Claudian R. Walker III
NOTARY PUBLIC

This Instrument Prepared By:
Real Estate Services Department
The Dayton Power and Light Company
1900 Dryden Rd.
Dayton, OH 45439
Project Number: Misc 2020

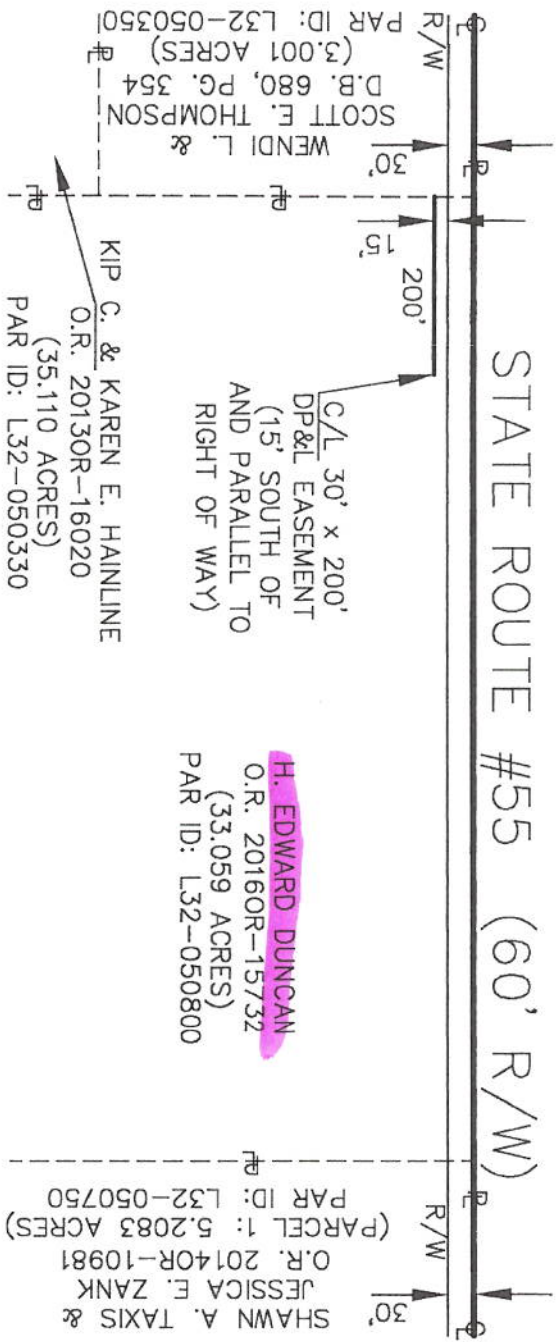
6301-E. Duncan



EXHIBIT A
PROJECT NO: MISC 2020



STATE ROUTE #55 (60' R/W)



R/W PER ODOT PROJECT: MIA-55-3.46

Enclosure 3
Ohio Department of Transportation Approved Permit No.7-015-22

MR 509
Permit No. 7-015-22

Office Use Only

State of Ohio
Department of Transportation
Permit

County: MIA
Rte: SR 718
Log Pt: 6.97
Acc Cat: 3

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name: AES Ohio; Andrew Schieltz
Address: 1900 Dryden Road Dayton, OH 45439
Company Phone: (937) 331-4032

Is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or attached to this permit.

Utility / Temporary Construction Drive

Description of Work: Installing two new steel structures carrying 138kV transmission line conductor, with distribution under build, over Ohio State Route 718. The lowest wire at this crossing has at least 26 feet of clearance to the road centerline. Work is expected to start 11/15/2021 and work is to be completed 09/30/2023.

[2] This permit shall be in the possession of employees /agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

Contact ODOT Representative 3 days before work begins, also contact ODOT Representative when work is completed for final inspection.

Failure to notify the ODOT Representative could result in work stoppage!

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

ODOT Representative: Chuck Craun
Permit Tech II
Phone: (937) 497-6947

NOTE: Any work performed by the permittee may be stopped if this requirement is not met.

[4] Prior to any excavation in the highway right-of-way, the Ohio811 <https://www.oups.org/excavators> must be contacted in accordance with ORC Section 3781.25 to 3781.32. Ohio811 can be reached at 1-800-362-2764 or 811.

[5] If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to mark as described, will result in the Department of Transportation being held harmless and no reimbursement for damage to your property.

[6] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[7] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

[8] Performance Bond Required? No: XXXX Company: N / A

[9] This permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 01/12/2023
Dated 01/12/2022

Rev 5/6/2021

General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation and within the time determined by the Director. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.

[9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee. Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.

[10] Any damage to ODOT or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to ODOT property are needed that cannot be performed by the permittee or permittee's agent or contractor, ODOT shall cause the repairs to be performed at the sole cost of permittee.

[11] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.

[12] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.

[13] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.

[14] All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.

[15] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.

[16] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.

[17] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:

(1) No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.

(2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.

(3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT— Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(4) In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate

the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

This permit is granted subject to the following attached conditions:

Permittee will be stringing new power lines across the highway. Proposed work will also include the installation of an temporary construction drive.

All poles, pedestals, vaults, manholes shall be placed within 1' inside State Right of Way. All above ground facility installations shall be marked with a fluorescent colored marker that corresponds with the universal OUPS Color Code.

Guy wires must be marked a fluorescent yellow. Marker must be no shorter than 6' in height and utility owner must maintain marker. Failure to follow these requirements will result in no reimbursement for damage to utility property from ODOT.

PERMITTEE SHALL CONTACT CHUCK CRAUN, PERMIT TECH II; 937-497-6947, AT LEAST 2 DAYS PRIOR TO WORK.

***** A copy of this permit shall always be located at the project location. *****

NOTE: ALL WORK SHALL MEET OR EXCEED NESC STANDARDS, GUIDELINES, & POLICIES.

NOTE: PERMITTEE IS RESPONSIBLE FOR ALL CLEAN OUT WORK TO KEEP THIS INSTALLATION IN OPERATING CONDITION.

NOTE: PERMITTEE SHALL BE RESPONSIBLE FOR ANY & ALL UTILITY INSTALLATIONS / RELOCATIONS AS A RESULT OF THIS WORK.

NOTE: EQUIPMENT AND MATERIALS SHALL NOT BE STORED WITHIN THE STATE R/W.

NOTE: MINIMUM VERTICAL CLEARANCE FROM CENTERLINE OF PAVEMENT SURFACE OR PRIVATE DRIVEWAYS TO AERIAL CROSSING IS TO BE 18'.

NOTE: ANCHORS SHALL BE IN -LINE WITH THE POLE ROUTE OR SET AWAY FROM THE STATE HIGHWAY; NO ANCHORS SHALL BE SET BETWEEN THE POLE AND THE STATE HIGHWAY.

NOTE: ALL DISTURBED EARTH SHALL BE REPLACED, COMPACTED, AND RESHAPED TO ITS ORIGINALCROSS-SECTION AND THEN RE-SEED IT TO THE SATISFACTION OF THE DIRECTOR OF TRANSPORTATION OR HIS AGENT.

NOTE: TRAFFIC CONTROL SHALL BE PERFORMED AS PER THE LASTEST OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, OMUTCD.

*** NOTE: THE TEMPORARY CONSTRUCTION DRIVE SHALL BE COMPLETELY REMOVED AND THE PROPERTY / RW RESTORED***



SHEET INDEX

REFERENCE:
AERIAL PHOTOGRAPH: Esri's World Imagery 2019, Accessed: 12/29/2021
HIGHWAY: Esri's U.S. Major Roads, 5/10/2018.
LOCAL ROAD: Ohio Department of Transportation's Roads, 7/27/2021.
INCORPORATED AREA: Ohio Department of Transportation's Cities, 9/11/2018.
NHD FLOWLINE: United States Geological Survey's National Hydrography Dataset Best Resolution, 6/16/2020.
NWI WETLAND: United States Fish and Wildlife Service's National Wetland Inventory, 10/1/2020.
FLOODPLAIN AND FLOODWAY: Federal Emergency Management Agency's National Flood Hazard Layer, 7/26/2021.
PARCEL BOUNDARY: Downloaded from Miami County Website, 04/30/2021.
5-FOOT CONTOUR: Created from Ohio Spatial Information Portal DEM, Miami County, 2010.
DELINEATED FEATURE AND SWPPP CONTROL: GAI Consultants.
PROJECT DETAILS: AES Ohio.

| | | | |
|-------------------|-----------------------|--------------------------|---------------------|
| State Highway | Proposed Structure | Sediment Barrier | NHD Flowline |
| Local Road | Existing Facility | Proposed Access Route | NWI Wetland |
| Incorporated Area | Construction Entrance | Delineated Stream | 100-Year Floodplain |
| Restricted Access | | Delineated Wetland - PEM | Floodway |
| Fence | | Delineated Wetland - PFO | Parcel |
| | | Delineated Wetland - PSS | 5-Foot Contour |
| | | Delineated Open Water | |
| | | Construction Matting | |
| | | Study Area | |

aes Ohio

gai consultants

0 100 200 Feet
1 in = 200 feet

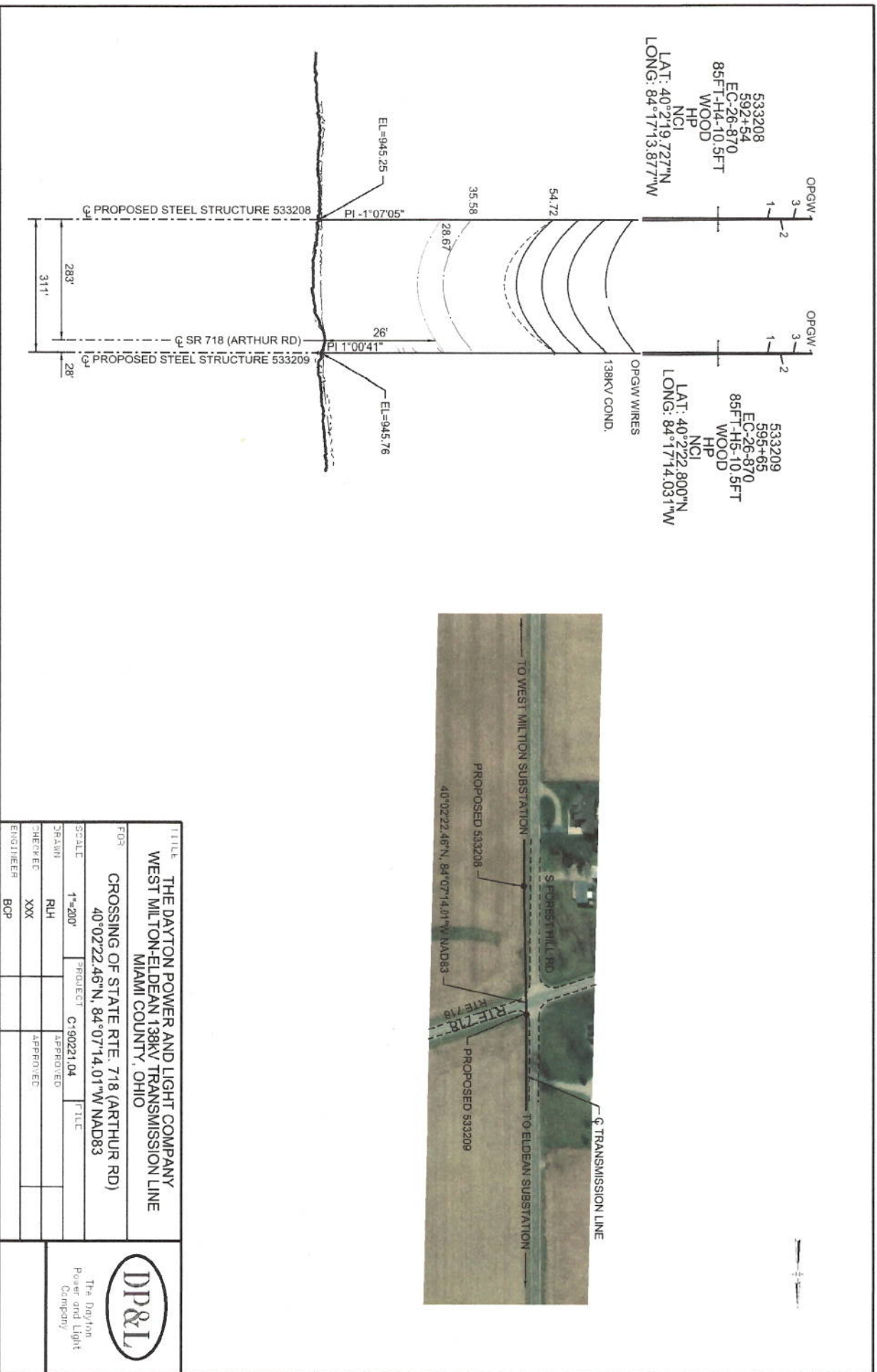
FIGURE 1
EROSION AND SEDIMENT CONTROL PLAN

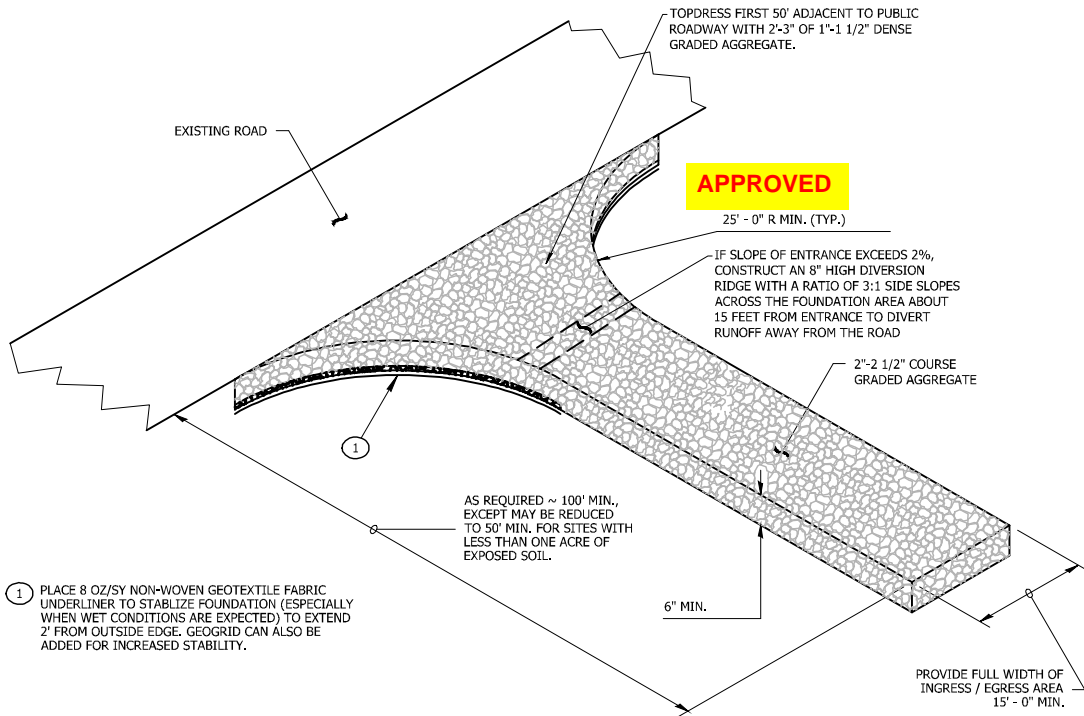
SHEET 10 of 29

Storm Water Pollution Prevention Plan

West Milton - Eldean
138kV Transmission Line Project

DRAWN BY: MBH
CHECKED: TDB
DATE: 12/29/2021
APPROVED: MRW





CONSTRUCTION ENTRANCE

APPROVED

Temporary



Traffic

Control

Manual

2012 Edition

Reprint of three Parts from the
Ohio Manual of Uniform Traffic Control Devices, 2012 Edition:
Part 1, General
Part 5, Traffic Control Devices for Low-Volume Roads
Part 6, Temporary Traffic Control

Ohio Department of Transportation
Office of Traffic Engineering

Ohio Department of Transportation
Office of Traffic Engineering
1980 W. Broad St., P.O. Box 899
Columbus, OH 43216-0899

Web addresses:

ODOT: <http://www.dot.state.oh.us>

Office of Traffic Engineering:

<http://www.dot.state.oh.us/Divisions/Operations/Traffic/Pages/OTHomePage.aspx>

ODOT Publications (Design Reference Resource Center): <http://www.dot.state.oh.us/drrc/>

To purchase a copy of this manual, contact the ODOT Office of Contracts
at the above address, or by phone at 1-800-459-3778.

An Equal Opportunity Employer

Notes for Figure 6H-1—Typical Application 1

Work Beyond the Shoulder

Guidance:

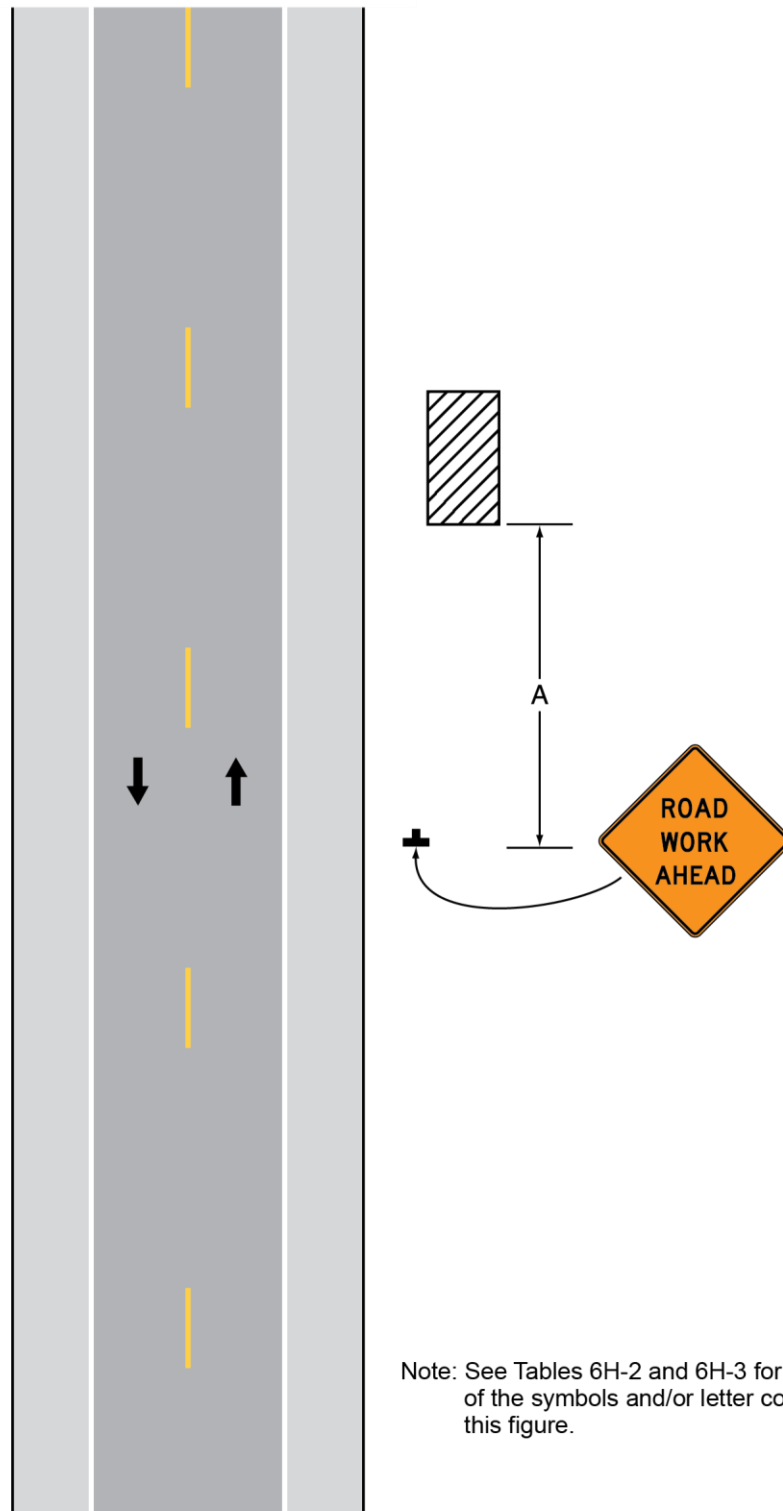
1. *If the work space is in the median of a divided highway, an advance warning sign should also be placed on the left side of the directional roadway.*

Option:

2. The ROAD WORK AHEAD sign may be replaced with other appropriate signs such as the SHOULDER WORK sign. The SHOULDER WORK sign may be used for work adjacent to the shoulder.
3. The ROAD WORK AHEAD sign may be omitted where the work space is behind a barrier, more than 24 inches behind the curb, or 15 feet or more from the edge of any roadway.
4. For short-term, short-duration or mobile operation, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**

Figure 6H-1. Work Beyond the Shoulder (TA-1)

Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

Typical Application 1

Notes for Figure 6H-3—Typical Application 3

Work on the Shoulders

Guidance:

1. A *SHOULDER WORK* sign should be placed on the left side of the roadway for a divided or one-way street only if the left shoulder is affected.

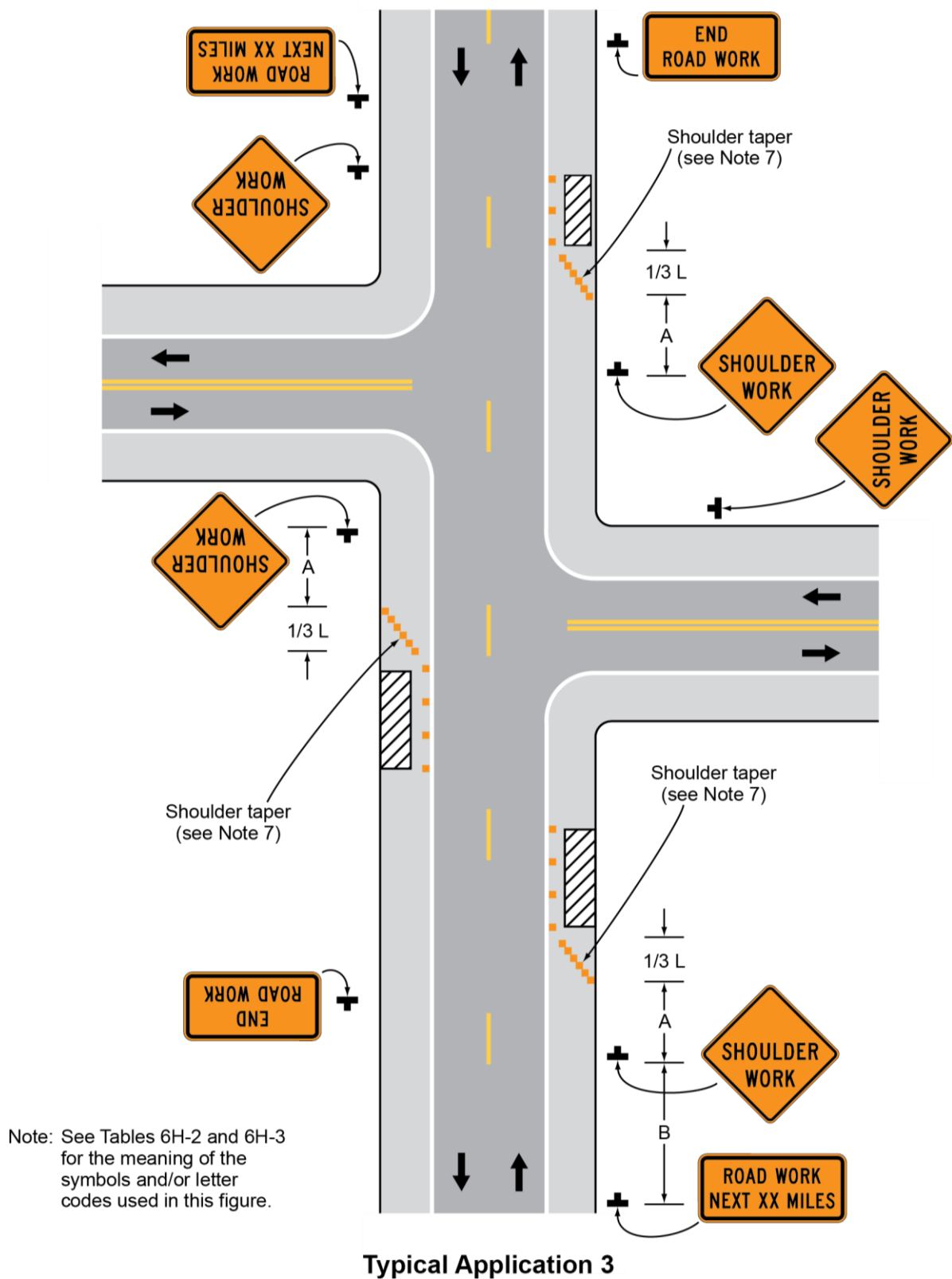
Option:

2. The Workers symbol signs may be used instead of *SHOULDER WORK* signs.
3. The *SHOULDER WORK AHEAD* sign on an intersecting roadway may be omitted where drivers emerging from that roadway will encounter another advance warning sign prior to this activity area.
4. For short-duration operations of 60 minutes or less, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**
7. **When paved shoulders having a width of 8 feet or more are closed, at least one advance warning sign shall be used. In addition, channelizing devices shall be used to close the shoulder in advance to delineate the beginning of the work space and direct vehicular traffic to remain within the traveled way.**

Figure 6H-3. Work on the Shoulders (TA-3)



Notes for Figure 6H-4—Typical Application 4
Short-Duration or Mobile Operation on a Shoulder

Guidance:

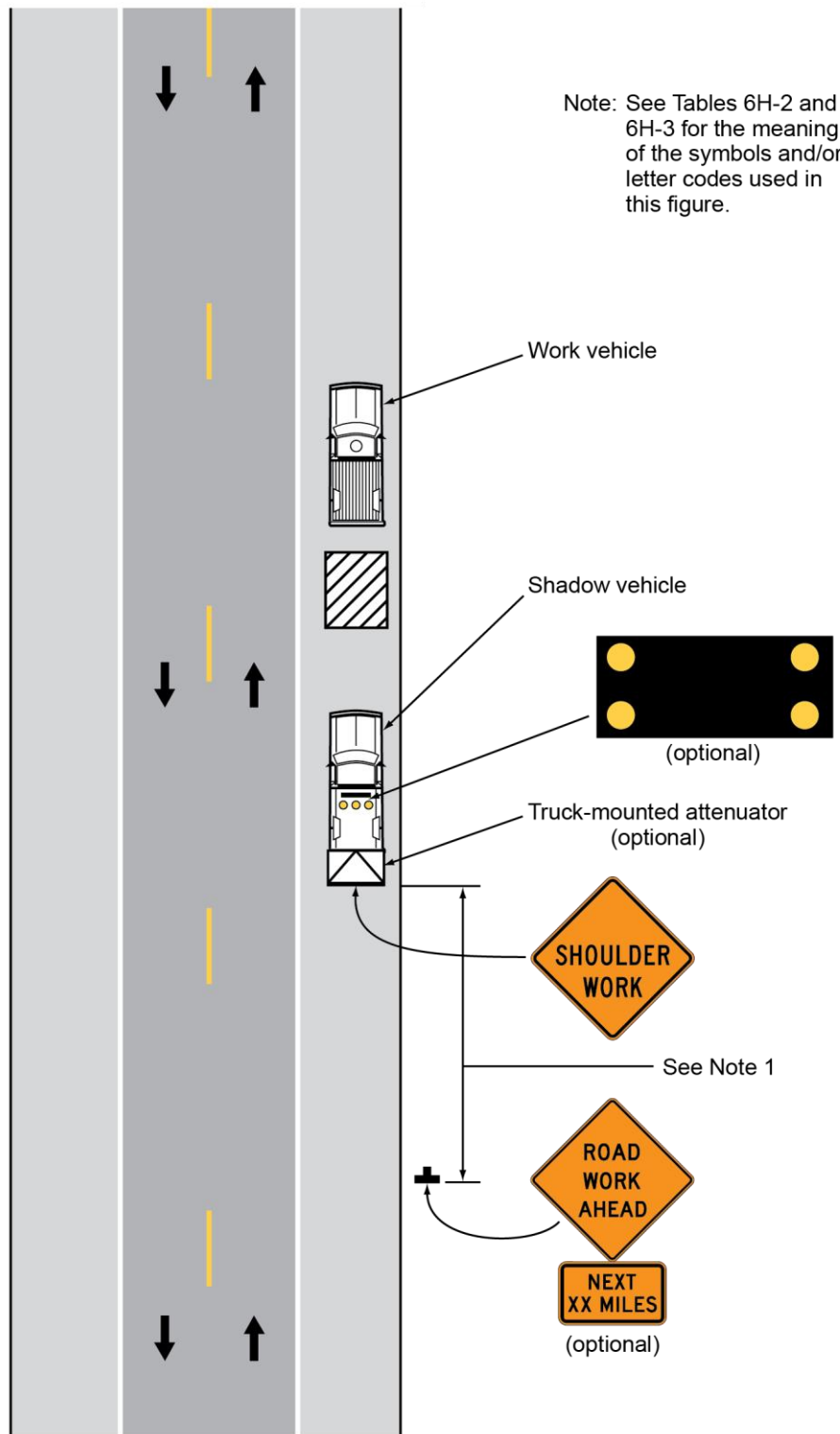
1. *In those situations where multiple work locations within a limited distance make it practical to place stationary signs, the distance between the advance warning sign and the work should not exceed 5 miles.*
2. *In those situations where the distance between the advance signs and the work is 2 miles to 5 miles, a Supplemental Distance plaque should be used with the ROAD WORK AHEAD sign.*

Option:

3. The ROAD WORK NEXT XX MILES sign may be used instead of the ROAD WORK AHEAD sign if the work locations occur over a distance of more than 2 miles.
4. Stationary warning signs may be omitted for short-duration or mobile operations if the work vehicle displays high-intensity rotating, flashing, oscillating, or strobe lights.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**
7. **If an arrow board is used for an operation on the shoulder, the caution mode shall be used.**
8. **Vehicle-mounted signs shall be mounted in a manner such that they are not obscured by equipment or supplies. Sign legends on vehicle-mounted signs shall be covered or turned from view when work is not in progress.**

Figure 6H-4. Short-Duration or Mobile Operation on a Shoulder (TA-4)**Typical Application 4**

Notes for Figure 6H-5—Typical Application 5
Shoulder Closure on a Freeway

Guidance:

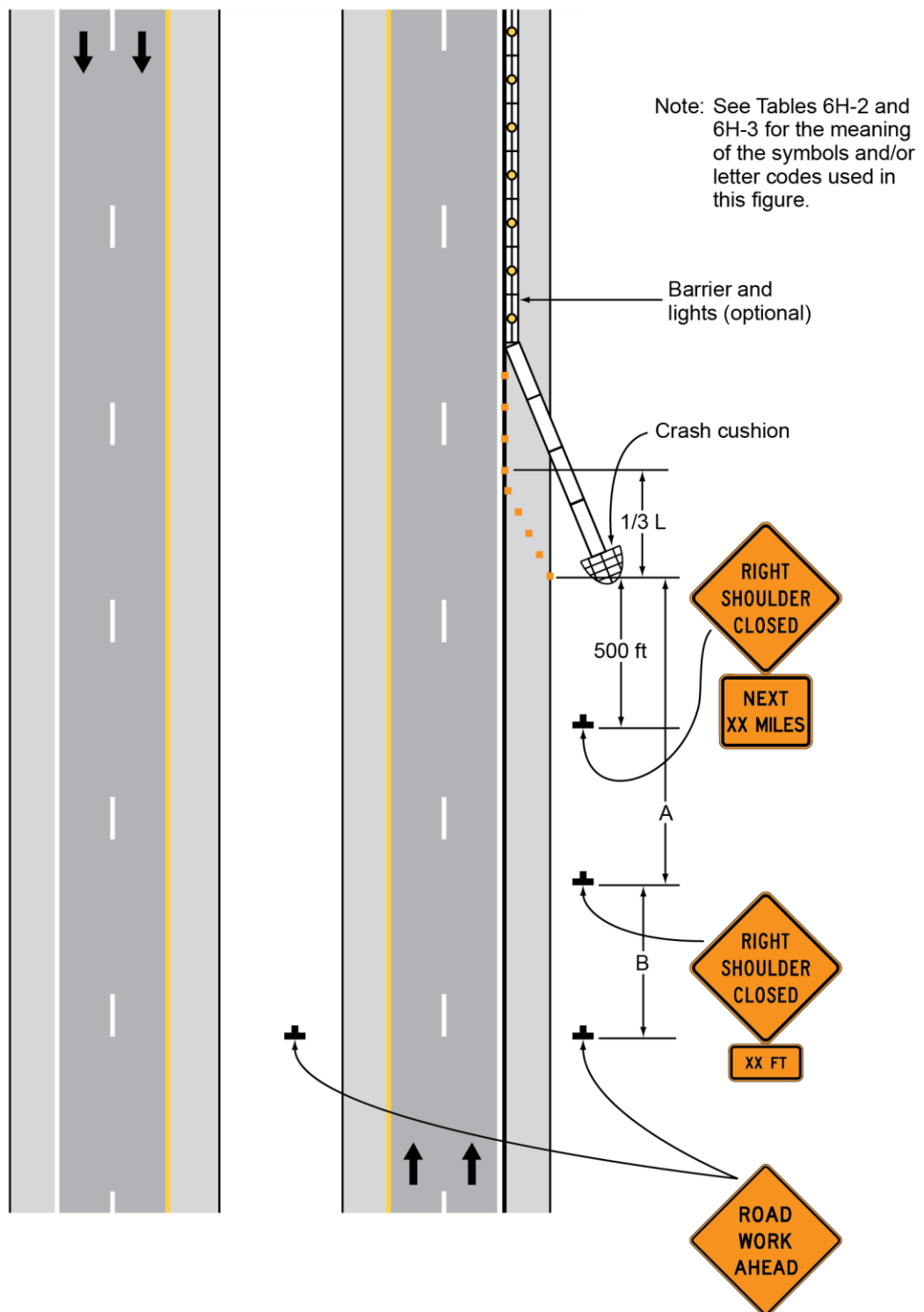
1. *SHOULDER CLOSED* signs should be used on limited-access highways where there is no opportunity for disabled vehicles to pull off the roadway.
2. *If drivers cannot see a pull-off area beyond the closed shoulder, information regarding the length of the shoulder closure should be provided in feet or miles, as appropriate.*
3. *The use of a temporary traffic barrier should be based on engineering judgment.*

Standard:

- 4. Temporary traffic barriers, if used, shall comply with the provisions of Section 6F.85.**

Option:

5. The barrier shown in this typical application is an example of one method that may be used to close a shoulder of a long-term project.
6. The warning lights shown on the barrier may be used.

Figure 6H-5. Shoulder Closure on a Freeway (TA-5)**Typical Application 5**

Guidance:

- 02- *Detours should be clearly signed over their entire length so that road users can easily use existing highways to return to the original highway.*

Support:

- 03- A diversion is a temporary rerouting of road users onto a temporary highway or alignment placed around the work area.

Section 6C.10 One-Lane, Two-Way Traffic Control*Standard:*

- 01- **Except as provided in Paragraph 5, when traffic in both directions must use a single lane for a limited distance, movements from each end shall be coordinated.**

Guidance:

- 02- *Provisions should be made for alternate one-way movement through the constricted section via methods such as flagger control, a flag transfer, a pilot car, traffic control signals, or stop or yield control.*

- 03- *Control points at each end should be chosen to permit easy passing of opposing lanes of vehicles.*

- 04- *If traffic on the affected one-lane roadway is not visible from one end to the other, then flagging procedures, a pilot car with a flagger used as described in Section 6C.13, or a traffic control signal should be used to control opposing traffic flows.*

Option:

- 05- *If the work space on a low-volume street or road is short and road users from both directions are able to see the traffic approaching from the opposite direction through and beyond the worksite, the movement of traffic through a one-lane, two-way constriction may be self-regulating.*

Section 6C.11 Flagger Method of One-Lane, Two-Way Traffic Control*Guidance:*

- 01- *Except as provided in Paragraph 2, traffic should be controlled by a flagger at each end of a constricted section of roadway. One of the flaggers should be designated as the coordinator. To provide coordination of the control of the traffic, the flaggers should be able to communicate with each other orally, electronically, or with manual signals. These manual signals should not be mistaken for flagging signals.*

Option:

- 02- *When a one-lane, two-way TTC zone is short enough to allow a flagger to see from one end of the zone to the other, traffic may be controlled by either a single flagger or by a flagger at each end of the section.*

Guidance:

- 03- *When a single flagger is used, the flagger should be stationed on the shoulder opposite the constriction or work space, or in a position where good visibility and traffic control can be maintained at all times. When good visibility and traffic control cannot be maintained by one flagger station, traffic should be controlled by a flagger at each end of the section.*

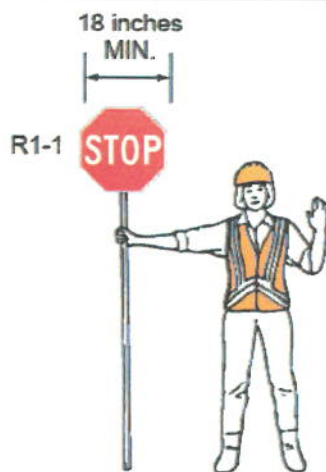
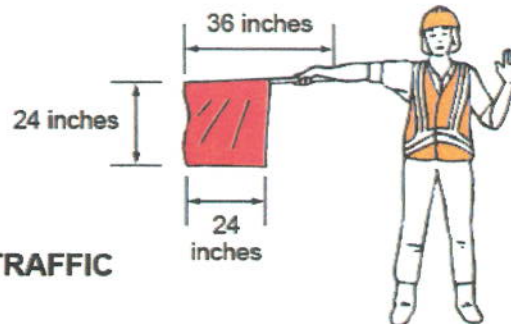
Section 6C.12 Flag Transfer Method of One-Lane, Two-Way Traffic Control*Support:*

- 01- *The driver of the last vehicle proceeding into the one-lane section is given a red flag (or other token) and instructed to deliver it to the flagger at the other end. The opposite flagger, upon receipt of the flag, then knows that traffic can be permitted to move in the other direction. A variation of this method is to replace the use of a flag with an official pilot car that follows the last road user vehicle proceeding through the section.*

Guidance:

- 02- *The flag transfer method should be employed only where the one-way traffic is confined to a relatively short length of a road, usually no more than 1 mile in length.*

Figure 6E-3. Use of Hand-Signaling Devices by Flaggers

PREFERRED METHOD
STOP/SLOW Paddle

EMERGENCY SITUATIONS ONLY
Red Flag
TO STOP TRAFFIC

**TO LET
TRAFFIC PROCEED**

**TO ALERT AND
SLOW TRAFFIC**


Option:

- 02 The distances shown in Table 6E-1, which provides information regarding the stopping sight distance as a function of speed, may be used for the location of a flagger station. These distances may be increased for downgrades and other conditions that affect stopping distance.

Guidance:

- 03 *Flagger stations should be located such that an errant vehicle has additional space to stop without entering the work space. The flagger should identify an escape route that can be used to avoid being struck by an errant vehicle.*

Standard:

- 04 Except in emergency situations, flagger stations shall be preceded by an advance warning sign or signs. Except in emergency situations, flagger stations shall be illuminated at night.

Table 6E-1. Stopping Sight Distance as a Function of Speed

| Speed * | Distance |
|---------|----------|
| 20 mph | 115 feet |
| 25 mph | 155 feet |
| 30 mph | 200 feet |
| 35 mph | 250 feet |
| 40 mph | 305 feet |
| 45 mph | 360 feet |
| 50 mph | 425 feet |
| 55 mph | 495 feet |
| 60 mph | 570 feet |
| 65 mph | 645 feet |
| 70 mph | 730 feet |
| 75 mph | 820 feet |

* Posted speed; off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed

Notes for Figure 6H-13—Typical Application 13
Temporary Road Closure

Support:

1. Conditions represented are a planned closure not exceeding 20 minutes during the daytime.

Standard:

2. **A flagger or uniformed law enforcement officer shall be used for this application. The flagger, if used for this application, shall follow the procedures provided in Sections 6E.07 and 6E.08.**

Guidance:

3. *The uniformed law enforcement officer, if used for this application, should follow the procedures provided in Sections 6E.07 and 6E.08.*

Option:

4. A BE PREPARED TO STOP sign may be added to the sign series.

Guidance:

5. *When used, the BE PREPARED TO STOP sign should be located before the Flagger symbol sign.*

Figure 6H-13. Temporary Road Closure (TA-13)

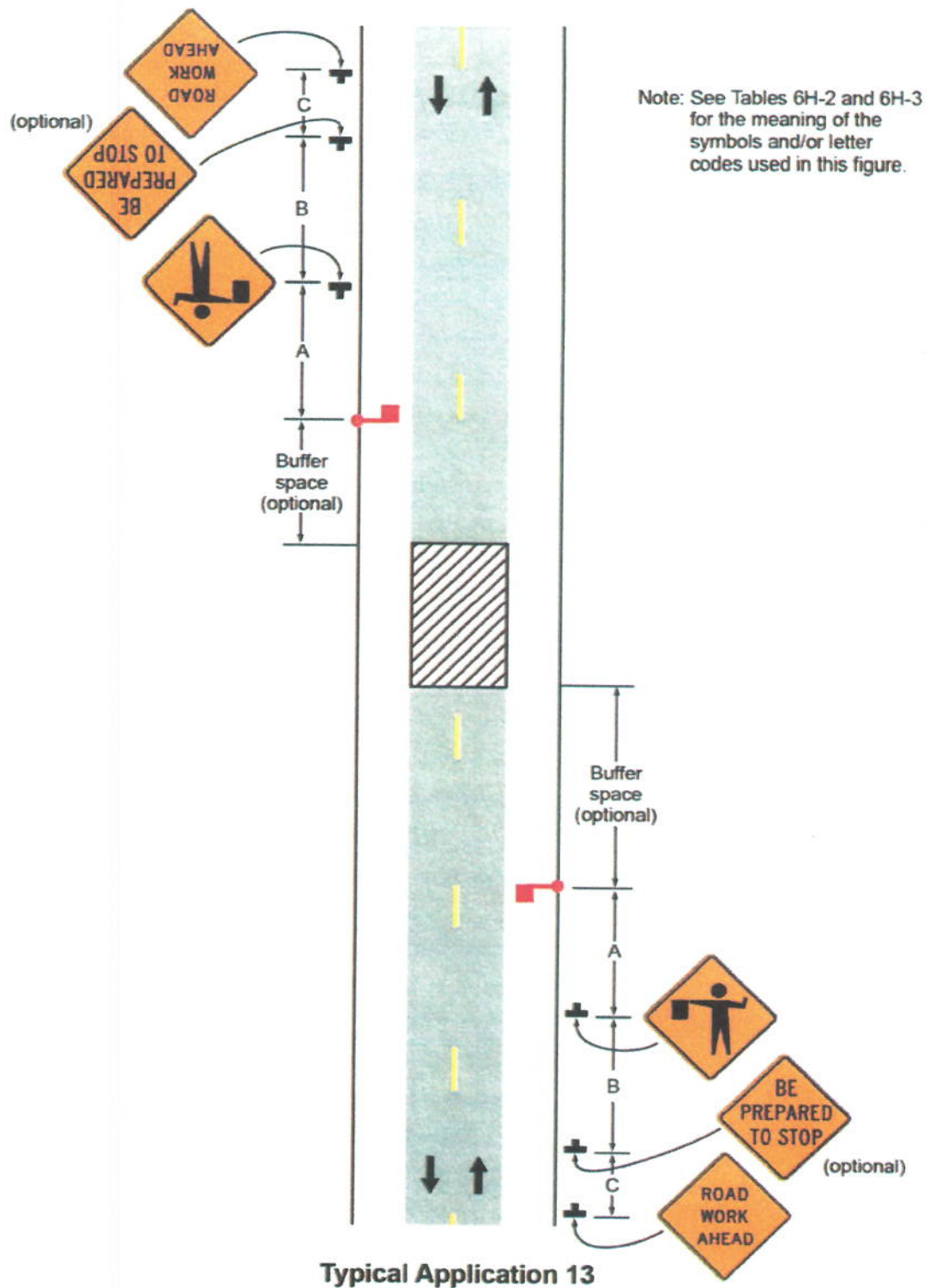


Table 6C-1. Recommended Advance Warning Sign Minimum Spacing

| Road Type | Distance Between Signs ** | | |
|----------------------|---------------------------|------------|------------|
| | A | B | C |
| Urban (low speed) * | 100 feet | 100 feet | 100 feet |
| Urban (high speed) * | 350 feet | 350 feet | 350 feet |
| Rural | 500 feet | 500 feet | 500 feet |
| Expressway / Freeway | 1,000 feet | 1,500 feet | 2,640 feet |

* Speed category to be determined by highway agency.

** The column headings A, B, and C are the dimensions shown in Figures 6H-1 through 6H-46. The A dimension is the distance from the transition or point of restriction to the first sign. The B dimension is the distance between the first and second signs. The C dimension is the distance between the second and third signs. (The "first sign" is the sign in a three-sign series that is closest to the TTC zone. The "third sign" is the sign that is furthest upstream from the TTC zone.)

04 On urban streets, the effective placement of the first warning sign in feet should range from 4 to 8 times the speed limit in mph, with the high end of the range being used when speeds are relatively high. When a single advance warning sign is used (in cases such as low-speed residential streets), the advance warning area can be as short as 100 feet. When two or more advance warning signs are used on higher-speed streets, such as major arterials, the advance warning area should extend a greater distance (see Table 6C-1).

05 Since rural highways are normally characterized by higher speeds, the effective placement of the first warning sign in feet should be substantially longer—from 8 to 12 times the speed limit in mph. Since two or more advance warning signs are normally used for these conditions, the advance warning area should extend 1,500 feet or more for open highway conditions (see Table 6C-1).

06 The distances contained in Table 6C-1 are approximate, are intended for guidance purposes only, and should be applied with engineering judgment. These distances should be adjusted for field conditions, if necessary, by increasing or decreasing the recommended distances.

Support:

07 The need to provide additional reaction time for a condition is one example of justification for increasing the sign spacing. Conversely, decreasing the sign spacing might be justified in order to place a sign immediately downstream of an intersection or major driveway such that traffic turning onto the roadway in the direction of the TTC zone will be warned of the upcoming condition.

Option:

08 Advance warning may be eliminated when the activity area is sufficiently removed from the road users' path so that it does not interfere with the normal flow.

Section 6C.05 Transition Area

Support:

01 The transition area is that section of highway where road users are redirected out of their normal path. Transition areas usually involve strategic use of tapers, which because of their importance are discussed separately in detail.

Standard:

02 When redirection of the road users' normal path is required, they shall be directed from the normal path to a new path.

Option:

- 03 Because it is impractical in mobile operations to redirect the road user's normal path with stationary channelization, more dominant vehicle-mounted traffic control devices, such as arrow boards, portable changeable message signs, and high-intensity rotating, flashing, oscillating, or strobe lights, may be used instead of channelizing devices to establish a transition area.

Section 6C.06 Activity Area

Support:

- 01 The activity area is the section of the highway where the work activity takes place. It is comprised of the work space, the traffic space, and the buffer space.
- 02 The work space is that portion of the highway closed to road users and set aside for workers, equipment, and material, and a shadow vehicle if one is used upstream. Work spaces are usually delineated for road users by channelizing devices or, to exclude vehicles and pedestrians, by temporary barriers.

Option:

- 03 The work space may be stationary or may move as work progresses.

Guidance:

- 04 *Since there might be several work spaces (some even separated by several miles) within the project limits, each work space should be adequately signed to inform road users and reduce confusion.*

Support:

- 05 The traffic space is the portion of the highway in which road users are routed through the activity area.
- 06 The buffer space is a lateral and/or longitudinal area that separates road user flow from the work space or an unsafe area, and might provide some recovery space for an errant vehicle.

Guidance:

- 07 *Neither work activity nor storage of equipment, vehicles, or material should occur within a buffer space.*

Option:

- 08 Buffer spaces may be positioned either longitudinally or laterally with respect to the direction of road user flow. The activity area may contain one or more lateral or longitudinal buffer spaces.

- 09 A longitudinal buffer space may be placed in advance of a work space.

- 10 The longitudinal buffer space may also be used to separate opposing road user flows that use portions of the same traffic lane, as shown in Figure 6C-2.

- 11 If a longitudinal buffer space is used, the values shown in Table 6C-2 may be used to determine the length of the longitudinal buffer space.

Support:

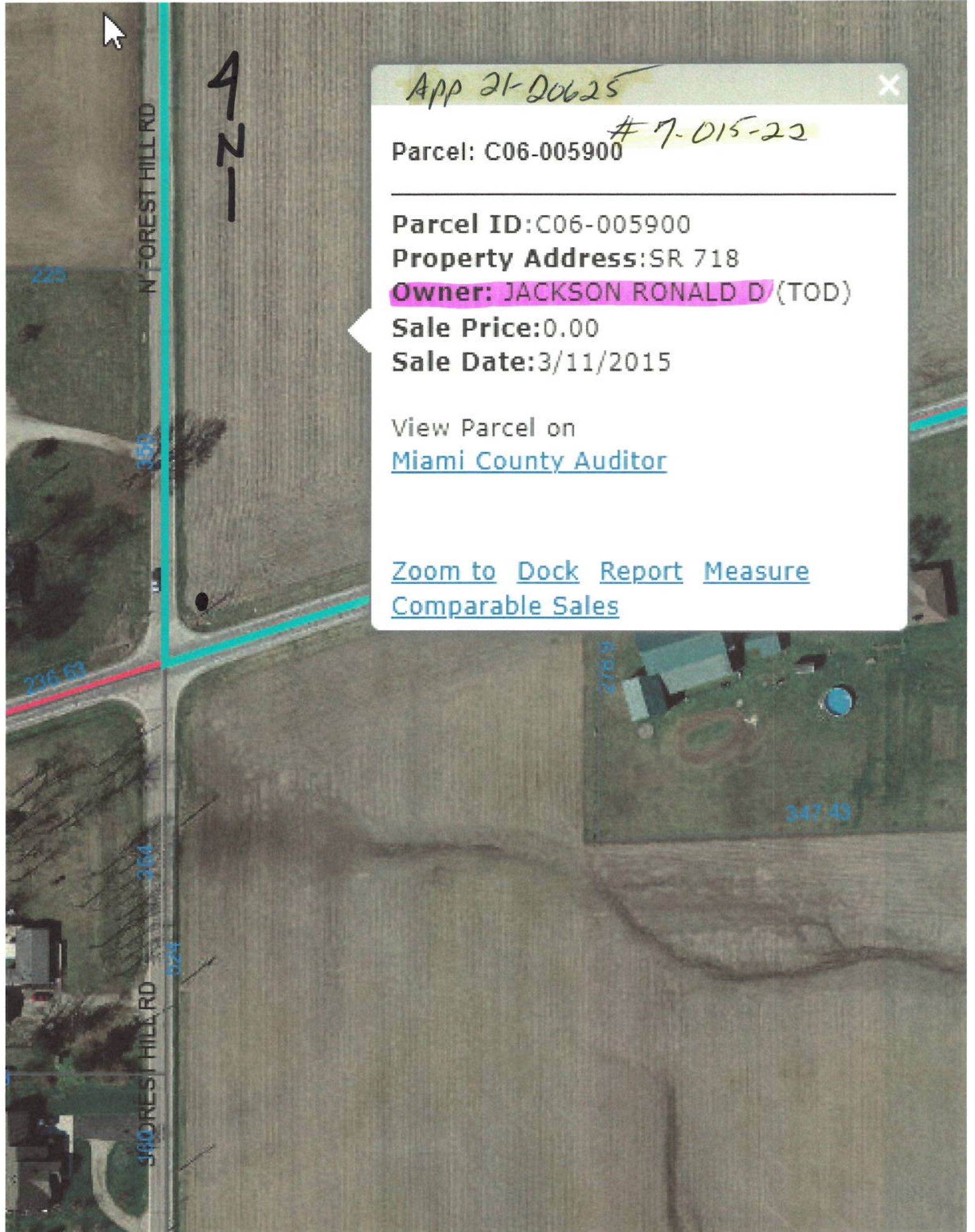
- 12 Typically, the buffer space is formed as a traffic island and defined by channelizing devices.

- 13 When a shadow vehicle, arrow board, or changeable message sign is placed in a closed lane in advance of a work space, only the area upstream of the vehicle, arrow board, or changeable message sign constitutes the buffer space.

Table 6C-2. Stopping Sight Distance as a Function of Speed

| Speed * | Distance |
|---------|----------|
| 20 mph | 115 feet |
| 25 mph | 155 feet |
| 30 mph | 200 feet |
| 35 mph | 250 feet |
| 40 mph | 305 feet |
| 45 mph | 360 feet |
| 50 mph | 425 feet |
| 55 mph | 495 feet |
| 60 mph | 570 feet |
| 65 mph | 645 feet |
| 70 mph | 730 feet |
| 75 mph | 820 feet |

* Posted speed, off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed



App 21-20625



Parcel: C06-005900

7-015-22

Parcel ID: C06-005900

Property Address: SR 718

Owner: JACKSON RONALD D (TOD)

Sale Price: 0.00

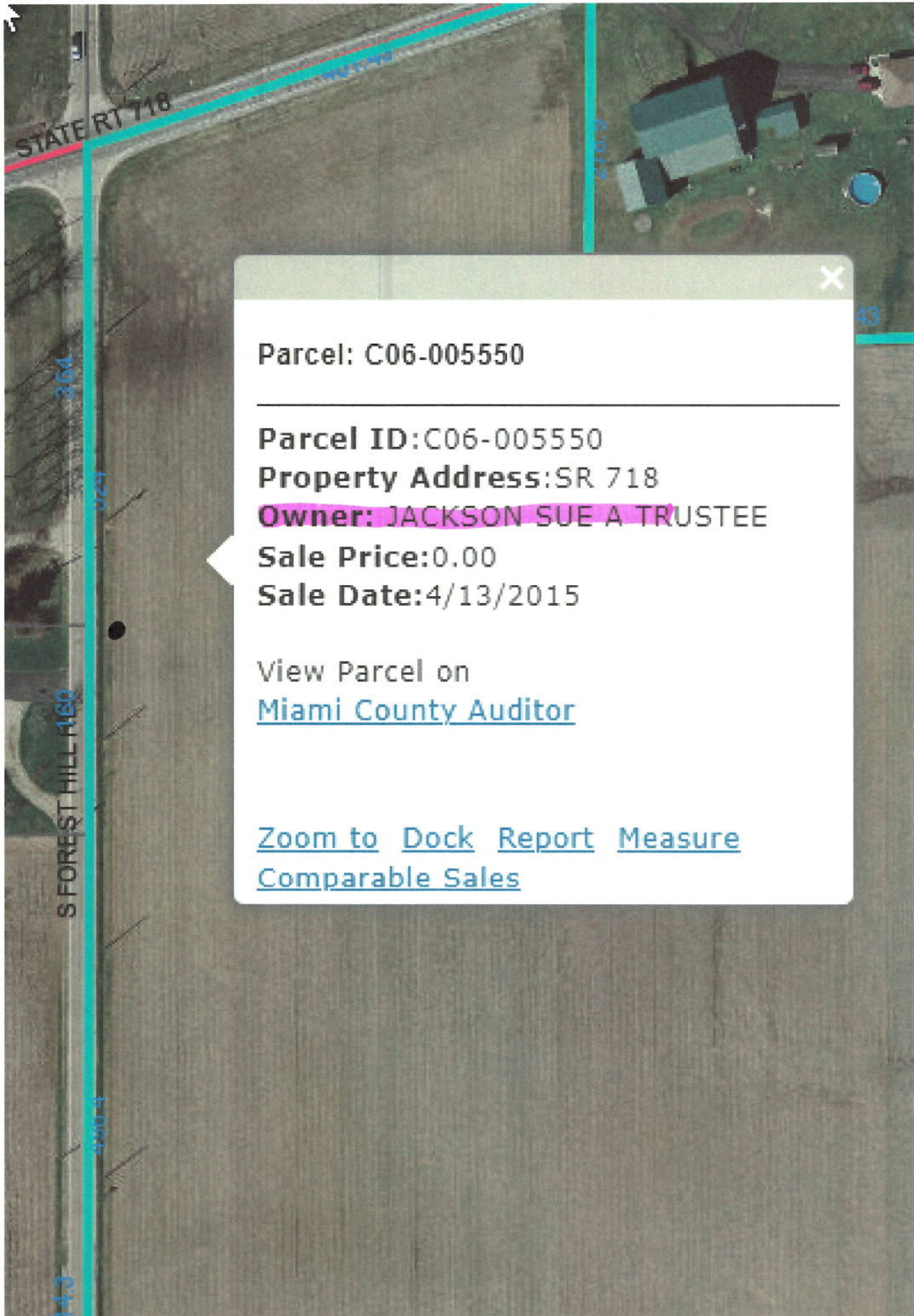
Sale Date: 3/11/2015

View Parcel on

[Miami County Auditor](#)

[Zoom to](#) [Dock](#) [Report](#) [Measure](#)
[Comparable Sales](#)

421



Parcel: C06-005550

Parcel ID: C06-005550

Property Address: SR 718

Owner: JACKSON SUE A TRUSTEE

Sale Price: 0.00

Sale Date: 4/13/2015

View Parcel on

[Miami County Auditor](#)

[Zoom to](#) [Dock](#) [Report](#) [Measure](#)
[Comparable Sales](#)



6 1 7 0 2 1 8
Tx:4083489

MIAMI COUNTY RECORDER

JESSICA A LOPEZ

2020OR-14926

PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO

10/13/2020 02:16:02 PM

REFERENCES 0

RECORDING FEE 42.00

PAGES: 3

TRANSFER NOT NECESSARY

10/13, 20 20
MATTHEW W. GEARHARDT, AUDITOR
MIAMI COUNTY, OHIO

REVIEW NOT REQUIRED
MIAMI COUNTY ENGINEER
BY TDH DATE 10-13-2020

THE DAYTON POWER AND LIGHT COMPANY GRANT FOR ELECTRIC RIGHT OF WAY AND EASEMENT

Know all men by these presents that **Ronald D. Jackson**, T.O.D. (hereinafter "Grantor"), for valuable consideration provided by **THE DAYTON POWER AND LIGHT COMPANY**, an Ohio Corporation (hereinafter "Grantee"), does hereby grant to the Grantee, its successors and assigns forever, a Right of Way and Easement for any and all purposes for which electric energy is now or may hereafter be used, and also, to construct, reconstruct, erect, add to, operate, maintain, use, remove, replace overhead electric facilities consisting of poles, lines, wires, cables, grounding systems, communication lines between poles, fiber optic cables, equipment, and all other necessary and incidental appurtenances contained in, over, upon, under and through, subject to the conditions hereinafter on the following premises, viz:

Situate in the Southeast Quarter of Section 23, Town 7 N, Range 5 E, Concord Township, Miami County, Ohio, and being an 82.996 (Parcel 11) acre tract of land conveyed to **Ronald D. Jackson, T.O.D.** by T.O.D. Affidavit as recorded in Official Record 2015OR-03046 of the deed records of said county.

Parcel ID: C06-005900

Said Right of Way and Easement shall be **THIRTY (30)** feet in width and shall be along the following course identified on Exhibit "A" attached hereto and made a part hereof.

The Grantee, its successors and assigns, its agents, contractors and employees shall have the right of ingress and egress over the right of way of the Grantor for all purposes previously stated, together with the right to trim, cut, and remove or otherwise control trees, roots, undergrowth or overhanging branches or other obstructions within the limits of the right of way and easement which according to the Grantee's standards and its opinion may interfere with the construction, maintenance, use or successful operation of the electric facilities.

No buildings or other structures shall be erected within the limits of the said Right of Way and Easement by the Grantor. No excavating or filling shall be done or be permitted by the Grantor within Right of Way and Easement that would either (A) reduce or add to the distance between the Grantee's facilities and the land surface without the Grantee's prior written consent and which consent will not be unreasonably withheld, (B) impair the Grantee's ability to maintain the facilities or (C) create a hazard.

The Grantor shall have the right to use the land within the easement area in any manner not inconsistent within this grant for Right of Way and Easement

3
DP&L
744

The Grantee, its successors and assigns, shall reimburse the Grantor for any damage or loss to growing crops and other property damages that may be caused by the Grantee, its agents, contractors or employees in construction, repair or removal of said electric facilities.

The Grantor(s) covenant with the Grantee, that they are the true and lawful owners of the property herein described and have full power and authority to grant this Right of Way and Easement.

The grant of right of way and easement shall run with the land and be binding on and inure to the benefit of the parties, their heirs, successors, and assigns, and is subject to an unrecorded Letter of Acknowledgement of even date.

As used herein, words in plural number include words in the singular number.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name this 30 day of September, 2020.

GRANTOR:

Ronald D. Jackson [Grantor]
Ronald D. Jackson, T.O.D.

_____ [Grantor]

STATE OF OHIO)

COUNTY OF Miami)

The foregoing instrument was acknowledged before me this 30 day of September 2020, by Ronald D. Jackson, T.O.D., Grantor.

Erica M. Boyer
NOTARY PUBLIC

This Instrument Prepared By:
Real Estate Services Department
The Dayton Power and Light Company
1900 Dryden Rd.
Dayton, OH 45439
Project Number: Misc 2020



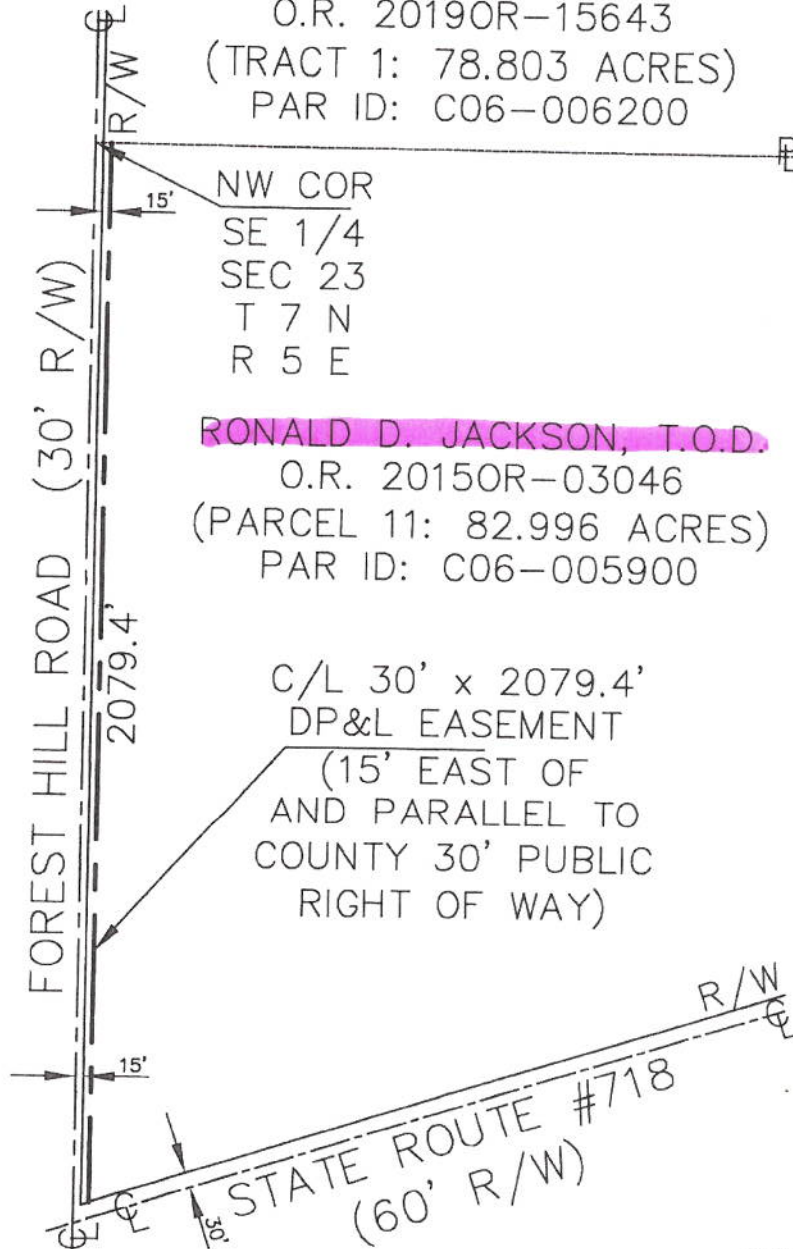
ERICA M. BOYER
Notary Public, State of Ohio
My Commission Expires
May 18, 2023

6301-Ron Jackson 1

EXHIBIT A
PROJECT NO: MISC 2020
TOM C. & ALICE M. MYERS
O.R. 2019OR-15643
(TRACT 1: 78.803 ACRES)
PAR ID: C06-006200



N.T.S.



Enclosure 4
Ohio Department of Transportation Approved Permit No.7-016-22

MR 509
Permit No. 7-016-22

Office Use Only

State of Ohio
Department of Transportation
Permit

County: MIA
Rte: 41
Log Pt: 13.74
Acc Cat: 3

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name: AES Ohio; Andrew Schieltz
Address: 1900 Dryden Road Dayton, OH 45439
Company Phone: (937) 331-4032

Is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or attached to this permit.

Utility / Temporary Construction Drive

Description of Work: Installing two new structures carrying 138kV transmission line conductor over Ohio State Route 41. The lowest wire at this crossing has at least 39 feet of clearance to the road centerline. Work is expected to start 11/15/2021 and work is to be completed 09/30/2023.

[2] This permit shall be in the possession of employees /agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

Contact ODOT Representative 3 days before work begins, also contact ODOT Representative when work is completed for final inspection.
Failure to notify the ODOT Representative could result in work stoppage!

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

ODOT Representative: Chuck Craun
Permit Tech II
Phone: (937) 497-6947

NOTE: Any work performed by the permittee may be stopped if this requirement is not met.

[4] Prior to any excavation in the highway right-of-way, the Ohio811 <https://www.oups.org/excavators> must be contacted in accordance with ORC Section 3781.25 to 3781.32. Ohio811 can be reached at 1-800-362-2764 or 811.

[5] If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to mark as described, will result in the Department of Transportation being held harmless and no reimbursement for damage to your property.

[6] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[7] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

[8] Performance Bond Required? No: XXXX Company: N / A

[9] This permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 01/12/2023

Dated 01/12/2022
Rev 5/6/2021

General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation and within the time determined by the Director. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.

[9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee. Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.

[10] Any damage to ODOT or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to ODOT property are needed that cannot be performed by the permittee or permittee's agent or contractor, ODOT shall cause the repairs to be performed at the sole cost of permittee.

[11] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.

[12] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.

[13] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.

[14] All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.

[15] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.

[16] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.

[17] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:

(1) No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.

(2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.

(3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT— Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(4) In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate

the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

This permit is granted subject to the following attached conditions:

Permittee will be stringing new power lines across the highway. Proposed work will also include the installation of an temporary construction drive along the north side of the highway. Permittee will be utilizing an existing field drive for access along the south side of SR 41.

All poles, pedestals, vaults, manholes shall be placed within 1' inside State Right of Way. All above ground facility installations shall be marked with a fluorescent colored marker that corresponds with the universal OUPS Color Code.

Guy wires must be marked a fluorescent yellow. Marker must be no shorter than 6' in height and utility owner must maintain marker. Failure to follow these requirements will result in no reimbursement for damage to utility property from ODOT.

PERMITTEE SHALL CONTACT CHUCK CRAUN, PERMIT TECH II; 937-497-6947, AT LEAST 2 DAYS PRIOR TO WORK.

********* A copy of this permit shall always be located at the project location. *********

NOTE: ALL WORK SHALL MEET OR EXCEED NESC STANDARDS, GUIDELINES, & POLICIES.

NOTE: PERMITTEE IS RESPONSIBLE FOR ALL CLEAN OUT WORK TO KEEP THIS INSTALLATION IN OPERATING CONDITION.

NOTE: PERMITTEE SHALL BE RESPONSIBLE FOR ANY & ALL UTILITY INSTALLATIONS / RELOCATIONS AS A RESULT OF THIS WORK.

NOTE: EQUIPMENT AND MATERIALS SHALL NOT BE STORED WITHIN THE STATE R/W.

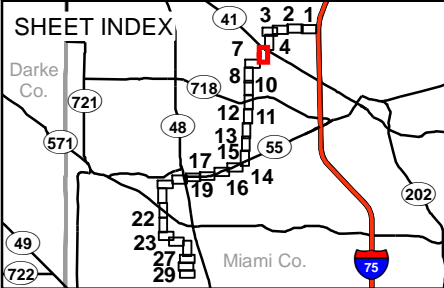
NOTE: MINIMUM VERTICAL CLEARANCE FROM CENTERLINE OF PAVEMENT SURFACE OR PRIVATE DRIVEWAYS TO AERIAL CROSSING IS TO BE 18'.

NOTE: ANCHORS SHALL BE IN -LINE WITH THE POLE ROUTE OR SET AWAY FROM THE STATE HIGHWAY; NO ANCHORS SHALL BE SET BETWEEN THE POLE AND THE STATE HIGHWAY.

NOTE: ALL DISTURBED EARTH SHALL BE REPLACED, COMPACTED, AND RESHAPED TO ITS ORIGINAL CROSS-SECTION AND THEN RE-SEED IT TO THE SATISFACTION OF THE DIRECTOR OF TRANSPORTATION OR HIS AGENT.

NOTE: TRAFFIC CONTROL SHALL BE PERFORMED AS PER THE LATEST OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, OMUTCD.

***** NOTE:** THE TEMPORARY CONSTRUCTION DRIVE SHALL BE COMPLETELY REMOVED AND THE PROPERTY / RW RESTORED *******



REFERENCE:
AERIAL PHOTOGRAPH:
- Esri's World Imagery 2019, Accessed: 12/29/2021
HIGHWAY:
- Esri's U.S. Major Roads, 5/10/2018.
LOCAL ROAD:
- Ohio Department of Transportation's Roads, 7/27/2021.
INCORPORATED AREA:
- Ohio Department of Transportation's Cities, 9/11/2018.
NHD FLOWLINE:
- United States Geological Survey's National Hydrography Dataset Best Resolution, 6/16/2020.
NWI WETLAND:
- United States Fish and Wildlife Service's National Wetland Inventory, 10/1/2020.
FLOODPLAIN AND FLOODWAY:
- Federal Emergency Management Agency's National Flood Hazard Layer, 7/26/2021.
PARCEL BOUNDARY:
- Downloaded from Miami County Website, 04/30/2021.
5-FOOT CONTOUR:
- Created from Ohio Spatial Information Portal DEM, Miami County, 2010.
DELINEATED FEATURE AND SWPPP CONTROL:
- GAI Consultants.
PROJECT DETAILS:
- AES Ohio.

| | | | |
|-------------------|-----------------------|--------------------------|---------------------|
| State Highway | Proposed Structure | Sediment Barrier | NHD Flowline |
| Local Road | Existing Facility | Proposed Access Route | NWI Wetland |
| Incorporated Area | Construction Entrance | Delineated Stream | 100-Year Floodplain |
| | Restricted Access | Delineated Wetland - PEM | Floodway |
| Fence | | Delineated Wetland - PFO | Parcel |
| | | Delineated Wetland - PSS | 5-Foot Contour |
| | | Delineated Open Water | |
| | | Construction Matting | |
| | | Study Area | |

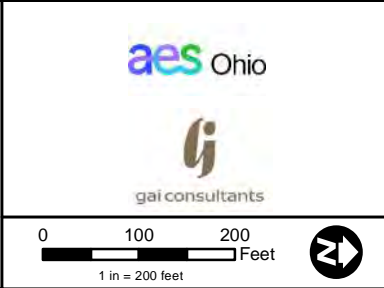
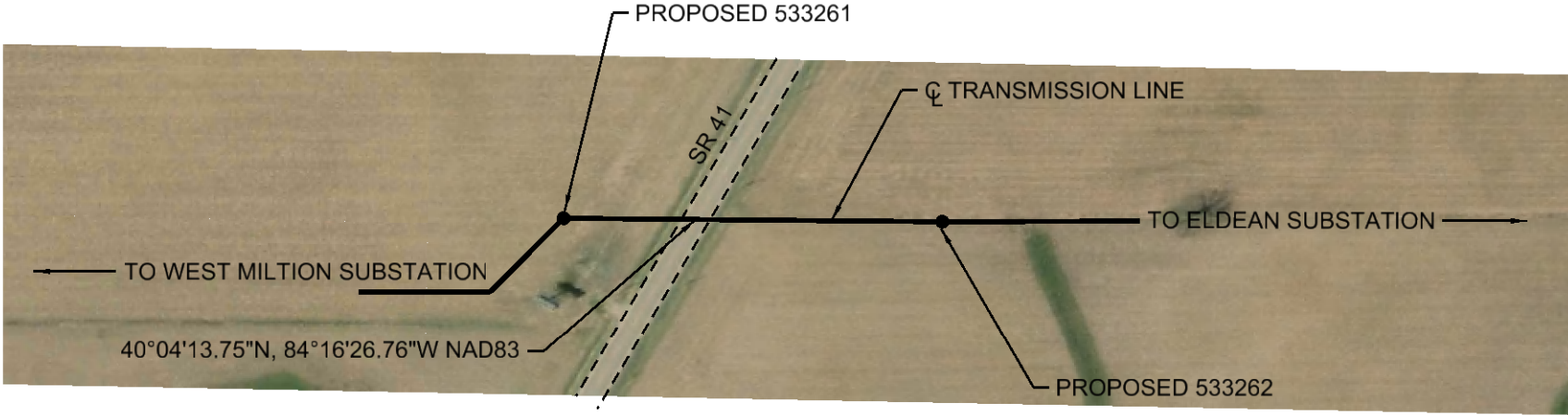
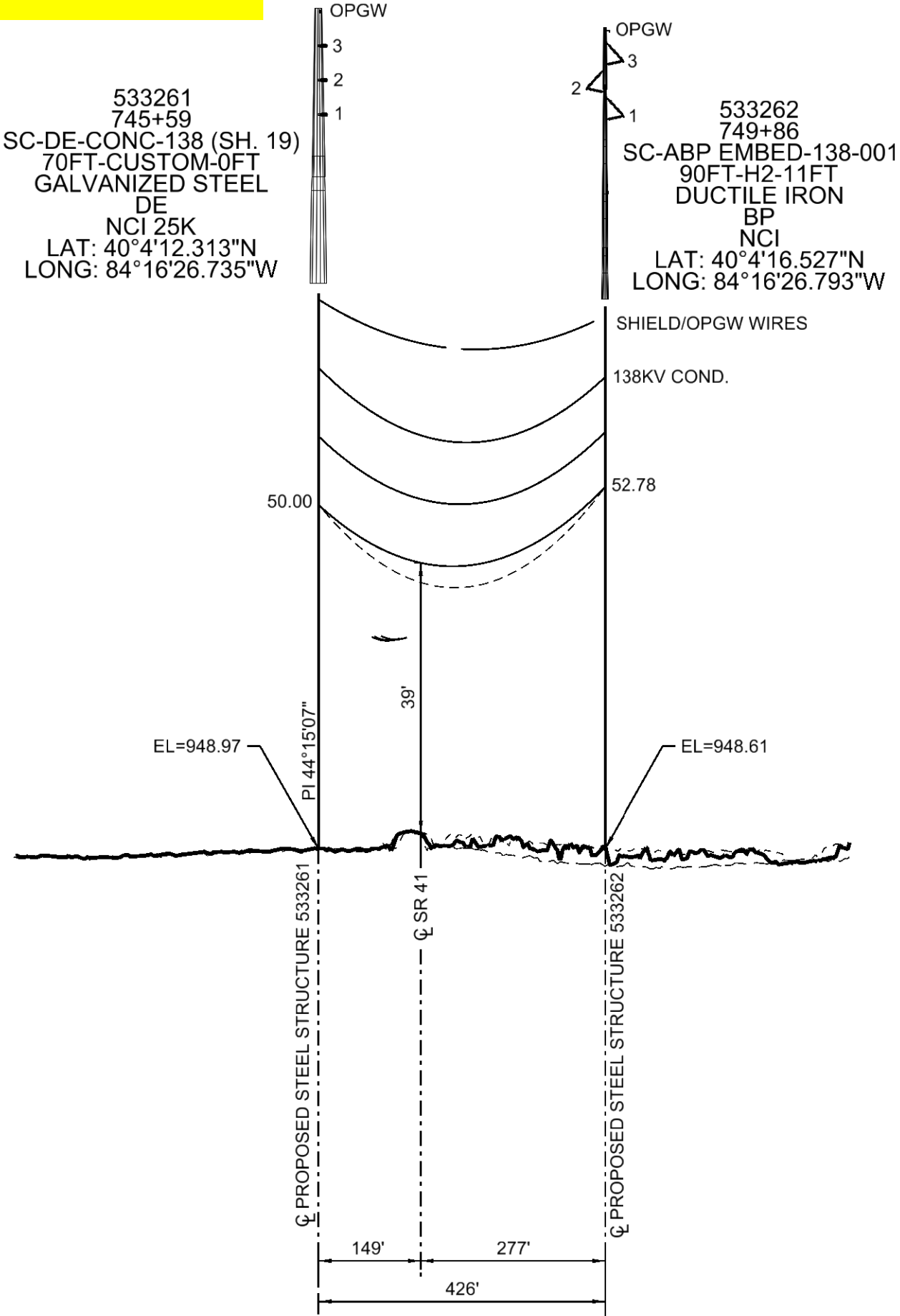
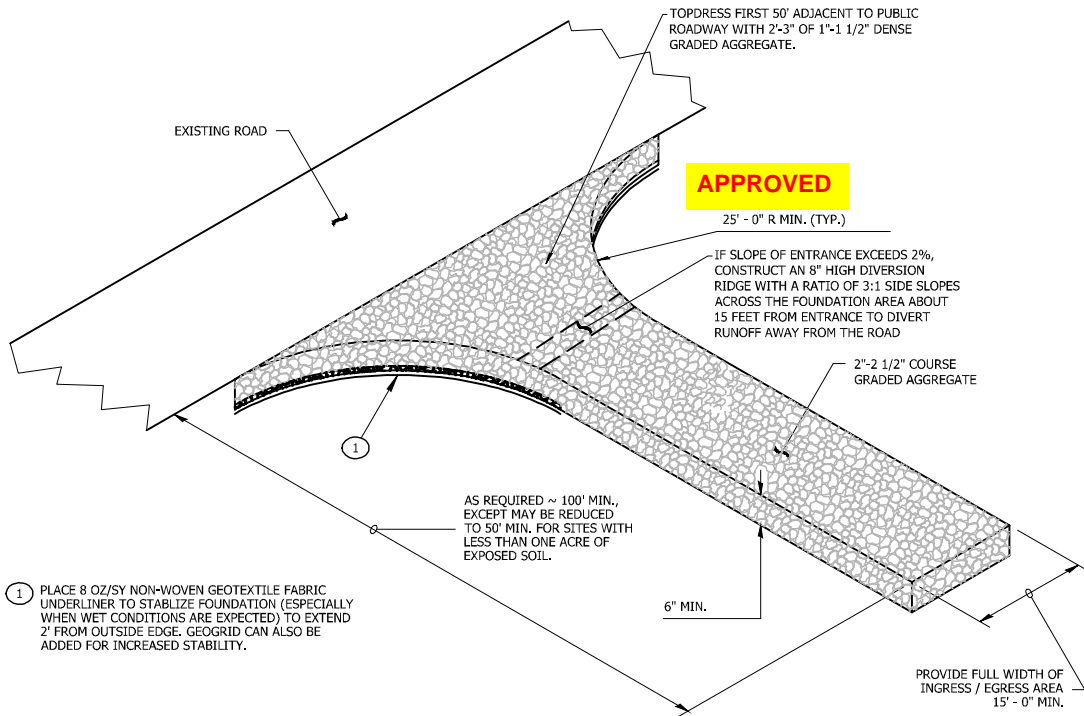


FIGURE 1
EROSION AND SEDIMENT CONTROL PLAN
SHEET 6 of 29
Storm Water Pollution Prevention Plan
West Milton - Eldean
138kV Transmission Line Project
DRAWN BY: MBH
CHECKED: TDB
DATE: 12/29/2021
APPROVED: MRW



| | | | |
|--|---------|----------|------------|
| TITLE THE DAYTON POWER AND LIGHT COMPANY WEST MILTON-ELDEAN 138kv TRANSMISSION LINE MIAMI COUNTY, OHIO | | | |
| FOR CROSSING OF STATE RTE. 41 40°04'13.75"N, 84°16'26.76"W NAD83 | | | |
| SCALE | 1"=200' | PROJECT | C190221.04 |
| DRAWN | RLH | APPROVED | |
| CHECKED | XXX | APPROVED | |
| ENGINEER | BCP | | |
| <div>DP&L</div> <div>The Dayton Power and Light Company</div> | | | |



CONSTRUCTION ENTRANCE

APPROVED

Temporary



Traffic

Control

Manual

2012 Edition

Reprint of three Parts from the
Ohio Manual of Uniform Traffic Control Devices, 2012 Edition:
Part 1, General
Part 5, Traffic Control Devices for Low-Volume Roads
Part 6, Temporary Traffic Control

Ohio Department of Transportation
Office of Traffic Engineering

Ohio Department of Transportation
Office of Traffic Engineering
1980 W. Broad St., P.O. Box 899
Columbus, OH 43216-0899

Web addresses:

ODOT: <http://www.dot.state.oh.us>

Office of Traffic Engineering:

<http://www.dot.state.oh.us/Divisions/Operations/Traffic/Pages/OTHomePage.aspx>

ODOT Publications (Design Reference Resource Center): <http://www.dot.state.oh.us/drrc/>

To purchase a copy of this manual, contact the ODOT Office of Contracts
at the above address, or by phone at 1-800-459-3778.

An Equal Opportunity Employer

Notes for Figure 6H-1—Typical Application 1

Work Beyond the Shoulder

Guidance:

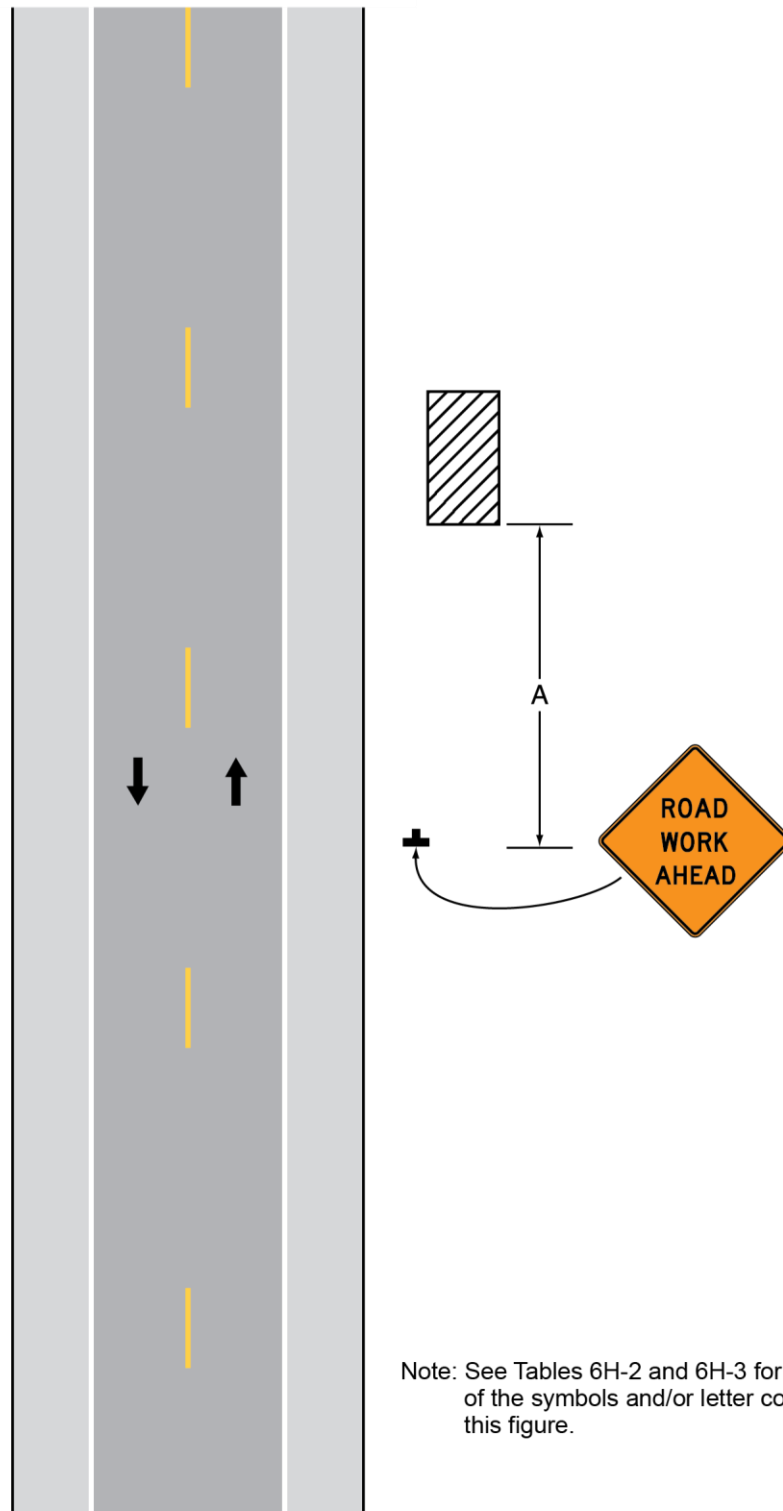
1. *If the work space is in the median of a divided highway, an advance warning sign should also be placed on the left side of the directional roadway.*

Option:

2. The ROAD WORK AHEAD sign may be replaced with other appropriate signs such as the SHOULDER WORK sign. The SHOULDER WORK sign may be used for work adjacent to the shoulder.
3. The ROAD WORK AHEAD sign may be omitted where the work space is behind a barrier, more than 24 inches behind the curb, or 15 feet or more from the edge of any roadway.
4. For short-term, short-duration or mobile operation, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**

Figure 6H-1. Work Beyond the Shoulder (TA-1)

Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

Typical Application 1

Notes for Figure 6H-3—Typical Application 3

Work on the Shoulders

Guidance:

1. A *SHOULDER WORK* sign should be placed on the left side of the roadway for a divided or one-way street only if the left shoulder is affected.

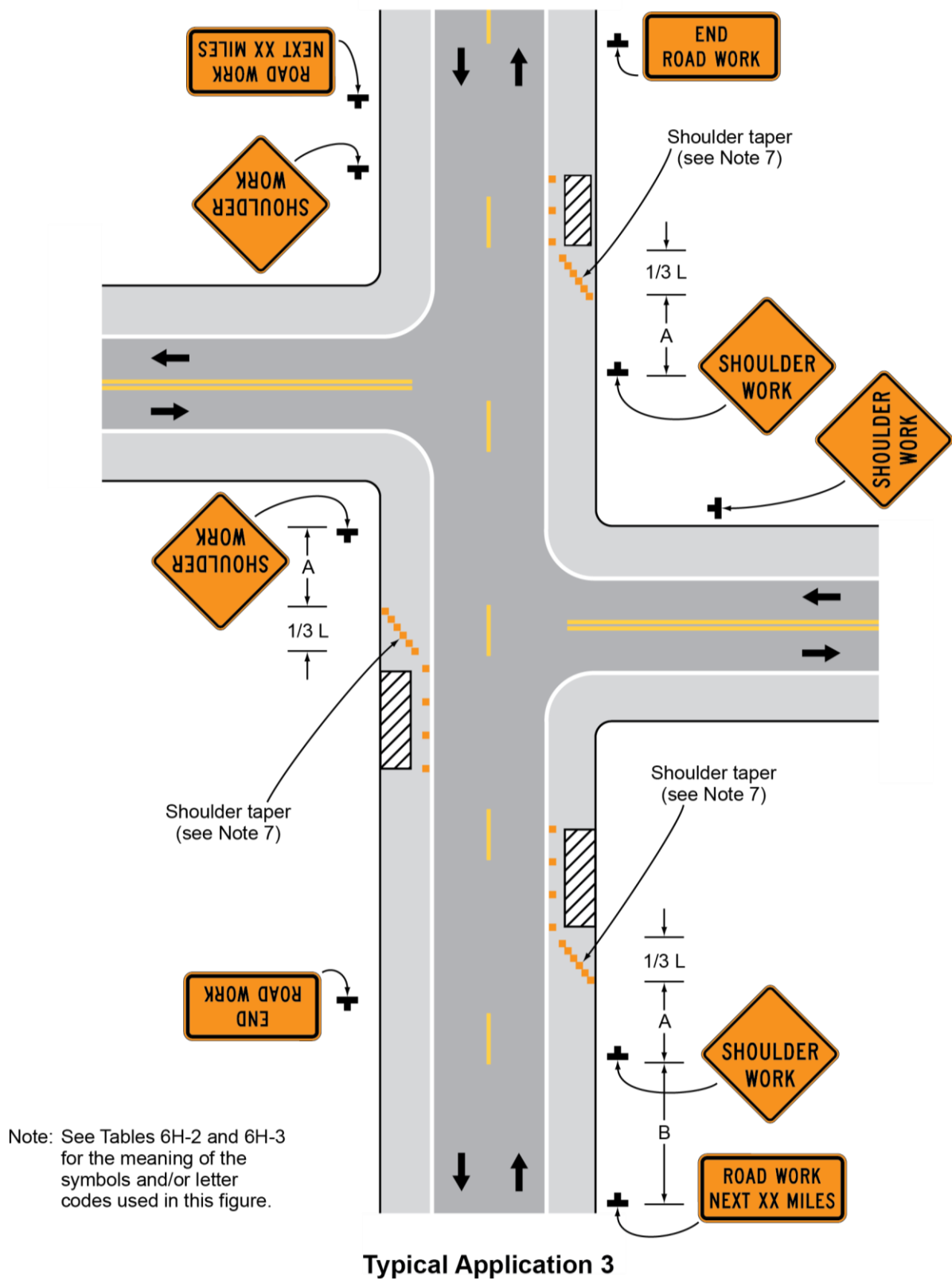
Option:

2. The Workers symbol signs may be used instead of *SHOULDER WORK* signs.
3. The *SHOULDER WORK AHEAD* sign on an intersecting roadway may be omitted where drivers emerging from that roadway will encounter another advance warning sign prior to this activity area.
4. For short-duration operations of 60 minutes or less, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**
7. **When paved shoulders having a width of 8 feet or more are closed, at least one advance warning sign shall be used. In addition, channelizing devices shall be used to close the shoulder in advance to delineate the beginning of the work space and direct vehicular traffic to remain within the traveled way.**

Figure 6H-3. Work on the Shoulders (TA-3)



Notes for Figure 6H-4—Typical Application 4
Short-Duration or Mobile Operation on a Shoulder

Guidance:

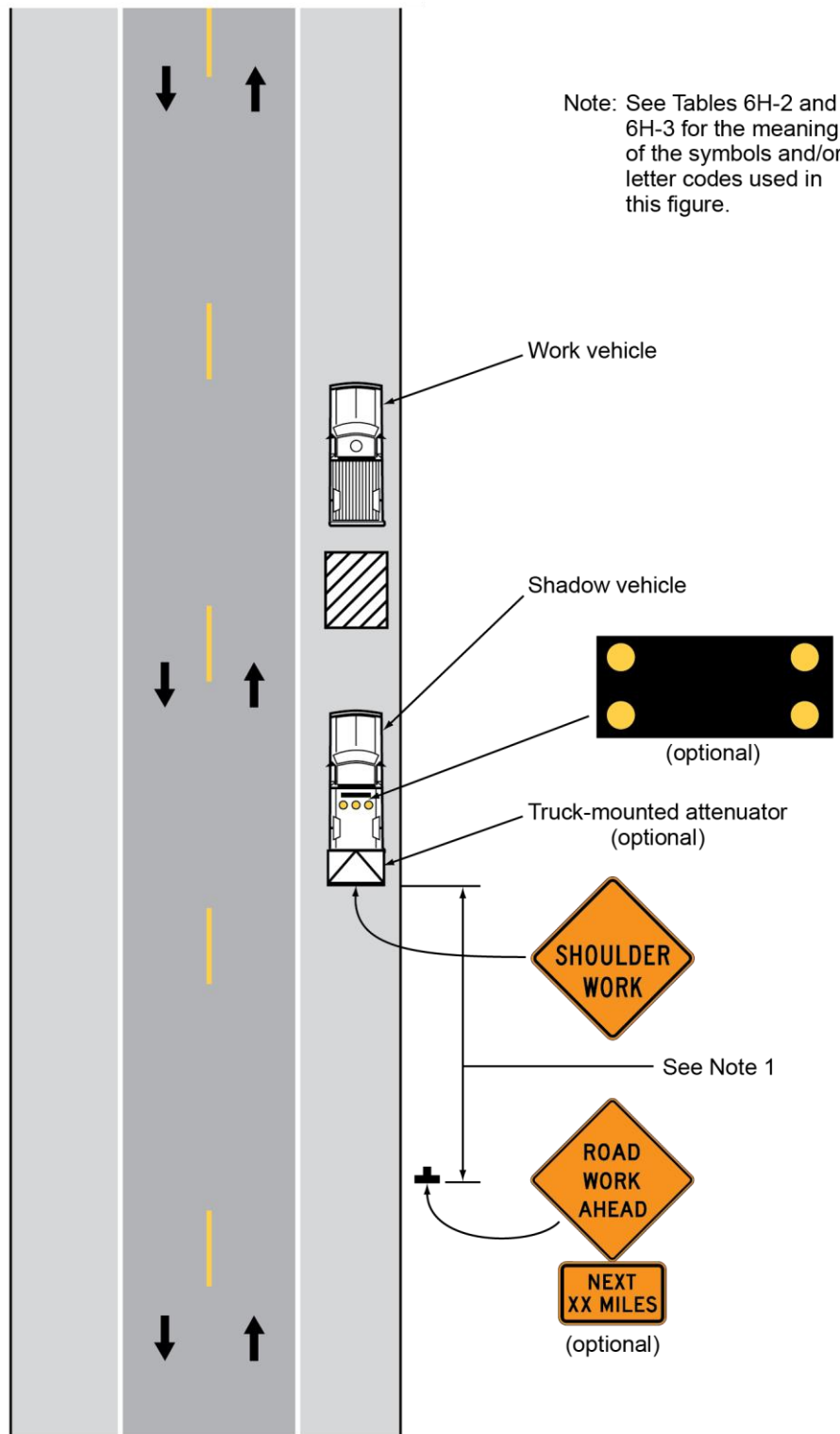
1. *In those situations where multiple work locations within a limited distance make it practical to place stationary signs, the distance between the advance warning sign and the work should not exceed 5 miles.*
2. *In those situations where the distance between the advance signs and the work is 2 miles to 5 miles, a Supplemental Distance plaque should be used with the ROAD WORK AHEAD sign.*

Option:

3. The ROAD WORK NEXT XX MILES sign may be used instead of the ROAD WORK AHEAD sign if the work locations occur over a distance of more than 2 miles.
4. Stationary warning signs may be omitted for short-duration or mobile operations if the work vehicle displays high-intensity rotating, flashing, oscillating, or strobe lights.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**
7. **If an arrow board is used for an operation on the shoulder, the caution mode shall be used.**
8. **Vehicle-mounted signs shall be mounted in a manner such that they are not obscured by equipment or supplies. Sign legends on vehicle-mounted signs shall be covered or turned from view when work is not in progress.**

Figure 6H-4. Short-Duration or Mobile Operation on a Shoulder (TA-4)**Typical Application 4**

Notes for Figure 6H-5—Typical Application 5
Shoulder Closure on a Freeway

Guidance:

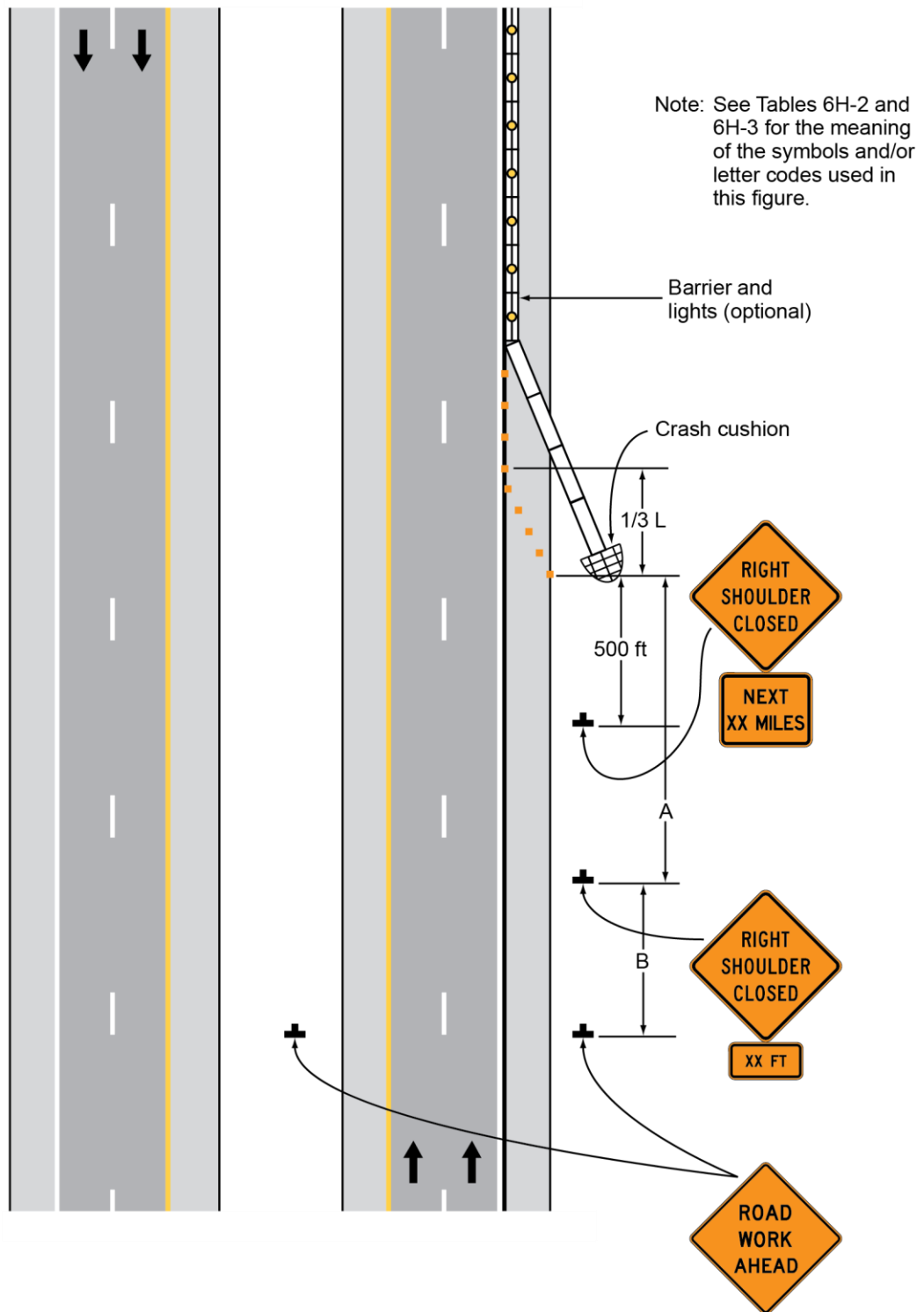
1. *SHOULDER CLOSED* signs should be used on limited-access highways where there is no opportunity for disabled vehicles to pull off the roadway.
2. *If drivers cannot see a pull-off area beyond the closed shoulder, information regarding the length of the shoulder closure should be provided in feet or miles, as appropriate.*
3. *The use of a temporary traffic barrier should be based on engineering judgment.*

Standard:

- 4. Temporary traffic barriers, if used, shall comply with the provisions of Section 6F.85.**

Option:

5. The barrier shown in this typical application is an example of one method that may be used to close a shoulder of a long-term project.
6. The warning lights shown on the barrier may be used.

Figure 6H-5. Shoulder Closure on a Freeway (TA-5)**Typical Application 5**

Guidance:

- 02- *Detours should be clearly signed over their entire length so that road users can easily use existing highways to return to the original highway.*

Support:

- 03- A diversion is a temporary rerouting of road users onto a temporary highway or alignment placed around the work area.

Section 6C.10 One-Lane, Two-Way Traffic Control*Standard:*

- 01- **Except as provided in Paragraph 5, when traffic in both directions must use a single lane for a limited distance, movements from each end shall be coordinated.**

Guidance:

- 02- *Provisions should be made for alternate one-way movement through the constricted section via methods such as flagger control, a flag transfer, a pilot car, traffic control signals, or stop or yield control.*
- 03- *Control points at each end should be chosen to permit easy passing of opposing lanes of vehicles.*
- 04- *If traffic on the affected one-lane roadway is not visible from one end to the other, then flagging procedures, a pilot car with a flagger used as described in Section 6C.13, or a traffic control signal should be used to control opposing traffic flows.*

Option:

- 05- If the work space on a low-volume street or road is short and road users from both directions are able to see the traffic approaching from the opposite direction through and beyond the worksite, the movement of traffic through a one-lane, two-way constriction may be self-regulating.

Section 6C.11 Flagger Method of One-Lane, Two-Way Traffic Control*Guidance:*

- 01- *Except as provided in Paragraph 2, traffic should be controlled by a flagger at each end of a constricted section of roadway. One of the flaggers should be designated as the coordinator. To provide coordination of the control of the traffic, the flaggers should be able to communicate with each other orally, electronically, or with manual signals. These manual signals should not be mistaken for flagging signals.*

Option:

- 02- When a one-lane, two-way TTC zone is short enough to allow a flagger to see from one end of the zone to the other, traffic may be controlled by either a single flagger or by a flagger at each end of the section.

Guidance:

- 03- *When a single flagger is used, the flagger should be stationed on the shoulder opposite the constriction or work space, or in a position where good visibility and traffic control can be maintained at all times. When good visibility and traffic control cannot be maintained by one flagger station, traffic should be controlled by a flagger at each end of the section.*

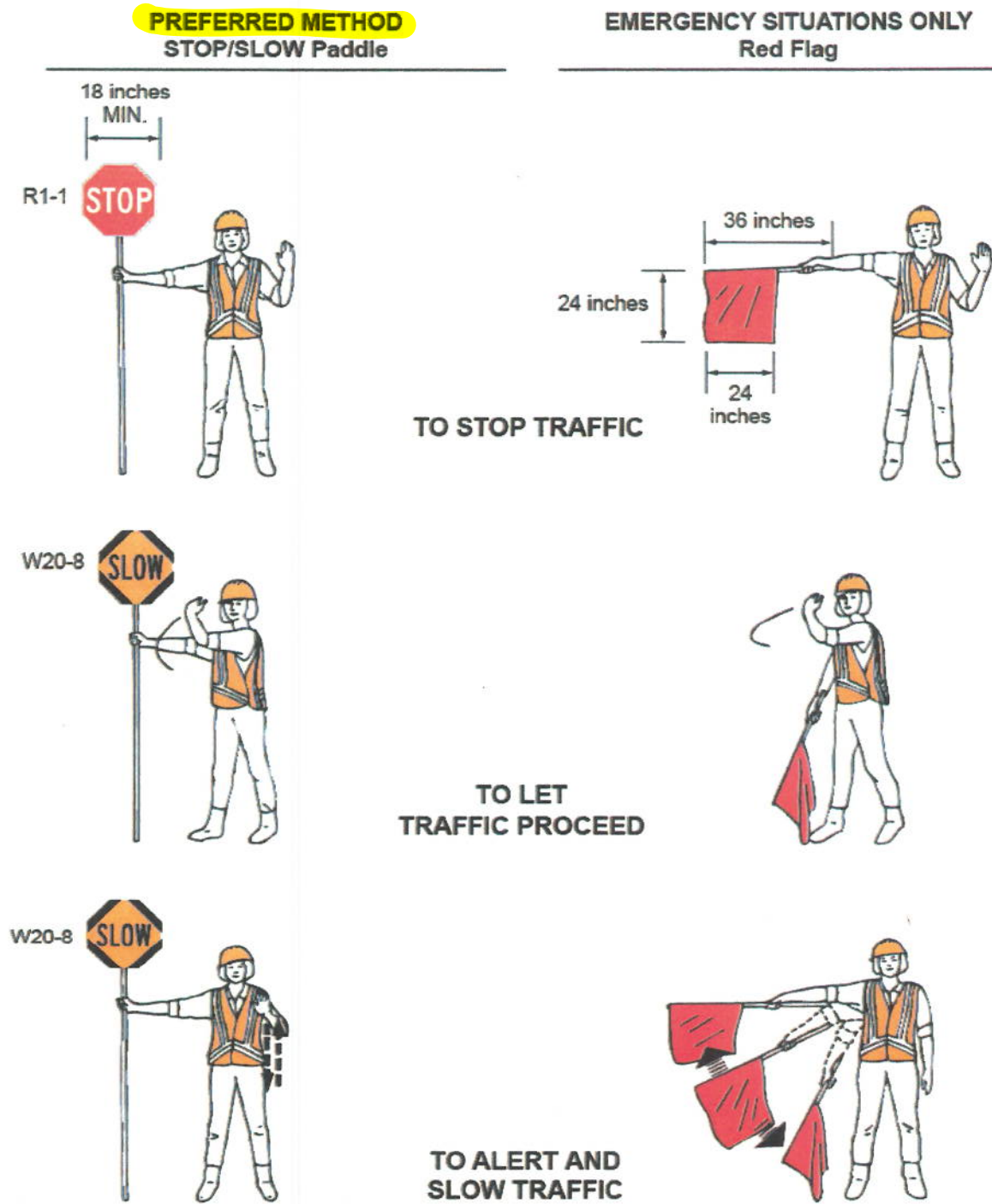
Section 6C.12 Flag Transfer Method of One-Lane, Two-Way Traffic Control*Support:*

- 01- The driver of the last vehicle proceeding into the one-lane section is given a red flag (or other token) and instructed to deliver it to the flagger at the other end. The opposite flagger, upon receipt of the flag, then knows that traffic can be permitted to move in the other direction. A variation of this method is to replace the use of a flag with an official pilot car that follows the last road user vehicle proceeding through the section.

Guidance:

- 02- *The flag transfer method should be employed only where the one-way traffic is confined to a relatively short length of a road, usually no more than 1 mile in length.*

Figure 6E-3. Use of Hand-Signaling Devices by Flaggers



Option:

- 02 The distances shown in Table 6E-1, which provides information regarding the stopping sight distance as a function of speed, may be used for the location of a flagger station. These distances may be increased for downgrades and other conditions that affect stopping distance.

Guidance:

- 03 *Flagger stations should be located such that an errant vehicle has additional space to stop without entering the work space. The flagger should identify an escape route that can be used to avoid being struck by an errant vehicle.*

Standard:

- 04 Except in emergency situations, flagger stations shall be preceded by an advance warning sign or signs. Except in emergency situations, flagger stations shall be illuminated at night.

Table 6E-1. Stopping Sight Distance as a Function of Speed

| Speed * | Distance |
|---------|----------|
| 20 mph | 115 feet |
| 25 mph | 155 feet |
| 30 mph | 200 feet |
| 35 mph | 250 feet |
| 40 mph | 305 feet |
| 45 mph | 360 feet |
| 50 mph | 425 feet |
| 55 mph | 495 feet |
| 60 mph | 570 feet |
| 65 mph | 645 feet |
| 70 mph | 730 feet |
| 75 mph | 820 feet |

* Posted speed; off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed

Notes for Figure 6H-13—Typical Application 13
Temporary Road Closure

Support:

1. Conditions represented are a planned closure not exceeding 20 minutes during the daytime.

Standard:

2. **A flagger or uniformed law enforcement officer shall be used for this application. The flagger, if used for this application, shall follow the procedures provided in Sections 6E.07 and 6E.08.**

Guidance:

3. *The uniformed law enforcement officer, if used for this application, should follow the procedures provided in Sections 6E.07 and 6E.08.*

Option:

4. A BE PREPARED TO STOP sign may be added to the sign series.

Guidance:

5. *When used, the BE PREPARED TO STOP sign should be located before the Flagger symbol sign.*

Figure 6H-13. Temporary Road Closure (TA-13)

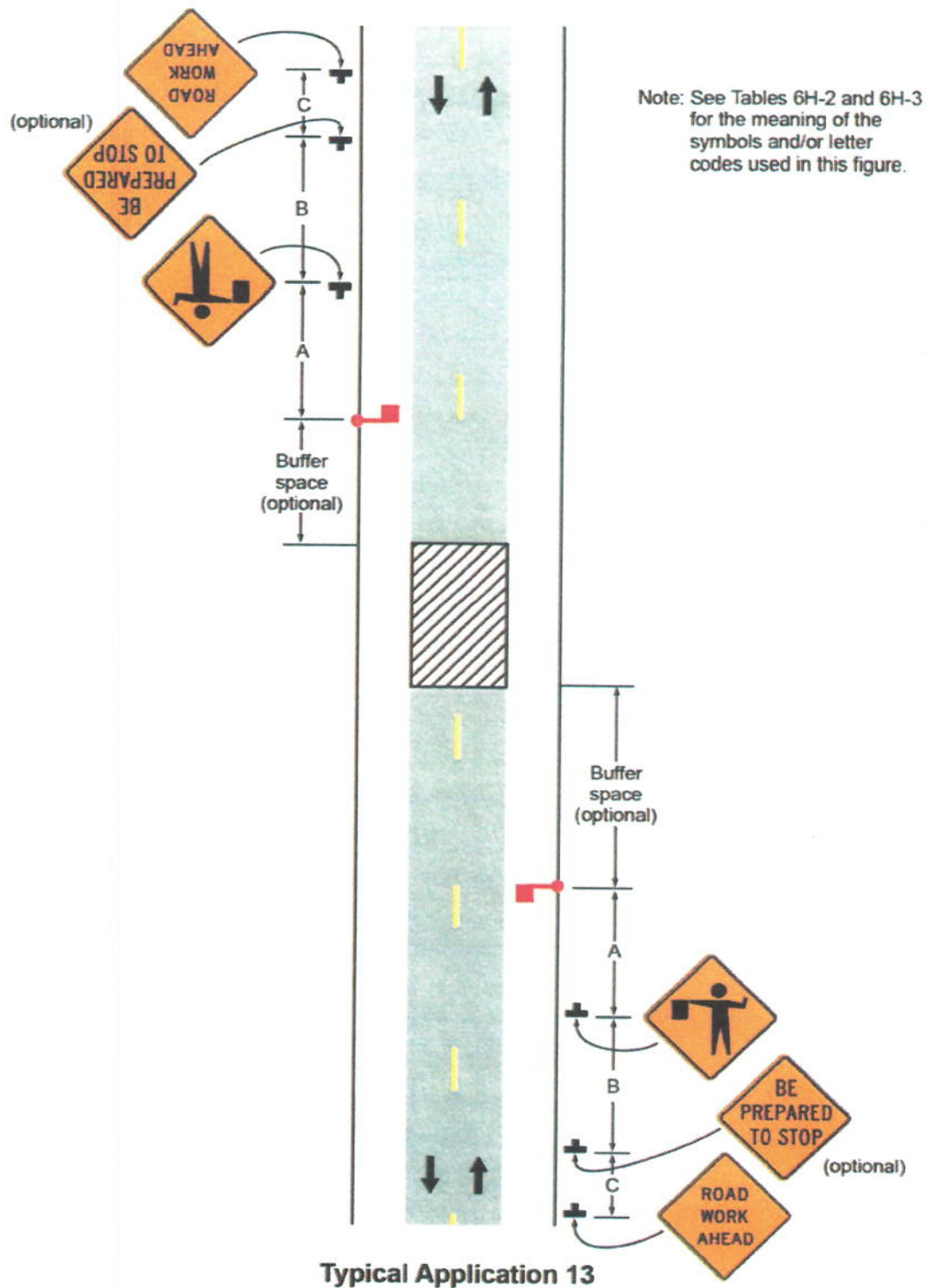


Table 6C-1. Recommended Advance Warning Sign Minimum Spacing

| Road Type | Distance Between Signs ** | | |
|----------------------|---------------------------|------------|------------|
| | A | B | C |
| Urban (low speed) * | 100 feet | 100 feet | 100 feet |
| Urban (high speed) * | 350 feet | 350 feet | 350 feet |
| Rural | 500 feet | 500 feet | 500 feet |
| Expressway / Freeway | 1,000 feet | 1,500 feet | 2,640 feet |

* Speed category to be determined by highway agency.

** The column headings A, B, and C are the dimensions shown in Figures 6H-1 through 6H-46. The A dimension is the distance from the transition or point of restriction to the first sign. The B dimension is the distance between the first and second signs. The C dimension is the distance between the second and third signs. (The "first sign" is the sign in a three-sign series that is closest to the TTC zone. The "third sign" is the sign that is furthest upstream from the TTC zone.)

04 On urban streets, the effective placement of the first warning sign in feet should range from 4 to 8 times the speed limit in mph, with the high end of the range being used when speeds are relatively high. When a single advance warning sign is used (in cases such as low-speed residential streets), the advance warning area can be as short as 100 feet. When two or more advance warning signs are used on higher-speed streets, such as major arterials, the advance warning area should extend a greater distance (see Table 6C-1).

05 Since rural highways are normally characterized by higher speeds, the effective placement of the first warning sign in feet should be substantially longer—from 8 to 12 times the speed limit in mph. Since two or more advance warning signs are normally used for these conditions, the advance warning area should extend 1,500 feet or more for open highway conditions (see Table 6C-1).

06 The distances contained in Table 6C-1 are approximate, are intended for guidance purposes only, and should be applied with engineering judgment. These distances should be adjusted for field conditions, if necessary, by increasing or decreasing the recommended distances.

Support:

07 The need to provide additional reaction time for a condition is one example of justification for increasing the sign spacing. Conversely, decreasing the sign spacing might be justified in order to place a sign immediately downstream of an intersection or major driveway such that traffic turning onto the roadway in the direction of the TTC zone will be warned of the upcoming condition.

Option:

08 Advance warning may be eliminated when the activity area is sufficiently removed from the road users' path so that it does not interfere with the normal flow.

Section 6C.05 Transition Area

Support:

01 The transition area is that section of highway where road users are redirected out of their normal path. Transition areas usually involve strategic use of tapers, which because of their importance are discussed separately in detail.

Standard:

02 When redirection of the road users' normal path is required, they shall be directed from the normal path to a new path.

Option:

- 03 Because it is impractical in mobile operations to redirect the road user's normal path with stationary channelization, more dominant vehicle-mounted traffic control devices, such as arrow boards, portable changeable message signs, and high-intensity rotating, flashing, oscillating, or strobe lights, may be used instead of channelizing devices to establish a transition area.

Section 6C.06 Activity Area

Support:

- 01 The activity area is the section of the highway where the work activity takes place. It is comprised of the work space, the traffic space, and the buffer space.
- 02 The work space is that portion of the highway closed to road users and set aside for workers, equipment, and material, and a shadow vehicle if one is used upstream. Work spaces are usually delineated for road users by channelizing devices or, to exclude vehicles and pedestrians, by temporary barriers.

Option:

- 03 The work space may be stationary or may move as work progresses.

Guidance:

- 04 *Since there might be several work spaces (some even separated by several miles) within the project limits, each work space should be adequately signed to inform road users and reduce confusion.*

Support:

- 05 The traffic space is the portion of the highway in which road users are routed through the activity area.
- 06 The buffer space is a lateral and/or longitudinal area that separates road user flow from the work space or an unsafe area, and might provide some recovery space for an errant vehicle.

Guidance:

- 07 *Neither work activity nor storage of equipment, vehicles, or material should occur within a buffer space.*

Option:

- 08 Buffer spaces may be positioned either longitudinally or laterally with respect to the direction of road user flow. The activity area may contain one or more lateral or longitudinal buffer spaces.

- 09 A longitudinal buffer space may be placed in advance of a work space.

- 10 The longitudinal buffer space may also be used to separate opposing road user flows that use portions of the same traffic lane, as shown in Figure 6C-2.

- 11 If a longitudinal buffer space is used, the values shown in Table 6C-2 may be used to determine the length of the longitudinal buffer space.

Support:

- 12 Typically, the buffer space is formed as a traffic island and defined by channelizing devices.

- 13 When a shadow vehicle, arrow board, or changeable message sign is placed in a closed lane in advance of a work space, only the area upstream of the vehicle, arrow board, or changeable message sign constitutes the buffer space.

Table 6C-2. Stopping Sight Distance as a Function of Speed

| Speed * | Distance |
|---------|----------|
| 20 mph | 115 feet |
| 25 mph | 155 feet |
| 30 mph | 200 feet |
| 35 mph | 250 feet |
| 40 mph | 305 feet |
| 45 mph | 360 feet |
| 50 mph | 425 feet |
| 55 mph | 495 feet |
| 60 mph | 570 feet |
| 65 mph | 645 feet |
| 70 mph | 730 feet |
| 75 mph | 820 feet |

* Posted speed, off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed

4-2-1

Parcel: C06-035160

Parcel ID: C06-035160

Property Address: SR 41 W

Owner: M-D INVESTMENTS INC

Sale Price: 67,500.00

Sale Date: 5/27/2008

View Parcel on

[Miami County Auditor](#)

[Zoom to](#) [Dock](#) [Report](#) [Measure](#)
[Comparable Sales](#)

TRANSFER NOT NECESSARY
Oct 1, 20 20
MATTHEW W. GEARHARDT, AUDITOR
MIAMI COUNTY, OHIO

REVIEW NOT REQUIRED
MIAMI COUNTY ENGINEER
BY SB DATE 10/1/20



8 1 6 9 4 2 9
Tx:4082957

MIAMI COUNTY RECORDER
JESSICA A LOPEZ
20200R-14245
PRESENTED FOR RECORD
MIAMI COUNTY, TROY, OHIO
10/01/2020 01:02:08 PM
REFERENCES 0
RECORDING FEE 42.00
PAGES: 3

DPPL em/3

**THE DAYTON POWER AND LIGHT COMPANY
GRANT FOR ELECTRIC RIGHT OF WAY AND EASEMENT**

Know all men by these presents that **M-D Investments, Inc.** (hereinafter "Grantor"), for valuable consideration provided by **THE DAYTON POWER AND LIGHT COMPANY**, an Ohio Corporation (hereinafter "Grantee"), does hereby grant to the Grantee, its successors and assigns forever, a Right of Way and Easement for any and all purposes for which electric energy is now or may hereafter be used, and also, to construct, reconstruct, erect, add to, operate, maintain, use, remove, replace either overhead or underground electric facilities consisting of poles, lines, wires, cables, grounding systems, communication circuits, fiber optic cables, equipment, and all other necessary and incidental appurtenances contained in, over, upon, under and through, subject to the conditions hereinafter on the following premises, viz:

Situate in the Southwest Quarter of Section 12, Town 7 N, Range 5 E, Concord Township, Miami County, Ohio, and being an 10.010 acre tract conveyed to **M-D Investments, Inc.** by General Warranty Deed as recorded in Deed Volume 794, Page 920 in the deed records of said county.

Parcel ID: C06-035160

Said Right of Way and Easement shall be **THIRTY-SEVEN AND ONE HALF (37.5)** feet in width and shall be approximately along the following course identified on Exhibit "A" attached hereto and made a part hereof.

The Grantee, its successors and assigns, its agents, contractors and employees shall have the right of ingress and egress over the right of way of the Grantor for all purposes previously stated, together with the right to trim, cut, and remove or otherwise control trees, roots, undergrowth or overhanging branches or other obstructions within the limits of the right of way and easement which according to the Grantee's standards and its opinion may interfere with the construction, maintenance, use or successful operation of the electric facilities.

No buildings or other structures shall be erected within the limits of the said Right of Way and Easement by the Grantor. No excavating or filling shall be done or be permitted by the Grantor within Right of Way and Easement that would either (A) reduce or add to the distance between the Grantee's facilities and the land surface without the Grantee's prior written consent and which consent will not be unreasonably withheld, (B) impair the Grantee's ability to maintain the facilities or (C) create a hazard.

The Grantor shall have the right to use the land within the easement area in any manner not inconsistent within this grant for Right of Way and Easement.

The Grantee, its successors and assigns, shall reimburse the Grantor for any damage or loss to growing crops and other property damages that may be caused by the Grantee, its agents, contractors or employees in construction, repair or removal of said electric facilities.

The Grantor covenants with the Grantee, that it is the true and lawful owner of the property herein described and has full power and authority to grant this Right of Way and Easement.

The grant of right of way and easement shall run with the land and be binding on and inure to the benefit of the parties, their heirs, successors, and assigns.

The Grantee, its successors and assigns, does hereby fully protect, indemnify and save harmless the Grantor, its successors and assigns, from and against any and all claims, demands, and liabilities to employees and contractors of the Grantee, its successors and assigns, arising from Grantee's exercise of the rights granted to it pursuant to this agreement, except when due to the negligence of the Grantor, its successors and assigns, employees or contractors.

As used herein, words in plural number include words in the singular number.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name this 23rd day of SEPTEMBER 2020.

GRANTOR:

M-D Investments, Inc

Name: M. Shah

Print: MAYANK SHAH

Title: TREASURER

STATE OF OHIO)

COUNTY OF Miami)

The foregoing instrument was acknowledged before me this 23 day of September, 2020, by Samantha Snider, an authorized representative of Fifth Third Bank.

Samantha Snider
NOTARY PUBLIC

This Instrument Prepared By:
Real Estate Services Department
The Dayton Power and Light Company
1900 Dryden Rd.
Dayton, OH 45439
Project Number Misc 2020



SAMANTHA SNIDER
Notary Public, State of Ohio
My Commission Expires
July 28, 2024

6301-MD

20F 2
9-23-2020 (MS)

EXHIBIT A
PROJECT NO: MISC 2020



N.T.S.

RONALD D. JACKSON, T.O.D. ~ O.R. 20150R-03046
(41.1813 ACRES) ~ PAR ID: C06-034800

SARA E. DURHAM
D.B. 664, PG. 776
(10.942 ACRES)
PAR ID: C06-034750

C/L 37.5' x 1488.3'
DP&L EASEMENT
(18.75' EAST OF
AND PARALLEL TO
PROPERTY LINE)

M-D INVESTMENTS, INC.
D.V. 794, PG. 920
(10.010 ACRES)
PAR ID: C06-035160

R/W
EST. RT. 41
(60' R/W)
30' R/W

Enclosure 5
Ohio Department of Transportation Approved Permit No.7-019-22

MR 509
Permit No. 7-019-22

Use Only

State of Ohio
Department of Transportation
Permit

County: MIA
Rte: SR 55
Log Pt: 5.10
Acc Cat: 3

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name: AES Ohio; Andrew Schieltz
Address: 1900 Dryden Road Dayton, OH 45439
Company Phone: (937) 331-4032

Is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or attached to this permit.

Utility - / Temporary Construction Dr.

Description of Work: Installing two new steel structures carrying 138KV transmission line conductor over Ohio State Route 48 and State Route 55. The lowest wire at this crossing has at least 34 feet of clearance to the road centerline. Work is expected to start 10/15/2021 and work is to be completed 09/30/2023.

[2] This permit shall be in the possession of employees /agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

Contact ODOT Representative 3 days before work begins, also contact ODOT Representative when work is completed for final inspection.

Failure to notify the ODOT Representative could result in work stoppage!

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

ODOT Representative: Chuck Craun
Permit Tech II
Phone: (937) 497-6947

NOTE: Any work performed by the permittee may be stopped if this requirement is not met.

[4] Prior to any excavation in the highway right-of-way, the Ohio811, <https://www.oups.org/excavators>, must be contacted in accordance with ORC Section 3781.25 to 3781.32. Ohio811 can be reached at 1-800-362-2764 or 811.

[5] If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to mark as described, will result in the Department of Transportation being held harmless and no reimbursement for damage to your property.

[6] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[7] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to and including removal of the installation at the permittee's expense.

[8] Performance Bond Required? No: XXXX Company: N / A

[9] This permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 01/13/2023

Dated 01/13/2022

Rev 5/6/2021

**General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)**

- [1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
- [2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation and within the time determined by the Director. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.
- [3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
- [4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.
- [5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.
- [6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.
- [7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.
- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.

[9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee. Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.

[10] Any damage to ODOT or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to ODOT property are needed that cannot be performed by the permittee or permittee's agent or contractor, ODOT shall cause the repairs to be performed at the sole cost of permittee.

[11] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.

[12] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.

[13] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.

[14] All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.

[15] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.

[16] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.

[17] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:

(1) No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.

(2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.

(3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT— Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(4) In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate

the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

This permit is granted subject to the following attached conditions:

Permittee will be stringing new power lines across the highway from the north r/w across to the south R/W. Two new steel high tension poles will be installed as well. Proposed work will also include installing two temporary construction drive.

All poles, pedestals, vaults, manholes shall be placed within 1' inside State Right of Way. All above ground facility installations shall be marked with a fluorescent colored marker that corresponds with the universal OUPS Color Code.

Guy wires must be marked a fluorescent yellow. Marker must be no shorter than 6' in height and utility owner must maintain marker. Failure to follow these requirements will result in no reimbursement for damage to utility property from ODOT.

Highway shall be kept free of mud and debris at all times.

PERMITTEE SHALL CONTACT CHUCK CRAUN, PERMIT TECH II; 937-497-6947, AT LEAST 2 DAYS PRIOR TO WORK.

***** A copy of this permit shall always be located at the project location. *****

NOTE: ALL WORK SHALL MEET OR EXCEED NESC STANDARDS, GUIDELINES, & POLICIES.

NOTE: PERMITTEE IS RESPONSIBLE FOR ALL CLEAN OUT WORK TO KEEP THIS INSTALLATION IN OPERATING CONDITION.

NOTE: PERMITTEE SHALL BE RESPONSIBLE FOR ANY & ALL UTILITY INSTALLATIONS / RELOCATIONS AS A RESULT OF THIS WORK.

NOTE: EQUIPMENT AND MATERIALS SHALL NOT BE STORED WITHIN THE STATE R/W.

NOTE: MINIMUM VERTICAL CLEARANCE FROM CENTERLINE OF PAVEMENT SURFACE OR PRIVATE DRIVEWAYS TO AERIAL CROSSING IS TO BE 18'.

NOTE; ANCHORS SHALL BE IN -LINE WITH THE POLE ROUTE OR SET AWAY FROM THE STATE HIGHWAY; NO ANCHORS SHALL BE SET BETWEEN THE POLE AND THE STATE HIGHWAY.

NOTE: ALL DISTURBED EARTH SHALL BE REPLACED, COMPACTED, AND RESHAPED TO ITS ORIGINALCROSS-SECTION AND THEN RE-SEED IT TO THE SATISFACTION OF THE DIRECTOR OF TRANSPORTATION OR HIS AGENT.

NOTE; TRAFFIC CONTROL SHALL BE PERFORMED AS PER THE LASTEST OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, OMUTCD.

***** **NOTE:** Temporary construction drive shall be completely removed & the property / R/W restored. *****

(the remainder of this page is left blank intentionally)

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

1/21/2022 10:52:33 AM

in

Case No(s). 18-1259-EL-BTX

Summary: Notification of ODOT Temporary Construction Driveways & Utility
Crossing Permits for West Milton- Eldean 138kV Line electronically filed by Ms.
Sarah Howdeshelt on behalf of The Dayton Power and Light Company