

RIGHT-OF-WAY RESTRICTIONS & REQUIREMENTS

Genesis Pipeline Texas, L.P., Genesis Pipeline USA, L.P., and their affiliates (“GENESIS”) operate their pipelines in accordance with the applicable regulations of the U.S. Department of Transportation and other state and local agencies. In accordance with regulatory requirements and internal GENESIS guidelines, GENESIS has developed certain restrictions and requirements to protect public safety, property, and the environment. In order to protect the integrity of GENESIS pipelines and to ensure the safety of the public and the environment, these restrictions and requirements will apply to all work in and around pipeline rights-of-way, easements, permits, and/or servitudes owned or operated by GENESIS (“Right-of-Way”). Deviations from these restrictions will require GENESIS’s express written consent.

Any third party (hereafter referred to as “APPLICANT”), prior to commencing work on or near a GENESIS Right-of-Way, must submit an application and fee and provide detailed plans (plan and profile) for proposed Construction, to allow GENESIS to determine to what extent the Right-of-Way will be impacted by the proposed Construction or development activity.

“Construction” may include, but is not limited to, installation or modification of pipelines, utility lines or other underground facilities, roads, streets, ditches or drainage canals, sewers or septic systems, driveways, parking areas, fences, buildings, barns, garages, homes, patios, decks, slabs, swimming pools, or any other constructions.

All development or construction projects planned in the vicinity of a GENESIS Right-of-Way are subject to formal review and approval by GENESIS prior to performance of the work.

A. GENERAL REQUIREMENTS

1. In accordance with law, APPLICANT must contact the appropriate ONE CALL system(s) prior to work and comply with all applicable laws and regulations.
2. Encroachments are not permitted, including, but not limited to, signs, monuments, buildings, parking lots, structures, patios, decks, slabs, trees, shrubs, manholes, swimming pools, wells, leach beds, irrigation systems, septic systems, cesspools, impoundments or large debris (such as cars, boats, trailers, tanks, scrap metal or boulders) within the pipeline Right-of-Way. The intention of this restriction is to maintain an unobstructed Right-of-Way.
3. Any change in the surface grade or elevation over or along the pipeline(s) and Right-of-Way must be approved in advance in writing.
4. Plans contemplating blasting activities (e.g., seismic surveys, explosive

blasting) within 500 feet of the GENESIS pipelines shall be submitted to GENESIS for approval at least ten (10) working days prior to commencement of blasting activities. These plans must include hole depth, diameter, spacing, burden, delay times and sequence, explosive type, maximum charge weight per delay, and blast zone location relative to the pipelines. No blasting activities will be permitted until GENESIS provides prior written approval of the plans. If GENESIS determines the integrity of the pipelines will be jeopardized, then blasting will not be permitted.

5. No work may commence in or around Genesis' Right-of-Way, including within twenty-five (25) feet of the Right-of-Way until APPLICANT has first obtained GENESIS's written approval of APPLICANT's plan and profile regarding the proposed crossing. Such plans shall include, but not be limited to, any boring or excavation, any proposed addition of fill on the GENESIS Right-of-Way, and the horizontal placement of, or routing alongside of, GENESIS pipelines by any apparatus, drains, sewers or any other construction.

6. No work may commence until a GENESIS representative has authorized the work to begin and there is a written agreement in place between APPLICANT and GENESIS.

7. APPLICANT shall abide by all State & Federal Laws, Rules and Regulations and shall operate equipment that is in good working condition and in a manner that is conducive to a safe working environment while working in or around GENESIS's facilities. A GENESIS representative has the authority to suspend all excavation/construction activities in and around GENESIS facilities if the equipment operator in GENESIS's determination appears to be unqualified or equipment maintenance is not in accordance with applicable regulations.

8. **Notice of desired work start date must be given to GENESIS a minimum of 72 hours in advance and there should be a valid one call.** At least seventy-two (72) hours prior to commencing any excavation or other construction activity in the vicinity of the pipelines the APPLICANT must telephone the LOCAL ONE CALL SERVICE provider.

9. All Construction activity shall conform to all applicable federal, state, county, and/or local regulations.

10. A third-party Excavation Safety Checklist must be signed each day prior to beginning work on GENESIS's Right-of-Way.

11. The APPLICANT shall assume full liability for any damages to GENESIS pipelines and facilities due to construction, excavation, or other activities.

12. Reimbursement If it is determined that a project impacts GENESIS's

facilities, a non-refundable advance fee may be required to conduct preliminary engineering design work. Any work performed by GENESIS to remedy such impacts will be entirely at the APPLICANT's expense and will also require execution of GENESIS's standard Reimbursement Agreement. Any necessary inspection, protection, lowering, adjustment, casing, re-coating, and/or relocation of the pipelines will not be scheduled until: (A) all prerequisite data is compiled; (B) the appropriate agreements are executed; and (C) sufficient funds are received. It is GENESIS's customary practice to inspect and recondition the pipeline(s) at proposed driveway, roadway or railroad crossings, the costs for which will be borne by the developer or owner.

13. If GENESIS deems it necessary to lower, encase, reinforce collars on, or otherwise adjust the pipelines because of the APPLICANT'S construction activity, the APPLICANT shall reimburse GENESIS for the cost of such lowering, encasement, reinforce collars, or other adjustment.

B. TEMPORARY CONSTRUCTIONS/USES

14. GENESIS's Right-of-Way may not be used as temporary workspace (which includes its use for the staging, storage, or laydown of equipment, materials, or spoil) without prior written approval from GENESIS.

15. No trucks or heavy equipment are to cross the GENESIS pipeline Right-of-Way without approval from GENESIS. If GENESIS determines that the integrity of the GENESIS pipelines may be jeopardized if they are crossed with heavy equipment, a temporary road crossing to protect the pipelines and the equipment will be required. The design of all temporary road crossings requires GENESIS' prior written approval. All temporary road crossings will be built to the GENESIS approved specifications. Depending upon the soil conditions, depth and character of the pipelines, and the projected stresses induced upon the pipelines from the vehicles which are to cross, GENESIS may require fill material of its choice to be placed over the pipelines, ramping, matting, and/or air bridging at APPLICANT's expense. Use of air bridging is generally preferred and may expedite approval of the temporary crossing. All temporary road crossings will be approved for no more than 30 days at a time with the crossing to be inspected by GENESIS field operations personnel and approved for each additional 30-day period.

16. Should conditions change after construction of the temporary road crossing (e.g., heavier equipment than previously planned for or inclement weather conditions), then the APPLICANT shall not cross the GENESIS pipelines with equipment until the integrity of the GENESIS pipelines can be protected from the change in condition.

17. In the case of collared pipelines, the collars are to be reinforced prior to the

start of any construction activities.

18. Genesis Field Operations personnel will inspect the temporary crossing every thirty (30) days, and the crossing will be subject to approval for each additional thirty (30) day renewal.

C. EXCAVATIONS/BORE CROSSINGS/HYDRO-VAC

19. No excavations or fill activities shall be made on land adjacent to the pipelines which will in any way alter Right-of-Way drainage patterns, impair or withdraw the lateral support, or which will cause any subsidence or damage to the pipelines. In all cases, the situation will be evaluated to ensure that adequate provisions are made for corrosion control.

20. No holes are to be bored or excavated within the boundaries of the Right-of-Way without GENESIS's prior approval. If the APPLICANT elects and GENESIS allows APPLICANT to install its pipelines/utilities within GENESIS's Right-of-Way by any method of boring, then the APPLICANT shall physically verify the separation between GENESIS's facilities and the APPLICANT'S pipeline/utilities. Where physical verification is not practical, minimum clearance will be four (4) feet horizontally and ten (10) feet vertically.

21. Wire guided bores with ten (10) feet or greater clearance will not require peepholes. All other bores will require installation of peepholes on the incoming sides of GENESIS's pipeline, at the point of intersection as to view the drill stem clearance prior to crossing.

22. No excavating or other construction activity shall be conducted within twenty-five (25) feet of the pipeline(s) in the absence of a GENESIS representative. The APPLICANT will assume full liability for any damage to GENESIS due to construction/excavation activities. GENESIS is not aware of any spills that have occurred at the location for which the APPLICANT is requesting approval or in the vicinity thereof, but accordingly, if in the event during APPLICANT'S construction any contaminated soil of any nature needs to be removed and disposed of it shall be removed and disposed of at the sole risk and expense of the APPLICANT.

23. If GENESIS deems it necessary, the APPLICANT shall use a bucket with no teeth or a bar shall be installed across the teeth of the bucket during excavation in the vicinity of the pipelines. GENESIS's designated representative shall have the authority to reject the use of equipment to excavate if, in their opinion, the equipment is unsuitable to perform the excavation in a safe and prudent manner.

24. Mechanical excavation will cease once the earth has been removed to within twenty-four (24) inches of GENESIS's pipeline.

25. Driving of sheet piling or any other vibration inducing activities in the vicinity of a GENESIS Right-of-Way must be reviewed in advance and approved by GENESIS.
26. All backfill on GENESIS's Right-of-Way shall be approved by GENESIS's on-site inspector.
27. If GENESIS's line is exposed during the excavation, the excavation will be made safe for entry and left open until GENESIS installs test leads or performs any other visual inspection that may be required.
28. In GENESIS's discretion, GENESIS may require Hydro-Excavation (Hydro-Vac) to reduce the risk of damage to a pipeline.
29. Grounding of the vacuum truck and wand is required and should be tested; downwind venting of the vacuum truck is required.
30. The water wand tip is to be an oscillation type (circular pattern) to prevent a concentrated water stream; stream nozzles are not allowed. The vacuum wand tip must have a neoprene or equivalent tip to prevent damage to the pipeline coating and surrounding structures.
31. If the excavation site is suspected to contain hydrocarbon-impacted soil, a plan must be developed for testing and disposal of soil/water slurry (e.g., lined roll-off bin.) at APPLICANT's expense, and in advance of the project.

D. DRIVEWAYS/ROADS/STREETS

32. GENESIS may deem it necessary to reinforce its pipe joints located under and in close proximity to any road, street, driveway, drainage canal or ditches, etc.
33. Paved streets, roads, driveways, or parking areas crossing over or on GENESIS Right-of-Way shall be surfaced using asphalt or breakaway concrete with expansion joints fifteen (15) feet on both sides of the pipeline, filled with asphalt or concrete.
34. Any road, street, or driveway shall be constructed with a minimum cover, as measured from the top of the pipelines to the top of the surface of the road, street, or driveway as shown below:

LOCATION MINIMUM COVER

- (1) Under road or street Forty-eight (48) inches measured from top of shallowest pipeline to top of crown in pavement but no less than twenty-four (24) inches below bottom of sub-grade and will require stamped, engineered load analysis (at APPLICANT's expense) for final approval.
- (2) Under driveway on residential lot Thirty-six (36) inches below crown but no less than twenty-four (24) inches below bottom of sub-grade
- (3) Under all other surfaces within forty-eight (48) inches and may require stamped, engineered load analysis (at APPLICANT's expense) for final approval.

E. PIPELINE/ELECTRICAL POWER/TELECOMMUNICATIONS/OTHER UTILITIES

35. All pipelines, utility lines and other underground facilities (except electrical power cables and telecommunications cables) constructed such that they cross GENESIS pipelines must be installed under the GENESIS pipelines with a vertical separation of twenty-four (24) inches of clearance between the outside of the GENESIS pipe and the extremity of any other underground structure and must be installed in a manner acceptable to GENESIS's on-site representative. If APPLICANT elects to use any method of boring or directional drilling, see Section 6.

36. Installations ABOVE the GENESIS pipeline will be considered on a case-by-case basis where there is adequate depth to ensure required separation. PVC/HDPE irrigation, communication lines (e.g. cable, telephone, fiber optic), waterlines four (4) inches in diameter or less, may cross above GENESIS's pipeline(s) so long as excavation is performed by hand or another method of soft digging across the entire width of Right-of-Way, in the presence of an onsite GENESIS technician, and plans are reviewed and approved by GENESIS.

37. All electrical power cables and telecommunications cables shall be installed with a minimum vertical separation of twenty-four (24) inches between structures and in a manner acceptable to GENESIS's on-site representative. In addition, the electrical power cables must be enclosed in conduit (high impact PVC) and should be identified with red paint, red sleeve, or red tape to properly identify it as underground electrical power. The conduit and identifying material must extend a minimum of twenty-five (25) feet on either side of the centerline of the pipelines. Communications cables must be enclosed in conduit (steel or PVC) and marked with the burial warning tape a minimum of six (6) inches on each side and above the conduit. The conduit and warning tape must extend a minimum of twenty-five (25) feet either side of the centerline of the pipelines.

38. Any overhead power lines must maintain a minimum height of twenty-five

(25) feet above grade for a distance of twenty-five (25) feet each side of the pipeline for 22kV and less; thirty (30) feet for over 22kV. Any overhead communications lines must maintain a minimum height of fifteen (15) feet of clearance above grade. Exceptions to these requirements will be reviewed on a case-by-case basis.

39. Power or communication structures, guys, or poles will not be allowed in the Right-of-Way or within eight (8) feet horizontally of a GENESIS pipeline. No overhead power or communications lines will be allowed that interfere with the operations and maintenance of the Genesis pipeline or Right-of-Way. Any overhead power or communications lines may be required to relocate if Genesis deems necessary for the location or placement of Genesis' above ground facilities.

40. GENESIS's pipelines are cathodically protected and could be adversely affected by foreign crossings. Crossings require the use of a nonconductive conduit.

41. All pipelines constructed across GENESIS Right-of-Ways must cross the pipeline Right-of-Way at an angle as close to 90 degrees as possible but not less than 45 degrees.

42. Permanent aboveground markers identifying the crossing pipeline or utility shall be installed and maintained at the limits of GENESIS's Right-of-Way and/or at the crossing.

43. If it is impractical to install and maintain aboveground markers due to the crossing location, plastic marker tape shall be installed below cultivation level and over GENESIS's pipeline, extending the width of the Right-of-Way.

F. DITCHES/CANALS

44. Any proposed ditches, drainage canals, etc., shall be constructed with a minimum cover, as measured from the lowest point in ditch, canal, etc., to the top of the pipe, as shown below or as required per local ordinance or governmental code:

LOCATION MINIMUM COVER

(1) Under lowest surface of road ditches:

- a) Unlined residential ditches: Thirty-six (36) inches
- b) Concrete/asphalt lined: Twelve (12) inches

(2) Drainage canals and ditches: Sixty (60) inches

45. If it is determined that a project impacts GENESIS's facilities, a non-refundable advance fee may be required to conduct preliminary engineering design work. Any work performed by GENESIS to remedy such impacts will be entirely at the APPLICANT's expense and will also require execution of GENESIS's standard Reimbursement Agreement. Any necessary inspection, protection, lowering, adjustment, casing, re-coating, and/or relocation of the pipelines will not be scheduled until: (A) all prerequisite data is compiled; (B) the appropriate agreements are executed; and (C) sufficient funds are received. It is GENESIS's customary practice to inspect and recondition the pipeline(s) at proposed driveway, roadway or railroad crossings, the costs for which will be borne by the developer or owner.

G. FENCE POST

46. Fences may be allowed to cross GENESIS's Right-of-Way but will not be permitted along and within GENESIS's Right-of-Way. Fence posts may not be placed within four (4) feet horizontally of the pipeline(s). Fences may not be installed in a manner that would obstruct GENESIS's line of sight or access to GENESIS's facilities. If requested by GENESIS, installation of gates across the Right-of-Way will be required, at APPLICANT's expense. GENESIS will have the right to install locks at all gates/gaps crossing the Right-of-Way. Flag poles may not be placed within GENESIS's Right-of-Way or within eight (8) feet horizontally of a GENESIS pipeline.

H. OFFSHORE/OPEN WATER CROSSINGS

47. GENESIS should be notified, in advance, of any planned crossings of GENESIS pipelines located offshore or in open water. Upon notification of a proposed offshore or open water crossing, a GENESIS representative will inform APPLICANT of any crossing requirements.

I. SUBMISSIONS/NOTIFICATIONS

48. All written correspondence is to be sent to:

Encroachments
811 Louisiana Street, Suite 1200
Houston, TX 77002
Email: encroachment@genlp.com

49. GENESIS appreciates the opportunity to work with APPLICANT in the early stages of development activity to minimize any conflict which may arise and

to protect the integrity of our pipelines.

50. Requests should include:

- **A brief description of the project or work to be performed**
- **Appropriate vicinity map page(s), GPS coordinates and KMZ (if available)**
- **Plan and Profile drawings for proposed construction (including GENESIS pipeline(s) clearly labeled and identified, pipeline diameter(s) and depth(s), crossing angle, cut mark/fill elevation, etc.)**
- **Estimated timing of the project or special timing requirements (including start date and duration)**
- **A contact name, company name, mailing address, email address and telephone number of the Contractor, Contractor's sub-contractors, and facility owner as applicable.**
- **List and description of construction equipment that will cross GENESIS pipeline(s), including applicable surface pressures (lb./psi, max. gross weight, etc.)**

51. Electronic files are required and should be sent to the email provided in Section 48. Please do not send hard copies unless discussed with and approved by GENESIS first.

52. Once received, your request will be logged, reviewed, and responded to as soon as possible (minimum sixty (60) days), provided the APPLICANT has provided all required documents. Requests to perform large scale development/construction/excavation may require substantially more time. Inclusion of the above information will help to expedite your request. REQUESTS THAT ARE NOT COMPLETED WITHIN 180 DAYS WILL BE AUTOMATICALLY DENIED, AND A NEW REQUEST WILL NEED TO BE SUBMITTED IF NEEDED.

53. All GENESIS approved crossings/encroachments will be valid for no more than six (6) months. Any crossings/encroachments that are not completed within six (6) months of full execution of an encroachment agreement will require a new application, application fee, operational review, and a new encroachment agreement to be executed along with updated proof of insurance. The grant of any extension and/or expansion of any crossings/encroachments are in GENESIS's sole discretion.