

REGULATIONS GOVERNING EASEMENTS AND RIGHTS OF WAY WITHIN THE RIVER RIDGE COMMERCE CENTER

1. Every:

- (a) owner of property within the River Ridge Commerce Center (“**RRCC**”), including without limitation every person, company, corporation, limited liability company, association, sole proprietor, contractor, and agent acting on behalf of such owner, and
- (b) utility, including without limitation, those providing sewer, drainage, storm drainage, water, electricity, gas, and communications services, or any contractor or agent acting on behalf of a utility, that provides service to the RRCC

must notify the River Ridge Development Authority (“**RRDA**”) prior to any work commencing within, upon or under easements and/or rights of way reserved in favor of the RRDA (“**RRDA Easement**”). For the purpose of these regulations, all persons and entities set forth in (a) and (b) above shall be referred to as “**Companies**.”

2. Companies shall secure a Record of Access Permit (“**Permit**”) prior to entering upon an RRDA Easement or into an RRDA easement area.

3. The Permit shall be obtained via the “**Record of Access**” portal at the RRCC website (<https://www.riverridgecc.com/>).

4. Companies who wish to enter upon an RRCC easement or right-of-way area must pay a non-refundable administration fee in the amount posted on the RRDA website.

5. Companies shall submit plans to RRDA. The plans must be approved by RRDA prior to Company’s commencement of work.

6. Any soil disturbed within 6 feet of a curb shall be replaced with sod. Soil disturbed more than 6 feet from a curb shall be restored as per directions of RRDA or its authorized agent.

7. Companies shall submit proof of primary and non-contributory liability insurance in the minimum amount of \$1,000,000 naming RRDA as additional insured prior to commencement of work. The certificate of insurance should show the following under the “Description of Operations” or under separate cover:

RIVER RIDGE DEVELOPMENT AUTHORITY
ITS ASSIGNS AND SUCCESSORS
300 CORPORATE DRIVE, SUITE 300
JEFFERSONVILLE, IN 47130

8. Companies shall indemnify RRDA against loss and damage to RRDA's property caused by Companies.
9. Administration fees as posted in the Record of Access portal shall be paid before a Permit will be issued. An amount of \$250.00 per Permit type will be charged. This payment is to be paid online via the online portal.
10. Companies shall use their best efforts to minimize damage to the surface of the RRDA Easement.
11. Companies shall work in a manner to avoid damaging existing facilities. If such existing facilities are damaged as a result of the Companies' operations, the existing facilities will be repaired at the Companies' cost. RRDA may elect to have others perform the repair, at the Companies' cost.
12. Companies shall keep the RRDA Easement area(s) maintained in a neat and clean condition as is reasonable during its work within the RRDA Easement area(s).
13. RRDA must be notified before any ditch, hole, opening, or ground disturbance ("**Opening**") of the surface is covered over.
14. No Opening may be covered up or restored to its original condition until inspected and approved by RRDA or its authorized agent.
15. In order to be properly restored to original condition, the soil must be properly graded and compacted such that there is positive drainage from the restored area.
16. In cases where plantings are required to restore conditions back to original condition, topsoil shall consist of loose friable soil, free of refuse, stumps, large roots, rocks over 2 in. in diameter, brush, weeds, or other material which would be detrimental to the proper development of vegetative growth. It shall be capable of supporting normal vegetation as demonstrated by the growth of healthy vegetation on it. It shall not be taken from a source known to contain any of the noxious weeds defined as such in the Indiana State Seed Law, IC 15-4-1.
17. Non-vegetated areas shall be temporarily stabilized if the area remains inactive for more than seven days. The area will be considered inactive when no meaningful work toward accomplishing the work described in plans approved by RRDA. Stabilization methods shall be as directed.
18. Non-vegetated areas that are left idle or scheduled to be left inactive must be temporarily or permanently stabilized with measures appropriate for the season to minimize erosion potential. To meet this requirement, the following apply:
 - a. Stabilization must be initiated by the end of the seventh day the area is left idle. The stabilization activity must be completed within fourteen (14) days after initiation. Initiation of stabilization includes, but is not limited to, the seeding

and/or planting of the exposed area and applying mulch or other temporary surface stabilization methods were appropriate. Areas that are not accessible due to an unexpected and disruptive event that prevents construction activities are not considered idle.

- b. Areas that have been compacted may be excluded from the stabilization requirement when the areas are intended to be impervious surfaces associated with the final land use, provided run-off from the area is directed to appropriate sediment control measures.

19. After inspection by RRDA or its authorized agent, Companies shall restore the surface of the easement area back to the condition it was in prior to its work, as nearly as is practical and reasonable.

20. Companies must notify RRDA when the surface has been restored back to its original condition.

21. If Companies fail to restore (as practical and reasonable) the easement area within 45 days from the date the last work was performed on maintenance, repair, replacement or construction to the condition as required under these regulations, RRDA will restore the easement area at Companies' expense and a \$1,000 fine will be assessed.

22. RRDA or its authorized agent may stop work at any stage of Companies' work if it is determined that Companies has violated any regulations contained herein.