HIGHWAY EASEMENT DEED

THIS DEED, made this <u>May of Apoll</u>, 2017, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, hereinafter referred to as the DEPARTMENT, and the DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, hereinafter referred to as the GRANTEE:

WITNESSETH

WHEREAS, the GRANTEE has filed application under the provisions of the Act of Congress of August 27, 1958, as amended (23 U.S.C. Section 317), for the right of way of a highway over certain Federal land under the jurisdiction of the Department of Agriculture – United States Forest Service in the State of Colorado, and

WHEREAS, the Federal Highway Division Administrator, pursuant to delegation of authority from the Secretary of Transportation, has determined that an easement over the land covered by the application is reasonably necessary for a right-of-way for:

Highway Number:

550

Designation:

Red Mountain Pass to Ouray Mile Markers 80.47 to 91.82

National Forests:

Uncompangre

Parcel #s:

HE-1, HE-2, HE-3, HE-4, HE-5, HE-6, HE-7, HE-8

and,

WHEREAS, the Department of Agriculture, acting by and through the United States Forest Service, in its consent to the appropriation of the Federal land, has agreed to the transfer by the Department of an easement over the land to the Grantee;

NOW THEREFORE, the Department, as authorized by law, does hereby grant to the Grantee an easement for a right-of-way for the construction, operation, and maintenance of a highway and use of the space above and below the established grade line of the highway pavement for highway purposes on, over, across, in, and upon the following described Federal land within the United States in the County of Ouray, State of Colorado:

Section	Subdivision	Township	Range	Meridian
14	NE¼, NE¼	42N	8W .	NMPM
AND				
11	SE1/4, SE1/4	42N	8W	NMPM
AND				
12	NW¼, SW¼	42N	8W	NMPM

AND				
12	$E^{1/2}$, $NW^{1/4}$	42N	8W	NMPM
AND				
1	S½,			
1	SE¼, NE¼	42N	8W	NMPM
6	$NW^{1/4}$, $NW^{1/4}$	42N	7W	NMPM
AND				
31	SE1/4, SW1/4	43N	7W	NMPM
31	NE¼, SE¼	43N	7W	NMPM
AND				
32	$W^{1/2}$, $NW^{1/4}$	43N	7W	NMPM
29	$W^{1/2}$,	43N	7W	NMPM
20	$W^{1/2}$, $E^{1/2}$	43N	7W	NMPM
17	$E^{1/2}, E^{1/2}$	43N	7W	NMPM
16	NW ¹ / ₄ , NW ¹ / ₄	43N	7W	NMPM
AND				
8	SE1/4, SE1/4	43N	7W	NMPM
AND				
8	NW ¹ / ₄ , NW ¹ / ₄	43N	7W	NMPM
5	$W^{1/2}, W^{1/2},$	43N	7W	NMPM

as the land is more particularly described in Exhibit "A", and Exhibit "B" (Parcel 1), attached hereto and made part hereof;

WITH THE EXCEPTION OF THE FOLLOWING EXISTING EASEMENTS:

Project Number: FC 550-2(10) Snow Shed

Project Number: SBCO 99-005 (Idarado Overlook)

Project Number: C 5502-028 (Tunnel)

subject to the stipulations in Exhibit C, attached hereto and made a part hereof, and the following terms and conditions:

(1) Outstanding valid claims, if any, existing on the date of this grant, and the Grantee shall obtain such permission as may be necessary on account of any such claims.

- (2) Construction of the highway facility is to be undertaken by the Grantee in compliance with the Act entitled "An Act for the Preservation of American Antiquities" approved June 8, 1906 (34 Stat. 225, 16 U.S.C. 432-433), and state laws where applicable.
- (3) The easement herein granted shall terminate ten (10) years from the date of the execution of this deed by the United States of America in the event construction of a highway on the right-of-way is not started during such period.
- (4) The easement herein granted is limited to use of the described right-of-way and the space above and below the established grade line of the highway pavement for the purpose of construction, operation, and maintenance of a highway in accordance with the approved plans described in the following condition numbered (5) and does not include the grant of any rights for non-highway purposes or facilities; provided, that the right of the United States Forest Service to use or authorize the use of any portion of the right-of-way for non-highway purposes shall not be exercised when such use would be inconsistent with the provisions of Title 23 of the United States Code and of the Federal Highway Administration regulations issued pursuant thereto or would interfere with the free flow of traffic or impair the full use and safety of the highway, and in any case the Federal Highway Administration shall be consulted prior to the exercise of such rights.
- (5) The design and construction of highway projects situated on this right-of-way will be in accord with the provisions of Title 23, U.S.C. Highways, and amendments; the regulations contained in Title 23, code of Federal Regulations Highways and amendments, the provisions of the Federal-Aid Policy Guide issued by the Federal Highway Administration; the construction specifications and approved plans of the Colorado Department of Transportation as approved by the Federal Highway Administration for use on Federal-aid projects.
- (6) Consistent with highway safety standards, the Grantee shall:
 - a. Protect and preserve soil and vegetative cover and scenic and aesthetic values on the right-of-way outside of construction limits and,
 - b. Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the construction, operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species, all earth

cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed where it is deemed necessary prior to completion of the highway and shall maintain all terracing, waterbars, leadoff ditches, or other preventive works that may be required to accomplish this objective. This provision shall also apply to slopes that are reshaped following slides which occur during or after construction.

- (7) The Grantee shall establish no sites for highway operation and maintenance facilities, camps, supply depots or disposal areas within the right-of-way without obtaining approval from the USFS authorized officer.
- (8) The Grantee shall maintain the right-of-way and highway facilities to acceptable standards of repair, orderliness, neatness, sanitation, and safety.
- (9) The Grantee shall maintain the right of way clearing by means of chemicals only after consultation with the Forest Service. Consultation must address the time, method, chemicals, and the exact portion of the right of way to be chemically treated.
- (10) When need for the easement herein granted shall no longer exist and the area has been reasonably rehabilitated to protect the public and environment, the Grantee shall give notice of that fact to the Secretary of Agriculture and the rights herein granted shall terminate and land shall immediately revert to the full control of the Secretary of the Department of Agriculture or his assigns.

The Grantee, in consideration of the conveyance of said land, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns that (a) no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such land hereby conveyed, (b) that the Grantee shall use said land so conveyed in compliance with all requirements imposed by or pursuant to 49CFR Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation, in effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

In the event of breach of any of the above-mentioned nondiscrimination conditions, the Department of Agriculture shall have the right to re-enter said land and facilities on said land, and the above-described land and facilities shall thereupon revert to and vest in and become the

absolute property of the Department of Agriculture and its assigns, as such interest existed prior to this instrument.

IN WITNESS WHEREAS, I,

Pursuant to delegations of authority from the Secretary of Transportation, the Federal Highway Administrator, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By: Jalmat

Division Administrator

STATE OF <u>Colorado</u> COUNTY OF <u>Jafferson</u>
I, Sandra Domoth, a Notary Public in and for the State of Colorado,
do hereby certify that on this the Z1 day of
Highway Administration, and acknowledged that the foregoing instrument was executed by him
in his official capacity and by authority in him vested by law, for the purposes and intents in said
instrument described and set forth, and acknowledged the same to be his free act and deed as
Division Administrator, Federal Highway Administration.
Witness my hand and seal this 21 day of April , 2017.
Sandra W. Omoth (Notary Public)
(SEAL)
My Commission Expires SANDRA WILMOTH Notary Public State of Colorado Notary ID 20024007030 My Commission Expires Mar 1, 2018

In compliance with the conditions set forth in the foregoing deed, the Department of Transportation, State of Colorado, certifies, and by the acceptance of this deed, accepts the right-of-way over certain lands herein described and agrees for itself, its successors and assigns forever to abide by the conditions set forth in said deed.

ATTEST:	STATE OF COLORADO
David Edwards Chief Chief Pick of Ward	By: Joshua Laipply P.E.
Chief Clerk – Right of Way	Chief Engineer
STATE OF COLORADO)	
CITY AND COUNTY OF DENVER)	
I, Danier Barajes, a Notary Public in and for said Co	unty and State, hereby certify that Joshua Laipply,
Chief Engineer for the Department of Transportation, St	ate of Colorado and David Edwards Chief Clerk -
Right of Way for the Department of Transportation,	State of Colorado, are signed to the foregoing
conveyance and are known to me, acknowledged bef	Fore me on this day that, being informed of the
contents of the conveyance, they in their capacity as n	nuch, have executed the same voluntarily on this
day.	2
Given under my hand and seal of office this <u>J</u> day of	April , 20/7.
DANICA BARAJAS NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20104001172 MY COMMISSION EXPIRES FEBRUARY 3, 2018	Notary Public 4201 E. Arkansas Denver, Colorado
My Commission Expires 2-3-18.	
Cortification	

Certification

I, Kathryn E. Young, Chief Transportation Counsel, for Department of Transportation, State of Colorado, and duly licensed to practice law in the State of Colorado, hereby certify that this deed is legally sufficient for its stated purpose.

Exhibit A

Page 1 of 19

Colorado Department of Transportation

TCJ

CD01 3803 North Mdin Avenue Suite 300 Durango, CD 81301 Phone: 970-385-1400 FAX: 970-385-1410 Region 5

PROPERTY BOUNDARY LINE

COUNTY LINE

RIGHT OF WAY LINE (PROPOSED AND EXISTING)

CITY LIMIT LINE

Note: For a complete listing of symbology used within this set of

plans, please refer to the M-100-1 Standard Symbols of the Colorado

Department of Transportation M&S Standards Publication dated July 2012.

Begin H.E.D. Project

Mile Post 80.47

Sheet Revisions				Sheet Revisions		Sheet Revisions				
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials		
mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX		
						<u> </u>				
										

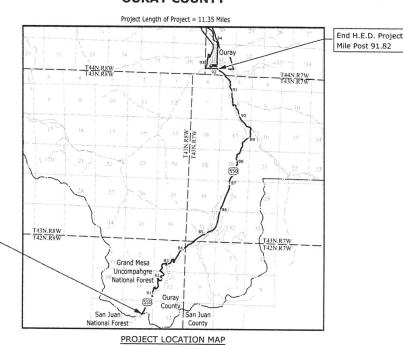
Highway Easement Deed Exhibit 'A' U.S.F.S and C.D.O.T. Project Number: Grand Mesa Uncompangre National Forest Project Location: U.S. 550 Mile Post 80.47 to 91.82 Ouray County Project Code: Last Mod. Date

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

EXHIBIT 'A'

HIGHWAY EASEMENT DEED GRAND MESA UNCOMPAHGRE NATIONAL FOREST

U.S. HIGHWAY NO. 550 **OURAY COUNTY**



1/2" = 1 Mile Linear Units = U.S. Survey Feet

SHEET NO. **INDEX OF SHEETS**

(1) Title Sheet 2 (1) Exhibit Map Key 3-19 (17) Exhibit

(19) Total Sheets Scales of Original 11"x17" Drawings

Plan Sheets 1"=200' Map Key 1"=3000'

1. This exhibit map is not a boundary survey of the adjoining property and is prepared for the Colorado Department of Transportation purposes only.

- 2. For title information, The Colorado Department of Transportation relied on no Title Policy.
- 3. This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDOT that this set is the most current.
- 4. This Exhibit is intended to be for reference purposes only. Land line locations are approximate and need to be verified. The graphics shown on this exhibit are referenced from the Ouray County Geographic Information System dated July 1, 2013, supplemented by records from the Colorado Department of Transportation. The imagery is from National Agricultural Imagery Program (NAIP 2011). All data is assumed current as of the date shown on this exhibit.

COLORADO DEPARTMENT OF TRANSPORTATION FEDERAL-AID HIGHWAY PROJECT

ROW PLANS AUTHORIZED

CDOT ROW PROGRAM MANAGER

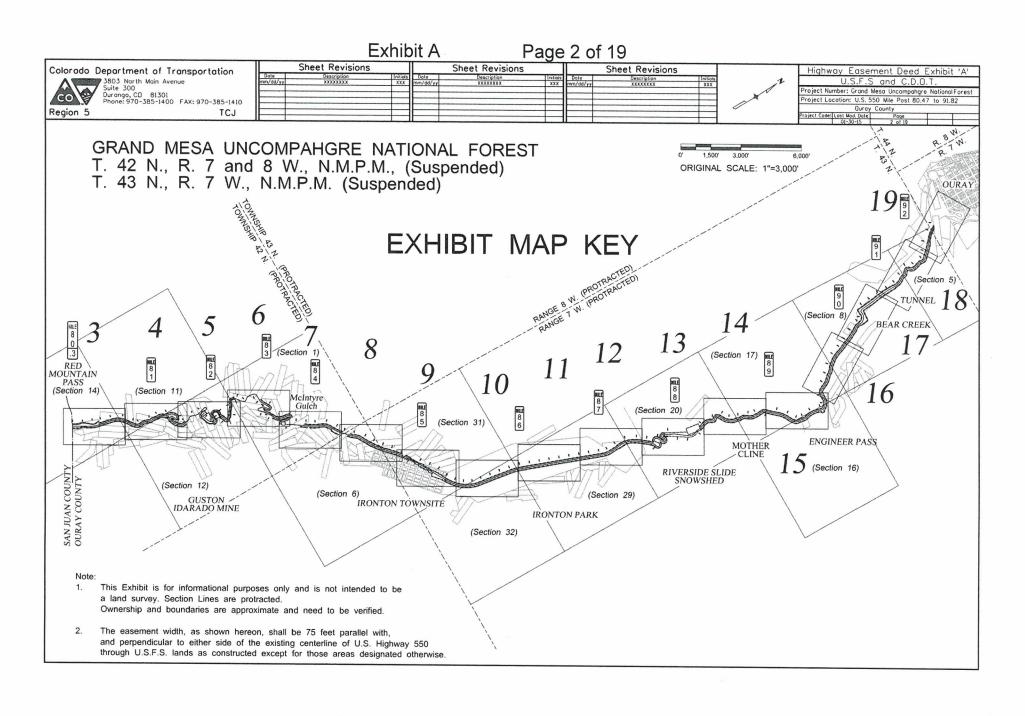


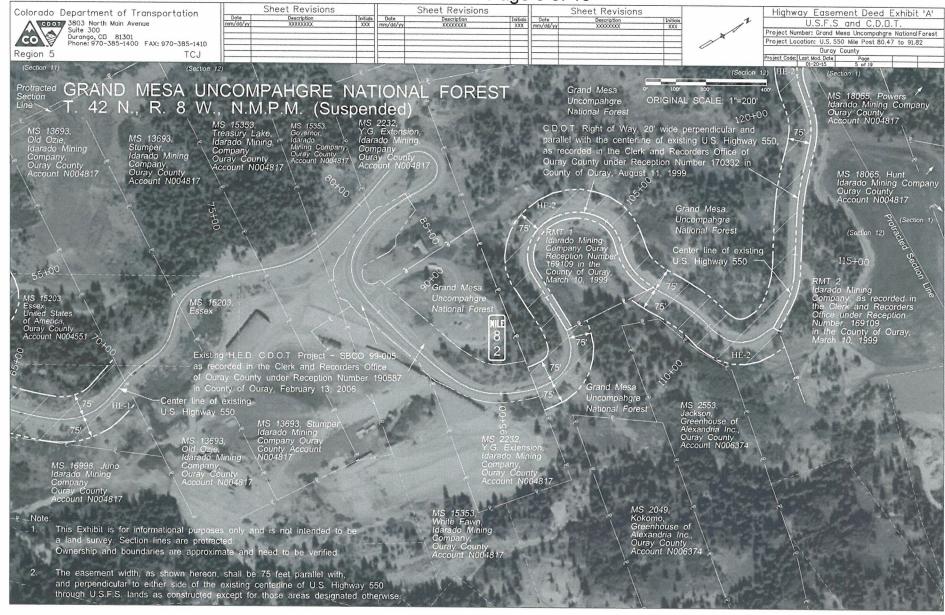
	Exhibit A	Page 3 of 19	
	Revisions Sheet Revision Initials association Date Description mm/d4/yy XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		Highway Easement Deed Exhibit 'A' U.S.F.S and C.D.O.T. Project Number: Grand Mesa Uncompangre National Forest Project Location: U.S. 550 Mile Post 80.47 to 91.82 Ouray County Project Code: Last Mod. Data Poge 1 3 of 19
GRAND MESA UNCOMPAH T. 42 N., R. 8 W., N.M.P.N	IGRE NATIONAL FOR 1. (Suspended)	EST ÖRIG	INAL SCALE: 1"=200" \ 70 (Section 11)
i. Vice	Approximate location of Colorado Department of Trans Right of Way through MS 17 as recorded in the Clerk and Ouray County under Receptio	372, Elta Lode MS 20141, Emma, Ung Recorders Office of National Forest n Number 181011	patented, of the state of the s
Center line of existing U.S. Highway 550	in County of Ouray, June 19,	2003	Center line of existing U.S. Highway 550
Red Mountain	MS 17872, Ella Lode	75 HB-1	MS 4507, Snow Flake, United States of America, Ouray County Account N004853
Pass	Charles Masner Enterprises, L 200' Ouray County Account N00488	13	Colley Coulty Account 1004600 E
3	Grand Mesa Uncompahgre National Forest	MS 4507, Peru, United States of America, Ouray County Account N00485	3 31 COUNTY
	Begin Highway Easement Deed +/-Mile Post 80.47		ad 31 ''
Note: 1. This Exhibit is for informational purposes only and is not a land survey. Section lines are protracted. Ownership and boundaries are approximate and need to	be verified.		ded Section Ling
 The easement width, as shown hereon, shall be 75 feet and perpendicular to either side of the existing centerline through U.S.F.S. lands as constructed except for those a 	of U.S. Highway 550	<u> </u>	(Section 14) Problems (Section 13)

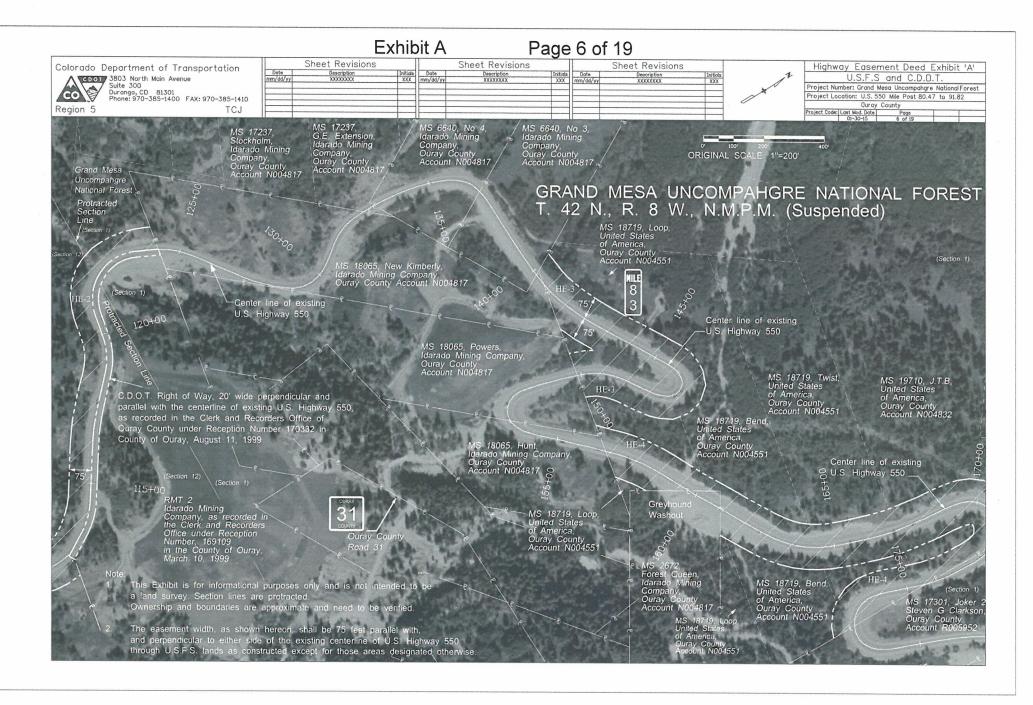
Exhibit A Page 4 of 19 Sheet Revisions Sheet Revisions Highway Easement Deed Exhibit 'A' U.S.F.S and C.D.O.T. Sheet Revisions Colorado Department of Transportation Description XXXXXXXX Description XXXXXXXX CDOT 3803 North Main Avenue Project Number: Grand Mesa Uncompangre NationalForest Suite 300 Durango, CD 81301 Phone: 970-385-1400 FAX: 970-385-1410 co Project Location: U.S. 550 Mile Post 80.47 to 91.82 **Duray County** Region 5 MS 13693 Stumper Idarado GRAND MESA UNCOMPAHGRE NATIONAL FOREST T. 42 N., R. 8 W., N.M.P.M. (Suspended) ORIGINAL SCALE: 1' MS 15342. Swamp Angel United States of America, Ouray County Account N004551 Center line of existing U.S. Highway 550 Uncompangre National Forest MILE MS 20141, Emma, Unpatented, Grand Mesa overlapping 8 Uncompangre National Forest Essex United States of America Ouray County Account N004551 U.S. Highway 550 60+00 MS 15203 Essex MS 6998, Standby, United States of America, Ouray County Account N004551 Grand Mesa Uncompangre National Forest MS 6998, Silver Nite, United States of America, Ouray County Account N004551 MS 4507, Snow Flake, United States MS 13693 Old Özie, Idarado Mining Company Ouray County Account N004817 MS 4507, of America, Ouray County Account N004853 Peru, United States of America, Ouray County MS 6998, O.P.P., United States of America, Ouray County Account N004551 MS 16998, Juno Idarado Mining Company, Ouray County Account N004817 Account N004853 MS 6998, Muldoon, United States of America, Ouray County Account N004551 This Exhibit is for informational purposes only and is not intended to be Section 14) a land survey. Section lines are protracted.

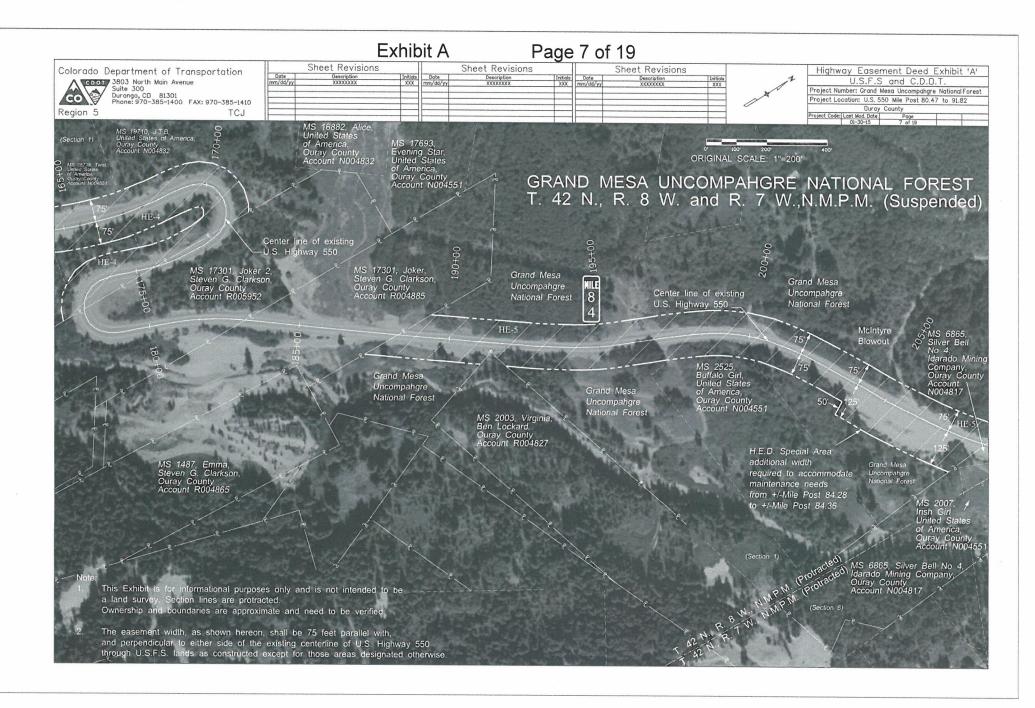
Ownership and boundaries are approximate and need to be verified. The easement width, as shown hereon, shall be 75 feet parallel with, and perpendicular to either side of the existing centerline of U.S. Highway 550 through U.S.F.S. lands as constructed except for those areas designated otherwi

Exhibit A

Page 5 of 19







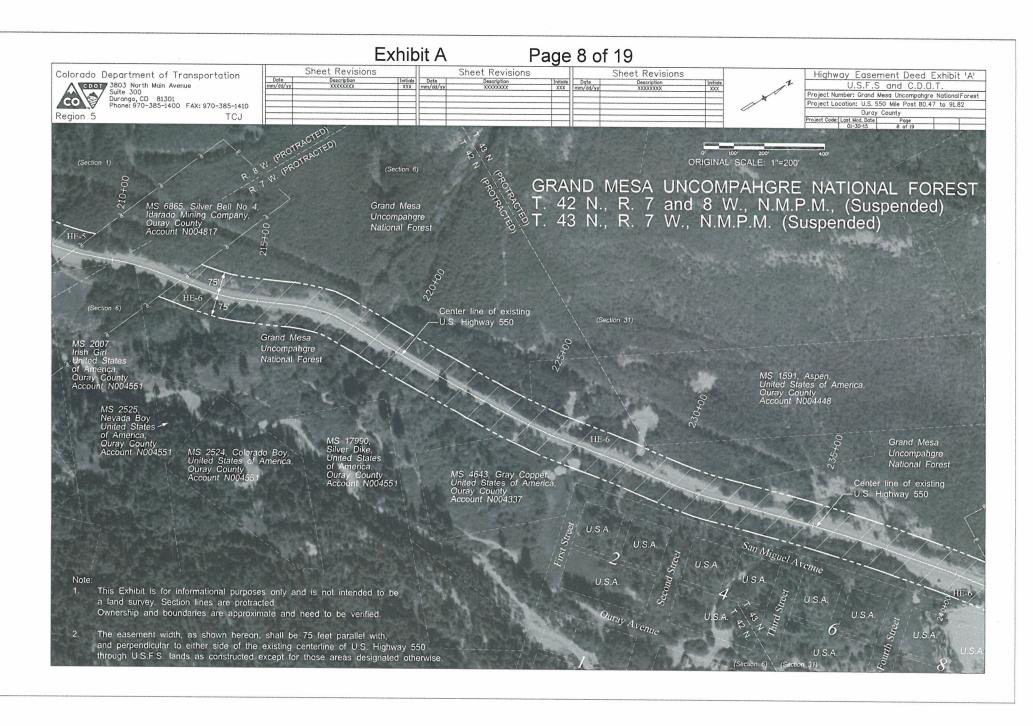
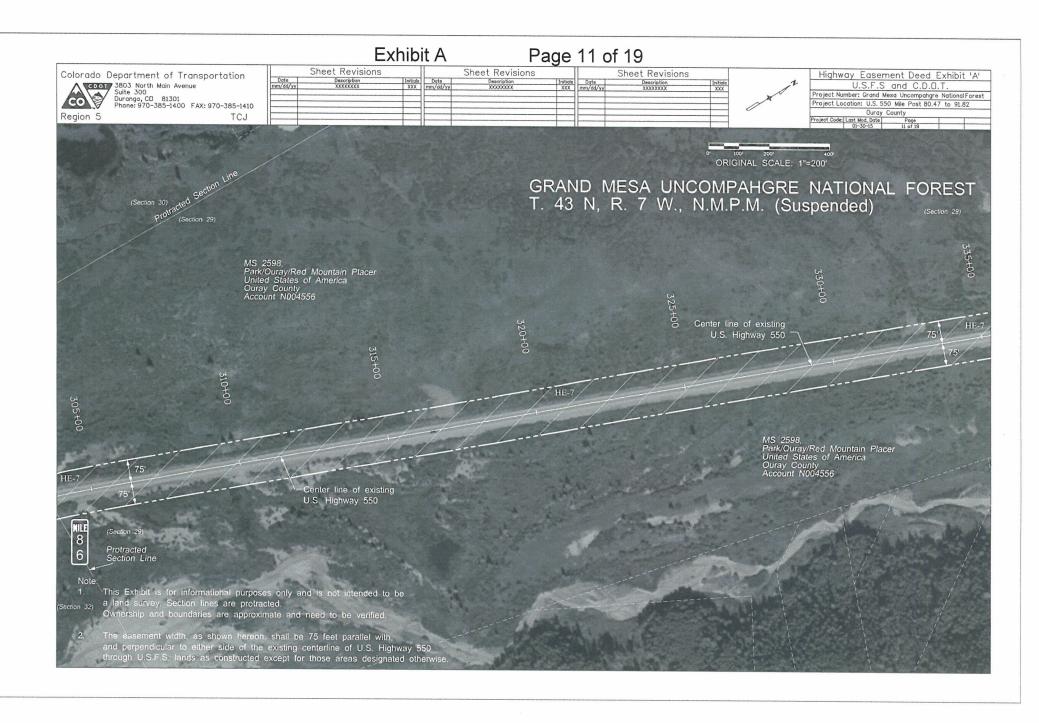


	Exhibit A	Page 9 of 19	
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Grand Mesa Uncompanye Hilary Elizabeth Crandall National Forest S Ouray County Account N004328	MS 5683, Beaver, County of Ouray, Ouray County Account N004345		0' 100' 200' 400' ORIGINAL SCALE: 1"=200'
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U.S.A. U.S.A. & U.S.A.	hway 550	Account N004345 MS 5490, Ida L County of Ouray Ouray County Account N00434	i. 5
U.S.A. 10 U.S.A. 12 U.S.A. 12 U	5 5 Z	CDOT R.O.W.	MS 5490, Dauntless, County of Ouray, Ouray County Account N004345 - See Project C56-0019-11
IRONTON TOWNSITE	U.S.A. Oursy	Ouray San Miguel	Grand Mesa Uncompahore
CDOT R.O.W. See Pro	County		U.S.A. MS 2598, Park/Ouray/ Red Mountain Placer, United States of America, Ouray County
(Section 31)	Fighth Street	idarado Nining	Account N004556 7 U.S.A. Center line of existing
Note: 1. This Exhibit is for informational purposes only and is not a land survey. Section lines are protracted.	intended to be $S_{2n,I}$	Ourny County Account N005223 Account N005223 By County County Account N005223	U.S. Highway 550 Output U.S. Highway 550
(Section 6) Ownership and boundaries are approximate and need to 2. The easement width, as shown hereon, shall be 75 feet and perpendicular to either side of the existing centerline through U.S.F.S. lands as constructed except for those as	parallel with, of U.S. Highway 550	uan Avenue	MS 2598, 75) Park Placer United States of America Ouray County
			Account N004556

Colorado Department of Transportation She Deta mm/55/yy Sulta 300 Durango, CO 81301 Phone: 970-385-1400 FAX: 970-385-1410 Region 5	Exhibit A et Revisions Sheet Revis Description Initials Description rm//6d/yy XXXXXXXX	Page 10 of 19 ions Sheet Revisions Description Indicate Many Many Many Many Many Many Many Many	Highway Easement Deed Exhibit 'A' U.S.F.S and C.D.O.T. Project Number: Grand Mesa Uncompohgre NationalForest Project Location: U.S. 550 Mile Post 80.47 to 91.82 Ouray County Project Code: Last McD. plate Poge
			Protracted Section Line (Section 29) PAHGRE NATIONAL FOREST P.M. (Suspended)
MS 2598, Park/Ouray/Red Mountain Pl	(Section 31) Cer Profrected S	action Line	Center line of existing U.S. Highway 550 Profracted Section Line
MS 2598, Park/Ouray/Red Mountain Pli United States of America Ouray County Account N004556		HE-1	MS 2598, Park/Ouray/Red Mountain Placer United States of America Ouray County Account N004556
Protracted Section Line (Section 31) Note: 1. This Exhibit is for informational purposes only and is a land survey. Section lines are protracted.	not intended to be		Ouray County Account N004556
Ownership and boundaries are approximate and need 2. The easement width, as shown hereon, shall be 75 and perpendicular to either side of the existing center through U.S.F.S. lands as constructed except for those	eet parallel with, line of U.S. Highway 550		



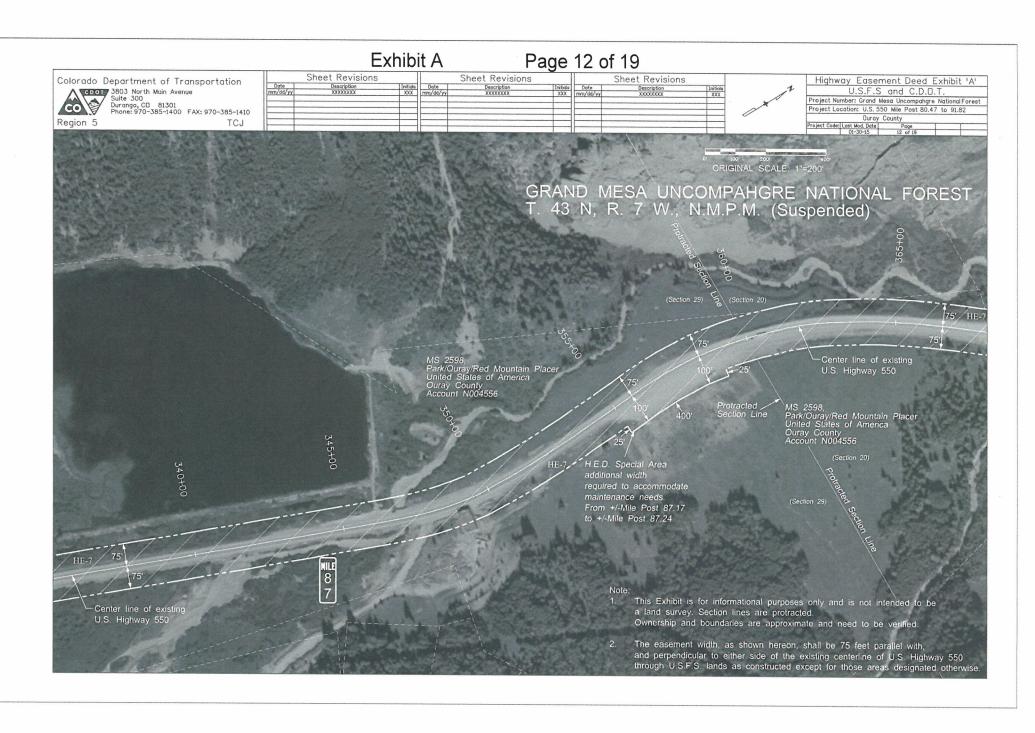
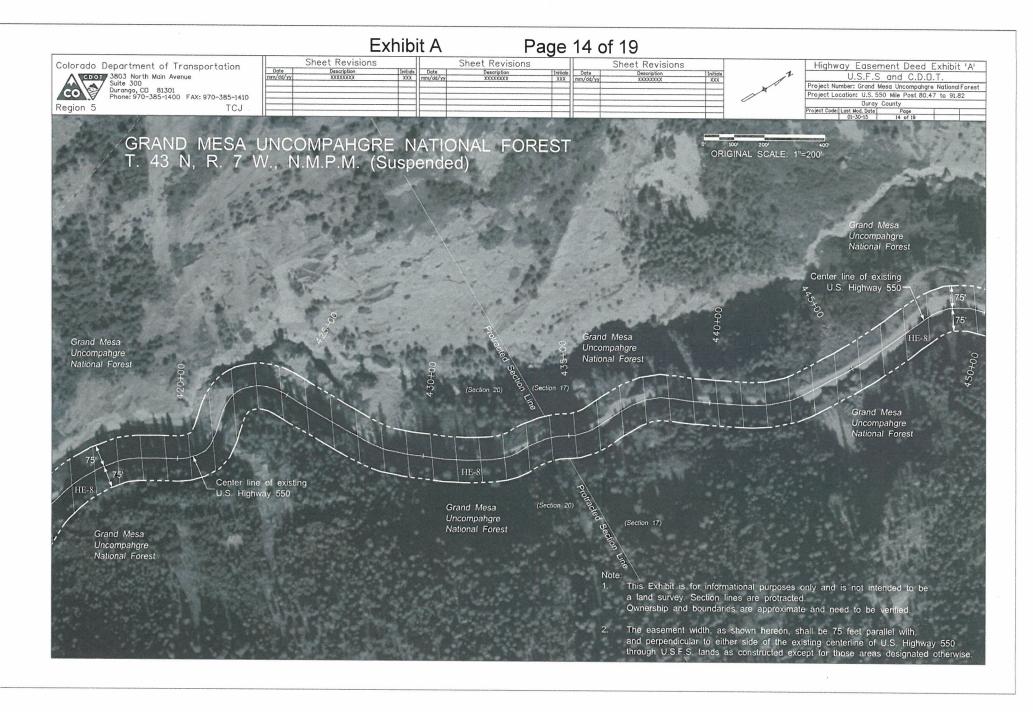
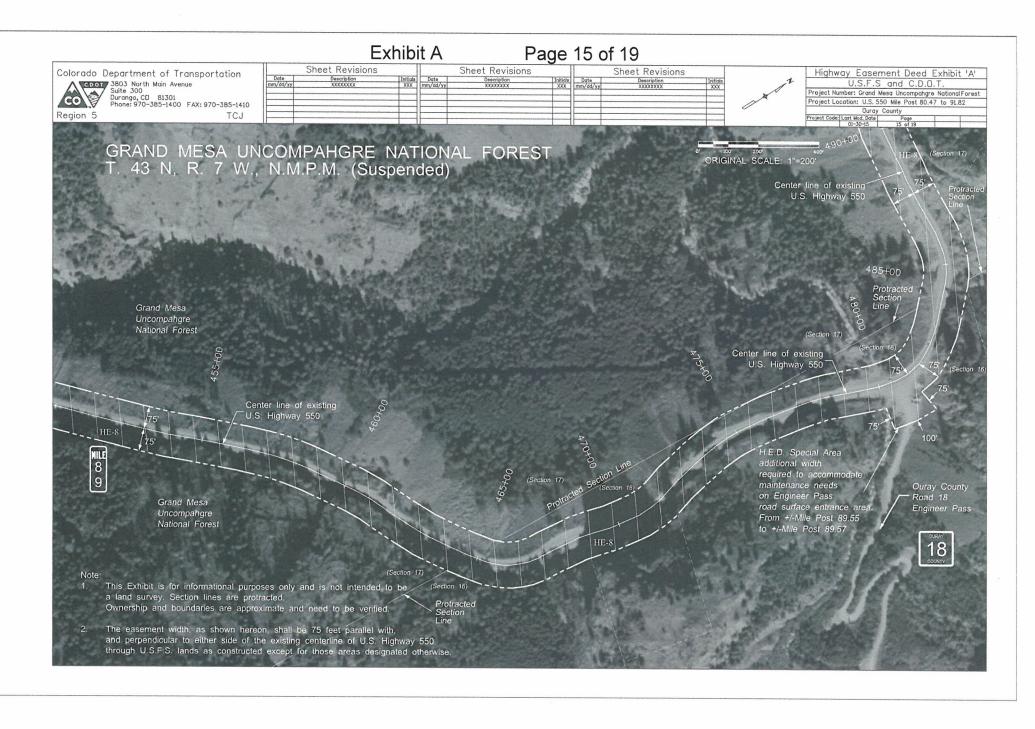


Exhibit A Page 13 of 19 Sheet Revisions Sheet Revisions Sheet Revisions Highway Easement Deed Exhibit 'A' Colorado Department of Transportation U.S.F.S and C.D.O.T CDOT 3803 North Main Avenue Suite 300 Project Number: Grand Mesa Uncompangre NationalForest Project Location: U.S. 550 Mile Post 80.47 to 91.82 Durango, CD 81301 Phone: 970-385-1400 FAX: 970-385-1410 Region 5 GRAND MESA UNCOMPAHGRE NATIONAL FOREST T. 43 N, R. 7 W., N.M.P.M. (Suspended) ORIGINAL SCALE: 1' Center line of existing U.S. Highway 55 Grand Mesa Uncompangre National Forest (Section 20) MILE 8 8 Grand Mesa Grand Mesa Uncompangre Grand Mesa Uncompangre National Forest Existing Highway Easement Deed Project FC 550-2(10) as recorded in the Clerk and Recorders Office of Ouray County under Reception Number 137035, February 19, 1985 Grand Mesa Uncompahgre National Forest This Exhibit is for informational purposes only and is not intended to be a land survey. Section lines are protracted. Ownership and boundaries are approximate and need to be verified. The easement width, as shown hereon, shall be 75 feet parallel with, and perpendicular to either side of the existing centerline of U.S. Highway 550 through U.S.F.S. lands as constructed except for those areas designated otherwise.





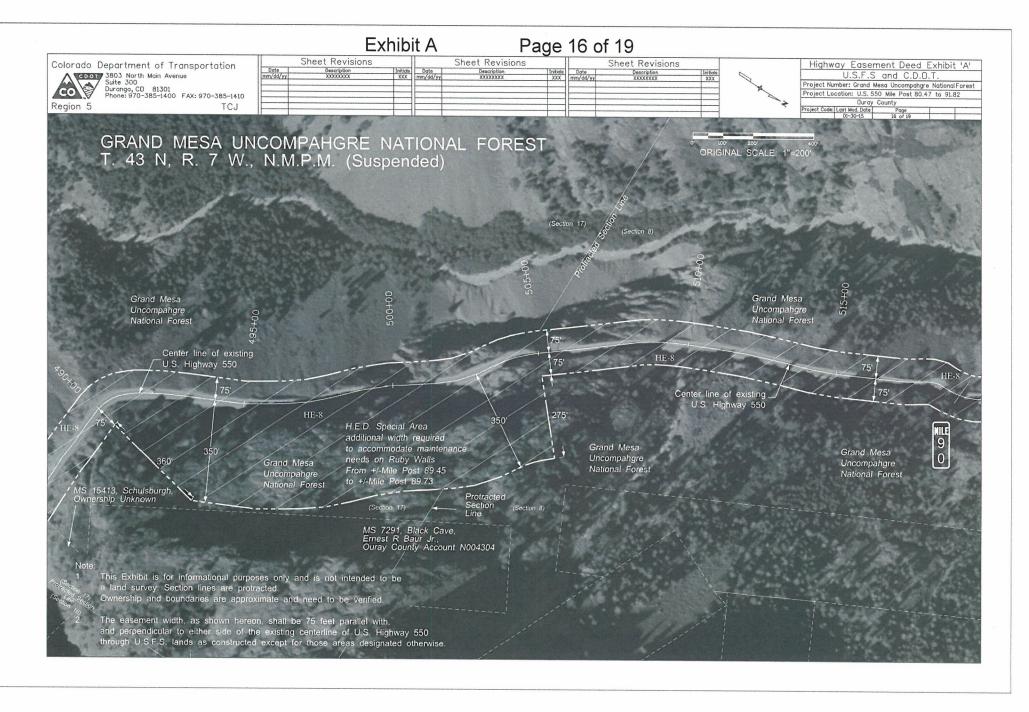
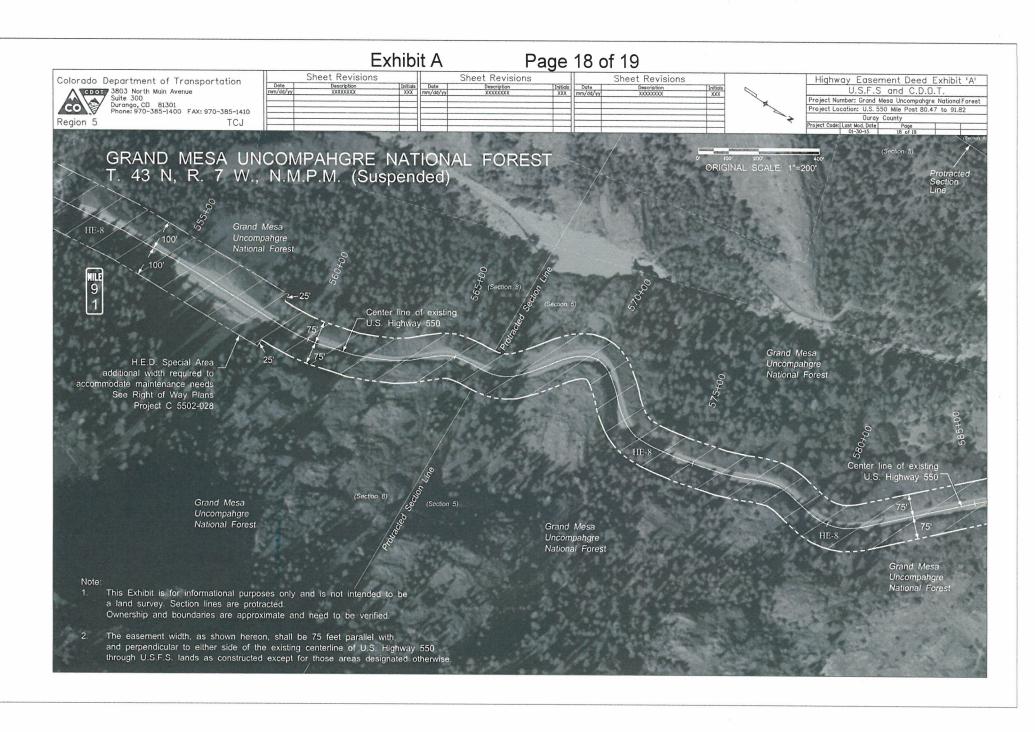


Exhibit A Page 17 of 19 Sheet Revisions Sheet Revisions Sheet Revisions Highway Easement Deed Exhibit 'A'
U.S.F.S and C.D.O.T. Colorado Department of Transportation CDO1 3803 North Main Avenue Suite 300 Durango, CD 81301 Phone: 970-385-1400 FAX: 970-385-1410 Description XXXXXXXX Project Number: Grand Mesa Uncompangre National Forest Project Location: U.S. 550 Mile Post 80.47 to 91.82 Region 5 GRAND MESA UNCOMPAHGRE NATIONAL FOREST T. 43 N, R. 7 W., N.M.P.M. (Suspended) ORIGINAL SCALE: 1"=200" NS 17420, Fortune Teller, United States of America, Ouray County Reception No. 162971 Grand Mesa MS 577B, SILVER POINT, James M Siegmann, Ouray County Account N004813 Uncompangre National Forest Center line of existing U.S. Highway 550 MS 17420, Fortune Teller, United States of America, Ouray County Reception No. 162971 Grand Mesa Uncompahare National Forest H.E.D. Special Area additional width required to H.E.D. Special Area accommodate maintenance needs See Right of Way Plans additional width required to Center line of existing accommodate maintenance needs U.S. Highway 550 Project C 5502-028 See Right of Way Plans Project FBR 5502-068 Grand Mesa Uncompangre National Forest This Exhibit is for informational purposes only and is not intended to be a land survey. Section lines are protracted. Ownership and boundaries are approximate and need to be verified. The easement width, as shown hereon, shall be 75 feet parallel with, and perpendicular to either side of the existing centerline of U.S. Highway 550 through U.S.F.S. lands as constructed except for those areas designated otherwise.



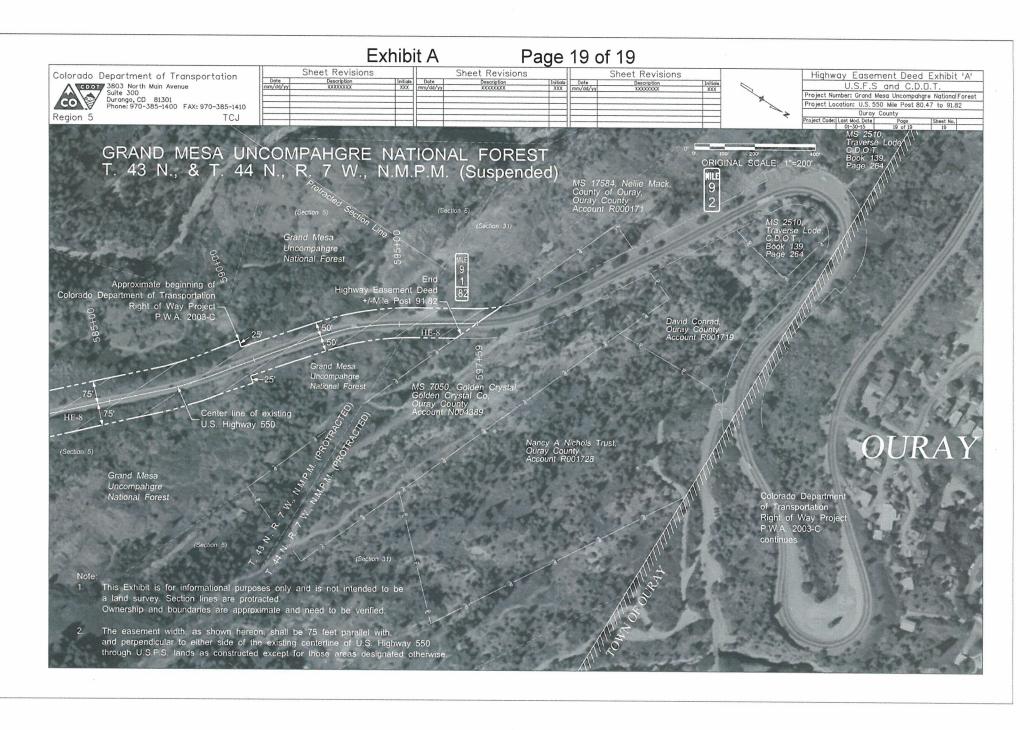


Exhibit B Page 1 of 6

Colorado Department of Transportation 3803 North Main Avenue Suite 300 Durango, CD 81301 Phone: 970-385-1421 FAX: 970-385-1410 Region 5 \triangle 1 QUARTER, SIXTEENTH, AND SECTION CORNERS SECTION CORNER (1) 1 SET EASEMENT MONUMENT TEMPORARY EASEMENT POIN RIGHT OF WAY 0 QUARTER, SIXTEENTH, AND SECTION CORNERS BLM MARKER PROPERTY PIN NDAA MARKER FED OUSGS WC FEDERAL MONUMENT LOCAL OR PLSS SECONDARY CONTROL RIGHT OF WAY MONUMENT N 10.13 E 3.81 EL 0.00 ®N 10.38 E 3.81 EL 0.00 PROJECT CONTROL MONUMENT CONTROL MONUMENT PERMANENT, PROPERTY, SLOPE, & UTILITY EASEMENT LINE TEMPORARY EASEMENT LINE (EXISTING)

WITNESS CORNER BENCH MARK USGS MARKER NETWORK CONTROL MONUMENT PROPERTY BOUNDARY LINE (EXISTING AND PROPOSED) ACCESS CONTROL LINE - 111 -BARRIER ACCESS CONTROL LINE

RIGHT OF WAY LINE

COUNTY LINE (EXISTING) QUARTER SECTION LINE

SIXTEENTH SECTION LINE

STATE LINE (EXISTING) TOWNSHIP LINE (EXISTING)

SECTION LINE

TOE OF FILL

VIRGIN RIGHT OF WAY LINE (PROPOSED)

	Sheet Revisions			Sheet Revisions			Sheet Revisions	
Date	Description	Initials	Date	Description	Initials		Description	Initials
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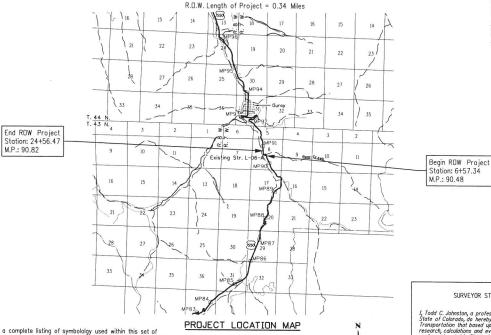
Right of Way Plans Title Sheet Project Number: FBR 5502-068 Project Location: BEAR CREEK BRIDGE

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

RIGHT OF WAY PLANS OF PROPOSED FEDERAL AID PROJECT NO. FBR 5502-068 UNITED STATES HIGHWAY NO. 550 **OURAY COUNTY**

in Section 8, T. 43 N., R. 7 W. of the N.M.P.M.

RIGHT OF WAY PROJECT CODE NO. 17670



SHEET NO. INDEX OF SHEETS 1.01

2.01

3.01

3.02-3.04

Title Sheet Tabulation of Properties Project Control Diagram Land Survey Control Diagram

4.01 Monumentation Sheets 5.01 Plan Sheets Ownership Map

(9) Total Sheets

Scales of Original 11x17 Drawings Project Control Diagram 1''=100' Land Survey Control Diagram 1''=200' Plan Sheets 1"=100" Ownership Map 1"=200"

Basis of Bearings: Bearings were determined by observations on Polaris at CDDT Control Point 2. Observations were performed on 8/19/2009. The latitude and longitude used in the aclaudations were 38° 00'06" N. and 107° 39'4" W. The resulting azimuth between CDDT Control Point 2 and CDDT Control Point 201 is 352° 59'29.4" Both CDDT Control Point 201 and CDDT Control Point 201 and CDDT Control Point 201 are 3-1/4" alum. CDDT contol caps, arruted in bedrack grouted in bedrock.

- 1. This Right-of-Way Plan is not a boundary survey of the adjoining property and is prepared for the Colorado Department of Transportation purposes only.
- 2. For title information, The Colorado Department of Transportation relied on Memorandums of Dwnership (MOO) prepared by C.D.O.T. personnel.
- 3. This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDDT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



SURVEYOR STATEMENT (ROW PLAN)

I, Todd C. Johnston, a professional land surveyor licensed in the State of Colorado, do hereby state to the Colorado Department of Transportation into based young my knowledge, information and belef, research, calculations and evaluation of the survey evidence were performed and this Right-of-thy? Plan was prepared under my responsible charge in accordance with applicable standards of practice defined by Colorado Department of Transportation publications. This statement is not a guaranty or warranty, either expressed or implied.

PLS No. 37932

TERRAIN

SURVEY/ROW

Note: For a complete listing of symbololgy used within this set of plans, please refer to the M-100-1 Standard Symbols of the Colorado Department of Transportation M&S Standards Publication dated July 2006. Existing features are shown as screened weight (gray scale), except as noted with the word (existing). Proposed or new features are shown as full weight without screening, except as noted with the word (proposed).

1" = 2 Miles ROW PLAN UNITS: US SURVEY FEET

Exhibit B Page 2 of 6

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Colorado D	Department of Transportat	ion	I	Sheet Re	visions			Shee	et Revision	าร	Sheet Revisions			1		Right of Way Plans	
_	3803 North Main Avenue		Date mm/dd/yy	Descrip XXXXX	tion	tion Initials XXX XXX Date mm/dd/yy		Description XXXXXXXX	Initial XXX	s Date	Date Description mm/dd/yy XXXXXXXX		Initials XXX	1		Tabulation of Properties	
DOT	Suite 300		miny day y y	^^^^	^^^	^^^	mm/ aa,	/ уу	******	***	mm/dd/yy	XXXX	XXXX	XXX	ł		Project Number: FBR 5502-068
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DEPARTMENT OF TRANSPORTATION	3803 North Main Avenue Suite 300 Durango, CD 81301 Phone: 970-385-1421 FAX: 970-38	5-1410					╟──				-				1		Troject Edeation, BEAN CHEEK BRIDGE
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					1					Area	In Acres (s	sq. ft.)		Book ar	nd Page		
Parcel No.	Owner		Address			Locat	tion						1000 100 100	No. A	nd/Or	Title	Remarks
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1	United States of America		2050 15.1		-				Parcel	ROW		Left	Right				
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	United States Forest Service		Delta, CO 81	1416	T. 4	13 N., R. 7	W. N.N	1.P.M.	(358805)								
	Uncompangre National Forest				Portion	s in the Fo	rtune T	eller Lode									
					M.S. 1742	0. Uncomp	ahore N	Mining District									
TE-1	(same as above)								0.794				-				
,,,,	(sume as above)																Temporary Easement required for rock removal.
									(34603)								
TE-1A	(same as above)								0.892								Temporary Easement required for construction
									(38842)								
									(30042)								access to the top of a rock cut.
TE-1B	(same as above)								0.147								Temporary Easement required for construction
									(6405)								staging, temporary equipment storage, and
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					-												temporary office location.
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Exhibit B Page 3 of 6

Colorado Department of Transportation

DOT Region 5 3803 North Main Avenue Suite 300 Durango, CD 81301

Durango, CD 81301 Phone: 970–385–1421 FAX: 970–385–1410

	Sheet Revisions			Sheet Revisions			Sheet Revisions	
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11								

Land Survey Control Diagram
Title Sheet
Project Number: FBR 5502-068
Project Location: BEAR CREEK BRIDGE
Project Code: Last Mod. Date Subset Sheet No.

INDEX OF SHEETS

(1) Monument Coordinate Tables

(1) Title Sheet

(1) Plan Sheet (3) Total Sheets

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

LAND SURVEY CONTROL DIAGRAM

U.S. Highway 550 Section 8 Township 43 North, Range 7 West N.M.P.M. County of Ouray

1 1 SECTION CORNER QUARTER, SIXTEENTH, AND SECTION CORNERS SET EASEMENT MONUMENT EASEMENT POINT O NOAA QUARTER, SIXTEENTH,
NOAA MARKER AND SECTION CORNERS BLM MARKER PROPERTY PIN FED USGS WC. FEDERAL MONUMENT WITNESS CORNER BENCH MARK USGS MARKER ROW RIGHT OF WAY MARKER LOCAL OR PLSS SECONDARY CONTROL **⊘**N 10.13 E - 3.81 EL 0.00 E 3.81 EL 0.00 DENSIFICATION CONTROL MONUMENT HIGH ACCURACY REFERENCE NETWORK CONTROL MONUMENT

Note: For a complete listing of symbololgy used within this set of plans, please refer to the M-100-1 Standard Symbols of the Colorado Department of Transportation M&S Standards Publication dated July 2006. Existing features are shown as screened weight (gray scale). Proposed or new features are shown as full weight without screening.

General Notes:

- This Land Survey Control Diagram is not a boundary survey of the adjoining property and is prepared for the Colorado Department of Transportation purposes only. No determination has been made to determine if the found monuments as shown are in their proper position or if they are at the corners they are intended to monument.
- 2. Title policy, title commitment, and title research are not part of this survey, therefore easements, rights, and restrictions of record were not researched and are not shown on this diagram. The verification of the physical evidence with relation to easements, rights of ways, property boundaries, and restrictions, as described in the instruments of record, were not included in this control survey.
- 3. This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDDT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.
- Refer to the M-629-1 Survey Monuments of the Standard Plans dated July, 2006 found in The Colorado Department of Transportation, M & S Standards for typical survey monument descriptions.

Basis of Bearings: Bearings were determined by observations on Polaris at CDDT Control Point 2. Observations were performed on 8/19/2009. The latitude and longitude used in the calculations were 38° 00'06" N. and 107° 39'41" W. The resulting azimuth between CDDT Control Point 2 and CDDT Control Point 201 is 352° 59'29.4". Both CDDT Control Point 2 and

CDDT Control Point 201 are 3-1/4" alum. CDDT contol caps,

grouted in bedrock.

SHEET NO.

4.01

4.02

4.03

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

SURVEYOR STATEMENT (LAND SURVEY CONTROL DIAGRAM)

I, Todd C. Johnston, a professionalland surveyor licensed in the State of Colorado, do hereby state to the Colorado Department of State of Colorado, and the Colorado Department of India Survey it represents was performal grown was prepared and ends based upon my knowledge, information and belief is in accordance with applicable standards of practice defined by Colorado Department of Transportation publications. This statement is not a guaranty or warranty, either expressed or implied.

PLS No. 37932

Exhibit B Page 4 of 6

Colorado Department of Transportation

Region 5

3803 North Moin Avenue Suite 300 Durango, C0 81301 Phone: 970-385-1421 FAX: 970-385-1410

	Sheet Revisions			Sheet Revisions			Sheet Revisions	
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Land Survey Control Diagram
Monument Coordinate Tables
Project Number: FBR 5502-068
Project Location: BEAR CREEK BRIDGE

FOUND BOUNDARY EVIDENCE COORDINATE TABLE							
Point No.	Northing(ft)	Easting(ft)	Description				
300	10372.80	50011.70	1-1/2" alum. cap - "LS 10738 COR 6 MS 17420".				
301	9202.64	50788.34	Bearing Tree to Cor 4 MS 17420.				
303	9129.86	50213.55	5/8" steel pin - no cap.				
304	8283.74	50917.89	2" alum. cap "Cor 1 MS 577B LS16840".				
305	9121.15	50220.89	Bearing Tree to Cor 2 MS 17420.				
306	10130.04	49774.49	1-1/2" alum. cap - "Cor 1 MS 17420 LS 10738".				
307	9688.77	50233.59	1-1/2" alum. cap - "POL LS10738".				

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Colorado Department of Transportation

CONTINUE OF TRANSPORTATION
Region 5

3803 North Main Avenue Suite 300 Durango, CD 81301 Phone: 970-385-1421 FAX: 970-385-1410

	Sheet Revisions			Sheet Revisions		Sheet Revisions			
Date nm/dd/yy	Description	Initials		Description	Initials	Date	Description	Initials	
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TABULATION OF R.O.W. MONUMENTS TO BE SET								
Point No.	Northing(ft)	Easting(ft)	Description	Station	Offset			
100	10321.48	50098.04	Type 1 CDOT Monument - PLS 37932					
101	10294.62	49899.85	Type 1 CDOT Monument - PLS 37932		A REAL PROPERTY CONTRACTOR OF THE PROPERTY CONTR			
400	10033.59	49935.23	Type 1 CDOT Monument - PLS 37932		***************************************			
401	9431.47	49984.00	Type 1 CDOT Monument - PLS 37932		TOTAL CO. AND CO. AND CO. AND CO.			
402	9372.43	50230.93	Type 1 CDOT Monument - PLS 37932					
403	9400.79	50327.31	Type 1 CDOT Monument - PLS 37932	*****				
404	9374.32	50438.02	Type 1 CDOT Monument - PLS 37932					
405	9251.62	50549.33	Type 1 CDOT Monument - PLS 37932		****			
406	9059.03	50562.05	Type 1 CDOT Monument - PLS 37932					
407	9072.20	50761.61	Type 1 CDOT Monument - PLS 37932					
410	9644.67	50167.39	Type 1 CDOT Monument - PLS 37932		401 (salatinose no seconoses			
411	10055,12	50134.14	Type 1 CDOT Monument - PLS 37932		***************************************			
412	9509.48	50732.74	Type 1 CDOT Monument - PLS 37932		***************************************			



TABULATION OF TEMPORARY EASEMENT POINTS TO BE STAKED									
Point No.	Northing(ft)	Easting(ft)	Description	Station	Offset				
700	9253.41	50230.93							
701	9587.40	50406.87		AND THE RESERVE AND THE PROPERTY OF					
702	9975.47	50140.59		781 (0) 10 (0) 10 (0) 10 (0) 10 (0)					
704	10277.92	50103.94		AM * 1. No. 1. C.	e de la companya de l				
705	10282.29	50136.20		CARTON CONTRACTOR CONT	0				
706	10477.31	50109.77		BUT OF BUILDING BOOK DOOR	-011000 R 0-01-1000 I				
707	10472.94	50077.51		************					

QUANTITY OF MONUMENTS TO BE SET

CAP	MONUMENT TYPE									
TYPE	1	1A	2	2A	3	3A	4	5	5(S)	6
REFERENCE										
ROW	13									
CONTROL										
ALIQUOT CORNER										
PERMANENT EASEMENT										
PROJECT POINTS										
WITNESS POST										

General Nates:

- 1. All centerline and offset stationing may not represent the centerline as constructed in the field.
- 2. Refer to the M-629-1 Survey Monuments of the Standard Plans dated July, 2006 found in The Colorado Department of Transportation, M & S Standards for survey monument descriptions.
- 3. This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDUT that this set is the most current. The information contained on the attached drawing is not void unless this copy bears an original signature of the Professional Land Surveyor hereon named.

NOTE: Type 1 Monuments are 3-1/4" aluminum caps with magnet set on 3/4" \times 36" aluminum finned rods. Type 6 Monuments are 1-1/2" aluminum caps on 5/8" rebar.

NOTICE; According to Colorado law you must commence any legalaction based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

SURVEYOR STATEMENT (R.O.W. MONUMENTS)

J. Todd C. Johnston, a professional land surveyor ficensed in the State of Colorado, do hereby state to the Colorado Department of Transportation that based upon my knowledge, information and belief, adequate research, colculations and evaluation of survey evidence were performed and the Right-of-Hay monuments deeper on this Right-of-Hay Plan were set under my responsible charge in accordance with applicable standards of practice defined by Colorado Department of Transportation publications. This statement is not a guaranty or warranty, either expressed or implied.

PLS No. 37932

Exhibit B Page 6 of 6

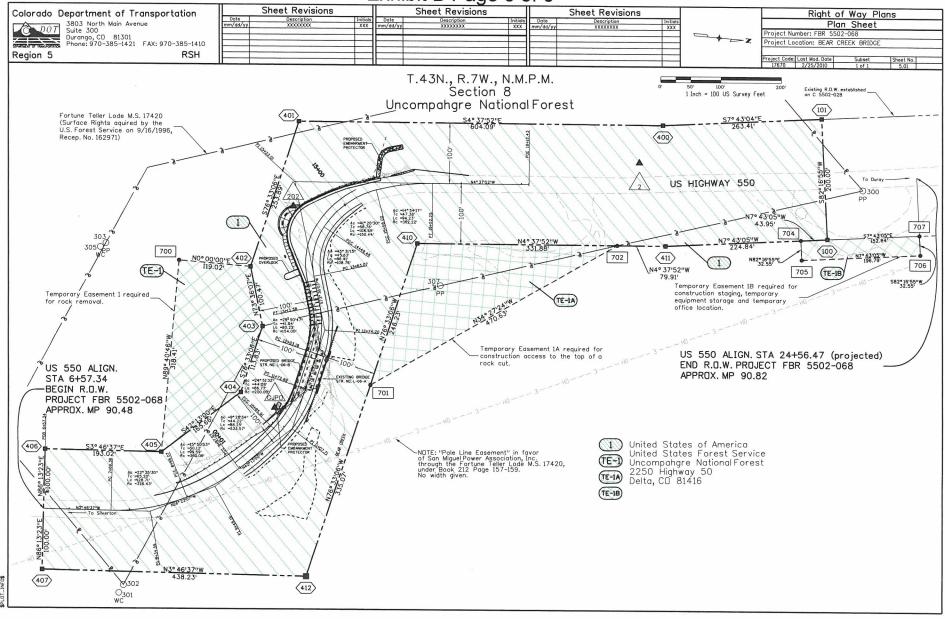


Exhibit C

Highway:

US-550

Identification:

Red Mountain Pass to Ouray Mile Markers 80.47 to 91.82

Forest:

Grand Mesa Uncompangre National Forest

County:

Ouray

The following stipulations are supplemental to the terms and conditions of the highway easement deed between the United States, acting through the Department of Transportation, Federal Highway Administration, and Ouray County. These stipulations are necessary for the adequate protection of National Forest System lands and resources.

Permanent Right-Of-Way

- 1. Prepare in cooperation with the Regional Forester, a fire protection plan that sets forth in detail the fire prevention, pre-suppression, and suppression measures that will be taken by the Grantee, its employees, contractors, and subcontractors, and their employees in all operations during the construction stage. The fire plan shall be made available to all bidders prior to letting contract the Grantee shall cause its contractors to comply with all provisions of the fire plan and of all burning permits issued for disposal of flammable materials.
- 2. Prepare, in cooperation with the Regional Forester, a clearing plan that sets forth in detail the procedures and standards that will apply to (1) all clearing and disposal of merchantable timber and young growth in the right of way, and (2) debris disposals, including debris removal from all streams. Such plan shall include provisions for payment by the Grantee or its contractors for the merchantable timber on lands of the United States to be cut, used, or destroyed in the construction of the highway or in clearing of said right of way. Payment for merchantable timber shall be at appraised value as determined by the Regional Forester; provided the Regional Forester may dispose of the merchantable timber to other than the Grantee or is contractors at no stumpage cost to the Grantee or its contractors.
- 3. Prepare, in cooperation with the Regional Forester, a landscape and erosion control plan with the objective of protecting, restoring, or enhancing the roadside landscape, protecting soil, and protecting or re-establishing vegetative cover. Such plan shall, when appropriate, provide for vegetating cuts, fills, and other areas damaged as a result of highway construction, maintenance or operation; and for terraces, drainage, waste disposal areas, soil replacement and other related requirements necessary to achieve the objective.
- 4. Comply with the following recommendations of the Colorado Parks and Wildlife and Forest Service for wildlife and fish management:
 - a. Take all necessary precautions to avoid damage to fish habitat and exercise every reasonable precaution to prevent muddying or silting live streams. For the purpose of these stipulations Red Mountain Creek and Uncompangre River shall be considered live streams
 - b. Not deposit material removed from the roadway or channel changes in live streams or into the streams or stream channel where it would be washed away by high stream flows.

- c. Not operate mechanized equipment in live streams, except as may be required to construct bridges, retaining walls, or channel changes as stipulated.
- d. Not allow oil or greasy substances originating from construction operations to enter or be placed where they may later enter a live stream.
- 5. Dispose of waste material resulting from slides during and after construction and surplus material at locations approved by the Forest Supervisor. A plan showing the proposed method of disposal shall be submitted by the Grantee at the time approval is requested.
- 6. Repair or replace buildings, roads, trails, or other United States-owned improvements that are damaged or destroyed in the exercise of the rights granted herein at locations designated by and in accordance with plans and specifications approved by the Regional Forester as follows:

Red Mountain Overlook road, parking and signage; St. Germain Foundation stone garage; Crystal Lake parking area and signage; Engineer Pass parking area and signage; Bear Creek Trailhead parking area and signage.

- 7. Provide standard highway signs to identify the following locations:
 - a. Primary and Secondary Highways
 - Post Bighorn Sheep warning signs at beginning point and terminus of easement
- 8. Reestablish or restore public land monuments disturbed or destroyed by construction, reconstruction, or maintenance according to instructions of the Bureau of Land Management, Department of the Interior. Other land monuments and property corners or witness markers shall not be damaged, destroyed, or obliterated without the prior permission of the Regional Forester and shall be relocated or reestablished in accordance with standards satisfactory to the Regional Forester.