

RESOLUTION

**BOARD OF COUNTY COMMISSIONERS
OURAY COUNTY**

Re: Maintenance of County Road 5A from the intersection of County Road 5 and County Road 5A to a point approximately one mile east of this intersection where the Rosetti Parties have an access onto County Road 5A

Whereas, a condition of granting an access to the Rosetti Parties is an obligation to provide funds to the County for capital construction of this one-mile section of road; and

Whereas, this section of road has been used and maintained primarily by residents of Elk Meadows subdivision; and

Whereas, the Rosetti access will create more traffic on this road with all parties agreeing that the added maintenance burden resulting from this traffic should not be borne solely by Elk Meadows; and

Whereas, Elk Meadows subdivision was recorded prior to 1972 and there were no formal agreements delineating responsibilities for maintenance on County Road 5A; and

Whereas, construction on this road will result in the road meeting County standards and will create a safe turnaround for road equipment; and

Whereas, there are approximately fifty (50) full-time residents in Elk Meadows.

Now Therefore, Be It Resolved by the Board of County Commissioners of Ouray County that they agree to the County Road and Bridge department maintaining the one-mile section of County Road 5A subject to budgetary ability and with the following conditions.

Maintenance Conditions

- a. *Winter* The clearing of snow commensurate with the snow removal operations on County Road 5.
- b. *Summer* – a minimum of three grading operations per season, after the initial spring grading, commensurate with precipitation and road conditions.

This level of maintenance will begin as soon as practical after there is a turnaround constructed by the Rosetti Parties and/or Elk Meadows.

The cost of this maintenance shall be paid by Rosetti at ten percent (10%) and Elk Meadows at ninety percent (90%) with an annual cost not to exceed \$2,000. After the road has been improved using funds provided by Rosetti, the County shall assume these maintenance costs.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Tom Hollenbeck, Chairman

Michelle Nauer, Clerk and Recorder

Don Batchelder, Vice-Chairman

By:

Linda Munson-Haley,
Deputy Clerk of the Board

William Ferguson, Member