

## **AGREEMENT TO SUPPLEMENT EXCAVATION PERMIT**

This document is an agreement between Weber County (“County”), a political subdivision of the state of Utah, and Promontory Commerce Center Public Infrastructure District No. 1 (“Promontory”), a Utah public infrastructure district, supplementing anticipated excavation permits. This agreement takes effect on the date signed by the last party to sign below.

### **RECITALS**

- A. Promontory desires, and has agreed, to install certain sewer infrastructure in unincorporated Weber County, as part of a project that generally consists of installing a sewer lift station and related improvements as more fully described on Exhibit 1 attached hereto (the “Improvements”) that will tie into Central Weber Sewer.
- B. The installation of the sewer infrastructure will benefit the County and its residents by expanding sewer service in areas where significant future development is likely to occur.
- C. Due to the planned timelines for the project, Promontory has sought approval from the County for certain aspects of the construction that would not typically be allowed with an excavation permit.
- D. Under the circumstances, the County finds it appropriate to agree to these requests as a supplement to the anticipated excavation permits.

### **AGREEMENT**

NOW THEREFORE, the parties agree as follows:

- 1. Promontory and its contractors and agents shall comply with all excavation permit requirements, except as explicitly stated in this agreement.
- 2. Because of the scope and nature of the project Improvements, the County agrees that it would not be possible for Promontory to restore the road surface after excavation in accordance with the timelines in Weber County Code Section 18-7-12. Rather, Promontory shall restore the road surface in accordance with the schedule in Exhibit 1, subject to unforeseen delays beyond Promontory’s reasonable control such as severe weather conditions, acts of God such as fire, explosion, earthquake, flood, hurricane, tornado, epidemic or other natural disaster or unavailability or shortage of materials; provided, however, that Promontory shall give the County written notice of such a delay within five (5) business days after the delay. Any other extension of time to restore the road surface may be granted by the County at the discretion of the County Engineer or the County Engineer’s designee. The details of the allowed time extension shall be specified in writing by the County Engineer or designee.

3. In lieu of using hot mix asphalt to restore the road surface, Promontory may use base course or another material as a temporary surface, subject to the requirements of this agreement.
  - a. Promontory may initially restore the road surface with a temporary surface comprised of sufficient rock around pipe zones and compacted backfill road base above pipe zones in accordance with the 2025 APWA Standard Specifications, and six (6) inches of state specification road base below the existing asphalt, all consistent with plans that have been reviewed and approved by the County.
  - b. Promontory shall, before June 30, 2026, restore the road surface with hot mix asphalt in accordance with the County's standards and the requirements of Weber County Code Section 18-7-12. Such date may be extended by the County in its sole discretion. However, Promontory shall complete this restoration and paving for the portion of the road from 4100 West to a point just past the westernmost entrance to the elementary school as soon as reasonably possible after hot mix asphalt becomes available in the spring.
  - c. Until the asphalt surface is installed, Promontory shall be fully responsible for snow removal and maintenance of the temporary surface. When notified of potholes that need to be repaired, Promontory shall use commercially reasonable efforts to ensure that they are repaired within 24 hours. Snow removal shall be sufficient to ensure safe travel to the extent reasonably possible. On days when there is snow on the roadway in the early morning hours, Promontory shall use commercially reasonable efforts to ensure that snow is cleared no later than 7:30 a.m.
4. Promontory agrees to indemnify and hold the County harmless from and against all liability arising from or related in any way to the temporary road surface or to any aspect of the work covered by the excavation permit except to the extent caused by the County's negligence or willful misconduct.
5. Bond Requirement Satisfaction
  - a. Pursuant to the bonding and financial assurance requirements outlined in Section 18-7-6 of the Weber County Code, the County acknowledges that such requirements associated with the construction of the Promontory PID wastewater Improvements and associated conveyance line are fully satisfied through the existing American Rescue Plan Act (ARPA) funding allocation and the executed Project Agreement between the County and Promontory.
  - b. The County and Promontory agree that the ARPA-funded Project Agreement provides adequate financial security, performance assurance, and enforcement mechanisms equivalent to, or exceeding, the intent and purpose of the bond requirement established in Section 18-7-6 of the Weber County Code. Accordingly, no separate bond or letter of credit shall be required for this project, provided that the Project Agreement remains in full force and effect and all ARPA funds dedicated to the wastewater improvements remain committed to the project.

- c. In the event the Project Agreement is amended, terminated, or otherwise rendered unenforceable, Promontory shall provide an alternative financial assurance acceptable to the County in accordance with the Weber County Code.

IN WITNESS WHEREOF, the undersigned have caused this agreement to be signed by their duly authorized representatives:

PROMONTORY COMMERCE CENTER PUBLIC INFRASTRUCTURE DISTRICT NO. 1

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

WEBER COUNTY

\_\_\_\_\_  
Chair, Board of County Commissioners

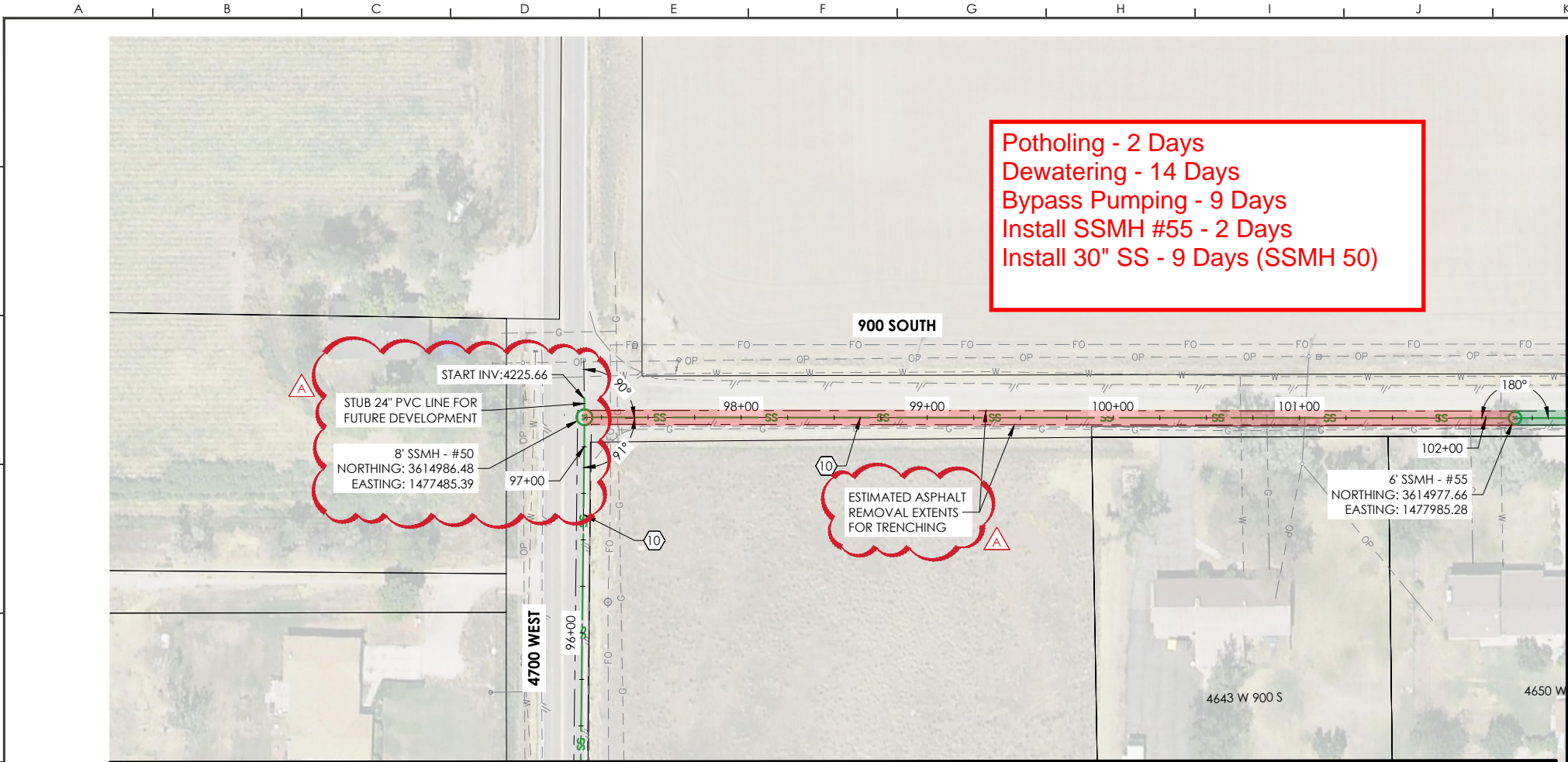
Date: \_\_\_\_\_

ATTEST:

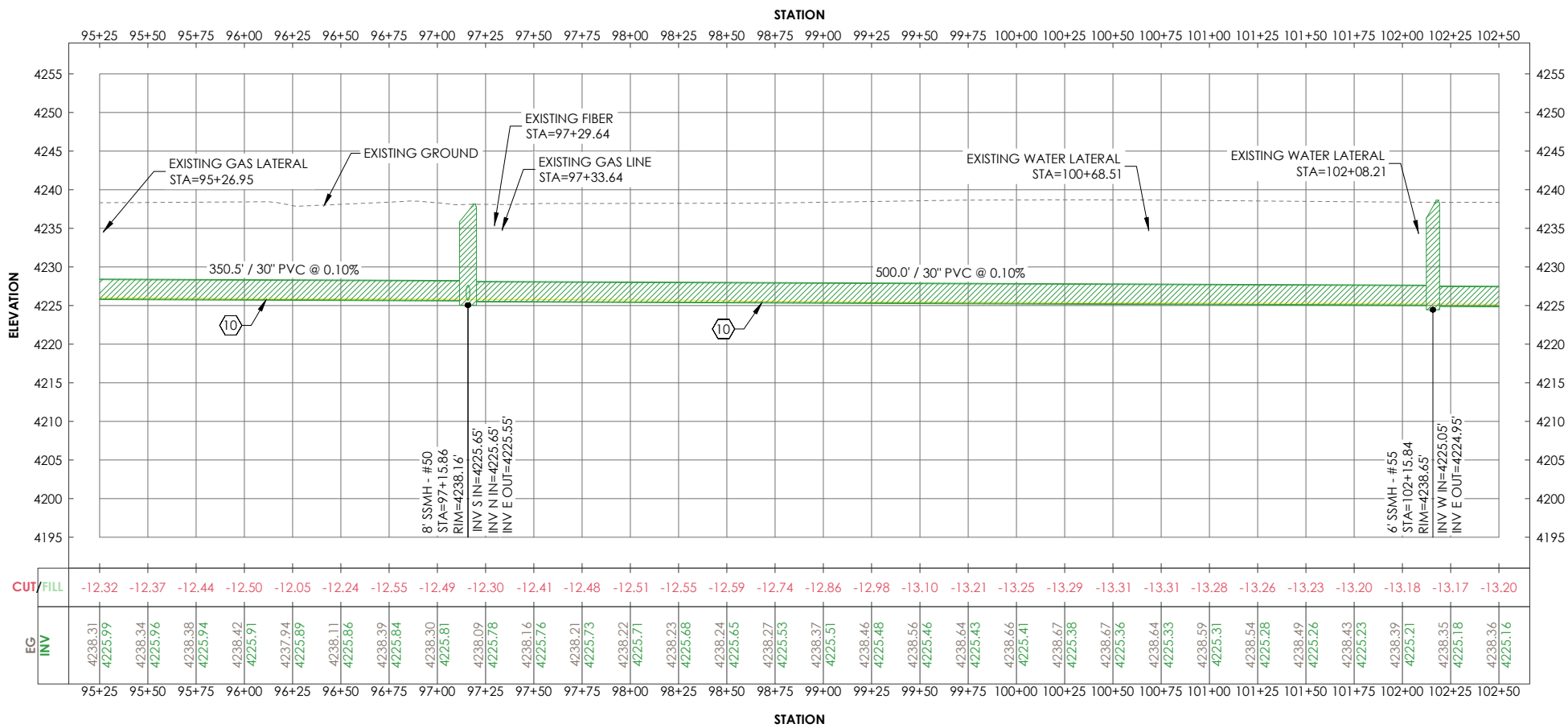
\_\_\_\_\_  
Weber County Clerk/Auditor

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

**EXHIBIT 1**  
900 South Promontory Lift Station Plan Set



MATCHLINE SEE SHEET CU113



0 40 80  
FT

KEYED NOTES

| NO. | DESCRIPTION  | DETAIL                   |
|-----|--|--------------------------|
| 1   | 16" DR17 (GREEN STRIPE) HDPE PRESSURE SEWER MAIN W/ THRUST BLOCKING & TRACER TAPE 2" | 26 - CU502<br>30 - CU504 |
| 2   | 45° BEND   | 30 - CU504               |
| 3   | EXISTING WATERLINE   |                          |
| 4   | EXISTING DOMINION GAS LINE, EXACT LOCATION UNKNOWN                                   |                          |
| 5   | EXISTING STORM DRAIN   |                          |
| 6   | 2" AIR-VAC VALVE ASSEMBLY  | 29 - CU503               |
| 7   | 24" CASING   | 28 - CU503               |
| 8   | PROMONTORY LIFT STATION  |                          |
| 9   | TRANSITION TO GRAVITY FLOW   | 25 - CU502               |
| 10  | 30" SDR-35 ASTM D 3034 PVC SEWER MAIN  | 26 - CU502               |
| 11  | REMOVE AND RELOCATE EXISTING STORM DRAIN   |                          |
| 12  | EXISTING BURIED POWER  |                          |
| 13  | REPLACE EXISTING MANHOLE, TIE-IN TO EXISTING SEWER LINES                             | 24 - CU501               |
| 14  | RECONNECT SEWER LATERAL TO NEW SEWER MAIN  | 31 - CU504               |
| 15  | RECONNECT SEWER MAIN TO NEW MANHOLE  | 32 - CU505               |

SHEET NOTES

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- THE ENGINEER HAS MADE AN EFFORT TO LOCATE ALL EXISTING UTILITY LINES FROM RECORDS PROVIDED BY OTHERS AND EVIDENCE IN THE FIELD. CONTRACTOR TO BLUESTAKE AND POTHOLE ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
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- COMPLY WITH THE REQUIREMENTS OF UTAH CODE 17-23-14 (DISTURBED CORNERS - COUNTY SURVEYOR TO BE NOTIFIED - COORDINATION WITH CERTAIN STATE AGENCIES).

CONTACT INFORMATION

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P: 801.456.4140

REVISIONS

- A JAP 7/31/25 ADDENDUM 1  
RFI RESPONSES
- B JAP 9/12/25 ADDENDUM 2  
VE ADDITIONS AND CODE REVS

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DESIGN



PRINCIPAL : M CHANDLER  
MANAGER: J PRETTYMAN  
REVIEWER : S WOODRUFF  
DRAFTER : C. HAMMON

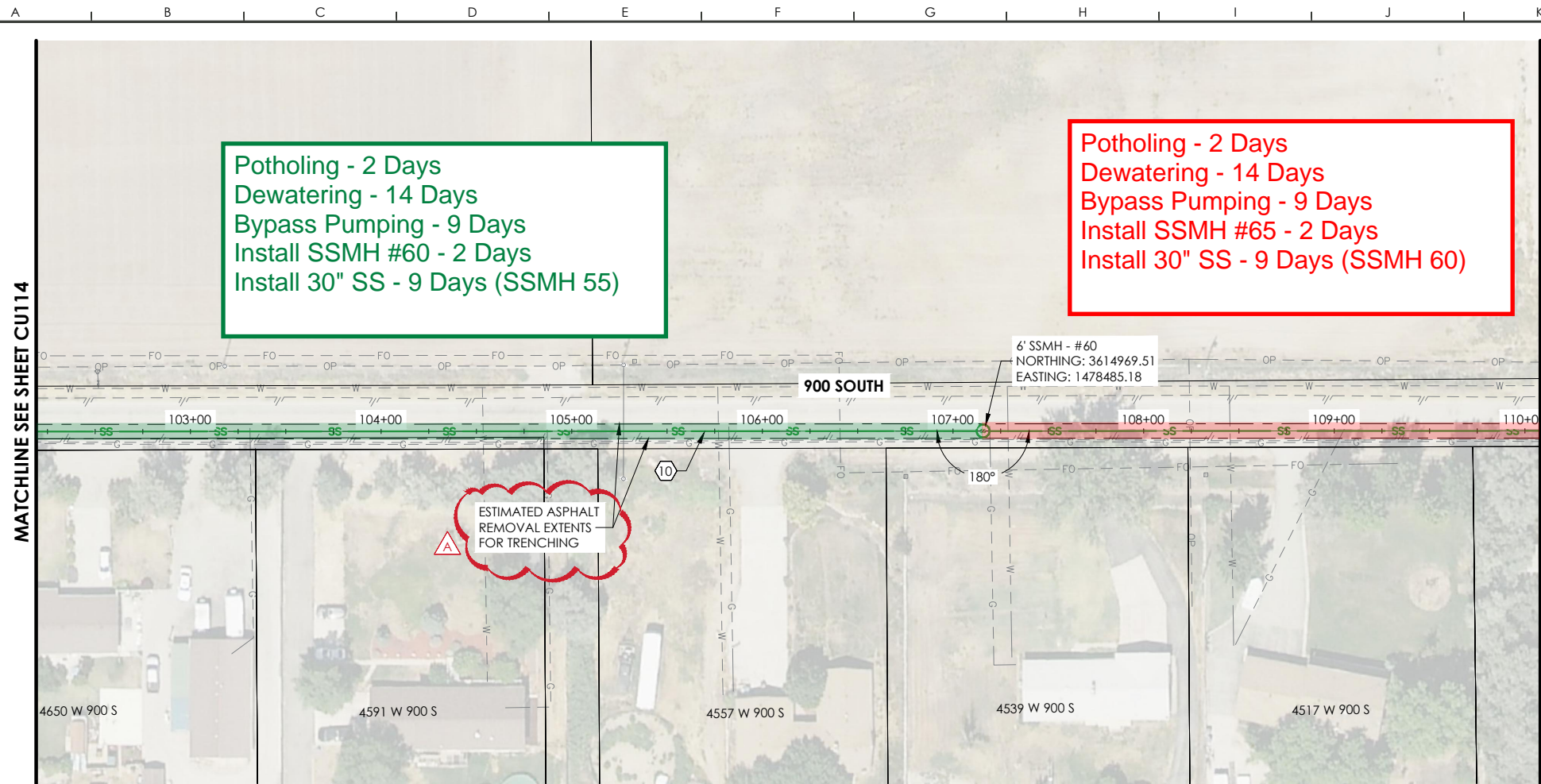
PROJECT

2024-0063  
15 SEPTEMBER 2025

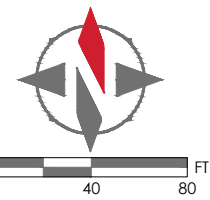
PROMONTORY LIFT  
STATION

6137 W 900 S OGDEN UT 84404





MATCHLINE SEE SHEET CU116



## KEYED NOTES

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| ③   | EXISTING WATERLINE  |                          |
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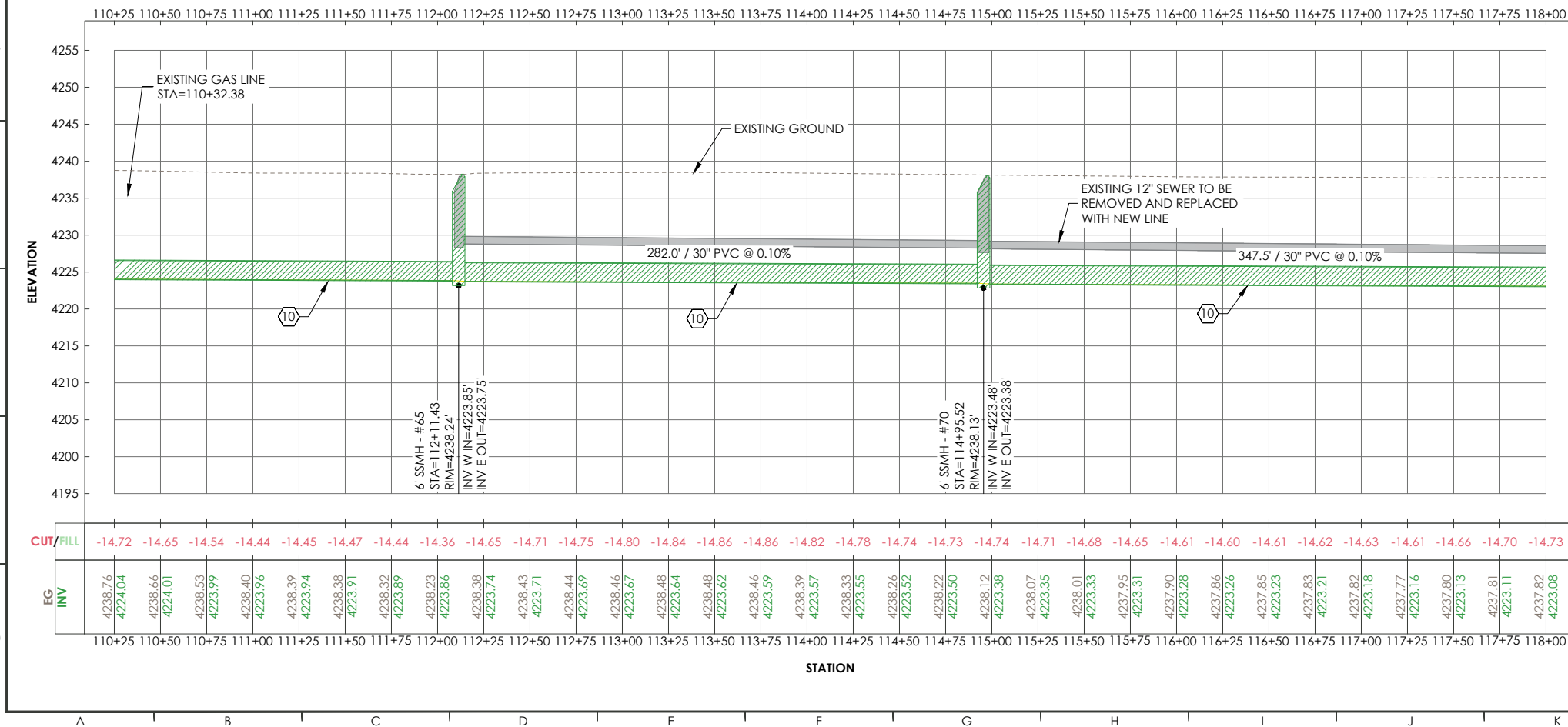
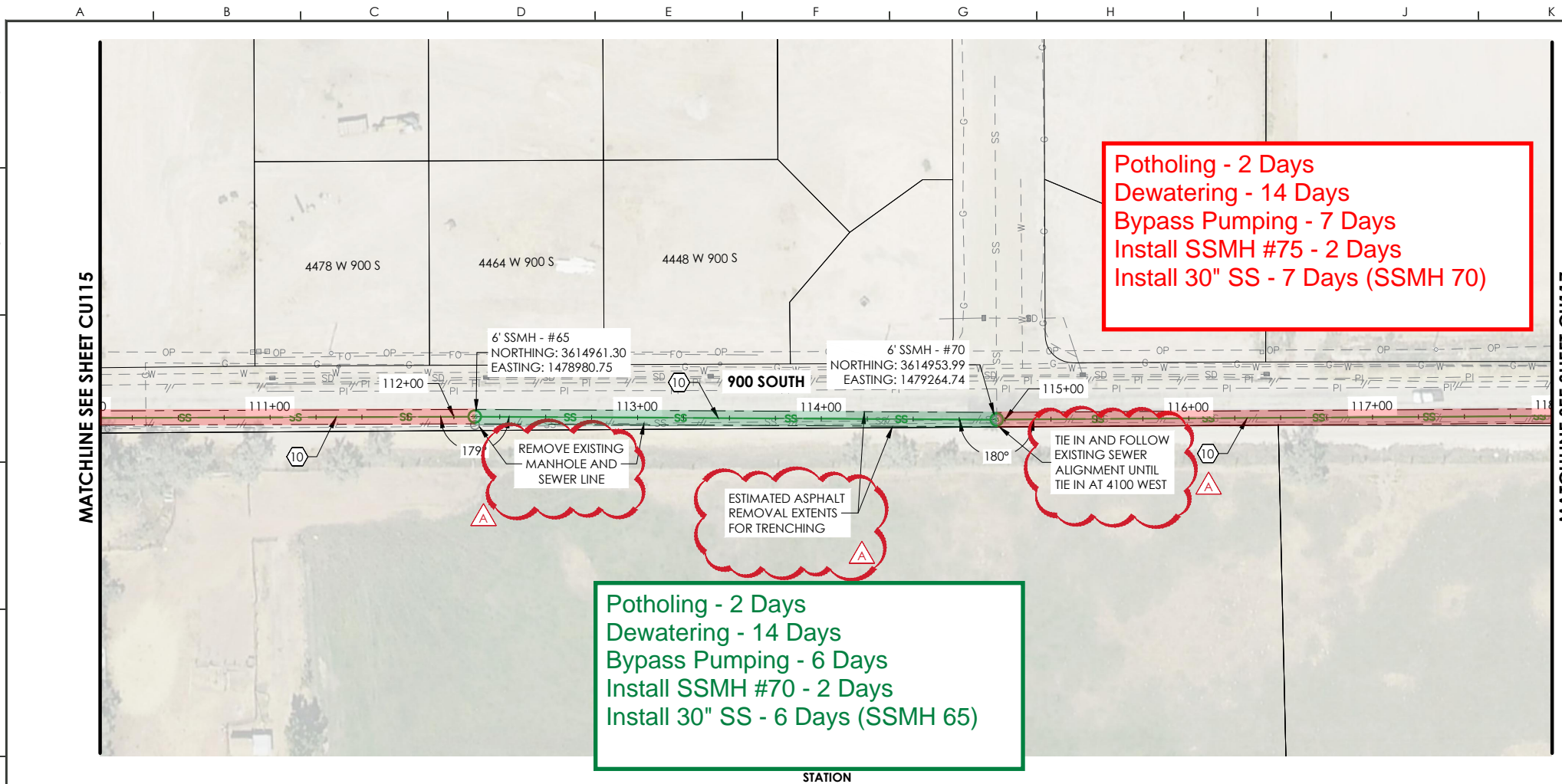
PRINCIPAL : M CHANDLER  
MANAGER: J PRETTYMAN  
REVIEWER : S WOODRUFF  
DRAFTER : C. HAMMON

## PROJECT

2024-0063  
15 SEPTEMBER 2025

## PROMONTORY LIFT STATION

6137 W 900 S OGDEN UT 84404

0 40 80  
FT

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## REVISIONS

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## DESIGN



PRINCIPAL : M CHANDLER  
MANAGER : J PRETTYMAN  
REVIEWER : S WOODRUFF  
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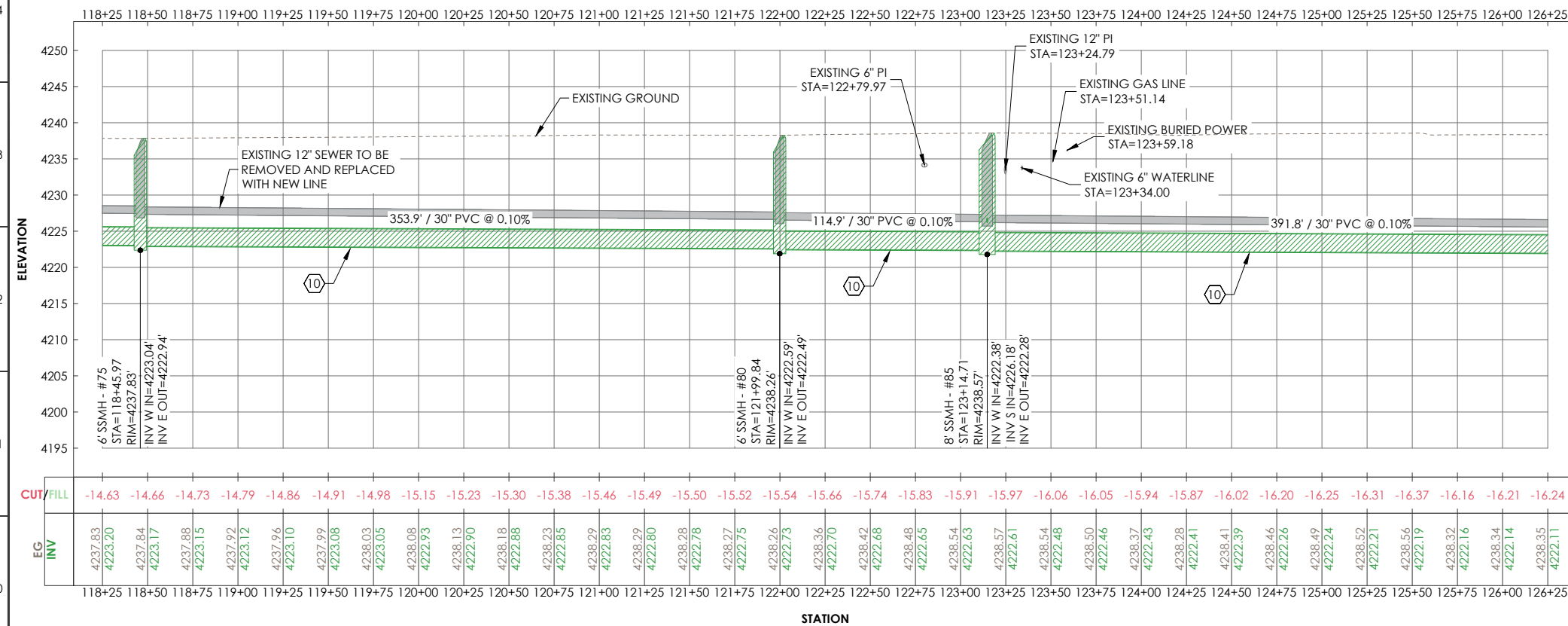
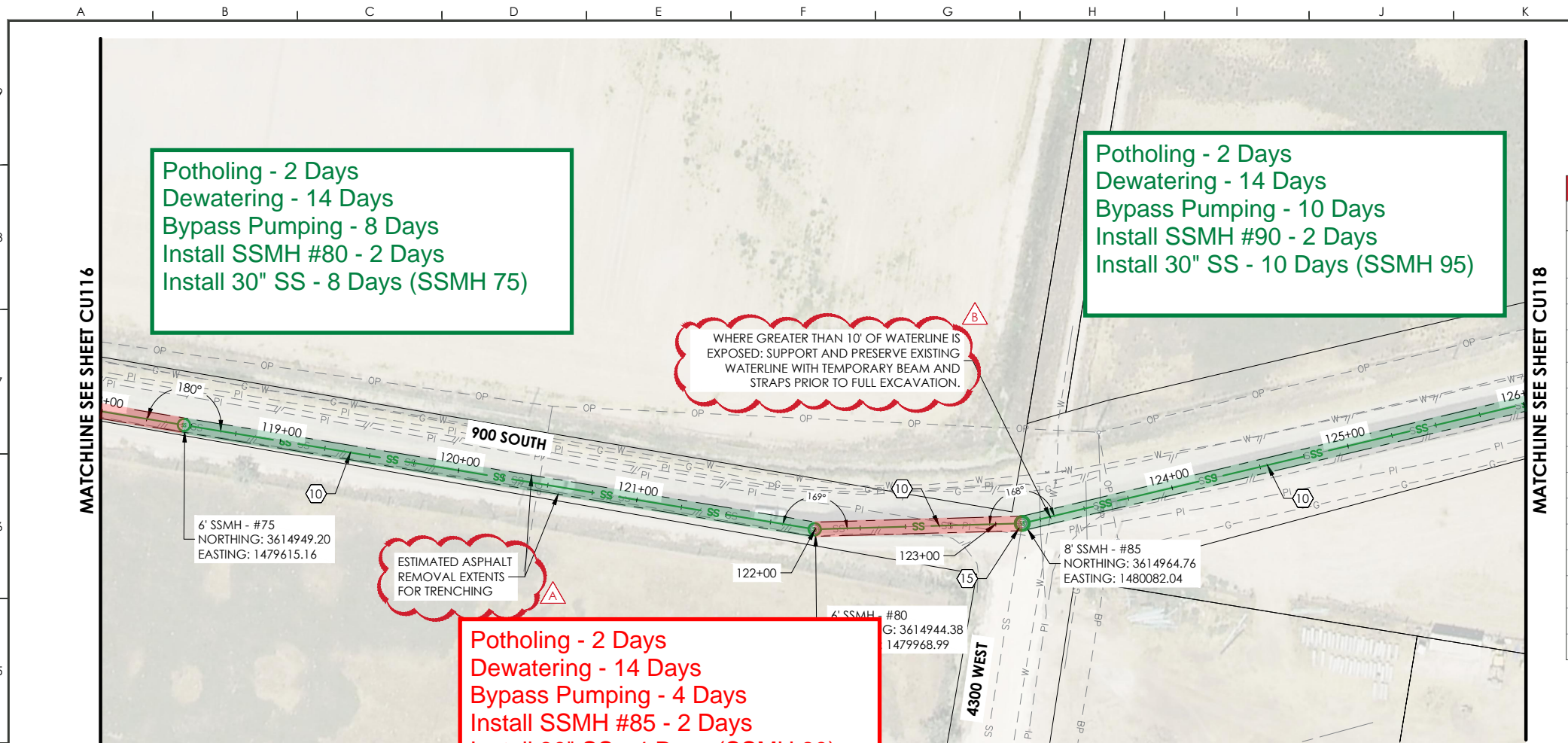
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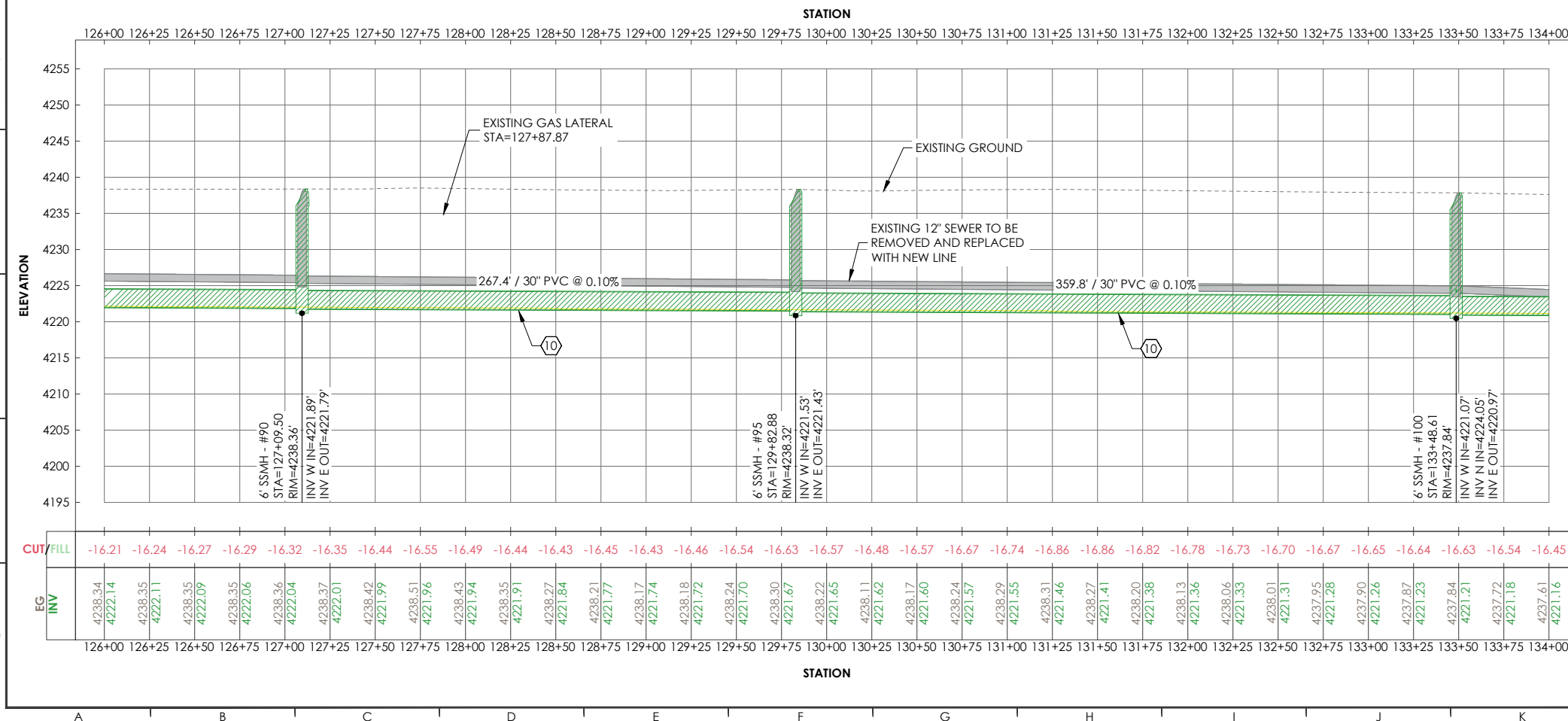
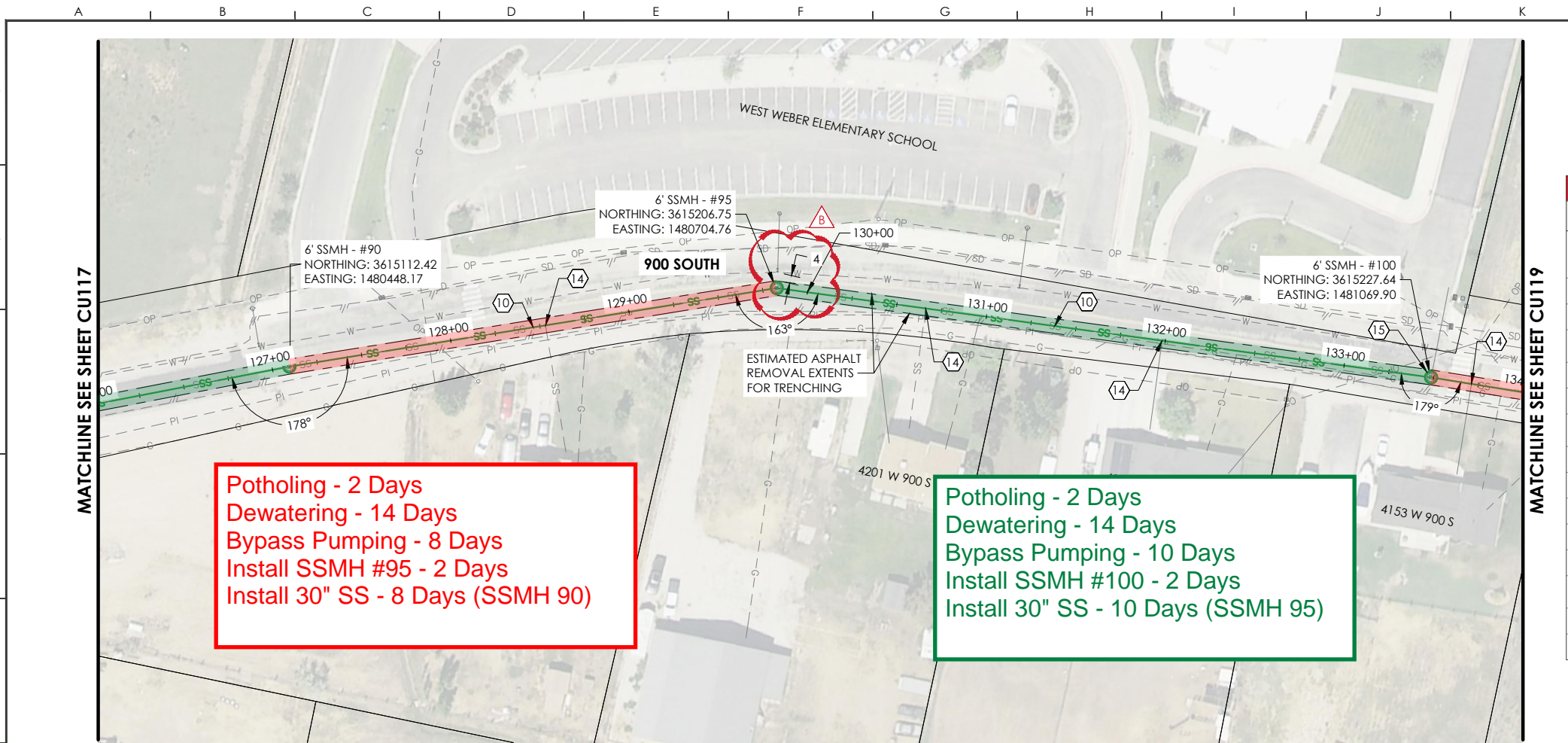
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15 SEPTEMBER 2025

## PROMONTORY LIFT STATION

6137 W 900 S OGDEN UT 84404





## KEYED NOTES

| NO. | DESCRIPTION   | DETAIL                   |
|-----|---|--------------------------|
| ①   | 16" DR17 (GREEN STRIPE) HDPE PRESSURE SEWER MAIN W/ THRUST BLOCKING & TRACER TAPE 2" ABOVE PIPE | 26 - CU502<br>30 - CU504 |
| ②   | 45° BEND  | 30 - CU504               |
| ③   | EXISTING WATERLINE  |                          |
| ④   | EXISTING DOMINION GAS LINE, EXACT LOCATION UNKNOWN  |                          |
| ⑤   | EXISTING STORM DRAIN  |                          |
| ⑥   | 2" AIR-VAC VALVE ASSEMBLY   | 29 - CU503               |
| ⑦   | 24" CASING  | 28 - CU503               |
| ⑧   | PROMONTORY LIFT STATION   |                          |
| ⑨   | TRANSITION TO GRAVITY FLOW  | 25 - CU502               |
| ⑩   | 30" SDR-35 ASTM D 3034 PVC SEWER MAIN   | 26 - CU502               |
| ⑪   | REMOVE AND RELOCATE EXISTING STORM DRAIN  |                          |
| ⑫   | EXISTING BURIED POWER   |                          |
| ⑬   | REPLACE EXISTING MANHOLE, TIE-IN TO EXISTING SEWER LINES  | 24 - CU501               |
| ⑭   | RECONNECT SEWER LATERAL TO NEW SEWER MAIN   | 31 - CU504               |
| ⑮   | RECONNECT SEWER MAIN TO NEW MANHOLE   | 32 - CU505               |

## SHEET NOTES

- ALL IMPROVEMENTS TO BE INSTALLED PER APPLICABLE COUNTY OR CITY ENGINEERING STANDARDS & DETAILS, LATEST REVISION.
- PRESSURE SEWER MAIN SHALL BE TESTED ACCORDING TO COUNTY OR CITY ENGINEERING STANDARDS AND WITNESSED BY A CITY ENGINEERING INSPECTOR.
- THE ENGINEER HAS MADE AN EFFORT TO LOCATE ALL EXISTING UTILITY LINES FROM RECORDS PROVIDED BY OTHERS AND EVIDENCE IN THE FIELD. CONTRACTOR TO BLUESTAKE AND POTHOLE ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
- ALL VALVES MUST BE GATE VALVES PER COUNTY OR CITY ENGINEERING STANDARDS.
- MEGALUGS ARE REQUIRED ON ALL MJ FITTINGS.
- CONTRACTOR TO MAINTAIN TRAFFIC ACCESS AND SUBMIT ANY REQUIRED TRAFFIC CONTROL PLANS.
- CONTRACTOR TO MAINTAIN UTILITY SERVICE TO USERS DURING CONSTRUCTION.
- ABANDONMENT OF ANY EXISTING LINE TO OCCUR AFTER THE NEW LINE IS TESTED, ACCEPTED, AND SERVICE LATERALS ARE CHANGED OVER.
- ALL CONSTRUCTION WITHIN THE UDOT RIGHT-OF-WAY SHALL CONFORM TO THE MOST CURRENT UDOT STANDARD (INCLUDING SUPPLEMENTAL) DRAWINGS AND SPECIFICATIONS.
- THE CONTRACTOR IS TO OBTAIN AN ENCROACHMENT PERMIT FROM THE APPLICABLE UDOT REGION PERMIT OFFICE PRIOR TO COMMENCING WORK WITHIN UDOT RIGHT-OF-WAY. WORKING HOUR LIMITATIONS WILL BE LISTED IN THE LIMITATIONS SECTION OF THE ENCROACHMENT PERMIT.
- UDOT RESERVES THE RIGHT, AT ITS OPTION, TO INSTALL A RAISED MEDIAN ISLAND OR RESTRICT THE ACCESS TO A RIGHT-IN OR RIGHT-OUT AT ANY TIME.
- OWNER, DEVELOPER, AND CONTRACTOR ARE RESPONSIBLE FOR ANY DAMAGES DIRECTLY OR INDIRECTLY WITHIN THE UDOT RIGHT-OF-WAY AS A RESULT OF DEVELOPMENT ACTIVITIES.
- OWNER, DEVELOPER, AND/OR CONTRACTOR IS REQUIRED TO HIRE AN INDEPENDENT COMPANY FOR ALL TESTING WITHIN THE UDOT RIGHT-OF-WAY.
- ALL SIGNS INSTALLED ON THE UDOT RIGHT-OF-WAY MUST BE HIGH INTENSITY GRADE (TYPE XI SHEETING) WITH A B3 SLIP BASE. INSTALL ALL SIGNS PER UDOT SN SERIES STANDARD DRAWINGS.
- COMPLY WITH THE REQUIREMENTS OF UTAH CODE 17-23-14 (DISTURBED CORNERS - COUNTY SURVEYOR TO BE NOTIFIED - COORDINATION WITH CERTAIN STATE AGENCIES).

## CONTACT INFORMATION

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## REVISIONS

- A** JAP 7/31/25 ADDENDUM 1  
RFI RESPONSES
- B** JAP 9/12/25 ADDENDUM 2  
VE ADDITIONS AND CODE REVS

## LEGAL NOTICE

THE INFORMATION CONTAINED IN THIS DRAWING IS THE PROPERTY OF CRS CONSULTING ENGINEERS, INC. AND IS NOT TO BE REPRODUCED, MODIFIED, OR USED FOR ANY OTHER PROJECT OR EXTENSION OF THIS PROJECT EXCEPT BY AGREEMENT WITH CRS ENGINEERS.

## DESIGN



PRINCIPAL : M CHANDLER  
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## PROJECT

2024-0063  
15 SEPTEMBER 2025

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STATION

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