# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**AgendaTitle:**
Notice of Acceptance of Maintenance of Public Highway; Taylor River Road Project

**Action Requested:** Board of County Commissioners' Signature

**Parties to the Agreement:**

**Term Begins:** **Term Ends:** **Grant Contract #:**

**Summary:**
See attached summary.

**Fiscal Impact:** Minor amount of legal fees to notice the owners.

**Submitted by:** Marlene Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

**Finance Review:** ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

**County Attorney Review:** ◉ Required ○ Not Required

Comments:

Reviewed by: Bwiseman Discharge Date: 5/1/2013 Certificate of Insurance Required

Yes ○ No ◉

**County Manager Review:**

Comments:

Reviewed by: MBirnie Discharge Date: 5/1/2013

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 5/7/2013 Follow Up Agenda Date: N/A

*Revised April 2013*

# Agenda Item Submittal

| | |
|---|---|
| **Date of Request** | May 1, 2013 |
| **Completion Deadline** | (This is the LAST possible date that you need the package back to your office.) |
| **Desired Agenda Date** | May 7, 2013 |
| **Amount of Time Requested** | |
| **Is this Confidential?** | (Select Yes if it should be kept out of public packet. Leave blank if No.) |
| **Action Requested*** | Please select one or select "Other" and enter in field below.<br>Board<br>of<br>County<br>Commissioners'<br>Signature |
| **Parties to the Agreement** | |
| **Term Begins** | |
| **Term Ends** | |
| **Grant Contract Number** | |
| **Agenda Item*** | (50 Character Limit)<br>Notice of Acceptance of Maintenance of a PublicHwy |
| **Summary*** | When we were securing easements for the 2012 Taylor River Road construction project we found that in a number of places, particularly through Whitewater Estates and Harmels, the road was not within the platted ROW. In some cases the platted ROW actually was through someone's living room. During the easements the people were told that the temporary easements would be finalized when Gunnison County accepted the section of road being constructed in their area. I have attached a legal notice that we need to give them that proves that the project in their area is complete. Once this notice has been provided to them we will begin the process of vacating the old ROW in the areas where it is outside of the new ROW. |
| **Fiscal Impact*** | Minor amount of legal fees to notice the owners. |
| **Submitted By*** | Marlene Crosby |
| **Submitter's email address*** | mcrosby@gunnisoncounty.org |
| **Upload any supporting Documents** | Please upload any necessary supporting documents. |

OK DB 5/1/13
no mow. req'd

Summary: When we were securing easements for the 2012 Taylor River Road construction project we found that in a number of places, particularly through Whitewater Estates and Harmels, the road was not within the platted ROW. In some cases the platted ROW actually was through someone's living room. During the easements the people were told that the temporary easements would be finalized when Gunnison County accepted the section of road being constructed in their area. I have attached a legal notice that we need to give them that proves that the project in their area is complete. Once this notice has been provided to them we will begin the process of vacating the old ROW in the areas where it is outside of the new ROW.

**Notice of Acceptance of Maintenance of Public Highway**

PLEASE TAKE NOTICE THAT Gunnison County, Colorado has accepted maintenance of that portion of Taylor River Road, also known as County Road 742, described in the plans and specifications titled, "U.S. Department of Transportation Federal Highway Administration Right of Way Plans for Proposed CO PFH 59-1(4) Taylor River Road Gunnison National Forest Gunnison County Length 21.634 KM". The portion of Taylor River Road covered by said plans and specifications is referred to herein as, "Phase 4".

Various temporary construction easements were conveyed to Gunnison County in connection with said plans and specifications, to commence either upon granting a contract by the Federal Highway Administration ("FHWA") for construction of Phase 4 or upon recording of a notice thereof, and terminating upon Gunnison County's acceptance of maintenance of Phase 4, or recording of a notice thereof. FHWA awarded the contract for Phase 4 on January 23, 2012.

This notice is given to show that all the conditions precedent to the automatic expiration of the various temporary construction easements granted for Phase 4 have now been met, and that such temporary construction easements are no longer in effect and are extinguished, including those temporary construction easements recorded in the Gunnison public records at Reception Numbers: 598855, 598856, 598857, 598858, 598859, 598860, 598861, 601175, 601176, 601807, 601809, 601810, 601811, 602006, 602008, 602620, 602622, 602823, 603327, 603328, 603329, 603330, 603331, 603333, 603334, 603466, 603467, 603799, 603800, 603801, and 603890.

Dated this ___ day of _____, 2013.

Board of County Commissioners of the
County of Gunnison, State of Colorado

By:_____
Paula Swenson, Chairperson

Colorado Asphalt Pavement Association
6880 South Yosemite Court, Suite 110
Englewood, Colorado 80112
303.741.6150 Fax 303.741.6146

Rec'd mailed to Marlene
Sent Xerox
12/18/12

ASPHALT
THE SMOOTH QUIET RIDE

U.S. Department of Transportation
Federal Highway Administration

Central Federal Highway Division

December 13, 2012

Mrs. Marlene Crosby
Public Works Director
Gunnison County
195 Basin Park Drive
Gunnison, CO 81230

Mrs. Crosby:

On December 5, 2012, the final inspection of CO PFH 59-1(4) Taylor River Road was made with your representative attending. With the exception of some minor details of work, the project was found to be completed in substantial conformity with the contract. All work was completed on December 7, 2012.

Final acceptance of the project is contingent upon the concurrence of the cooperating agencies. Please indicate your approval and acceptance of the project by signing and returning the original of this letter. Your prompt attention to this matter will facilitate final payment to the contractor without undue delay.

To determine your customer satisfaction with our construction program, we will soon contact you to solicit your opinion of several aspects of our program. Thank you in advance for taking time to complete the survey. It is very important to us.

Sincerely yours,

Micah J. Leadford
Construction Operations Engineer

Gunnison County Endorsement

Accepted:

By Marlene D. Crosby

Title Public Works Director

Date Dec 18, 2012