

APPLICATION FOR A COMMERCIAL APPROACH PERMIT

It shall be unlawful for any association, corporation, firm, or person to construct an approach from a County Highway without first agreeing to the following:

Application is hereby made by MC Ranch LLC to the Lawrence County Highway (Owner) Department for permission to construct an approach to west side of Christensen Drive.  
(Road Name)

Located approximately 580' south of E Colorado Blvd. The approach will serve a  
(Describe Location)

Development and will be constructed between 5-1-2021  
(Residence, business, etc.) (Beginning Date)

and 11-1-2021  
(Completion Date)

Applicant shall construct the approach and install all required culverts according to Lawrence County standards and specifications and is responsible for all costs of construction and maintenance. If any deficiencies are noted during final inspection Applicant shall be responsible to correct deficiencies within 30 days of notification.

Please attach a drawing or sketch showing the proposed location of the approach and set stakes in the ground to enable the Lawrence County Highway Department to locate and evaluate the proposed, centerline of the approach. No permit will be issued until a preconstruction inspection is made by the Lawrence County Highway Department.

Culverts shall be sized to assure proper drainage. The minimum culvert size shall be eighteen inches (18") in diameter unless specifically authorized in writing otherwise by the Lawrence County Highway Department. The minimum length of any culvert shall be forty feet (40'). All Culverts shall have sloped end sections and shall be constructed of corrugated metal or reinforced concrete.

Gravel surfacing shall meet the requirements of the "Standards Specifications for Base or Surfacing".

Approaches shall be constructed perpendicular as practical to the County road.

Applicant/Owner agrees that the crown of the presently traveled surface, including the shoulder, will be continued at a distance of 20 feet from the nearest edge of the traveled surface of the road facing the property.

The Typical Approach Detail, as set forth on the attached Exhibit B, shall be followed in the construction of approaches within public right-of-ways under the jurisdiction of Lawrence County. Road construction materials and methods shall conform to the current published edition of the "Standard Specifications for Roads and Bridges" of the South Dakota Department of Transportation, when referenced in the standards below. A copy of these specifications is on file at the Lawrence County Highway Department Office or on the Lawrence County website.

P.O. Box 514 Deadwood, SD 57732 • Phone: (605) 578-2183 • Fax: (605) 578-2167 • Email: [abonnema@lawrence.sd.us](mailto:abonnema@lawrence.sd.us)

Only one (1) approach per residence shall be allowed. Approaches to tracts in commercial and agricultural districts, and large tracts or parcels of land may be approved in accordance with SDCL 31-24-3 thru 31-24-7.

Applicant/Owner agrees to furnish all materials, labor, incidentals and pay all costs involved with the construction and maintenance of any approach, including restoration of any damage to the roadway and right-of-way to equal or better conditions than existed prior to the construction of the approach designated in this application.

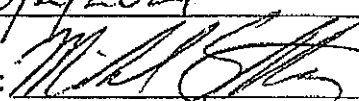
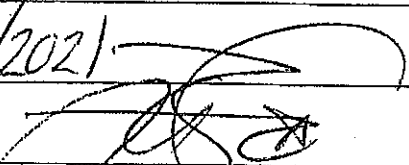
Applicant/Owner agrees to provide protection to highway traffic during the construction of the approach designated in this application by the use of proper signs, barricades, flag persons and lights as prescribed in the "Manual of Uniform Traffic Control Devices."

Applicant/Owner agrees to indemnify and hold Lawrence County, its Highway Department, its commissioners, agents and employees harmless from and against any and all actions, suits, damages, liabilities or other proceedings of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the construction, use or maintenance of the approach designated in this application.

A surety bond in the sum of five thousand dollars (\$5,000.00) for faithful performance of all duties required by the County of Lawrence and for repayment to the County for all damages growing out of the carelessness or negligence of such permit. When any contract is let which will involve a County right-of-way, a performance bond will be furnished by the Contractor in the amount of 20% of the total contract bid.

Prior to commencing any construction and upon completion of the approach, the applicant shall notify the Lawrence County Highway Department at (605) 578-2183.

Failure to accomplish the construction of the approach in accordance with the provisions of this permit will automatically render this permit null and void and where applicable, constitute grounds for its removal and /or full restoration of the county right-of-way and/or highway all at the applicant's sole expense.

Applicant's Name: KTM Design Solutions, Inc. Owner's Name: MC Ranch LLC  
(If different from Applicant's Address)  
Address: 628 1/2 Sixth St Suite 201 Address: 3420 Gallatin Loop Bismarck, ND 58504  
Phone: 605-791-5866 Phone: 701-471-1644  
Fax: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: mikes@ktmdsi.com Email: attasboutrous@gmail.com  
Date: 3/2/2021 Date: 3/2/2021  
Signature:  Signature: 

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Permit #: \_\_\_\_\_

Preliminary inspection:      Date: \_\_\_\_\_ By: \_\_\_\_\_

Culvert Diameter: \_\_\_\_\_ Culvert Length: \_\_\_\_\_

Special conditions or remarks: \_\_\_\_\_

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PERMIT APPROVED: \_\_\_\_\_ OR DENIED: \_\_\_\_\_

Final Inspection:              Date: \_\_\_\_\_ By: \_\_\_\_\_

NAME/COMPANY MC Ranch LLC

DATE

3/2/2021

ADDRESS 3420 Gallatin Loop Bismarck, ND 58504

TELEPHONE 701-471-1644

EMAIL attasboutrous@gmail.com

FAX \_\_\_\_\_

BY Attas Boutrous

TITLE Owner

Application is hereby made to occupy a Lawrence County Highway Right-of-Way. The proposed occupation is

located in Township (s) T6N Range (s) R2E Section (s) 13

along County Road (s) Christensen Drive

       AERIAL FACILITIES: Location, type and size of the proposed line and anchors with respect to anchors with respect to the centerline of the road or outer edge of the right-of-way and location of crossings showing any right-of-way are shown on Exhibit "A" (Sketch) attached.

X UNDERGROUND FACILITIES: The approximate route and location of the proposed facility are shown on Exhibit "A" (Sketch) attached.

The following information is pertinent to the proposed installation:

1. Intended usage or rating Sanitary Sewer
2. Pipe size, cable size and type 8-Inch PVC DR-35
3. Outside diameter 8.40 inches
4. Maximum pressure at which pipeline will be operated Gravity Drain - Unpressurized
5. Size and type of metal casing N/A
6. Minimum depth of cable or pipeline 10 ft bury

Applicant hereby agrees to the following terms and conditions:

1. No utility installation shall be allowed on top of drainage pipes.
2. Casing will be installed by minimum size boring and will extend from toe of in-slope to toe of in-slope.

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permittooccupyrow.doc

NAME/COMPANY MC Ranch LLC

DATE

3/2/2021

ADDRESS 3420 Gallatin Loop Bismarck, ND 58504

TELEPHONE 701-471-1644

EMAIL attasboutrous@gmail.com

FAX \_\_\_\_\_

BY Attas Boutrous

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X UNDERGROUND FACILITIES: The approximate route and location of the proposed facility are shown on Exhibit "A" (Sketch) attached.

The following information is pertinent to the proposed installation:

1. Intended usage or rating Water Main - Potable Water

2. Pipe size, cable size and type 8-inch PVC DR-18 Class 150

3. Outside diameter 9.05 inches

4. Maximum pressure at which pipeline will be operated 150 psi

5. Size and type of metal casing N/A

6. Minimum depth of cable or pipeline 6 ft bury

Applicant hereby agrees to the following terms and conditions:

1. No utility installation shall be allowed on top of drainage pipes.
2. Casing will be installed by minimum size boring and will extend from toe of in-slope to toe of in-slope.

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permittooccupyrow.doc

- where appropriate.
4. Open cut trench operations shall be performed in accordance with current SDDOT Open Cut Method of Utility Installation or Repair – ARSD 70:04:05.
  5. Saw cutting of the pavement structure before excavation operations shall be required to confine pavement damage to the limits of the trench or excavation.
  6. The backfilling of ditches or other excavation shall be performed in such a manner as not to permit any settling, erosion, or other damages to the public road or right-of-way. In the event of any settling occurring in or under the surface or pavement within two (2) years of the utility installation, it shall be presumed that the project was not done properly. In such case, the Lawrence County Highway Superintendent shall send a notice by registered mail to the Applicant. The Applicant shall have ten (10) days upon receipt of the notification to correct the deficiencies, or the County may elect to take remedial action to correct the work. If the County elects to have remedial work done, the Applicant is responsible for the cost and shall be assessed by invoice a fee equal to the cost incurred by the County. This assessment shall be paid prior to issuance of any additional permits, and in no case later than thirty (30) days after the invoice is sent by County.
  7. Applicant shall furnish all materials, labor, incidentals and pay all costs involved with the construction and maintenance of the utility, including restoration of any damage to the roadway and /or right-of-way to equal or better condition than existed prior to the construction and occupancy designated in this application.
  8. Applicant shall provide protection to highway traffic during the construction and repair of the utility designated in this application by the use of proper signs, barricades, flag persons and lights as prescribed in the Manual of Uniform Control Devices. 2003 Edition.
  9. Permittee shall not cause a road or highway to be closed to vehicular traffic, for any length of time, except upon the prior express written permission of the Lawrence County Highway Superintendent or his representative.
  10. Applicant agrees to indemnify and hold harmless Lawrence County, its Highway Superintendent, commissioners, agents and employees harmless from and against any and all actions, suits, damages, liability or other proceedings of any kind or nature brought because of any injuries or damage received or sustained by any person or property on account of the construction, use, repair or maintenance of the utility designated in this Application.
  11. If underground installation is necessary the method installation shall be by pushing or boring. Installation of the utility by any other method is prohibited unless prior express written permission is granted by the Lawrence County Highway Superintendent.
  12. Utility shall be moved or rearranged, if required by the County in the future, at no expense to the County and in such subsequent work shall be done in compliance with all the terms and conditions of this application.
  13. Applicant shall insure that the utility is installed to a depth of not less than thirty-six inches (36”).
  14. A minimum of five feet (5’) shall be maintained from the road surface, except at crossings. At least a five foot (5’) lateral clearance shall be maintained from any drainage structures and culverts.
  15. The installation, maintenance and repair of said utility facilities, together with all future adjustments, maintenance and repair shall not interfere with or impair construction, repair, maintenance or use of any highway and will comply with all applicable state, federal and local guidelines, rules and regulations.

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17. constitute grounds for removal of the utility and \_\_\_\_\_ of the occupancy site all solely at the Applicant's expense.
18. A surety bond in the sum of five thousand dollars (\$5,000) shall be required to insure faithful performance of all duties required by the County and for repayment to the County for all damages growing out of the carelessness or negligence of Permittee. **When any contract is let which will involve a county right-of-way, a performance bond will be furnished by the contractor in the amount of 20% of the total contract bid.**
19. Prior to commencing any construction and upon completion of the work authorized pursuant to this permit, the Applicant shall notify the Lawrence County Highway Department at (605) 578-2183.

Recommended for approval this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by  
\_\_\_\_\_, Lawrence County Highway Superintendent.

Approved by the Lawrence County Commission this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_, \_\_\_\_\_, Chairman.

Attested: \_\_\_\_\_, Lawrence County Auditor.

March 2, 2021

Mr. Allan Bonnema  
Highway Superintendent  
Lawrence County  
PO Box 514  
Deadwood, SD 57732

**RE: Miller Ranch Subdivision  
Approach Permit Submittal  
KTM Project No. 19-1044**

Dear Mr. Bonnema:

The proposed Miller Ranch development sits on an elevated bluff above Colorado Blvd with scenic views. The property will consist of 294 acres and is located south of Colorado Blvd and west of Christensen Drive. The development will provide many amenities including pedestrian/bike path to provide a healthy life style & golf course access, playground, wildlife corridors and greenspace amenities to facilitate open areas. The development will have a diverse mix of compatible land uses to include residential, multi-family (duplex or townhomes), office commercial & commercial uses.

Two access connections are proposed, phase 1 will have an approach to Christensen Drive and phase 2 will have an approach to E Colorado Blvd at the intersection of Sandstone Hills Drive. Mule Deer Trail is a 29 ft wide asphalt street with curb and gutter that will connect to Christensen Drive. There's an existing approach onto the property as a pasture access located 150 ft south of the proposed entrance.

A report entitled "Traffic Impact Study for Miller Ranch Residential Development in Spearfish, SD" by Wenck Associates, Inc. dated January 6, 2021 identifies roadway improvements, including an eastbound right turn lane from E Colorado Blvd onto Christensen Drive and a southbound right turn lane from Christensen Drive onto Mule Deer Trail. Both of these right turn lanes will be constructed as part of Miller Ranch Phase 1.

The proposed approach is south of two existing 48-inch diameter RCP (reinforced concrete pipe) culverts under Christensen Drive. Storm sewer and inlets are proposed on Mule Deer Trail to collect and divert stormwater into the drainage ditch west of Christensen Drive. The proposed storm sewer will also convey flow in the drainage ditch to the south under Mule Deer Trail.

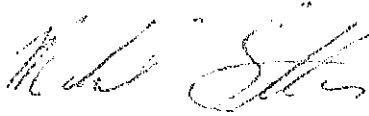


An 8-inch water main on Mule Deer Trail will connect to the existing 6-inch water main east of Christensen Drive. The connection is proposed as an open cut trench through the existing pavement. An 8-inch sanitary sewer on Mule Deer Trail will connect to the existing 8-inch sewer in the middle of Christensen Drive. The sewer will connect to an existing manhole in Christensen Drive and will required an open cut trench through the Christensen Drive pavement.

We look forward to further discussion on this submittal. If you have questions or comments, please do not hesitate to contact us at (605) 791-5866.

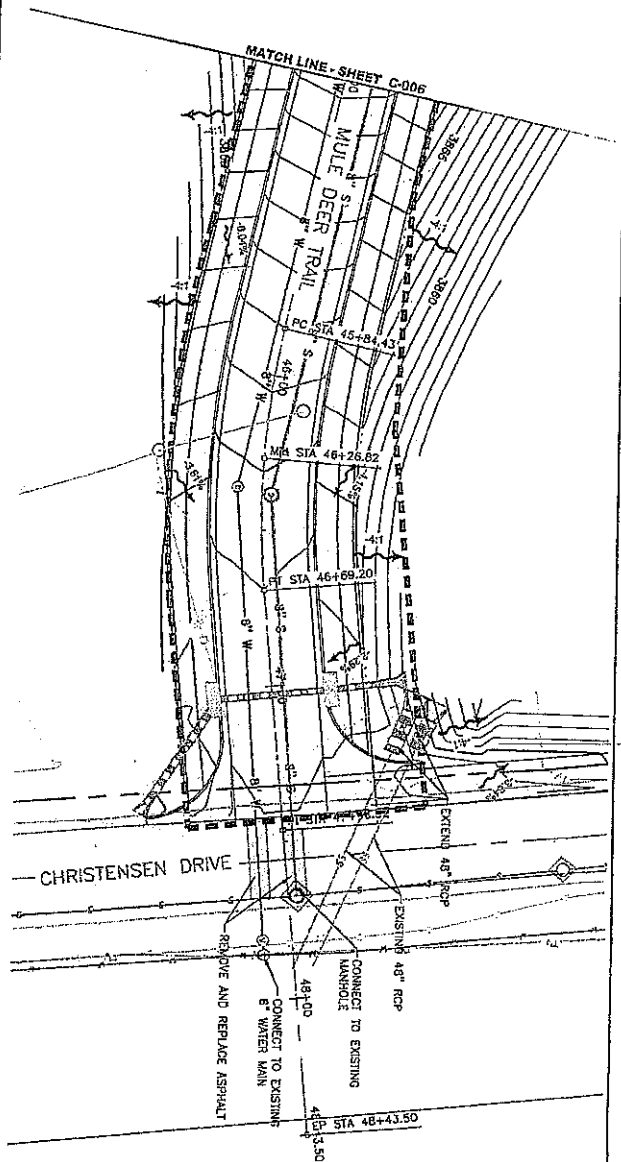
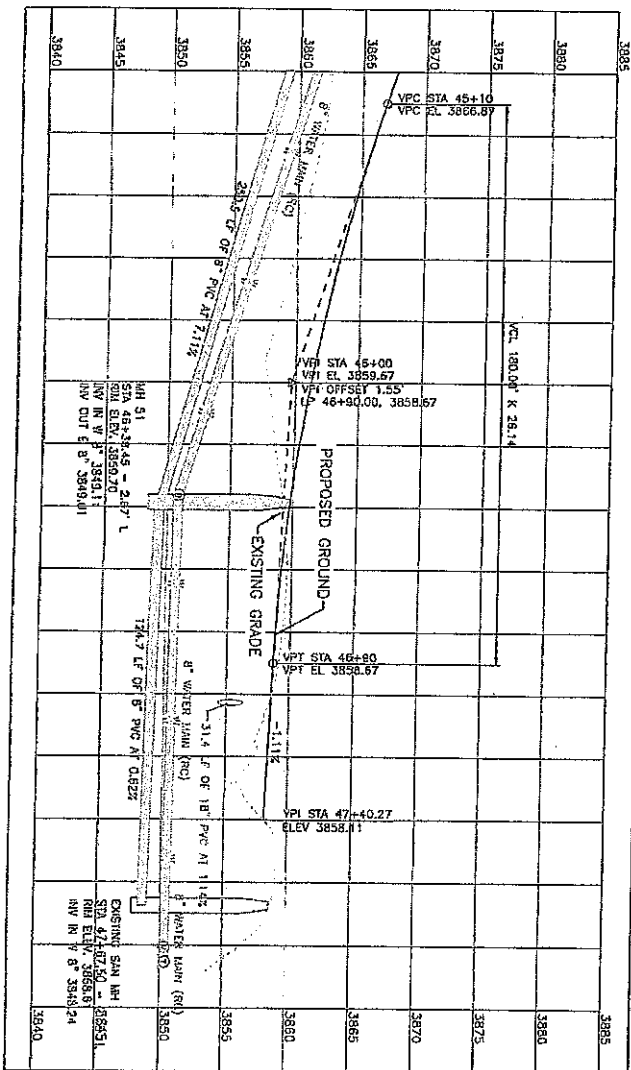
Sincerely,

KTM DESIGN SOLUTIONS, INC.

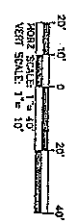


Mike Stetson, PE

Enclosures



PRELIMINARY  
FOR REVIEW ONLY



CITY OF SPEARFISH  
Plans are prepared for general confirmation with applicable governmental regulations, ordinances, design codes and engineering standards. The City of Spearfish is not responsible for the design, which is the responsibility of the Engineer of Record. All necessary permits shall be obtained prior to construction of the proposed public improvement.  
Engineering Reviewer: \_\_\_\_\_  
Date: \_\_\_\_\_

**MULE DEER TRAIL  
PLAN AND PROFILE-SHEET 3**

**AKTM**  
DESIGN SOLUTIONS, INC.

AKTM DESIGN SOLUTIONS, INC.  
1015 17th Street, Suite 100, Spearfish, SD 57783  
Phone: (605) 235-3333 Fax: (605) 235-3334  
www.aktm.com

CONSTRUCTION PLANS  
MILLER RANCH, PHASE 1  
SPEARFISH, SOUTH DAKOTA

REVISIONS:

NOVEMBER 2003												
<table border="1"> <tr> <td>DESIGNER</td> <td>AKTM</td> <td>DATE</td> <td>NOV 03</td> </tr> <tr> <td>CHECKED</td> <td>AKTM</td> <td>DATE</td> <td>NOV 03</td> </tr> <tr> <td>APPROVED</td> <td>AKTM</td> <td>DATE</td> <td>NOV 03</td> </tr> </table>	DESIGNER	AKTM	DATE	NOV 03	CHECKED	AKTM	DATE	NOV 03	APPROVED	AKTM	DATE	NOV 03
DESIGNER	AKTM	DATE	NOV 03									
CHECKED	AKTM	DATE	NOV 03									
APPROVED	AKTM	DATE	NOV 03									
11" X 17" PLAN SET												

C-007