

PROCEDURE FOR REQUESTING A RIGHT-OF-WAY LICENSE AGREEMENT WITH CAPITAL METRO

In order to process a request for a Right-of-Way Agreement with Capital Metro, Capital Metro must receive the following information:

- A complete application signed by an authorized representative of the applying company. If a contractor, contractor must provide documentation that they are an authorized representative of said company.
- A \$750.00 non-refundable application review fee in the form of a cashier's check or company check. All applicants, including governmental entities are required to pay this application fee.
Important: Checks for the application fee should be made payable to Capital Metro, designated as ROW License application fee, with a copy of the Application included and mailed to:

**Capital Metropolitan Transportation Authority
Accounts Receivable
P.O. Box 6308
Austin, Texas 78762-6308**

A complete application package should contain all of the following:

- A transmittal letter detailing the proposed use of the right of way. The letter may include additional information such as special circumstances, a description of special conditions affecting your application or use of the right of way.
- One (1) original and one (1) copy of the completed application form, and a copy of payment submitted to Accounts Receivable.
- Two (2) sets of Plans and Specifications signed and sealed by a registered engineer in the State of Texas. All plans submitted must call out the CMTA right-of-way boundary lines (preferably bolded to stand out) and identify the width of the CMTA right-of-way, **mile post**, tracks, stations, facilities and known underground facilities, call out the proposed installation or utility (example: 12" Water Line installed with 24" steel casing pipe), show plan and profile view and show the distance from the beginning point of where proposed utility intersects the Capital Metro railroad tracks to the centerline of the nearest street (measured in feet).
- Two survey plats with metes and bound description signed and sealed by a sealed by a registered professional land surveyor in the State of Texas, and identify the location of the proposed project and all adjacent landowners.
- Two Copies of recorded deeds showing the current ownership of all contiguous property.

Upon receipt of the above items, including a check, your request and materials will be distributed to the Rail Operations Department for review and concurrence. Please note: No work can be performed in the Right-of-Way (ROW) without a signed and valid license agreement. Pending approval, your request will then be appraised by Capital Metro Real Estate & Right-of-Way, and Legal staff to prepare the necessary documents for execution.

Once the necessary documents have been approved by the above mentioned Capital Metro staff, one (1) original will be sent to the applicant for execution. After execution by an authorized representative of the applicant, the original executed documents must be returned to Capital Metro, along with a cashier's check or certified check for the first annual fee, if required, and proof of insurance. Upon execution by Capital Metro's Vice President of Real Estate and Asset Management, a copy of the fully executed documents will be forwarded to you for your records.

Should there be any conflicts with the proposed project or a denial of request, applicant will be notified via letter about the conflicts and Capital Metro engineering comments. Capital Metro staff will be pleased to advise you of status during any stage of the application process.

Please use the enclosed checklist and submit your completed application package:

- _____ Application fee in the form of a cashier's check or company check in the amount of \$750.00.
The application fee is non-refundable regardless of the resulting action by Capital Metro.
- _____ A letter of transmittal.
- _____ A completed and signed applications and supporting documentation.
- _____ A signed Resolution or Certificate showing who is authorized to sign on behalf of the applicant
- _____ A copy of the check sent to Accounts Receivable

Submit completed application package to:

**Capital Metropolitan Transportation Authority
c/o Real Estate & Right-of-Way Department,
Attn: Vincent Sandoval
624 Pleasant Valley Road
Austin, Texas 78702
TEL.512.369.6049**

If any of the required submittals are missing, it will be considered an incomplete packet and will be returned to you for completion via **USPS Mail**.

APPLICATION FOR LICENSE AGREEMENT

Application is hereby made for a license agreement to allow the access Railroad Right-of-Way as described below (give address, location or common description of the area requested for licensing and provide engineered plans or sketch of the area.

SECTION 1: TO BE COMPLETED FOR ALL UTILITY CROSSINGS:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____ Check # for Application Fee: _____

Phone: _____ Fax: _____ E-Mail: _____

Individual Partnership Proprietorship Corporation: _____ State Incorporated

Names of Officers, Partners or Proprietor: _____

Billing Address (if different from above): _____

Type of Utility Crossing:

FIBER OPTIC

- Underground Fiber Optic
- Overhead Fiber Optic

ELECTRIC

- Underground Electric
- Overhead Electric

TELEPHONE

- Underground Telephone
- Overhead Telephone

WATER

- Water Transmission Line

WASTE/STORM WATER

- Waste Water
- Storm Water

OTHER

- _____

Type of Carrier Pipe: _____ Type of Casing Pipe: _____

Carrier Pipe Size: _____ Casing Pipe Size: _____ Casing Wall Thickness: _____

Depth: _____ Voltage: _____ Height above railroad tracks: _____

The Proposed utility installation is located near CMTA Railroad Mile Post or G.I.S Coordinates _____, Nearest Cross Street Reference

_____, in _____ (City), _____ (County)

The undersigned Applicant understands that processing of this application will be handled in accordance with the Procedure for Requesting a License Agreement and that no action on processing will be taken without payment of the “non-refundable” application fee. It is further understood that acceptance of this application and fee in no way obligates Capital Metro to license the subject area. I/We further understand that the value of the Right of Way, if recommend to be licensed, will be determined by Capital Metro, and a Certified or Cashiers Check must be presented before the request will be recommended for Administrative Approval.

Signed by Applicant: _____ **Date:** _____

EXHIBIT "A"

** In order to prepare the legal documents the following information and/or documentation is required by the Legal staff.

If applicant is in the name of a Corporation:

- A current Corporate Authorization Resolution showing who is authorized to sign on behalf of the corporation. The name of the corporation should be complete and accurate as to the spelling and style.

If title or ownership is in the name of a Partnership or Joint Venture:

- A copy of the Partnership Agreement showing name and title of the managing partner or person authorized to sign for the partnership,

If Limited Partnership:

- A copy of the partnership Agreement showing name and title of the current general partner authorized to sign for the partnership.
- If the general partner is a corporation, a Corporate Authorization Resolution will be required.

If Title/Owership is in the name of an Individual(s):

- Complete Name(s) and Addresses are required