



APPLICATION AND AGREEMENT FOR USE OF  
HIGHWAY RIGHT-OF-WAY FOR UTILITIES ACCOMMODATION

FOR DEPARTMENT USE ONLY

Permit Number <b>77U-2022-212</b>	Highway Number <b>US 69</b>	County <b>Polk</b>
DOT Project Number <b>AHSX-69-4(68)--34-77</b>		Expiration/Completion Date <b>12-21-23</b>

APPLICANT (INDIVIDUAL OR COMPANY)

First Name Brandon	Middle Initial	Last Name Boyd	Phone Number 973-362-6629	Ext.
Company Name Metronet			Phone Number	Ext.
Street Address 2040 Hull Ave.		City/Town Des Moines	State IA	ZIP Code 50313
e-Mail Address brandon.boyd@metronet.com		Secondary e-Mail Address permitting@newcomtech.com		

INSTALLATION TO BE ACCOMMODATED

Approval is hereby requested to enter within the state highway right-of-way for the accommodation of a utility installation as detailed on the attachments and further described as follows.

The installation shall consist of:  
Two 1.25" HDPE Conduits & aerial build with a single 432 count and single 48 count fiber optic cable running north along the east side of US Highway 69 (NE 14th Street) starting near the corner of NE Broadway Ave and US Highway 69 entering DOT ROW at STA 325+05; MP 89.022 crossing under I-35 East/West bound then continuing north along US Highway 69 then cross US Highway 69 to the west side of the US Highway 69 branch off running east to cross US Highway 69 then continue north along US Highway 69 to a power pole entering DOT ROW at STA 501+70; MP 92.525. Please see attached map for details.

and shall be located as shown on the detailed plan attached hereto. (See current Iowa Department of Transportation Utility Accommodation Policy for submittal of detailed plan requirements. See Section 115.8 (3).) <http://www.iowadot.gov/traffic/pdfs/UtilityPolicy.pdf>

WORK SITE LOCATION

The proposed work as described above is located in Section 24/13/14/11E/35, Twp. 24W 79N/80N, Range 24W on Highway No. 69 generally located 9.10 (miles) North (direction) from Polk County Line (city, county line, or other landmark). Work proposed is more specifically located as being from 89.022 (Milepost #) and 325+05 (Highway Station) to 92.525 (Milepost #) and 501+70 (Highway Station) on the Both/Crossing side of highway.

**Disclosure Statement:** The information furnished on this form will be used by the Department of Transportation to determine approval or denial of the application. Failure to provide all pertinent information will result in denial of the application. Information furnished is public information and copies may be provided to the public upon request.

The utility company, corporation, applicant, permit holder or licensee, (hereinafter referred to as the Permit applicant) agrees with the Iowa Department of Transportation (hereafter referred to as the Department) that the following stipulations and those special requirements as listed on this document shall govern under this permit after it is approved by the Department.

**A. General**

1. The installation shall meet the requirements of local municipal, county, state, and federal franchise rules and regulations, regulations and directives of the Iowa State Commerce Commission; the Iowa Department of Natural Resources, all rules and regulations of the Department and any other laws or regulations applicable.
2. The Permit Holder shall be fully responsible for any future adjustments of the facilities within the established highway right-of-way caused by highway construction or maintenance operations.
3. As per Section 115.8(8) of the Utility Accommodation Policy, As-Built plans are due within 90 days after completion of construction, the utility owner shall submit to the district representative an as-built plan.
4. The work described in this permit shall be completed as proposed in compliance with the stipulations and special requirements within one year from the date Department approval is received for said request. Failure on the part of the Permit Holder to abide by the stipulations or in constructing the work described as stipulated and within the time frame stated shall render this agreement and request null and void. The Permit Holder also agrees to save the State of Iowa and the Department harmless of any damages or losses that may be sustained by any person, or persons, on account of the conditions and requirements of this agreement.
5. Non-compliance with any of the terms of the Department's policy, permit, or agreement, may be considered cause for shut-down of construction operations, revocation of the permit, or withholding of relocation reimbursement and/or withholding of future application approvals until compliance is confirmed. The cost of any work deemed necessary to be performed by the State in removal of non-complying construction will be assessed against the Permit Holder.



## B. Construction and Maintenance

1. The location, construction and maintenance of the utility installation covered by this application shall be in accordance with the current Department's Utility Accommodation Policy. <http://www.iowadot.gov/traffic/pdfs/UtilityPolicy.pdf>
2. Before beginning any work in the highway right-of-way, it is the responsibility of the Permit Holder to obtain an easement from the drainage district if necessary. The Department assumes no responsibility for advising the Permit Holder of each location of a drainage district crossing. It is the Permit Holder's responsibility to locate these crossings and obtain any necessary easements or permission from the drainage district. See Code of Iowa, Chapter 468 for additional information.
3. A copy of the approved permit shall be available on the job site at all times for examination by Department personnel.
4. Operations in the construction and maintenance of this utility installation shall be carried on in such a manner as to cause minimum interference to or distraction of traffic on said highway.
5. Traffic protection shall minimally be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways. The applicant shall be responsible for correctly using traffic control devices including signs, warning lights, and channelizing devices as needed while work is in progress or the clear zone is impacted. Flagging operations are the responsibility of the applicant. The Department's TC XXX Series Standards are the preferred traffic control specification plans.  
[http://www.iowadot.gov/design/stdplne\\_tc.htm](http://www.iowadot.gov/design/stdplne_tc.htm)
6. The applicant shall seed and mulch all disturbed areas within the highway right-of-way and shall be responsible for the vegetative cover until it becomes well established. Any surfaced areas such as driveways or shoulders and sodded waterways and plantings which are disturbed shall be restored to their original condition. Any damage to any other underground facilities during installation shall be repaired at the permit holder's expense.
7. All personnel in the highway right-of-way shall wear ANSI 107 Class 2 apparel at all times when exposed to traffic or construction equipment.
8. As per Policy Section 115.4(9) parking or storage in the clear zone is prohibited. When not in actual use, vehicles, equipment and materials shall not be parked or stored within the clear zone or median.
9. Unless specifically noted in Special Requirements section, all work performed within the right-of-way shall be restricted to 30 minutes after sunrise to 30 minutes before sunset.
10. Pedestals shall be placed within 12 inches of the right-of-way line.
11. All above and below ground appurtenances (pedestals, hydrants, drains, accesses, etc.) shall be marked with high visibility posts and signs. The minimum height requirement for the signs shall be 5 foot. Urban Roadway Sections may be exempted with department approval.

## C. Liability

1. To the extent allowable by law, the Permit Holder agrees to indemnify, defend, and hold the Department harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of the Permit Holder's facilities. This agreement to indemnify, defend, and hold harmless applies to all aspects of the Department's application review and approval process, plan and construction reviews, and funding participation.
2. The Permit Holder shall indemnify and save harmless the State of Iowa, its agencies and employees, from any and all causes of action, suits at law or in equity, for losses, damages, claims or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with the Permit Holder's use or occupancy of the public highway.
3. The State of Iowa and the Department assume no responsibility for damages to the Permit Holder's property occasioned by any construction or maintenance operations on said highway if the facilities are not located in accordance with this permit.
4. The State of Iowa, its agencies or employees, will be liable for expense incurred by the Permit Holder in its use and occupancy of the highway right-of-way only when negligence of the State, its agencies or employees, is the sole proximate cause of such expense. Whether in contract, tort or otherwise, the liability of the State, its agencies and employees, is limited to the reasonable, direct expense to repair damaged utilities, and in no event will such liability extend to loss of profits or business, indirect, special, consequential or incidental damages.

## D. Notification

1. The Permit Holder is responsible for contacting **Iowa One-Call (1-800-292-8989)** and request the location of all underground utilities forty-eight (48) hours before excavation. Before beginning work in the highway right-of-way, the Permit Holder shall also contact any other known utility located in the area of the proposed work.
2. The Permit Holder agrees to give the Department forty-eight (48) hour notice of its intention to start construction or to perform routine maintenance on the highway right-of-way. Said notice shall be made to the local DOT contact person whose name is shown on Page 3.
3. **511 Notification**-In accordance with Iowa Code section 321.348, cities and utilities **may not obstruct or close** primary highways or primary highway extensions (State highways within city limits) **without prior consent of the Iowa DOT**, except in emergency situations. Before setting up a lane closure or a vertical/horizontal restriction of any kind on a primary highway, call your local Iowa DOT Maintenance garage and call the Traffic Management Center per attached documents. Except in emergency situations, a 10 day advance notice is required.  
<http://www.iowadot.gov/traffic/utility/pdfs/511UtilityNotification.pdf>

## E. Buy America

Buy America applies to relocations of utility facilities that must move due to highway projects under certain specific conditions that include reimbursable locations and relocations due to interstate projects. Please contact the Department's District Engineering Operation Technician (EOT) for more information on Buy America requirements or visit the following link: <http://www.iowadot.gov/traffic/utility/utility.html>

Permit Number: \_\_\_\_\_



**FOR DEPARTMENT USE ONLY**

Special Requirements - in addition to the stipulations above, the following special requirements shall apply to this permit:

**METRONET IS REQUIRED TO PROVIDE US WITH AN AS-BUILT(AS CONSTRUCTED) DESIGN SHEETS WITHIN 90 DAYS OF INSTALLATION COMPLETION.**

**Applicant Signature and Agreement**

The undersigned have read the stipulations of this permit agreement as stated, as well as attachments which may be included, and by signing this application agree to abide by all stipulations and to complete the work as proposed in compliance with the stipulations and attachments within one year from the date Department approval is granted for said request. Failure on the part of the applicant to abide by the stipulations or to construct the work desired as stipulated and within the time frame stated shall render this agreement and request null and void. The undersigned also agrees to save harmless the State of Iowa and the Iowa Department of Transportation from any damage or losses that may be sustained by any person or persons on account of the conditions and requirements of this agreement.

Name of Agent (Print or Type) Jessica Brewbaker-Hills	Agent/Owner (Signature) <i>J. Brewbaker-Hills</i>	Title Permit Coordinator
Name of Owner (Print or Type) Metronet	Date 12/02/2022	
e-Mail Address permitting@newcomtech.com		

**CITY ACTION (IF PROPOSED WORK IS WITHIN AN INCORPORATED CITY, CITY ACTION IS REQUIRED)**

"The undersigned city joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned city and recommends action on said permit application as noted below by the delegated city official".

Recommend Approval       Do Not Recommend Approval       None Required

Handwritten Signature	Title	Date
Type or Print Name	Authorized Official for the City of	
e-Mail Address		

**COUNTY ACTION (IF PROPOSED WORK CROSSES COUNTY RIGHT-OF-WAY, COUNTY ACTION IS REQUIRED)**

"The undersigned county joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned county and recommends action on said permit application as noted below by the delegated county official".

Recommend Approval       Do Not Recommend Approval       None Required

Handwritten Signature <i>Avron Polk</i>	Title County Engineer	Date 12/6/22
Type or Print Name Avron Polk	Authorized Official for the County of Polk	
e-Mail Address avron.polk@polk-county-iowa.gov		

**FEDERAL HIGHWAY ADMINISTRATION ACTION (WHEN REQUIRED)**

Recommend Approval       Do Not Recommend Approval       None Required

Authorized FHWA Representative Signature	Date
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**DEPARTMENT OF TRANSPORTATION FINAL ACTION**

Application Approved       Application Denied

Permit Number: **TTU-2022-212**

Authorized Highway District Representative Jeffrey Cunningham	Signature <i>Jeffrey Cunningham</i>	Date 12-21-22
e-Mail Address jeffrey.cunningham@iowadot.us		

Notice of intention to commence activities on the highway rights-of-way shall be submitted by the applicant a minimum of 48 hours prior to actually commencing the activities as herein granted by this approved application. Notice is to be given to the following Iowa Department of Transportation representative. Except in emergencies a 10 day advance notice is required for lane restrictions of any kind:

Local DOT Contact Person (Type or Print Name) Larry Letze	Phone Number 515-265-1614
Street Address 1530 NE 53rd Ave	City/Town Des Moines
e-Mail Address larry.letze@iowadot.us	State ZIP Code IA 50313

Permit Number: \_\_\_\_\_





District One  
Des Moines Area Engineer's Office  
2300 SE 17<sup>th</sup> Street Grimes, IA 50111

December 21, 2022

Permit 77U-2022-212

Metronet  
Attn: Brandon Boyd  
2040 Hull Avenue  
Des Moines, IA 50313

Enclosed is a copy of approved permit number 77U-2022-212 Application and Agreement for use of Highway Right of Way for Installation of 2-1.25" HDPE conduits & aerial build with a single 432ct and a single 48ct fiber optic cable at stations 325+05 to 501+70 on US 69.

Please note the stipulations and changes that we may have made since the permit was submitted.

A copy of this permit must be at the work site at all times while work is in progress.

If you have any questions, please feel free to call.

Sincerely,

Jeffrey Cunningham  
Access\Utility Specialist

**Attachments**

JC/jc.

Cc: Tami Bailiff, IDOT 800 Lincoln Way Ames IA, 50010  
Larry Letze, IDOT 1530 NE 53<sup>rd</sup> Ave Des Moines IA 50313  
Aaron Putnam, Polk County 5885 NW 14<sup>th</sup> Street Des Moines IA 50313  
File



Special Requirements:

All Material or equipment shall be kept 10 feet off the Right of Way during non-working hours.

No hole shall remain open within the Right of Way during non-working hours.

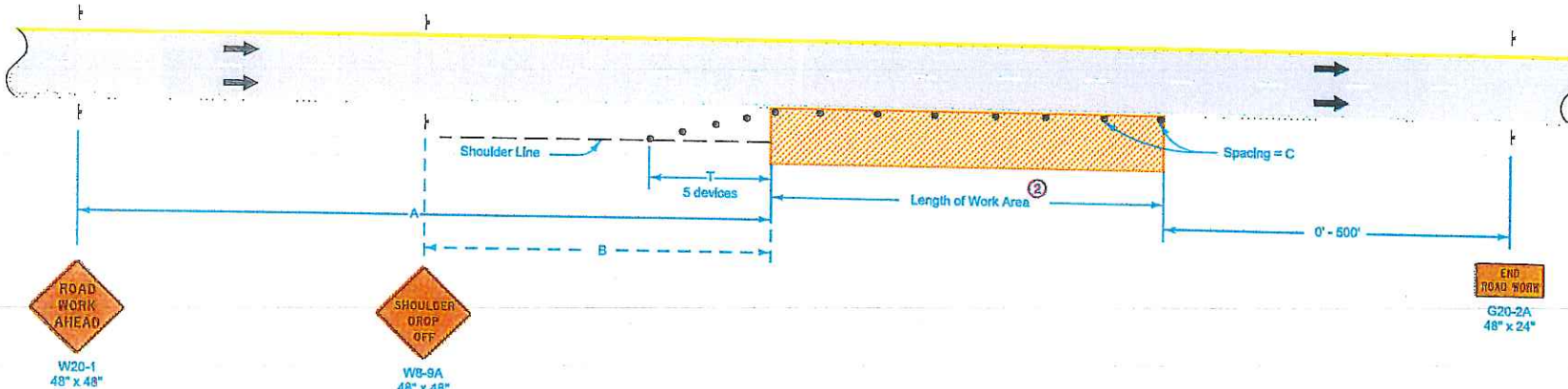
Right of Way shall be restored immediately upon completion of project.

No parking on shoulders.

No digging into side slopes of any road or highway shall be allowed.

Proper traffic control shall be used at all times.





ROAD WORK AHEAD  
W20-1  
48" x 48"

SHOULDER DROP OFF  
W8-9A  
48" x 48"

END ROAD WORK  
G20-2A  
48" x 24"

**LEGEND**

- T Traffic Sign
- o 42" Channellizer
- Work Area
- ← Direction of Traffic

SPEED LIMIT (mph)	A	B	C <sup>②</sup>	T
40 or less	500'	250'	40'	100'
45 - 50	700'	350'	80' ①	200'
55 - 60	1500'	500'	100' ①	200'
65 - 70	1500'	500'	100' ①	230'

When a pavement edge drop-off exists, install a SHOULDER DROP-OFF sign.

No pavement edge drop-offs greater than pavement depth will be allowed during non-working hours.

Shoulder edge drop-offs shall be mitigated according to Article 1107.08.12 of the Standard Specifications.

For work lasting less than one hour, refer to TC-1.

- ① When the length of a pavement edge drop-off is 1000 feet or less, the temporary fillet requirement of Article 1107.08 of the Standard Specifications does not apply. Reduce channellizer spacing to 40 feet.
- ② For work areas less than 200 feet long, use channellizers spaced at 20 foot centers or use a vehicle with an amber revolving light or amber strobe light.

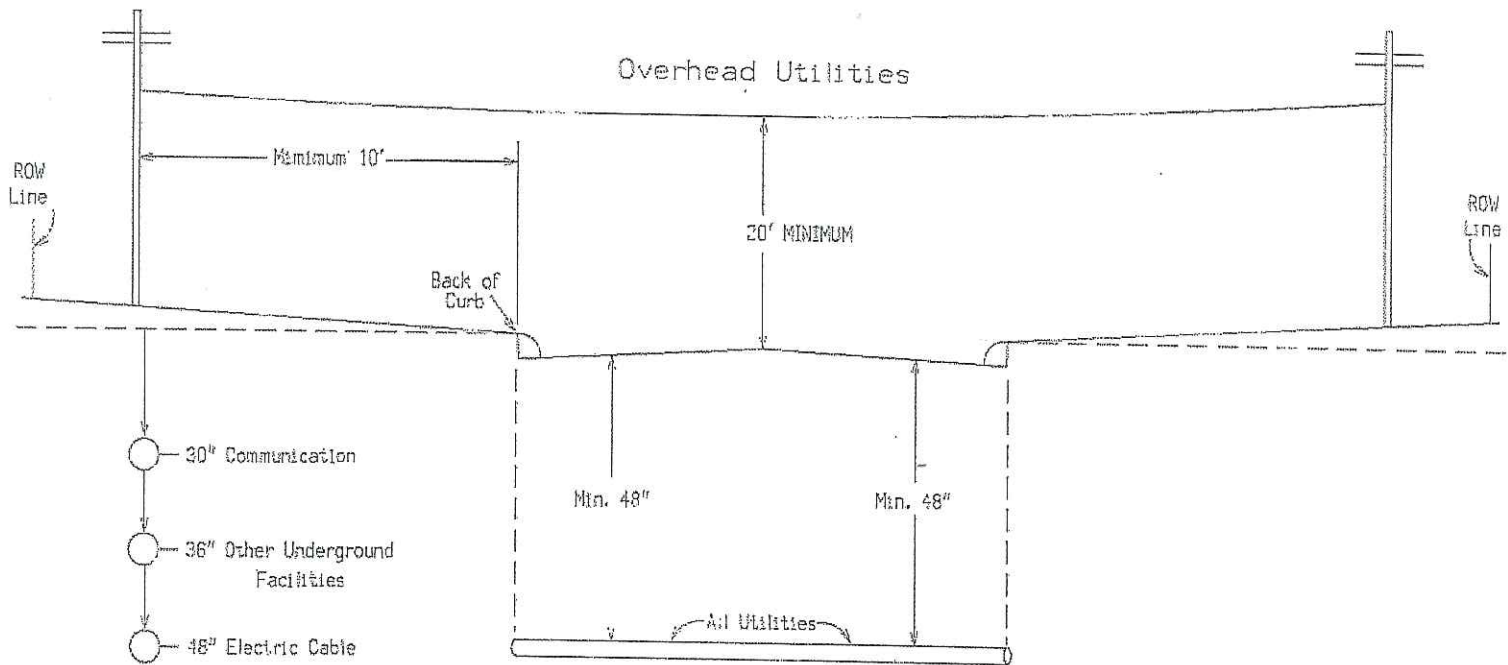
Possible Contract Item:  
Traffic Control

 <b>STANDARD ROAD PLAN</b>	<small>REVISION</small> 8 04-21-15
	<b>TC-402</b> <small>SHEET 1 of 1</small>
<small>REVISIONS: Modified general notes, changed title and replaced the DOT logo in the title block with the new version.</small>	
 <small>APPROVED BY DESIGN METHODS ENGINEER</small>	

**WORK WITHIN 15 FT OF TRAVELED WAY**



# Minimum Policy Requirements Urban Section Non - Freeway Highway



Notes:  
 Utilities shall be located between back of curb and the highway row.  
 Utilities should be located as near to the highway row line as practical.  
 See Utility Policy, Section 115.13 for further details.

Acceptable Clear-zone Distances (feet).

design speed.	design ADT	FORESLOPES			BACKSLOPES		
		6:1 or flatter	Steeper than 6:1, up to and including 4:1	Steeper than 4:1	Steeper than 4:1*	4:1 or flatter, up to 6:1	6:1 or flatter
40 mph or less	ADT < 750	7	7	**	7	7	7
	750 ≤ ADT < 1500	10	12	**	10	10	10
	1500 ≤ ADT < 6000	12	14	**	12	12	12
	ADT ≥ 6000	14	16	**	14	14	14
45 - 50 mph	ADT < 750	10	12	**	8	8	10
	750 ≤ ADT < 1500	14	16	**	10	12	14
	1500 ≤ ADT < 6000	16	20	**	12	14	16
	ADT ≥ 6000	20	24	**	14	18	20
55 mph	ADT < 750	12	14	**	8	10	10
	750 ≤ ADT < 1500	16	20	**	10	14	16
	1500 ≤ ADT < 6000	20	24	**	14	16	20
	ADT ≥ 6000	22	26	**	16	20	22
60 mph	ADT < 750	16	20	**	10	12	14
	750 ≤ ADT < 1500	20	26	**	12	16	20
	1500 ≤ ADT < 6000	26	30	**	14	18	24
	ADT ≥ 6000	30	30	**	20	24	26
65 - 70 mph	ADT < 750	18	20	**	10	14	14
	750 ≤ ADT < 1500	24	28	**	12	18	20
	1500 ≤ ADT < 6000	28	30	**	16	22	26
	ADT ≥ 6000	30	30	**	22	26	28

\* Backslopes as steep as 2.5:1 can be considered as part of the clear zone, as long as they are relatively smooth and do not contain any fixed objects. Refer to Section 8A-4 of the Design Manual for information regarding backslopes steeper than 2.5:1.

\*\*\* Since a vehicle traveling on a slope steeper than 4:1 is likely to be diverted to the bottom of the slope, the width of any slope steeper than 4:1 cannot be counted in the clear zone determination. Refer to Section 8A-2 of the Design Manual for information on providing clear recovery areas at the base of steep slopes.







































































































































































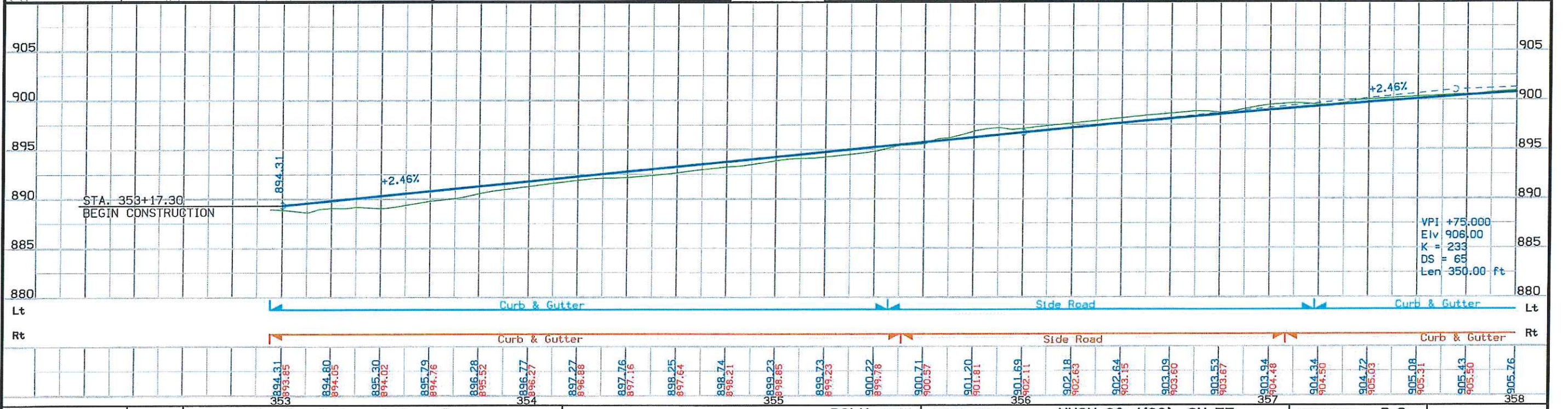
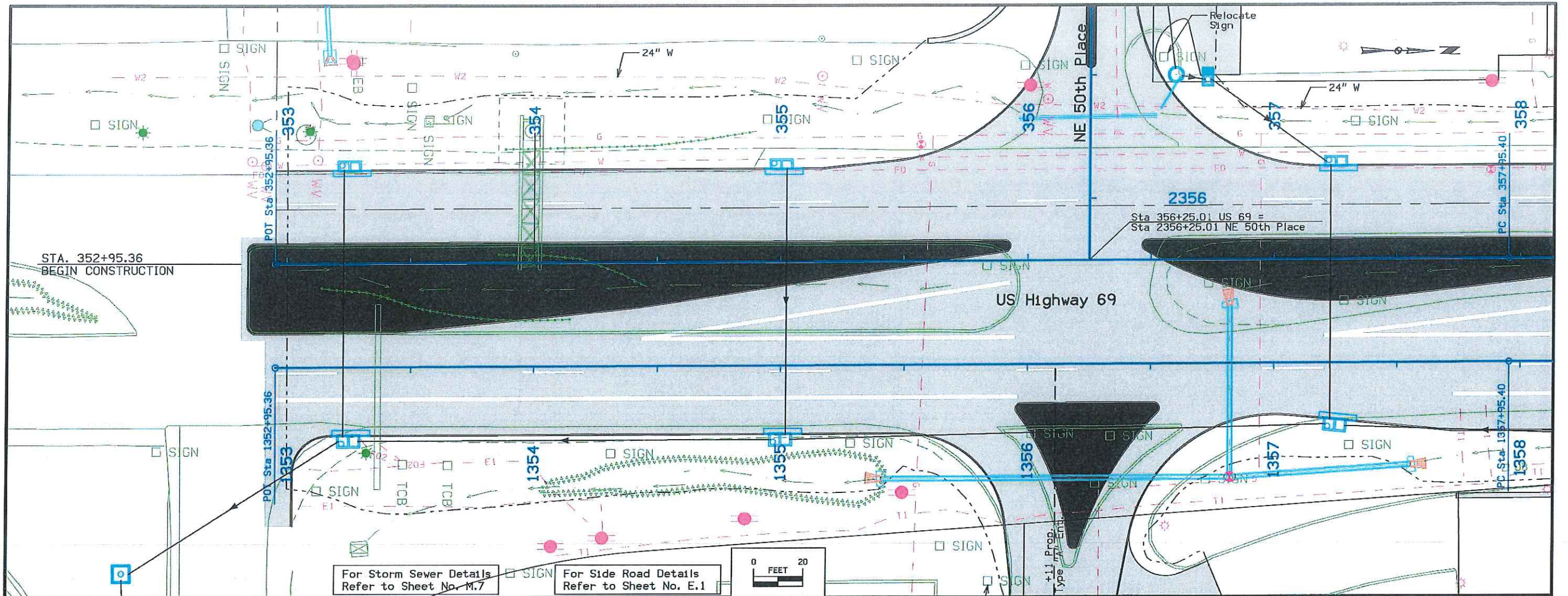








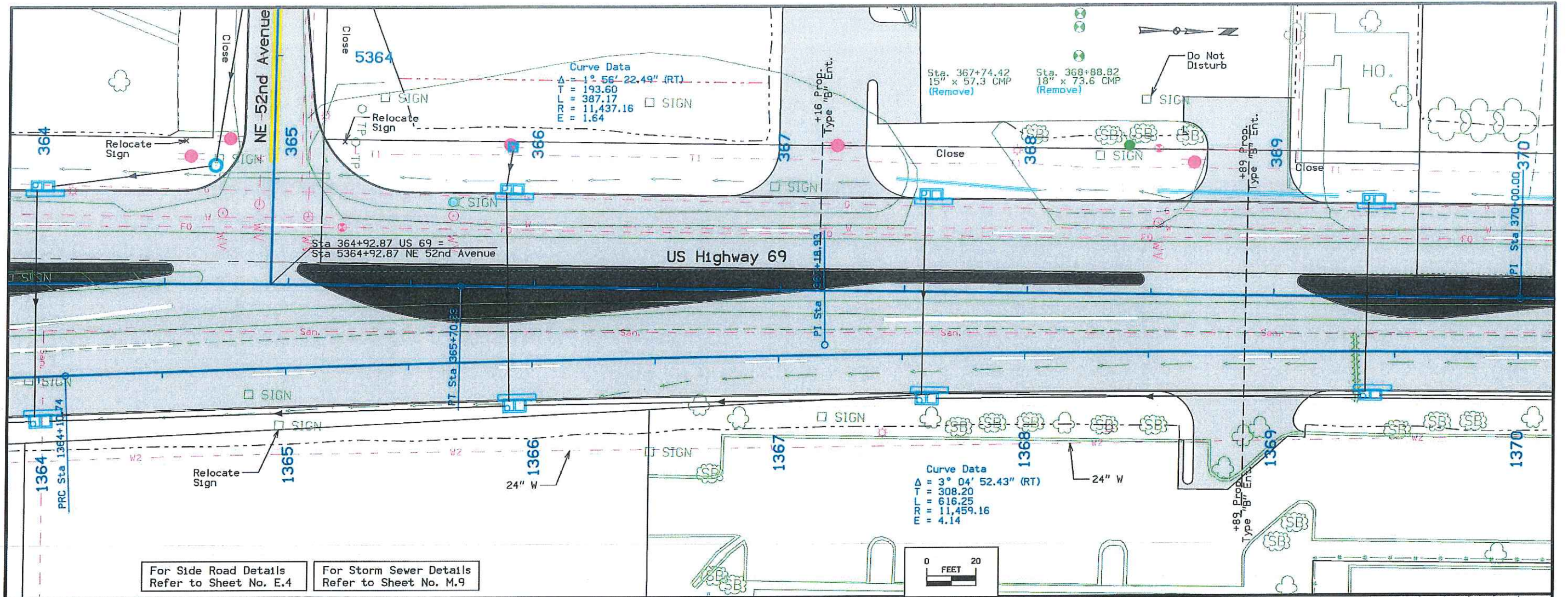




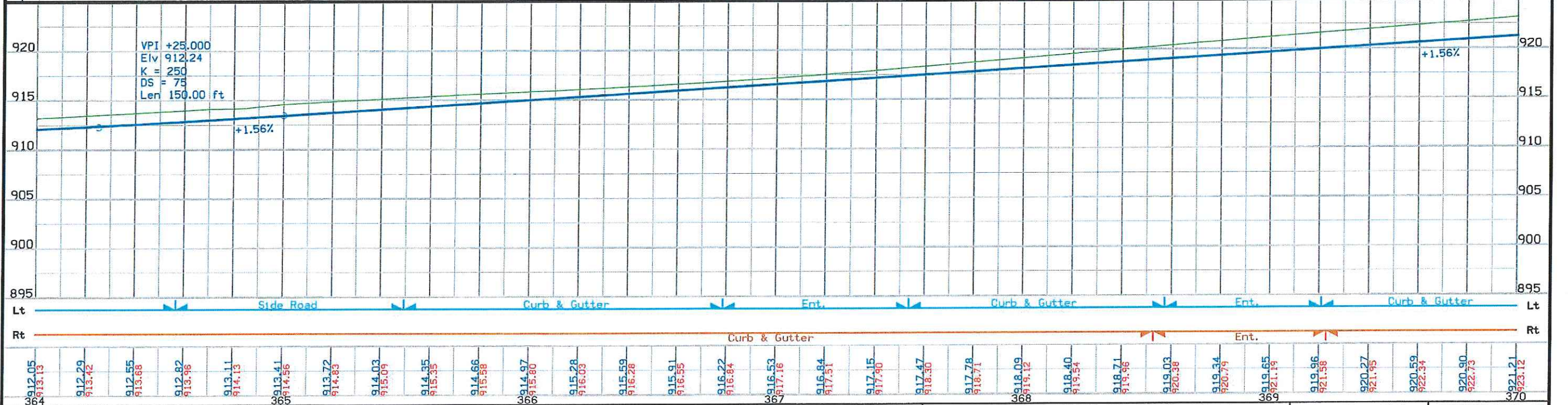






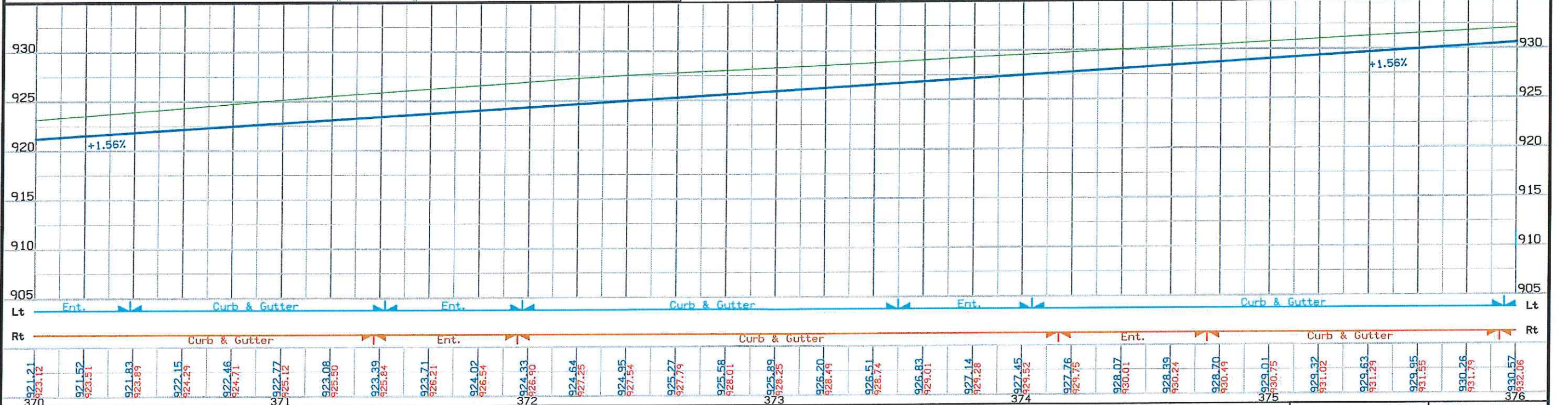
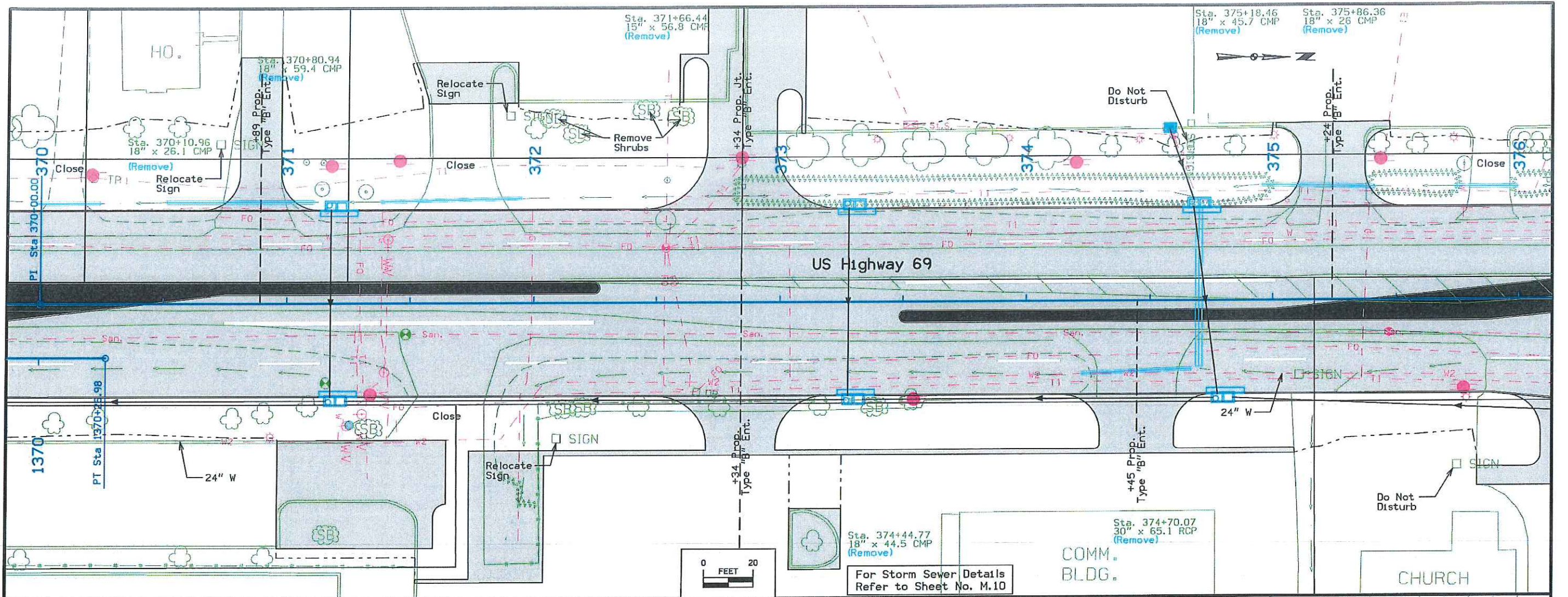


For Side Road Details Refer to Sheet No. E.4  
 For Storm Sewer Details Refer to Sheet No. M.9

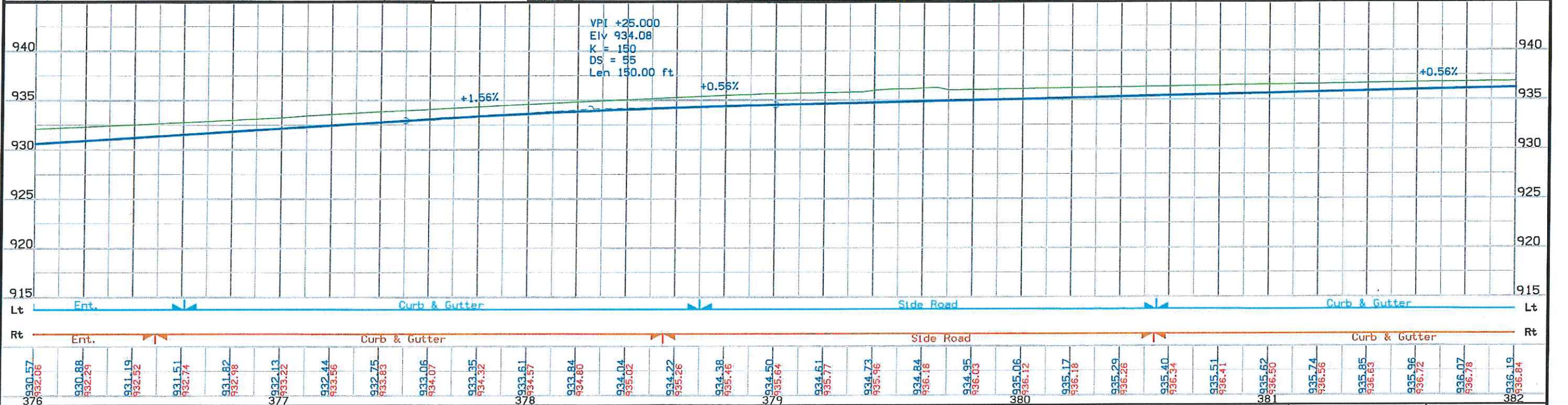
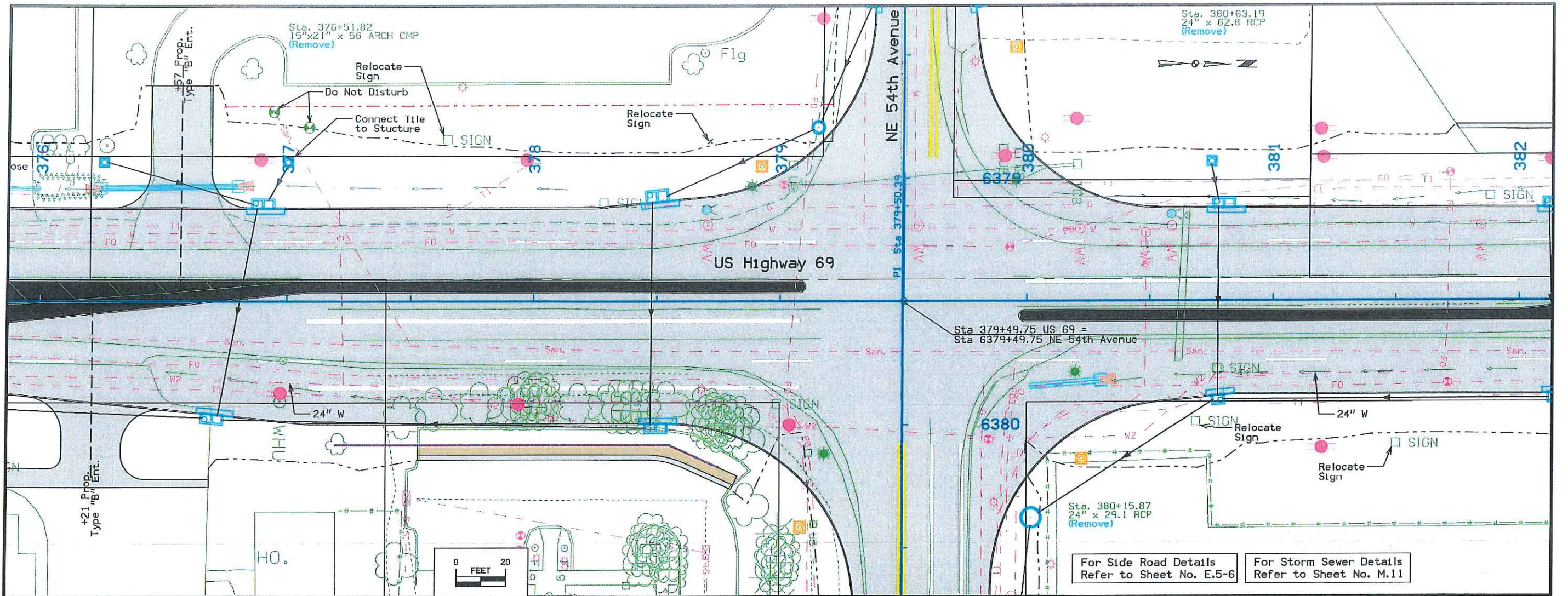


FILE NO.	ENGLISH	DESIGN TEAM	Snyder & Associates, Inc.	POLK COUNTY	PROJECT NUMBER	NHSX-69-4(68)--3H-77	SHEET NUMBER	D.4	REVISED	12-20-18
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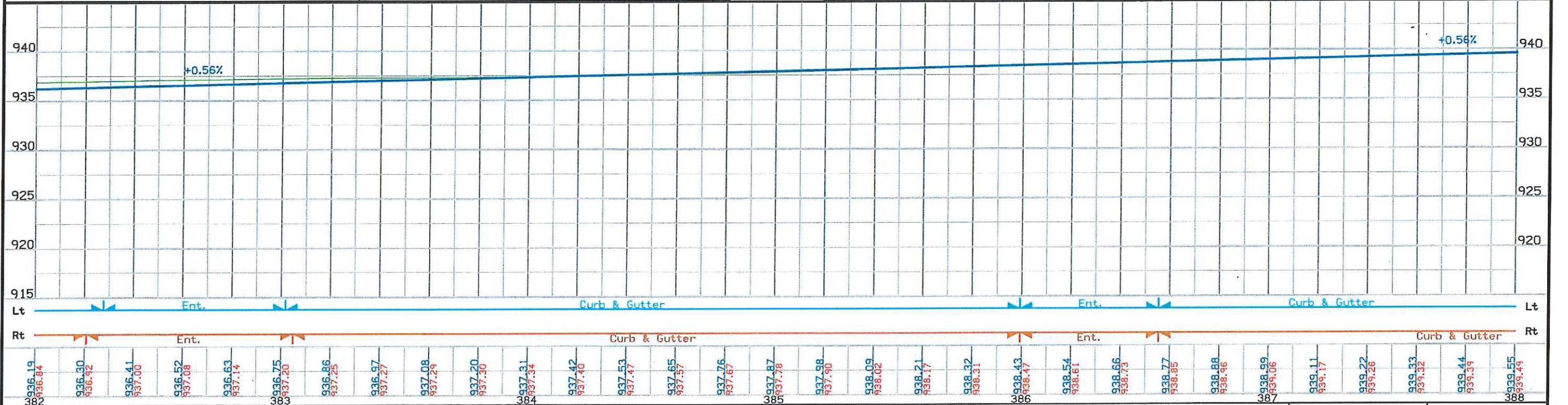
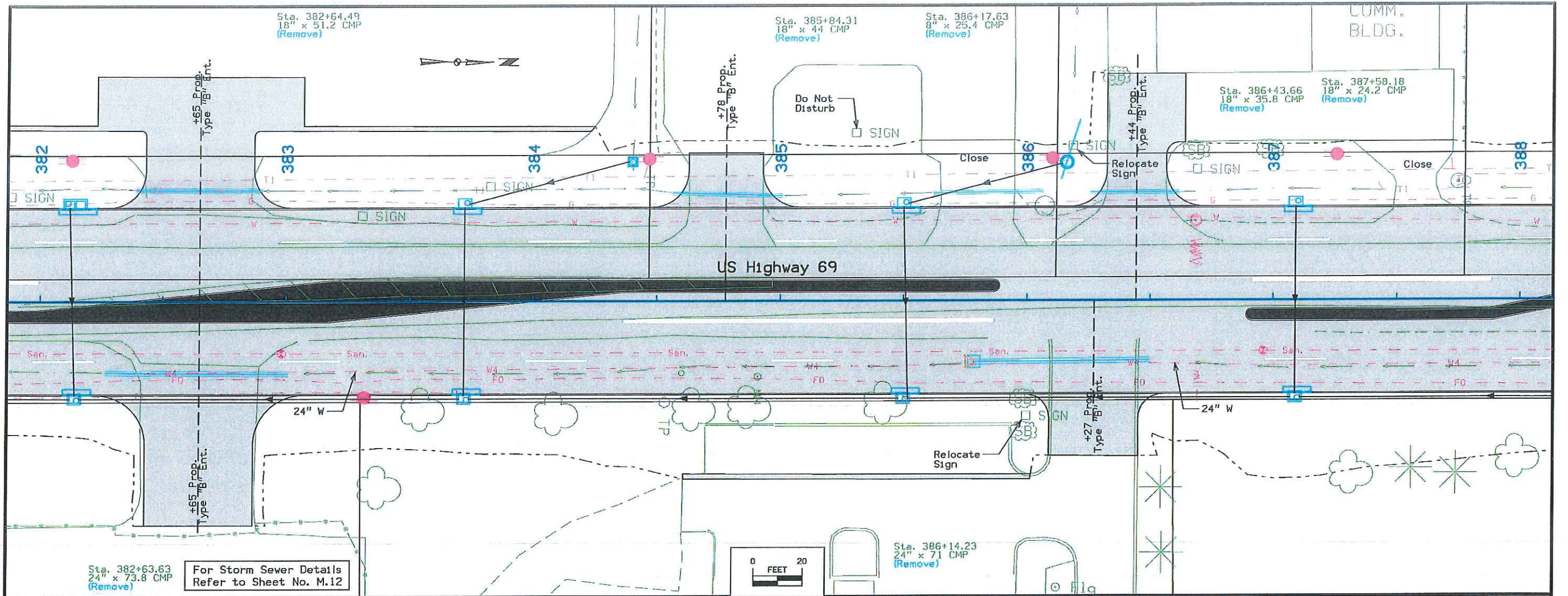




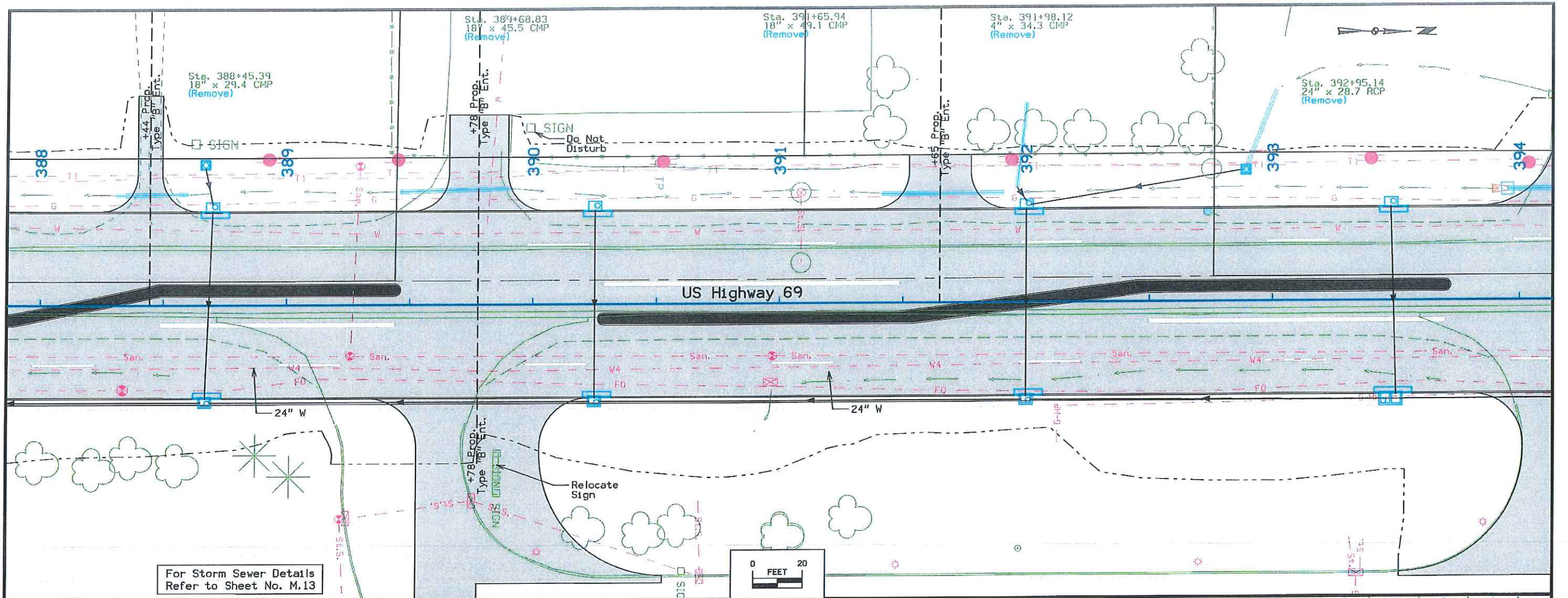


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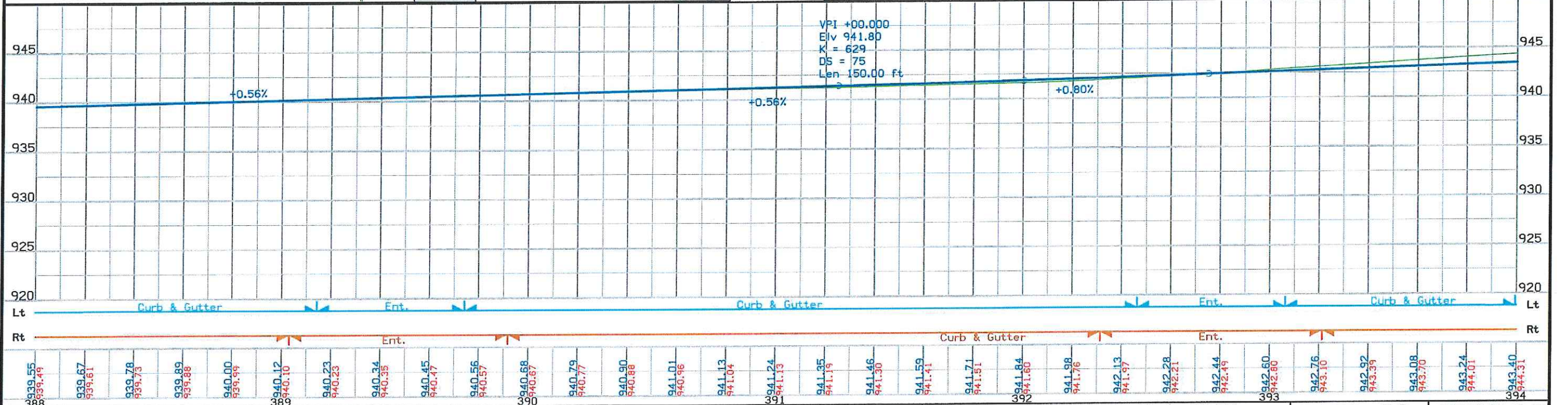
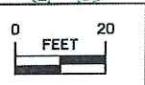






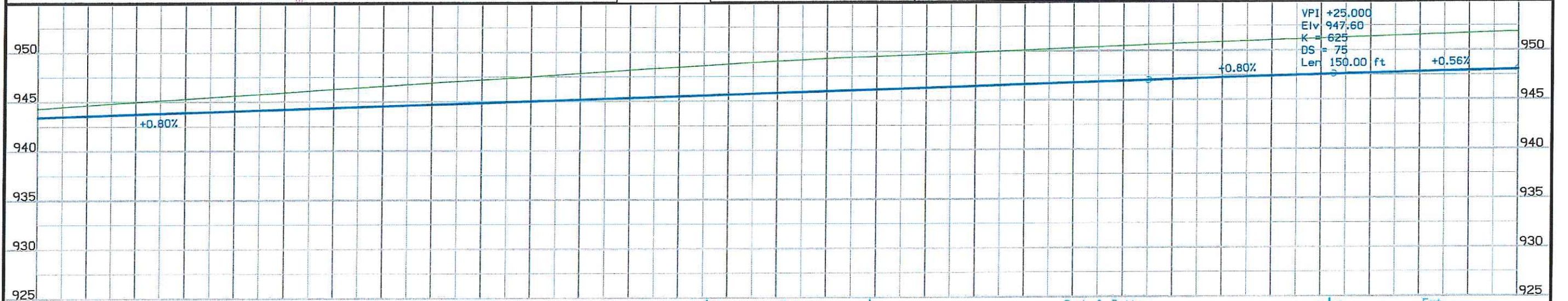
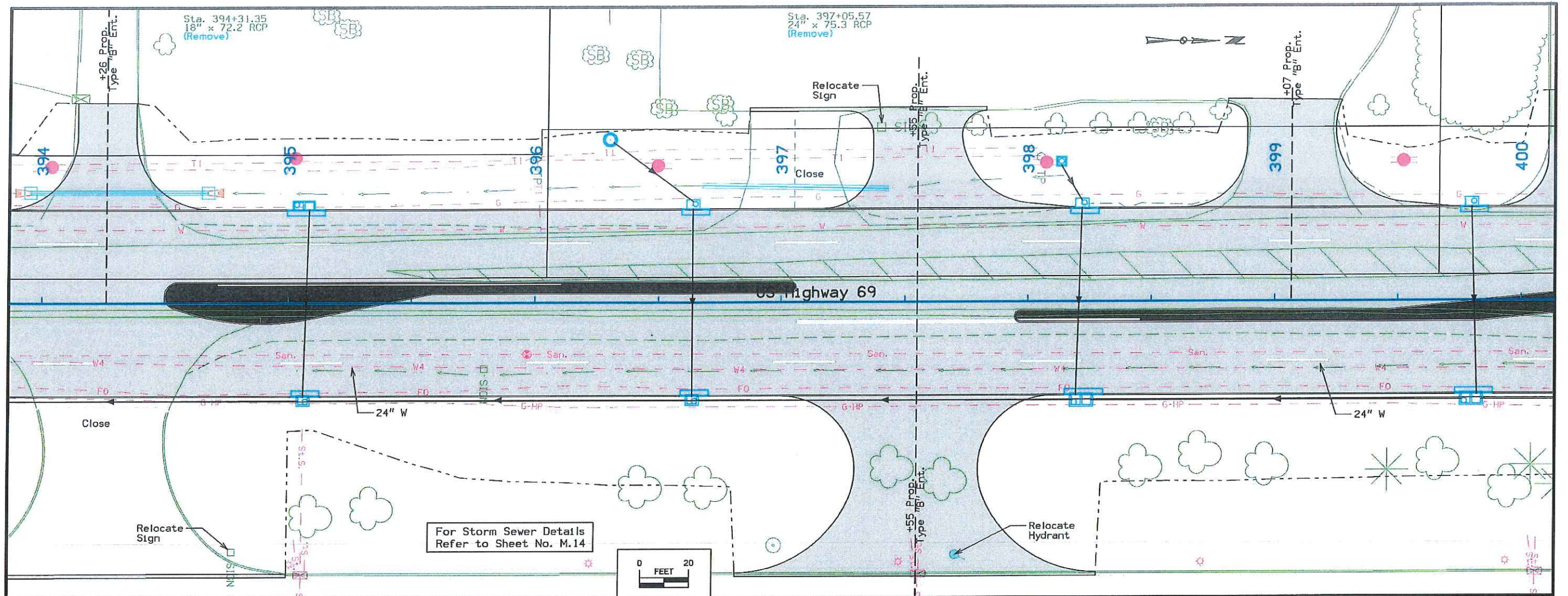


For Storm Sewer Details Refer to Sheet No. M.13



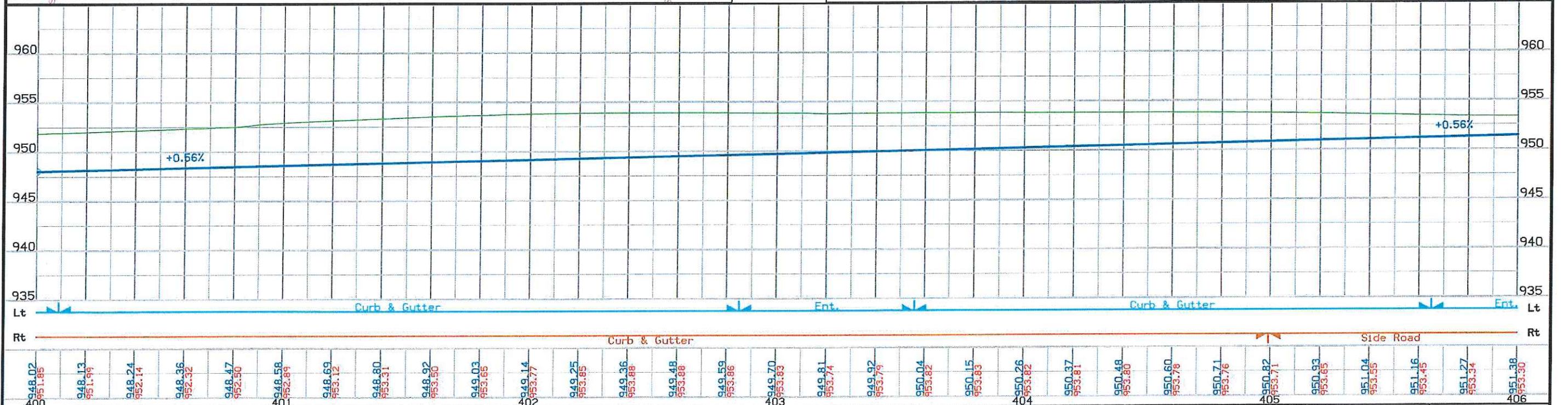
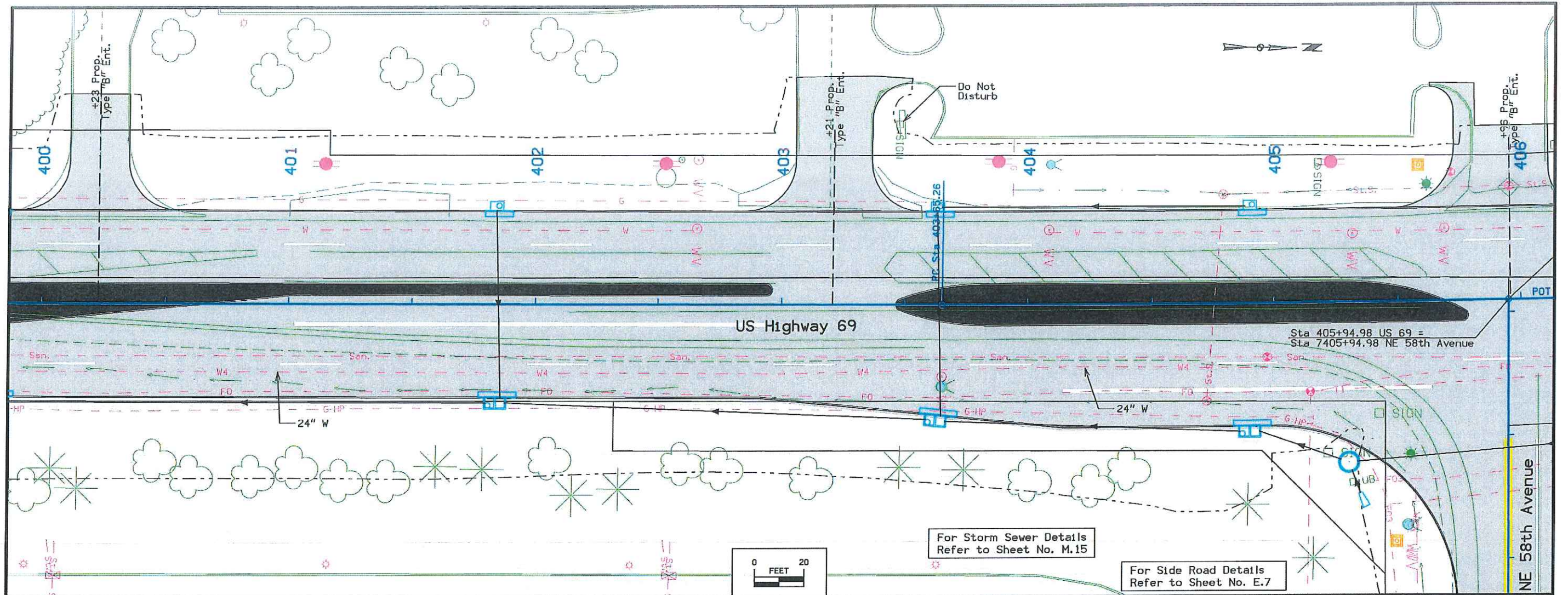
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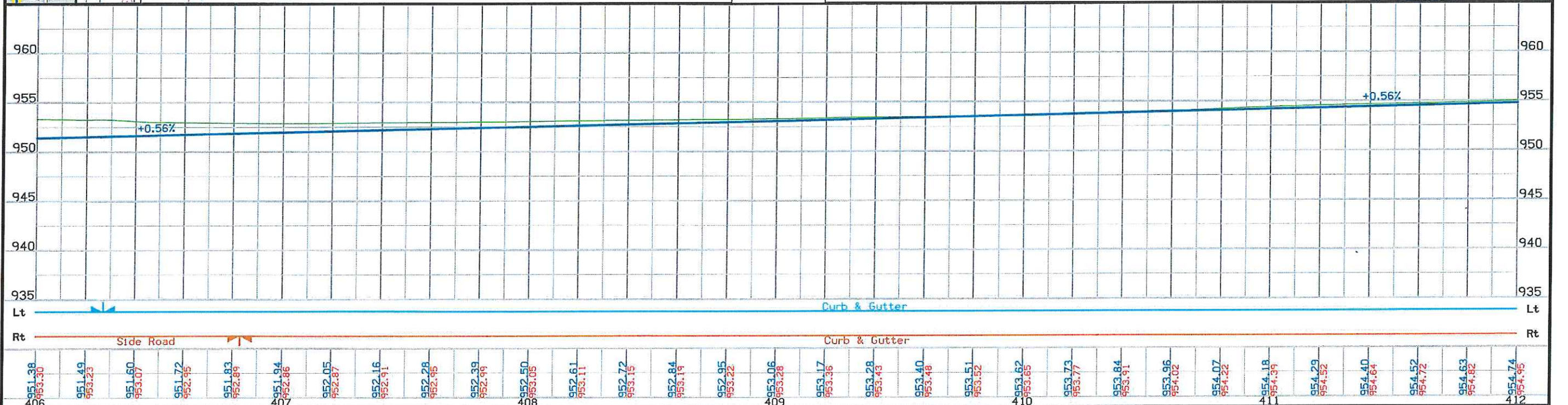
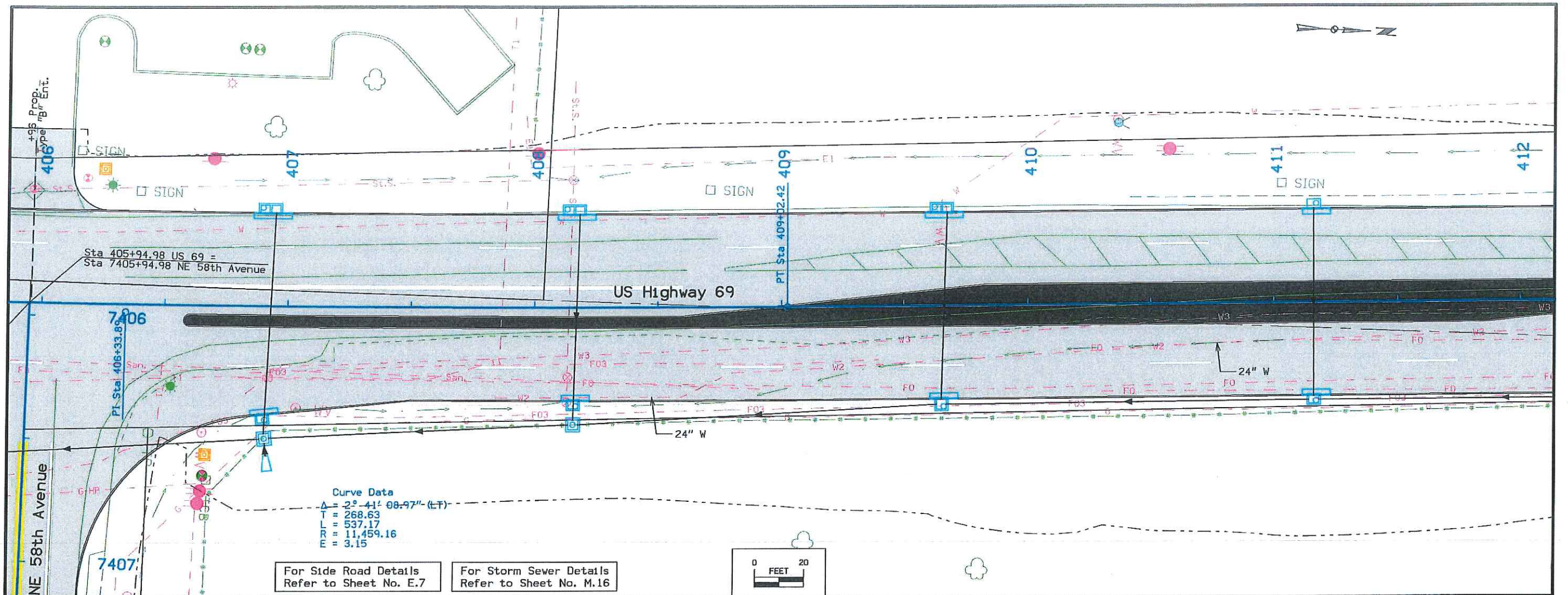
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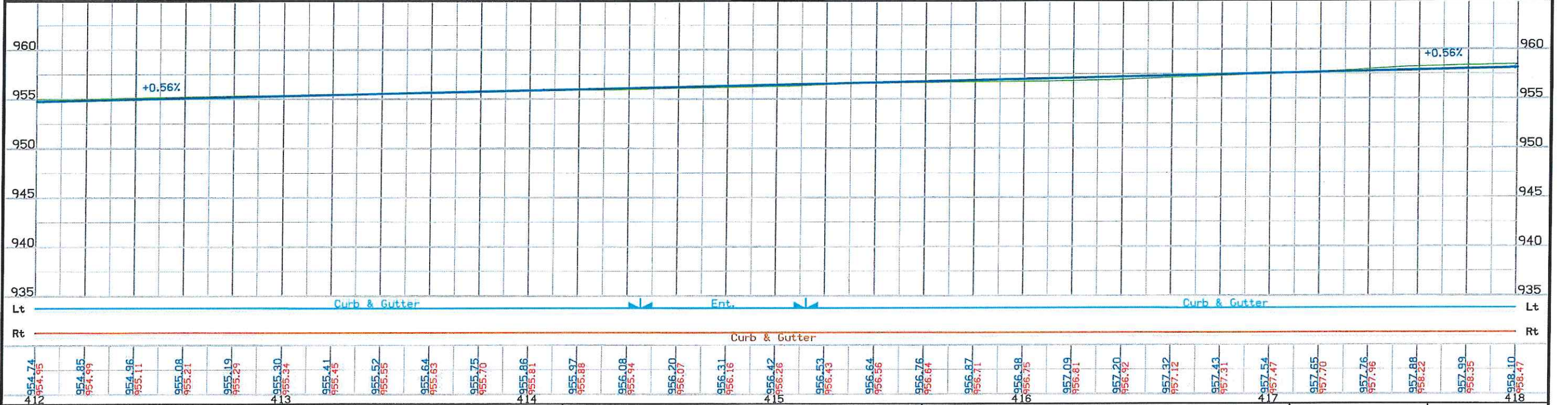
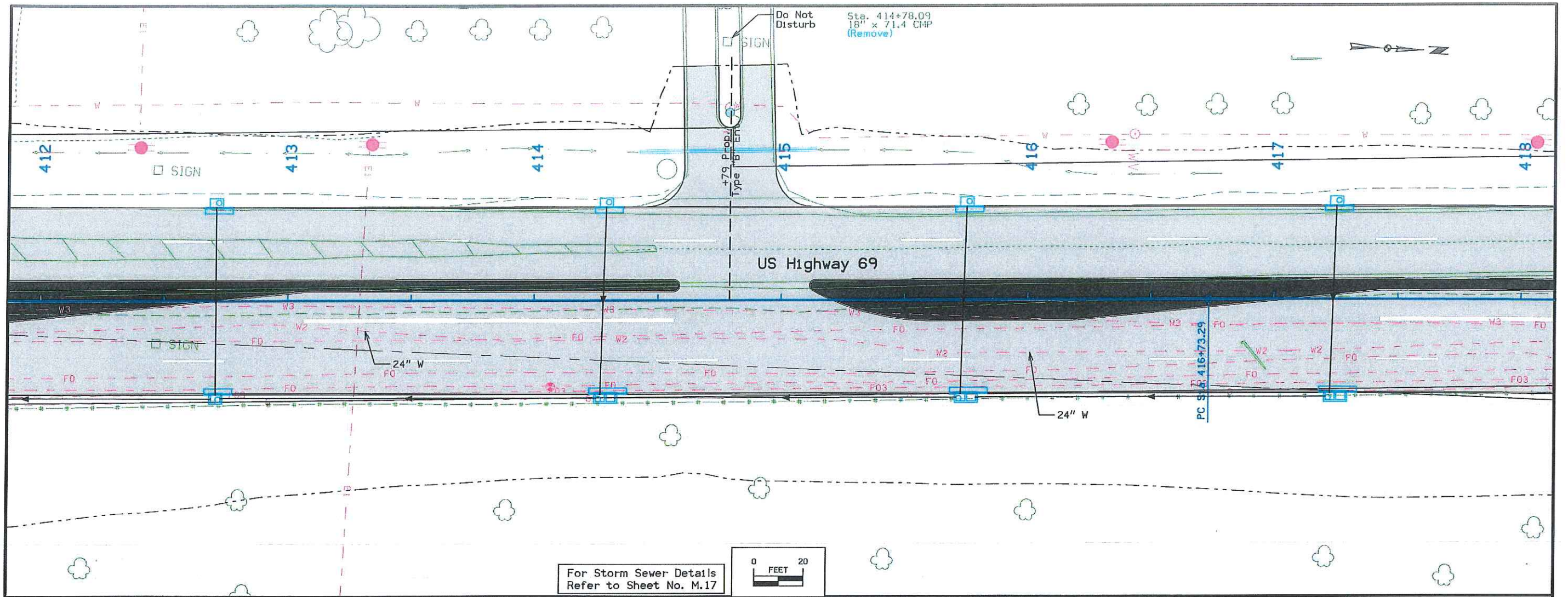


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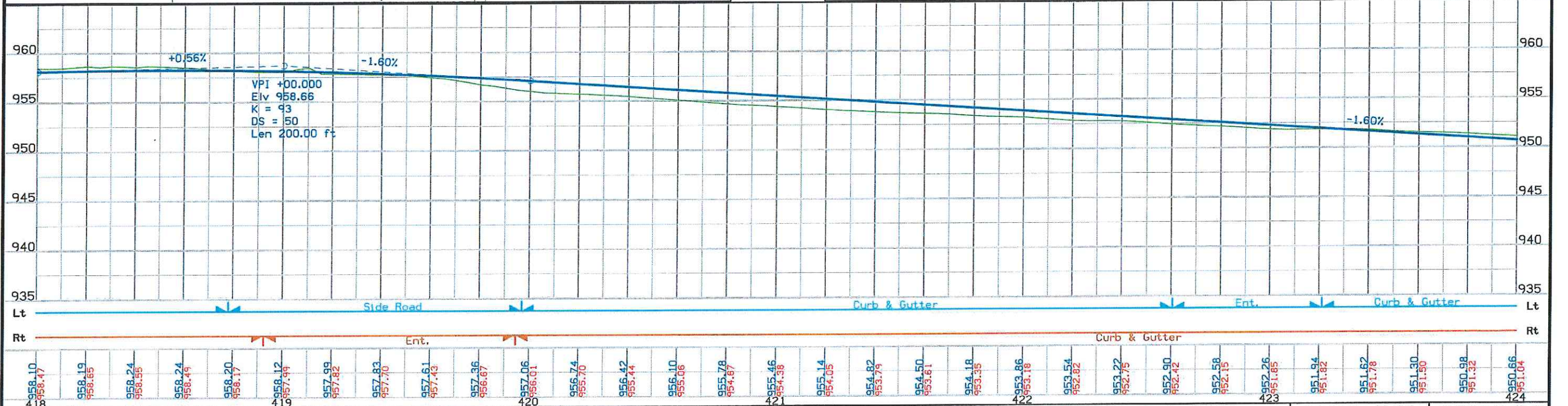
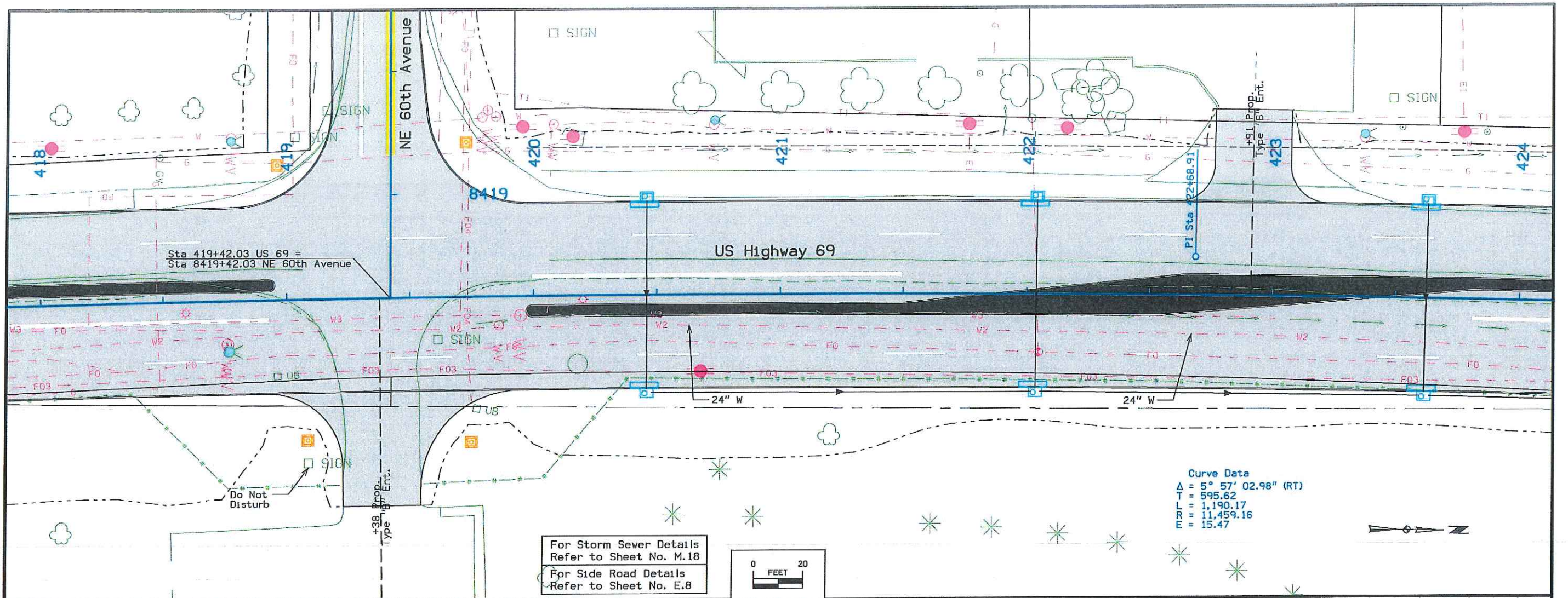




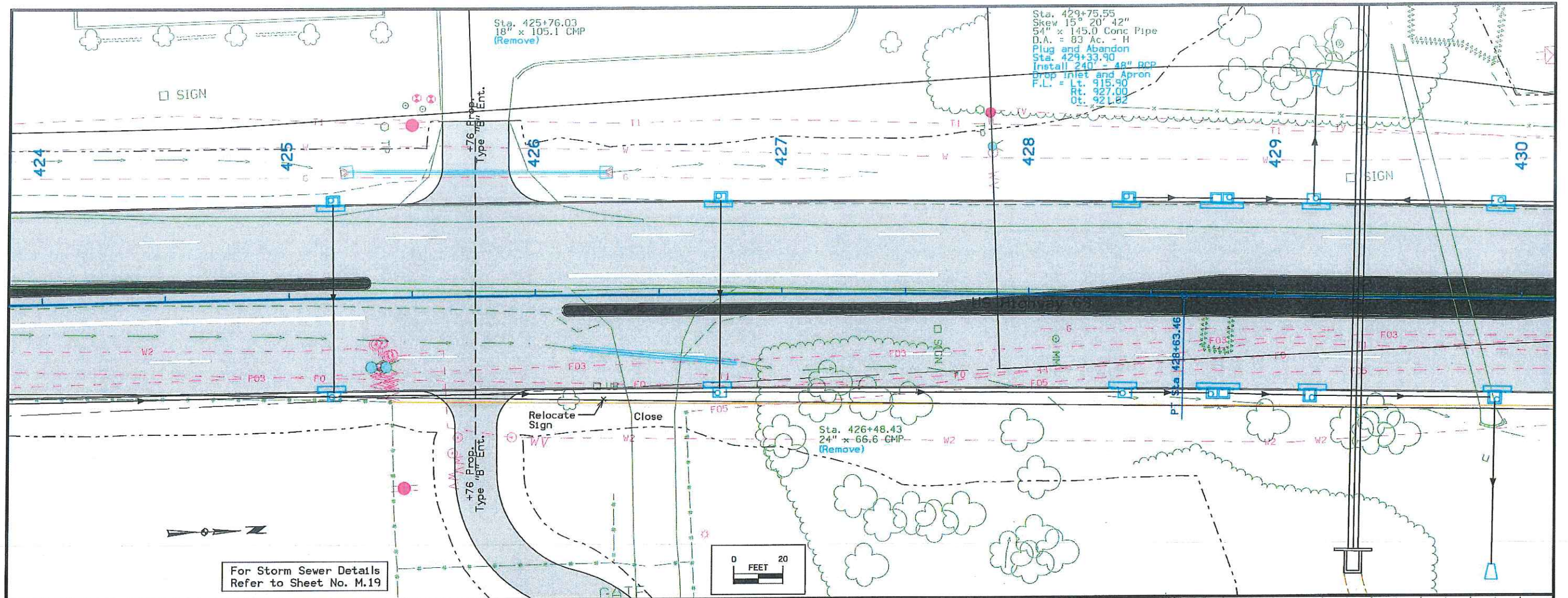




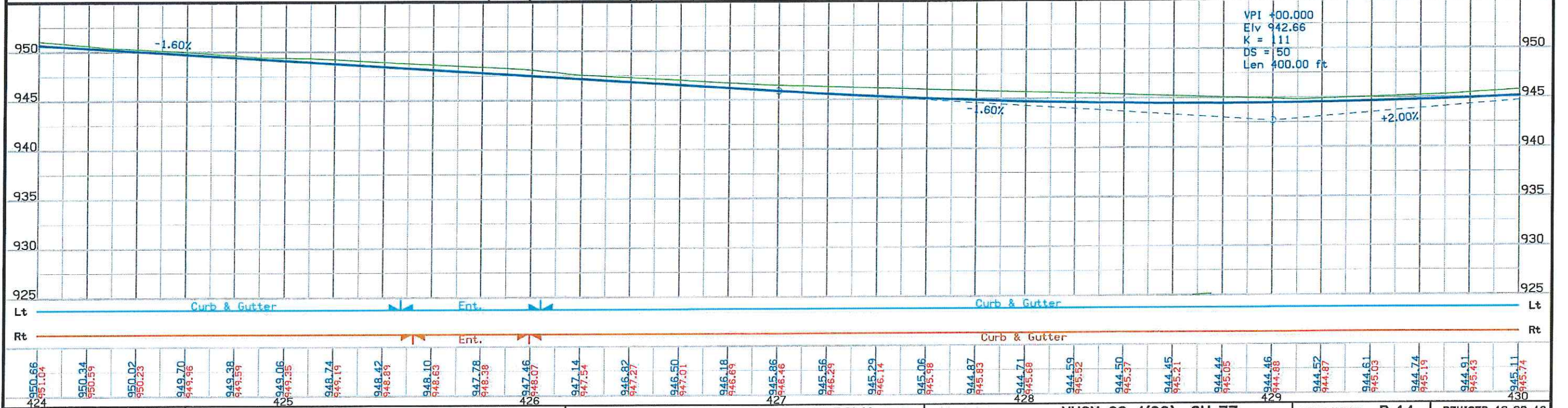
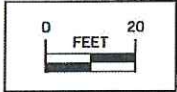






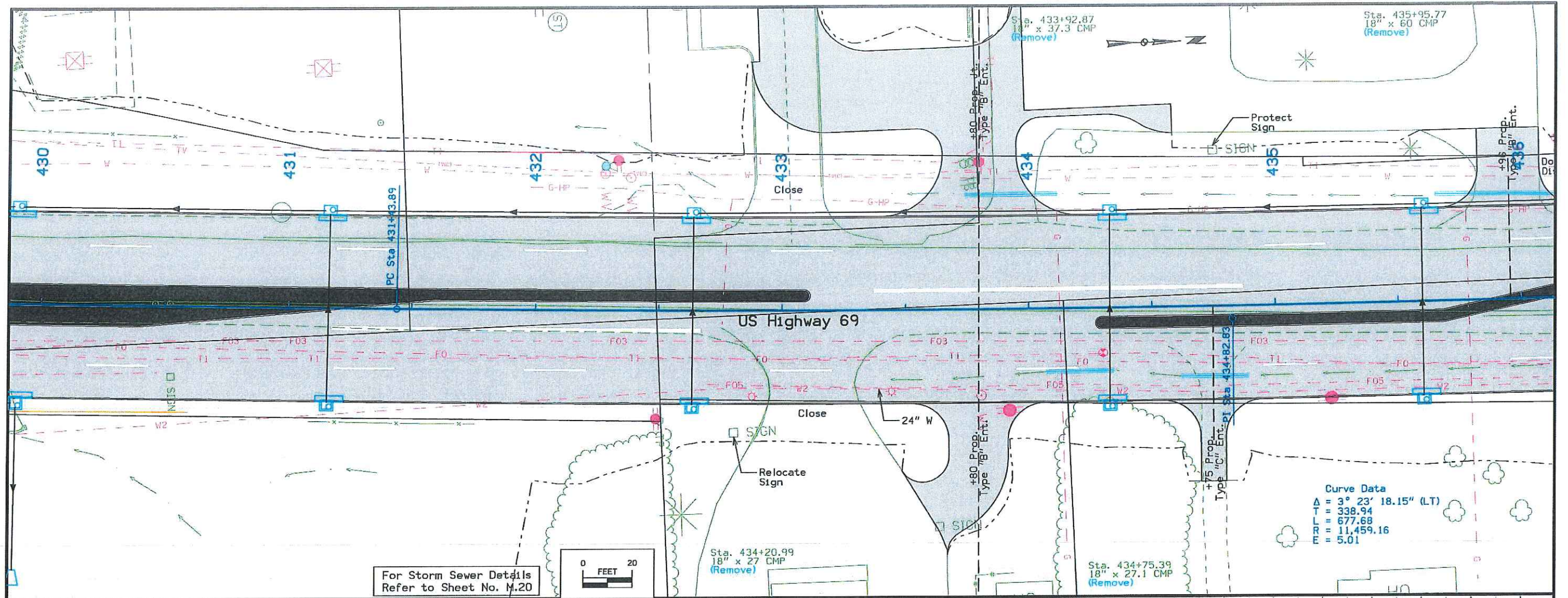


For Storm Sewer Details Refer to Sheet No. M.19

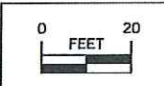


FILE NO.	ENGLISH	DESIGN TEAM	Snyder & Associates, Inc.	POLK COUNTY	PROJECT NUMBER	NHSX-69-4(68)--3H-77	SHEET NUMBER	D.14	REVISED	12-20-18
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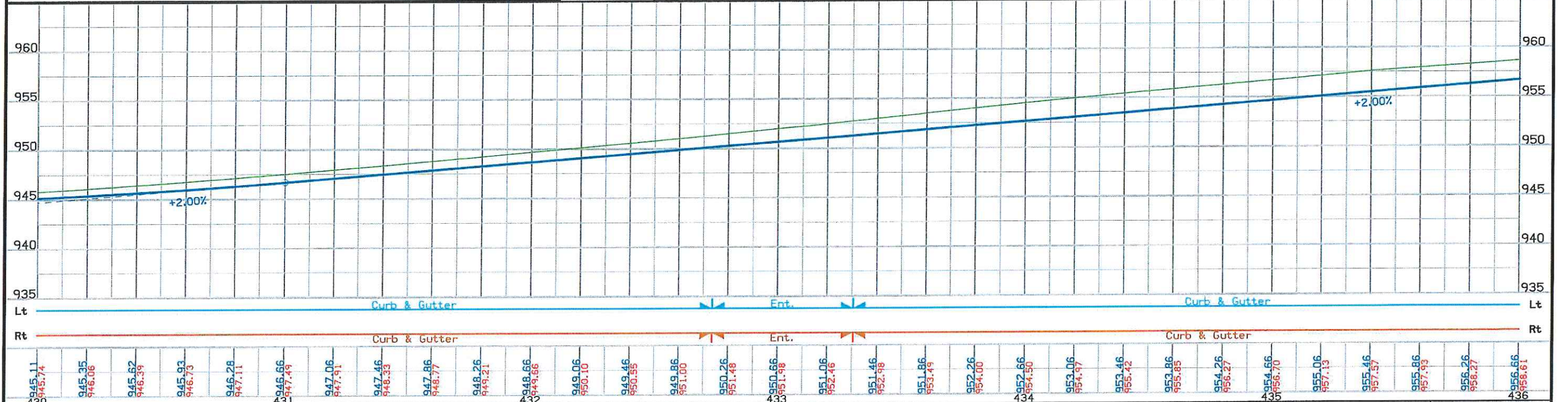




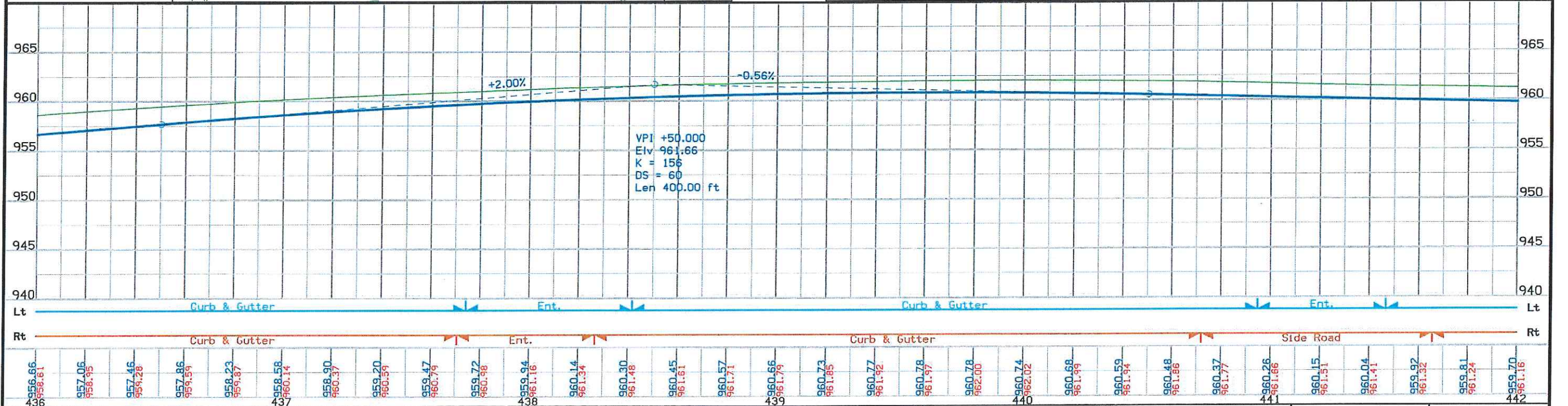
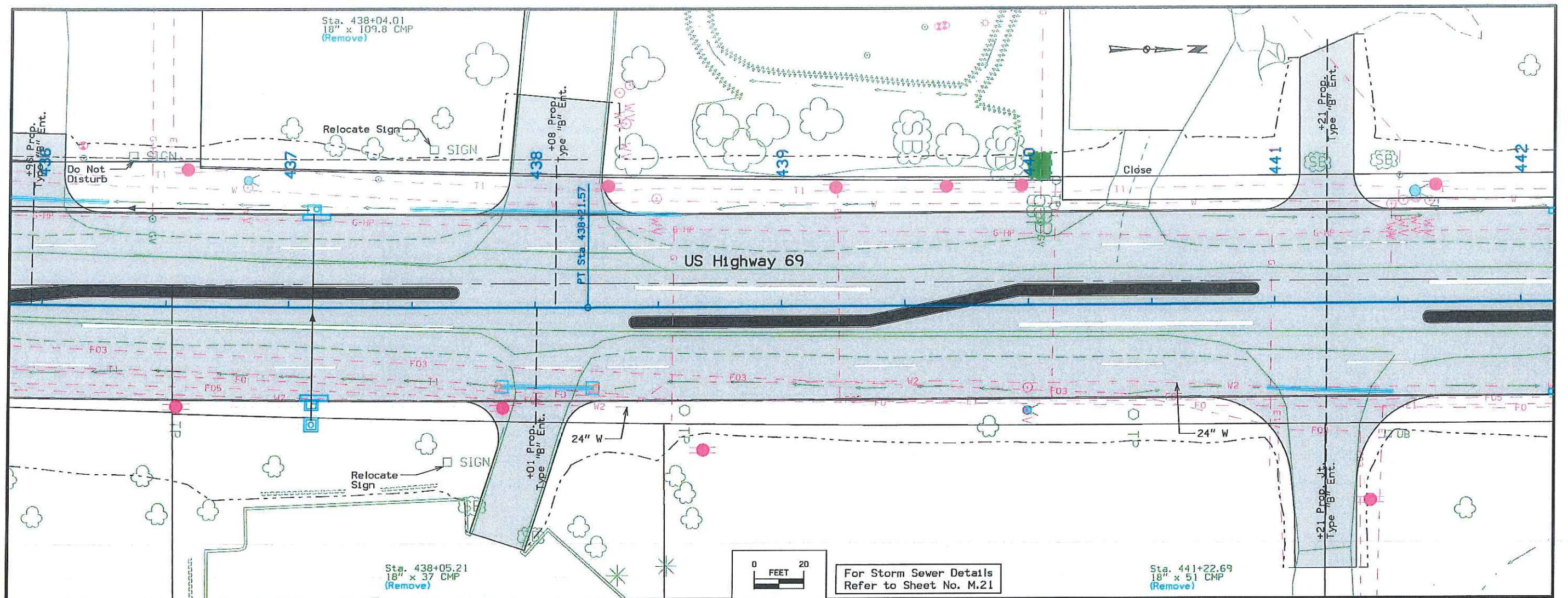
For Storm Sewer Details Refer to Sheet No. M.20



Curve Data  
 $\Delta = 3^\circ 23' 18.15''$  (LT)  
 $T = 338.94$   
 $L = 677.68$   
 $R = 11,459.16$   
 $E = 5.01$

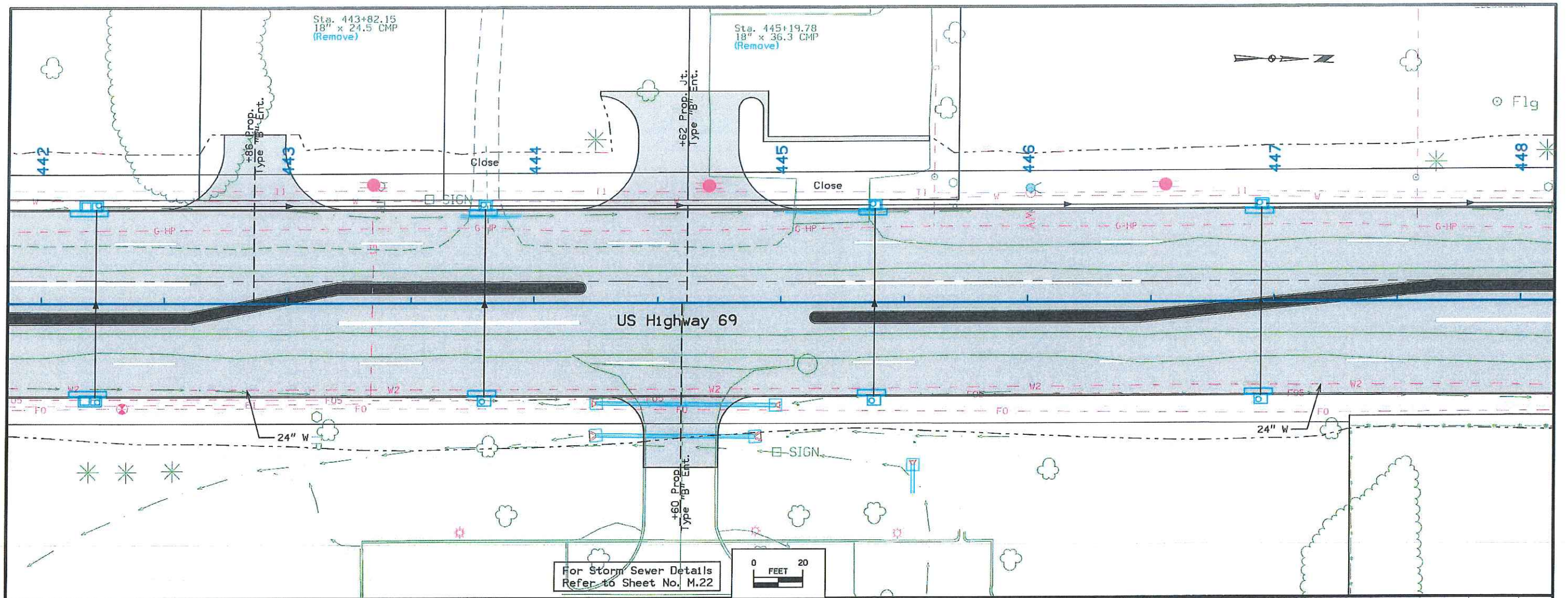




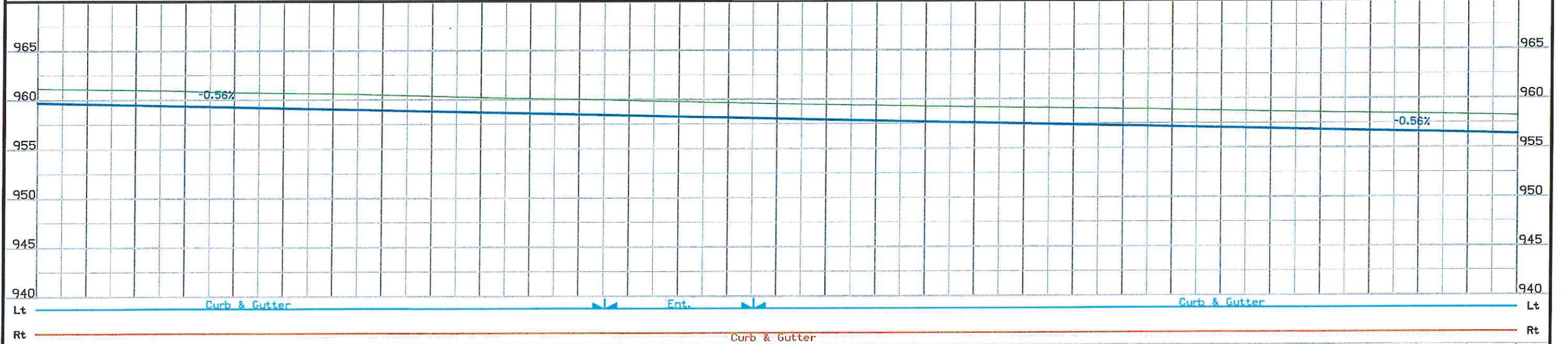
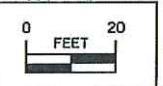


FILE NO.	ENGLISH	DESIGN TEAM	Snyder & Associates, Inc.	POLK COUNTY	PROJECT NUMBER	NHSX-69-4(68)--3H-77	SHEET NUMBER	D.16	REVISED	12-20-18
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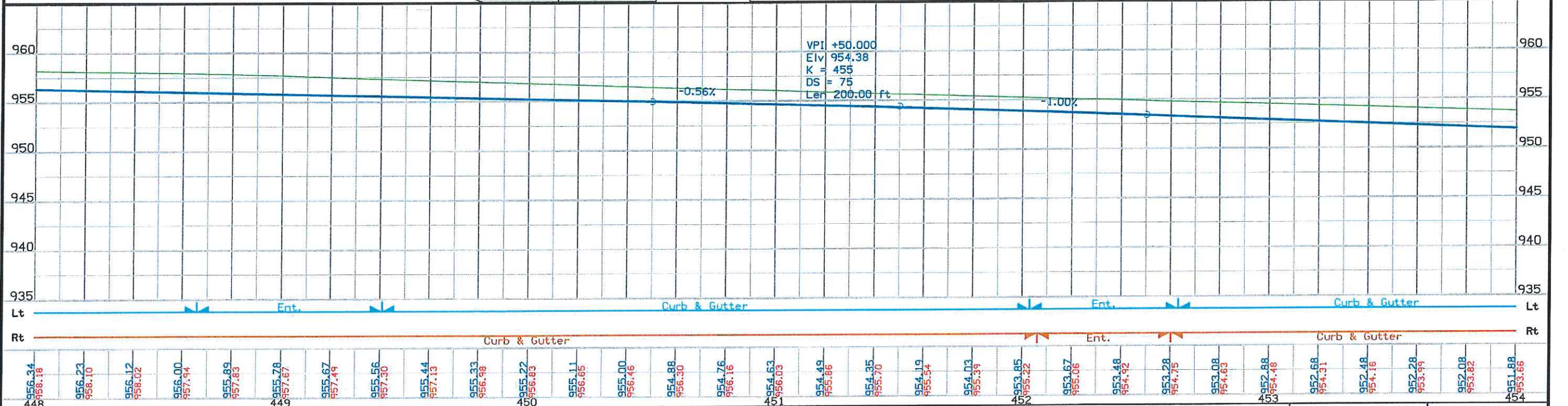
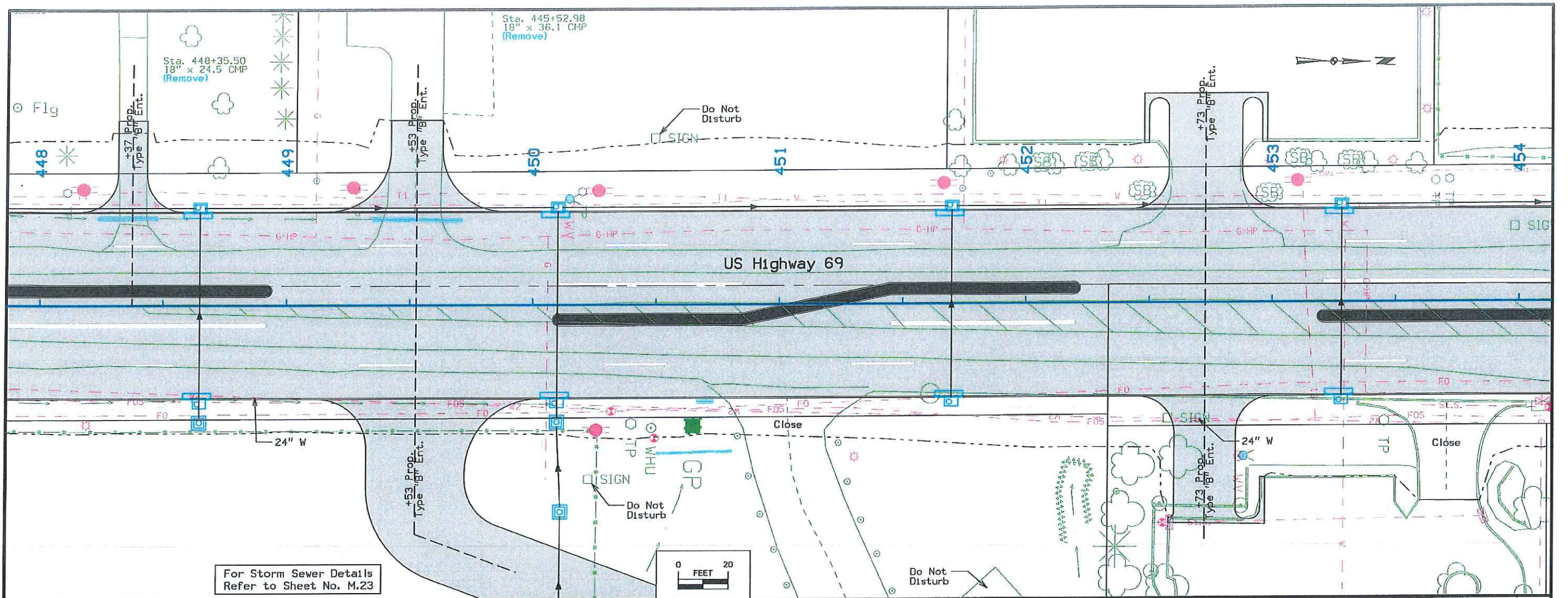


For Storm Sewer Details Refer to Sheet No. M.22



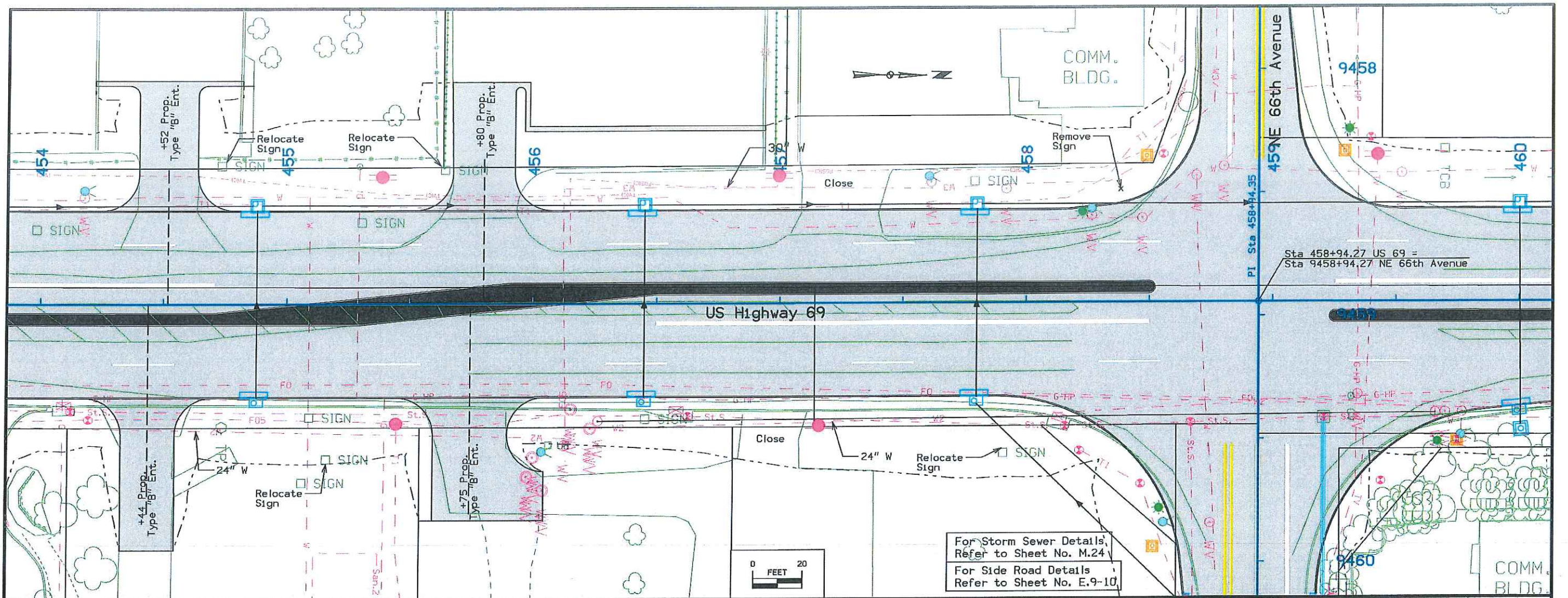
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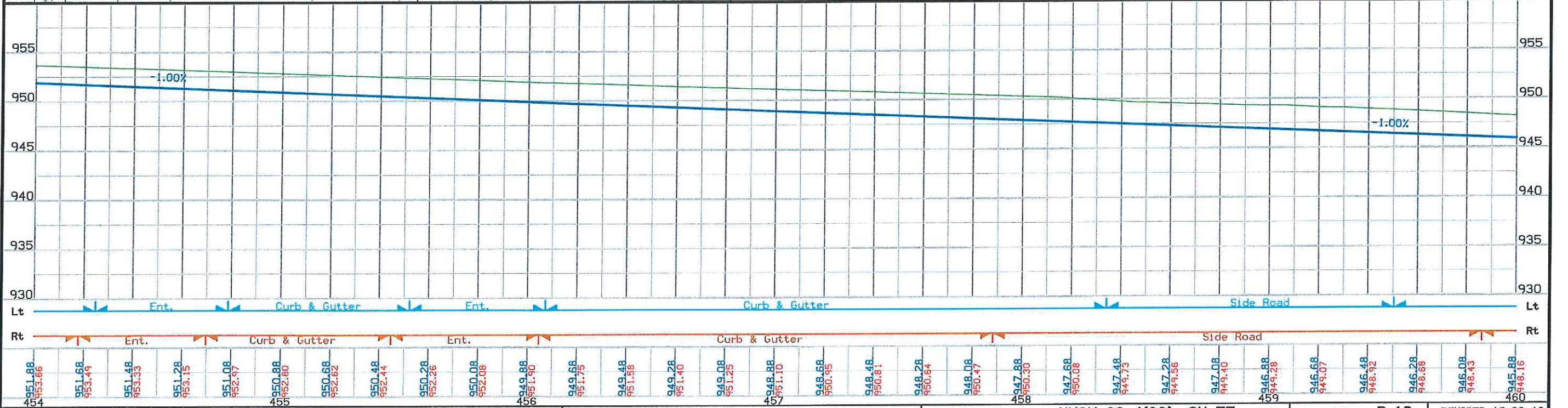


448	956.34	956.18	956.23	958.10	956.12	958.02	956.00	957.94	955.89	957.83	955.78	957.67	955.67	957.49	955.56	957.30	955.44	957.13	955.33	956.98	955.22	956.83	955.11	956.65	955.00	956.46	954.88	956.30	954.76	956.16	954.63	956.03	954.49	955.86	954.35	955.70	954.19	955.54	954.03	955.39	953.85	955.22	953.67	955.06	953.48	954.92	953.28	954.75	953.08	954.63	952.88	954.48	952.68	954.31	952.48	954.16	952.28	953.99	952.08	953.82	951.88	953.66
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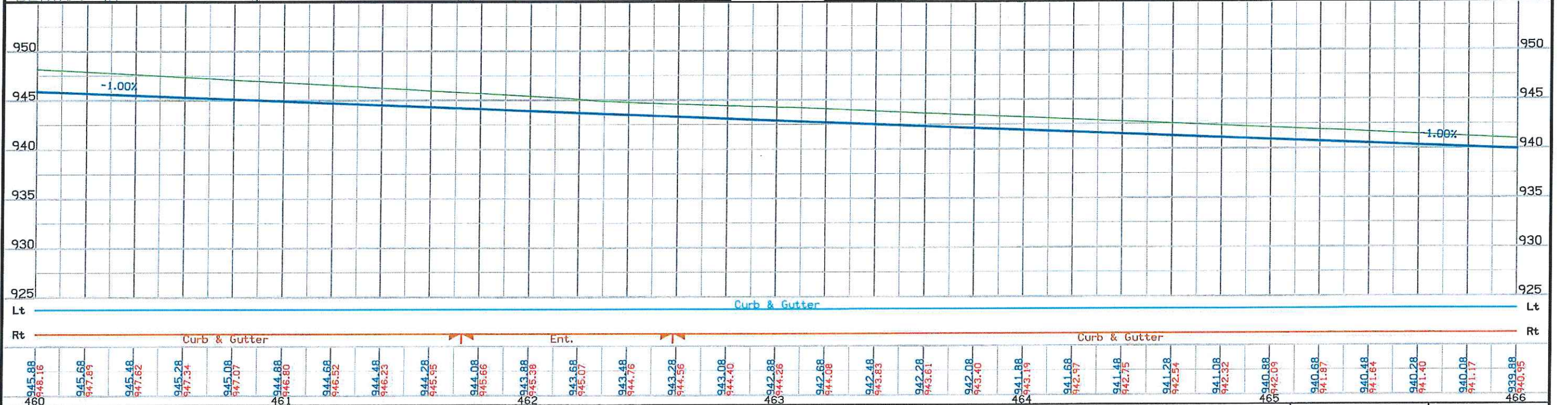
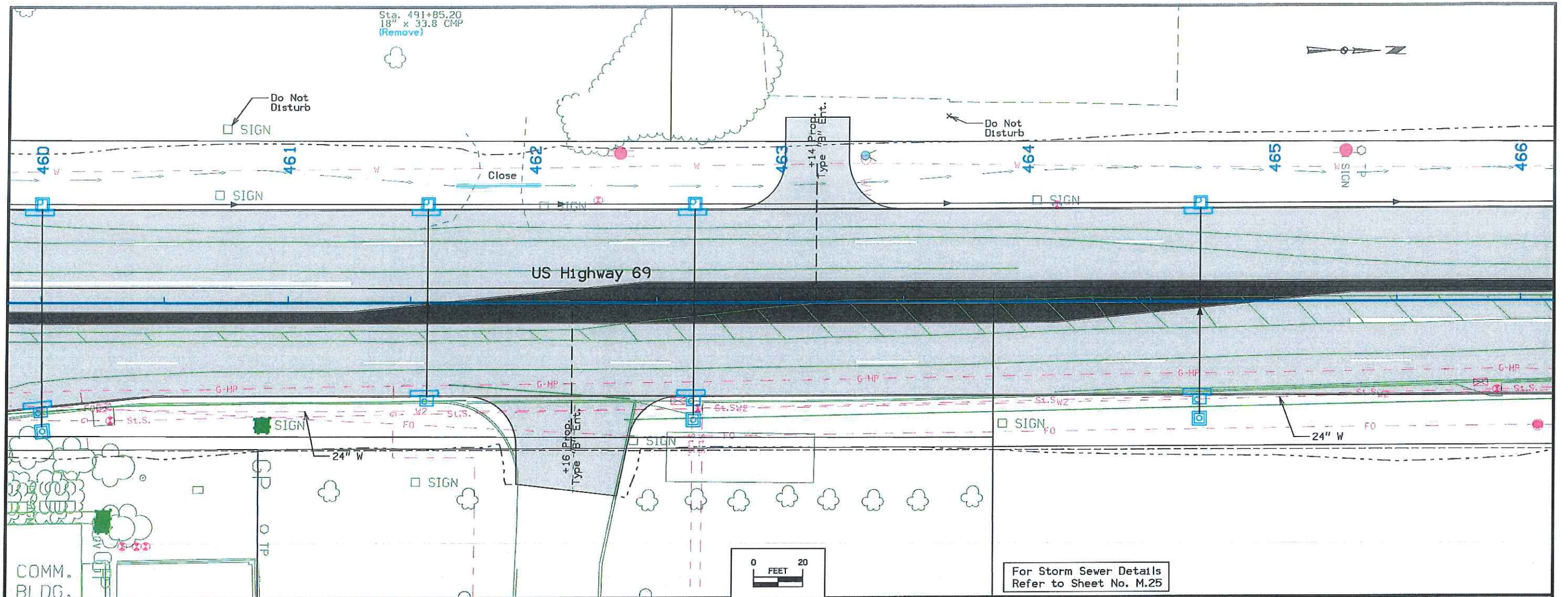




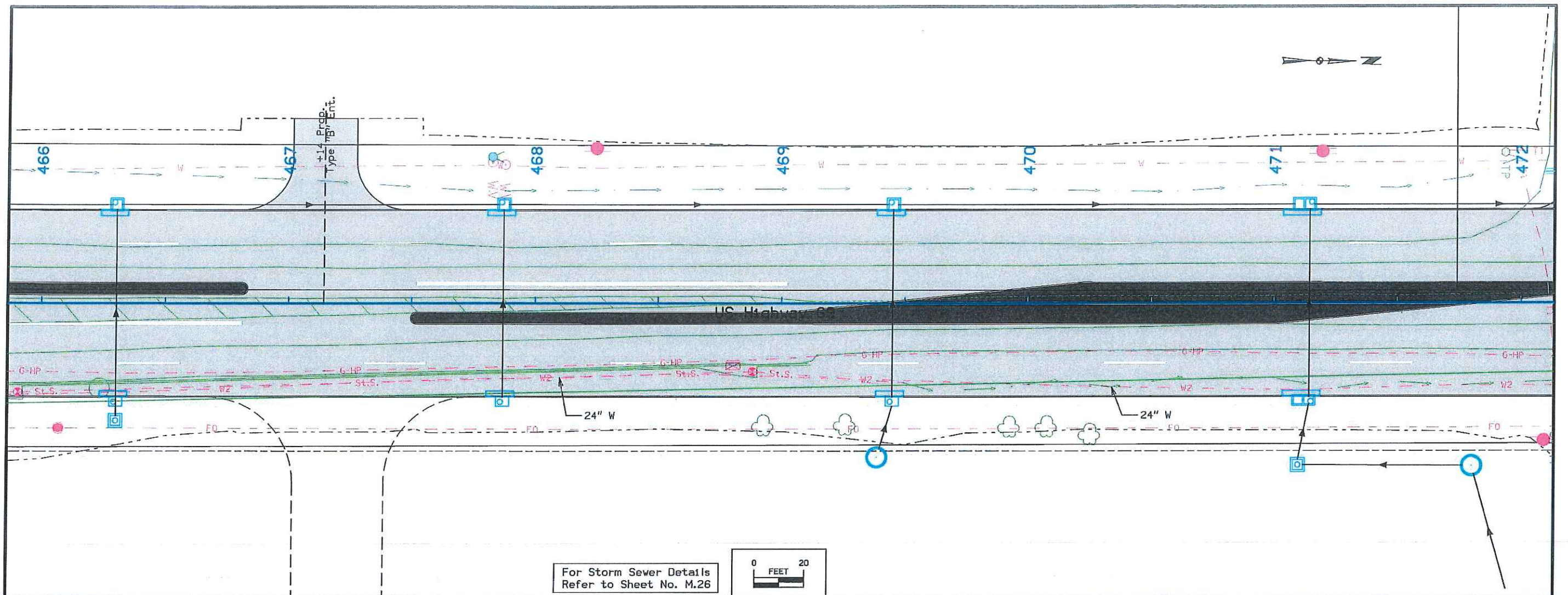
For Storm Sewer Details,  
Refer to Sheet No. M.24  
For Side Road Details  
Refer to Sheet No. E.9-10



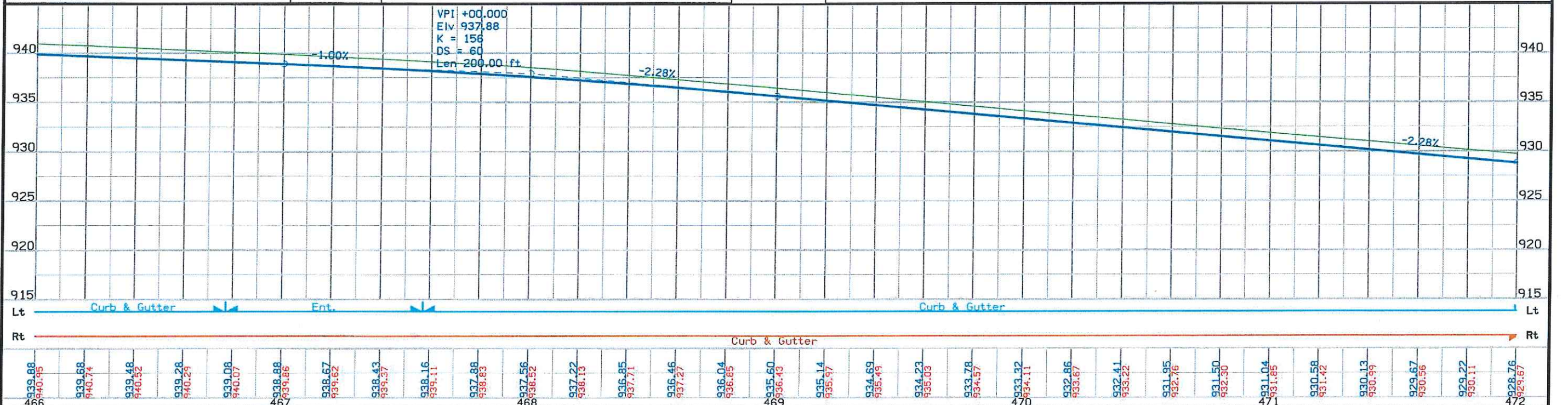
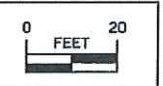




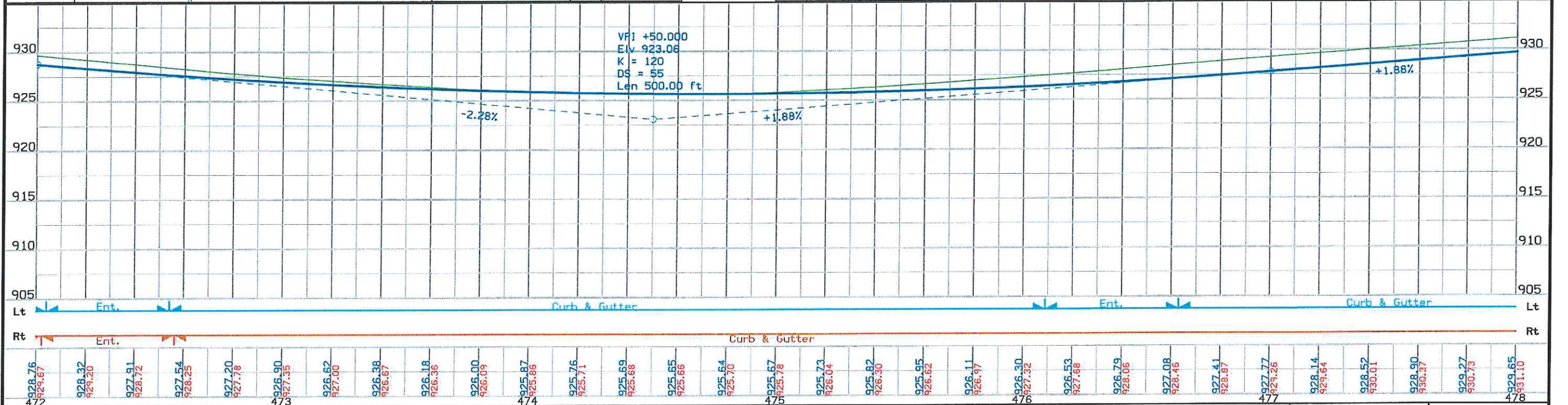
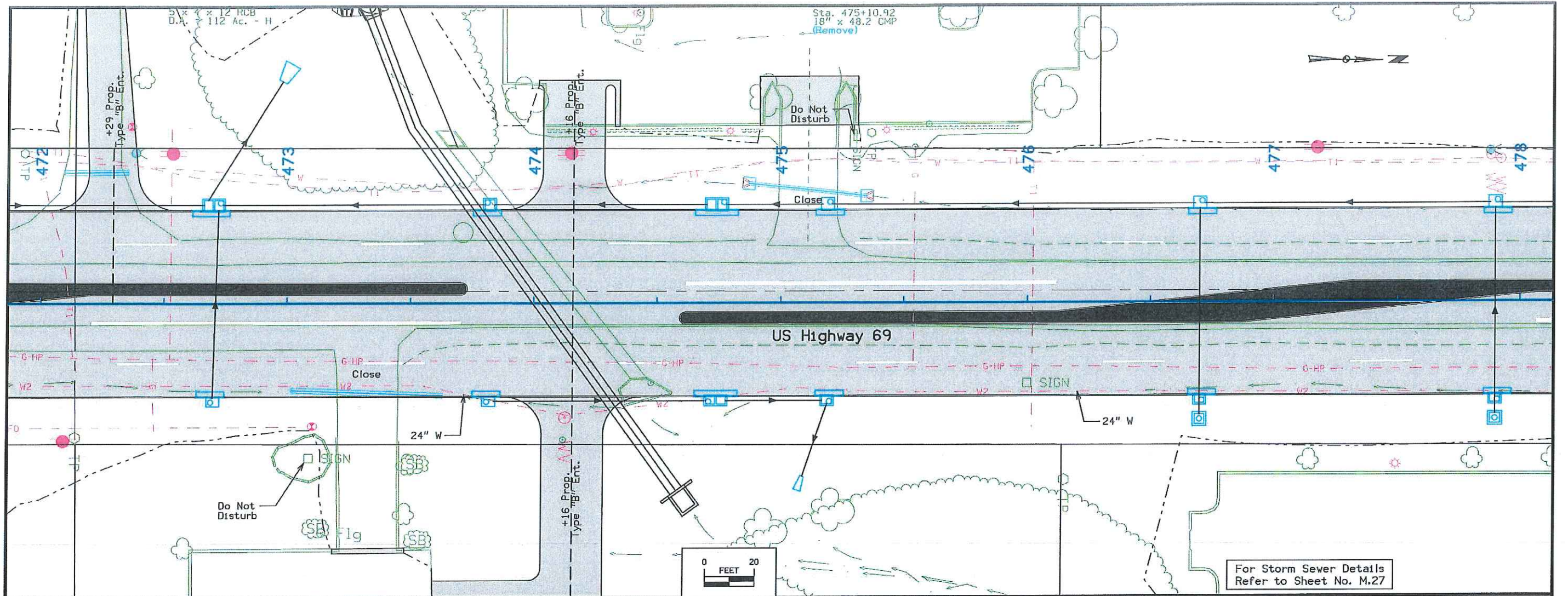




For Storm Sewer Details  
Refer to Sheet No. M.26

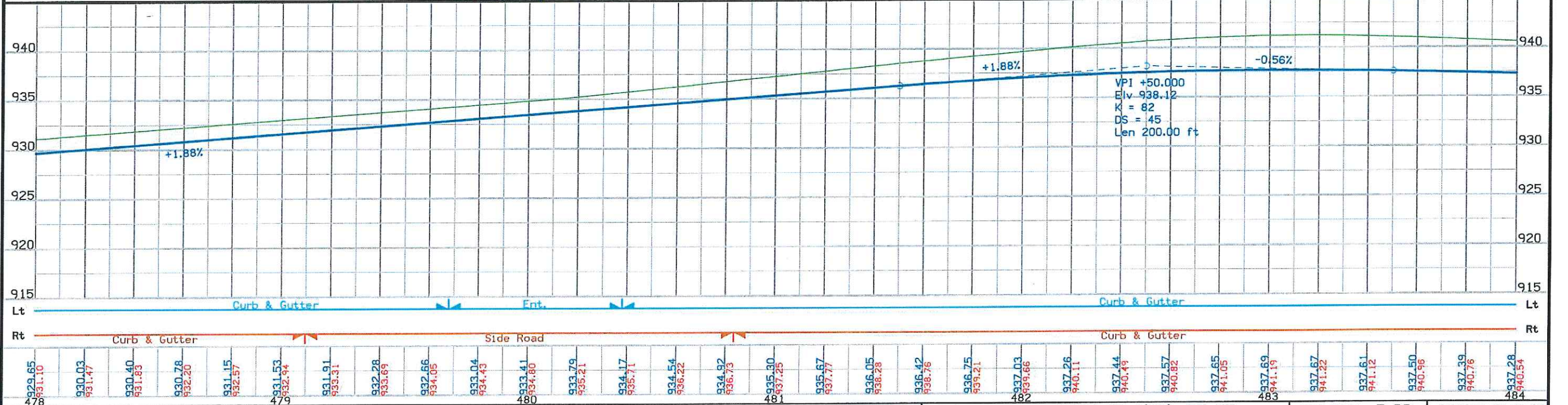
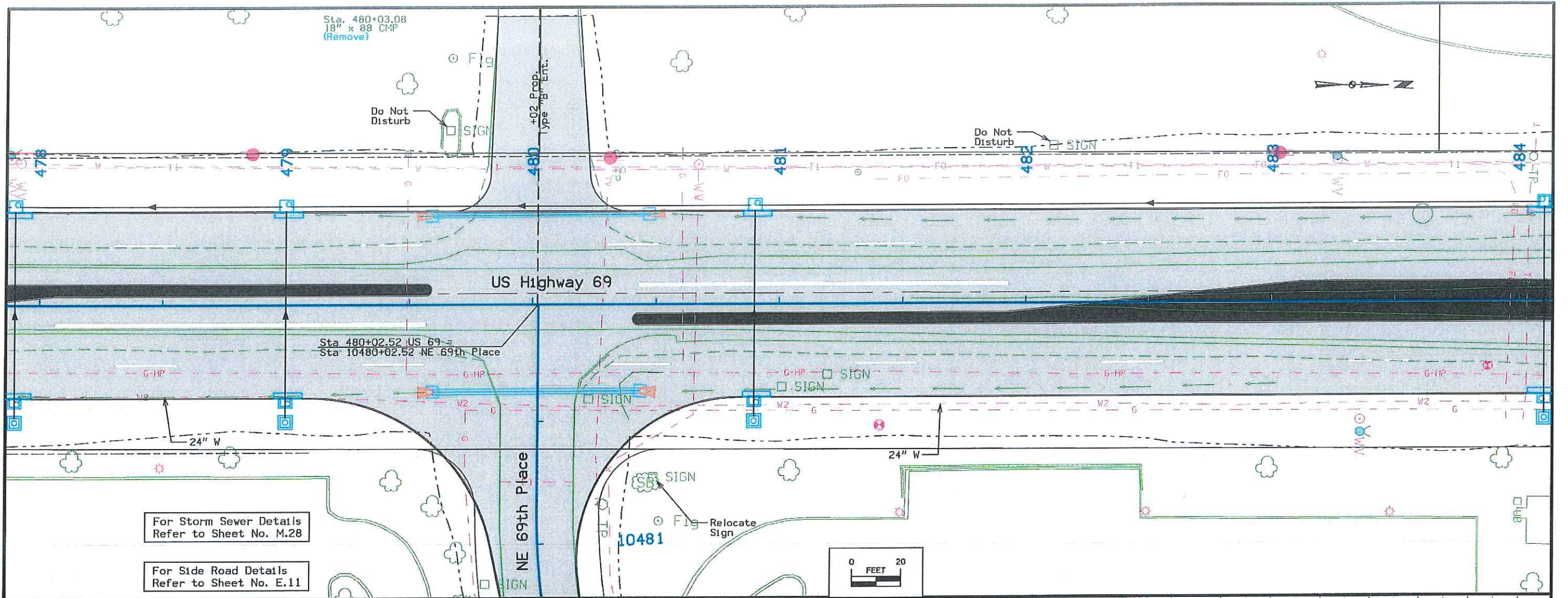






928.76 929.67 472	928.32 929.20	927.91 928.72	927.54 928.25	927.20 927.78	926.90 927.35	926.62 927.00	926.38 926.67	926.18 926.36	926.00 926.09	925.87 925.86	925.76 925.71	925.69 925.68	925.65 925.66	925.64 925.70	925.67 925.78	925.73 926.04	925.82 926.30	925.95 926.62	926.11 926.97	926.30 927.32	926.53 927.68	926.79 928.06	927.08 928.46	927.41 928.87	927.77 929.26	928.14 929.64	928.52 930.01	928.90 930.37	929.27 930.73	929.65 931.10 478
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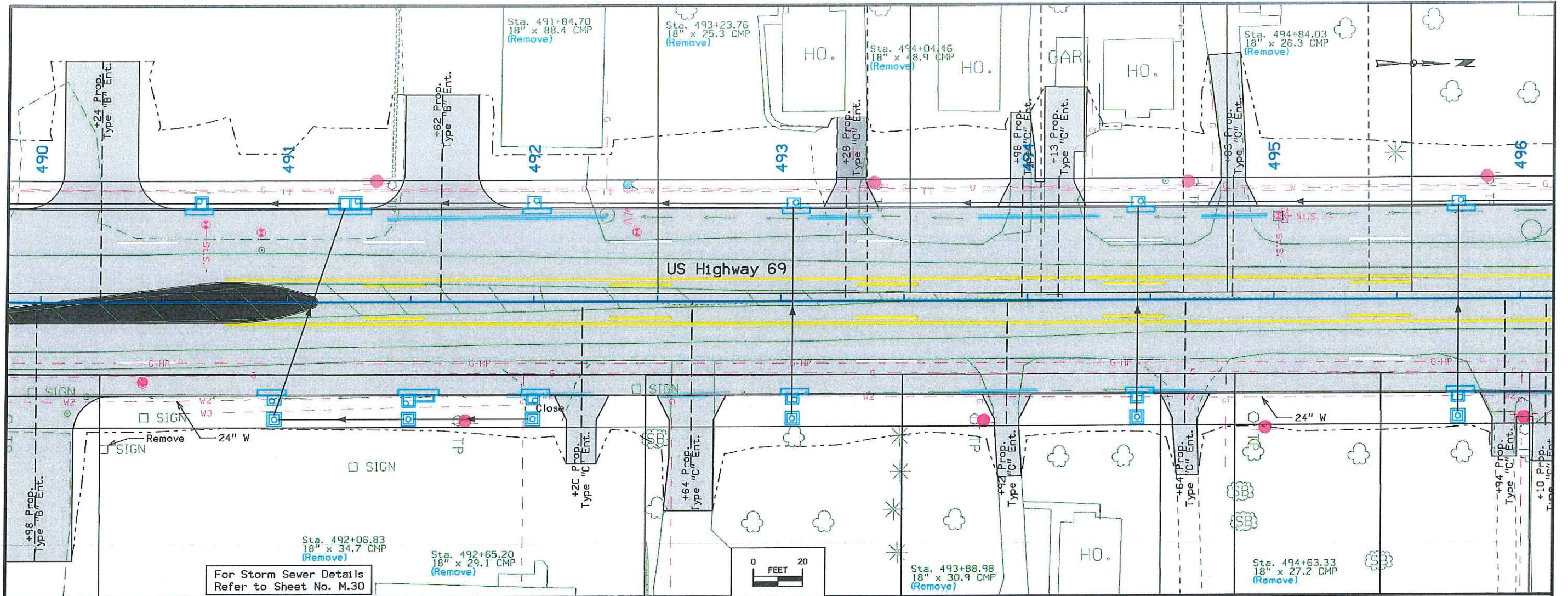




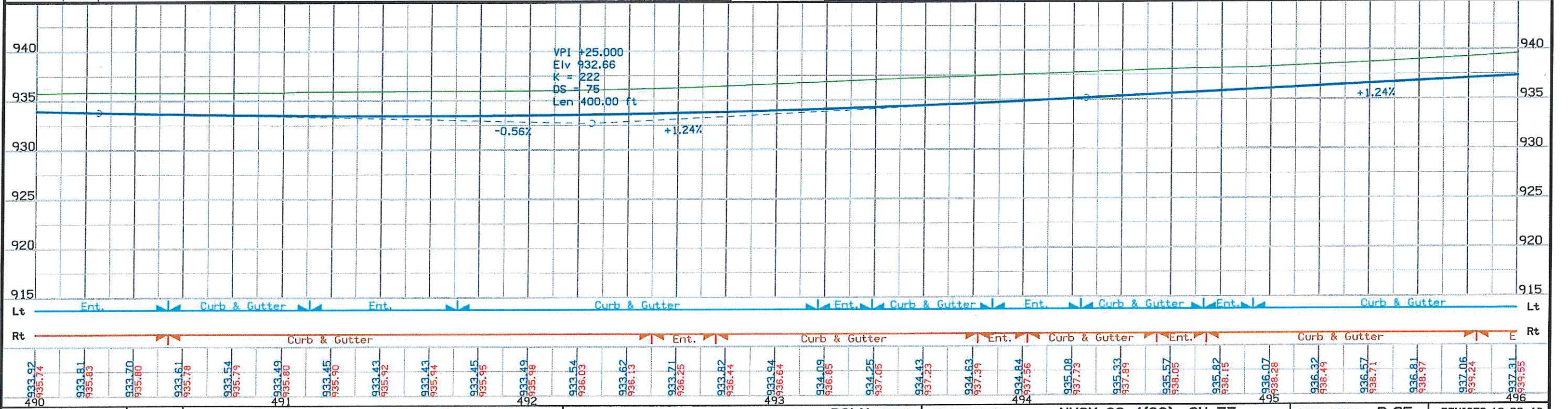




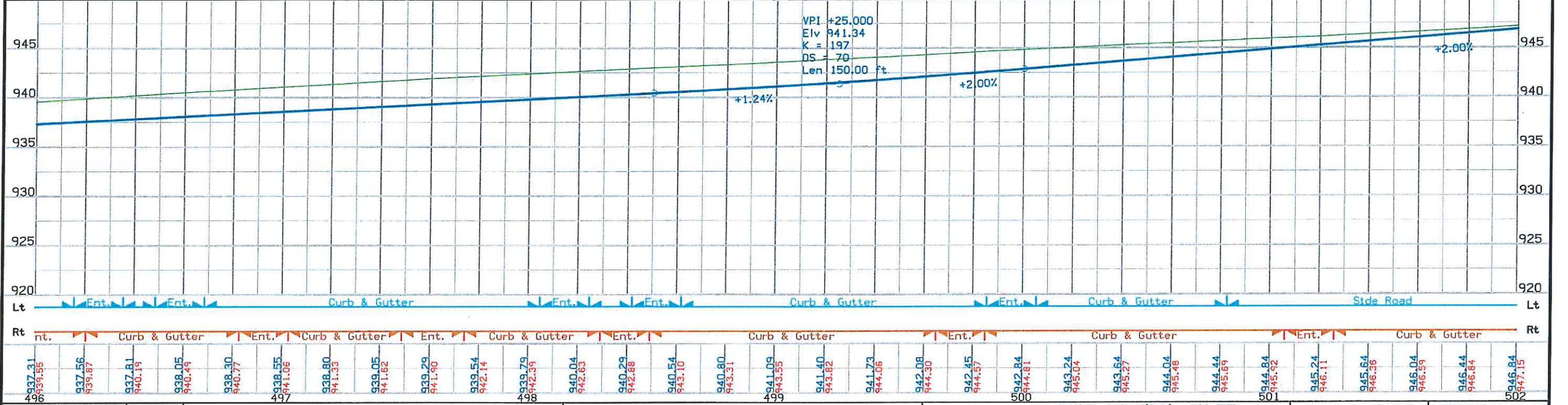
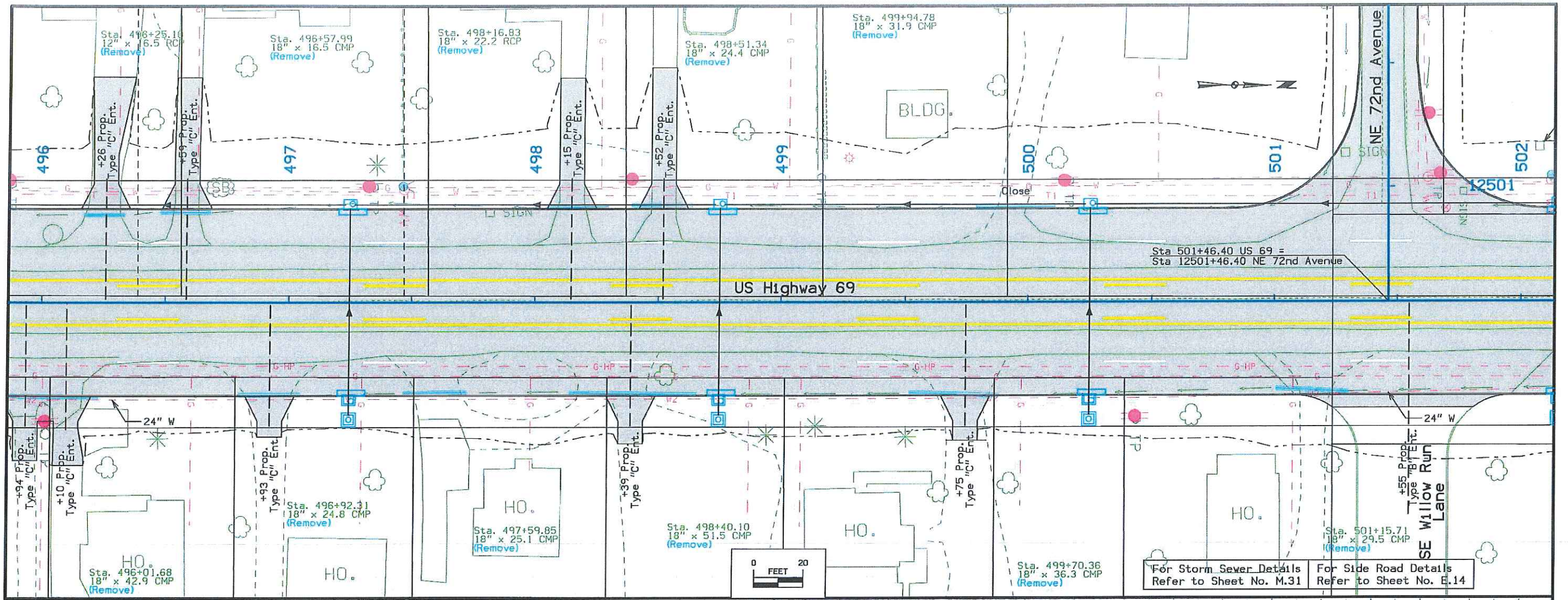




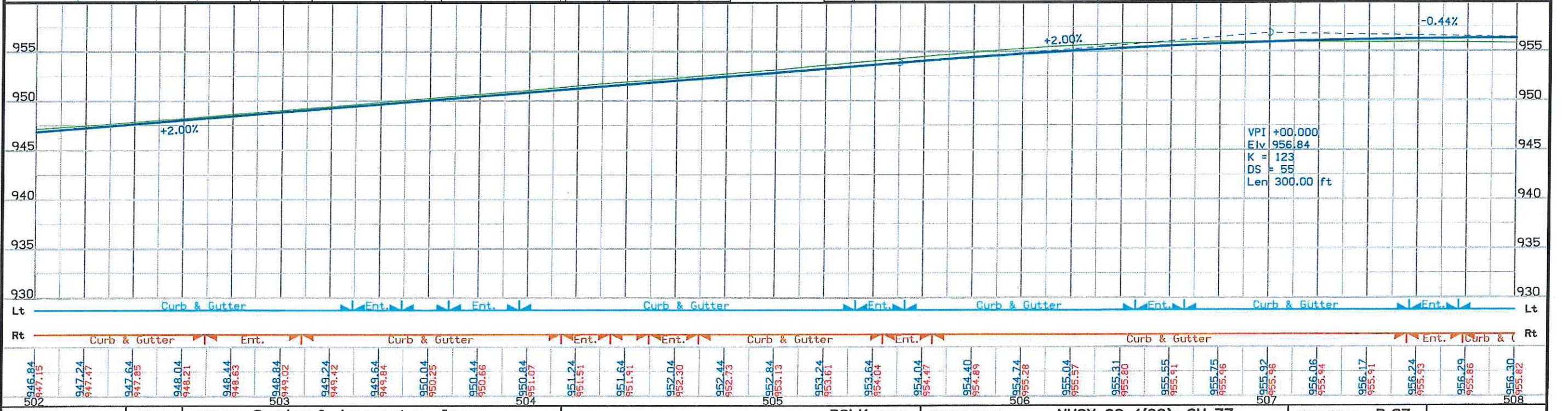
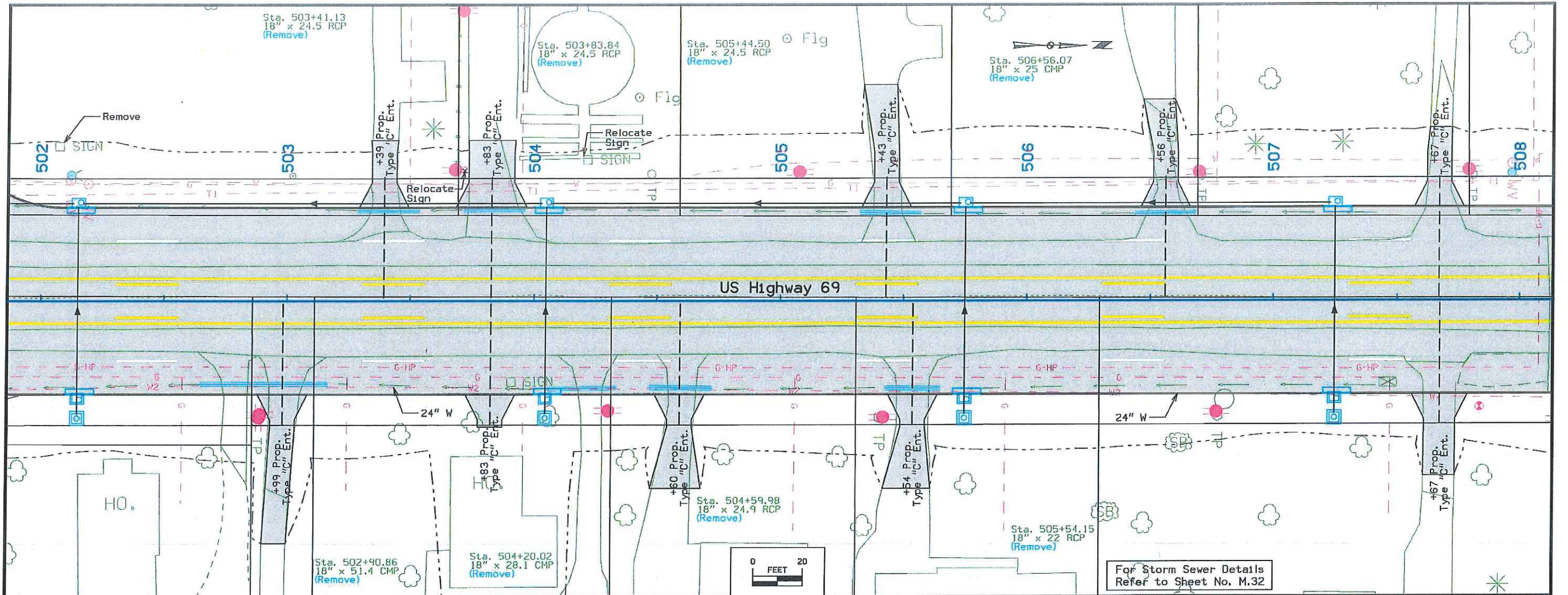
For Storm Sewer Details Refer to Sheet No. M.30











FILE NO.	ENGLISH	DESIGN TEAM	Snyder & Associates, Inc.	POLK COUNTY	PROJECT NUMBER	NHSX-69-4(68)--3H-77	SHEET NUMBER	D.27
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