

CONFIDENTIAL PROPRIETARY TRADE SECRET
NOTICE OF COMPLETION OF ENCROACHMENT PERMIT WORK

PERMITTEE

Name: Duke Energy/Gas
Contact Person: David Klein
Address: 139 E. 4th Street
City: Cincinnati
State: Ohio
Zip: 45202
Telephone:

PROJECT IDENTIFICATION

Permit Number: 06-2026-00387

I wish to notify the Department of Highways that the above mentioned permit work and any necessary right-of-way restoration have been completed and are ready for final inspection.

Permittee

Please return this form to the address below when work is completed and ready for final inspection.

Please Return to: Permit Engineer
Department of Highways, District 6 Office
421 Buttermilk Pike
Covington, Kentucky 41017
(859) 341-2700
www.transportation.ky.gov/

LOCATION(S)			
Description	County - Route	Latitude	Longitude
Install underground utility by conventional auger bore beneath KY-17 (11319 Madison Pike). Bore will cross perpendicular to roadway with entry and exit pits located outside the traveled way. Surface pavement will not be disturbed. All disturbed areas will	Kenton - KY 17	38.921405	-84.543030

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET



Andy Beshear
Governor

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
Department of Highways, District 6 Office
421 Buttermilk Pike
Covington, Kentucky 41017
(859) 341-2700
www.transportation.ky.gov/

Rebecca Goodman
Secretary

June 17, 2026

Duke Energy/Gas
David Klein
139 E. 4th Street
Cincinnati, Ohio 45202

Subject: Permit #: 06-2026-00387
Permit Type: Utilities - Gas
Approval

Dear Applicant:

Attached is your permit approval and documentation for the subject permit.

Be advised that all work must be done in conformity with permit and application conditions. If you have any questions, please contact the Permits Section at this office.

Sincerely,

A handwritten signature in black ink that reads "Linzy Brefeld".

Linzy Brefeld
D6 Permits Supervisor

Attachments



An Equal Opportunity Employer M/F/D

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387



CONFIDENTIAL PROPRIETARY TRADE SECRET

Kentucky Transportation Cabinet
Department of Highways
Division of Maintenance
Permits Branch

TC 99-1 (B)
07/2018
Page 1 of 1

ENCROACHMENT PERMIT

KYTC KEPT #: 06-2026-00387

Permittee: Duke Energy/Gas

Permit Type / Subtype: Utilities / Gas

Work Completion Date: 5/28/2027

INDEMNITIES		
Type	Amount Required	Tracking Number
Performance Bond	\$0.00	
Cash / Check	\$0.00	
Self-Insured	\$0.00	
Payment Bond	\$0.00	
Liability Insurance	\$0.00	

This permit has been: **APPROVED** ☒ **DENIED** ☐

Linzy Brefeld	D6 Permits Supervisor	6/17/2026
SIGNATURE	TITLE	DATE

The TC 99-1(B), including the application TC-99 1(A) and all related and accompanying documents and drawings make up the permit. It is not a permit unless both the TC 99-1(A) and TC 99-1(B) are both present.

LOCATION(S)			
Description	County - Route	Latitude	Longitude
Install underground utility by conventional auger bore beneath KY-17 (11319 Madison Pike). Bore will cross perpendicular to roadway with entry and exit pits located outside the traveled way. Surface pavement will not be disturbed. All disturbed areas will	Kenton - KY 17	38.921405	-84.543030



To Submit a Locate Request
24 Hours a Day, Seven Days a Week:
Call 811 or 800-752-6007

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET



KENTUCKY TRANSPORTATION CABINET
Department of Highways
PERMITS BRANCH

TC 99-1A
Rev. 10/2020
Page 1 of 4

APPLICATION FOR ENCROACHMENT PERMIT

KYTC KEPT #: _____

SECTION 1: APPLICANT CONTACT INFORMATION

APPLICANT DAVID KLEIN	ADDRESS 139 E 4TH STREET		
EMAIL DAVID.KLEIN@DUKE-ENERGY.COM	CITY CINCINNATI	STATE OHIO	ZIP 45202
CONTACT NAME 1 URIAH SOWELL	EMAIL URIAH.SOWELL@ELI-LLC.COM	PHONE # CELL # 6153085530	
CONTACT NAME 2 (if applicable)	EMAIL	PHONE # CELL #	

SECTION 2: PROPOSED WORK LOCATION

ADDRESS 11319-11267 MADISON PIKE	CITY CITY OF INDEPENDENCE	STATE Kentucky	ZIP 41051
COUNTY KENTON	ROUTE # KY-17	MILE POINT 10.5	LONGITUDE (X) W084.543260
LATITUDE (Y) N038.920878			

ADDITIONAL LOCATION INFORMATION:

CONVENTIONAL BORE CROSSING MADISON PIKE (KY-17) SOUTH OF 11132 MADISON PIKE.

FOR KYTC USE ONLY

PERMIT TYPE: ☐ Air Right ☐ Entrance ☐ Utilities ☐ Vegetation Removal ☐ Other: _____

ACCESS: ☐ Full ☐ Partial ☐ by Permit LOCATION: ☐ Left ☐ Right ☐ Crossing

SECTION 3: GENERAL DESCRIPTION OF WORK

Install underground utility by conventional auger bore beneath KY-17. Bore will cross perpendicular to roadway with entry and exit pits located outside the traveled way. Surface pavement will not be disturbed. All disturbed areas will be restored to pre-construction condition.

THE UNDERSIGNED APPLICANT(s), being duly authorized representative(s) or owner(s), DO AGREE TO ALL ORIGINAL UNEDITED TERMS AND CONDITIONS ON THE TC 99-1A, pages 1-4.

SIGNATURE

DATE

This is not a permit unless and until the applicant(s) receives an approved TC 99-1B from KYTC. This application shall become void if not approved by the cancellation date. The cancellation date shall be a minimum of one year from the date the applicant submits their application.

APPROVED
JUL 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET



KENTUCKY TRANSPORTATION CABINET
Department of Highways
PERMITS BRANCH

TC 99-1A
Rev. 10/2020
Page 2 of 4

APPLICATION FOR ENCROACHMENT PERMIT

TERMS AND CONDITIONS

1. The permit, including this application and all related and accompanying documents and drawings making up the permit, remains in effect and is binding upon the Applicant/Permittee, its successors and assigns, as long as the encroachment(s) exists and also until the permittee is finally relieved by the Department of Highways from all its obligations.
2. Applicant shall meet all requirements of the Clean Water Act if the project will disturb one acre or more, the applicant shall obtain a KPDES KYR10 Permit from the Kentucky Division of Water. All disturbed areas shall meet the requirements of the Department of Highway's Standard Specifications, Sections 212 and 213, as amended.
3. **INDEMNITY:**
 - A. **PERFORMANCE BOND:** The permittee shall provide to the Department a performance bond according to the Permits Manual, Section PE-203 as a guarantee of conformance with the Department's Encroachment Permit requirements.
 - B. **PAYMENT BOND:** At the discretion of the department, a payment bond shall be required of the permittee to ensure payment of liquidated damages assessed to the permittee.
 - C. **LIABILITY INSURANCE:** Liability insurance shall be required of the permittee (in an amount approved by the department) to cover all liabilities associated with the encroachment.
 - D. It shall be the responsibility of the permittee, its successors and assigns, to maintain all indemnities in full force and effect until the permittee is authorized to release the indemnity by the Department.
4. A copy of this application and all related documents making up the approved permit shall be given to the applicant and shall be made readily available for review at the work site at all times.
5. Perpetual maintenance of the encroachment is the responsibility of the permittee, its successors and assigns, with the approval of the Department as required, unless otherwise stated.
6. Permittee, its successors and assigns, shall comply with and agree to be bound by the requirements and terms of (a) this application and all related documents making up the approved permit, (b) by the Department's Permits Manual, and (c) by the Manual on Uniform Traffic Control Devices, both manuals as revised to and in effect on the date of issuance of the permit, all of which documents are made a part thereof by this reference. Compliance by the permittee, its successors and assigns, with subsequent revisions to applicable provisions of either manual or other policy of the Department may be made a condition of allowing the encroachment to persist under the permit.
7. Permittee agrees that this and any encroachment may be ordered removed by the Department at any time, and for any reason, upon thirty days written notice to the last known address of the applicant or to the address at the location of the encroachment. The permittee agrees that the cost of removing and of restoring the associated right-of-way is the responsibility of the permittee, its successors and assigns.
8. Permittee, its successors and assigns, agree that if the Department determines that motor vehicular safety deficiencies develop as a result of the installation or use of the encroachment, the permittee, its successors and assigns, shall provide and bear the expenses to adjust, relocate, or reconstruct the facilities, add signs, auxiliary lanes, or other corrective measures reasonably deemed necessary by the Department within a reasonable time after receipt of a written notice of such deficiency. The period within which such adjustments, relocations, additions, modifications, or other corrective measures must be completed will be specified in the notice.
9. Where traffic signals are required as a condition of granting the requested permit or are thereafter required to correct motor vehicular safety deficiencies, as determined by the Department, the costs for signal equipment and installation(s) shall be borne by the permittee, its successors and assigns and the Department in its reasonable discretion and only in accordance with the Department's current policy set forth in the Traffic Operations Manual and Permits Manual. Any modifications to the permittee's entrance necessary to accommodate signalization (including necessary easement(s) on private property) shall be the responsibility of the permittee, its successors and assigns, at no expense to the Department.

CONFIDENTIAL PROPRIETARY TRADE SECRET



KENTUCKY TRANSPORTATION CABINET
Department of Highways
PERMITS BRANCH

TC 99-1A
Rev. 10/2020
Page 3 of 4

APPLICATION FOR ENCROACHMENT PERMIT

10. The requested encroachment shall not infringe on the frontage rights of an abutting owner without their written consent as hereinafter described. Each abutting owner shall express their consent, which shall be binding on their successors and assigns, by the submission of a notarized statement as follows, "I (we), _____, hereby consent to the granting of the permit requested by the applicant along Route _____, which permit does affect frontage rights along my (our) adjacent real property." By signature(s) _____, subscribed and sworn by _____, on this date _____.
11. The permit, if approved, is subject to the agreement that it shall not interfere with any similar rights or permit(s) previously granted to any other party, except as otherwise provided by law.
12. Permittee shall include documentation which describes the facilities to be constructed. Permittee, its successors and assigns, agree as a condition of the granting of the permit to construct and maintain any and all permitted facilities or other encroachments in strict accordance with the submitted and approved permit documentation and the policies and procedures of the Department. Permittee, its successors and assigns, shall not use facilities authorized herein in any manner contrary to that prescribed by the approved permit. Only normal usage as contemplated by the parties and by this application and routine maintenance are authorized by the permit.
13. Permittee, its successors and assigns, at all times from the date permitted work is commenced until such time as all permitted facilities or other encroachments are removed from the right-of-way and the right-of-way restored, **shall defend, protect, indemnify and save harmless** the Department from any and all liability claims and demands arising out of the work, encroachment, maintenance, or other undertaking by the permittee, its successors and assigns, related or undertaken pursuant to the granted permit, due to any claimed act or omission by the permittee, its servants, agents, employees, or contractors. This provision shall not inure to the benefit of any third party nor operate to enlarge any liability of the Department beyond that existing at common law or otherwise if this right to indemnity did not exist.
14. Upon a violation of any provision of the permit, or otherwise in its reasonable discretion, the Department may require additional action by the permittee, its successors and assigns, up to and including the removal of the encroachment and restoration of the right-of-way. In the event additional actions required by the Department under the permit are not undertaken as ordered and within a reasonable time, the Department may in its discretion cause those or other additional corrective actions to be undertaken and the Department shall recover the reasonable costs of those corrective actions from the permittee, its successors and assigns.
15. Permittee, its successors and assigns, shall use the encroachment premises in compliance with all requirements of federal law and regulation, including those imposed pursuant to Title VI of the Civil Right Act of 1964 (42 U.S.C. § 2000d et seq.) and the related regulations of the U.S. Department of Transportation in Title 49 C.F.R. Part 21, all as amended.
16. Permittee, its successors and assigns, agree that if the Department determines it is necessary for the facilities or other encroachment authorized by the permit to be removed, relocated or reconstructed in connection with the reconstruction, relocation or improvement of a highway, the Department may revoke permission for the encroachment to remain under the permit and may order its removal, relocation or reconstruction by the permittee, its successors and assigns, at the expense of the permittee, except where the Department is required by law to pay any or all of those costs.

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET



KENTUCKY TRANSPORTATION CABINET
Department of Highways
PERMITS BRANCH

TC 99-1A
Rev. 10/2020
Page 4 of 4

APPLICATION FOR ENCROACHMENT PERMIT

17. Permittee agrees that the authorized permit is personal to the permittee and shall remain in effect until such time as (a) the permittee's rights to the adjoining real property to have benefitted from the requested encroachment have been relinquished, (b) until all permit obligations have been assumed by appropriate successors and assigns, and (c) unless and until a written release from permit obligations has been granted by the Department. The permit and its requirements shall also bind the real property to have benefitted from the requested encroachment to the extent permitted by law. The permit and the related encroachment become the responsibility of the successors and assigns of the permittee and the successors and assigns of each property owner benefitting from the encroachment, or the encroachment may not otherwise permissibly continue to be maintained on the right-of-way. (Does not apply to utility encroachments serving the general public.)
18. If work authorized by the permit is within a highway construction project in the construction phase, it shall be the responsibility of the permittee to make personal contact with the Department's Engineer on the project in order to coordinate all permitted work with the Department's prime contractor on the project.
19. This permit is not intended to, nor shall it, affect, alter or alleviate any requirement imposed upon the permittee, its successors and assigns, by any other agency.
20. Permittee, its successors and assigns, agree to contain and maintain all dirt, mud, and other debris emanating from the encroachment away from the surrounding right-of-way and the travel way of the highway hereafter and at all times that its obligations under the permit remain in effect.
21. Before You Dig: The contractor is instructed to call 1-800-752-6007 to reach KY 811, the One-Call system for information on the location of existing underground utilities. The call is to be placed a minimum of two (2) and no more than ten (10) business days prior to excavation. The contractor should be aware that the owners of underground facilities are not required to be members of the KY 811 One-Call Before U-Dig (BUD) service. The contractor must coordinate excavation with the utility owners, including those whom do not subscribe to KY 811. It may be necessary for the contractor to contact the County Clerk to determine what utility companies have facilities in the area.
22. The undersigned Utility acknowledges ownership and control of the facilities proposed to be installed, modified, or extended by the Applicant/Permittee and agrees to be bound by the requirements and terms of this application and all related documents making up the approved permit, by the Department's Permits Guidance Manual, and by all applicable regulations and statutes in effect on the date of issuance of the permit. This information and application is certified correct to the best knowledge and belief of the undersigned Utility.

DUKE ENERGY

UTILITY

DAVID KLEIN

NAME (Utility Representative)

SENIOR PROJECT MANAGER

TITLE (Utility Representative)

SIGNATURE (Utility Representative)

DATE



Know what's below. Call before you dig.

To Submit a Locate Request
24 Hours a Day, Seven Days a Week:
Call 811 or 800-752-6007

APPROVED
OCT 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-000387

CONFIDENTIAL PROPRIETARY TRADE SECRET

SUPPLEMENTAL CONFIDENTIAL EXHIBIT 3(g)

Pg. 8

FILED UNDER SEAL

CONFIDENTIAL PROPRIETARY TRADE SECRET



KYTC Division of Maintenance Permits Branch District 6



ENCROACHMENT PERMIT GENERAL NOTES & SPECIFICATIONS

YOU MUST NOTIFY KYTC BEFORE BEGINNING ANY WORK IN THE RIGHT-OF-WAY. *Failure to alert KYTC of working within the right of way may result in permit revocation.*

Two ways to notify KYTC of your construction start date:

By Email: KYTCD6PERMITS@KY.GOV

**must include permit number and county in subject line*

By Phone: 859-341-2700

**must know permit number and county when calling*

YOU MUST ALSO NOTIFY KYTC UPON COMPLETION OF WORK WITHIN RIGHT-OF-WAY. *Failure to alert KYTC of completion of work may result in withholding release of any associated bonds.*



APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET

Permit No. _____

TC 99-21E
01/2023
Page 2 of 7

I. SAFETY

A. General Provisions

- All signs and control of traffic shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, latest edition, Part VI, and safety requirements shall comply with the Permits Manual. Federal law requires that traffic control shall be implemented in accordance with MUTCD standards and KYTC's Standard Specifications for Road and Bridge Construction (KYTC SSRBC) under the supervision of a certified Work Zone Traffic Control Supervisor.
- All work necessary in shoulder or ditch line areas of a state highway shall be scheduled to be promptly completed so that hazards adjacent to the traveled way are kept to an absolute minimum.
- No more than one (1) traveled-lane shall be blocked or obstructed during normal working hours. All signs and flaggers during lane closure shall conform to the MUTCD. The traveled-way and shoulders shall be kept clear of mud and other construction debris at all times during construction of the permitted facility. No non-construction equipment or vehicles or office trailers shall be allowed on the right of way during working hours. The right of way shall be left free and clear of equipment, material, and vehicles during non-working hours.
- When necessary to block one (1) traveled-lane of a state highway, the normal working hours shall be as directed by the Department. No lanes shall be blocked or obstructed during adverse weather conditions (rain, snow, fog, etc.) without specific permission from the Department.
- Working hours shall be between _____ and _____. Further date and time restrictions are as follows:

--

B. Explosives

- No explosive devices or explosive material shall be used within state right of way without proper license and approval of the Kentucky Department of Mines and Minerals, Explosive Division.

C. OSHA

- Kentucky Occupational Safety and Health Standards for the construction industry, which has the effect of law, states in part: (Page 52, 1926.651, Specific Excavation Requirements) "Prior to opening an excavation, effort shall be made to determine whether underground installations, (sewer, telephone, water, fuel, electric lines, etc.) will be encountered, and if so, where such underground installations are located. When the excavation approaches the estimated location of such an installation, the exact location shall be determined, and when it is uncovered, proper supports shall be provided for the existing installation. Utility companies shall be contacted and advised of proposed work prior to the start of actual excavation."

D. Archaeological

- Whenever materials of an archaeological nature are discovered during the course of construction work or maintenance operations, contact shall be made immediately with the Division of Environmental Analysis, which maintains an archaeologist on staff, or with the Office of the State Archaeologist located at the University of Kentucky. Following this consultation, further action shall be decided on a case-by-case basis by the State Highway Engineer or the Transportation Planning Engineer or their designated representative.

E. Environmental

- If the activity to which this permit related disturbs one acre or more of land, you must obtain KPDES KYR10 permit. Information can be found at <http://water.ky.gov/permitting/Pages/GeneralPermits.aspx>

F. Additional Notes

- The following additional notes apply to this permit:

--

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET

Permit No. _____

TC 99-21E
01/2023
Page 3 of 7

II. UTILITIES

- The permittee shall be responsible for any damage to existing utilities. Any utility modifications or relocations within state right of way necessary, as determined by the Department or by the owner of the utility, shall be at the expense of the permittee and subject to the approval of the Department. Operators of underground utilities in right of way shall be members of Kentucky 811.
- All existing manholes and valve boxes shall be adjusted to be flush with finished grade.
- All pavement cuts shall be restored per Kentucky Transportation Cabinet standards and specifications.
- Any excavation within 3' of edge of pavement will require flowable fill as backfill.
- The clear zone requirement shall be met to the extent possible in accordance with the Roadside Design Guide.
- Encasement pipe shall conform to current standards for highway crossings in accordance with the Permits Manual. Pipe encasing shall not be required if the pipe crossing is 2" or less.
- Aerial crossing of utility lines shall have a minimum clearance from the high point of the roadway to the low point of the line of 24' on fully controlled access highways and 18' on non-fully controlled access highways
- Minimum depth for underground Gas and Electric lines is 60" under roadways, ramps, and ditch lines and 42" in all other areas within state right of way. The minimum depth for all other utilities is 42" in all areas.
- When steel plates are installed over an open excavation in the roadway, they must be anchored to the pavement and have asphalt applied to all exposed edges and an MUTCD approved sign noting "Road Plates Ahead." KYTC must be notified of the location, date, time, and permit number associated to BOTH the installation and removal of the plate. Failure to do so may result in permit revocation.
- Utility poles moved for replacement must be removed in their entirety and the hole left behind must be backfilled.
- No poles or anchors shall be installed in a roadside ditch.
- **Utility notes specific to fully-controlled access highways ONLY:**
All work necessary within the right-of-way shall be performed behind a temporary fence erected prior to the start of work. The temporary woven wire fence shall be removed immediately upon completion of work on the right-of-way, and the control of access immediately restored to original condition, in accordance with applicable KYTC SSRBC. All vents, valves, manholes, etc., shall be located outside of the right-of-way. Encasement pipe shall extend from right-of-way line to right-of-way line and shall be one continuous run of pipe. The encasement pipe shall be welded at all joints. The boring pit and tail ditch shall extend past the existing toe of slope or bottom of ditch line and shall be a minimum of 42 inches deep. Work in interstate right-of-way requires approval from FHWA (Federal Highway Administration).
- Additional notes:

--

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET

Permit No. _____

TC 99-21E
01/2023
Page 4 of 7

III. DRAINAGE

- Negative impacts to existing drainage will be the applicant's responsibility to repair in accordance with KYTC SSRBC.
- All pipe shall be laid in a straight alignment, to proper grades, and with all materials and methods of installation including bedding and joint seating. Pipe shall not be covered until inspected by the Department and express permission obtained to make backfill. It is the applicant's responsibility to request inspection.
- All gutter lines at the base of new curbs shall be on continuous grades, and pockets of water along with curbs or in entrance areas or other paved areas within the right-of-way shall not be acceptable.
- All drainage structures and appurtenances (manholes, catch basins, curbing, inlet basins, etc.) shall conform to the Department specifications and shall be constructed in accordance with the KYTC's Standard Drawings.
- Additional notes:

IV. PAVING

- No bituminous pavement shall be installed within the right of way between November 15 and April 1, nor when the temperature is below 40 degrees Fahrenheit, without the express consent of the Department. No bituminous pavement shall be installed when the underlying course is wet.
- Paving within the right of way shall be as follows:
 - Base (Type): _____, (Thickness) _____
 - Surface Base (Type) _____, (Thickness) _____
 - Finished Surface (Type) _____, (Thickness) _____
- All materials and methods of construction, including base and subgrade preparation, shall be in accordance with KYTC's Standard Specifications. At least 24 hours notice to the Department is required prior to beginning paving operations.

Phone: _____ Name: _____

- Utility companies performing road cuts must restore the pavement to pre-existing condition. Pictures/videos are recommended to ensure proper placement of signs and lane markers that are temporarily removed for paving operations. In some cases, a pre-work inventory may be requested from the Department.
- Existing pavement and shoulder material shall be removed to accommodate the above paving specifications.
- The finished surface of all new pavement within the right of way shall be true to the required slope and grade, uniform in density and texture, free of irregularities, and equivalent in riding qualities to the adjacent highway pavement or as determined by KYTC.
- To ensure proper surface drainage, the new pavement shall be flush with the edge of existing highway pavement and shall slope away from the existing edge of the pavement as specified in drawings.
- Existing edge of pavement shall be saw-cut to provide a straight and uniform joint for new pavement, and an edge key will be installed in the overlap. An approved joint sealer, in accordance with Kentucky Department of Highways Standard Specifications (latest edition), shall be applied between new and existing pavements.
- Additional notes:

KENTUCKY TRANSPORTATION CABINET
APPROVED
JAN 15 2026
36-2026-0007

CONFIDENTIAL PROPRIETARY TRADE SECRET

Permit No. _____

TC 99-21E
01/2023
Page 5 of 7

V. ENTRANCES

- Encroachment permits issued by KYTC in no way supersede local planning/zoning requirements or subdivision regulations. KYTC has no authority with zoning changes.
- Commercial entrances must be paved to the right-of-way line. Any deviations must be approved by KYTC before installation.
- KYTC can dictate drainage improvement installation during construction or after entrance is at final grade. The permit release does not release the permit applicant from drainage maintenance.
- Signs (ground-mounted and span-mounted), stop bars, crosswalk, and proper lane markings must be in-place before entrance is open for traffic. Lane width modifications must be approved by the Department.
- Guardrail installation must be pre-approved by the Department and installed by a KYTC pre-qualified contractor. Any guardrail that is removed during construction must be returned to the local KYTC maintenance facility.
- Additional notes:

VI. TRAFFIC

- Any contractor performing work within the vicinity of KYTC roadway lighting or traffic signals, must request locates from the KYTC District 6 Traffic section at least one week before of starting work in the right-of-way.
- Applicant must maintain all KYTC Roadway signage that is impacted by the permitted work. In the event that any signs have to be moved, it is the applicant's responsibility to mark the sign's location before removal and to install the original or new sign per KYTC standards for sign installation.
- Any thermoplastic or striping damaged during the encroachment must be restored in a timely manner per KYTC standards. Stopbars, arrows, and crosswalks must be thermoplastic material, paint is not acceptable. This work must be performed by a KYTC pre-qualified contractor.
- Excavating near a signal, lighting pole, or anchoring facility must be done so that it does not impact the structural integrity of the pole. Any work that requires a temporary support or anchoring must receive prior approval.
- If the scope of the permit involves a signal build or rebuild, it is the applicant's responsibility to apply for power service (and pay monthly electrical bill) as well as request electrical inspection from the KYTC District 6 Traffic section. If the signal modifications require timing or phasing changes this must be requested at least two weeks in advance of the signal's turn-on date. KYTC will not take ownership of permitted signals until the electrical inspection is formally accepted and approved.
- Work which impacts traffic loops requires 48-hour notice to the KYTC District 6 Traffic section at 859-341-2700. Accidental damage of a traffic loop must be reported immediately to KYTC District 6's emergency line at 859-620-2738. Any disturbed traffic loops must be replaced in a timely manner. Traffic loops out of operation for more than five working days will subject the applicant to the cancellation of the permit. Loop repair must be performed by a KYTC pre-qualified contractor.
- Additional Notes:

APPROVED
JUNE 17, 2026
KENTUCKY TRANSPORTATION CABINET
06-2026-00387

CONFIDENTIAL PROPRIETARY TRADE SECRET

Permit No. _____

TC 99-21E
01/2023
Page 6 of 7

VII. SIDEWALK SPECIFICATIONS

- All sidewalk modifications, retrofitting, or installations must meet current ADA guidelines
- A. New Sidewalks**
 - New sidewalk specifications, dimensions, and designs shall be in accordance with KYTC's latest edition of the Standard Specifications, or with the plans provided on the permit if approved by a KYTC D6 Construction or Permits Engineer.
 - All materials and methods of construction, including curing, shall be in accordance with KYTC's latest edition of the Standard Specifications.

B. Existing Sidewalks

- Use of the sidewalk shall not be blocked or obstructed and a usable walkway shall be maintained across the construction area at all times per MUTCD . Sidewalk closures must be approved by the Department before implementation.
- The location of ADA ramps (truncated domes/tactile warnings/etc.) will need to be field verified by KYTC before installation.
- Any section of sidewalk that becomes damaged shall be entirely replaced to match existing sections.
- Additional notes:

VIII. RIGHT OF WAY RESTORATION

- All disturbed portions of the right of way shall be restored to grass as per Kentucky Department of Highways Standard Specifications for Road and Bridge Construction (latest edition). A satisfactory turf, as determined by the Department, shall be established by the permittee prior to release of indemnity. Sodding or seeding shall be as follows:
 - Slopes 3:1 or Less: 90% Kentucky 31 Tall Fescue and 10% White Dutch Clover at 100 lbs/acre
 - Slopes Greater than 3:1: 90% Kentucky 31 Tall Fescue and 10% Partridge Pea at 100 lbs/acre
 - Urban or Residential Areas: 95% Turf Type Fall Fescue Blend and 5% White Dutch Clover at 275 lbs/acre
- Two tons of clean straw mulch per acre of seeding.
- Prior to seeding, the ground shall be prepared in accordance with Kentucky Department of Highways Standard Specifications for Road and Bridge Construction (latest edition).
- Substitutes for sod such as artificial turf, rocked mulch, or paved areas may be acceptable if they are aesthetically pleasing and receive prior approval from KYTC.
- All ditch-flow lines and all ditch-side slopes shall be sodded.
- Existing concrete right of way markers shall not be disturbed. If damaged in any way, they shall be entirely replaced by the permittee with new concrete markers to match the original markers, in accordance with Kentucky Department of Highways Standard Drawings. Markers that are entirely removed shall be re-established in the proper locations by the permittee and to the satisfaction of the Department.
- Additional notes:

APPROVED
DATE 17, 2023
KENTUCKY TRANSPORTATION CABINET
06-2026-00367

CONFIDENTIAL PROPRIETARY TRADE SECRET

Permit No. _____

TC 99-21E
01/2023
Page 7 of 7

IX. RIGHT OF WAY FENCE RESTORATION

- The replacement fence shall be a height of at least 48 inches and shall be of sufficient density to protect against encroachment.
- The replacement fence shall be a minimum of 1 foot and a maximum of 2 feet outside the right-of-way line
- The fence materials and design shall meet accepted industry standards and be treated as paintable. Durable finish materials such as vinyl are acceptable.
- The permittee shall be required to construct and maintain the replacement fencing to an acceptable level of functionality and state of repair. All work on the fencing shall be performed by access from the private property. Access from the roadway is not allowed.
- The existing fence shall be removed by permittee and stored at the Department's maintenance storage yard for future reuse by the Department, or the Department shall be reimbursed the cost of fencing removed.
- Right of way monuments shall be installed regardless of if replacement fence is installed or not.
- The control of access shall not be diminished as a result of replacement of the fence.
- Additional notes:

X. MISCELLANEOUS NOTES

NOTICE TO PERMITTEE

THE PERMITTEE AGREES THAT ALL WORK WITHIN THE EXISTING RIGHT OF WAY SHALL BE DONE IN ACCORDANCE WITH THE CURRENT KYTC STANDARD SPECIFICATIONS AND THE PLANS AS APPROVED AND PERMITTED BY AN ENCROACHMENT PERMIT. ANY CHANGES OR VARIANCES MADE AT THE TIME OF CONSTRUCTION WITHOUT WRITTEN APPROVAL FROM THE DEPARTMENT OF HIGHWAYS SHALL BE REMOVED BY THE PERMITTEE AT NO EXPENSE TO THE DEPARTMENT OF HIGHWAYS AND SHALL BE REDONE BY THE PERMITTEE TO CONFORM WITH THE APPROVED PLANS.

APPROVED
2026
Kentucky Transportation Cabinet