



# Permit to Construct Access Driveway Facilities on Highway Right of Way

Form 1058  
(Rev. 8/20)  
Page 1 of 2

PERMIT NUMBER: 127-DCC-02-2023			
REQUESTOR		GPS*	
		LATITUDE, LONGITUDE	
		32.446661, -97.531072	
		ROADWAY	
		HWY NAME	SH 171
		FOR TxDOT'S USE	
NAME		CONTROL	0365
MAILING ADDRESS		SECTION	03
CITY, STATE, ZIP			
PHONE NUMBER			
*GLOBAL POSITIONING SYSTEM COORDINATES AT INTERSECTION OF DRIVEWAY CENTERLINE WITH ABUTTING ROADWAY			

Is this parcel in current litigation with the State of Texas? ☐ YES ☒ NO

The Texas Department of Transportation, hereinafter called the State, hereby authorizes Godley Food Truck, hereinafter called the Permittee, to ☐ construct / ☒ reconstruct a commercial (residential, convenience store, retail mall, farm, etc.) access driveway on the highway right of way abutting highway number SH 171 in Johnson County County, located 209 SH 171 Godley, TX 76044.

USE ADDITIONAL SHEETS AS NEEDED

This permit is subject to the Access Driveway Policy described on page 2 and the following:

1. The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and maintenance of an access driveway on the state highway right of way.
2. The Permittee represents that the design of the facilities, as shown in the attached sketch, is in accordance with the Roadway Design Manual, Hydraulic Design Manual and the access management standards set forth in the Access Management Manual (except as otherwise permitted by an approved variance).
3. Construction of the driveway shall be in accordance with the attached design sketch, and is subject to inspection and approval by the State.
4. Maintenance of facilities constructed hereunder shall be the responsibility of the Permittee, and the State reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the highway. Changes in design will be made only with prior written approval of the State.
5. The Permittee shall hold harmless the State and its duly appointed agents and employees against any action for personal injury or property damage related to the driveway permitted hereunder.
6. Except for regulatory and guide signs at county roads and city streets, the Permittee shall not erect any sign on or extending over any portion of the highway right of way. The Permittee shall ensure that any vehicle service fixtures such as fuel pumps, vendor stands, or tanks shall be located at least 12 feet from the right of way line to ensure that any vehicle services from these fixtures will be off the highway right of way.
7. The State reserves the right to require a new access driveway permit in the event of: (i) a material change in land use, driveway traffic volume or vehicle types using the driveway, or (ii) reconstruction or other modification of the highway facility by the State.
8. The State may revoke this permit upon violation of any provision of this permit by the Permittee.
9. This permit will become null and void if the above-referenced driveway facilities are not constructed within six (6) months from the issuance date of this permit.
10. The Permittee will contact the State's representative Dustin Deaton telephone, (817 ) 202-2905, at least twenty-four (24) hours prior to beginning the work authorized by this permit.
11. The requesting Permittee will be provided instructions on the appeal process if this permit request is denied by the State.

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and maintenance of an access driveway on the highway right of way.

1/13/2023

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

DocuSigned by:

(Property owner or owner's representative)

Date of Issuance	District Engineer, or designee Approval
Date of Issuance as per Variance to AMM	District Engineer, or designee Approval
Date of Denial	District Engineer Denial (No Delegation)

## Access Driveway Policy

Title 43 Texas Administrative Code (Transportation), Chapter 11 (Design), Subchapter C (Access Connections To State Highways) and the "Access Management Manual" establish policy for the granting of access and the design, materials, and construction of driveways connecting to state highways. All driveway facilities must follow this policy. To the extent there is any conflict between this permit and the policy, the policy shall control. If a proposed driveway does not comply with the access management standards, the owner may seek a variance to a requirement contained in the access management standards by contacting the local TxDOT office.

### TxDOT Driveway Permit Request Contact

For a local contact for your TxDOT Driveway Permit Request or variance request, visit: <http://www.txdot.gov/inside-txdot/district.html>. You can click on the section of the map closest to your location to find the local TxDOT office. You can also click on the drop down box below the map to find the district for your county.

### Other Conditions

In addition to Items 1 thru 11 on page 1 of this permit, the facility shall also be in accordance with the attached sketch and subject to the following additional conditions stated below:

Build as per plan.

Follow all TXDOT Rules and regulations.

### Variance Documentation Justification

For a Variance request, please indicate which of the below are applicable, as required by TAC §11.52(e):

- ☐ a significant negative impact to the owner's real property or its use will likely result from the denial of its request for the variance, including the loss of reasonable access to the property or undue hardship on a business located on the property.
- ☐ an unusual condition affecting the property exists that was not caused by the property owner and justifies the request for the variance.

For the conditions selected above, provide written justification below. (Attach additional sheets, if needed)

For TXDOT use below:

For Variance denials, please indicate which of the below conditions, as provided in TAC §11.52(e), were determined:

- ☐ adversely affect the safety, design, construction, mobility, efficient operation, or maintenance of the highway; or
- ☐ likely impair the ability of the state or the department to receive funds for highway construction or maintenance from the federal government.

Attachments:

Sketch of Installation

All Variance Documentation

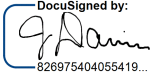
Certificate Of Completion

Envelope Id: 8BBCCCE92D5D48C9ACA0CAA8C43ED169	Status: Completed
Subject: Complete with DocuSign: 1058_Godley Food Truck (Docusign).pdf	
Source Envelope:	
Document Pages: 2	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Dustin Deaton
Time Zone: (UTC-06:00) Central Time (US & Canada)	125 E. 11th Street
	Austin, TX 78701
	Dustin.Deaton@txdot.gov
	IP Address: 204.64.21.50

Record Tracking

Status: Original	Holder: Dustin Deaton	Location: DocuSign
1/13/2023 2:32:24 PM	Dustin.Deaton@txdot.gov	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Texas Department of Transportation	Location: DocuSign

Signer Events

Signer Events	Signature	Timestamp
Jennifer Davies		Sent: 1/13/2023 2:34:32 PM
jennifer@x2realtygroup.com		Viewed: 1/13/2023 3:57:09 PM
Security Level: Email, Account Authentication (Optional)		Signed: 1/13/2023 3:58:17 PM
	Signature Adoption: Drawn on Device	
	Using IP Address: 107.115.171.10	
	Signed using mobile	

Electronic Record and Signature Disclosure:  
Accepted: 1/13/2023 3:57:09 PM  
ID: 3f6c683a-6bc1-4f0a-b7ab-b0ef4a623357

In Person Signer Events

Editor Delivery Events

Agent Delivery Events

Intermediary Delivery Events

Certified Delivery Events

Carbon Copy Events

Witness Events

Notary Events

Envelope Summary Events

Envelope Sent	Hashed/Encrypted	1/13/2023 2:34:33 PM
Certified Delivered	Security Checked	1/13/2023 3:57:09 PM
Signing Complete	Security Checked	1/13/2023 3:58:17 PM
Completed	Security Checked	1/13/2023 3:58:17 PM

Payment Events

Electronic Record and Signature Disclosure

**ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, Texas Department of Transportation (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

**Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

**Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

**Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

**All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact Texas Department of Transportation:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: kevin.setoda@txdot.gov

### **To advise Texas Department of Transportation of your new e-mail address**

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at kevin.setoda@txdot.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

### **To request paper copies from Texas Department of Transportation**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to kevin.setoda@txdot.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with Texas Department of Transportation**

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to kevin.setoda@txdot.gov and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"> <li>• Allow per session cookies</li> </ul>

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li></ul> |
|--|---|

\*\* These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

**Acknowledging your access and consent to receive materials electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Texas Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Texas Department of Transportation during the course of my relationship with you.

**Certificate Of Completion**

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Status: Completed

Subject: Complete with DocuSign: 1058\_owner signed.pdf

Source Envelope:

Document Pages: 6

Signatures: 0

Envelope Originator:

Certificate Pages: 1

Initials: 1

Dustin Deaton

AutoNav: Enabled

125 E. 11th Street

Envelope Stamping: Enabled

Austin, TX 78701

Time Zone: (UTC-06:00) Central Time (US &amp; Canada)

Dustin.Deaton@txdot.gov

IP Address: 204.64.21.232

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Pool: Texas Department of Transportation

Location: DocuSign

**Signer Events****Signature****Timestamp**

Janet Crawford



Sent: 1/17/2023 8:16:52 AM

janet.crawford@txdot.gov

Viewed: 1/17/2023 8:35:17 AM

Area Engineer

Signed: 1/17/2023 8:35:21 AM

Texas Department of Transportation

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication (Optional)

Using IP Address: 204.64.21.247

**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

**In Person Signer Events****Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp****Witness Events****Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

1/17/2023 8:16:52 AM

Certified Delivered

Security Checked

1/17/2023 8:35:17 AM

Signing Complete

Security Checked

1/17/2023 8:35:21 AM

Completed

Security Checked

1/17/2023 8:35:21 AM

**Payment Events****Status****Timestamps**