



NAVARRO COUNTY ROAD AND BRIDGE DEPARTMENT
NAVARRO COUNTY COURTHOUSE
300 W. 3RD AVE.
CORSICANA, TEXAS 75110

Response to
Notice of Intent to Place Solid Object in County Right-of-Way

Location: _____ Precinct#: _____

1. Identification of Company and Location

1.1 On the _____ day of _____, 20__ NAVARRO COUNTY does hereby acknowledge:

Company Name: GoodAlta Power Center, LLC

Company Address: 4605 Post Oak Place, Ste 270, Houston, TX 77027

Phone: (713) 859-9770 Fax: _____

Email: mlaterza@altapowerdev.com Website Address: _____

Construction Co. (Name if other than above): _____

Construction Co. (Phone # & Representative): _____

GoodAlta Power Center, LLC, hereinafter identified as COMPANY, intends to lay or place an object described as overhead medium voltage electric line for the purpose of operating a utility-scale photovoltaic power generation facility at the specified LOCATION EXHIBIT A, being an area of right-of-way adjacent to certain roadway(s) of NAVARRO COUNTY.

1.2 After review of the Notice of Intent to Place Solid Object in County Road Right-of-Way (hereinafter CR ROW or ROW), Navarro County finds:

1.2.1 _____ The structure or object is not likely to present a hazard or interfere with the use or maintenance of the County Road Right-of-Way.

1.2.2 _____ The structure or object does **present a hazard or interfere with the use or maintenance of the County Road Right-of-Way.**

Specifically describe the hazard or interference: _____

2. Inspection

2.1 COMPANY assumes the duty to inspect the CR ROW and adjacent area on which it will be placing objects or structures prior to initiating actual operations.

2.2 Prior to initiating any object emplacement operations, or other activities, COMPANY shall make a detailed inspection of the roadway, culverts, bridges, and appurtenances thereto, and note any such structures which are, or appear to be, damaged and describe the damage thereto. Prior to COMPANY initiating object emplacement operations, a detailed report of such inspection shall be delivered to the NAVARRO COUNTY COMMISSIONERS OFFICE to avoid any claim that Company damaged the roadway, culverts, bridges, and appurtenances.

3. Damages

3.1 NAVARRO COUNTY may seek compensation for all damages or losses caused to NAVARRO COUNTY including but not limited to damage to roadways, culverts, fences, bridges, or other structures, which result directly, or indirectly from COMPANY'S operations upon the roads or roadways of NAVARRO COUNTY.

The County Commissioner of said Precinct may require the COMPANY to file a bond for road repairs and damage repairs in the amount the Commissioner determines to cover damage costs for said job. Upon completion of construction at a road crossing or parallel construction in the Right-of-way, contractor will notify the Commissioner so an inspection can be made.

3.2 NAVARRO COUNTY is not liable to any employee, subcontractor, assignee or any other person and or entity based upon any claim arising or alleged to arise from any harm or damage that may occur before, during or after the object emplacement operations by COMPANY on the roadways or ROW of NAVARRO COUNTY as a result of the object emplacement operations or incidental to the object emplacement operations.

3.3 COMPANY shall indemnify, defend, and hold Navarro County harmless from any obligation or claim for damages that may be alleged or any costs or expenses, including but not limited to, reasonable attorneys' fees arising from the COMPANY's emplacement of the object in the right-of-way which Navarro County may incur, or any claims Navarro County may be legally required to pay resulting from damages caused by the installation contemplated by this agreement.

3.4 COMPANY shall indemnify, defend, and hold Navarro County harmless at any future date for accidental damages to the above ground and/or buried utilities by road working equipment such as motor graders, posthole diggers, shredders, brush cutters, drainage ditch clearing equipment, etc. In the event such damages should occur, the COMPANY will be notified immediately.

4. No Authority

4.1 NAVARRO COUNTY does not authorize or purport to have any authority to authorize emplacement of objects on lands under or adjoining the roads and rights of way in NAVARRO COUNTY which are not owned by NAVARRO COUNTY. COMPANY MUST OBTAIN AN EASEMENT, LEASE OR OTHER PROPERTY RIGHT FROM THE PERSON WHO OWNS THE PROPERTY UPON WHICH COMPANY SEEKS TO EMLACE AN OBJECT OR STRUCTURE. This "Acknowledgement of Notice" is only for the emplacement of objects along the roadways of NAVARRO COUNTY. Any actions on the part of COMPANY which creates any liability or affects the rights of the holders of any property and or mineral interests shall be solely the responsibility of COMPANY.

5. Safety Provisions

- 5.1 No activity shall be conducted in any area that may result in any damage to the pavement, drainage area or shoulder or other portions of the county road facility.
- 5.2 All objects or structures must be located so that they do not create a hazardous condition for the traveling public and adjacent land owners. All emplaced objects must be securely anchored.
- 5.3 Adequate signs, barricades, flares, flagmen, and safety devices shall be utilized by COMPANY during the installation of objects and structures
- 5.4 COMPANY shall take reasonable steps to insure the safety of persons traveling on or along the roads where the Company is installing objects or structures.
- 5.5 COMPANY shall not block or impede traffic on the roads on which the Company is installing objects or structures.
- 5.6 All equipment shall be parked and/or operated using one side of the roadway only.
- 5.7 Construction activity is prohibited when the ground conditions are such that operations within the right-of-way would cause rutting and/or tracking of mud onto the roadway surface, or would damage the drainage areas or roadways.
- 5.8 COMPANY shall restore the right-of-way to its original condition, free of damage, including repair of ruts or any other structural or environmental damage caused by the activity. The COMPANY in consideration of the approval of this request by the Navarro County Commissioners Court does hereby agree, upon completion of the placement of the utilities as set forth in this request, to return the county road, its right-of-way and any improvements or additions to a condition which, in the opinion of the County Commissioner, equals or exceeds the condition in which said county road or right-of-way prior to the time construction started.
- 5.9 Any costs incurred by NAVARRO COUNTY for the replacement of signs, delineators or other road or traffic features, or for the removal of debris, or for any other necessary restoration work performed by the County to place the right-of-way into a condition equal to the condition of the right-of-way prior to the COMPANY'S activity will be responsibility of COMPANY.

6. No Property Right Created

- 6.1 This Notice / Acknowledgement does NOT create a property right or interest in COMPANY.

7. FEES (IF APPLICABLE)

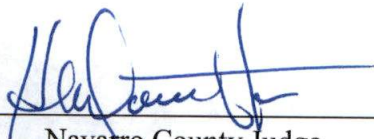
- 7.1 Company is hereby assessed a yearly fee in the amount of _____ for being allowed to place the structures or objects in the CR ROW.

8. MOVING AND REMOVAL

- 8.1 Company hereby agrees that if requested by the County, in its sole discretion, the object or structure needs to be moved, Company will, at its sole cost, move the object or structure from the location where it is installed. If the object or structure is moved, County agrees to use reasonable efforts find another, suitable location to relocate it to.

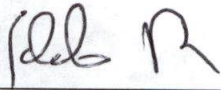
Acknowledgment of location

For NAVARRO COUNTY:



Navarro County Judge

DATE: 3-27-23



Commissioner, Precinct 2

DATE: 3-22-2023

ACCEPTED BY THE COMPANY

DATE: _____



NAVARRO COUNTY ROAD AND BRIDGE DEPARTMENT
NAVARRO COUNTY COURTHOUSE
300 W. 3RD AVE.
CORSICANA, TEXAS 75110

Notice of Intent to Place Solid Object in County Right-of-Way

A. Placement of Object in Right-of-Way

A.1 This Notice shall be completed and submitted to the Navarero County Commissioners Office by any company, including Public Utility Companies and Telecommunications Companies, seeking to place structures, including utility structures, in a County Road Right-of -Way (hereinafter CR ROW or ROW).

A.2 Navarero County is authorized by law to construct, regulate and maintain county road rights-of-way and associated drainage and support areas.

A.3 Certain utilities are granted statutory authority to utilize those rights-of-way. Other companies who are not granted such authority nonetheless desire to utilize those rights of way. The use of the rights-of-way by all such companies is subordinate to the public's use of the rights-of-way and the safe operation and maintenance of roadways and necessary appurtenances. Navarero County seeks to ensure that companies seeking to utilize the rights of way for legitimate purposes do not create a hazard for the traveling public who utilize the roadways or create an impediment to the operation or maintenance of the county road rights of way.

A.4 All such companies are precluded from placing pipelines, telephone lines, telephone poles and other structures and objects in the county road rights of way in such a manner that it interferes with the construction, operation or maintenance of the roadway and right of way. Navarero County may require that an object which has the potential to interfere with the construction, operation or maintenance of the roadway or ROW be moved at the expense of the person or company that placed the object in the right of way. In order to establish an efficient way to regulate the placement of structures objects in the rights of way, and to minimize the risk of an object or structure creating a hazard or interfering with the maintenance of operation of a CR ROW the person, entity or company identified below is required to provide this **Notice of Intent to Place Solid Object in County Right-of-Way** (hereafter "Notice".)

A.5 Please include a map clearly marking the affected Right-Of-Way area with each application. The map should be marked and identified as "**Location Exhibit A.**"

A.6 Please mail or hand deliver the notice to:

Navarero County Commissioners Office
300 W. 3rd Avenue, Suite 2
Corsicana, Texas 75110.

You will be provided with a response to let you know the Notice has been received.

A.7 On the front page "description of work" block, please fully describe the work you want to perform and include a 24-hour contact phone number on page 2.

A.8 Be prepared to pay the fee, if applicable.

B. Right-of-Way Location Information

B.1 For COMPANY:

Company Name: GoodAlta Power Center, LLC

Company Address: 4605 Post Oak Place, Ste 270, Houston, TX 77027

Phone: (713) 859-9770 Fax: _____

Email: mlaterza@altapowerdev.com Website Address: _____

Construction Co. (Name if other than above): _____

Construction Co. (Phone # & Representative): _____

GoodAlta Power Center, LLC, hereinafter identified as COMPANY, intends to lay or place an object described as overhead medium voltage electric line

for the purpose of operating a utility-scale photovoltaic power generation facility

at the specified areas of rights-of way adjacent to certain roadways of NAVARRO COUNTY. Such object or equipment or maintaining of such object or equipment and associated activities is hereinafter identified as "object emplacement". Location of said object emplacement is shown or described in **LOCATION EXHIBIT "A"** which is attached hereto and incorporated herein for all purposes.

B.2 DESCRIPTION OF WORK TO BE PERFORMED: construction of an overhead medium voltage electric

line within the right-of-way of County Road 4060. Work will be performed in general accordance with

construction documents to be prepared and submitted to the County at a later date.

Signature

Date: _____

Matthew Laterza
Printed Name - Authorized Agent of
Company

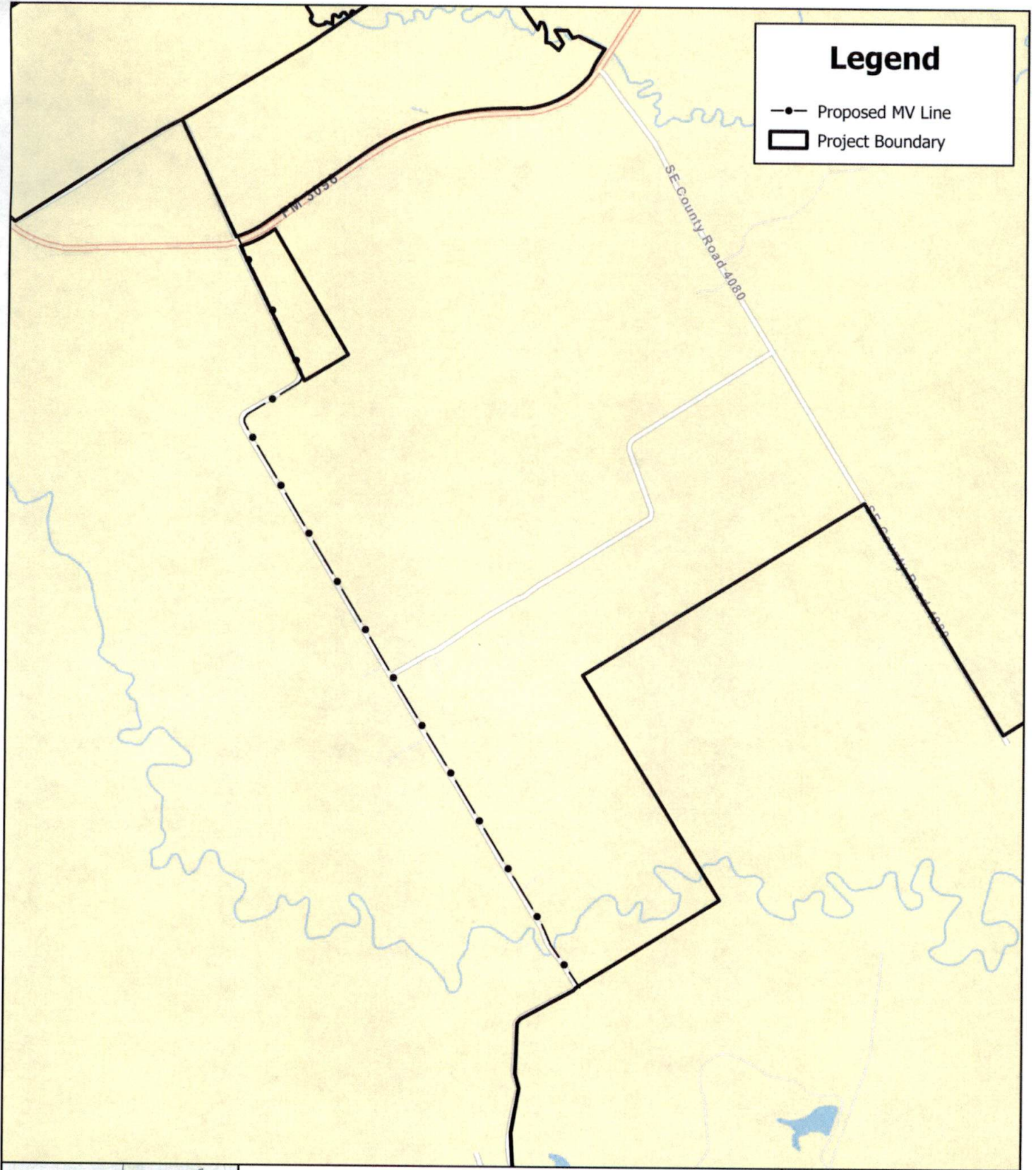
(713) 859-9770
**24 Hour Emergency Phone Number
Required**

Instructions for sending “**Response to Notice**” to Company: Send via email to mlaterza@altapowerdev.com

Response to Notice (RTN)

C.1 Navarro County Commissioners Office will provide a “**Response to Notice**” (RTN) within 21 days of the County’s receipt of the notice to inform the Company whether the County believes the structure or object presents a hazard or *interferes with the use or maintenance of* the CR ROW.

C.2 Following review of the Notice, Navarro County will mail, fax or email you the **Response to Notice** unless you instruct us otherwise. Please add those instructions to the bottom of the signature area of **page 3**.



Legend

- Proposed MV Line
- ▭ Project Boundary



Exhibit A

Esri, NASA, NGA, USGS, Baylor University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, Baylor University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

2023

Coordinate System: NAD 1983 StatePlane Texas North Central FIPS 4202 Feet

N

0 0.15 0.3
Miles

0 0.33 0.65
Kilometers