



**Hidalgo County
Planning
Department**

T.J. Arredondo, CFM
Director of Planning

Main Office
1304 S. 25th Street
Edinburg, Texas 78542
Phone (956) 318-2840
Fax (956) 318-2844

Precinct No. 3 Substation
2401 N. Moorefield Road
Mission, Texas 78572
Phone (956) 205-7045
Fax (956) 205-7049

PIPELINE AND UTILITY PERMIT APPLICATION PACKET

THE STATE OF TEXAS

COUNTY OF HIDALGO

PRECINCT 3

**APPLICATION AND AGREEMENT FOR PIPELINE OR
UTILITY PERMIT**

Date: 4/7/2020

Spectrum 1180025 (hereinafter referred to as "Applicant") does hereby make application to the Hidalgo County through the Hidalgo County Planning Department (hereinafter referred to as "HCPD") to construct, maintain and repair pipelines or utilities across the easements, right-of-ways, property or property interest as described below.

Information required:

1. Name, Address and Phone number of Applicant:
Spectrum. 1514 South 77 Sunshine strip suite 1
Harlingen, TexasRobert Martinez 956-535-3264
2. Name, Address and Phone number of company or agency owning Pipeline or Utility (please indicate if same as Applicant):
Spectrum, 1514 South 77 Sunshine strip suite 1
Harlingen, Texas 78550....Robert Martinez 956-535-3264
3. Name, Address and Phone number of operator of Pipeline or Utility (please indicate if same as Applicant):
Spectrum, 1514 S 77 Sunshine Strip suite 1
Harlingen, Texas 78550....Robert Martinez 956-535-3264
4. Name, Address and Phone number of contractor to install Pipeline or Utility:
Dcomm Inc. 1810 East Sugar Cane Weslaco Texas, 78596
Andrew Garza956-929-8965



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5. Is this a common carrier pipeline or utility? If yes, please submit the Applicant's Texas Railroad Commission Form "T-4" or similar form designating the facility:

N/A

6. Does Applicant have the Power of Eminent Domain?

N/A

7. Will the product be carried for hire or by the owner of the goods?

N/A

8. Name and Legal description of property owner requesting utility services if applicable:
Moorefield Heights

2201 Marc dr. Mission TX

9. Type of utility work within county road right-of-way:

Bore Crossing Line Extension Along R.O.W. Other Pole aerial Power supply

10. Where is the origin of the line?

N/A

11. Where is the destination of the line?

N/A



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It is the expressed intent of the parties to this agreement that the indemnity provided for in this section is extended by Applicant to indemnity and protect Hidalgo County from the consequences of Hidalgo County's own negligence, whether that negligence is the sole or contributory cause of the resultant injury death, or damage.

Applicant further agrees to defend, at its own expense, with attorneys acceptable to Hidalgo County and on behalf of Hidalgo County, and in the name of Hidalgo County, any claim or litigation brought against Hidalgo County in connection with any such injury, death or damage.

Before construction is begun on such pipeline or utility crossings, Applicant will furnish to the HCPD a certificate of insurance (or other security approved by the HCPD) payable to Hidalgo County and protecting Hidalgo County (as an additional named insured) against any claims for personal injuries or damages to property resulting from the operations of Applicant, its agents, servants, employees, and contractors under this permit. Insurance is to be supplied in accordance with the attached Schedule A.

8. Hidalgo County makes no warranties, expressed or implied, in the granting of this permit; nor does Hidalgo County purport to grant any property interest or exclusive privileges whatsoever by granting such permit. It is specifically understood that Hidalgo County is not the agent for, nor does it act for, the fee owners or any persons or entities having any right, or title to possession of the land upon which Hidalgo County's easement or other property interest is located. Furthermore, in granting this permit Hidalgo County makes no representation or warranty that it has any property interest, including, but not limited to, an easement or right of way, in the land upon which Applicant constructs, maintains, repairs, or modifies the pipelines or utilities, made the subject of this application, nor does Hidalgo County make any representation or warranty as to the validity, quality or extent of such property interest, if any. Applicant acknowledges its understanding that Hidalgo County in granting this permit, does not convey or grant to Applicant any rights, title or interest for which is has no legal authority to grant or convey.
9. Applicant binds itself to comply with all federal, state, and local laws or regulations and will obtain all necessary permits from all local and federal agencies required by law before installation or construction is begun.



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Permit fees may be waived where Applicant is a state, county, municipality, or a special political subdivision.

13. The Applicant is allowed one hundred twenty days (120) from the granting of the permit to start construction of the pipelines or utilities crossings. Once started, the Applicant is allowed ninety (90) days to complete all work under such permit. All construction must be completed within two hundred ten (210) days from the date of issuance of permit. Upon application, extension of the time periods set forth in this paragraph may be granted by the Hidalgo County Commissioners Court. Such applications for extension must be received by HCPD at least thirty days before the expiration of the two hundred ten (210) days period. A new permit fee, in accordance with Paragraph 12 hereof, will be charged for each extension granted.

Construction of any pipeline or utility crossing will not begin until written approval has been given by HCPD.

14. All provisions of the Pipeline and Utility Permit Administration Policy of Hidalgo County, if any, and all amendments thereto, are hereby incorporated herein as part of the terms and conditions of this permit for all purposes.
15. Applicant warrants and represents that it has secured from all fee owners of the involved property an easement or other property rights to construct, repair or modify the pipeline or utility in the manner set forth herein.
16. This Pipeline and Utility Permit if granted by Hidalgo County is subject to any and all other requirements, specifications and conditions listed in Exhibit A attached hereto.
17. Hidalgo County requires all coordinates of all utility crossings. Horizontal datum to be in NAD 83 State Plane Texas South 4205 feet and vertical datum in NAVD 88 Geoid 12a.



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18. This permit constitutes the entire agreement between the parties with regard to the subject matter hereof, and all prior agreements, representations, and negotiations between the parties regarding the subject matter are hereby superseded. This permit shall not be altered or amended except by an agreement in writing executed by the parties hereto.

19. Applicant warrants and represents that its undersigned representative has full authority to bind Applicant to the terms and conditions of the foregoing Application and Agreement for Pipeline or Utility Permit.

DATED this 21 day of April, 2020

Robert I Martinez
(Name of Applicant – Printed or Typed)

By: Robert Martinez
Signature

Title: Construction Coordinator

STATE OF TEXAS
COUNTY OF HIDALGO

SUBSCRIBED AND SWORN TO before me the Applicant,
Robert Martinez on this 21 day of April, 2020,
to which witness my hand and seal of office.



Bzuniga
Notary Public for the State of Texas
My Commission Expires: 8-24-22



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**APPROVAL OF APPLICATION BY
HIDALGO COUNTY PLANNING DEPARTMENT**

Came on for consideration this _____ day of _____,
20____. The above and foregoing Application for Pipeline and Utility
Permit, and after consideration of the same by the Hidalgo County
Commissioners Court, said Application and Agreement for Pipeline or
Utility Permit is hereby APPROVED.

HIDALGO COUNTY:

Richard F. Cortez, County Judge



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EXHIBIT A

(Please insert description of project location and supporting documents for proposed utility work)



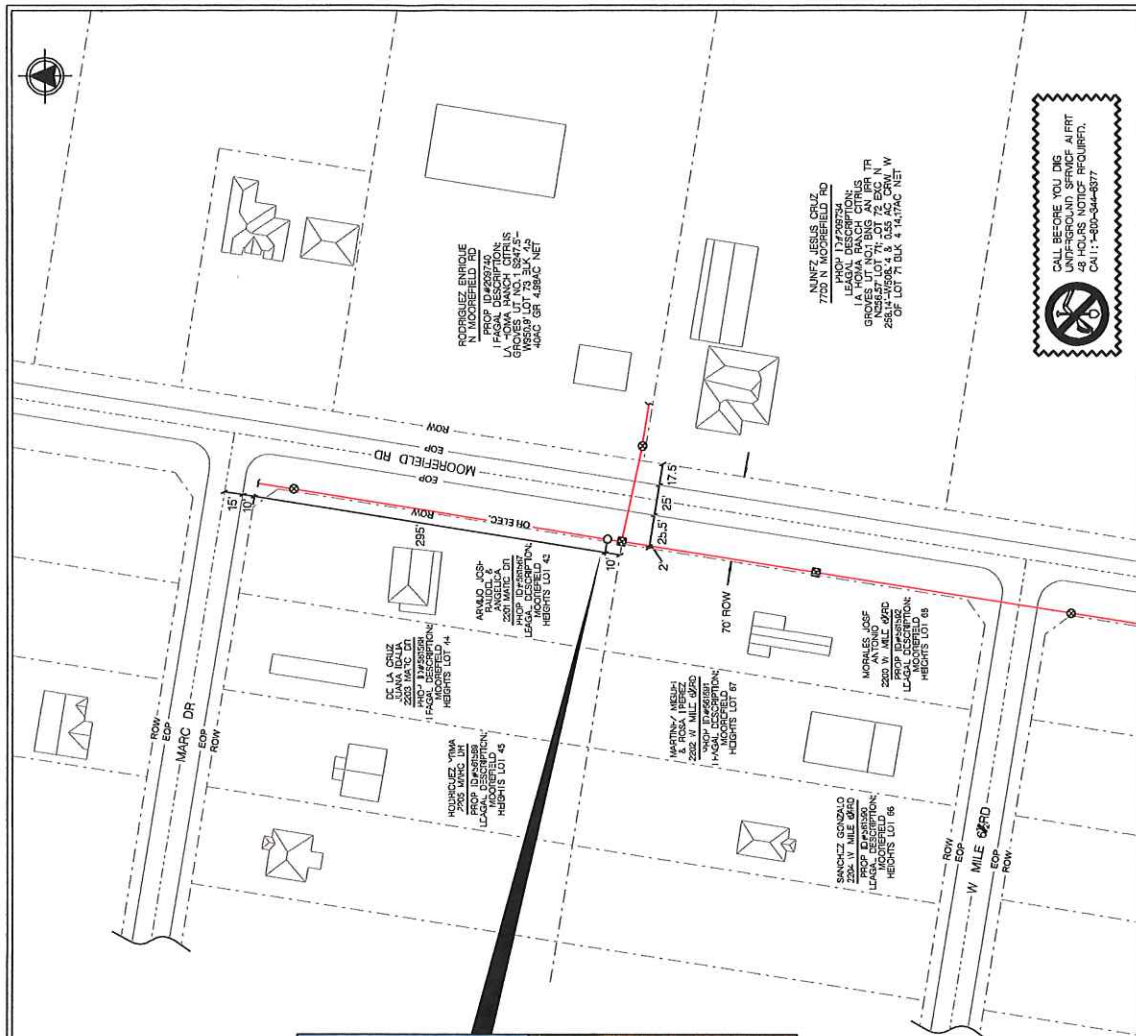
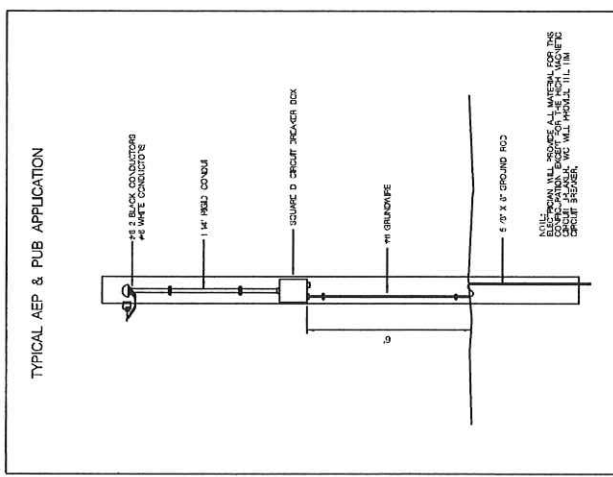
NOTE:
NEW PROPOSED SPECTRUM POLE
INSTALLED APPROX 330 SOUTH
OF INTERSECTION MARC DR &
MOOREFIELD RD. ON THE WEST
SIDE OF MOOREFIELD RD. THE
POWER POLE IS 21' IN ROW & 25.5' FROM EOP
AT ADDRESS 2201 MARC DR.

EXISTING
POWER POLE



LAT: 26.318079 - LONG: -98.340153
NEW PROPOSED SPECTRUM POLE
21' IN ROW & 25.5' FROM EOP

NOTE:
DEPTH OF EXISTING BURIED UTILITIES
TO BE DETERMINED BY EXCAVATION
CONTRACTOR.



MOOREFIELD HEIGHTS SUBD.
2201 MARC DR
04-16-20
SMIA
MISSION, TX

DATE: _____

COMMENTS: _____

REVISIONS: _____

DATE: _____

COMMENTS: _____

LEGEND

W	WATER UTILITY	SS	SANITARY SEWER UTIL.	DA	DOWN GUY & ANCHOR
G	NATURAL GAS UTILITY	UC	UNDERGROUND	PK	SIDWALK CURB & ANC.
C	CABLE TV UTILITY	RL	RIGHT OF WAY LINE	—	HANDHOLE
T	TELEPHONE UTILITY	EP	EDGE OF PAVEMENT	—	OVERLASH
E	ELECTRIC UTILITY	SW	EDGE OF SIDEWALK	—	NEW BUILD

FOREIGN POLE: ●

CONCRETE POLE: ○

STEEL POLE: ⊙

TRANSFORMER POLE: ⊗

POWER POLE: ⊕

OWNER: MOOREFIELD HEIGHTS SUBD.
SUBD. NO. 2201 MARC DR
DATE: 04-16-20
SCALE: 1"=100'
DRAWN BY: SMIA
CHECKED BY: SMIA
DATE: 04-16-20
PROJECT NO.: 04-16-20
JOB NO.: 04-16-20
JOB NAME: MOOREFIELD HEIGHTS SUBD.
JOB ADDRESS: 2201 MARC DR
JOB CITY: MISSION, TX
JOB STATE: TX
JOB ZIP: 78148
JOB PHONE: (817) 435-1111
JOB FAX: (817) 435-1111
JOB EMAIL: info@spectrum.com



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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/13/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Whorton Insurance Services 11200 Jollyville Rd. Austin TX 78759-4813		CONTACT NAME: Rachel Kennedy PHONE (A/C, No, Ext): (512) 338-1191 E-MAIL ADDRESS: RachelK@Whortonins.com FAX (A/C, No): (512) 338-1196	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Utica Lloyd's of Texas	NAIC # 10990
		INSURER B: Utica Mutual Insurance Company	25976
		INSURER C: Utica National Insurance Group	43478
		INSURER D: Texas Mutual Insurance Co	22945
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 19-20 MASTER **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			4970603	06/29/2019	06/29/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefit Each \$ 1,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY			4960354	06/29/2019	06/29/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 1,000,000
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			4970604	06/29/2019	06/29/2020	COMBINED SINGLE LIMIT EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	0001308783	06/29/2019	06/29/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Rented/Leased Equipment Installation Floater			4970603	06/29/2019	06/29/2020	Rented/Leased Equip \$100,000 Any One Job Site/Transit \$100,000 Deductible \$1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The General Liability, Auto Liability policies include a blanket automatic additional insured endorsement that provides additional insured status as required by written contract or agreement. The General Liability, Auto, and Workers Compensation policies include a blanket waiver of subrogation endorsement as required by a written contract or agreement. The Commercial General Liability, Auto & Workers Compensation policies include a blanket notice of cancellation to the certificate holders endorsement, providing for 30 days' advance notice if the policy is cancelled by the company other than for nonpayment of premium, or 10 days' notice if the policy is canceled for nonpayment of premium. Notice will be sent to the certificate holders with mailing address on file with the agent or the company.

CERTIFICATE HOLDER	CANCELLATION
Hidalgo County 1304 S 25th Street Edinburg TX 78542	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 