

**ORANGE COUNTY DRAINAGE DISTRICT
PIPELINE AND UTILITY PERMIT ADMINISTRATION
POLICY**

THE STATE OF TEXAS

COUNTY OF ORANGE

The Orange County Drainage District (the “OCDD”), by and through a quorum of its Board of Directors, convened in a regular session on the 11th day of February, 1997, in the County of Orange, Texas, with the following business transacted:

WHEREAS, the OCDD periodically receives requests for the OCDD to grant easements, permission, or other rights to persons, companies, and entities (hereinafter collectively referred to as “Applicants”), for such Applicants to construct, maintain, repair or modify pipelines or utilities across or upon easements or property owned, maintained or used by the OCDD; and

WHEREAS, the OCDD incurs an administrative cost associated with its study, consideration of, and response to such requests, for which it should receive compensation; and

WHEREAS, procedures should be implemented to ensure that the OCDD receives adequate information from Applicants for the purpose of giving due and proper consideration to such request; it is hereby

ORDERED that Applicants seeking a permit from the OCDD to construct, maintain, repair or modify a pipeline or utility across an easement, ditch, stream, drainageway, property or property interest of the OCDD, shall provide to the OCDD all such information and documents referenced in the “Application and Agreement for Pipeline and Utility Permit” (hereinafter referred to as the

“Application”), a copy of which is attached hereto as Exhibit 1; it is further

ORDERED that, prior to the OCDD’s consideration of such request for permit, Applicants shall submit to the OCDD a full and completed application, which application shall be in the same or similar form as the Application attached hereto as Exhibit 1; it is further

ORDERED that Applicants will, simultaneous with the submission of the Application, pay a process fee to OCDD in an amount as follows:

\$800.00 fee for first pipeline or utility that is proposed to cross the location of the property at issue;

\$400.00 fee for each additional pipeline or utility that is proposed to cross the same location of the property at issue, and that is included within the same Application as the first pipeline or utility referenced above;

Separate permit fees, in the amount stated above, will be charged for each separate crossing location; however, more than one crossing location may be included in a single Application.

Further, in consideration for the granting of a permit Applicant shall reimburse the OCDD for any reasonable and necessary engineering fees incurred by the OCDD in regard to its consideration and processing of the Application. Further, if a modification of the terms and conditions of the Application is to the benefit and advantage of the OCDD, in consideration therefore, and at the sole discretion of the OCDD, the General Manager of the OCDD may negotiate with the Applicants a modification of the permit fee schedule referenced above; however, such negotiation shall have no binding effect upon the OCDD unless and until the Application is considered and approved by the Board of Directors of the OCDD;

ADOPTED this 11th day of February, 1997.

I, Clyde Chesson, Secretary of the Board of Directors of the Orange County Drainage District, do hereby certify that the above and foregoing Order was passed by the Orange County Drainage District on this 11th day of February, 1997.

/s/ Clyde M. Chesson
Secretary of the Board
Orange County Drainage District