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APPLICATION FOR PIPELINE UTILITY PERMIT
DESIGNATING PLACEMENT OF UTILITY IN COUNTY RIGHT OF WAY

TO: THE COUNTY ENGINEER OF WISE COUNTY, TEXAS

Comes now ZAYO GROUP, LLC [company name], hereinafter referred to as "Company" a COLORADO [state] Corporation, with authority to transact business in Texas, acting by and through its duly authorized representative, and hereby petitions the County Engineer for the right to lay, construct, maintain, repair and/or operate equipment under, over, across and/or along certain County Roads as shown on drawings and diagrams attached hereto and said location described as follows:

Facility to Cross Road

Road Name & Block Number	Length of Crossing	TYPE OF CONSTRUCTION (CHECK ONE)			
		Bored	Jacked	Driven	Cased
Briar Rd-8194	120'	X			
CR4868-100	43'	X			
CR4757-1899	90'	X			

Facility to Parallel County Road Within Right-Of-Way

Road Name and Block Number	From	To	Distance

CONSTRUCTION TYPE

1.66 Diameter 0.151 Wall Thickness High Pressure Underground Pipeline (60 psi or greater operating pressure) Low Pressure Underground Pipeline (60 psi operating pressure)

Material Specification 1.25"
 Minimum Yield Strength _____
 Maximum Operation Pressure _____

The location and description of the proposed installation and appurtenances must be fully shown on the attached detailed drawings.

The Company shall commence actual construction/work in good faith within 60 days from the date of said permit and shall complete said construction /work within 120 working days. (COMPANY MUST FILL IN). If such construction is not begun by the 60th day, Company will be required to apply for a new permit.

Company declares that prior to filing this application, it has ascertained the location of all existing utilities, both aerial and underground, and the filing of this application is prima facie evidence that the proposed installation will not conflict with any existing utility.

A copy of this permit shall be kept at the job site any time work is being performed.

It is expressly stipulated that this Permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the County's right, title and interest in the land to be entered upon and used by the holder and the holder will at all times assume risk of and indemnify, defend and save harmless Wise County from and against any and all loss, damages, cost or expense arising in any manner on account of the exercise or attempted exercise by said holder of the aforesaid rights and privileges.

Any deviation from these specifications must be approved by Wise County Engineer's Office or its designated representative.

Approval of County Engineer's Office may take as long as two weeks after complete application is received.

Applicant agrees to comply with all rules of the County Commissioners and the County Engineer in construction of said installation attached hereto as **WISE COUNTY DESIGN STANDARDS AND SAFETY PRECAUTION REQUIREMENTS FOR WORK CONDUCTED IN WISE COUNTY RIGHTS OF WAY** and incorporated herein for reference.

In the event Company fails to obtain a permit prior to the installation or does not install utilities in compliance with installation requirements set forth herein (i.e. depth, location, etc), Company assumes all financial responsibility for damages and/or destruction of lines, cables, etc. based upon its failure to comply with Wise County requirements.

Applicant agrees that if Wise County demonstrates a violation of the terms of this policy, Applicant stipulates that requisites for injunctive relief exist and that Wise County is entitled to relief enjoining any conduct by applicant which is contrary to the policies.

This permit is a revocable permit. Wise County reserves the right to revoke this permit at any time, in the sole discretion of Wise County, for interests of public health, safety or welfare, or for failure to repair any damages upon demand, or for any other reason deemed sufficient by Wise County.

In the event Company fails to comply with any or all of the requirements as set forth herein, the County may take such action as it deems appropriate to compel compliance. The County Engineer further retains the right to revoke this Permit by verbal notification to the Applicant/Company.

Failure to obtain this permit and/or notify the County Engineer's Office within 24 hours of beginning construction shall constitute grounds for job shutdown.

By signing below, I certify that I am authorized to represent the Company listed below, and that the Company agrees to the conditions/provisions included in this permit.

_____ ZAY GROUP, LLC _____
Company Name
_____ PETE NIELSEN _____
By:

Signature
____ Director, OSP Large Project Management _____
Title
____ 13641 Omega RD _____
Address
____ Farmers Branch _____ TX _____ 75244 _____
City State Zip
____ 817-665-8409 _____
Phone Number
____ PETE.NIELSEN@ZAYO.COM _____
Email:

PIPELINE UTILITY APPROVAL

Wise County offers no objection to the proposed location of the utility in the County right of way as shown by accompanying drawings and notice dated 5-5-16 except as noted below:
(Month/Day/Year)

EXCEPTIONS:

Chad Davis, P.E.
Wise County Engineer

Signature

Title

5-5-16

**ORDER GRANTING PERMIT AND RIGHT-OF WAY
TO CONSTRUCT GAS PIPELINE FIBER OPTIC CABLES**

THE STATE OF TEXAS

COUNTY ROAD # BRIAR RD

THE COUNTY OF WISE

Now on this 16th day of May, 2016 at a meeting of the

Commissioners Court of Wise County, Texas, came on to be considered the application of
ZAYO GROUP, LLC

_____ for a permit and

right-of-way to lay ~~gas pipeline~~ fiber optic cables under the public roads of the County of
Wise, State of

Texas, and the Court having considered such application which was filed on the

15TH day of APRIL, 2016, and is referred to and made a part hereof,
and

having determined that the permit an right-of-way for such ~~gas pipeline~~ fiber optic cables
should be

granted, it is accordingly ordered by the court:

1. That the County of Wise, State of Texas, does hereby grant the right, privilege and

right-of-way to ZAYO GROUP, LLC to lay, construct,
maintain, and operate a

~~gas pipeline~~ fiber optic cables under the public roads in the County of Wise, State of Texas,
as described:

Description and Location__ Directional bore approx. 120 ft of 1-4" HDPE equipped with
2-1.25" HDPE and 288ct fiber optic cable along the east ROW of FM 730 crossing Briar
RD beginning at STA 108+00 and ending at STA 109+20.

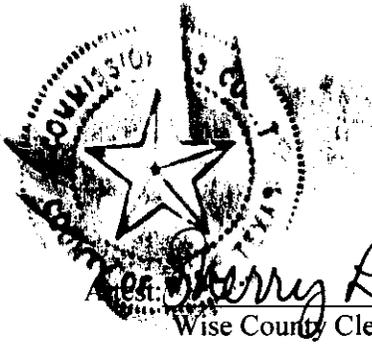
2. That such FIBER OPTIC CABLE opening shall be bored, constructed and
maintained as not to interfere with the use and occupancy of such public roads by the

public. That such FIBER OPTIC CABLE shall be buried to the depth of five feet (5ft.)

below the lowest point of surface. Install visible marking of the crossing.

3. Said pipeline right-of-way shall be marked with pipeline marker signs at road
right-of-way fence lines.

COUNTY COMMISSIONERS COURT



By: [Signature]
County Judge, Wise County

Date: May 16, 2016

Cherry Remor by Amanda Knox
Wise County Clerk Chief Deputy

Approval to go to Court given by: Commissioner _____
Precinct # _____
Date: _____

BORE ONLY

5-25-16
Clerk's Note:
See CCM meeting file for Zayo Group LLC Construction documents (93 pages 11x17)