

## **TEMPORARY OCCUPANCY PROCESS INSTRUCTIONS**

### **Licensing Process:**

**IMPORTANT: If you require a Temporary Occupancy permit, submit all paperwork to JLL.**

If you require access to BNSF Railway Company's property for a Seismic Survey you must first enter into a Lease Agreement.

Please contact: Jennifer Kindred Phone: (918) 895-8037  
Farmers National Company  
5110 S. Yale  
Suite 400  
Tulsa, OK 74135  
[jkindred@farmersnational.com](mailto:jkindred@farmersnational.com)

After submitting a Lease Agreement with your application package Jones Lang LaSalle Brokerage, Inc. (JLL) will review the area to determine ownership of mineral rights and forward to the local BNSF Roadmaster for approval.

1. Once application package is received by (JLL), and all prior approvals have been obtained, if required, the application and drawing will be forwarded to the engineering firm to prepare the Exhibit "A" drawings for the contract. **This process takes approximately 10 to 15 working days.**
2. When the Exhibit "A" is completed, a contract will be prepared and two (2) copies will be forwarded to you for an original signature. **A letter will be sent to you that will provide directions regarding insurance and any additional fees.**
3. Return the signed contracts (2 contracts with original signatures), along with the appropriate **payment** to JLL's Permit Department.
4. The final contracts, with original signatures, are presented for execution provided payment has been received and insurance has been approved.
5. Once the contract is executed, one original will be returned to you for your files.
6. Prior to commencing any work on the Premises, Licensee shall complete and shall require its contractor (all parties who will be working on the site) to complete the safety orientation program at Internet Website <http://bnsfcontractor.com/>. This orientation must be completed no more than one year in advance of Licensee's entry on the Premises.
7. The cover letter and the executed contract will list the Roadmaster's name and phone number. **You will need to contact the Roadmaster or Wilson & Company ten (10) days prior to beginning work. The contact information will be provided to you when you receive your fully executed contract**

### **Process Time:**

Please be advised that the average time period for completion of this process is 4 weeks from the time that the application is received. Every effort will be made to complete this process in a timely manner.

**Insurance Requirements for the following Agreement:**

	<b>Temporary Occupancy</b>
<b>Commercial General Liability Insurance</b>	Contractual Liability with a combined single limit of a minimum of \$2,000,000 each occurrence and an aggregate limit of at least \$4,000,000.
<b>Business Automobile Insurance</b>	Combined single limit of at least \$1,000,000 per occurrence.
<b>Workers Compensation and Employers Liability Insurance</b>	Employers' Liability with limits of at least \$500,000 each accident, \$500,000 by disease policy limit, \$500,000 by disease each employee.
<b>Railroad Protective Liability Insurance</b>	Coverage of at least \$2,000,000 per occurrence and \$6,000,000 in the aggregate, with the exception of New Mexico in which coverage is \$5,000,000 per occurrence and \$10,000,000 in the aggregate
<b>Note:</b> These limits are subject to change without notice. An Agreement will be provided to you, which contains details concerning insurance requirements.	

**Please send the following so we may process your License request:**

1. If License is for a Seismic Survey send a copy of your **Lease Agreement**.
2. **Completed Application**.
3. **\$800 non-refundable application fee**. This is not in lieu of a permit agreement fee. Check should be made payable to BNSF Railway Company.
4. **One set of drawings** (no larger than 11 x 17) for the area to be occupied. (Include: streets, distance from tracks and streets, mileposts if available and any distinguishing land marks.) Please ensure all information is accurate, as each change will add an additional \$800 to the application fee.

Forward application and payments to:  
Jones Lang LaSalle Brokerage, Inc.  
Attn: Permit Services  
4200 Buckingham, Ste.110  
Ft. Worth, TX 76155



**APPLICATION FOR TEMPORARY OCCUPANCY**

Jones Lang LaSalle Brokerage, Inc.

**Attn: Permit Services**

4200 Buckingham

Suite 110

Fort Worth, TX 76155

\_\_\_\_\_  
\_\_\_\_\_

We submit for your approval the following application for temporary occupancy on BNSF Railway Company's right of way as shown on the enclosed location plan and detailed sketch.

**Legal Name** of Company/Municipality that will occupy the property \_\_\_\_\_

If a corporation State in which incorporated TX (If not incorporated, attach name(s) of owners or partners.)

Contact Name: \_\_\_\_\_ Phone # \_\_\_\_\_ FAX \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Is this project **ARRA** funded? Yes  No

Is this a condemning authority? Yes  No

Is Applicant a Railroad Shipper? Yes  No

If yes, BNSF Marketing Rep Name \_\_\_\_\_ Phone # \_\_\_\_\_

Was this service requested by BNSF? Yes  No

If yes, BNSF person requesting service \_\_\_\_\_ Phone # \_\_\_\_\_

Is this in conjunction with a track or track expansion project? Yes  No

If yes, BNSF contact name \_\_\_\_\_ Phone # \_\_\_\_\_

Purpose of Occupancy? \_\_\_\_\_

Name of nearest town on RR \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_

Name of nearest roadway crossing RR \_\_\_\_\_

Location of proposed occupancy \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Railroad Milepost \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

Is the work to be performed within 50 ft. of the track? Yes  No

Percentage of project done within 50 ft. of the tracks. \_\_\_\_\_ %

Area to be occupied \_\_\_\_\_ ft. (x) \_\_\_\_\_ ft.

Length of time for Project: Date from: \_\_\_\_\_ Date to: \_\_\_\_\_

Will a crossing under the railroad tracks be required? Yes  No

If yes, location of railroad mileposts \_\_\_\_\_

Total cost of project \$ \_\_\_\_\_

For a Seismic Survey:

Dates you will actually be on property      Total # of cables on property

Attached to this sheet is a location plan and a detailed sketch. Shown on the sketch are exact dimensions of the project area and distances to the centerline of nearest railroad track and road crossing, bridge or other railroad structure.

I understand that submission of this application *does not* authorize occupancy of the property. Exact fees and insurance requirements will be forwarded after the application has been reviewed and approved by the BNSF.

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

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Phone #: \_\_\_\_\_ FAX \_\_\_\_\_

If you require additional assistance, please contact your [Jones Lang LaSalle Brokerage, Inc.](#) representative.