

**THE TENNESSEE DEPARTMENT OF TRANSPORTATION
PERMIT TO LOCAL GOVERNMENT FOR LANDSCAPING
WITHIN HIGHWAY RIGHT-OF-WAY**

The State of Tennessee, Tennessee Department of Transportation ("TDOT") hereby grants this special permit for the use of State property to install and maintain landscaping under the following terms and conditions:

PERMITTEE: City of Crossville
392 N Main Street
Crossville, TN 38555

CONTACT: Bruce Anderson – 931-260-8746
Valerie Hale – 931-484-7060

AUTHORIZED USE: Install and maintain landscaping in accordance with descriptive photos dated March 7, 2016, attached hereto as Attachment "A" and incorporated by reference.

LOCATION OF PREMISES AS SHOWN ON 'ATTACHMENT "A"': Interstate 40 Cumberland County at: Eastbound Off-Ramp Exit 320, Eastbound On-Ramp Exit 320, Eastbound Off-Ramp Exit 322, Eastbound On-Ramp Exit 322, Westbound Off-Ramp Exit 322, Westbound On-Ramp Exit 322, Westbound Off-Ramp Exit 320, Westbound On-Ramp Exit 320, Westbound Off-Ramp Exit 317, and Westbound On-Ramp Exit 317.

PLANTING: Initial landscaping must be completed by May 15, 2016. Wooden stakes shall be utilized, if needed, as support for the planted trees and is the only approved item to be utilized.

TERMS AND CONDITIONS

1. PERMITTEE shall assume all liability for third-party claims for damages arising from its use of the Premises. All volunteers involved shall sign liability releases to be kept by PERMITTEE, with copies to be provided upon request to TDOT.

2. Prior to commencing the work authorized herein, PERMITTEE shall obtain any other permits or approvals required by federal, state or local laws, and shall notify any

utility company affected by this project. PERMITTEE shall be financially responsible for any relocation or replacement of such utilities.

3. Prior to commencing the work authorized herein, PERMITTEE shall notify Tennessee One Call regarding any excavation(s) and shall ensure that the provisions of TCA 65-31-101 et seq. are met.

4. Access to the Premises shall only be at those points that have been previously approved by TDOT. Equipment and vehicles shall be confined to unpaved portions of the Premises.

5. PERMITTEE shall not cut any tree or similar vegetation that has a trunk over four inches in diameter, except for dead and dying trees currently in median.

6. PERMITTEE shall not cut any flowering trees regardless of size.

7. All work on the premises shall be performed in compliance with current TDOT Standard Specifications for Road and Bridge Construction, TDOT Landscape Design Guidelines and TDOT Standard Drawings, in addition to applicable federal, state and local laws and regulations. PERMITTEE shall indemnify TDOT and hold it harmless from any losses, including but not limited to fines, penalties and attorney's fees, that TDOT incurs as a result of PERMITTEE'S failure to so comply.

8. PERMITTEE must obtain prior, written approval from TDOT before deviating from the scope of the project or the manager of its construction as described in this permit, including attachments.

9. At no time will work authorized by this permit interfere with the normal flow of traffic on roadways adjoining the Premises. PERMITTEE is responsible for coordinating traffic control for this work zone with the TDOT according to the requirements of the

current *Control Manual on Uniform Traffic Devices*. If proper traffic control is not in place, TDOT may order PERMITTEE to stop work until proper traffic control is put in place.

10. While maintenance is underway, TDOT may conduct inspections to insure compliance with this Permit. Upon completion of the project, PERMITTEE shall notify TDOT so that the project may be inspected and approved by TDOT.

11. PERMITTEE shall be liable for any damage to state property resulting from the subject work, including but not limited to, the roadway, shoulders, guardrail, drainage, landscaping, signs and controlled-access fences. All repair or replacement of such damage shall be made in accordance with the current TDOT Standard Drawings and any Specifications for Road and Bridge Construction, TDOT Standard Drawings and any other applicable design and/or construction standards or guidelines.

12. PERMITTEE shall keep all debris, soil, refuse or waste of any kind associated with the project from accumulating within the highway right-of-way.

13. Nothing in the Permit shall be construed to limit TDOT's right to enter the Premises at any time.

14. If the PERMITTEE fails to comply with any of the foregoing conditions, TDOT shall have the right to revoke this permit, and require the immediate vacation of the Premises by the PERMITTEE. The parties further understand and agree that this Permit is subject to suspension or revocation by the Department without liability whenever necessary for the conduct of maintenance or construction work to be performed by the Department. In the event of revocation, PERMITTEE must restore the Premises to its original condition. If PERMITTEE fails to do so within a reasonable time after revocation, TDOT may restore the Premises at the expense of the PERMITTEE.

15. The parties understand and agree that the Applicant shall be responsible for maintenance of the completed installed landscaping and shall be responsible for the continuation of the aesthetics of the completed landscaped area including, without limitation, the replacement of landscaping within and regular maintenance of said area; otherwise, on written notification by the Department, the landscaping will be removed and said area restored to its former condition in a timely manner, all at the expense of the PERMITTEE.

16. This permit is non-transferable.

17. This permit shall not be construed as a conveyance of any interest in real property.

18. All notices required to be given to TDOT under this Permit shall be sent to:

Christopher Starr
2472 Highway 127S
Crossville, TN 38572

IN WITNESS WHEREOF, the parties, through their authorized representative, have executed this agreement.

STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF TRANSPORTATION

By: _____
REGIONAL ENGINEERING DIRECTOR

DATE

APPROVED AS TO FORM:

REGIONAL ATTORNEY

DATE

PERMITTEE:
City of Crossville

By: _____

DATE

TITLE: _____

Attachment A: Redbud Locations



Cumberland County I-40 320 Off-Ramp Eastbound
11 Saplings planted 60 ft from edge of pavement



Cumberland County I-40 320 Off-Ramp Eastbound



Cumberland County I-40 320 On-Ramp Eastbound
11 Saplings planted 30 ft from edge of pavement



Cumberland County I-40 320 On-Ramp Eastbound



Cumberland County I-40 320 On-Ramp Eastbound



Cumberland County I-40 322 Off-Ramp Eastbound
10 Saplings planted 45 ft from edge of pavement



Cumberland County I-40 322 Off-Ramp Eastbound



Cumberland County I-40 322 On-Ramp Eastbound
10 Saplings planted 35 ft from edge of pavement



Cumberland County I-40 322 Off-Ramp Westbound
10 Saplings planted 25 ft from edge of pavement



Cumberland County I-40 322 On-Ramp Westbound
10 Saplings planted 30 ft from edge of pavement



Cumberland County I-40 320 Off-Ramp Westbound
10 Saplings planted 140 ft from edge of pavement



Cumberland County I-40 320 On-Ramp Westbound
4 Saplings planted 35 ft from edge of pavement



Cumberland County I-40 317 Off-Ramp Westbound
10 Saplings planted 35 ft from edge of pavement



Cumberland County I-40 317 On-Ramp Westbound
8 Saplings planted 30 ft from edge of pavement