



COLORADO
Department of
Transportation

DOCUMENT SEPARATOR SHEET

REGION 5 – JUNE 2017 CONVERSION

To be placed at the beginning of each separator sheet.



r500001882

Description:

ROW Plans 11X17

Route # and Mile Points:

SH 666

Originating Office:

ROW/Survey

File Name:

S. of Cortez Strip Maps_ROW(.PDF)

Box Location:

30 of 38

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
May 20, 1958

WHEREAS, Authority is vested in Article V Section 1 b of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1960; and

WHEREAS, Mr. James Cassey, representing the Colorado State Highway Department appeared before the Council requesting permission to purchase 31 acres at \$50 an acre, said 31 acres to be added to the now existing right-of-way and to be used for new construction to make the road less hazardous; and

WHEREAS, the said 31 acres are further described as beginning 3.2 miles northerly from the New Mexico and Colorado Boundary line, thence running southerly to said boundary line, more specifically described in the plats on file in the Real Property records.

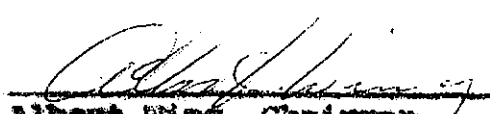
WHEREAS, The Tribal Council feels that the improvement of Highway 666 across the Ute Reservation would also be beneficial to the Tribe:

NOW, THEREFORE, BE IT RESOLVED That the State Highway Department of Colorado is granted the 31 acres as an addition to their existing right-of-way, as described above.

BE IT FURTHER RESOLVED that said 31 acres will be paid for as per the State Highway Engineer's recommendation, which is \$50.00 per acre.

BE IT FURTHER RESOLVED That this right of way shall be in accordance with the tracing and survey conducted by the State Highway Engineer and approved by the Superintendent of the Consolidated Ute Agency.

The foregoing resolution was duly adopted this 20th day of May, 1958.


Albert Wing, Chairman
Ute Mountain Tribal Council

This is to certify that there were six of the regularly elected councilmen at the above meeting, that being a quorum, that five voted for and none opposed and the above resolution was passed.

APPROVED:




Jean Foulaki, Secretary

RIGHT OF WAY
TO BE ACQUIRED FROM

PARCEL NO. 1-Rev.
STA. 670+00 TO STA. 844+34.2

UTE INDIAN TRIBE
Towaas, Colorado

IN
MONTEZUMA COUNTY
FOR

PROJECT FLHP 8(4) & F 023-1(6)
New Mexico Line-North

STATE HIGHWAY NO. 106

DESCRIPTION

A tract or parcel of land No. 1-Rev. of Colorado Department of Highway's Project No. FLHP 8(4) & F 023-1(6) containing 59.987 acres, more or less, in Section 6, Section 7 and Section 12, Township 32 North, Range 17 West and Sections 13 and 24, Township 32 North, Range 18 West of the New Mexico Principal Meridian, in Montezuma County, Colorado, said tract or parcel being 150 feet wide, 75 feet on the easterly side and 75 feet on the westerly side of the centerline of highway, said centerline being described as follows:

Beginning at a point designated as Station P.O.C. 844+34.2, on the Colorado Department of Highways' Right-of-Way Map for their Project FLHP 8(4) and F 023-1(6), which point is located on the Colorado-New Mexico State Line, and common to a point on the South line of the SE 1/4 Sec. 24, T. 32 N., R. 18 W., N.M.P.M., from which point Monument No. 313 bears S 89° 50' E., along the Colorado-New Mexico Line a distance of 236.7 feet.

1. Thence along the arc of a curve to the right with a radius of 5729.58 feet, along said centerline of Highway, a distance of 365.7 feet, 75 feet on the easterly side and 75 feet on the westerly side of said centerline of road;
2. Thence N. 7° 47' E. along said centerline of Highway a distance of 7123.5 feet, the parcel continuing 150 feet wide;
3. Thence along said centerline of Highway along the arc of a curve to the right with a radius of 11,460.0 feet a distance of 1933.3 feet, the parcel continuing 150 feet wide;
4. Thence N. 17° 23' E. along said centerline of highway a distance of 4612.8 feet, the parcel continuing 150 feet wide;
5. Thence along said centerline of highway along the arc of a curve to the left with a radius of 5730.0 feet a distance of 1438.3 feet, the parcel continuing 150 feet wide;
6. Thence N. 2° 30' E. along said centerline of highway a distance of 960.0 feet, the parcel continuing 150 feet wide;
7. Thence along said centerline of highways along the arc of a curve to the right with a radius of 5730.0 feet a distance of 875.0 feet, the parcel continuing 150 feet wide;
8. Thence N. 11° 15' E. along said centerline of highway a distance of 61.6 feet, the parcel continuing 150 feet wide, 75 feet on the easterly side and 75 feet on the westerly side of said centerline to a point known as Station 670+00 on the Colorado Department of Highway's Right of Way Map for their Project FLHP 8(4) & F 023-1(6).

The above described parcel contains 59.987 acres, more or less, of which 28.127 acres are in the right of way of the present road.

Combined Projects
FLHP 8(4) & F 023-1(6)
New Mexico Line-North
On Ute Reservation

ENGINEER'S AFFIDAVIT

STATE OF Colorado)
) ss.
County of La Plata)

B. C. Bright, being duly sworn, says he is the person employed to survey Highway Project FLHP 8(4) & F 023-1(6) for the COLORADO DEPARTMENT OF HIGHWAYS, in Montezuma County, hereinafter designated the "applicant"; that the survey of such Highway from Station 670+00 to Station 844.34.2, a distance of 3.302 miles, was made by (or under his direction) as surveyor employed by the Applicant, and under its authority, commencing on the 15th day of Feb. 1958, and ending on the 1st day of March, 1958, and that such survey is accurately represented on the accompanying map.

COLORADO DEPARTMENT OF HIGHWAYS
(Applicant)

By B. C. Bright

Sworn and subscribed to before me this 22nd day of _____, 1958.

My commission expires _____.

(SEAL)

Charles L. Bunk
Notary Public

APPLICANT'S CERTIFICATE

I, G. F. McNicholas, do hereby certify that I am the District Construction Engineer, of District 5, of the Colorado Department of Highways, hereinafter designated the "Applicant"; that B. C. Bright, who subscribed the foregoing affidavit, was employed to make the survey by the applicant; that the survey of the Highway Project No. FLHP 8(4) and F 023-1(6), as accurately represented on the accompanying map, was adopted by the applicant on the 12th day of March, 1958, as the definite location of the Highway Project No. FLHP 8(4) and F 023-1(6) from Station 670+00 to Station 844.34.2, a distance of 3.302 miles; and that the map has been prepared to be filed for the approval of the Office of Indian Affairs, in order that the applicant may obtain the benefits of the Act of Congress approved April 21, 1928 (Public No. 204), P.L. 40-45 (U.S.C. 17, 23 U.S.C. 523).

COLORADO DEPARTMENT OF HIGHWAYS
(Applicant)

By G. F. McNicholas
G. F. McNicholas
District Construction Engineer

Attest:

County Clerk

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Tomboc, Colorado
May 20, 1958

WHEREAS, Authority is vested in Article V Section 1 b of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1946; and

WHEREAS, Mr. James Casey, representing the Colorado State Highway Department appeared before the Council requesting permission to purchase 31 acres at \$50 an acre, said 31 acres to be added to the now existing right-of-way and to be used for new construction to make the road less hazardous; and

WHEREAS, the said 31 acres are further described as beginning 3.2 miles northerly from the New Mexico and Colorado Boundary line, thence running southerly to said boundary line, more specifically described in the plats on file in the Real Property records.

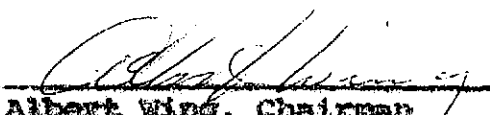
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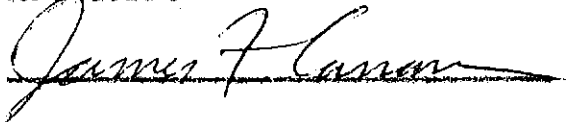
BE IT FURTHER RESOLVED That this right of way shall be in accordance with the tracing and survey conducted by the State Highway Engineer and approved by the Superintendent of the Consolidated Ute Agency.

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Albert Wing, Chairman
Ute Mountain Tribal Council

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UTE INDIAN TRIBE
Towaoc, Colorado

IN
MONTEZUMA COUNTY
FOR

PROJECT FLHP 8(4) & F 023-1(6)
New Mexico Line-North

STATE HIGHWAY NO. 106

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1. Thence along the arc of a curve to the right with a radius of 5729.58 feet, along said centerline of Highway, a distance of 365.7 feet, 75 feet on the easterly side and 75 feet on the westerly side of said centerline of road;
2. Thence N. 7° 47' E. along said centerline of Highway a distance of 7123.5 feet, the parcel continuing 150 feet wide;
3. Thence along said centerline of Highway along the arc of a curve to the right with a radius of 11,460.0 feet a distance of 1933.3 feet, the parcel continuing 150 feet wide;
4. Thence N. 17° 23' E. along said centerline of highway a distance of 4612.8 feet, the parcel continuing 150 feet wide;
5. Thence along said centerline of highway along the arc of a curve to the left with a radius of 5730.0 feet a distance of 1488.3 feet, the parcel continuing 150 feet wide;
6. Thence S. 2° 30' E. along said centerline of highway a distance of 960.0 feet, the parcel continuing 150 feet wide;
7. Thence along said centerline of highways along the arc of a curve to the right with a radius of 5730.0 feet a distance of 875.0 feet, the parcel continuing 150 feet wide;
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New Mexico Line-North
On Vte Reservation

ENGINEER'S AFFIDAVIT

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 } ss.
County of La Plata)

B. C. Bright, being duly sworn, says he is the person employed to survey Highway Project FLHP 8(4) & F 023-1(6) for the COLORADO DEPARTMENT OF HIGHWAYS, in Montezuma County, hereinafter designated the "applicant"; that the survey of such Highway from Station 670+00 to Station 844.34.2, a distance of 3.302 miles, was made by (or under his direction) as surveyor employed by the Applicant, and under its authority, commencing on the 15th day of Feb. 1958, and ending on the 1st day of March, 1958, and that such survey is accurately represented on the accompanying map.

COLORADO DEPARTMENT OF HIGHWAYS
(Applicant)

By B. C. Bright

Sworn and subscribed to before me this 22nd day of _____, 1958.

My commission expires _____.

(SEAL)

Charles W. Bueck
Notary Public

APPLICANT'S CERTIFICATE

I, G. F. McNicholas, do hereby certify that I am the District Construction Engineer, of District 5, of the Colorado Department of Highways, hereinafter designated the "Applicant"; that B. C. Bright, who subscribed the foregoing affidavit, was employed to make the survey by the applicant; that the survey of the Highway Project No. FLHP 8(4) and F 023-1(6), as accurately represented on the accompanying map, was adopted by the applicant on the 12th day of March, 1958, as the definite location of the Highway Project No. FLHP 8(4) and F 023-1(6) from Station 670+00 to Station 844+34.2, a distance of 3.302 miles; and that the map has been prepared to be filed for the approval of the Office of Indian Affairs, in order that the applicant may obtain the benefits of the Act of Congress approved April 21, 1926 (Public No. 296). Vol. 3, pages 62-63, 17, 22 (22CA 523).

COLORADO DEPARTMENT OF HIGHWAYS
(Applicant)

By G. F. McNicholas
G. F. McNicholas
District Construction Engineer

Attest:

County Clerk

FEDERAL ROAD DIVISION NO.	DISTRICT	PROJ. NO.	SHEET NO.
9	COLORADO	FLH 8(4) & F023-1(6)	1

RIGHT OF WAY

CONVENTIONAL SIGNS

CENTER LINE	PLAN SHEET	TITLE SHEET
RIGHT OF WAY LINE	R.O.W. MARKER	
COUNTY LINE		
TOWNSHIP OR RANGE LINE		
LAND LINES	SECTION LINE	1/4 SECTION LINE
RAILROAD	TITLE SHEET	PLAN SHEET
BARBED WIRE FENCE		
COMBINATION WIRE FENCE		
SNOW FENCE		
TELEPHONE & TELEGRAPH LINES		
POWER LINE		
DETOUR		
PRESENT ROAD (Plan Sheets)		

SET N

COLORADO DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE OF PROPOSED FEDERAL AID PROJECT NO. FLH 8(4) & F 023-1(6) STATE HIGHWAY NO. 106 MONTEZUMA COUNTY RIGHT OF WAY

SCALES OF ORIGINAL DRAWINGS

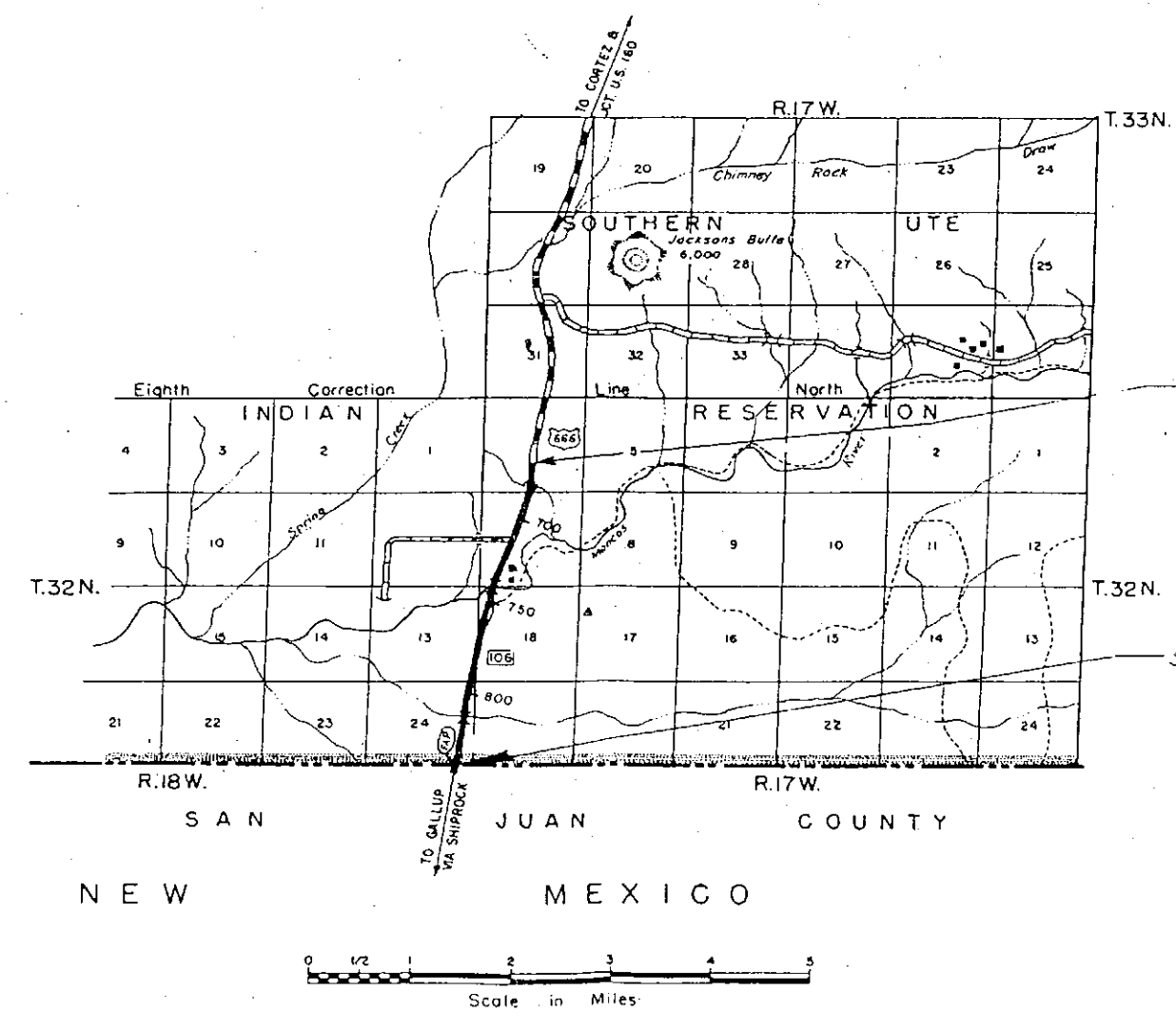
ON PLAN, 1 IN. = 100 FT.
ON PROFILE 1 IN. = 100 FT. HORIZONTAL
1 IN. = 10 FT. VERTICAL
GRADE LINE ON PROFILE IS SHOWN AS GRADE OF FINISHED ROAD
GROSS LENGTH OF PROJECT 16,909.0 FT. = 3.202 MI.
NET LENGTH OF PROJECT

FORMERLY PROJ. NO. CS 32-0106-09

NOTE:
ALL RIGHT OF WAY REQUIRED FOR
THIS PROJECT IS ON UTE INDIAN LAND.
TOTAL RIGHT OF WAY ACREAGE = 58.227
PRESENT ROAD ACREAGE = 27.214
TO BE ACQUIRED 31.013 Acres

FILE COPY - DO NOT
REMOVE FROM OFFICE

FILE COPY - DO NOT
REMOVE FROM OFFICE



Sta. 670+00 - Begin Project
End BF 023-1(4) =
Sta. 670+00 on F.A.P. 147-A.

Sta. 839+230 - End Project
Colo.-New Mex. State Line =
Sta. 839+230 on
F.A.P. 147-A.

FILE COPY - DO NOT
REMOVE FROM OFFICE

FILE COPY - DO NOT
REMOVE FROM OFFICE

INDEX OF SHEETS

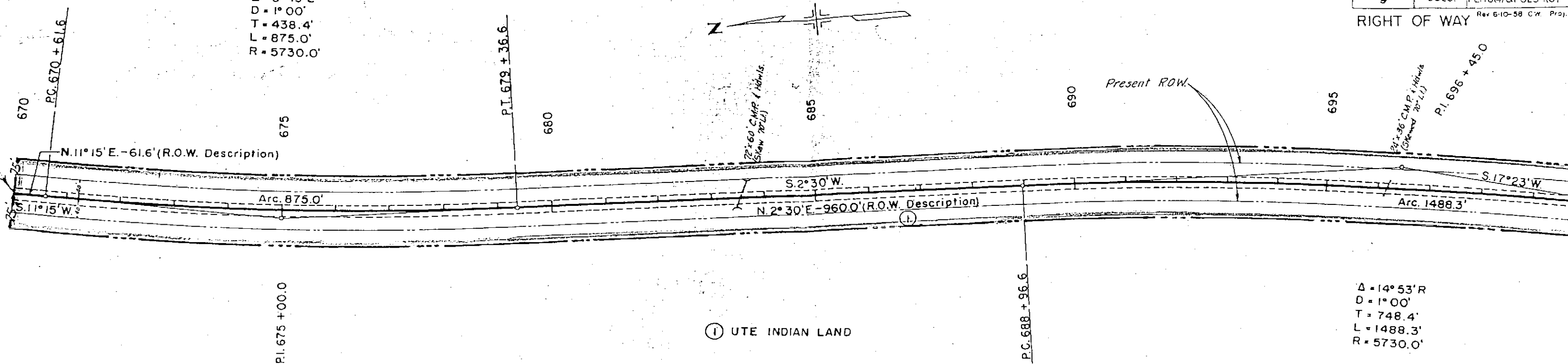
- SHEET NO.
- 1 SKETCH, MAP AND TITLE PAGE
- 2-7 ALIGNMENT, PLAN AND PROFILE SHOWING RIGHT OF WAY

Sta. 670+00 - Begin C532-0106-09 =
 End BF023-1(4) =
 Sta. 670+00 on F.A.P. 147A

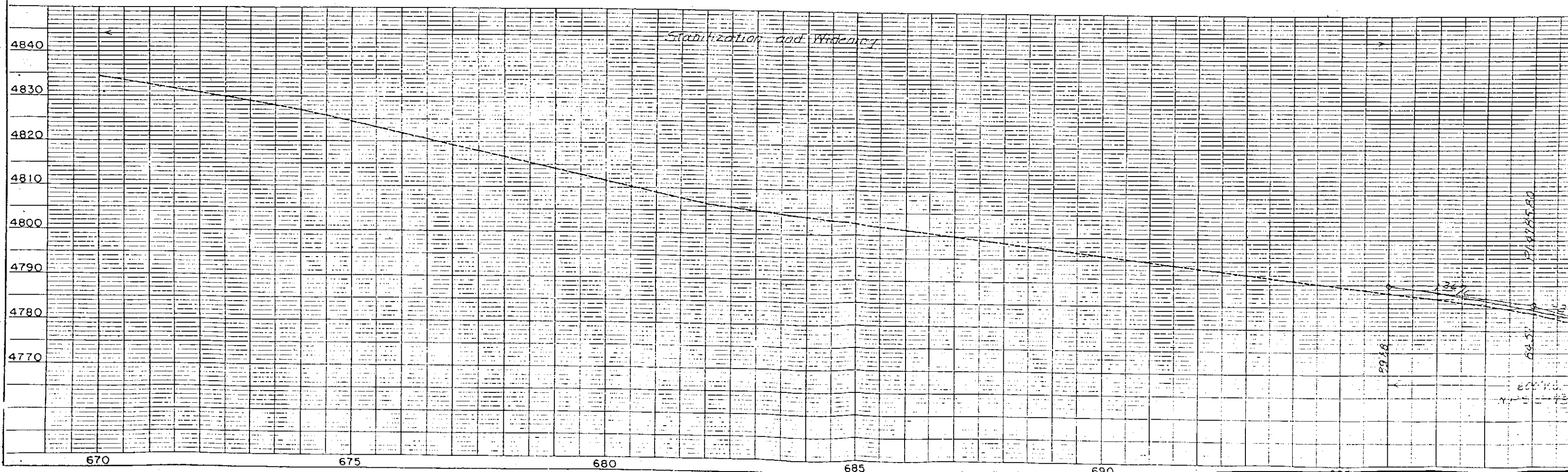
$\Delta = 8^\circ 45' L$
 $D = 1^\circ 00'$
 $T = 438.4'$
 $L = 875.0'$
 $R = 5730.0'$

FED. ROAD DIST. NO.	DIST.	PROJ. NO.
9	COLO.	FLH8(4)BF023-1(6)

RIGHT OF WAY Rev 6-10-58 C.W. Proj. n



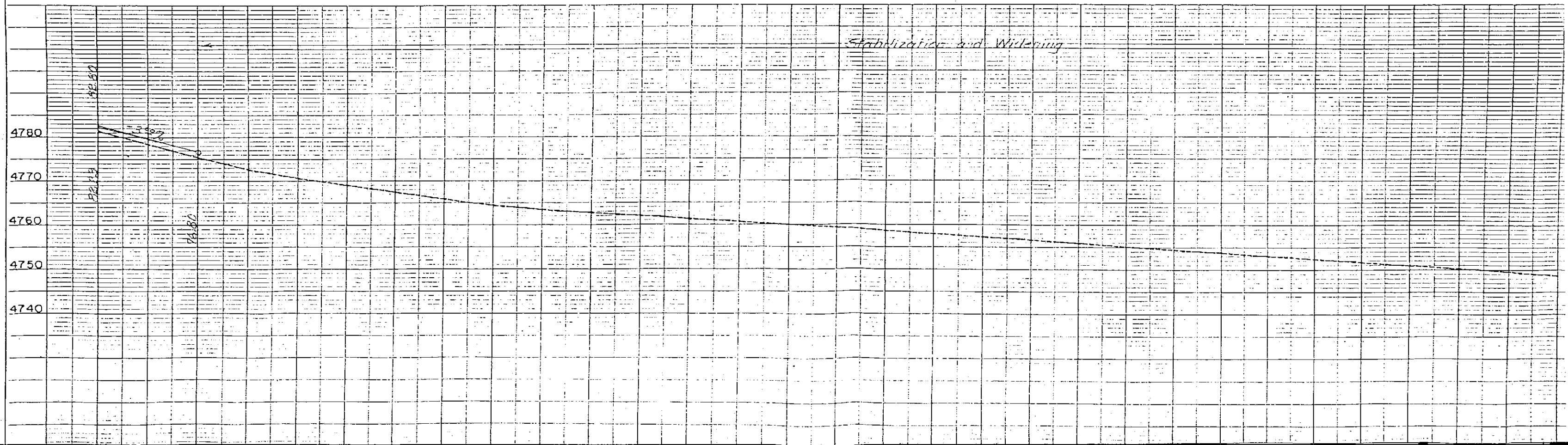
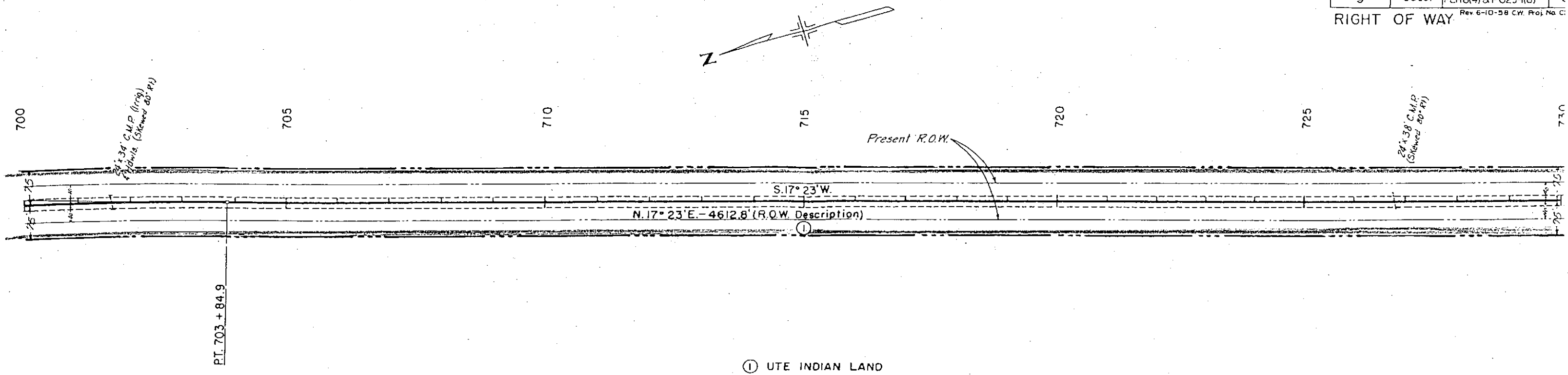
$\Delta = 14^\circ 53' R$
 $D = 1^\circ 00'$
 $T = 748.4'$
 $L = 1488.3'$
 $R = 5730.0'$



FED. ROAD DIV. NO.	DIST.	PROJ. NO.	SH.
9	COLO.	FLH8(4) & FO23-1(6)	

RIGHT OF WAY

Rev. 6-10-58 C.W. Proj. No. C

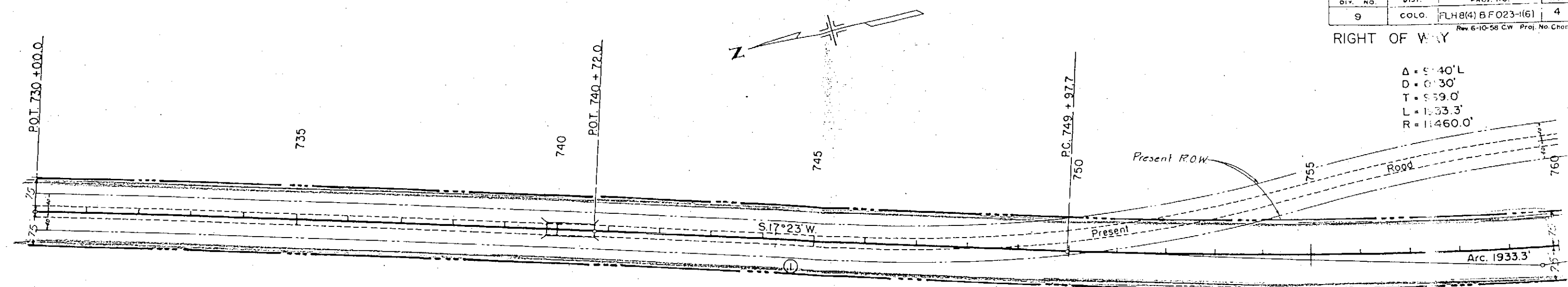


FED. ROAD DIV. NO.	DIST.	PROJ. NO.	SHEET NO.
9	COLO.	FLH8(4) BF023-1(6)	4

Rev 6-10-58 CW Proj. No. Chor

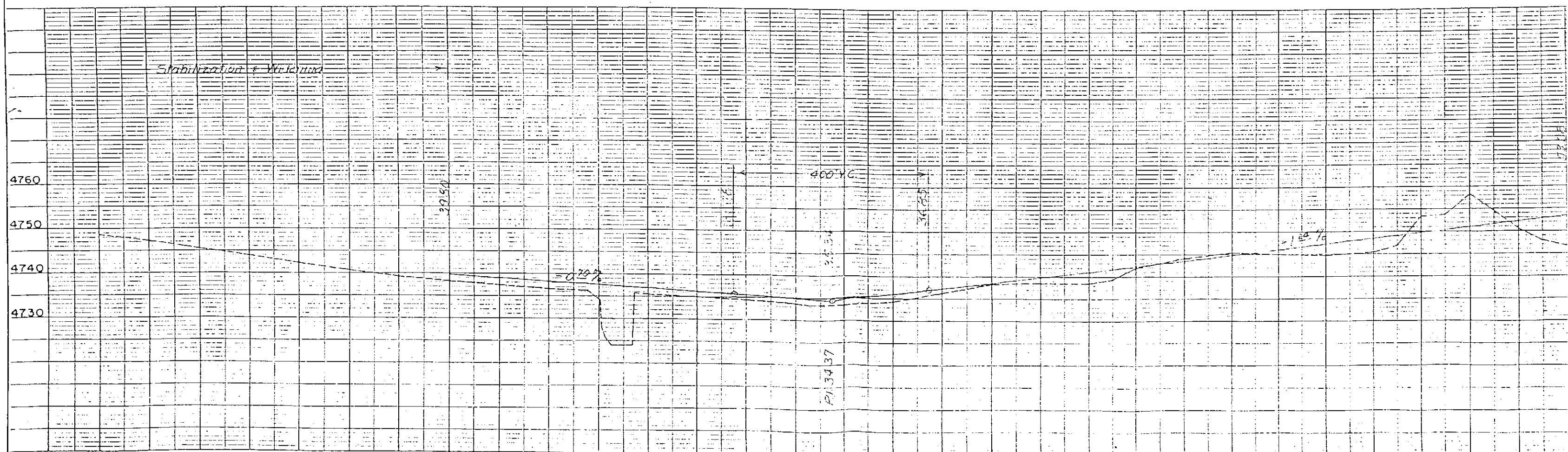
RIGHT OF WAY

$\Delta = 5^{\circ}40' L$
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 $T = 559.0'$
 $L = 1533.3'$
 $R = 11460.0'$

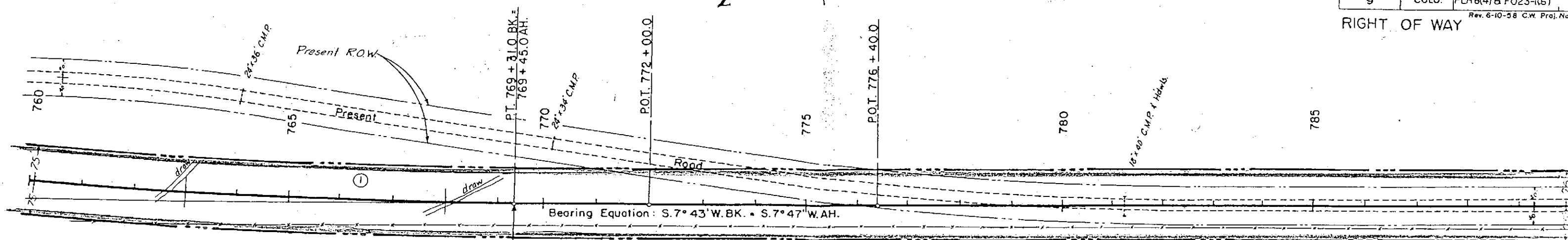


① UTE INDIAN LAND

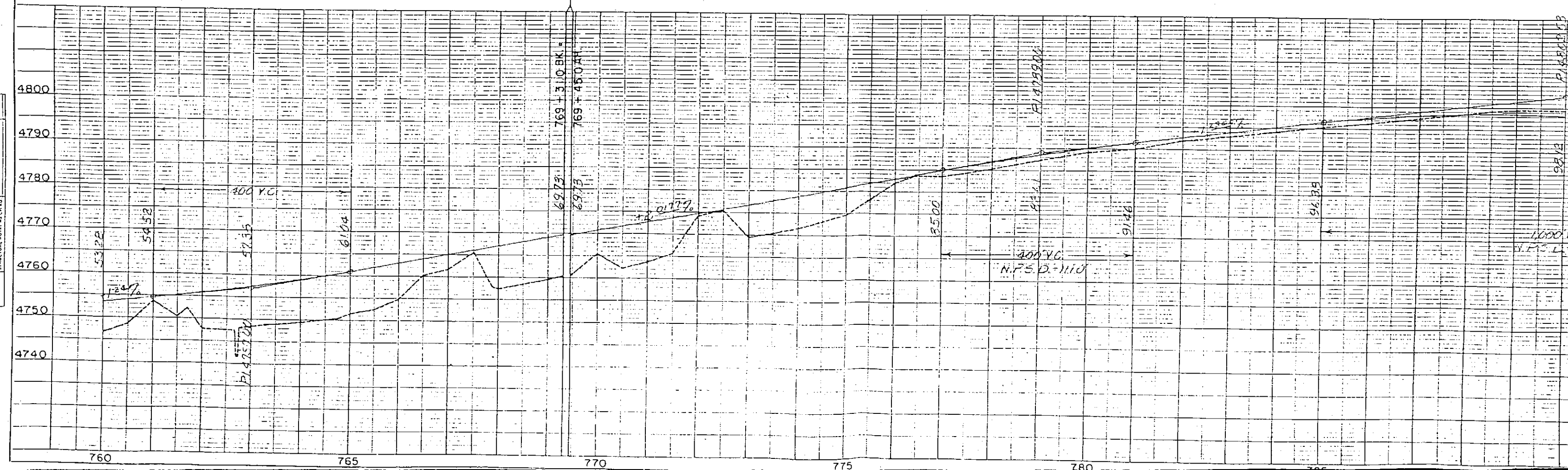
P.L. 759 + 66.7

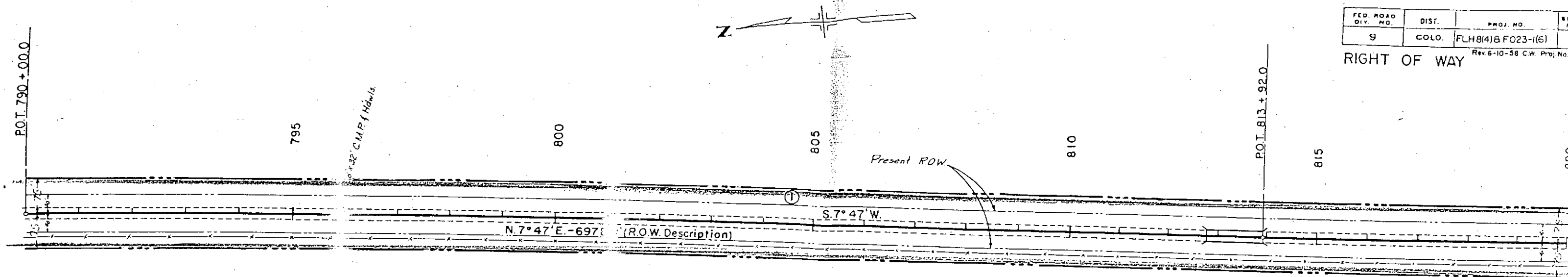


RIGHT OF WAY

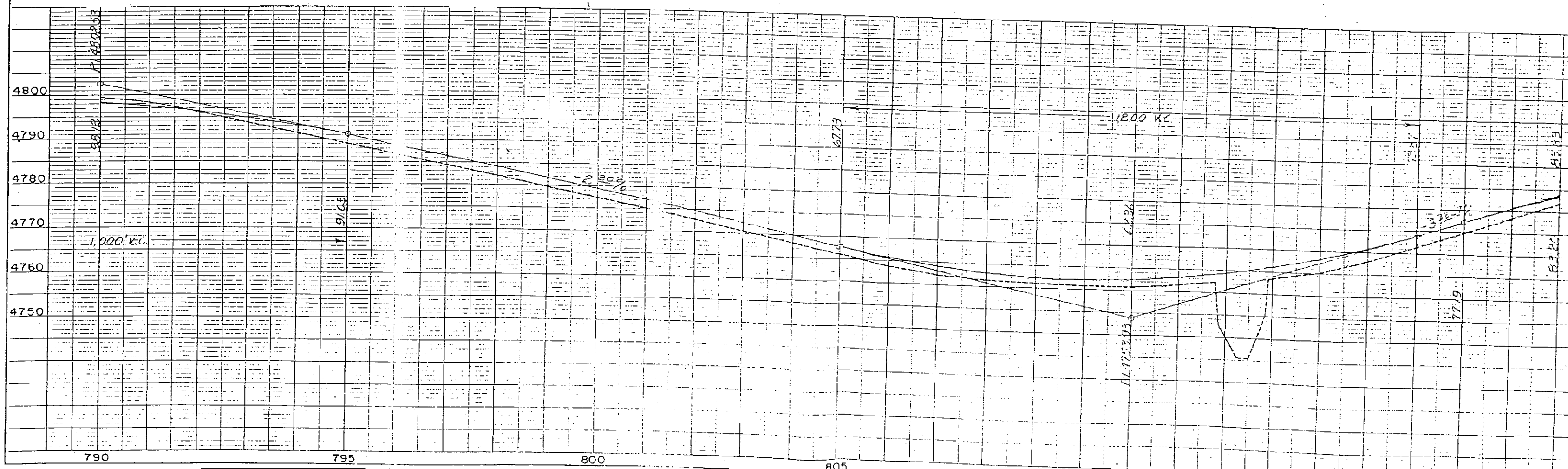


① UTE INDIAN LAND





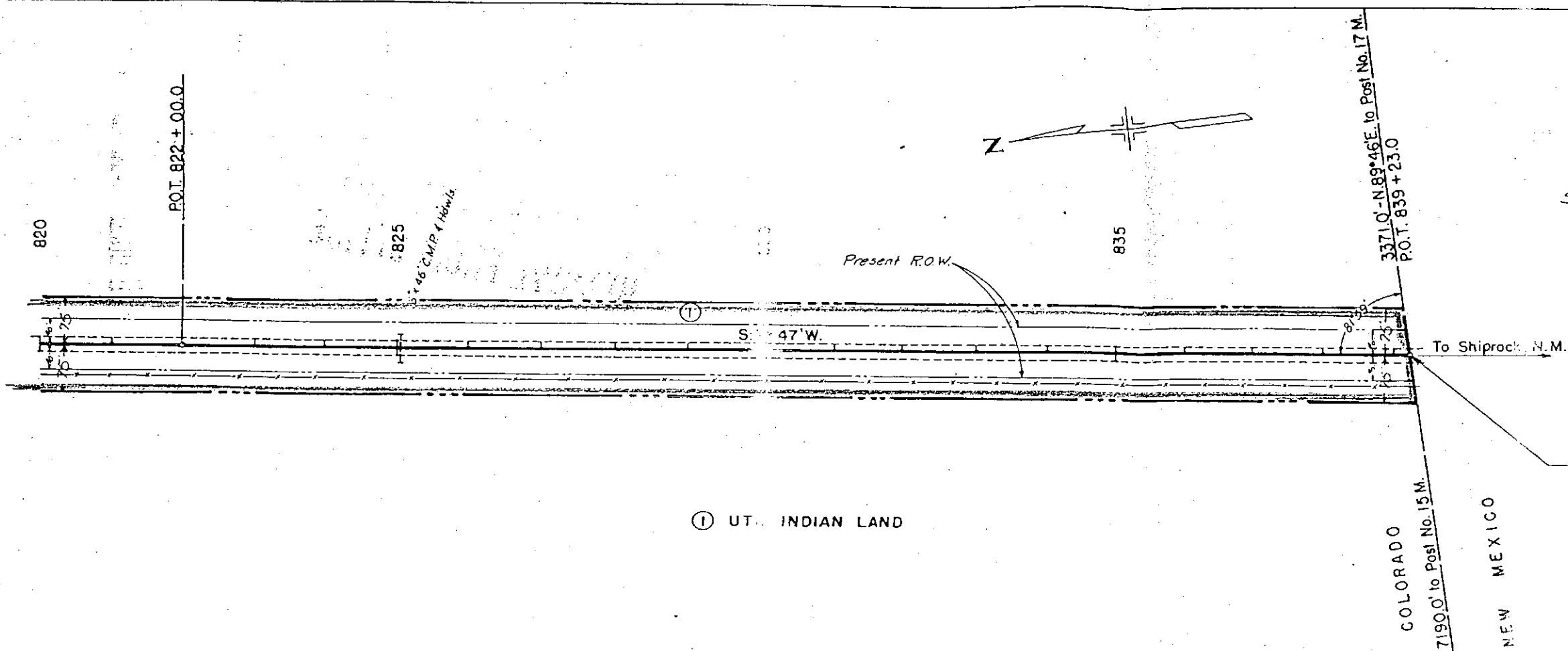
① UTE INDIAN LAND



FED. ROAD DIV. NO.	DIST.	PROJ. NO.	SHEET NO.
9	COLO.	FLH8(4)8 F023-1(6)	1

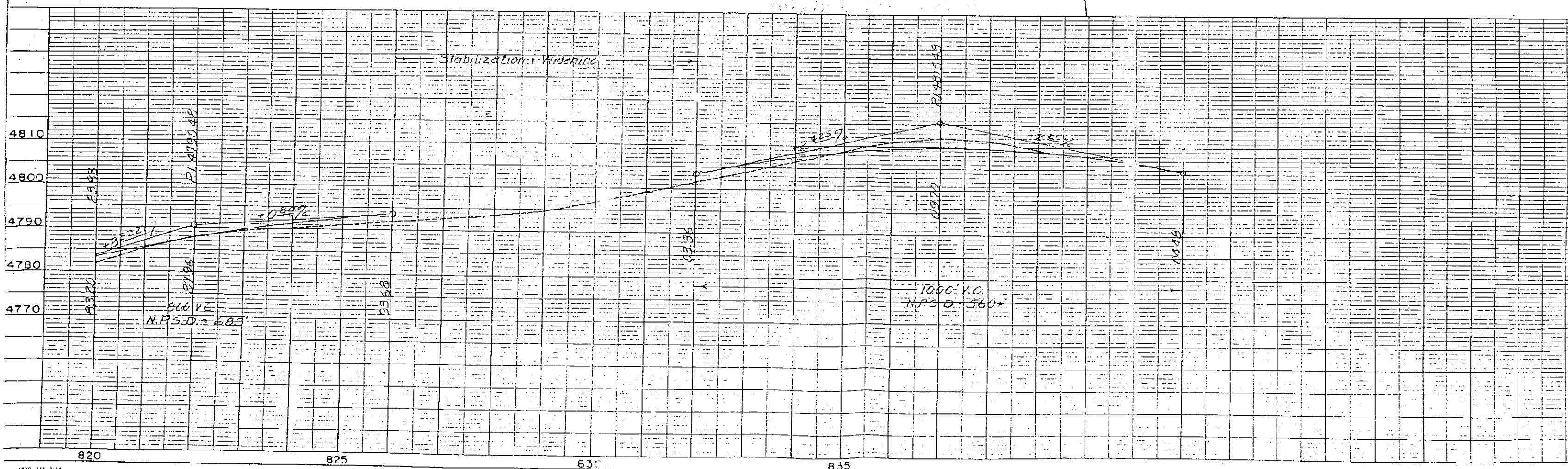
Rev 6-10-58 CW Proj. No.

RIGHT OF WAY



Sta. 839+23 = End Project C532-0166-09 =
 Colo. - New Mex. State Line =
 Sta. 839+23 on F.A.P. 147A.

Point of Beginning
 Parcel No. 1
 Tie: N. 89° 46' E. - 3370.0 to
 Post No. 17 M



seller 2:54:28 PM C:\Users\seller\Documents\PROJECTS\TOWADC 491 RW Woody's to MP2634 Exhibit-1.dgn



Print Date: 6/20/2013		0000	Sheet Revisions			As Constructed	EXHIBIT			Project No./Code	
File Name: TOWADC RW Woodys to MP2634 Exhibit-1.dgn			Date:	Comments	Init.					Project Number	
Horiz. Scale: 1:200			Vert. Scale: As Noted						Code		
Unit Information			Unit Leader Initials						Sheet Number 1		
						No Revisions:	Designer: XXXXXXXX	Structure Numbers	X-XX-XX		
						Revised:	Detailer: XXXXXXXX		X-XX-XX		
						Void:	Sheet Subset: XXXXXXXX	Subset Sheets: XXX of XXX			

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Print Date: 6/24/2013		<div>0000</div>	Sheet Revisions				As Constructed		EXHIBIT			Project No./Code	
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Horiz. Scale: 1:200 Vert. Scale: As Noted							Revised:		Designer: XXXXXXXX	Structure Numbers	X-XX-XX	Code	
Unit Information Unit Leader Initials							Void:		Detailer: XXXXXXXX		X-XX-XX		
									Sheet Subset: XXXXXXXX	Subset Sheets: XXX of XXX		Sheet Number 2	

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 5 - Engineering
3803 N. Main Ave., Suite 300
Durango, Colorado 81301

(970) 385-1400
FAX (970) 385-1410



October 5, 2001

Project:	NH 1601-049
Location:	Wash 6 Mi N of US 666
Subaccount:	12778
Parcel:	1

Priscilla Bancroft, Acting Superintendent
Bureau of Indian Affairs
Ute Mountain Ute Agency
P. O. Box KK
Towaoc, CO 81334

Dear Ms. Bancroft:

Recently you wrote transmitting a correction to the Grant of Easement for Right-of-Way for Project NH 1601-049, Wash 6 Miles North of the Junction of US 160 and US 666. Your letter has been forwarded to me for response.

You asked if we had deposited the amount of \$109,000.00 with the Ute Mountain Indian Tribe. A State of Colorado warrant in the amount of \$109,000.00 was deposited with the tribe on April 4, 2001. David Liberman, General Counsel for the tribe, acknowledged receipt of the funds.

You also indicated that you did not find a copy of the Department's right-of-way for State Highway 160/666. Attached to this letter is copy of the original Application for Public Highway filed by the Department in 1927, granting this right of way.

We have researched the right-of-way through this corridor and found right-of-way grants for the section of US 160 west of US 666, and for widening of the original US 666 corridor, from the New Mexico State Line to the Northern boundary of the Ute Mountain Ute Reservation except for of a stretch of the highway from just North of Mike Wash Road to just South of the structure where this bridge replacement is located.

The plans for that project, FLHP 8(1), clearly indicate right-of-way 65 feet on either side of the center of the highway. In searching Tribal records, Resolution 492 was passed by the Tribe in December, 1955, in which the Superintendent of the Bureau of Indian Affairs was authorized to grant the right-of-way for project FLHP 8(1) to the Department. The Department also found in your records Resolution 2044 and grant of a right to erect the current highway fence along US 160/666 at a location 65' on either side of the center line of the highway from the North

Bureau of Indian Affairs

• October 5, 2001

Page 2

Boundary of the Ute Mountain Ute Reservation to a point where the right-of-way widens to 200 feet.

Please advise us as to what, if any, steps are necessary to assist the Bureau of Indian Affairs in further addressing this matter. Mr. Donald Botkin who can be reached at (970) 385-1409 will assist you with any additional information you may need.

Sincerely,



Carl J. Watson

Region Right of Way Manager

Enclosure

cc: Reynolds
Perino
Londer/Botkin/Parcel file w/enclosure

FILED CERTIFICATION: DEPOSITED THIS DAY OF AT M. FOR INFORMATION ONLY IN BOOK OF THE COUNTY LAND SURVEYS/RIGHT OF WAY SURVEYS AT PAGE RECEPTION NUMBER

SIGNED DEPT.

CDOT Form 1280a 7/00

COLORADO DEPARTMENT OF TRANSPORTATION



Region V
Address: 3603 North Main Avenue
Durango, CO 81301
Phone: (970) 385-1409 FAX: (970) 385-1629

Right of Way Plans Unit:

Sheet Revisions		
CFS	REVISED SIGNATURE BLOCK, SHEET 2	1/02

Sheet Revisions		

Sheet Revisions		

Right of Way Plans				
Title				
NH 1601-049				
Wash 6 Miles North of US 666				
Sections 21 and 28, T 33 1/2 N, R 17 W, New Mexico PM				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	1-17-01	1	1	9

CONVENTIONAL SIGNS

County Line
Township or Range Line
Land Lines Section Line 1/4 Section Line 1/16 Section Line
Property or Tract Line
City Limits
Railroad
Existing Road
New Road

Control of Access
Access denied by Deed
Right of Way Line
Protected by Freeway (High Location)
Top of Cuts
Toe of Fills

Barbed Wire Fence
Chain Link Fence
Woven Wire-Combination Fence
Snow Fence
Wood Fence
Deer Fence

Trees
Deciduous
Coniferous

Tel. & Teleg. Lines
Electric Lines
Elec. Trans. Tower
Buried Tel. Cable
Buried Electric Cable
Gas Main
Oil Main
Water Main
Sanitary Sewers
Storm Sewers

Road Approaches

Section Corner
Center of Section

Culverts & Drains
Proposed
Existing
Proposed
Existing (To be dashed)

Bridges
Existing (To be dashed)

BASIS OF BEARINGS:

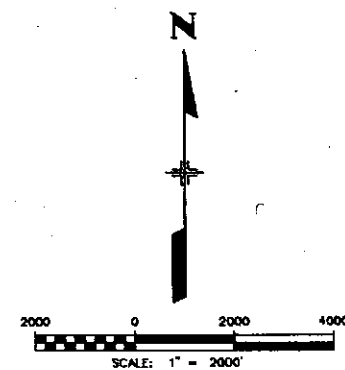
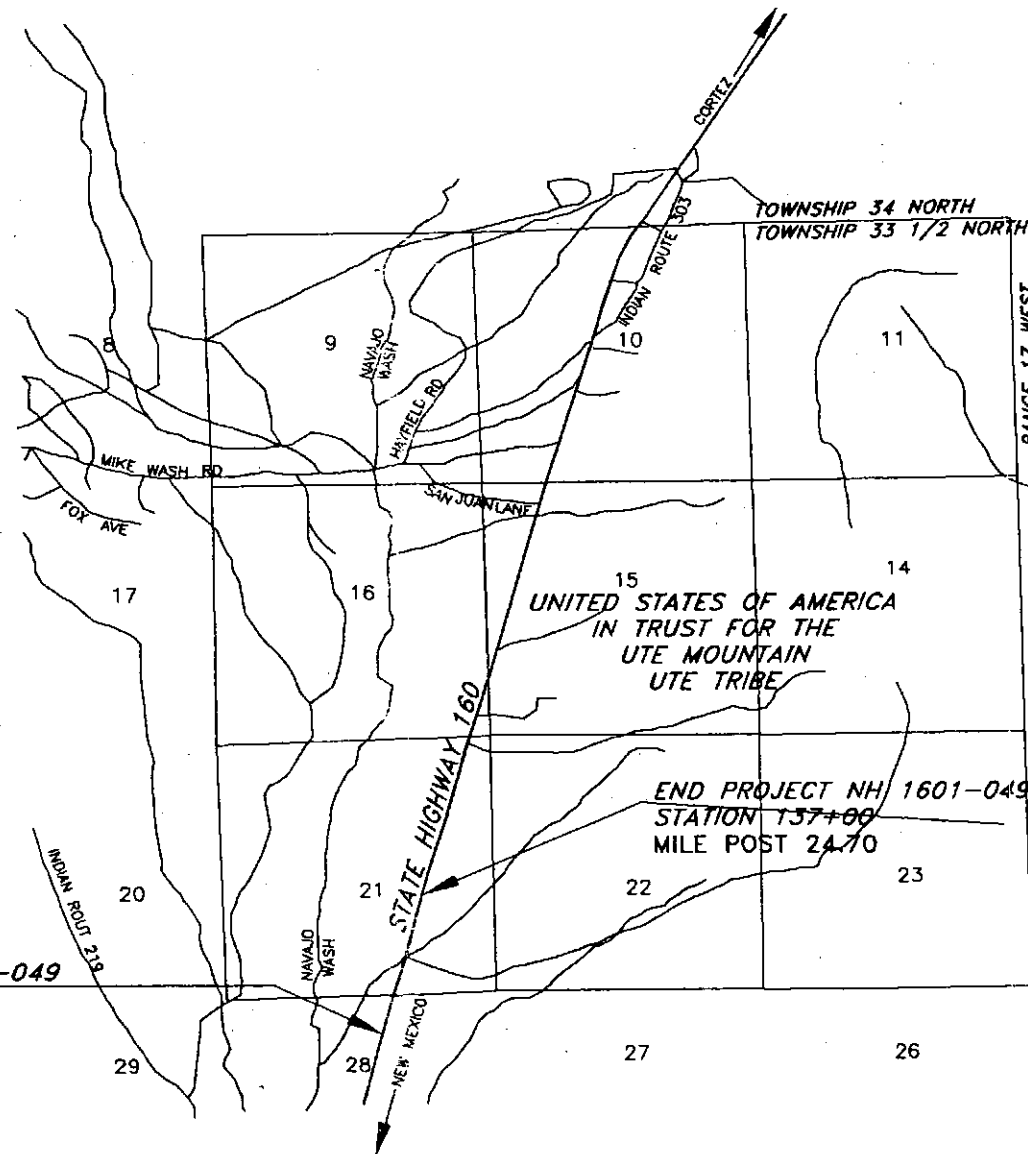
Bearings are based on the "State Plane" grid bearing from CDOT Control Point 100 to CDOT Control Point 103 being S19°12'32"W. Both monuments are standard CDOT 3 1/4" aluminum caps on 3/4" finned rods.

BEGIN PROJECT NH 1601-049
STATION 109+50
MILE POST 24.20

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

FINAL RIGHT OF WAY FEDERAL AID PROJECT NO. NH 1601-049 STATE HIGHWAY NO. 160 MONTEZUMA COUNTY

SCALES OF ORIGINAL 22"x34" DRAWINGS
SURVEY CONTROL 1 IN. = 200 FT.
PLAN SHEETS 1 IN. = 40 FT.
OWNERSHIP MAP 1 IN. = 100 FT.



INDEX OF SHEETS

SHEET NUMBER	
1	TITLE SHEET
2	PROPERTY OWNERSHIP TABULATION
3	CONTROL
4	MONUMENTATION
5-8	ROW PLAN SHEETS
9	OWNERSHIP MAP

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

AUTHORIZED
DATE
DIVISION ADMINISTRATOR

Date: 01/17/2001
Subaccount: 12778
Region: 5

Right of Way Plans Unit:

[illegible][illegible]R.O.W. TABULATION OF PROPERTIES IN MONTEZUMA COUNTY

S.H. NO. 160 (WASH 6 MILES NORTH OF US 666)

[illegible]

COLORADO DEPARTMENT OF TRANSPORTATION

Region V
Address: 3603 North Main Avenue
Durango, CO 81301
Phone: (970) 385-1409 FAX: (970) 385-1629

Right of Way Plans Unit:

Sheet Revisions

Sheet Revisions

Sheet Revisions

Right of Way Plans

Control Diagram

NH 1601-049

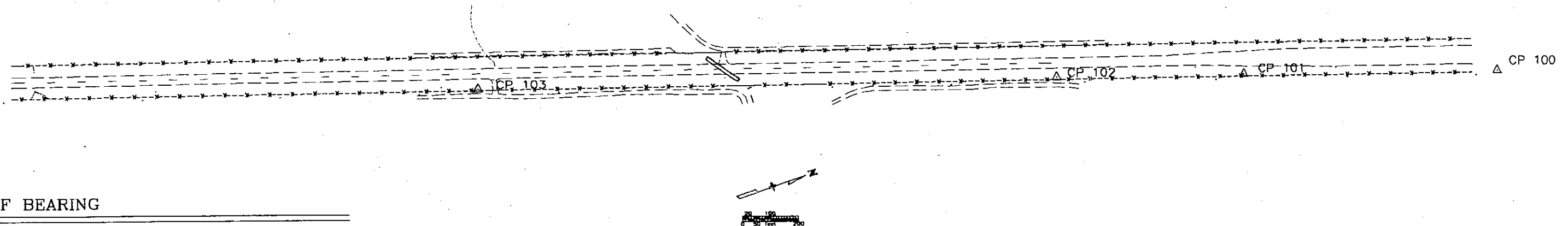
Wash 6 Miles North of US 666

Sections 21 and 28, T 38 1/2 N, R 17 W, New Mexico PM

Project Code	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	1-17-01		3	9

CONTROL DIAGRAM SHEET

NAME	LATITUDE	LONGITUDE	STATE PLANE COORDINATES (meters)		PROJECT COORDINATES (feet)			MILEPOST
			NORTHING	EASTING	NORTHING	EASTING	ELEVATION	
CP 100	37° 10' 46.98705" N	108° 41' 38.73813" W	366590.411	630813.119	21928.100	13036.864	5582.627	25.00
CP 101					21050.662	12729.030	5565.765	24.85
CP 102					20405.732	12502.796	5554.916	24.70
CP 103	37° 10' 12.23984" N	108° 41' 52.22002" W	365531.214	630444.086	18452.150	11825.799	5523.524	24.35
S146	37° 11' 35.75013" N	108° 41' 21.30956" W	368078.134	631294.101				
U160	37° 7' 5.07872" N	108° 43' 21.38497" W	359840.352	628046.614				



BASIS OF BEARING

Bearings are based on the "State Plane" grid bearing from CDOT Control Point 100 to CDOT Control Point 103 being S 19° 12' 32" W. Both monuments are standard CDOT 3 1/4" aluminum caps on 3/4" aluminum finned rods.

MONUMENTS

All project control monuments are standard CDOT 3 1/4" aluminum caps on 3/4" aluminum finned rods. S 146 is a U. S. Coast and Geodetic Survey brass bench mark disk set in a concrete post. U 160 386+24 is a CDOT brass bench disk set in concrete post.

VERTICAL CONTROL

Vertical control was established by differential leveling from S 146, a National Geodetic Survey Second Order Class 0 bench mark / First Order HARN station. The published orthometric height of S 146 is 1723.846 m (5655.65 ft).

COORDINATE INFORMATION

Geodetic coordinates (NAD 83) were derived from GPS observations tied to First Order HARN stations S 146 and U 160 386+24.0. State Plane Coordinates are Colorado South Zone [NAD 83 (1992)]. Project coordinates are modified State Plane Coordinates in U. S. Survey Feet. To convert Project Coordinates to State Plane Coordinates, convert to meters by multiplying by 0.3048006096, add 360,000 to the northings, 627,000 to the eastings, then multiply by the combined scale factor of 0.9997455914.

GENERAL NOTES

1. This control survey is for the use of the Colorado Department of Transportation. The survey is not a complete boundary survey.
2. No guarantee as to the accuracy of the information contained on the plat is either stated or implied unless this copy bears an original signature and stamp of the professional surveyor named hereon.
3. 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 certification shown hereon.
4. All coordinates listed are PROJECT COORDINATES only. Coordinates are carried out to 3 decimal places for calculation purposes and do not represent survey precision. Survey precision exceeds C.D.O.T. "B" order precision.

SURVEYOR CERTIFICATE

CONTROL SURVEY, CONTROL MONUMENTATION, WERE DONE UNDER MY SUPERVISION AND CHECKING.

JOHN M. WILLIS
29772
PROFESSIONAL LAND SURVEYOR

JOHN M. WILLIS

P.L.S. NO. 29772



Region V
Address: 3603 North Main Avenue
Durango, CO 81301
Phone: (970) 385-1409 FAX: (970) 385-1629

Right of Way Plans Unit:

Sheet Revisions

Sheet Revisions

Sheet Revisions

Right of Way Plans

Monumentation

NH 1601-048

Wash 6 Miles North of US 686

Sections 21 and 26, T 33 1/2 N, R 17 W, New Mexico PM

Project Code	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	10-03-00		4	9

CONTROL AND MONUMENTATION SHEET (US feet)

TABULATION OF R.O.W. MARKERS (TO BE SET)

POINT #	NORTHING	EASTING	STATION	OFFSET	DESCRIPTION
504	19087.239	11915.298	122+60.40	65.00 L	ROW MARKER AT POB 1
505	19133.193	11836.009	122+77.69	155.00 L	1
506	19278.773	11886.755	124+31.86	155.00 L	1
507	19313.302	11993.966	124+99.76	65.13 L	1
510	19423.035	12170.022	126+61.32	65.00 R	1A
511	19358.066	12232.097	126+20.41	145.00 R	1A
512	19309.091	12215.026	125+68.54	145.00 R	1A
513	19198.823	12091.866	124+23.88	65.00 R	ROW MARKER AT POB 1A
494	17849.865	11483.973	109+50.00	65.00 L	BEGIN PROJECT
495	17807.074	11606.729	109+50.00	65.00 R	BEGIN PROJECT
496	20403.832	12511.909	137+00.00	65.00 R	END PROJECT
497	20446.622	12389.154	137+00.00	65.00 L	END PROJECT

SECTION CORNERS (FOUND)

POINT #	NORTHING	EASTING	STATION	OFFSET	DESCRIPTION
1	18624.022	11092.642	115+52.21	689.34 L	2 1/2" BRASS CAP ON 1" PIPE SOUTH 1/4 SECTION 21
2	18524.649	13731.302	123+26.91	1834.99 R	2 1/2" BRASS CAP ON 1" PIPE SOUTHEAST CORNER SECTION 21

TABULATION OF TEMPORARY EASEMENTS (TO BE STAKED)

POINT #	NORTHING	EASTING	STATION	OFFSET	DESCRIPTION
508	19250.555	12194.621	125+06.55	145.00 R	TE-1A
509	19140.287	12071.462	123+61.89	65.00 R	TE-1A
500	18335.747	11653.342	114+64.56	65.00 L	TE-1
501	19097.811	11740.577	122+12.87	233.46 L	TE-1
502	19189.237	11772.446	123+09.69	233.46 L	TE-1
503	19955.910	12218.101	131+80.33	65.00 L	TE-1

QUANTITY OF MONUMENTS TO BE SET

CAP TYPE	MONUMENT TYPE								
	1	1A	2	2A	3	3A	4	5	6
REFERENCE									
RIGHT OF WAY			12						
CONTROL									
ALIQUOT CORNER									
WITNESS POST									
PERMANENT EASE									



SURVEYOR CERTIFICATE

Right-of-Way Monumentation was done under my supervision and checked as per data provided by C.D.O.T.

NAME Charles R. Ahlbrecht P.L.S. No. 19612

DATE 2-26-02

SURVEYOR CERTIFICATE (OFFICE)

Boundary Survey, R.O.W. Plans and Legal Descriptions were prepared under my supervision and checking.

Charles R. Ahlbrecht P.L.S. No. 8141

DATE 2-26-02

DEPOSITED THIS ____ DAY OF ____, AT ____, FOR INFORMATION
ONLY IN BOOK ____ OF THE COUNTY LAND SURVEYS/RIGHT OF WAY
SURVEYS AT PAGE ____ RECEPTION NUMBER ____

SIGNED
DEPT.

FILED CERTIFICATION: DAY OF 20 AT M., FOR INFORMATION
DEPOSITED THIS DAY OF THE COUNTY LAND SURVEYS/RIGHT OF WAY
ONLY IN BOOK RECEPTION NUMBER
SIGNED DEPT.

CDOT Form
#126Rev 7/00

COLORADO DEPARTMENT OF TRANSPORTATION



Region V
Address: 3603 North Main Avenue
Durango, CO 81301
Phone: (970) 385-1409 FAX: (970) 385-1629

Right of Way Plans Unit:

Sheet Revisions

Sheet Revisions

Sheet Revisions

Right of Way Plans

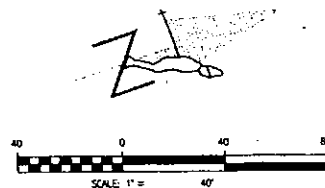
Right of Way

NH 1601-049

Wash 6 Miles North of US 686

Sections 21 and 28, T 33 1/2 N, R 17 W, New Mexico PM

Project Code	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	1-17-01		5	9



UNITED STATES OF AMERICA
IN TRUST FOR THE
UTE MOUNTAIN UTE TRIBE

BEGIN PROJECT NH 1601-049
STATION 109+50.00
MILE POST 24.20

105+00

US HIGHWAY 160 N19°13'03"E

110+00

UNITED STATES OF AMERICA
IN TRUST FOR THE
UTE MOUNTAIN UTE TRIBE

NORTHEAST QUARTER
SECTION 28
TOWNSHIP 33 1/2 NORTH, RANGE 17 WEST OF
THE NEW MEXICO P.M.

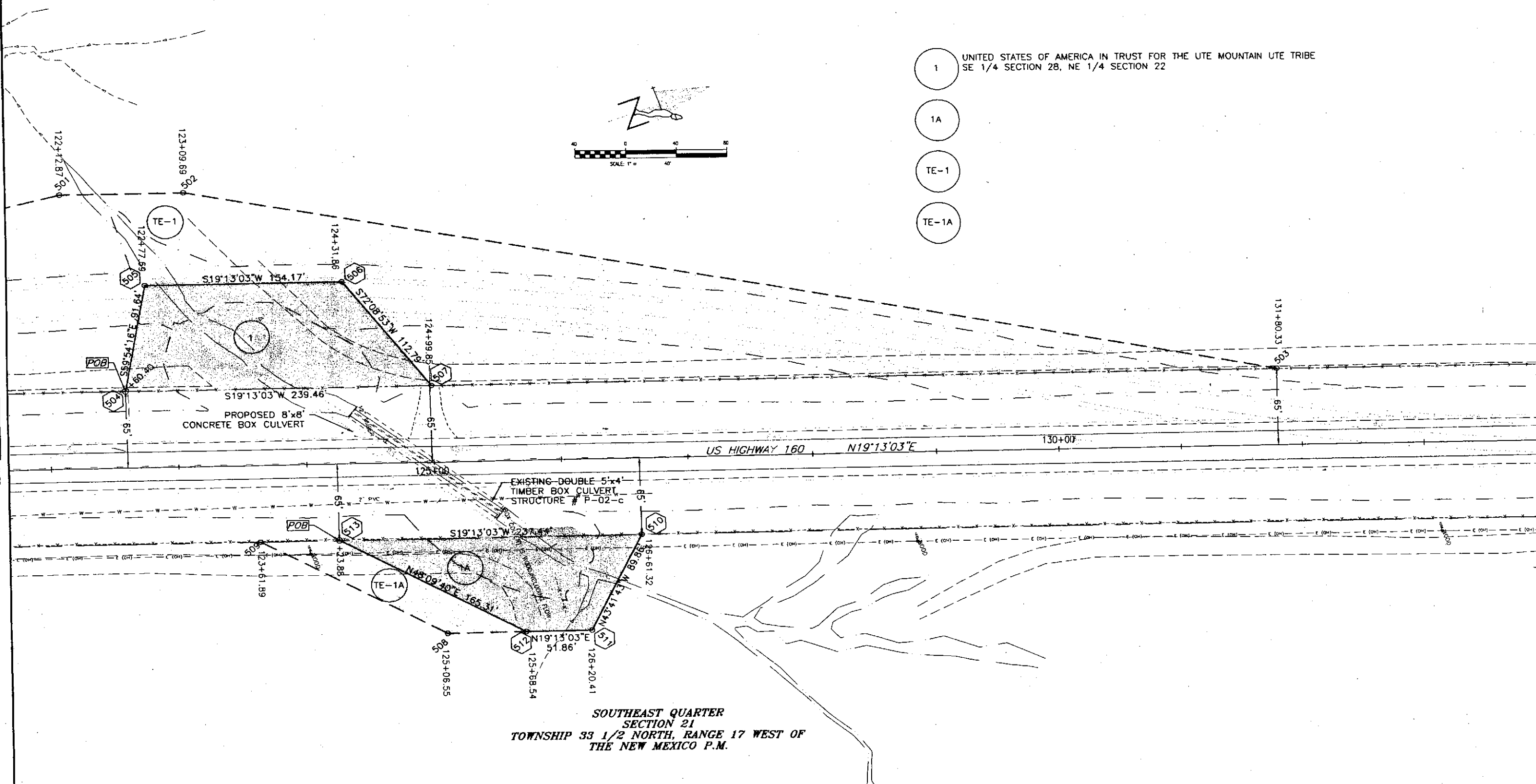


Region V
Address: 3603 North Main Avenue
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Right of Way Plans Unit:

[illegible][illegible][illegible]

Right of Way Plans				
Right of Way				
NH 1601-049				
Wash 6 Miles North of US 686				
Sections 21 and 28, T 33 1/2 N, R 17 W, New Mexico PM				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	10-03-00		7	9



FILED FOR INFORMATION
DEPOSITED THIS ____ DAY OF _____, 20____, AT _____, FOR INFORMATION
ONLY IN BOOK _____ OF THE COUNTY LAND SURVEYS/RIGHT OF WAY
SURVEYS AT PAGE _____, RECEPTION NUMBER _____.

SIGNED _____
DEPT. _____

11/10/02 8:16am

COLORADO DEPARTMENT OF TRANSPORTATION



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Address: 3603 North Main Avenue
Durango, CO 81301
Phone: (970) 385-1409 FAX: (970) 385-1629

Right of Way Plans Unit:

Sheet Revisions

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Sheet Revisions

Right of Way Plans

Right of Way

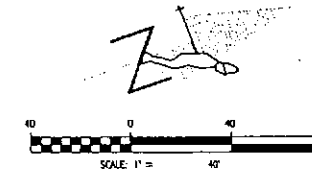
NH 1601-049

Wash 6 Miles North of US 666

Sections 21 and 28, T 33 1/2 N, R 17 W, New Mexico PM

Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	1-17-01		8	9

UNITED STATES OF AMERICA
IN TRUST FOR THE
UTE MOUNTAIN UTE TRIBE



FILED CERTIFICATION:
DEPOSITED THIS ____ DAY OF ____ AT ____ M., FOR INFORMATION
ONLY IN BOOK ____ OF THE COUNTY LAND SURVEYS/RIGHT OF WAY
SURVEYS AT PAGE ____ RECEPTION NUMBER ____

SIGNED
DEPT.

END PROJECT NH 1601-049
STATION 137+00
MILE POST 24.70

US HIGHWAY 160

N19°13'03"E

140+00

135+00

UNITED STATES OF AMERICA
IN TRUST FOR THE
UTE MOUNTAIN UTE TRIBE

SOUTHEAST QUARTER
SECTION 21
TOWNSHIP 33 1/2 NORTH, RANGE 17 WEST OF
THE NEW MEXICO P.M.

FILING CERTIFICATION: DEPOSITED THIS ____ DAY OF ____ AT ____ M., FOR INFORMATION ONLY IN BOOK ____ OF THE COUNTY LAND SURVEYS/RIGHT OF WAY SURVEYS AT PAGE ____ RECEPTION NUMBER ____

SIGNED _____
DEPT. _____

CDOT Form
#126Rev 7/00

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Phone: (970) 385-1409 FAX: (970) 385-1629

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Sheet Revisions

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Sheet Revisions

Right of Way Plans

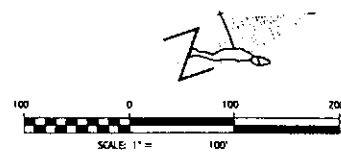
Ownership Map

NH 1601-049

Wash 6 Miles North of US 666

Sections 21 and 28, T 33 1/2 N, R 17 W, New Mexico PM

Project Code	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
12778	10-03-00		9	9



NORTHEAST QUARTER
SECTION 28
TOWNSHIP 33 1/2 NORTH, RANGE 17 WEST OF
THE NEW MEXICO PRINCIPAL MERIDIAN

SECTION 21
SECTION 28

SOUTHEAST QUARTER
SECTION 21
TOWNSHIP 33 1/2 NORTH, RANGE 17 WEST OF
THE NEW MEXICO PRINCIPAL MERIDIAN

BEGIN PROJECT NH 1601-049
STATION 109+50
MILE POST 24.20

END PROJECT NH 1601-049
STATION 137+00
MILE POST 24.70

US HIGHWAY 160

FOUND 2 1/2" BRASS CAP
ON 1" PIPE BLM
SOUTHEAST CORNER
SECTION 21
T3S 1/2N, R17W,
NEW MEXICO PM

FOUND 2 1/2" BRASS CAP
ON 1" PIPE BLM
SOUTH QUARTER
SECTION 21
T3S 1/2N, R17W,
NEW MEXICO PM

1 UNITED STATES OF AMERICA IN TRUST FOR THE UTE MOUNTAIN UTE TRIBE
SE 1/4 SECTION 28, NE 1/4 SECTION 22

1A

TE-1

TE-1A

TE-1

TE-1A

1A

TABULATION MAPS

SHEET 1 OF 1

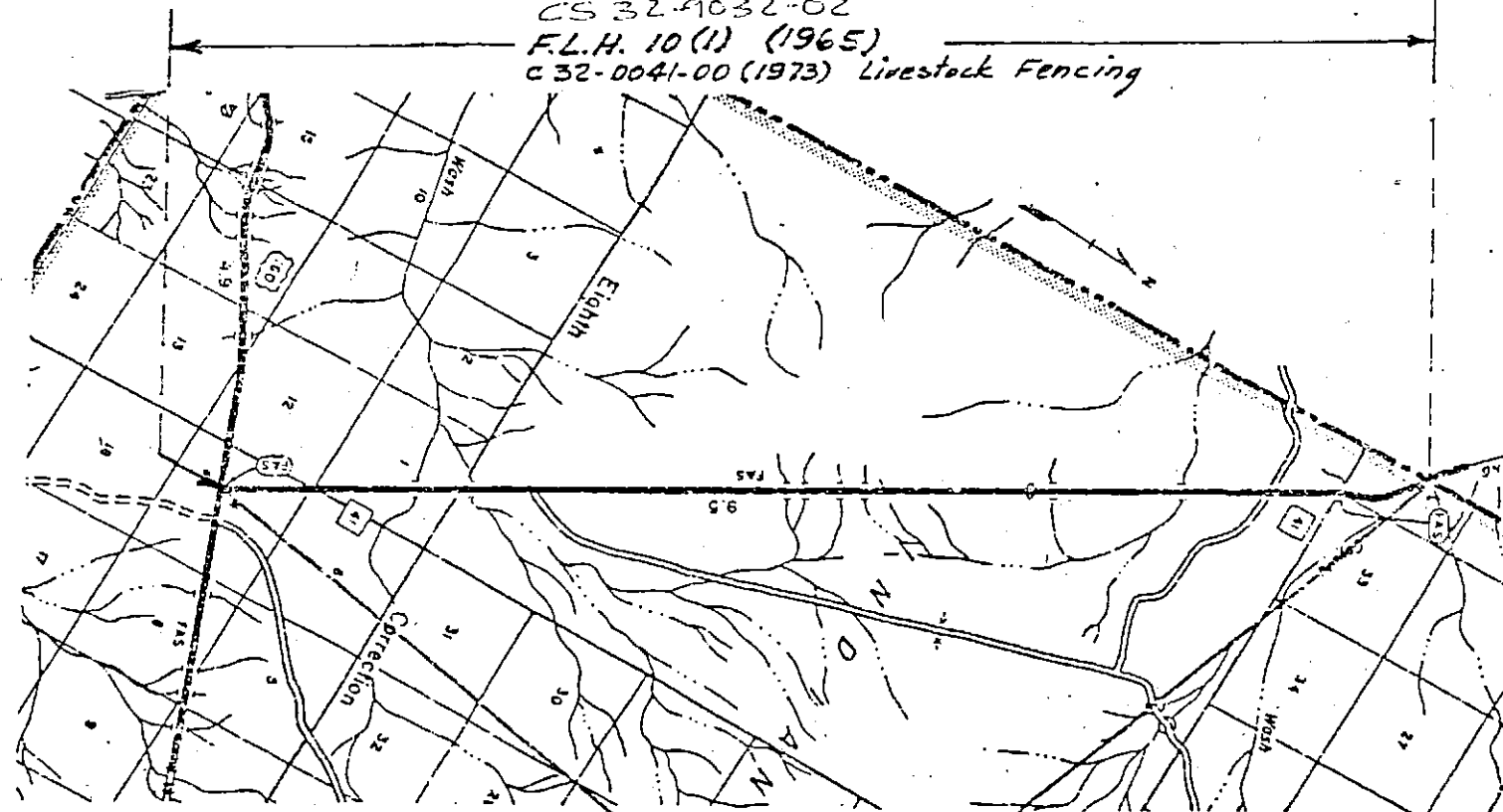
STATE HIGHWAY 41

"UTAH BRANCH"
ROW ACQUIRED BY RESOLUTION # 899B

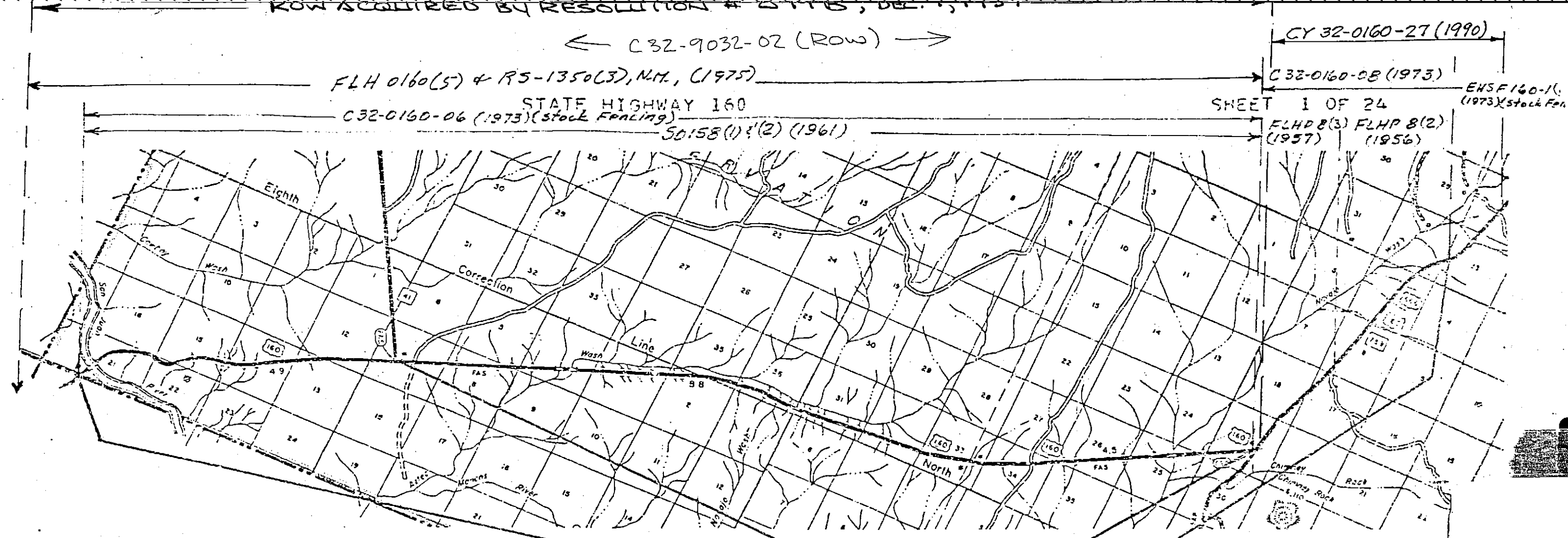
CS 32-9032-02

F.L.H. 10 (1) (1965)

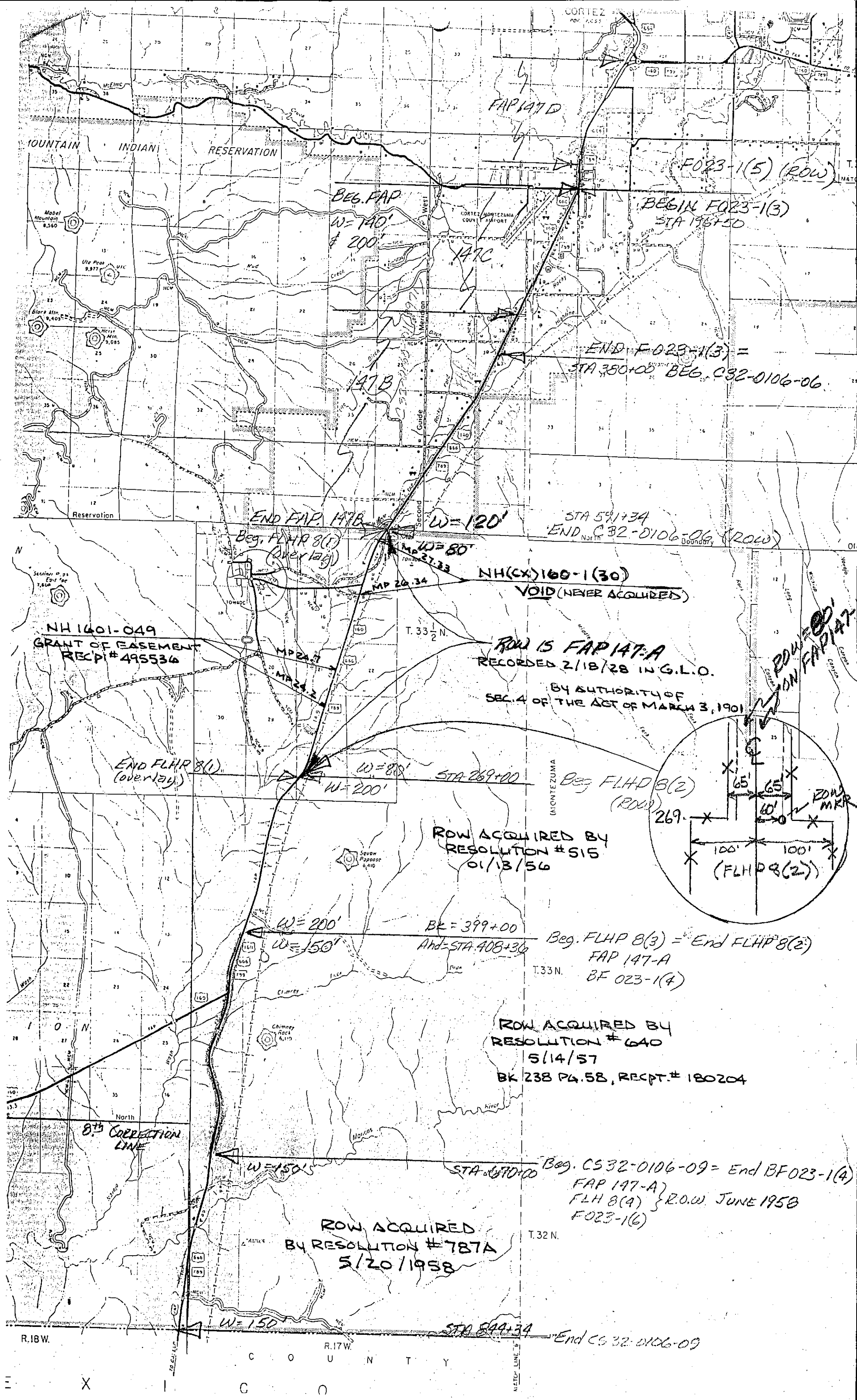
C 32-0041-00 (1973) Livestock Fencing



MILEPOINT AND AREA TYPE	0.0 R
LENGTH AND TERRAIN TYPE	9.5 2
WIDTH (PRESENT AND 20 YEAR)	28 28
PRESENT ADT	370
ADT IN 20 YEARS	703
PRESENT PSI (0-5)	2.4
-RATING-	
STRUCTURAL ADEQUACY	24
SAFETY	0
CAPACITY	50
SUFFICIENCY RATING	74
-NEEDS COST IN THOUSAND DOLLARS-	
ENGR. ROW. UTIL ADJ. + CONT.	0
GR. DR + MINOR STR. INCL FR + CL LANES	0
INTRCHNGS, BR. TNNLS, RR + HW SEPS	0
STAB. SURF. TRAFF CONT. INCL FR + CL LANES	0
RESURFACING COSTS	222
WIDENING COSTS	0
TOTAL	222
LAST DATE OF CONSTRUCTION	1965



MILEPOINT AND AREA TYPE	0.0 R	4.9 R	18.3 R
LENGTH AND TERRAIN TYPE	4.9 2	13.4 2	4.3 2
WIDTH (PRESENT AND 20 YEAR)	32 34	32 34	38 40
PRESENT ADT	1250	1450	3250
ADT IN 20 YEARS	1750	2030	4875
PRESENT PSI (0-5)	2.4	2.1	3.0
-RATING-			
STRUCTURAL ADEQUACY	24	21	30
SAFETY	10	10	8
CAPACITY	50	50	50
SUFFICIENCY RATING	84	80	88
-NEEDS COST IN THOUSAND DOLLARS-			
ENGR. ROW. UTIL. ADJ. + CONT.	31	51	10
GR. DR. + MINOR STR. INCL FR + CL LANES	0	0	0
INTRCHNGS. RR. TUNNELS. RR. + HW SEPS	85	94	0
STAR. SURF. TRAFF. CONT. INCL FR + CL LANES	0	0	0
RESURFACING COSTS	139	380	144
WIDENING COSTS	43	116	42
TOTAL	297	641	196
LAST DATE OF CONSTRUCTION	1961	1961	1956



BEG. FAP

W=140'

& 200'

FAP 147-D

F023-1(5) (ROW)

BEGIN F023-1(3)

STA 196+50

END F023-1(3) =

STA 380+00 BEG. C32-0106-06

END FAP 147-B

Beg. FLHP 8(1)

(Overlay)

W=80'

NH(CX) 160-1(30)

VOID (NEVER ACQUIRED)

NH 1601-049

GRANT OF EASEMENT

REC# 495534

ROW IS FAP 147-A

RECORDED 2/18/28 IN G.L.O.

BY AUTHORITY OF
SEC. 4 OF THE ACT OF MARCH 3, 1901

END FLHP 8(1)

(Overlay)

W=80'

W=200'

ROW ACQUIRED BY
RESOLUTION #515

01/13/56

W=200'

W=150'

BK=399+00

And=STA 408+30

Beg. FLHP 8(3) = End FLHP 8(2)

FAP 147-A

BF 023-1(4)

ROW ACQUIRED BY
RESOLUTION #640

5/14/57

BK 238 PG. 58, RECPT. # 180204

8th CORRECTION
LINE

ROW ACQUIRED
BY RESOLUTION #787A

5/20/1958

Beg. C532-0106-09 = End BF023-1(4)

FAP 147-A

FLHP 8(4) } R.O.W. JUNE 1958

F023-1(6)

T. 32 N.

STA 670+00

STA 844+34

End C532-0106-09

R. 18W.

R. 17W.

C O U N T Y

X

C

O

R. 17W.

Recorded at

10 45

o'clock

4 May 14, 1957

FLHP 8(3)

Reception No

180204

John Leavitt, Rev. J. Montezuma Co. Colo.

nw

BF-0213-11(1)

BOOK 238 PAGE 58

Resolution No. 840

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
December 5, 1956

WHEREAS, Authority is vested in Article V Section I (b) of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1940; and

WHEREAS, Mr. J. I. Casey, authorized representative of the State Highway Department appeared before the Tribal Council requesting permission to purchase 42.238 acres at \$30.00 each, said 42.238 acres to be added to the now existing right of way and to be used for new construction for making the road less hazardous, and

WHEREAS, the said 42.238 acres are further described as beginning 1 1/4 mile north of Mancos River on Highway 866, thence running 26,124 feet north on the existing highway and more specifically described in Project FLHP 8(3) & BF-0213-1(4) as attached hereto, and

WHEREAS, The Tribal Council feels that the improvement of Highway 866 across the Ute Reservation would also be beneficial to the Tribe:

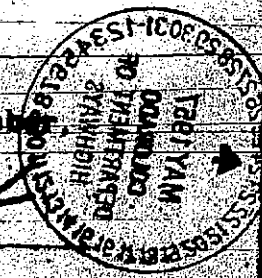
NOW, THEREFORE, BE IT RESOLVED That the State Highway Department of Colorado is granted the 42.238 acres as an addition to their existing right of way, a description of which is stated above and attached hereto:

BE IT FURTHER RESOLVED that said 42.238 acres will be paid for as per the State Highway Engineers's recommendation, which is \$30.00 per acre, making a total of \$1267.00 payable to the Ute Mountain Tribe.

BE IT FURTHER RESOLVED That this right of way shall be in accordance with the tracing and survey conducted by the State Highway Engineer and approved by the Superintendent of the Consolidated Ute Agency.

The foregoing resolution was duly adopted this 5th day of December 1956.

[Signature]
Scott Jackson, Chairman
Ute Mountain Tribal Council



This is to certify that there were five of the regularly elected Councilmen at the above meeting, that being a quorum, that four voted for and none opposed and the above resolution was passed.

Henrietta Schaefer

By John L. Kelley
John L. Kelley Acting Secretary



RIGHT OF WAY
TO BE ACQUIRED FROM

PARCEL NO. 1
STA. 408+36.2Ah. TO STA. 670+61.6

MOUNTAIN
UTE INDIAN TRIBE
Towaoc, Colorado

IN
MONTEZUMA COUNTY
FOR

PROJECT FLMP 8(3) & BP 023-1(4)
New Mexico Line-North

STATE HIGHWAY NO. 106

DESCRIPTION

A tract or parcel of land No. 1 of the Colorado Department of Highways' Project No. FLMP 8(3) & BP 023-1(4) containing 90.402 acres, more or less, in Section 17, Section 18, Section 19, Section 30 and Section 31, Township 33 North, Range 17 West of the New Mexico Principal Meridian, and Section 6, Township 32 North, Range 17 West of the New Mexico Principal Meridian in Montezuma County, Colorado, said tract or parcel being 200 feet wide at point of beginning, 100 feet on the easterly side and 100 feet on the westerly side of the centerline of highway, said centerline being described as follows:

Beginning at a point designated as an equation Sta. 399+00Eh. = 408+36.2 Ah. on the Colorado Department of Highways' Right of Way map for their Project FLMP 8(3) & BP 023-1(4), which point is 7.557 miles southerly of the north boundary of the Ute Reservation on State Highways No. 106.

1. Thence S. 20° 46' W. along said centerline of highway a distance of 163.8 feet, the parcel decreasing in width to 150 feet, 75 feet on the easterly side and 75 feet on the westerly side of said centerline of road;
2. Thence S. 20° 46' W. along said centerline of highways a distance of 6,311.7 feet, the parcel continuing 150 feet wide;
3. Thence along said centerline of highway along the arc of a curve to the left with a radius of 5,730.0 feet a distance of 1566.7 feet, the parcel continuing 150 feet wide;
4. Thence S. 5° 06' W. along said centerline of highway a distance of 1932.0 feet, the parcel continuing 150 feet wide;
5. Thence along said centerline of highway along the arc of a curve to the right with a radius of 5730.0 feet a distance of 1765.0 feet, the parcel continuing 150 feet wide;
6. Thence S. 22° 45' W. along said centerline of highway a distance of 3481.8 feet, the parcel continuing 150 feet wide;
7. Thence along said centerline of highway along the arc of a curve to the left with a radius of 2865.0 feet a distance of 2000.0 feet, the parcel continuing 150 feet wide;
8. Thence S. 17° 15' E. along said centerline of highway a distance of 3030.2 feet, the parcel continuing 150 feet wide;
9. Thence along said centerline of highway along the arc of a curve to the right with a radius of 2865.0 feet a distance of 1425.0 feet, the parcel continuing 150 feet wide;

Parcel No. 1 - FLHP 8(3) & BF 023-1(4)

10. Thence S. 11° 15' W. along said centerline of highway a distance of 4549.2 feet, the parcel continuing 150 feet wide, 75 feet on the easterly side and 75 feet on the westerly side of said centerline, to a point known as Sta. 670+61.6 on the Colorado Department of Highways' Right-of-Way Map for their Project FLHP 8(3) & BF 023-1(4).

The above-described parcel contains 90.402 acres, more or less, of which 48.164 are a right of way of the present road.

COLORADO DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE OF PROPOSED FEDERAL LAND HIGHWAY PROJECT NO. 8 (I) STATE HIGHWAY NO. 106 MONTEZUMA COUNTY

INDEX OF SHEETS

- SHEET NO. 1 SKETCH MAP, TITLE PAGE & TABULATION OF LENGTH AND DESIGN
2 TYPICAL SECTIONS AND SUMMARY OF APPROXIMATE QUANTITIES
3 SUB BASE MATERIAL, SURFACING PLAN, PIT SKETCH AND DETAILS OF TIMBER.
4 LIST OF STRUCTURES
5 SUMMARY OF SOIL PROFILE TESTS
6 DETAILS OF 150" MULTIPLE PLATE CULVERT AT STA. 242+
7 STANDARD METHODS FOR SUPERELEVATION & WIDENING OF CURVES
8 STANDARD SIDE APPROACH ROADS, FLARING, CUT SLOPE TREAT-
MENT & WIDENING AT BRIDGES & AT CREST OF GRADES
9 STANDARD MARKER POSTS
10 STANDARD ROADWAY CONSTRUCTION TRAFFIC SIGNS
11 STANDARD MULTIPLE PLATE CULVERT DETAILS
12-32 CROSS SECTION SHEETS
33 SUMMARY OF EARTHWORK QUANTITIES
4-A LIST OF STRUCTURES (WORK ORDER EXTENSION)

M-1-C
M-2-EM
M-7-C
M-29-A
M-113-B

FEDERAL ROAD DIVISION NO.	DISTRICT	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	FLHP 8 (I)	1	32

Rev. 10-14-54, Index of Sheets, J.C.R.

Rev. 12-7-54, For W.O. Extension No. 15668, J.C.R.

8.01

CONVENTIONAL SIGNS

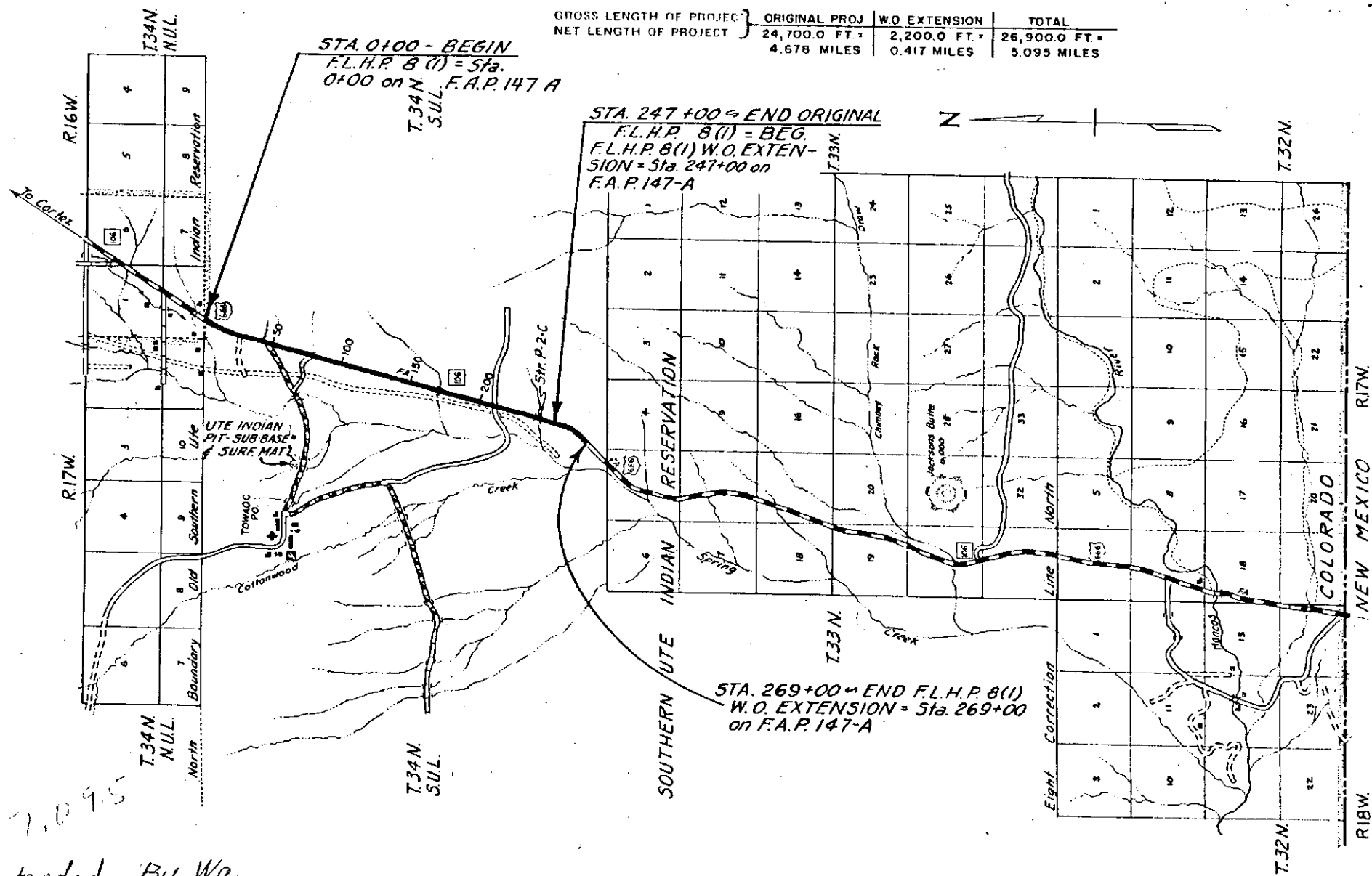
CENTER LINE	PLAN SHEET	TITLE SHEET
RIGHT OF WAY LINE	PLAN SHEET	TITLE SHEET
COUNTY LINE	PLAN SHEET	TITLE SHEET
TOWNSHIP OR RANGE LINE	PLAN SHEET	TITLE SHEET
LAND LINES	SECTION LINE	1/4 SECTION LINE
RAILROAD	TITLE SHEET	PLAN SHEET
BARBED WIRE FENCE	PLAN SHEET	TITLE SHEET
COMBINATION WIRE FENCE	PLAN SHEET	TITLE SHEET
SNOW FENCE	PLAN SHEET	TITLE SHEET
TELEPHONE & TELEGRAPH LINES	PLAN SHEET	TITLE SHEET
POWER LINE	PLAN SHEET	TITLE SHEET

PRESENT ROAD (Plan Sheets)

For Alignment & Grades, See Project F.A.P. 147 A

INACTIVE

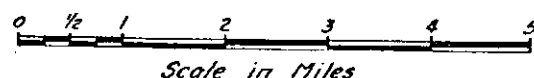
GROSS LENGTH OF PROJECT	ORIGINAL PROJ.	W.O. EXTENSION	TOTAL
NET LENGTH OF PROJECT	24,700.0 FT. + 4.678 MILES	2,200.0 FT. + 0.417 MILES	26,900.0 FT. + 5.095 MILES



TABULATION OF LENGTH & DESIGN DATA

STATION	(ORIGINAL) ROADWAY LIN. FT.	(W.O. EXT.) ROADWAY LIN. FT.
0+00 - Beg. FL.H.P. 8 (I) - Sta. 0+00 on F.A.P. 147 A	24,700.0	
247+00 - End Original FL.H.P. 8 (I) - Beg. FL.H.P. 8 (I) W.O. Ext. - Sta. 247+00 on F.A.P. 147 A		2,200.0
269+00 - End FL.H.P. 8 (I) W.O. Ext. - Sta. 269+00 on F.A.P. 147 A		
TOTAL	24,700.0	2,200.0
SUMMARY		
ROADWAY (ORIGINAL)	24,700.0	4.678
ROADWAY (W.O. EXT.)	2,200.0	0.417
TOTALS	26,900.0	5.095
DESIGN DATA		
Maximum Grade	2.80%	
Maximum Degree of Curve	1°00'	
Minimum N.P.S.D. - Horiz.		
Minimum N.P.S.D. - Vert.	580'	
Maximum Design Speed	60 M.P.H.	

Extended By Wo.
15668



NOTICE TO BIDDERS

IT IS RECOMMENDED THAT BIDDERS ON THIS PROJECT GO OVER THE PLAN DETAILS WITH ONE OF THE FOLLOWING FIELD REPRESENTATIVES OF THIS DEPARTMENT:

J.E. CASEY, DISTRICT ENGINEER, DURANGO, COLO.

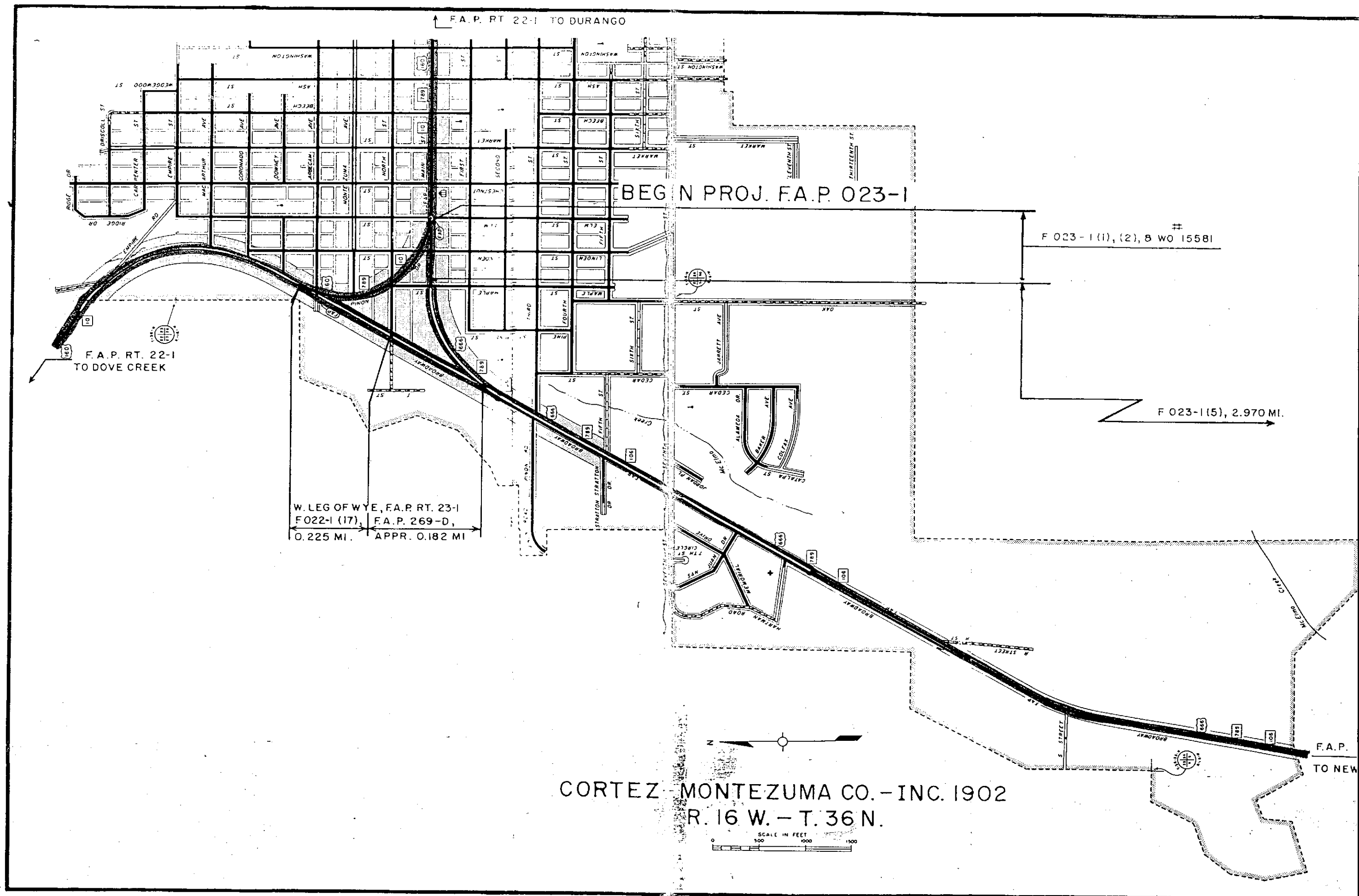
G.F. MENICHOLAS, RESIDENT ENGR., DURANGO, COLO.
HOME PHONE - DURANGO 1582-J

COLORADO
DEPARTMENT OF HIGHWAYS

APPROVED
Mark A. Carver
CHIEF ENGINEER
DATE 9-20-54

DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

APPROVED
DATE
DISTRICT ENGINEER



F.A.P. RT. 22-1 TO DURANGO

BEG N PROJ. F.A.P. 023-1

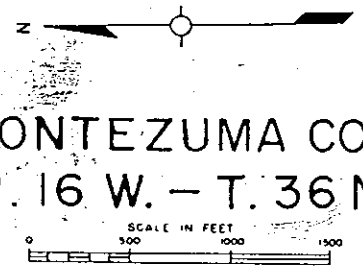
F 023-1 (1), (2), 8 WO 15581

F 023-1 (5), 2.970 MI.

F.A.P. RT. 22-1 TO DOVE CREEK

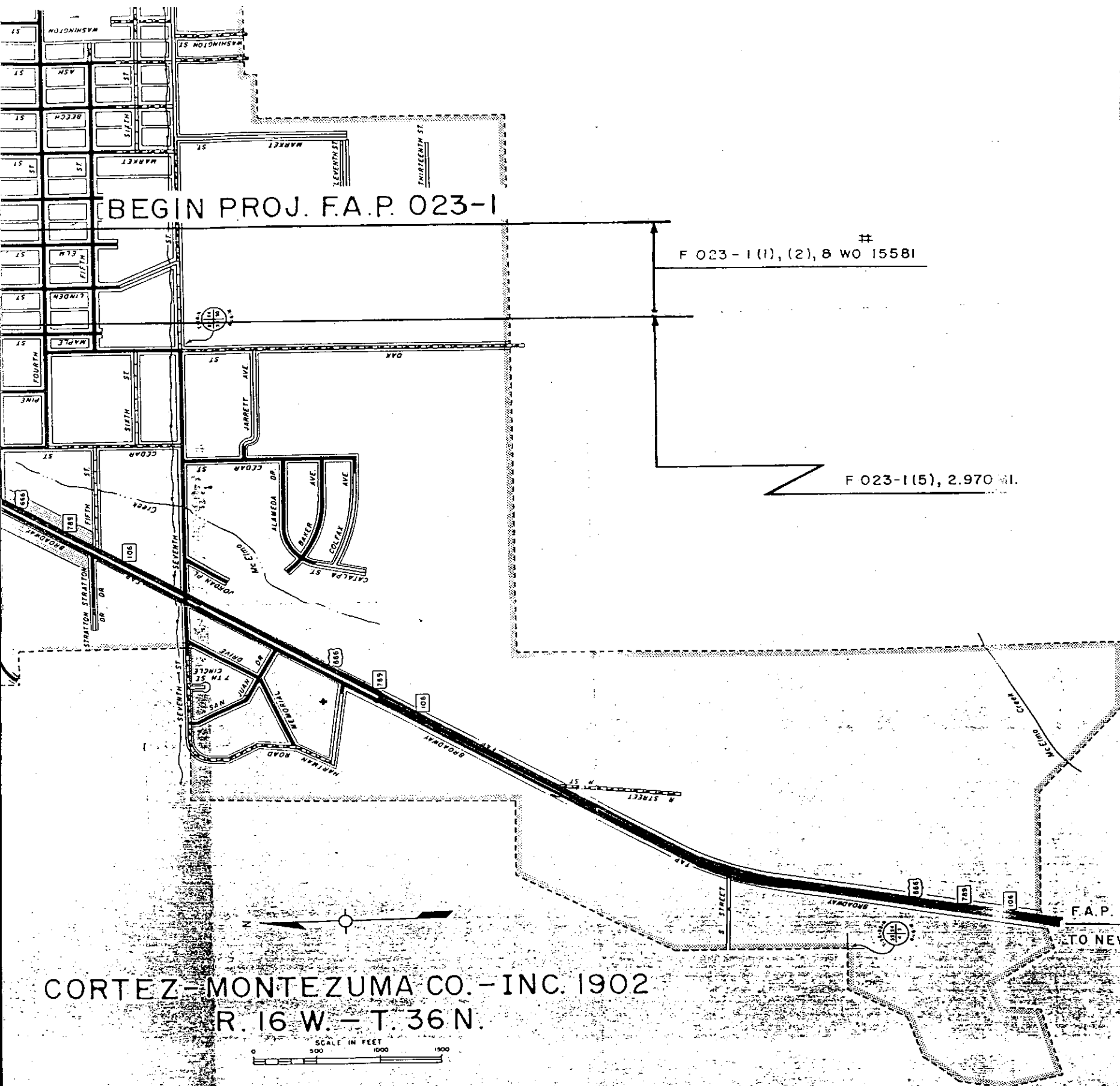
W. LEG OF WYE, F.A.P. RT. 23-1
F 022-1 (17), F.A.P. 269-D,
0.225 MI. APPR. 0.182 MI

CORTEZ MONTENZUMA CO.-INC. 1902
R. 16 W.-T. 36 N.



F.A.P. TO NEW

TO DURANGO



CORTEZ-MONTEZUMA CO. - INC. 1902
R. 16 W. - T. 36 N.

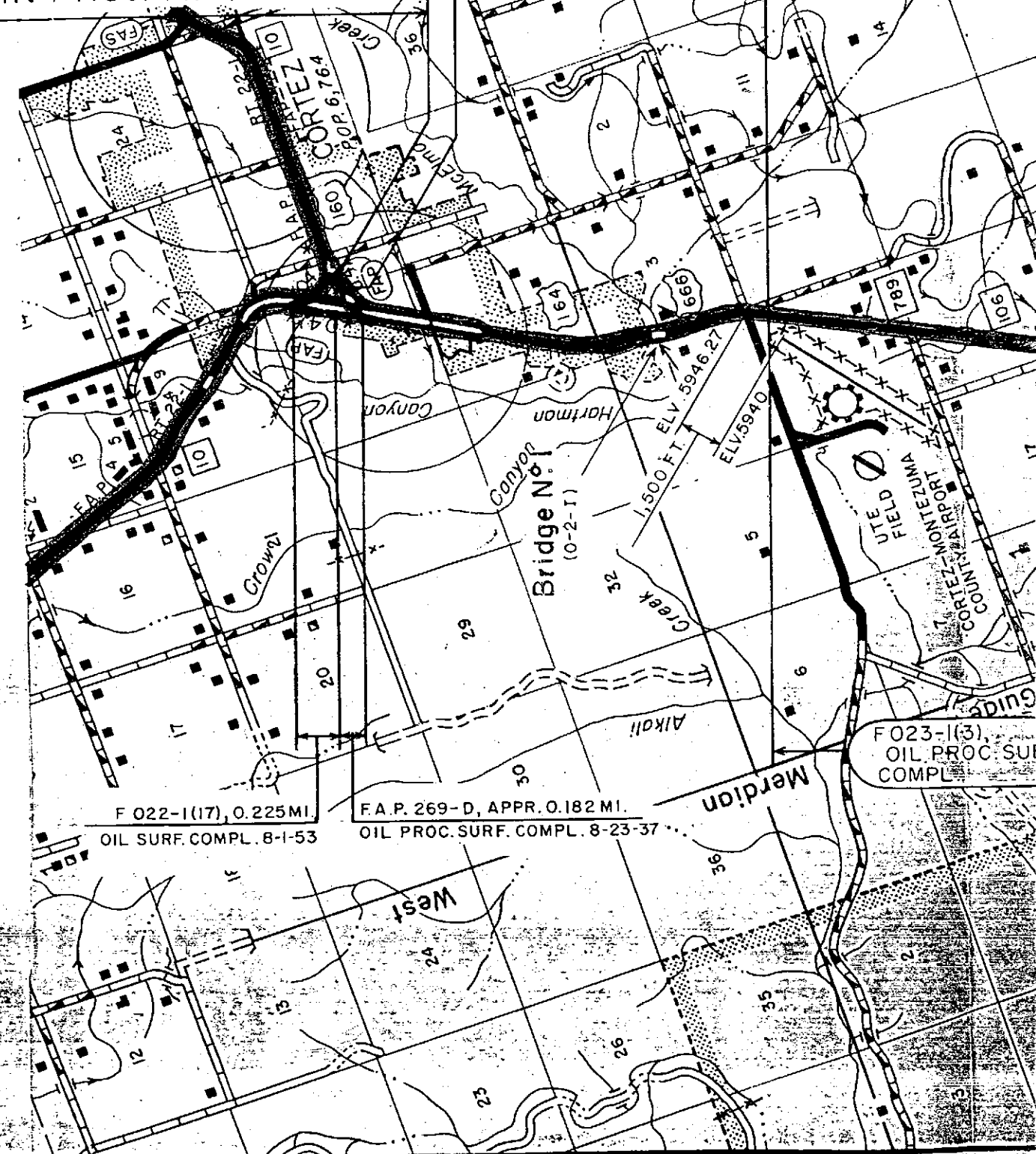
BEGIN PROJ. F.A.P. 023-1

F 023-1(1), & 0.136 MI.
W.O. # 15581
GRAV. SURF. COMPL. 8-10-48

F 023-1(2), 0.136 MI.
OIL PROC. SURF. COMPL. 8-10-48

F 023-1(5), 2.970 MI.
OIL PROC. SURF. COMPL. 9-9-58

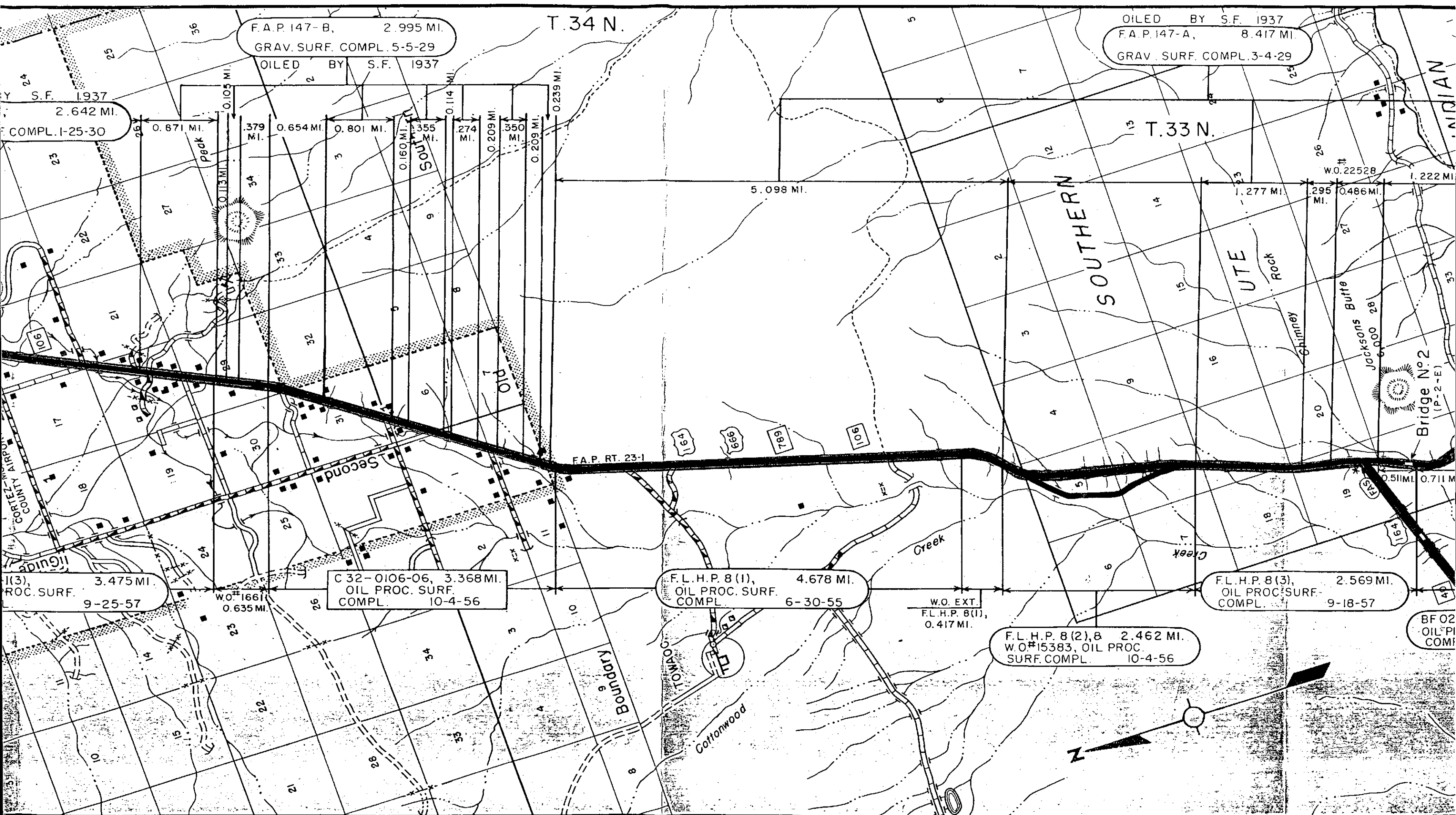
OILED BY S.F.
F.A.P. 147-C;
GRAV. SURF. COMPL. 1



F 022-1(17), 0.225 MI.
OIL SURF. COMPL. 8-1-53

F.A.P. 269-D, APPR. 0.182 MI.
OIL PROC. SURF. COMPL. 8-23-37

F 023-1(3),
OIL PROC. SURF. COMPL.



F.A.P. 147-B, 2.995 MI.
GRAV. SURF. COMPL. 5-5-29
OILED BY S.F. 1937

OILED BY S.F. 1937
F.A.P. 147-A, 8.417 MI.
GRAV. SURF. COMPL. 3-4-29

S.F. 1937
2.642 MI.
COMPL. 1-25-30

3.475 MI.
9-25-57

C 32-0106-06, 3.368 MI.
OIL PROC. SURF.
COMPL. 10-4-56

F.L.H.P. 8(1), 4.678 MI.
OIL PROC. SURF.
COMPL. 6-30-55

W.O. EXT.
F.L.H.P. 8(1),
0.417 MI.

F.L.H.P. 8(2), 8 2.462 MI.
W.O.#15383, OIL PROC.
SURF. COMPL. 10-4-56

F.L.H.P. 8(3), 2.569 MI.
OIL PROC. SURF.
COMPL. 9-18-57

BF 02
OIL PROC.
COMPL.

COLORADO DEPARTMENT OF HIGHWAYS

SKETCH MAP

COLORADO PROJECT F.A.P. 023-1
AND F.L.H.P. - 8

OCTOBER 7, 1968

STATE HIGHWAY NO. 106

MONTEZUMA COUNTY

SCALE 1" = 1 MILE

TOTAL LENGTH 26.802 MILES

LEGEND

FEDERAL AID PROJECT

PRIMARY OR INTERSTATE (RED)

SECONDARY (YELLOW)

INTERSECTING ROUTES

INTERSTATE (ORANGE)

PRIMARY (BROWN)

SECONDARY (GREEN)

SURFACE TYPES

HIGH TYPE - PAVED

LOW TYPE - BITUMINOUS

GRAVEL

GRADED & DRAINED

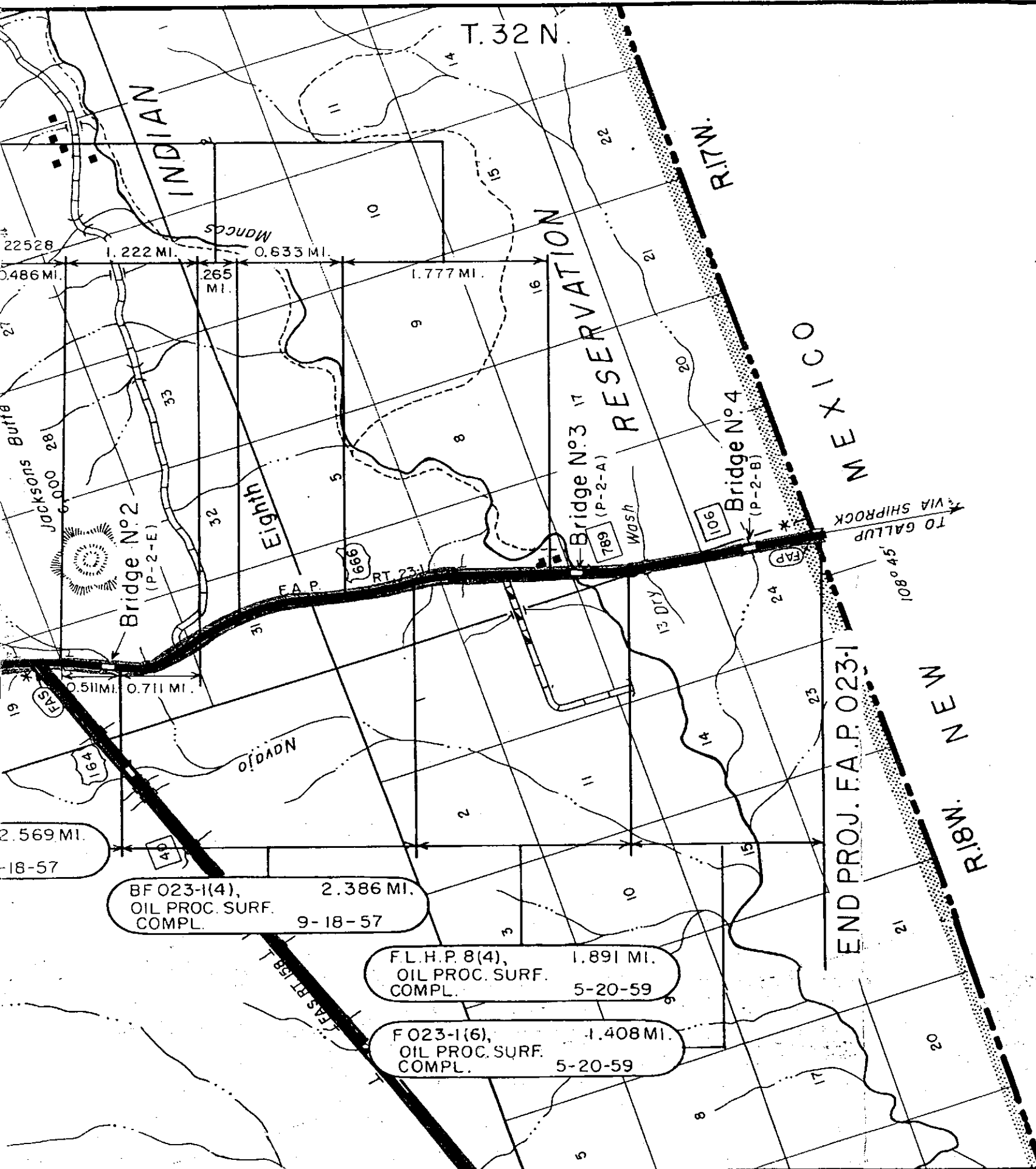
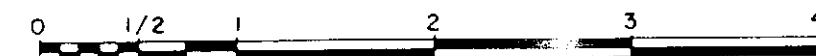
UNGRADED

PRIMITIVE

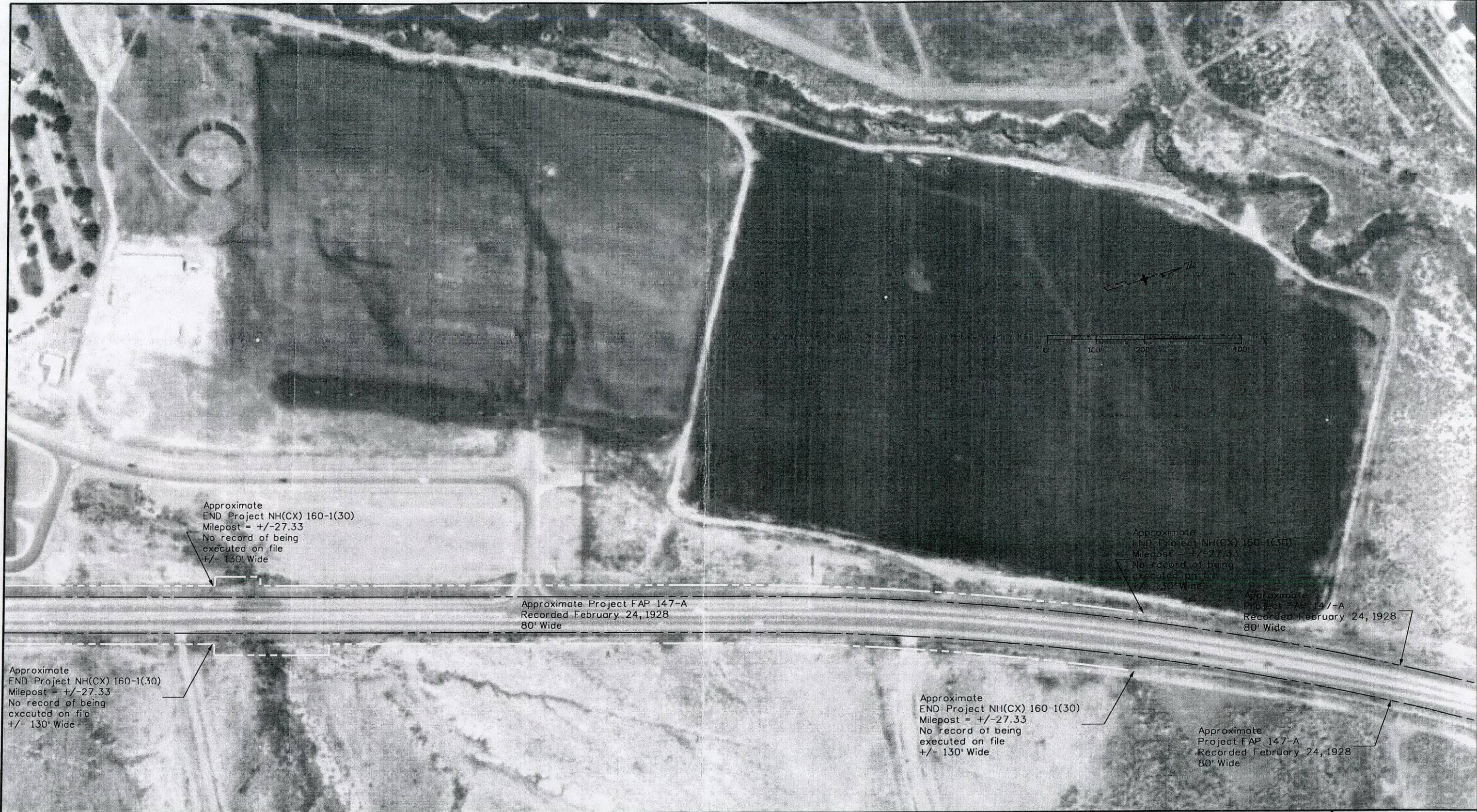
PROJECTED ROAD

BRIDGES OVER 20' CLEAR SPAN

SCALE OF MILES



seilerd 2:52:38 PM C:\Users\seilerd\Documents\PROJECTS\TOWADC 491 ROW Woody's to MP2634\TOWADC RW MP2634 to MP2745 Exhibit-2.dgn



Print Date: 6/20/2013	
File Name: TOWADC RW MP2634 to MP2745 Exhibit-2.dgn	
Horiz. Scale: 1:200	Vert. Scale: As Noted
Unit Information	Unit Leader Initials

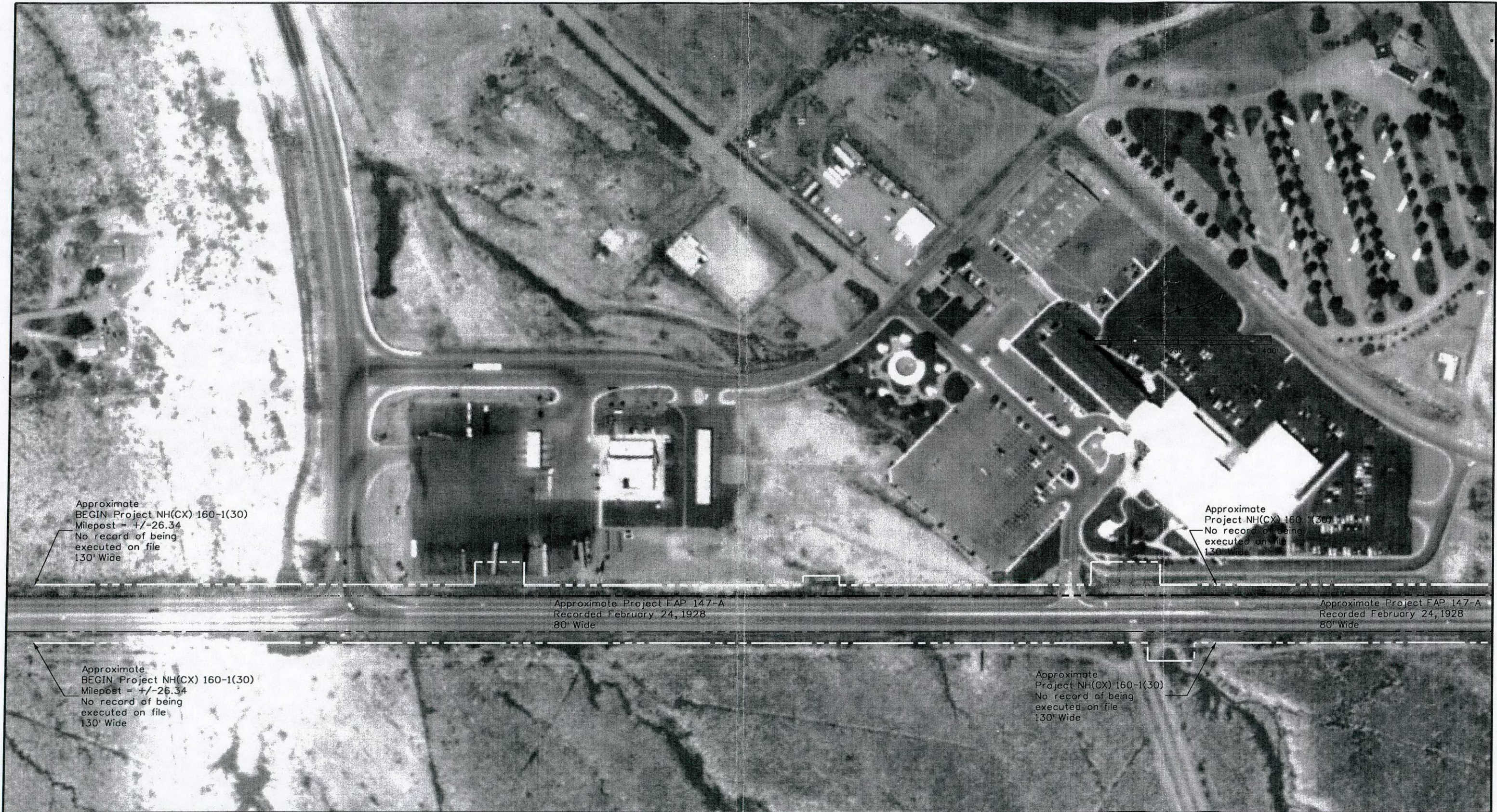
Sheet Revisions		
Date:	Comments	Init.

As Constructed
No Revisions:
Revised:
Void:

EXHIBIT			
Designer: XXXXXXXX	Structure Numbers	X-XX-XX	X-XX-XX
Detailer: XXXXXXXX			
Sheet Subset: XXXXXXXX	Subset Sheets: XXX of XXX		

Project No./Code	
Project Number	
Code	
Sheet Number	2

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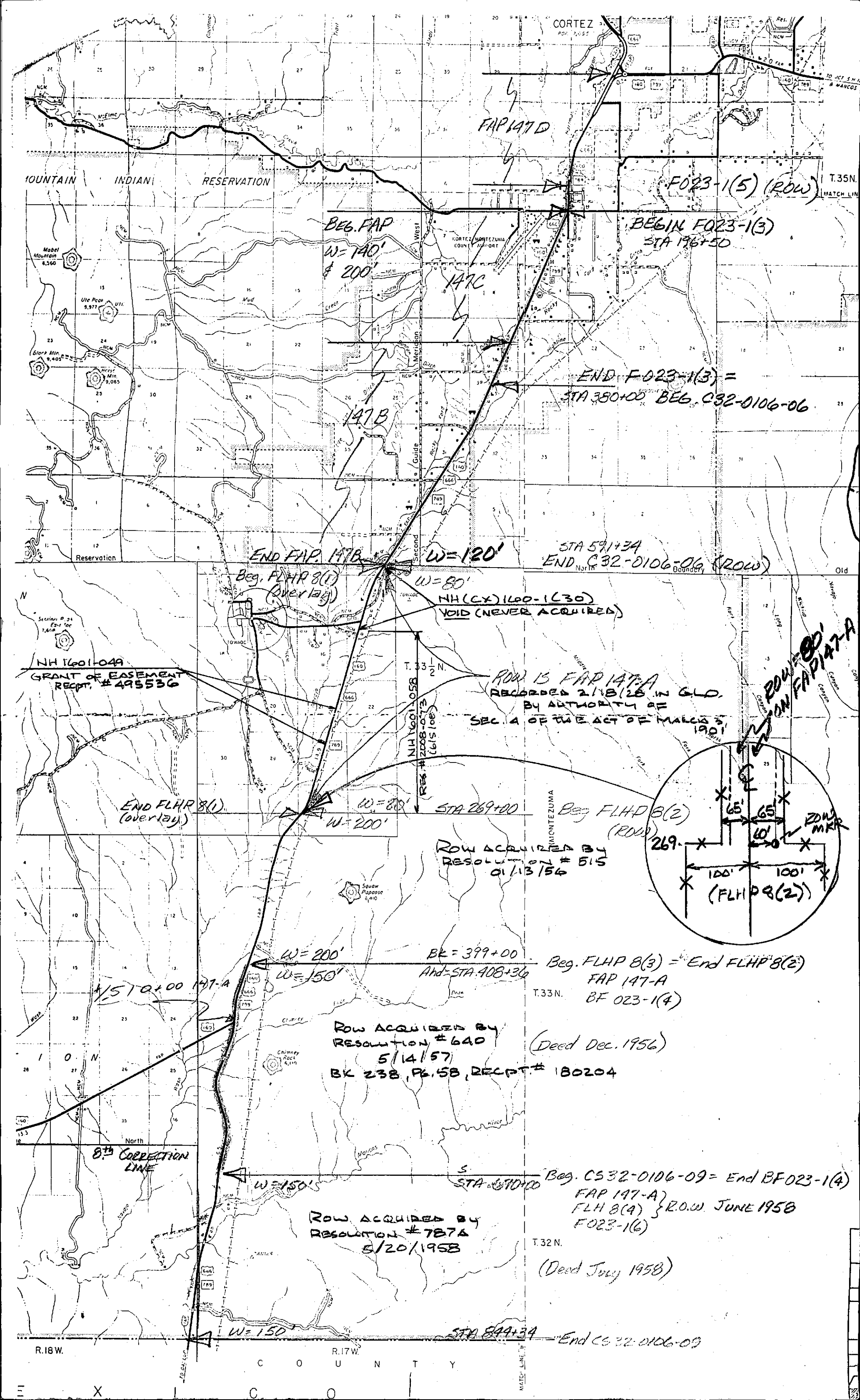
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Unit Information Unit Leader Initials

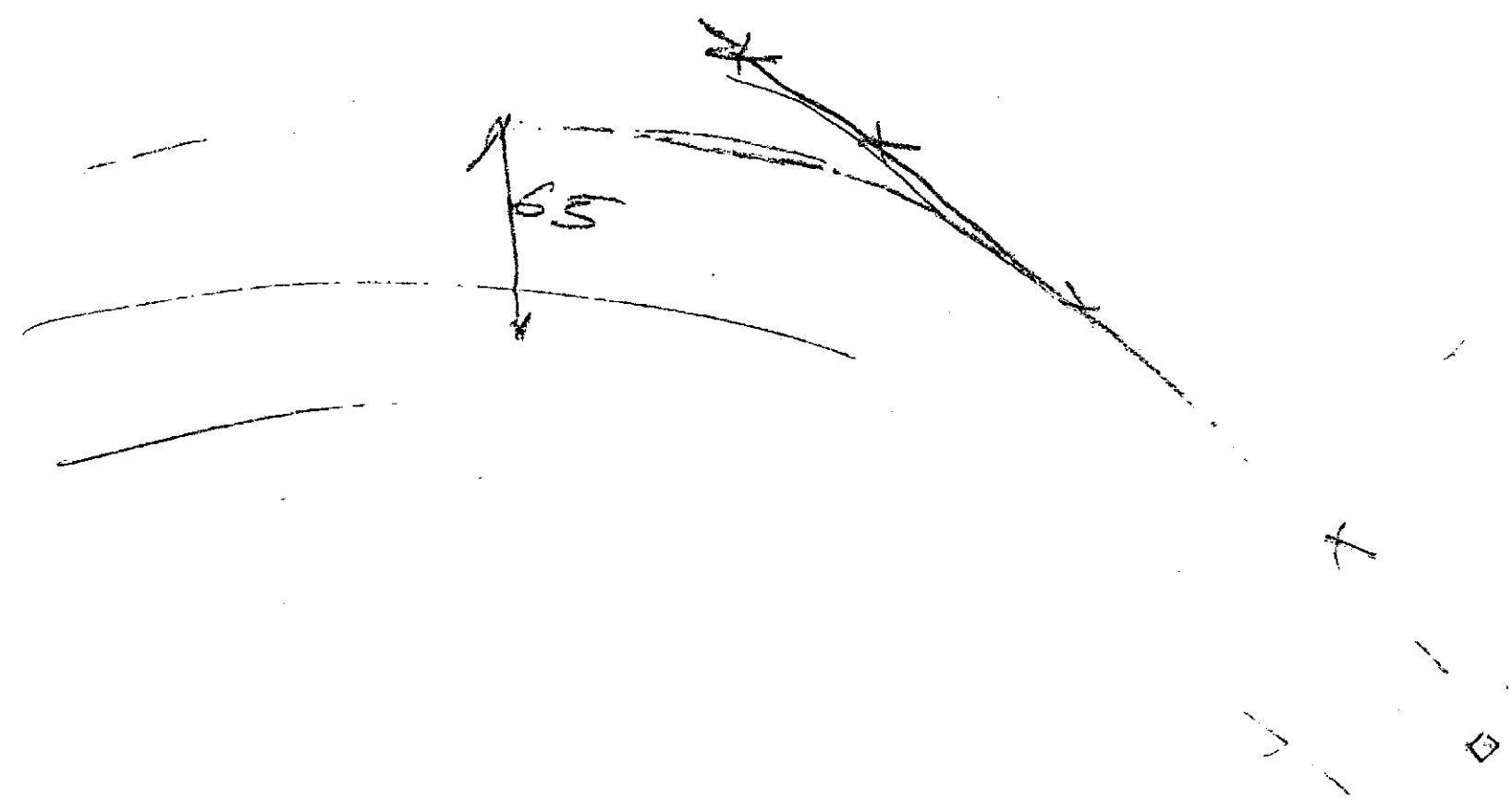
Sheet Revisions		
Date:	Comments	Init.

As Constructed
No Revisions:
Revised:
Void:

EXHIBIT			
Designer:	XXXXXXXX	Structure Numbers	X-XX-XX
Detailer:	XXXXXXXX		X-XX-XX
Sheet Subset:	XXXXXXXX	Subset Sheets:	XXX of XXX

Project No./Code
Project Number
Code
Sheet Number 1

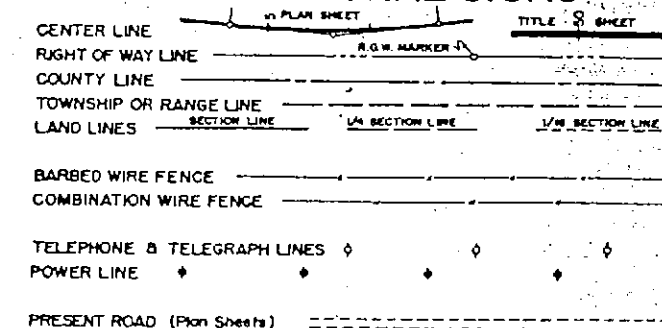




FEDERAL ROAD DIVISION NO.	DISTRICT	PROJ. NO.	SHEET NO.
1	COLORADO	FLHP-8(2)	1

RIGHT OF WAY

CONVENTIONAL SIGNS



COLORADO

DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE OF PROPOSED FEDERAL LAND HIGHWAY PROJECT NO. 8(2) STATE HIGHWAY NO. 106 MONTEZUMA COUNTY

SCALES OF ORIGINAL DRAWINGS

ON PLAN, 1 IN. = 100 FT.
ON PROFILE, 1 IN. = 100 FT. HORIZONTAL
ON PROFILE, 1 IN. = 10 FT. VERTICAL
GRADE LINE ON PROFILE IS SHOWN AS GRADE OF FINISHED ROAD
GROSS LENGTH OF PROJECT = 12,999.8 Ft. = 2.462 Mi.
NET LENGTH OF PROJECT = 12,999.8 Ft. = 2.462 Mi.

RIGHT OF WAY

INFORMATION OBTAINED FROM AVAILABLE COUNTY RECORDS.

STA. 269+00 = BEGIN FLHP-8(2) =
STA. 269+00 = END FLHP-8(1)

STA. 399+00 = END FLHP-8(2) =
STA. 408+36.2 on FAP 147A

0 1/2 1 2 3 4 5
Scale in Miles

NOTE:
ALL RIGHT OF WAY REQUIRED FOR
THIS PROJECT IS ON UTE INDIAN LAND.
TOTAL RIGHT OF WAY ACREAGE = 59.687.
PRESENT ROAD ACREAGE = 7.071

FILE COPY - DO NOT
REMOVE FROM OFFICE

FILE COPY - DO NOT
REMOVE FROM OFFICE

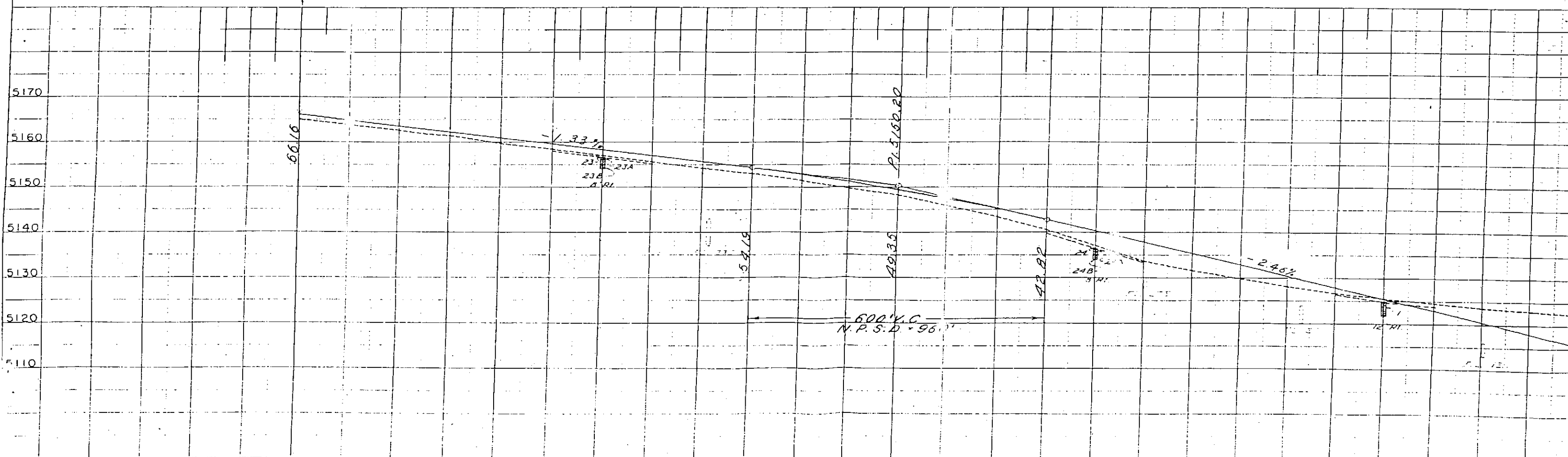
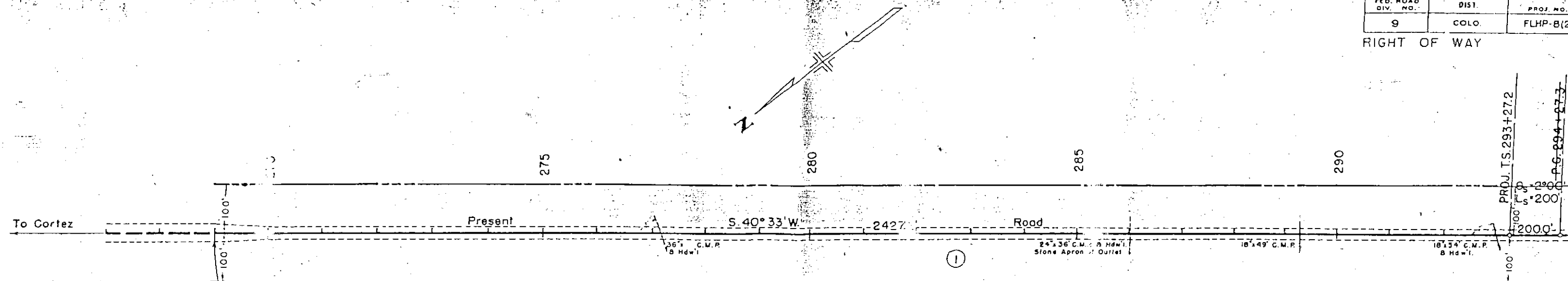
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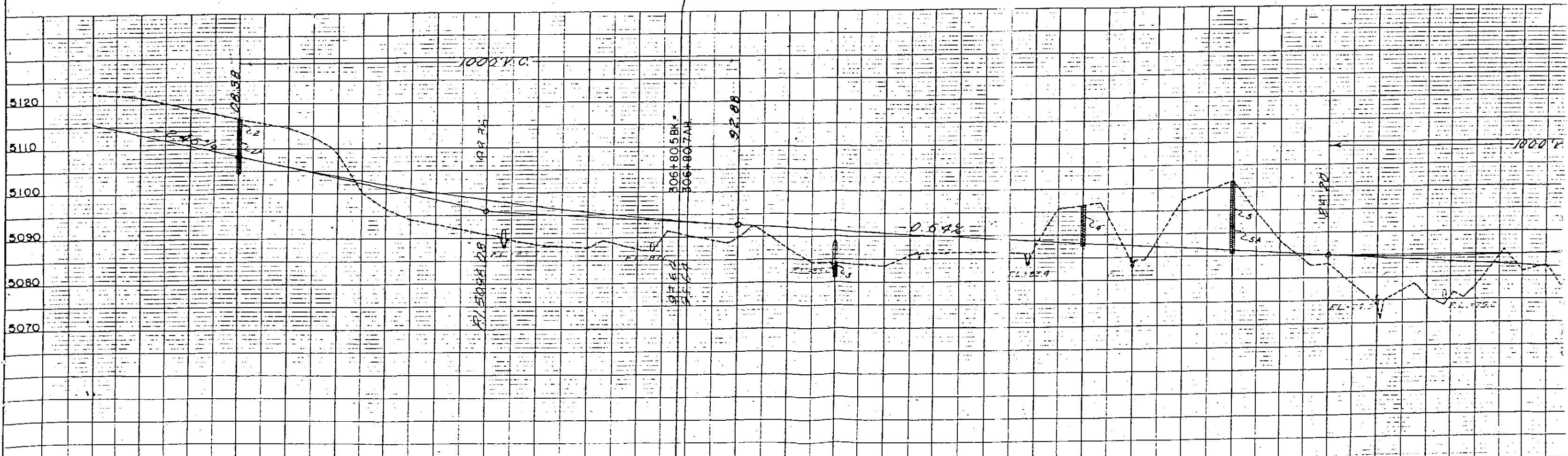
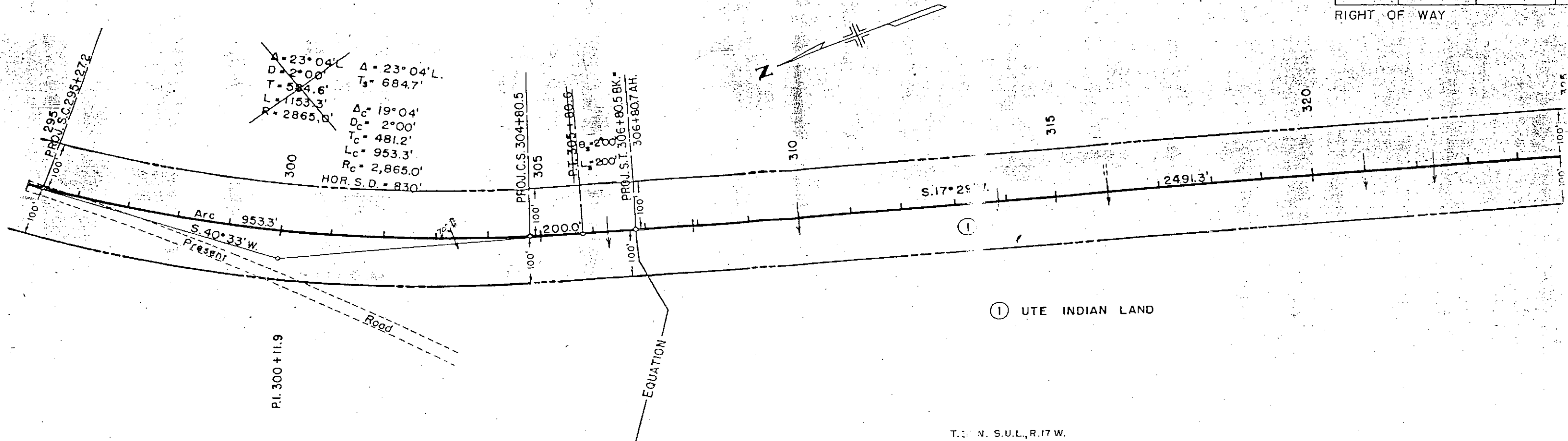
FED. ROAD DIV. NO.	DIST.	PROJ. NO.
9	COLO.	FLHP-8(2)

RIGHT OF WAY



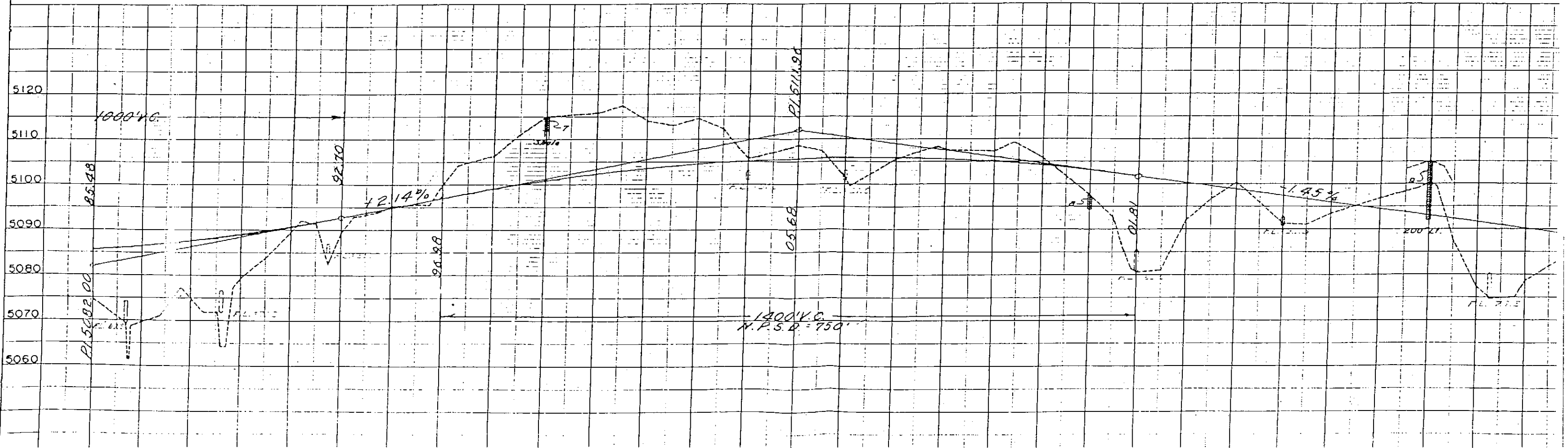
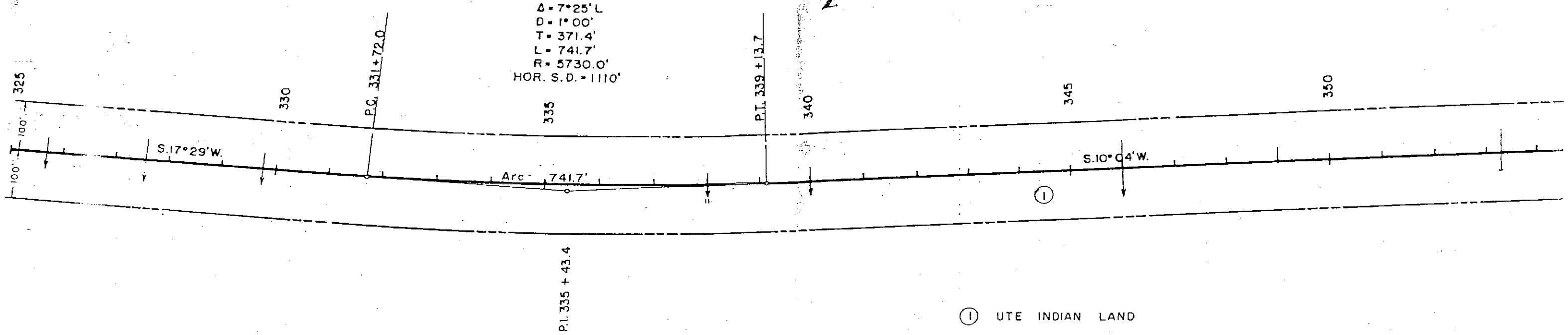
FED. ROAD DIV. NO.	DIST.	PROJ. NO.	SH.
9	COLO.	FLHP-8(2)	4

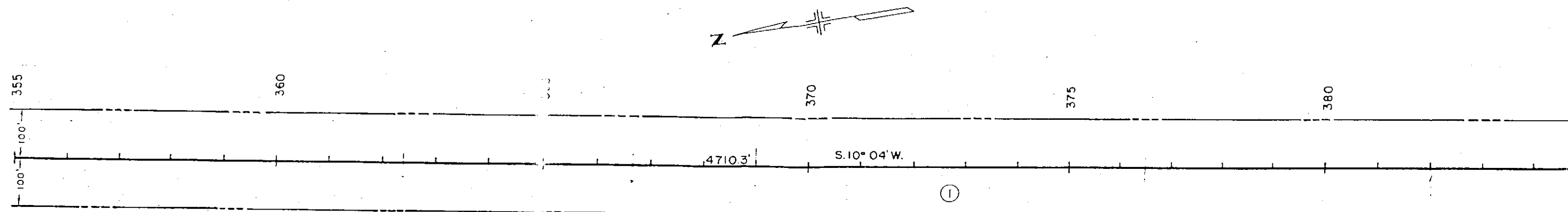
RIGHT OF WAY



FED. ROAD DIV. NO.	DIST.	PROJ. NO.
9	COLO.	FLHP B(2)

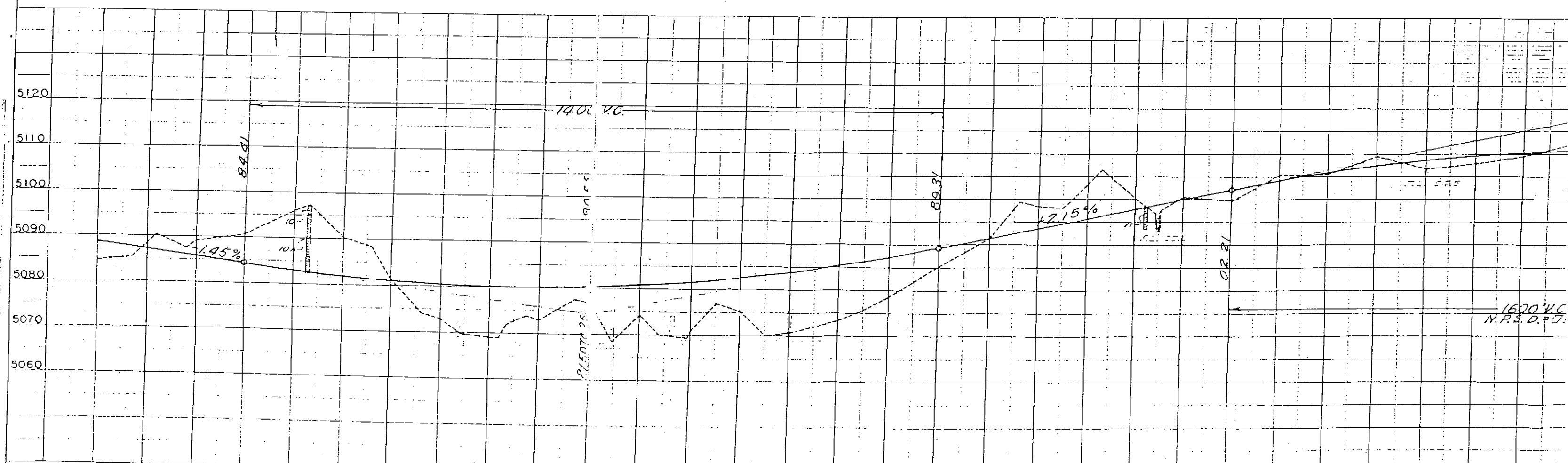
RIGHT OF WAY





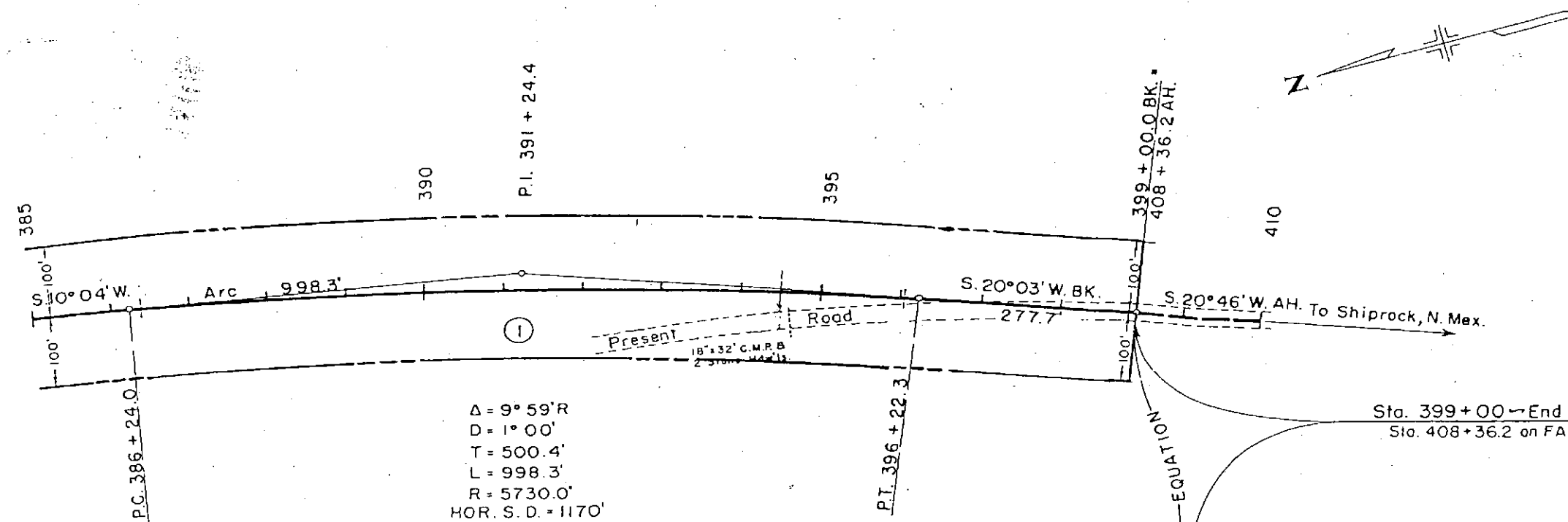
① UTE INDIAN LAND

T. 33 N. S.U.L. R.17 W.



FED. ROAD DIV. NO.	DIST.	PROJ. NO.
9	COLO.	FLHP-8(2)

RIGHT OF WAY

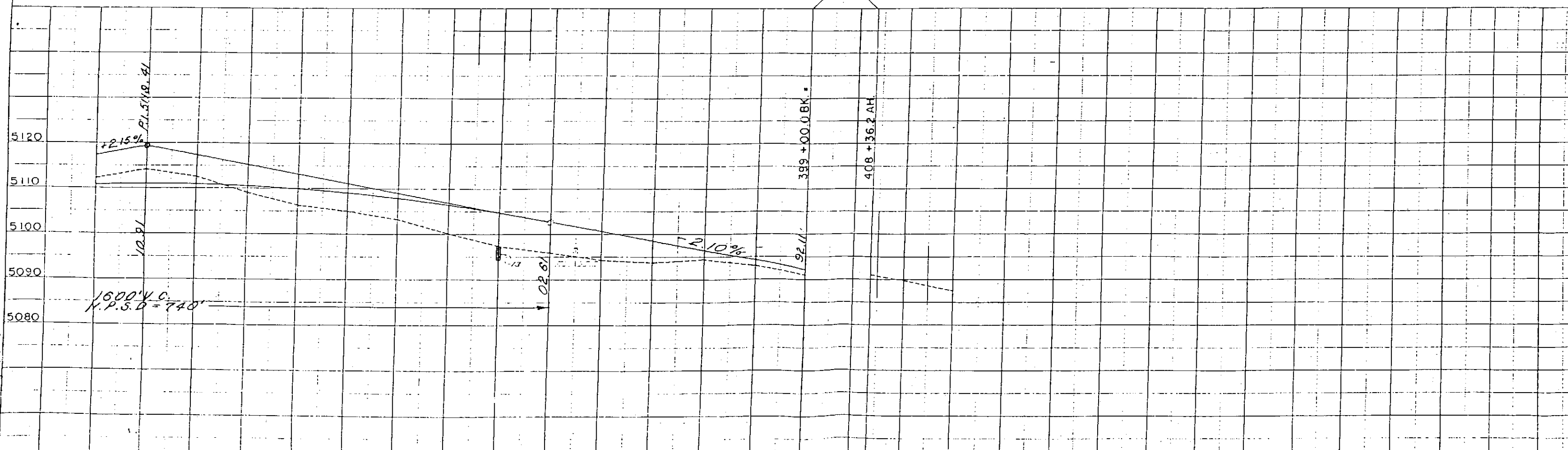


$\Delta = 9^{\circ} 59' R$
 $D = 1^{\circ} 00'$
 $T = 500.4'$
 $L = 998.3'$
 $R = 5730.0'$
 $HOR. S. D. = 1170'$

① UTE INDIAN LAND

T.33N. S.U.L. R.17 W.

Sta. 399+00 → End FLHP-8(2) =
 Sta. 408+36.2 on F.A.P. 147 A



*SEE FLH 10(1) FOR CONST.

CDOH Durango SOX

COLORADO DEPARTMENT OF HIGHWAYS

PLAN AND PROFILE OF PROPOSED FEDERAL AID PROJECT NO. CS32-9032-02 STATE HIGHWAY NO.

FEDERAL AID REGION NO.	DIVISION	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	CS32-9032-02		

RIGHT OF WAY
UTAH BRANCH

CONVENTIONAL SIGNS

CENTER LINE	PLAN SHEET	TITLE SHEET
RIGHT OF WAY LINE	PLAN SHEET	TITLE SHEET
COUNTY LINE	PLAN SHEET	TITLE SHEET
TOWNSHIP OR RANGE LINE	PLAN SHEET	TITLE SHEET
LAND LINES	SECTION LINE	1/4 SECTION LINE
RAILROAD	TITLE SHEET	PLAN SHEET
BARBED WIRE FENCE	PLAN SHEET	PLAN SHEET
COMBINATION WIRE FENCE	PLAN SHEET	PLAN SHEET
SNOW FENCE	PLAN SHEET	PLAN SHEET
TELEPHONE & TELEGRAPH LINES	PLAN SHEET	PLAN SHEET
POWER LINE	PLAN SHEET	PLAN SHEET
DETOUR	PLAN SHEET	PLAN SHEET
PRESENT ROAD (Plan Sheets)	PLAN SHEET	PLAN SHEET

ENGINEER'S AFFIDAVIT
STATE OF COLORADO
COUNTY OF LA PLATA ss
I, G.E. McNicholas, being duly sworn, say he is the person employed to survey Highway Project CS32-9032-02 for the COLORADO DEPARTMENT OF HIGHWAYS, in Montezuma County, hereinafter designated the applicant, that the survey of such highway from Station 11+76.2 to Station 514+540 a distance of 9.522 miles, was made by him (or under his direction) as a surveyor employed by the applicant, and under its authority, commencing on the 28th day of September, 1959, and ending on the 6th day of October, 1959; and that such survey is accurately represented on the accompanying map.

COLORADO DEPARTMENT OF HIGHWAYS
By G.E. McNicholas
Engineer

Sworn and subscribed to before me this 2nd day of October, 1959.
My commission expires August 14, 1962.

(Seal) Edward M. Haase
Notary Public

APPLICANT'S CERTIFICATE
I, J.E. Casey, do hereby certify that I am the District Engineer of District 5, of the Colorado Department of Highways, hereinafter designated the applicant, that G.E. McNicholas, who subscribed the foregoing affidavit, was employed to make the survey by the applicant; that the survey of the Highway Project No. CS32-9032-02 as accurately represented on the accompanying map, was adopted by the applicant on the 6th day of October, 1959, as the definite location of the Highway Project No. CS32-9032-02, from Station 11+76.2 to Station 514+540 a distance of 9.522 miles; and that the map has been prepared to be filed for the approval of the Office of Indian Affairs, in order that the applicant may obtain the benefits of the Act of Congress approved February 5, 1948 (62 Stat. 17, 25 U.S.C. 323).

COLORADO DEPARTMENT OF HIGHWAYS
(Applicant)
By J.E. Casey
District Engineer

STA. 1013+73.5 - End CS32-9032-02
Sta. 504+75.2 on F.H.P. 8(3)

SEE SPECIAL PROVISIONS FOR NOTICE TO BIDDERS

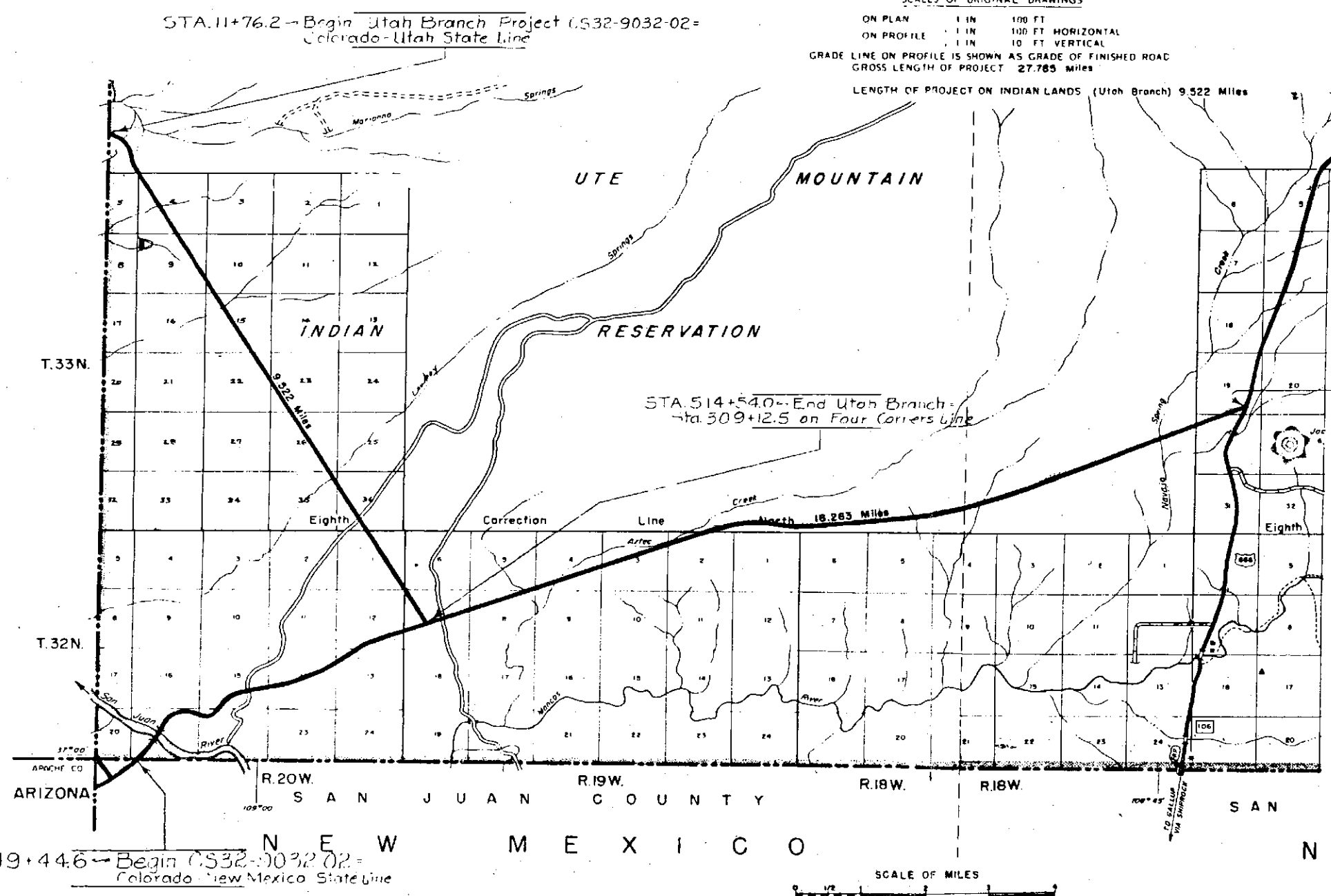
BUREAU OF INDIAN AFFAIRS
CONSOLIDATED UTE AGENCY

This map composed of 4 sheets marked 1 to 4, of which this is sheet 1, is hereby approved, subject to the provision of the Act of February 5, 1948, (62 Stat. 17, 25 U.S.C.A. 323) and Departmental Regulations, 25 C.F.R. Part 161, and subject to any prior valid existing right or adverse claim, and amended Ute Mountain Resolution No. 899-A adopted Nov. 17, 1959.

James F. Carson
SUPERINTENDENT

COLORADO DEPARTMENT OF HIGHWAYS	
APPROVED:	DATE
CHIEF ENGINEER	

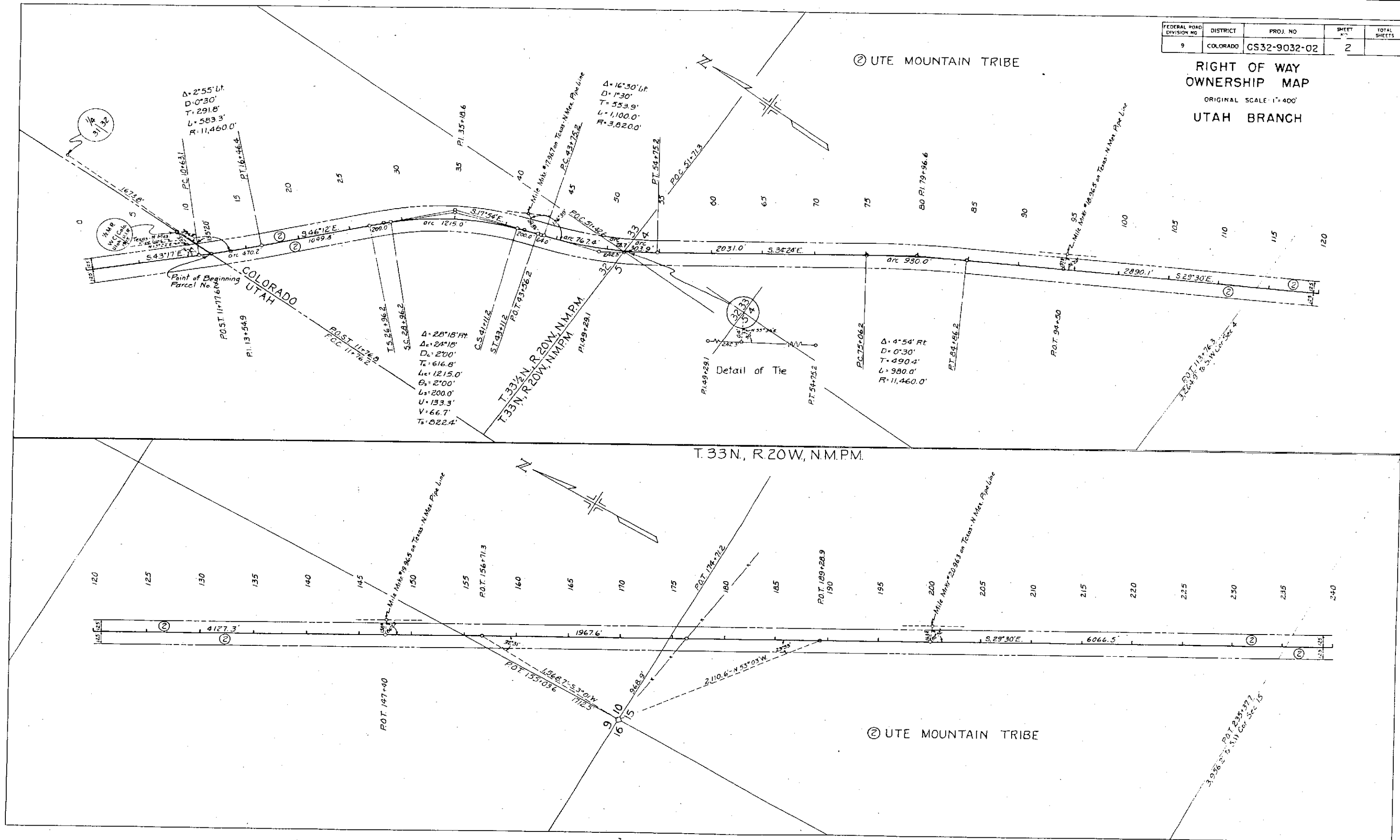
DEPARTMENT OF COMMERCE BUREAU OF PUBLIC ROADS	
APPROVED:	DATE
DIVISION ENGINEER	

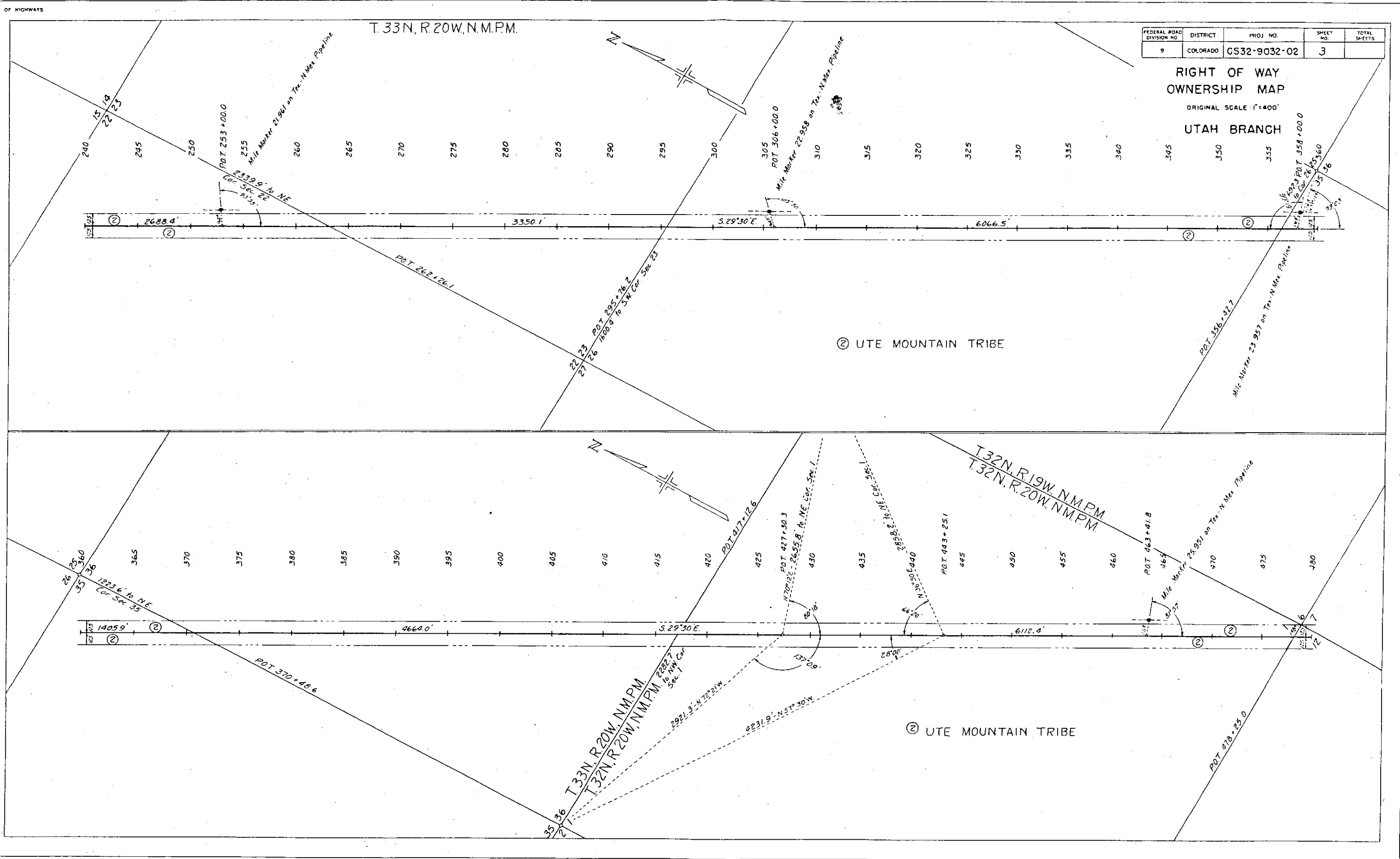


STA. 49+44.6 - Begin CS32-9032-02
Colorado-New Mexico State Line

FEDERAL ROAD DIVISION NO.	DISTRICT	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	CS32-9032-02	2	

RIGHT OF WAY
OWNERSHIP MAP
ORIGINAL SCALE 1"=400'
UTAH BRANCH

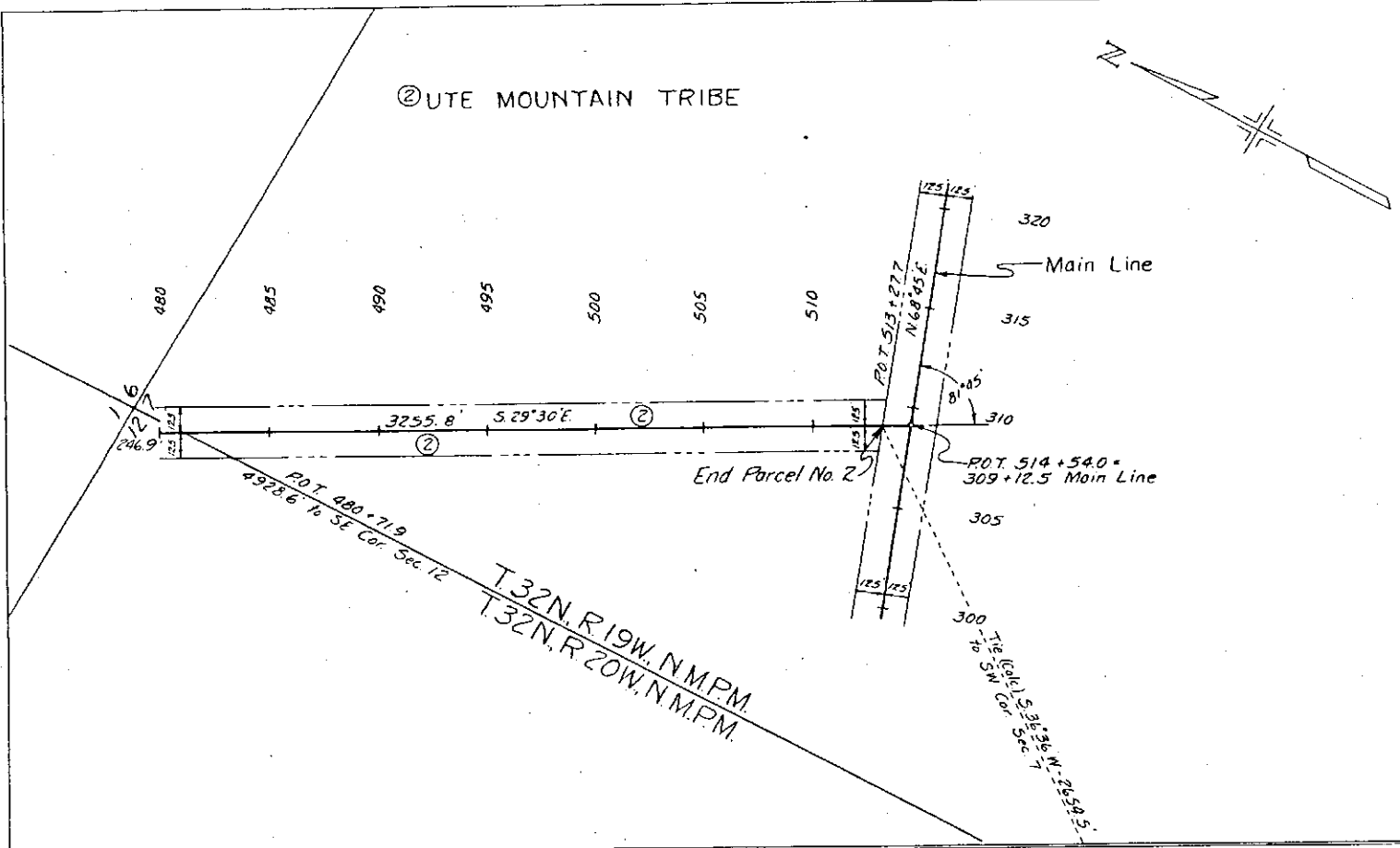




U.S. DEPARTMENT OF HIGHWAYS
FEDERAL ROAD DISTRICT NO. 9
COLORADO

FEDERAL ROAD DISTRICT NO.	DISTRICT	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	CS 32-9032-02	4	

RIGHT OF WAY
OWNERSHIP MAP
ORIGINAL SCALE: 1" = 400'
UTAH BRANCH

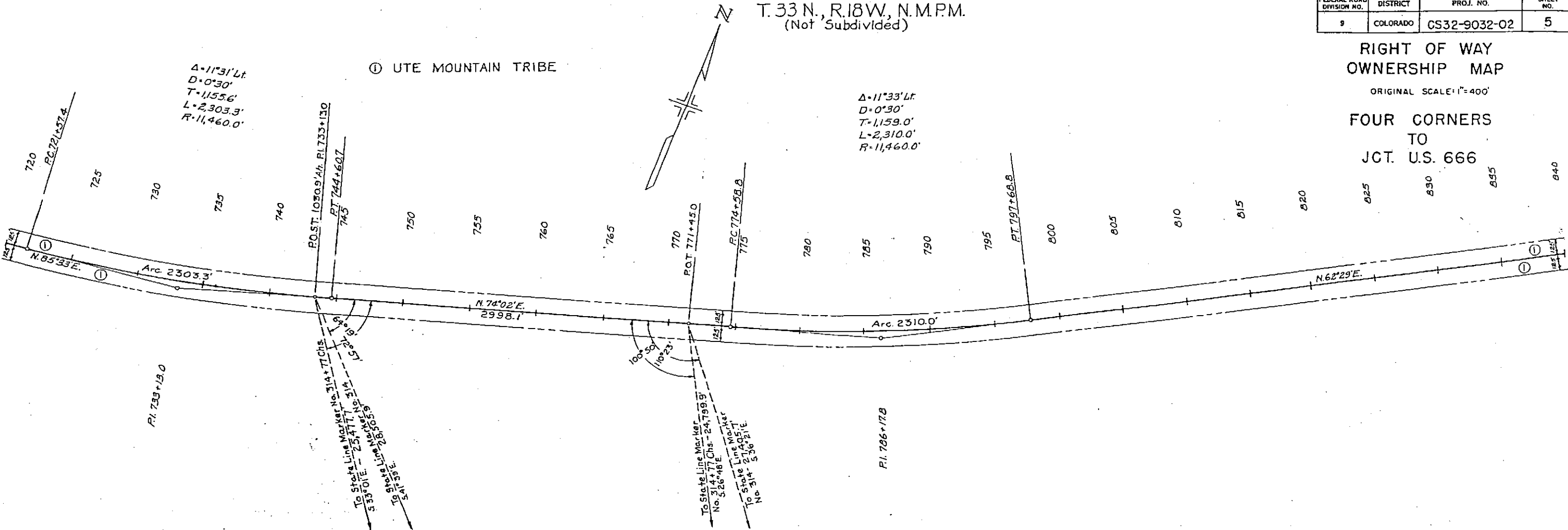


FEDERAL ROAD DIVISION NO.	DISTRICT	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	CS32-9032-02	5	

RIGHT OF WAY
OWNERSHIP MAP

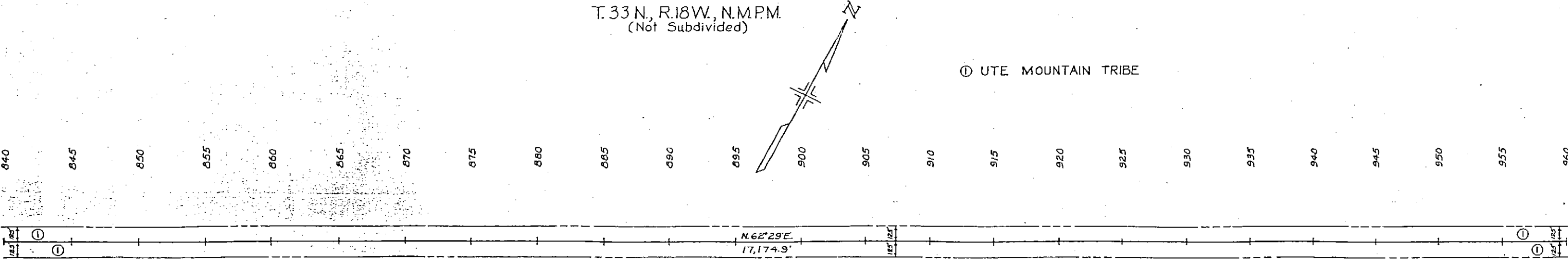
ORIGINAL SCALE: 1"=400'

FOUR CORNERS
TO
JCT. U.S. 666



T.33 N., R.18 W., N.M.P.M.
(Not Subdivided)

UTE MOUNTAIN TRIBE



DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

RIGHT OF WAY OF PROPOSED FEDERAL AID PROJECT NO. NH (CX) 160-1(30) STATE HIGHWAY NO. 160 MONTEZUMA COUNTY

FEDERAL ROAD REGION NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VII	COLORADO	NH(CX) 160-1(30)	1	8

RIGHT OF WAY
NORTH OF TOWAOC

REVISIONS

County Line
Township or Range Line
Land Lines Section Line 1/4 Section Line 1/16 Section Line
Property or Tract Line
City Limits
Railroad
Existing Road
New Road

Control of Access
Access denied by Deed
Right of Way Line
Protected by Freeway (Virgin Location)
Top of Cuts
Toe of Fills
Barbed Wire Fence
Chain Link Fence
Woven Wire-Combination Fence
Snow Fence
Wood Fence
Deer Fence

Trees
Deciduous
Coniferous

Tel. & Teleg. Lines
Electric Lines
Elec. Trans. Tower
Buried Tel. Cable
Buried Electric Cable
Gas Main
Oil Main
Water Main
Sanitary Sewers
Storm Sewers
Road Approaches

Section Corner
Center of Section

Culverts & Drains
Proposed
Existing
Proposed
Existing (To be dashed)

Bridges
Existing (To be dashed)

BASIS OF BEARINGS:

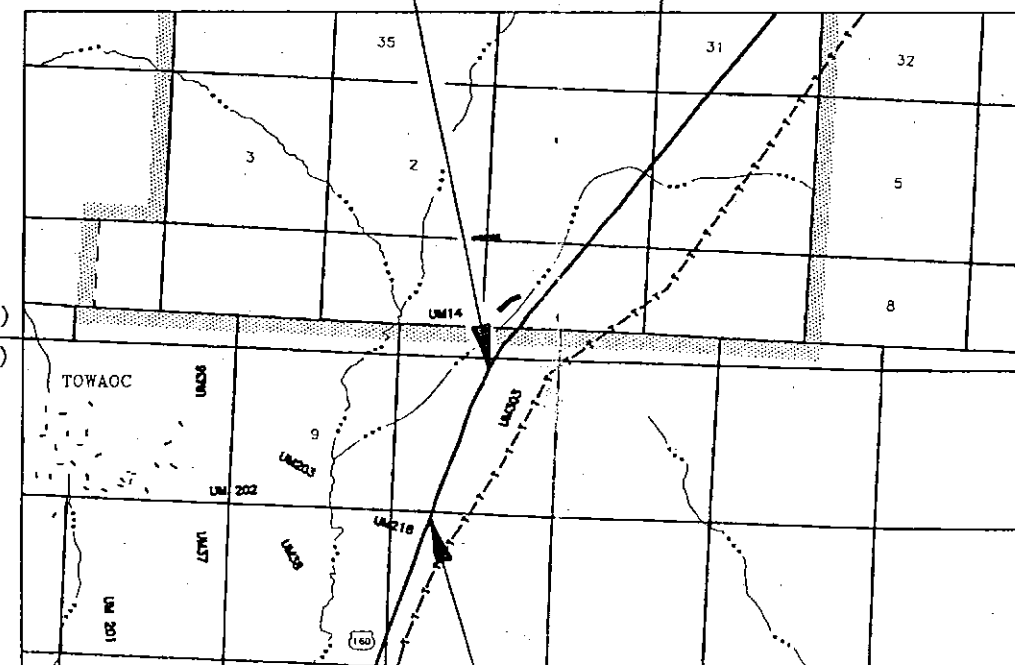
A LINE BETWEEN THE SE CORNER OF SECTION 9, T. 34 N., S.U.L. R. 17 W., N.M.P.M. (3 1/4" B.L.M. Brass Cap) AND THE SOUTH CENTER 1/4 CORNER OF SAID SECTION (1 1/2" Aluminum Cap) bears N. 89° 51' 25" W.

Date: 5/06/94
Subaccount: 93213
Region: 5

SCALES OF ORIGINAL 22"x34" DRAWINGS

PLAN SHEETS 1 IN. = 50 FT.
OWNERSHIP MAP 1 IN. = 200 FT.

STA. 624+00.00 END PROJECT NH(CX) 160-1(30)
MILEPOST = 27.33



STA. 571+50.00 BEGIN PROJECT NH(CX) 160-1(30)
MILEPOST = 26.34

SHEET NUMBER

- 1.
- 2.
- 3.
- 4-7.
- 8.

INDEX OF SHEETS

TITLE SHEET
PROPERTY OWNERSHIP TABULATION
CONTROL AND MONUMENTATION
PLAN SHEETS
OWNERSHIP MAP

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

AUTHORIZED

DATE

DIVISION ADMINISTRATOR

FEDERAL ROAD REGION NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VIII	COLORADO	NH(CX) 160-1(30)	3	8

RIGHT OF WAY
NORTH OF TOWAOC

REVISIONS	

CONTROL AND MONUMENTATION SHEET

TABULATION OF R.O.W. MARKERS TO BE SET

PNT	1	209689.685	72029.011	/LT. STA. 571+50
PNT	2	209651.151	72153.169	/RT. STA. 571+50
PNT	3	210549.341	72295.471	/LT. STA. 580+50
PNT	4	211848.032	72834.116	/RT. STA. 594+50
PNT	5	210564.165	72247.719	/LT. STA. 580+50
PNT	6	211836.173	72872.318	/RT. STA. 594+50
PNT	7	210659.682	72277.325	/LT. STA. 581+50
PNT	8	211931.690	72901.924	/RT. STA. 595+50
PNT	9	210644.857	72325.077	/LT. STA. 581+50
PNT	10	211943.549	72863.723	/RT. STA. 595+50
PNT	11	211194.079	72495.314	/LT. STA. 587+25
PNT	12	212803.200	73130.181	/RT. STA. 604+50
PNT	13	211200.009	72476.214	/LT. STA. 587+25
PNT	14	212795.788	73154.057	/RT. STA. 604+50
PNT	15	211271.646	72498.418	/LT. STA. 588+00
PNT	16	213034.580	73228.073	/RT. STA. 607+00
PNT	17	211265.717	72517.519	/LT. STA. 588+00
PNT	18	213041.992	73204.197	/RT. STA. 607+00
PNT	19	211767.180	72672.953	/LT. STA. 593+25
PNT	20	213835.401	73450.122	/RT. STA. 615+30.65
PNT	21	211782.004	72625.201	/LT. STA. 593+25
PNT	22	214634.169	73765.884	/RT. STA. 624+00
PNT	23	211925.279	72669.611	/LT. STA. 594+75
PNT	25	211910.455	72717.363	/LT. STA. 594+75
PNT	27	212841.744	73006.026	/LT. STA. 604+50
PNT	29	212847.674	72986.925	/LT. STA. 604+50
PNT	31	212943.190	73016.532	/LT. STA. 605+50
PNT	33	212937.261	73035.632	/LT. STA. 605+50
PNT	35	213873.890	73325.951	/LT. STA. 615+30.59
PNT	37	214690.748	73648.841	/LT. STA. 624+00

SURVEY CONTROL POINT TABULATION

	NORTHING	EASTING	ELEVATION	
DELTA 101	210701.328	72332.184	5699.580	3.25" CAP
DELTA 200	212446.754	73041.679	5742.660	
DELTA 201	213580.147	73363.495	5763.550	3.25" CAP
DELTA 202	214013.702	73498.841	5773.250	
DELTA 203	214806.980	73858.125	5788.590	

NOTE: COORDINATES ARE CARRIED OUT TO THREE PLACES FOR CALCULATION PURPOSES.

GENERAL NOTES

1. This Right of Way plan is not a complete boundary survey of all adjoining owners and is prepared for Highway Department purposes only.

2. Utility easements and other miscellaneous Right of Ways and easements located outside of S.H. 160 corridor ARE NOT SHOWN.

3. Field survey control precision computed to exceed 1:20000.
4. 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.

5. All R.O.W. Markers set from survey control points.

6. All centerline and offset stationing is theoretical only and may not represent the centerline as constructed in the field.

7. All coordinates listed are PROJECT COORDINATES ONLY.

QUANTITY OF MONUMENTS TO BE SET

CAP TYPE	MONUMENT TYPE							
	1	1A	2	2A	3	3A	4	5
REFERENCE								
RIGHT OF WAY	30							
CONTROL								
ALIQUOT CORNER								
WITNESS POST								

C.D.O.T. SURVEYOR'S STATEMENT (FIELD)
Original Control Survey, Topo., Ties and Section Corners set under my supervision and checking.
NAME _____ P.L.S. NO. _____
DATE _____

C.D.O.T. SURVEYOR'S STATEMENT (OFFICE)
R.O.W Plans and Legal Descriptions were prepared under my supervision and checking.
NAME _____ P.L.S. NO. _____
DATE _____

CONTRACT SURVEYOR'S STATEMENT
Right of Way Monumentation was done under my supervision and checking.
NAME _____ P.L.S. NO. _____
DATE _____

FEDERAL ROAD REGION NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VIII	COLORADO	NH(CX) 160-1(30)	4	8

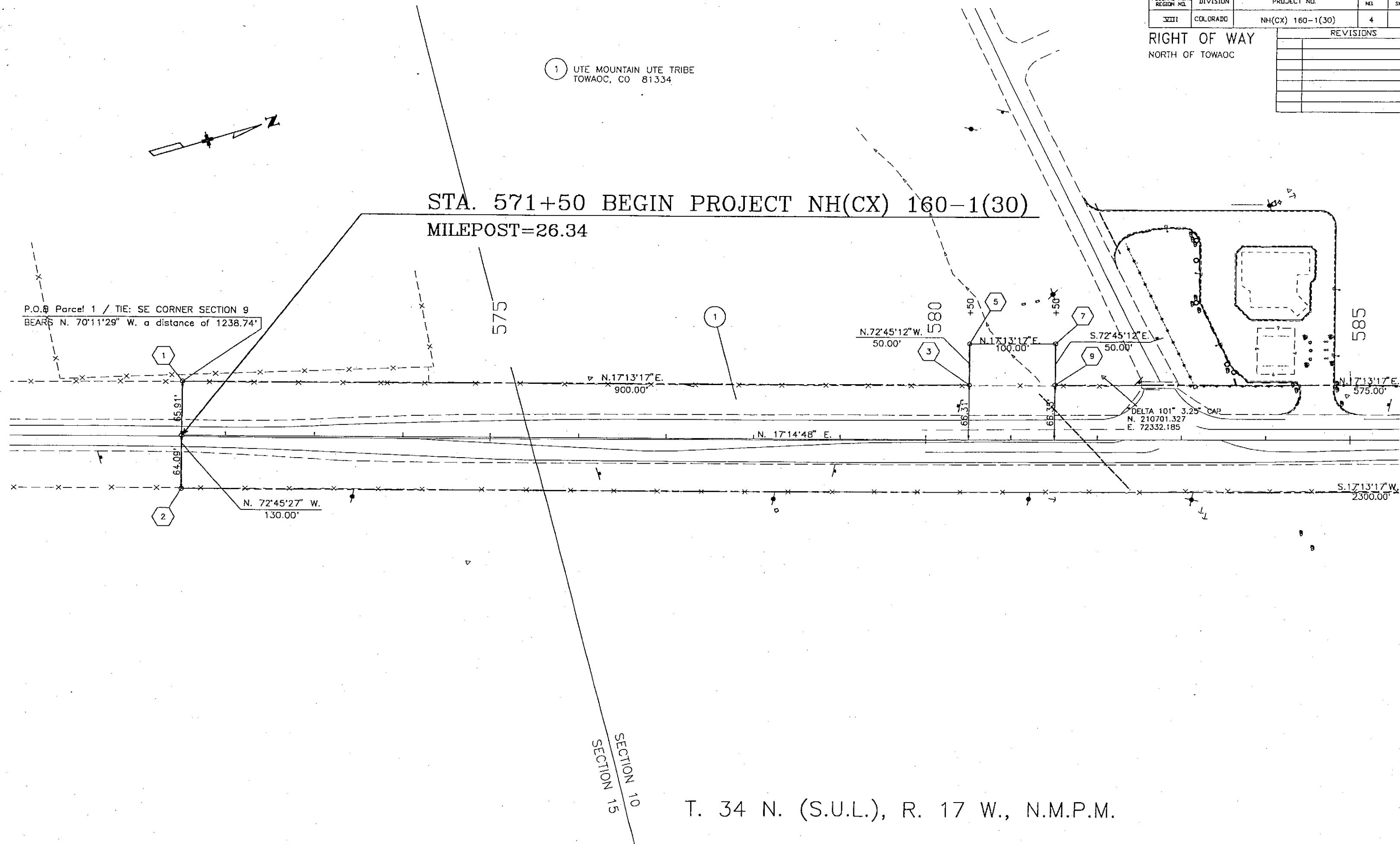
RIGHT OF WAY
NORTH OF TOWAOC

REVISIONS

1 UTE MOUNTAIN UTE TRIBE
TOWAOC, CO 81334

STA. 571+50 BEGIN PROJECT NH(CX) 160-1(30)
MILEPOST=26.34

P.O.B Parcel 1 / TIE: SE CORNER SECTION 9
BEARS N. 70°11'29" W. a distance of 1238.74'



T. 34 N. (S.U.L.), R. 17 W., N.M.P.M.

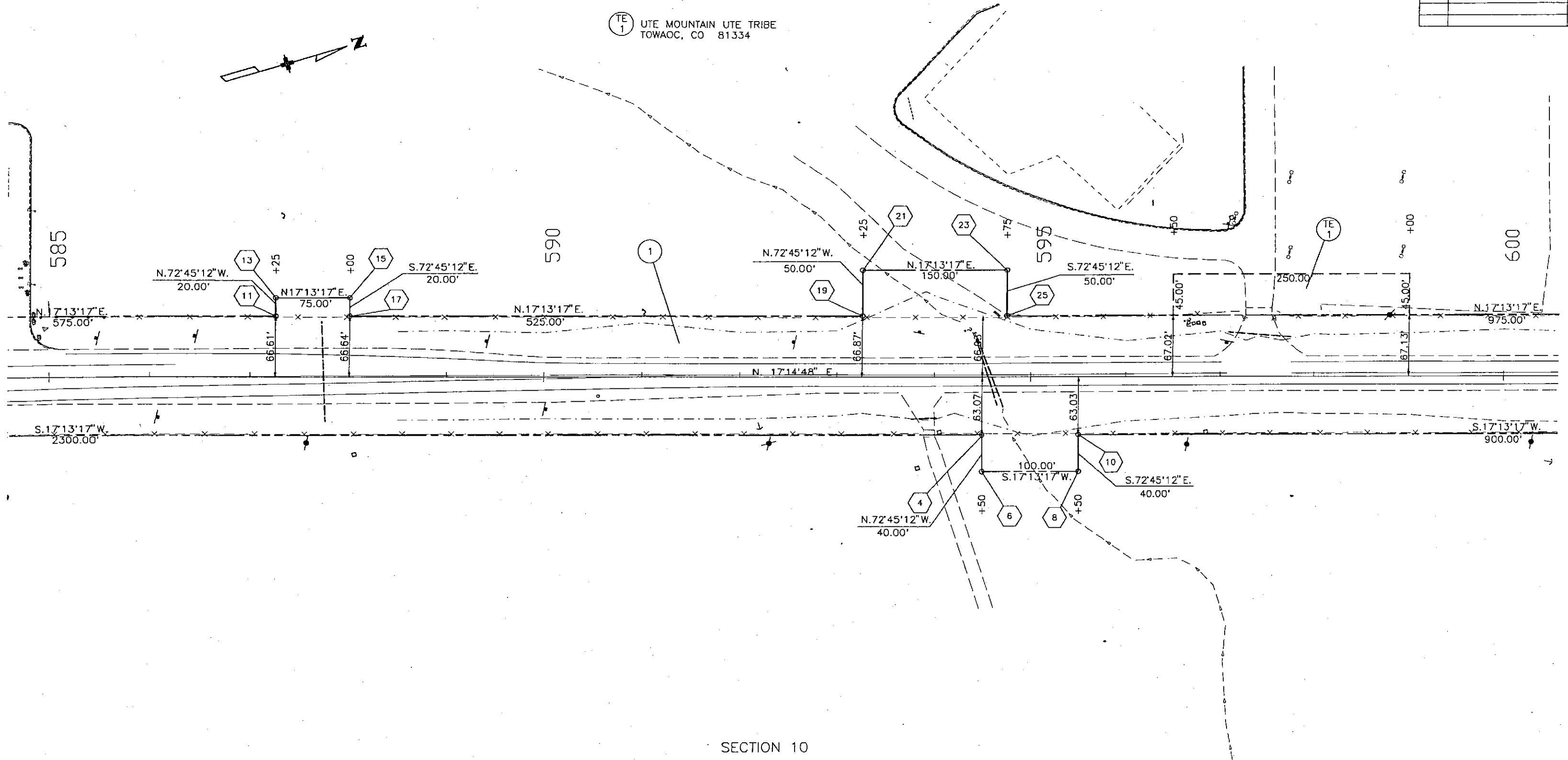
FEDERAL ROAD REGION NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VIII	COLORADO	NH(CX) 160-1(30)	5	8

RIGHT OF WAY
NORTH OF TOWAOC

REVISIONS	

① UTE MOUNTAIN UTE TRIBE
TOWAOC, CO 81334

TE 1 UTE MOUNTAIN UTE TRIBE
TOWAOC, CO 81334



SECTION 10

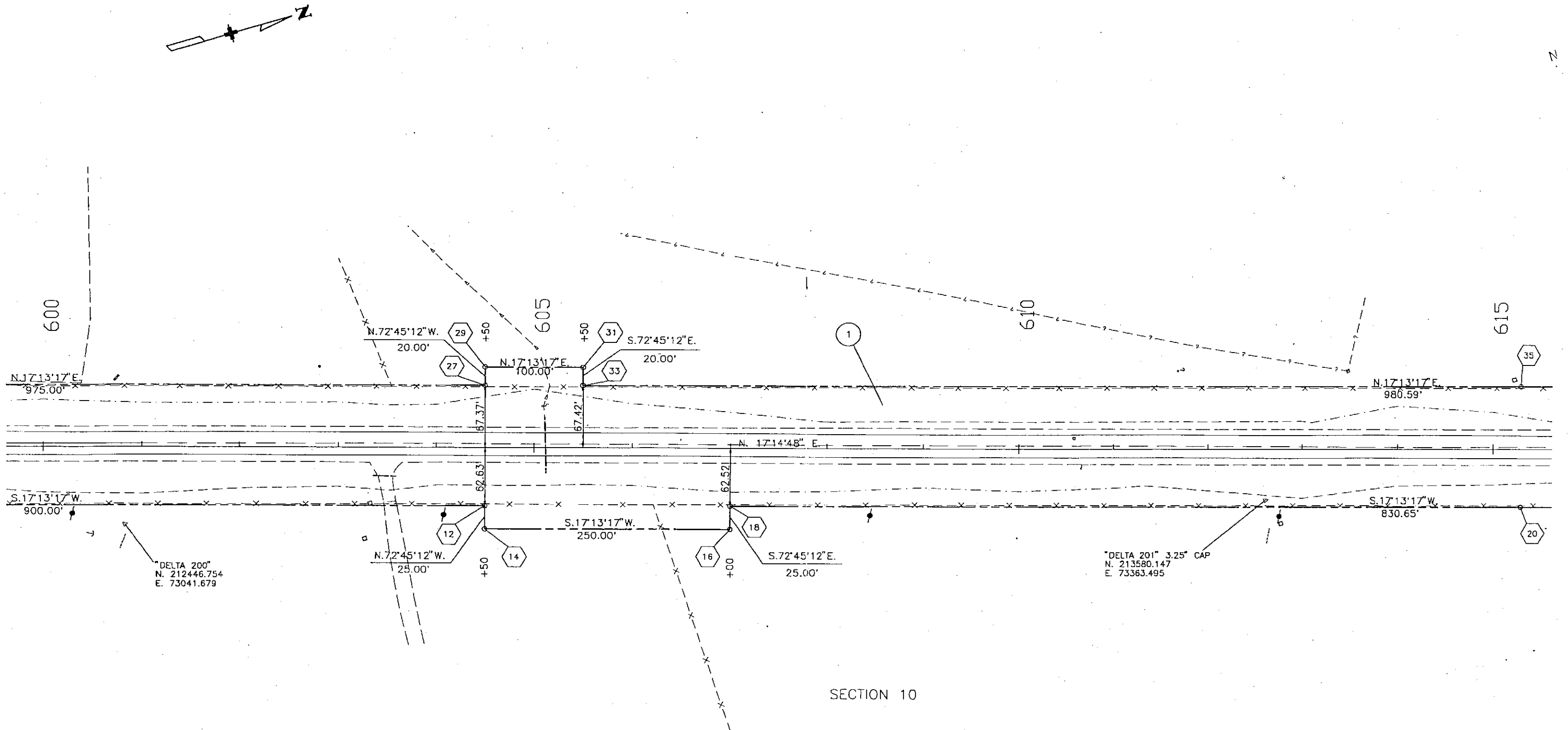
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FEDERAL ROAD REGION NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
XIII	COLORADO	NH(CX) 160-1(30)	6	8

REVISIONS	

RIGHT OF WAY
NORTH OF TOWAOC

1 UTE MOUNTAIN UTE TRIBE
TOWAOC, CO 81334



SECTION 10

T. 34 N. (S.U.L.), R. 17 W., N.M.P.M.

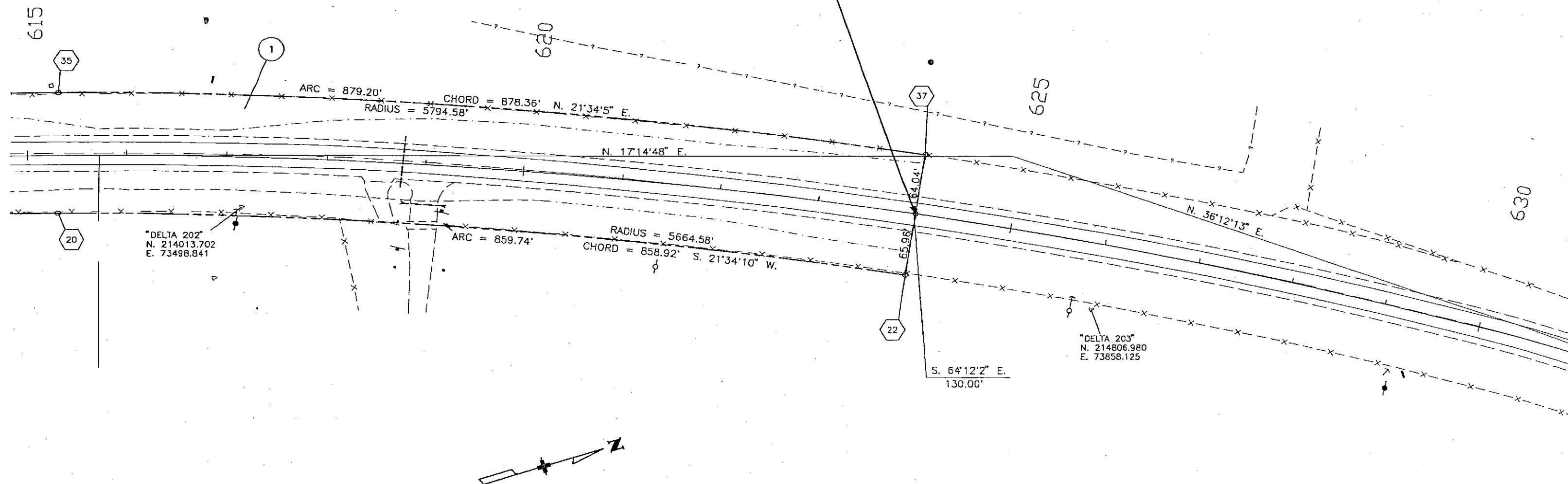
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VIII	COLORADO	NH(CX) 160-1(30)	7	8

RIGHT OF WAY
NORTH OF TOWAOC

REVISIONS	

1 UTE MOUNTAIN UTE TRIBE
TOWAOC, CO 81334

STA. 624+00 END PROJECT NH(CX) 160-1(30)
MILEPOST=27.33



SECTION 10

T. 34 N. (S.U.L.), R. 17 W., N.M.P.M.

FEDERAL ROAD REGION NO.	DIVISION	PROJECT NO.	SHEET NO.	TOTAL SHEETS
VIII	COLORADO	NH(CX) 160-1(30)	8	8

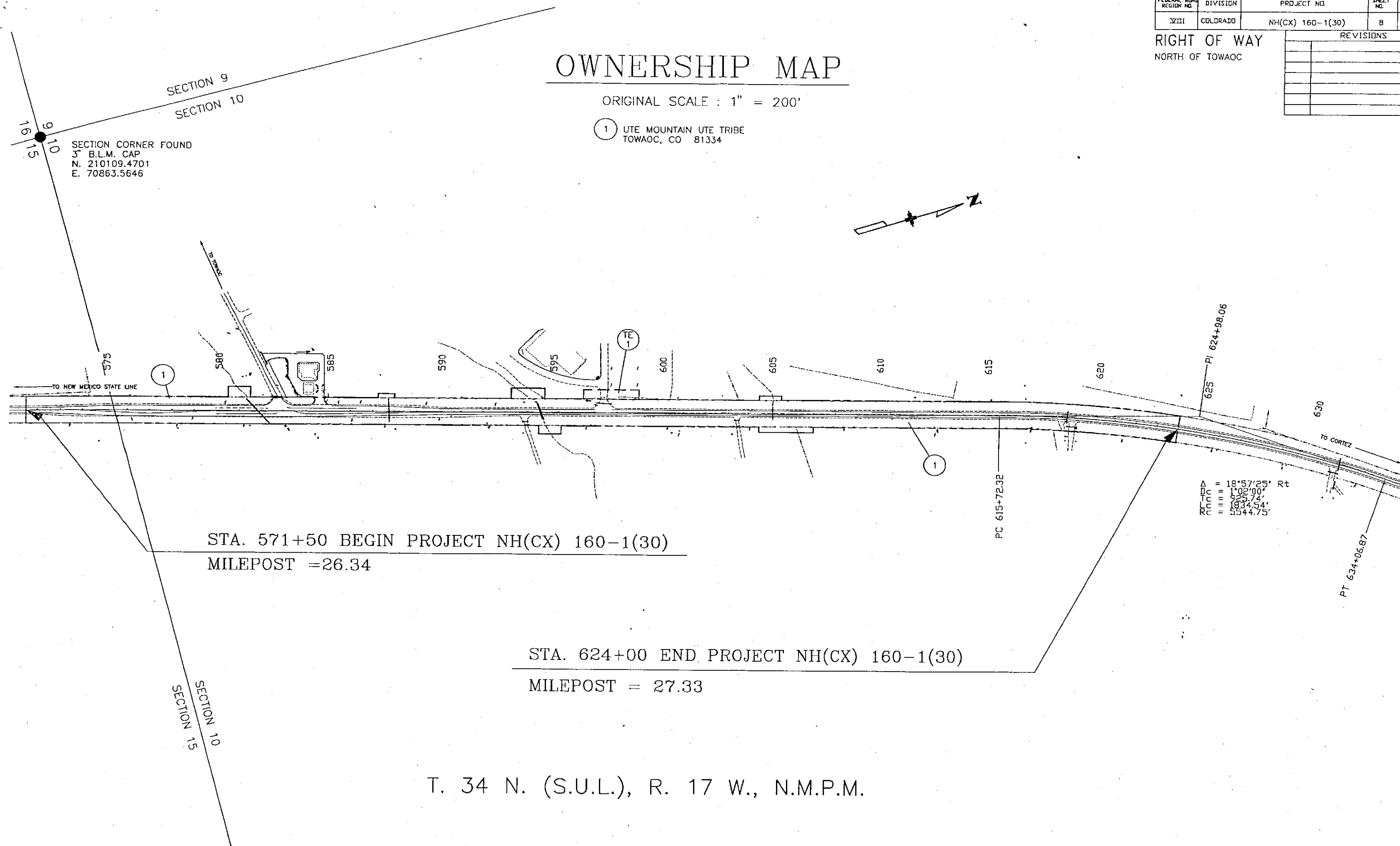
RIGHT OF WAY
NORTH OF TOWAOC

REVISIONS	

OWNERSHIP MAP

ORIGINAL SCALE : 1" = 200'

① UTE MOUNTAIN UTE TRIBE
TOWAOC, CO 81334



Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
mm/yy	XXXXXXXX	XXX	mm/yy	XXXXXXXX	XXX	mm/yy	XXXXXXXX	XXX

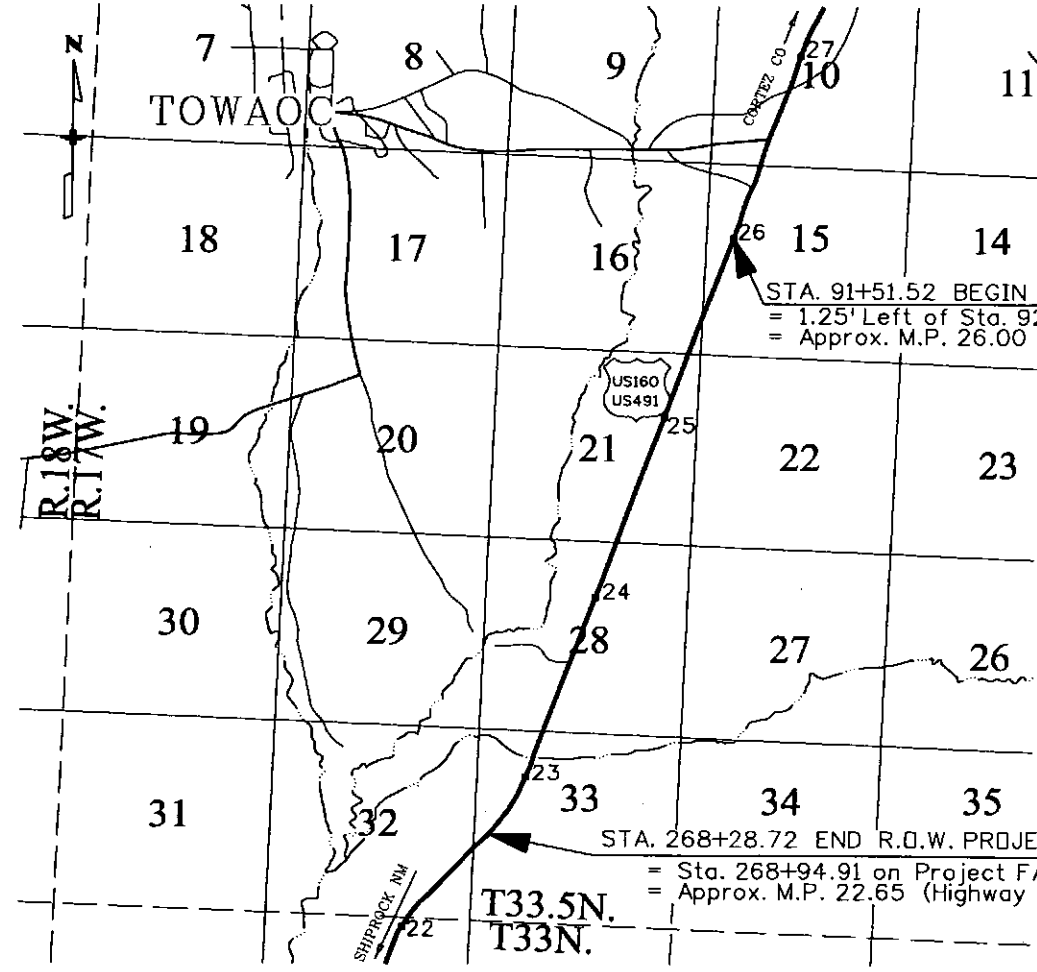
Right of Way Plans				
TITLE SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S TOWAOC NB - PASSING LANES				
Project Location: US HWYS 160/491 - UTE MTN UTE RES.				
Project Code: 15950	Last Mod. Date: 08-23-07	Subst. Sheets: 1 of 1	Sheet No.: RW1.01	Total No. of Sheets: 21

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

RIGHT OF WAY PLAN OF PROPOSED
FEDERAL AID PROJECT NO. NH 1601-058
U.S. HIGHWAY NO. 160/491
MONTEZUMA COUNTY
IN SECTIONS 15,16,21,28 AND 33, T.331/2N., R.17W. OF THE N.M.P.M.
RIGHT OF WAY PROJECT CODE NO. 15950
R.O.W. LENGTH OF PROJECT: 3.35 MILES

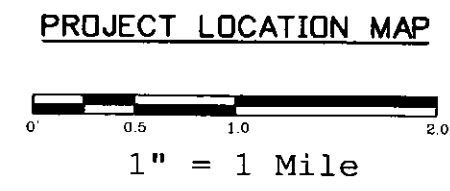
SHEET NO.	INDEX OF SHEETS
RW 1.01	(1) Title Sheet
RW 2.01	(1) Tabulation of Properties
RW 3.01-RW 3.03	(3) Control Diagram
RW 4.01	(1) Monumentation Sheets
RW 5.01-RW 5.14	(14) Plan Sheets
RW 6.01	(1) Ownership Sheets
	21

- CONVENTIONAL SIGNS**
- COUNTY LINE
 - TOWNSHIP OR RANGE LINE
 - LAND LINES SECTION LINE 1/4 SECTION LINE 1/16 SECTION LINE
 - PROPERTY OR TRACT LINE
 - RAILROAD
 - EXISTING ROAD
 - NEW ROAD
 - CONTROL OF ACCESS
 - ACCESS DENIED BY DEED
 - RIGHT OF WAY LINE-EXISTING
 - RIGHT OF WAY LINE-PROPOSED
 - TOP OF CUTS
 - TOE OF FILLS
 - BARBED WIRE FENCE
 - CHAIN LINK FENCE
 - BARRIER FENCE
 - WOVEN WIRE-COMBINATION FENCE
 - SNOW FENCE
 - WOOD FENCE
 - GUARDRAIL (METAL TYPES)
 - TREES PINE DECIDUOUS CONIFEROUS
 - TEL. & CABLE TV LINES
 - ELECTRIC LINES
 - DEADMAN OR ANCHOR ON POLE
 - BURIED TEL. CABLE
 - BURIED ELECTRIC CABLE
 - FIBER OPTICS CABLE
 - GAS MAIN
 - OIL MAIN
 - GAS METER
 - WATER METER
 - SANITARY SEWERS
 - STORM DRAIN
 - SIGNS
 - BENCH MARK
 - TRIANGULATION POINT
 - ROAD APPROACHES
 - SECTION CORNER
 - FOUND BOUNDARY EVIDENCE
 - CULVERTS & DRAINS
 - BRIDGES
 - WATER



SCALE OF ORIGINAL DRAWINGS
TITLE SHEET: 1 IN. = 1 MILE
PROJECT CONTROL DIAGRAM = 1 IN. = 2000 FT.
LAND SURVEY CONTROL DIAGRAM: 1 IN. = 2000 FT.
PLAN SHEETS: 1 IN. = 100 FT.
OWNERSHIP SHEET: 1 IN. = 2000 FT.

BASIS OF BEARING
Bearings are based on data provided on the Project Control Diagram. (See sheet RW3.01) The "State Plane" grid bearing from CDOT Control Point 22.30 to CDOT Control Point 22.60 is N.35°48'48"E. Both monuments are standard CDOT 3/4" aluminum caps on 3/4" finned rods.



DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

AUTHORIZED: _____ DATE: _____

DIVISION ADMINISTRATOR




 DOT
 DEPARTMENT OF TRANSPORTATION

Region 5

JMW

[illegible]

Sheet Revisions		
Rev	Rev Date	Rev Description
1	10/10/00	Initial Issue
2	11/10/00	Revised per comments
3	12/10/00	Revised per comments
4	01/11/00	Revised per comments
5	02/11/00	Revised per comments
6	03/11/00	Revised per comments
7	04/11/00	Revised per comments
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103	04/07/01	Revised per comments
104	05/07/0	

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Right of Way Plans				
Tabulation of Properties Sheet				
Project Number: NH 1601-058				
Project Location: US 160-S Towaac NB Passing Ln				
Project Location: US Hwys 160/491-Ute Moun. Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	6/11/2009		RW2.01	

U.S. NO. 160/491

[illegible]



Region 5
3803 N. Main Ave., Suite 300
Durango, CO 81301
Phone: (970) 385-1400 FAX: (970) 385-1410

Right of Way Plans Unit: John Willis

Sheet Revisions

mm/yy	Revision	Int.

CDOT Project Control Sheet

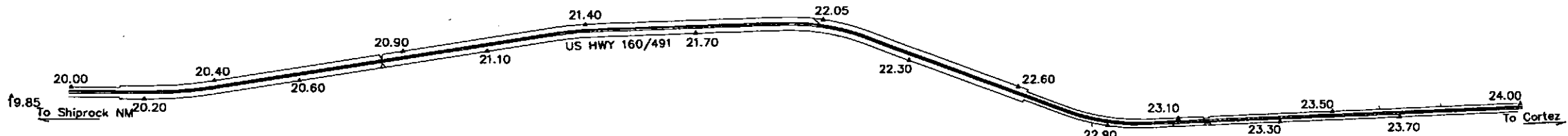
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Project Location: US 160 - S. Towaoc NB Passing Lane				
Project Location:				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	7/21/08	X of X	24	

CDOT PROJECT CONTROL DIAGRAM

T. 33 N., R. 17 W., N.M.P.M. Montezuma County

NAME	LATITUDE	LONGITUDE	ELLIPS. HT. (meters)	STATE PLANE COORDINATES (meters)		PROJECT COORDINATES (feet)			MILE POST	DESCRIPTION
				NORTHING	EASTING	NORTHING	EASTING	ELEVATION		
S146	37° 11' 35.75013"N	108° 41' 21.30956"W	1703.950	368078.134	631294.101				26.0	S146 HARN
X146	37° 03' 31.85486"N	108° 44' 09.31427"W	1580.14	353311.824	626636.386				4.1	X146 HARN
19.85	37° 06' 38.01602"N	108° 43' 30.41173"W	1616.353	359014.238	627795.097				19.85	MP19.85Rt
20.00	37° 06' 46.17141"N	108° 43' 28.54875"W	1623.279	359263.918	627849.745	193895.016	91679.200	5369.698	20.00	MP20.00Lt
20.20	37° 06' 55.04846"N	108° 43' 22.22622"W	1630.111	359532.035	628015.192	194714.370	91858.532	5392.371	20.20	MP20.20Rt
20.40	37° 07' 05.07872"N	108° 43' 21.38497"W	1635.980	359840.352	628046.615	195594.225	92401.465	5414.756	20.40	MP20.40Lt
20.60	37° 07' 16.18452"N	108° 43' 16.44572"W	1633.679	360178.318	628180.285	196606.001	92504.582	5433.542	20.60	MP20.60Rt
20.90	37° 07' 31.02597"N	108° 43' 15.53337"W	1630.661	360634.808	628218.569	197715.073	92943.238	5426.333	20.90	MP20.90Lt
21.10	37° 07' 41.98595"N	108° 43' 10.68444"W	1633.139	360968.360	628349.839	199213.097	93068.869	5416.327	21.10	MP21.10Rt
21.40	37° 07' 56.11082"N	108° 43' 09.60169"W	1635.455	361402.629	628391.554	200307.686	93499.646	5424.353	21.40	MP21.40Lt
21.70	37° 08' 10.21443"N	108° 43' 01.59999"W	1632.951	361830.359	628603.915	201732.785	93636.540	5431.911	21.70	MP21.70Rt
22.05	37° 08' 27.68719"N	108° 42' 56.48423"W	1633.735	362364.351	628748.646	203136.431	94333.426	5423.610	22.05	MP22.05Lt
22.30	37° 08' 37.33255"N	108° 42' 44.09303"W	1642.598	362651.006	629064.506	204888.784	94808.377	5426.072	22.30	MP22.30Rt
22.60	37° 08' 50.64081"N	108° 42' 32.94538"W	1652.876	363051.582	629353.552	205829.474	95844.905	5455.145	22.60	MP22.60Lt
22.90	37° 09' 00.81370"N	108° 42' 20.64647"W	1656.028	363354.592	629667.647	207144.009	96793.441	5488.812	22.90	MP22.90Rt
23.10	37° 09' 10.68923"N	108° 42' 17.59156"W	1647.813	363656.273	629753.432	208138.368	97824.179	5499.145	23.10	MP23.10Lt
23.30	37° 09' 24.28286"N	108° 42' 10.80657"W	1647.756	364069.355	629935.129	209128.369	98105.693	5472.244	23.30	MP23.30Rt
23.50	37° 09' 31.97178"N	108° 42' 09.40345"W	1650.911	364305.066	629977.856	210483.942	98701.950	5471.884	23.50	MP23.50Lt
23.70	37° 09' 40.84552"N	108° 42' 04.37752"W	1654.767	364574.218	630111.167	211257.454	98842.164	5482.287	23.70	MP23.70Rt
24.00	37° 09' 57.99816"N	108° 41' 59.26801"W	1657.371	365098.378	630255.273	212140.708	99279.641	5494.826	24.00	MP24.00Lt
						213860.750	99752.539	5503.426		

NOT ALL CONTROL POINTS ARE SHOWN



BASIS OF BEARING

Bearings are based on the "State Plane" grid bearing from CDOT Control Point 22.30 to CDOT Control Point 22.60 being N35° 48' 48" E. Both monuments are standard CDOT 3 1/4" aluminum caps on 3/4" aluminum rods.

MONUMENTS

All project control monuments are standard CDOT 3 1/4" aluminum caps on 3/4" aluminum rods.

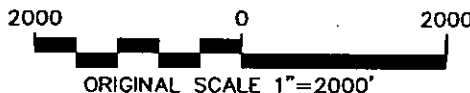
VERTICAL CONTROL

Vertical control was established by differential leveling from USC&GS benchmark "V 146" (2nd order benchmark) using its published orthometric height 1649.317m and 5411.13ft found at <http://www.ngs.noaa.gov> or any CDOT Regional Survey Office.

COORDINATE INFORMATION

Geodetic coordinates (NAD 83, 1992) were derived from static GPS observations tied to CHARN points "S146", "U160" and "X146". State Plane Coordinates are Colorado South Zone (NAD 83). Project Coordinates are modified State Plane Coordinates in U.S. survey feet.

To convert project coordinates to State Plane Coordinates, convert to meters by multiplying by 0.3048006096, adding 300,000 to the northing, 600,000 to the easting and multiply by a combined scale factor of 0.9997630699.



CDOT CONTROL MONUMENT
A 3 1/4" DIA. ALUMINUM CAP
ON A ±38" ALUMINUM FINNED ROD

GENERAL NOTES

1. This control survey was conducted to provide horizontal and vertical control for highway design and construction and is for the use of the Colorado Department of Transportation. The survey is not a complete boundary survey. Title Policy, Title Commitment, and Title Research were not requested on this project, therefore easements, rights, and restrictions of record are not shown.
2. No guarantee as to the accuracy of the information contained on the plat is either stated or implied unless this copy bears an original signature and stamp of the professional surveyor named hereon.
3. 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.

SURVEYORS STATEMENT:

I, John Willis, a professional land surveyor licensed in the State of Colorado, do hereby state to the Colorado Department of Transportation this Project Control Diagram was prepared and the field survey it represents was performed under my responsible charge and, 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.

John Willis P.L.S. NO. 29772

Date

Sheet Revisions		
Date	Description	Initials
mm/yy	XXXXXXXX	XXX

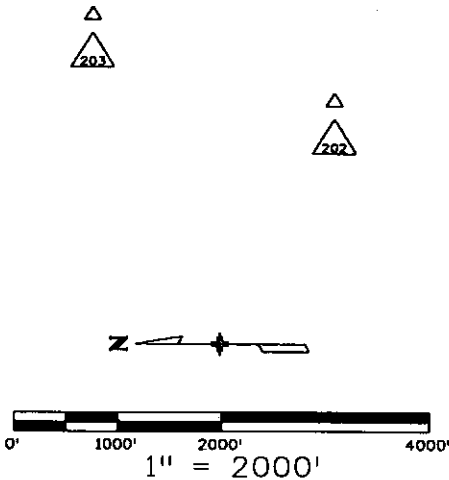
Land Survey Control Diagram			
PLAN SHEET			
Project Number: NH 1601-058			
Project Location: US 160-S Towaoc NB Passing Ln			
Project Location: US Hwys 160/491-Ute Mountain Ute Res.			
Project Code: 15950	Last Mod. Date: 6/11/2009	Subset Sheets: RW3.01-RW3.03	Sheet No. RW3.02
Total No. of Sheets			

LAND SURVEY CONTROL DIAGRAM
T. 33 1/2 N., R. 17 W., N.M.P.M.

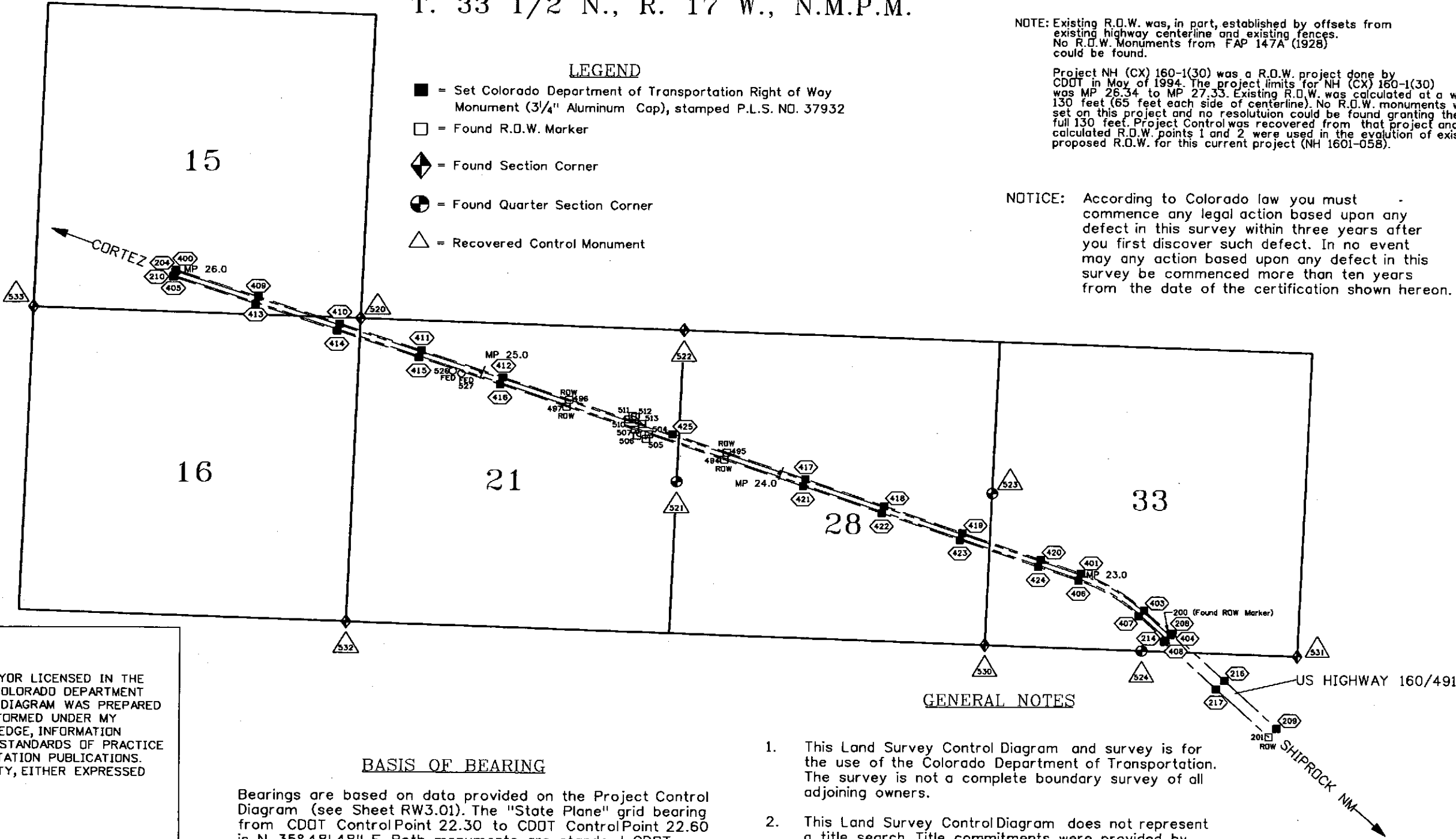
NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP 147A (1928) could be found.

Project NH (CX) 160-1(30) was a R.O.W. project done by CDOT in May of 1994. The project limits for NH (CX) 160-1(30) was MP 26.34 to MP 27.33. Existing R.O.W. was calculated at a width of 130 feet (65 feet each side of centerline). No R.O.W. monuments were set on this project and no resolution could be found granting the full 130 feet. Project Control was recovered from that project and calculated R.O.W. points 1 and 2 were used in the evaluation of existing and proposed R.O.W. for this current project (NH 1601-058).

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.



- LEGEND**
- = Set Colorado Department of Transportation Right of Way Monument (3/4" Aluminum Cap), stamped P.L.S. NO. 37932
 - = Found R.O.W. Marker
 - ◆ = Found Section Corner
 - ⊕ = Found Quarter Section Corner
 - △ = Recovered Control Monument



SURVEYOR CERTIFICATION

I, TODD C. JOHNSTON, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE TO THE COLORADO DEPARTMENT OF TRANSPORTATION THIS LAND SURVEY CONTROL DIAGRAM WAS PREPARED AND THE FIELD SURVEY IT REPRESENTS WAS PERFORMED UNDER MY RESPONSIBLE CHARGE AND, 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.

TODD C. JOHNSTON

P.L.S. NO. 37932

BASIS OF BEARING

Bearings are based on data provided on the Project Control Diagram (see Sheet RW3.01). The "State Plane" grid bearing from CDOT Control Point 22.30 to CDOT Control Point 22.60 is N. 35° 48' 48" E. Both monuments are standard CDOT 3/4" aluminum caps on 3/4" finned rod.

GENERAL NOTES

1. This Land Survey Control Diagram and survey is for the use of the Colorado Department of Transportation. The survey is not a complete boundary survey of all adjoining owners.
2. This Land Survey Control Diagram does not represent a title search. Title commitments were provided by CDOT personnel.
3. All coordinates listed are PROJECT COORDINATES only. Coordinates are carried out to 2 decimal places for calculation purposes and do not represent survey precision. Survey precision exceeds C.D.O.T. "B" order precision.

Sheet Revisions		
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Date	Description	Initials
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Sheet Revisions		
Date	Description	Initials
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Right of Way Plans			
Tabulation of Boundary Evidence			
Project Number: NH 1601-058			
Project Location: US 160-S Towaoc NB Passing Ln			
Project Location: US Hwys 160/491-Ute Mountain Ute Res.			
Project Code: 15950	Last Mod. Date: 8/11/2009	Subset Sheets: RW3.01-RW3.03	Sheet No. RW3.03
Total No. of Sheets			

TABULATION OF BOUNDARY EVIDENCE

TABULATION OF BOUNDARY EVIDENCE (CONTROLLING MONUMENTS)

POINT	NORTHING	EASTING	DESCRIPTION
200	207146.81	97009.39	Found ROW Marker 3" BC CDOH in concrete base "FLHP 8(2) 269+00"
201	205469.76	95246.27	Found ROW Marker 3" BC CDOH in concrete base "FLHP 8(2) 293+27.2"
202	228168.14	104891.06	3-1/4" CDOT Control Cap stamped "258", (called "Delta 200" on NH(CX) 160-1(30))
203	230498.64	105788.73	3-1/4" CDOT Control Cap stamped "259", (called "Delta 203" on NH(CX) 160-1(30))
494	214678.87	100030.39	3-1/4" AC R.O.W. Mon. "PT 494 PLS 19612" Set on NH 1601-049
495	214636.13	100153.12	3-1/4" AC R.O.W. Mon. "PT 495 PLS 19612" Set on NH 1601-049
496	217232.76	101058.19	3-1/4" AC R.O.W. Mon. "PT 496 PLS 19612" Set on NH 1601-049
497	217275.57	100935.48	3-1/4" AC R.O.W. Mon. "PT 497 PLS 19612" Set on NH 1601-049
504	215916.24	100461.66	3-1/4" AC R.O.W. Mon. "PT 504 PLS 19612" Set on NH 1601-049
505	215962.25	100382.29	3-1/4" AC R.O.W. Mon. "PT 505 PLS 19612" Set on NH 1601-049
506	216107.76	100433.05	3-1/4" AC R.O.W. Mon. "PT 506 PLS 19612" Set on NH 1601-049
507	216142.31	100540.27	3-1/4" AC R.O.W. Mon. "PT 507 PLS 19612" Set on NH 1601-049
510	216252.00	100716.43	3-1/4" AC R.O.W. Mon. "PT 510 PLS 19612" Set on NH 1601-049
511	216187.02	100778.43	3-1/4" AC R.O.W. Mon. "PT 511 PLS 19612" Set on NH 1601-049
512	216138.06	100761.38	3-1/4" AC R.O.W. Mon. "PT 512 PLS 19612" Set on NH 1601-049
513	216027.78	100638.13	3-1/4" AC R.O.W. Mon. "PT 513 PLS 19612" Set on NH 1601-049
520	220631.51	102455.76	3-1/2" BC "US GLO SURVEY 1957 T33.5N R17W S16-S15-S21-S22"
521	215452.99	99638.97	2-1/2" BC "US GLO SURVEY 1/4 S21 S28 T33.5N R17W 1957"
522	215353.67	102277.59	3-1/2" BC "US GLO SURVEY 1957 T33.5N R9W S21 S22 S28 S27"
523	210175.43	99459.59	2-1/2" BC "US GLO SURVEY 1957 1/4 S28 S33 T33.5N R17W"
524	207634.93	96731.36	2-1/2" BC "US GLO SURVEY T33.5N R17W 1/4 S32 S33 1957"
530	210273.36	96819.35	3-1/2" BC "US GLO SURVEY T33.5N R17W S29 S28 S32 S33 1957"
531	204997.97	96643.34	3-1/2" BC "US GLO SURVEY T33.5N T33N R17W S32 S33 S5 S4 1957"
532	220828.53	97171.84	3-1/2" BC "US GLO SURVEY T33.5N R17W S17 S18 S20 S21 1957"
533	225907.73	102633.80	3-1/2" BC "US GLO SURVEY T33.5N T33N S9 S10 S16 S15 1957"

TABULATION OF BOUNDARY EVIDENCE (NON-CONTROLLING MONUMENTS)

POINT	NORTHING	EASTING	DESCRIPTION
526	219144.34	101547.11	3-1/4" BC IN CONC BASE - STAMPED "B.I.A ROADS 19XX" POST NEXT TO MON. PAINTED 1129+50
527	219001.78	101500.57	3-1/4" BC IN CONC BASE - STAMPED "B.I.A ROADS 19XX" POST NEXT TO MON. PAINTED 1129+50



Sheet Revisions

Date	Description	Initials
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Right of Way Plans

Monumentation Sheet

Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	6/11/2009		RW4.01	12

MONUMENTATION SHEET

TABULATION OF PERMANENT EASEMENT MONUMENTS TO BE SET

Point	Northing	Easting	Monument Type
204	223623.24	103259.15	1
208	207119.87	97038.62	1
209	205334.24	95393.35	1
210	223649.57	103183.61	1
214	207255.39	96891.54	1
216	206227.06	96215.99	1
217	206366.26	96072.29	1
400	223615.01	103282.76	1
401	208668.85	98073.23	1
403	207597.49	97431.10	1
404	207143.59	97012.88	1
405	223657.80	103160.00	1
406	208711.63	97950.47	1
407	207685.58	97335.50	1
408	207231.68	96917.28	1
409	222293.02	102821.97	1
410	220971.02	102361.19	1
411	219649.02	101900.40	1
412	218327.03	101439.61	1
413	222335.80	102699.21	1
414	221013.81	102238.43	1
415	219691.81	101777.64	1
416	218369.81	101316.86	1
417	213314.13	99692.35	1
418	211992.13	99231.57	1
419	210670.13	98770.78	1
420	209348.13	98310.00	1
421	213356.91	99569.60	1
422	212034.92	99108.81	1
423	210712.92	98648.03	1
424	209390.92	98187.24	1
425	215526.28	100463.41	1

PERMANENT EASEMENT CORNERS (NOT TO BE SET)

Point	Northing	Easting
205	208648.75	98039.75
206	207636.49	97433.04
207	207160.53	96994.50
211	208675.08	97964.21
212	207690.70	97374.21
213	207214.74	96935.66

GENERAL NOTES

1. This Right of Way Plan and survey is for the use of the Colorado Department of Transportation. The survey is not a complete boundary survey of all adjoining owners.
2. This Right of Way Plan does not represent a title search. Memorandums Of Ownership were prepared by C.D.O.T. personnel.
3. All coordinates listed are PROJECT COORDINATES only. Coordinates are carried out to 2 decimal places for calculation purposes and do not represent survey precision. Survey precision exceeds C.D.O.T. "B" order precision.

QUANTITY OF MONUMENTS TO BE SET

CAP TYPE	MONUMENT TYPE									
	1	1A	2	2A	3	3A	4	4A	5	6
REFERENCE										
RIGHT OF WAY	32									
CONTROL										
MINING CLAIM										
PERMANENT EASEMENT										
REFERENCE										
WITNESS POST										

NOTE: Type 1 Monuments are 3-1/4" aluminum caps stamped "PLS 37932" with magnet set on 3/4" X 36" aluminum finned rods

SURVEYOR CERTIFICATION

I, TODD C. JOHNSTON, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE TO THE COLORADO DEPARTMENT OF TRANSPORTATION THAT BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, THE RESEARCH, CALCULATIONS AND EVALUATION OF THE SURVEY EVIDENCE WERE PERFORMED AND THIS RIGHT-OF-WAY 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.

TODD C. JOHNSTON

P.L.S. NO. 37932

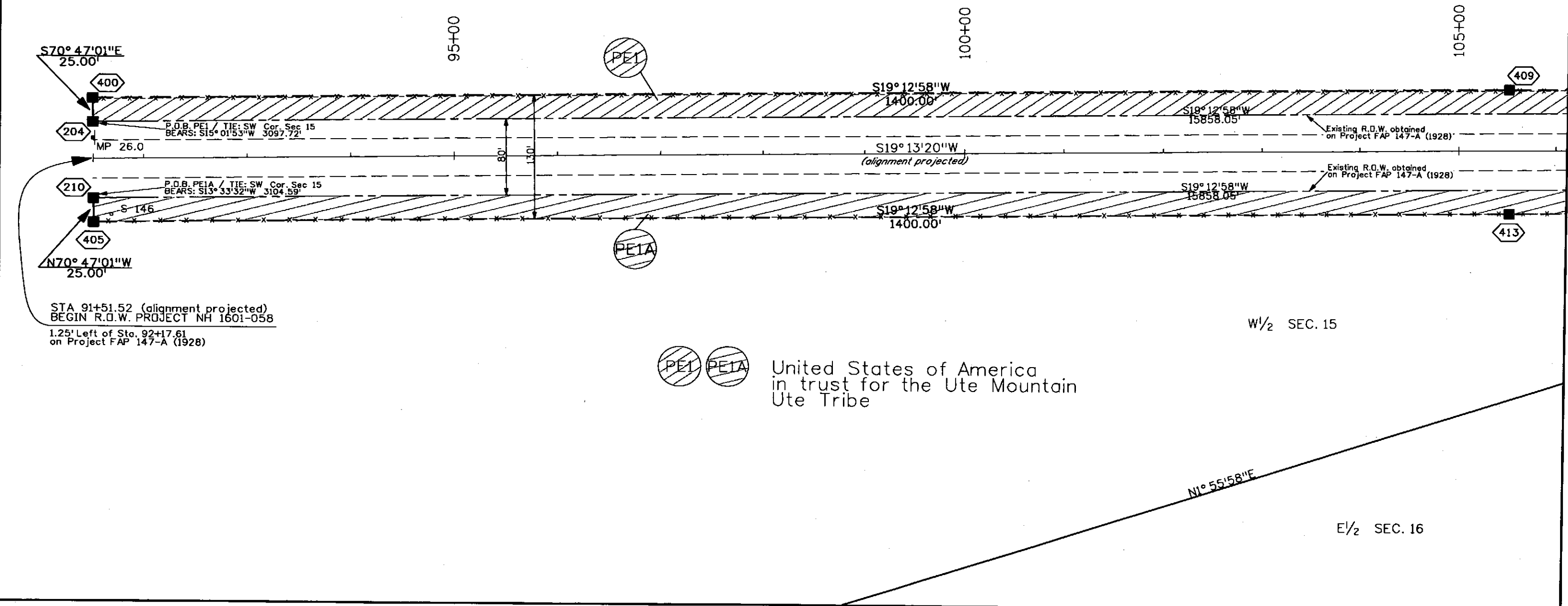
SURVEYOR CERTIFICATION

I, TODD C. JOHNSTON, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE TO THE COLORADO DEPARTMENT OF TRANSPORTATION THAT BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, ADEQUATE RESEARCH, CALCULATIONS AND EVALUATION OF SURVEY EVIDENCE WERE PERFORMED AND THE RIGHT-OF-WAY MONUMENTS DEPICTED ON THIS RIGHT-OF-WAY 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.

TODD C. JOHNSTON

P.L.S. NO. 37932

Right of Way Plans				
PLAN SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S Towac NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	11/08/2007	RW5 01-RW5 14	RW5 01	



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Region 5

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Sheet Revisions

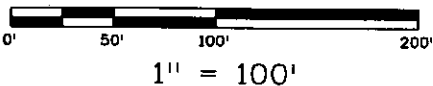
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Right of Way Plans

PLAN SHEET

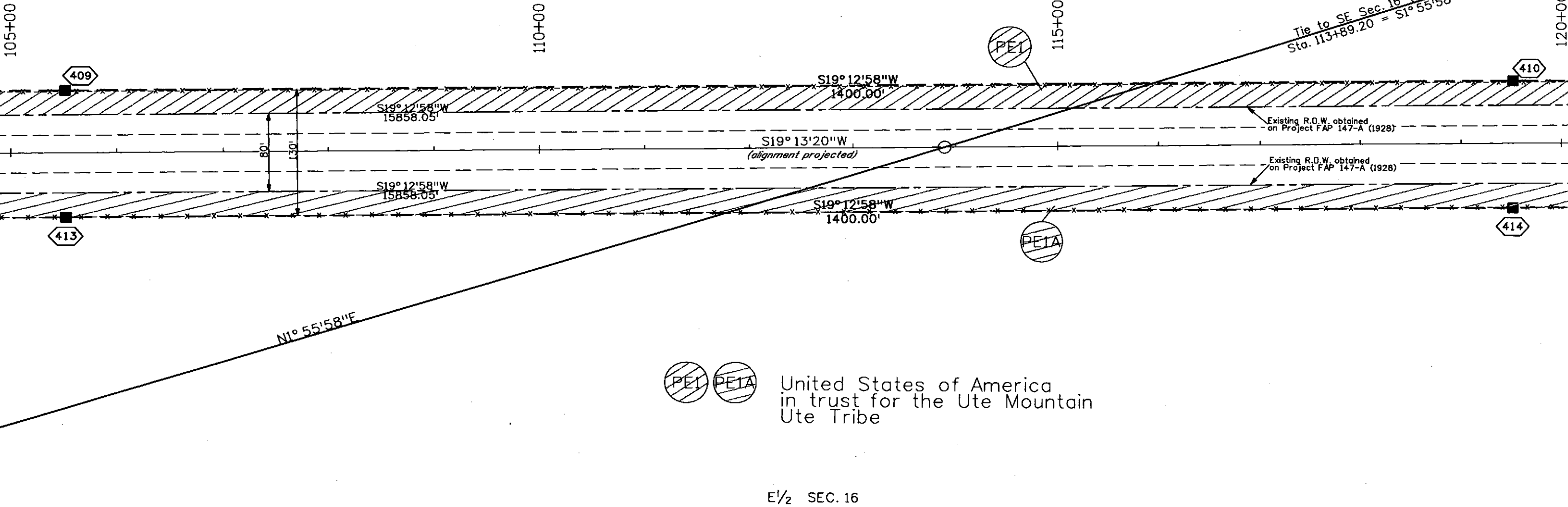
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T. 33 1/2 N., R. 17 W., N.M.P.M.

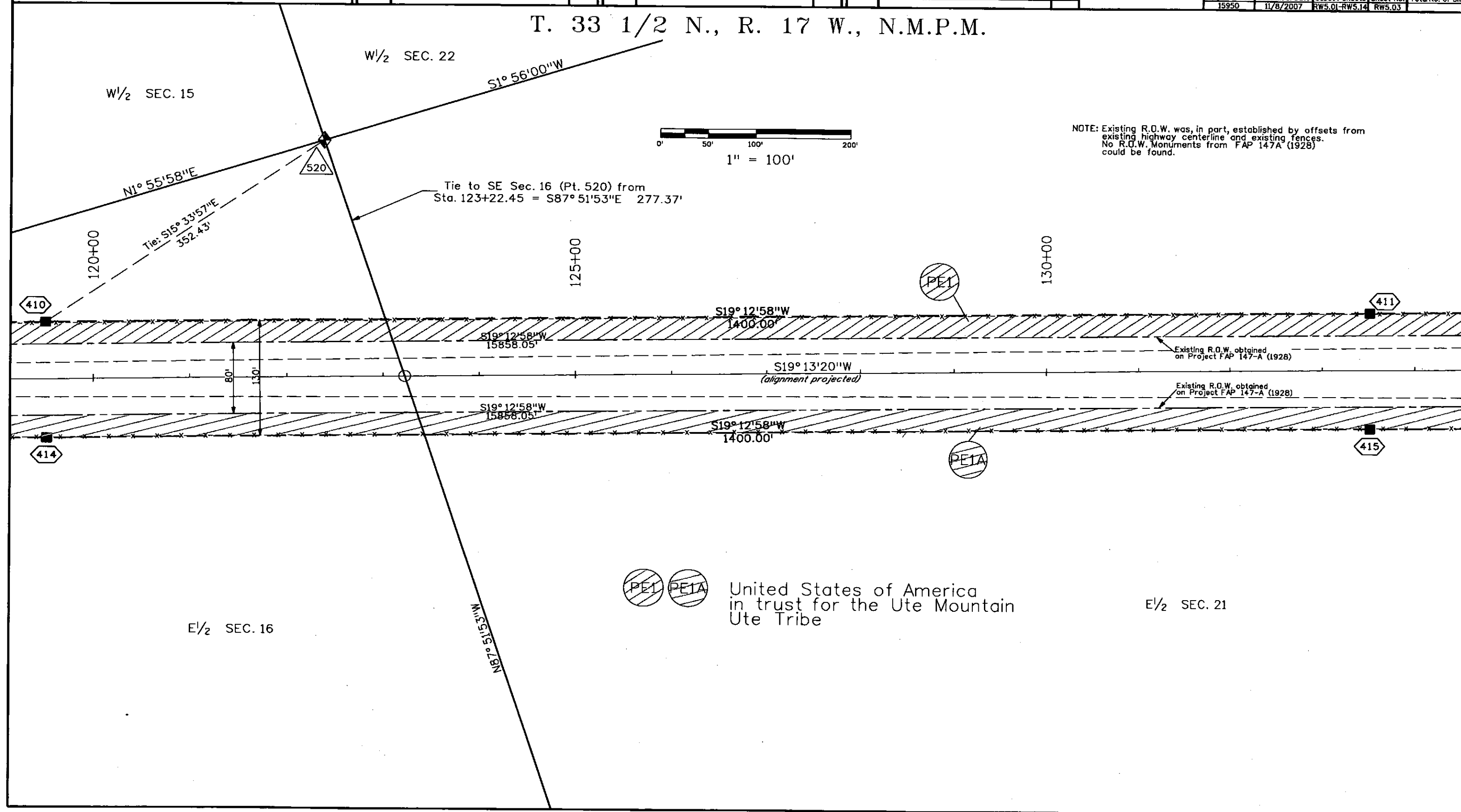


NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP 147A (1928) could be found.

W 1/2 SEC. 15



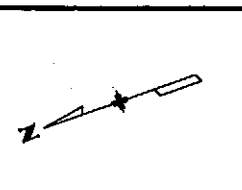
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Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
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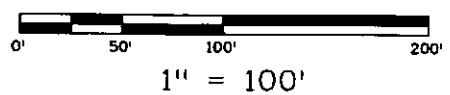
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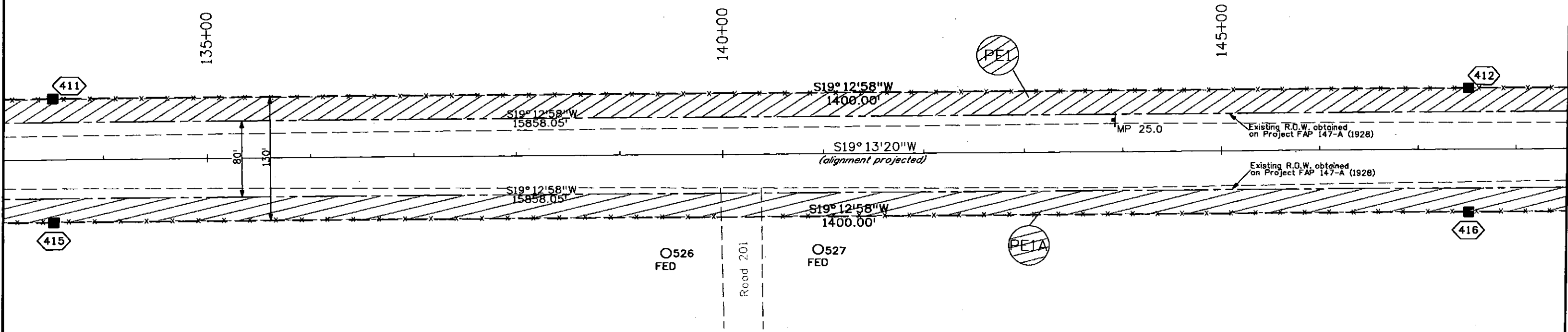


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Project Code: 15950	Last Mod. Date: 9/29/2007	Subset Sheets: RW5.01-RW5.14	Sheet No. RW5.04
Total No. of Sheets			

T. 33 1/2 N., R. 17 W., N.M.P.M.



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP 147A (1928) could be found.



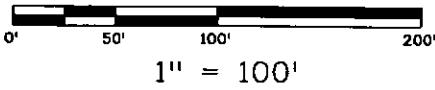
E 1/2 SEC. 21

PE1 PE1A United States of America
in trust for the Ute Mountain
Ute Tribe

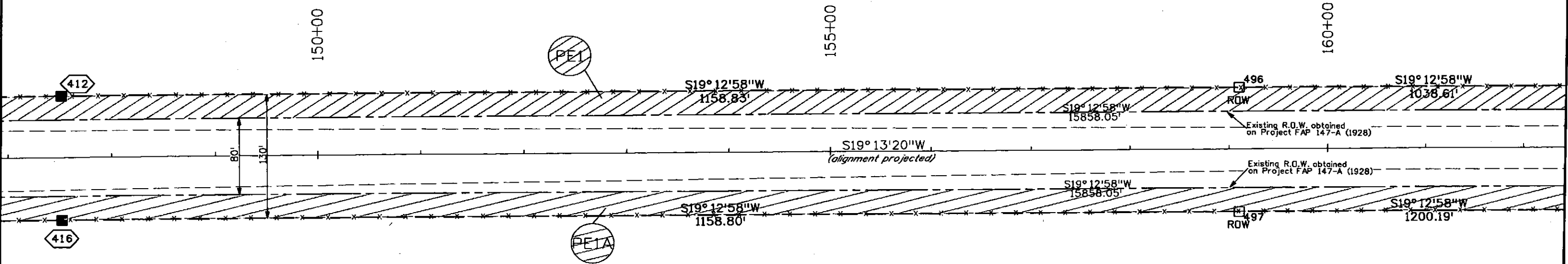
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Right of Way Plans				
PLAN SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	9/29/2007	RW5.01-RW5.14	RW5.05	

T. 33 1/2 N., R. 17 W., N.M.P.M.



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP 147-A (1928) could be found.



E 1/2 SEC. 21



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Ute Tribe

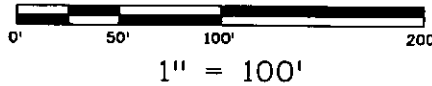
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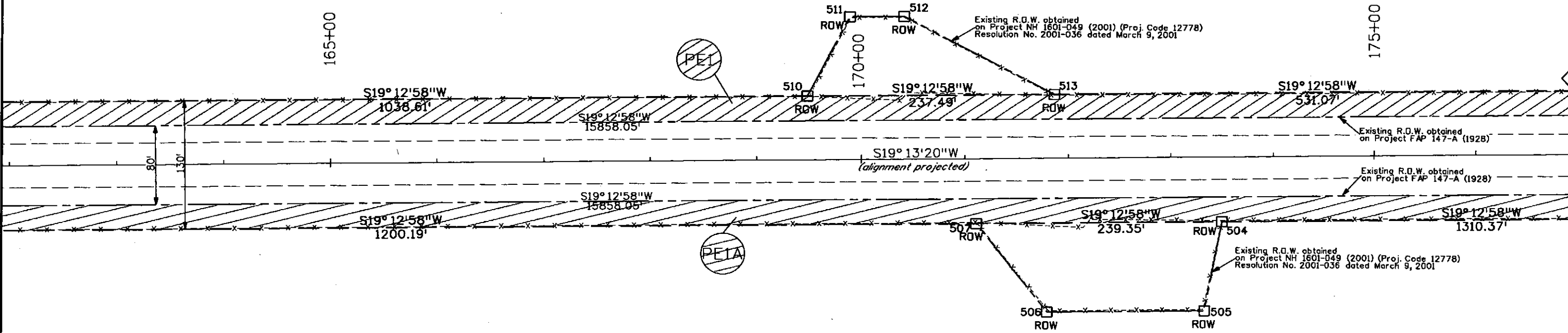
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Project Code: 15950	Last Mod. Date: 10/9/2007	Subset Sheets: RW5.01-RW5.14	Sheet No. RW5.06
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T. 33 1/2 N., R. 17 W., N.M.P.M.



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP-147A (1928) could be found.

The 25' strip (PE1 and PE1A) between the parcels obtained on Project NH 1601-049 (2001) (Proj. Code 12778) and the R.O.W. obtained on Project FAP 147-A (1928), was never acquired. It is the intention of this project and Permanent Easements 1 and 1A to close that gap.



E 1/2 SEC. 21

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Ute Tribe

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Region 5

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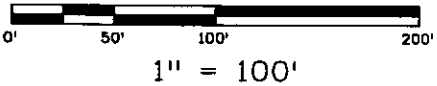
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Right of Way Plans

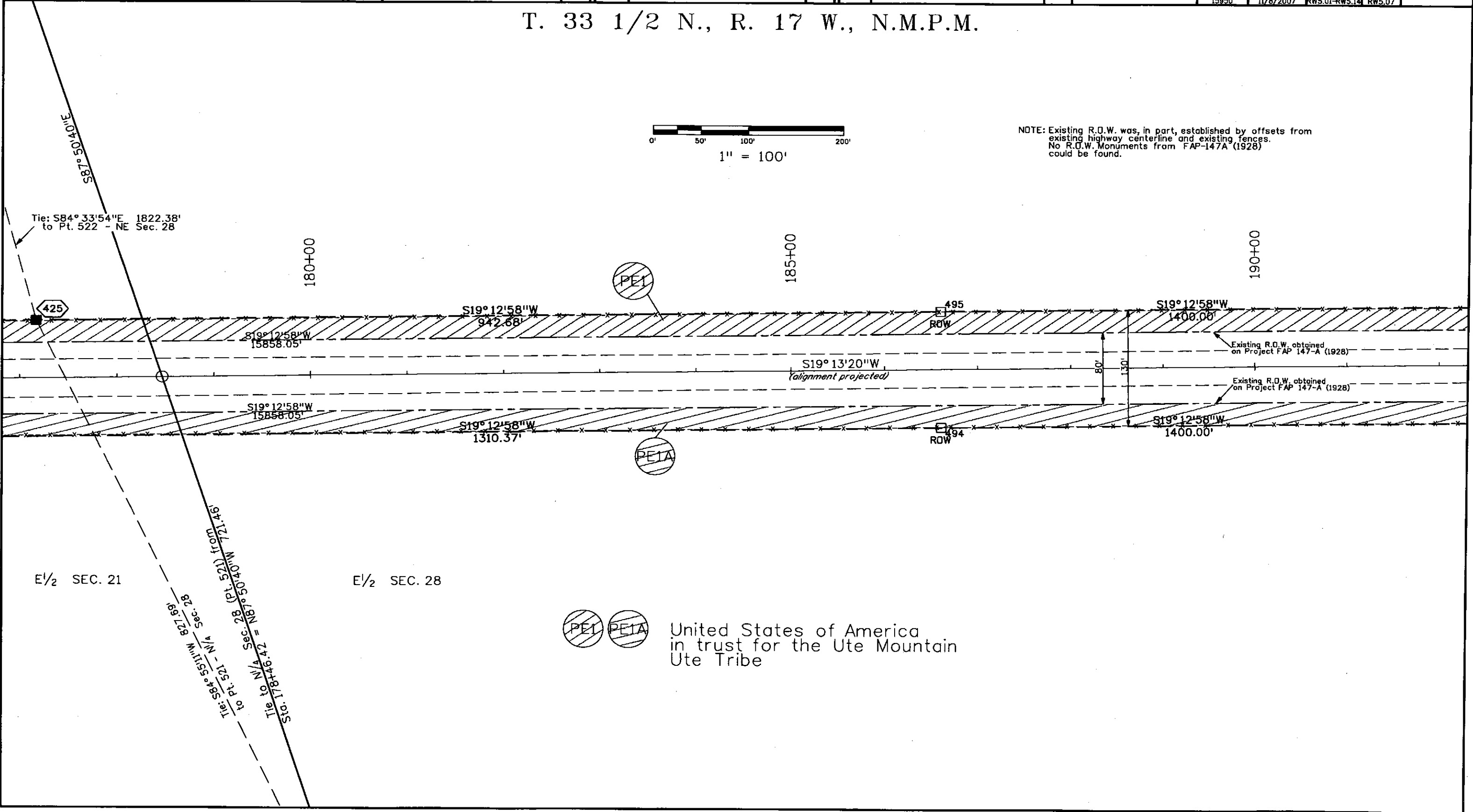
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Project Number:	NH 1601-058
Project Location:	US 160-S Towaoc NB Passing Ln
Project Location:	US Hwys 160/491-Ute Mountain Ute Res.
Project Code:	15950
Last Mod. Date:	11/8/2007
Subset Sheets:	RW5.01-RW5.14
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Total No. of Sheets:	

T. 33 1/2 N., R. 17 W., N.M.P.M.



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP-147A (1928) could be found.



Colorado Department of Transportation



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Sheet Revisions

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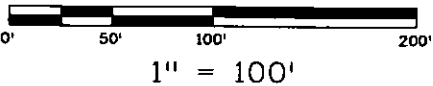
Right of Way Plans

PLAN SHEET

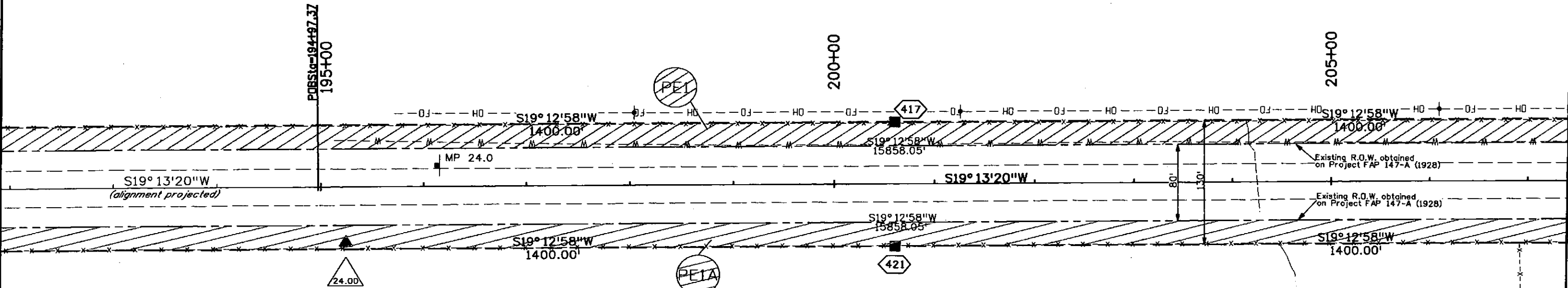
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15950	9/29/2007	RW5.01-RW5.14	RW5.08	

T. 33 1/2 N., R. 17 W., N.M.P.M.

SECTION 28



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP-147A (1928) could be found.



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Ute Tribe

Region 5

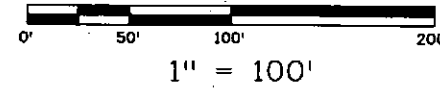
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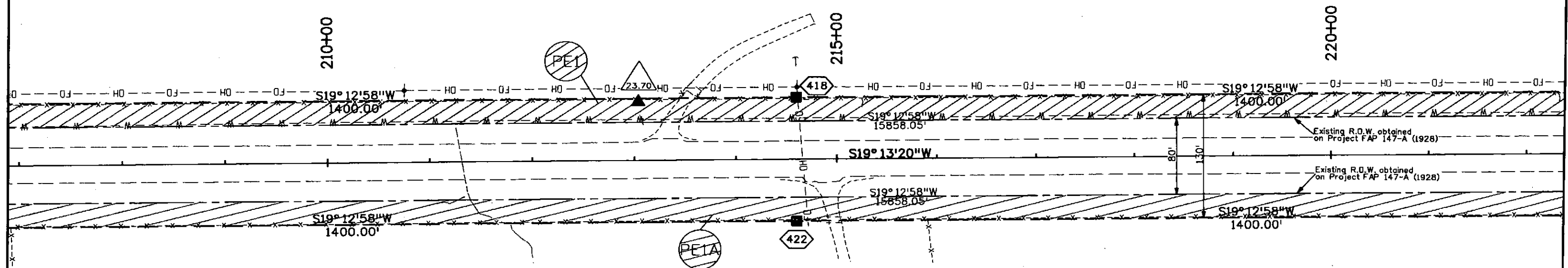
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Project Location: US Hwys 160/49I-Ute Mountain Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	10/10/2007	RW5.0I-RW5.14	RW5.09	

SECTION 28



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences.
No R.O.W. Monuments from FAP-147A (1928) could be found.



PE1 PE1A

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Region 5

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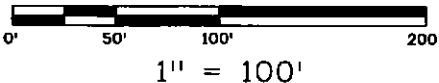
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Right of Way Plans

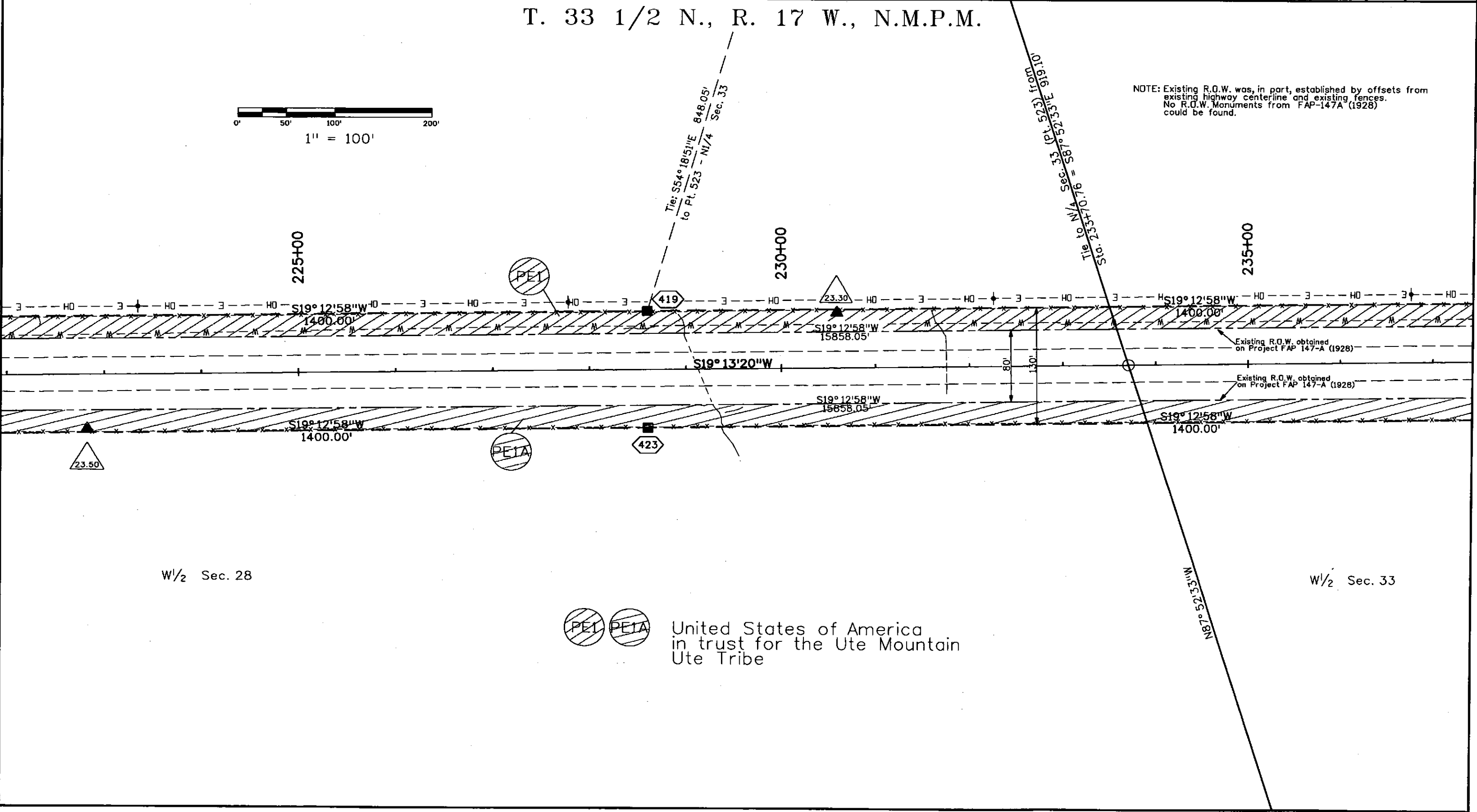
PLAN SHEET

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Project Location:	US 160-S Towaoc NB Passing Ln
Project Location:	US Hwys 160/491-Ute Mountain Ute Res.
Project Code:	15950
Last Mod. Date:	11/8/2007
Subset Sheets:	RW5.01-RW5.14
Sheet No.:	RW5.10
Total No. of Sheets:	

T. 33 1/2 N., R. 17 W., N.M.P.M.



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP-147A (1928) could be found.



W1/2 Sec. 28

W1/2 Sec. 33



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Phone: 970-385-1421 FAX: 970-385-1410
Region 5 JMW

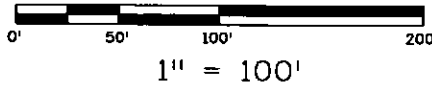
Sheet Revisions		
Date mm/yy	Description	Initials
	XXXXXXXX	XXX

Sheet Revisions		
Date mm/yy	Description	Initials
	XXXXXXXX	XXX

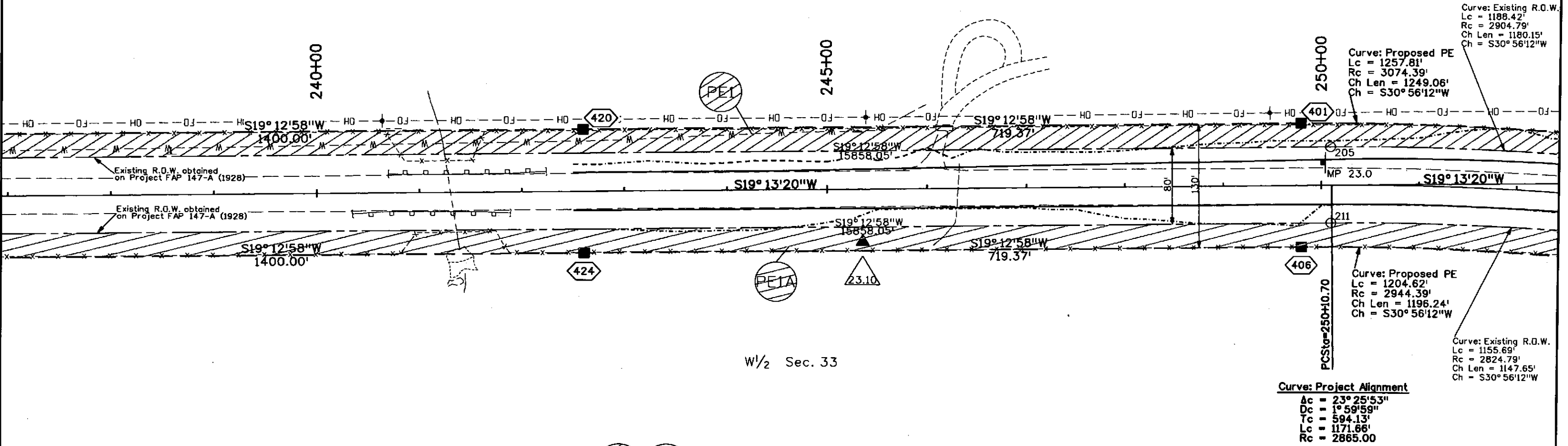
Sheet Revisions		
Date mm/yy	Description	Initials
	XXXXXXXX	XXX

Right of Way Plans				
PLAN SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code: 15950	Last Mod. Date: 10/1/2007	Subset Sheets: RW5.01-RW5.14	Sheet No.: RW5.11	Total No. of Sheets: 14

T. 33 1/2 N., R. 17 W., N.M.P.M.



NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP-147A (1928) could be found.



W 1/2 Sec. 33

United States of America
in trust for the Ute Mountain
Ute Tribe

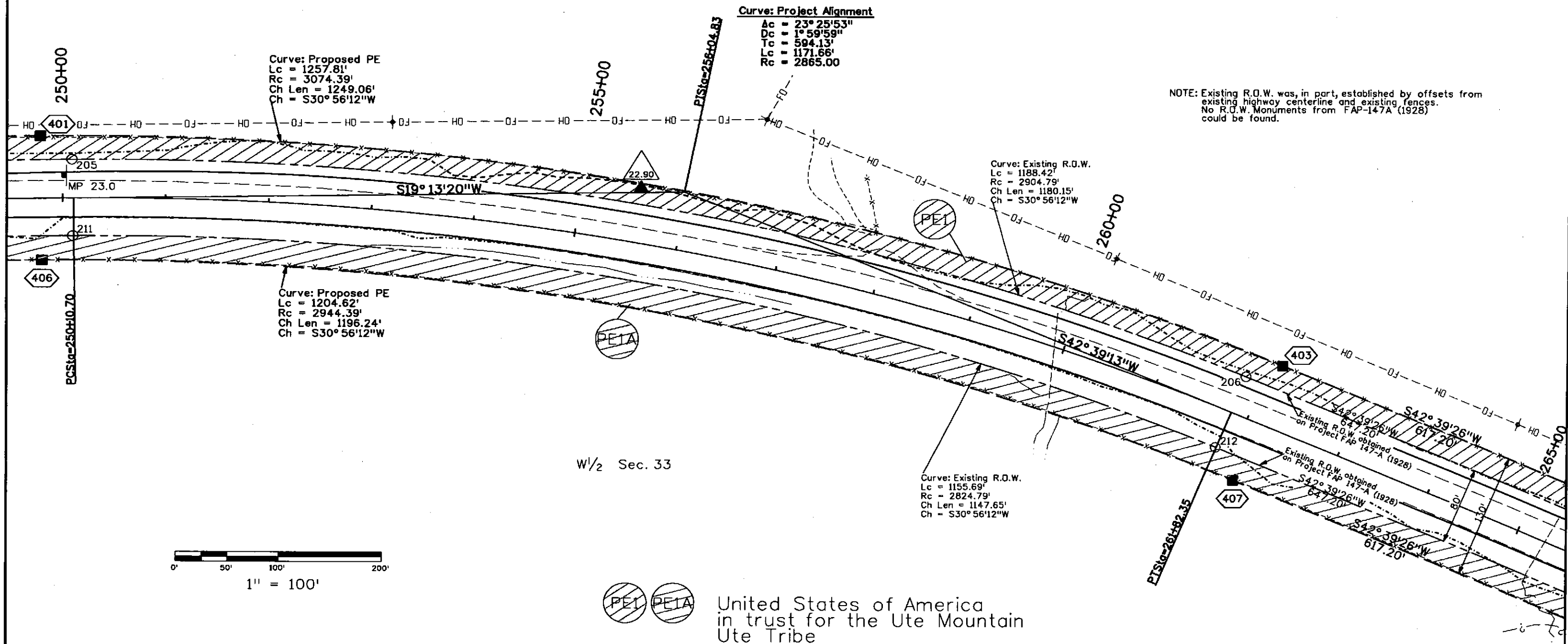
Sheet Revisions		
Date mm/yy	Description XXXXXXXX	Initials XXX

Sheet Revisions		
Date mm/yy	Description XXXXXXXX	Initials XXX

Sheet Revisions		
Date mm/yy	Description XXXXXXXX	Initials XXX

Right of Way Plans				
PLAN SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	10/10/2007	RW5.01-RW5.14	RW5.12	

T. 33 1/2 N., R. 17 W., N.M.P.M.



Sheet Revisions		
Date mm/yy	Description XXXXXXXX	Initials XXX

Sheet Revisions		
Date mm/yy	Description XXXXXXXX	Initials XXX

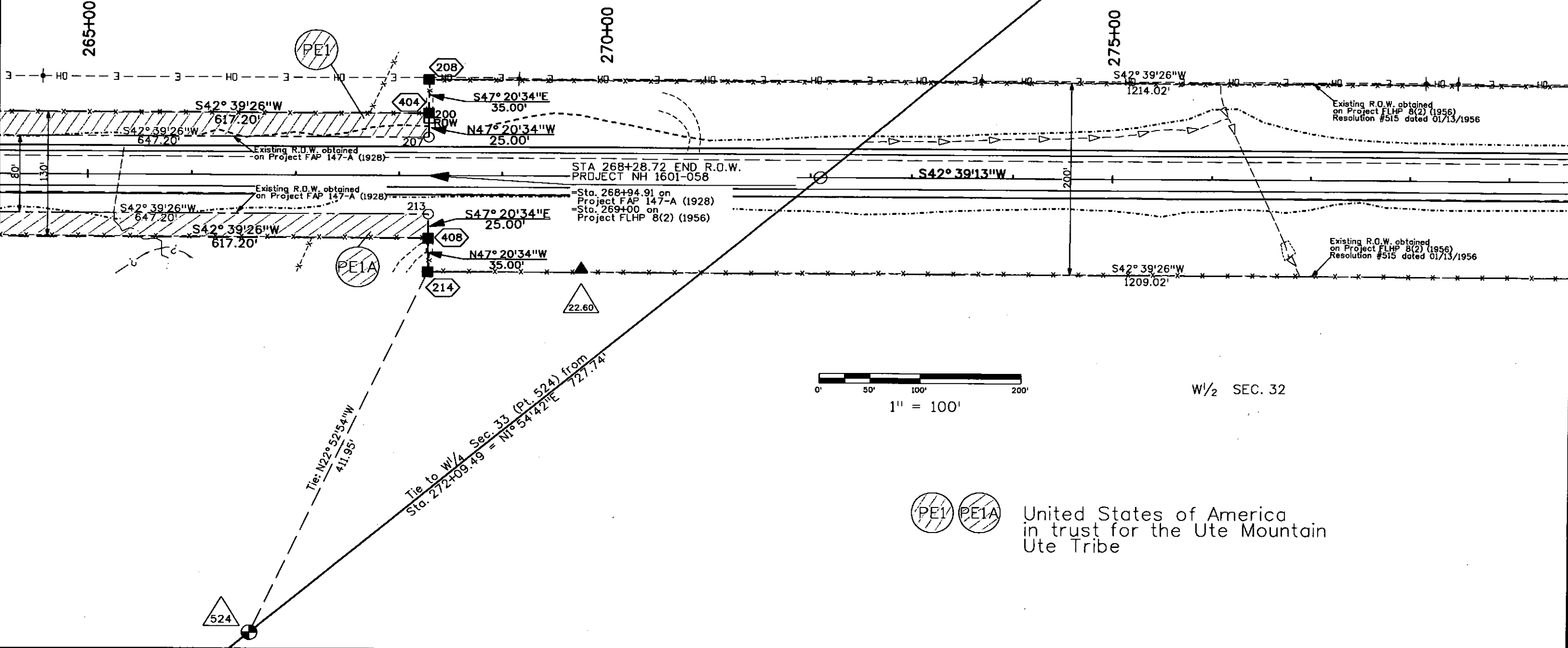
Sheet Revisions		
Date mm/yy	Description XXXXXXXX	Initials XXX

Right of Way Plans				
PLAN SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code: 15950	Last Mod. Date: 6/11/2009	Subset Sheets: RW5.01-RW5.14	Sheet No.: RW5.13	Total No. of Sheets: 14

T. 33 1/2 N., R. 17 W., N.M.P.M.

E/2 SEC. 33

NOTE: Existing R.O.W. was, in part, established by offsets from existing highway centerline and existing fences. No R.O.W. Monuments from FAP-147A (1928) could be found.

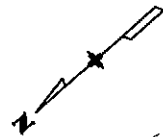




Sheet Revisions		
Date	Description	Initials
mm/yy	XXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
mm/yy	XXXXXXXX	XXX

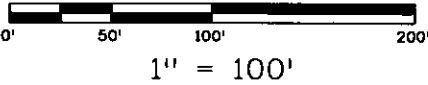
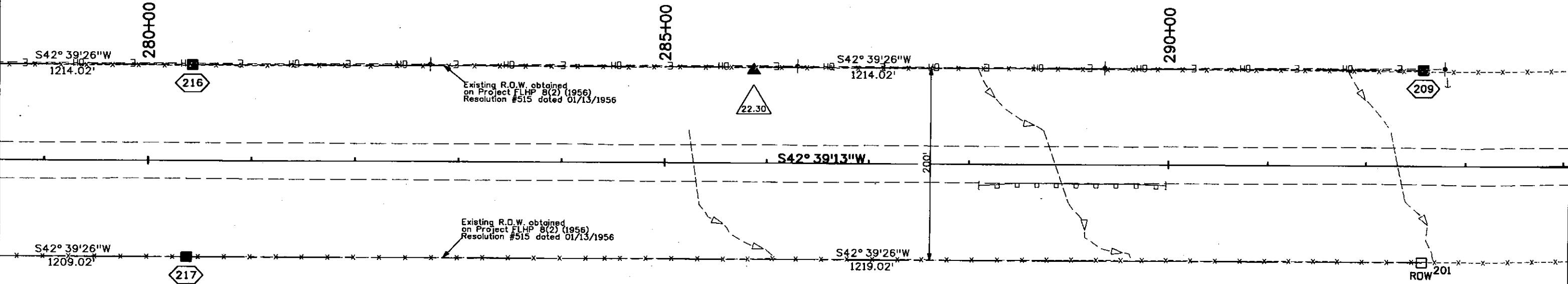
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Date	Description	Initials
mm/yy	XXXXXXXX	XXX



Right of Way Plans				
PLAN SHEET				
Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code: 15950	Last Mod. Date: 6/11/2009	Subset Sheets: RW5.01-RW5.14	Sheet No.: RW5.14	Total No. of Sheets: 14

T. 33 1/2 N., R. 17 W., N.M.P.M.

SECTION 32



Colorado Department of Transportation



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

Region 5

JMW

Sheet Revisions

Date mm/yy	Description	Initials
	XXXXXXXX	XXX

Sheet Revisions

Date mm/yy	Description	Initials
	XXXXXXXX	XXX

Sheet Revisions

Date mm/yy	Description	Initials
	XXXXXXXX	XXX

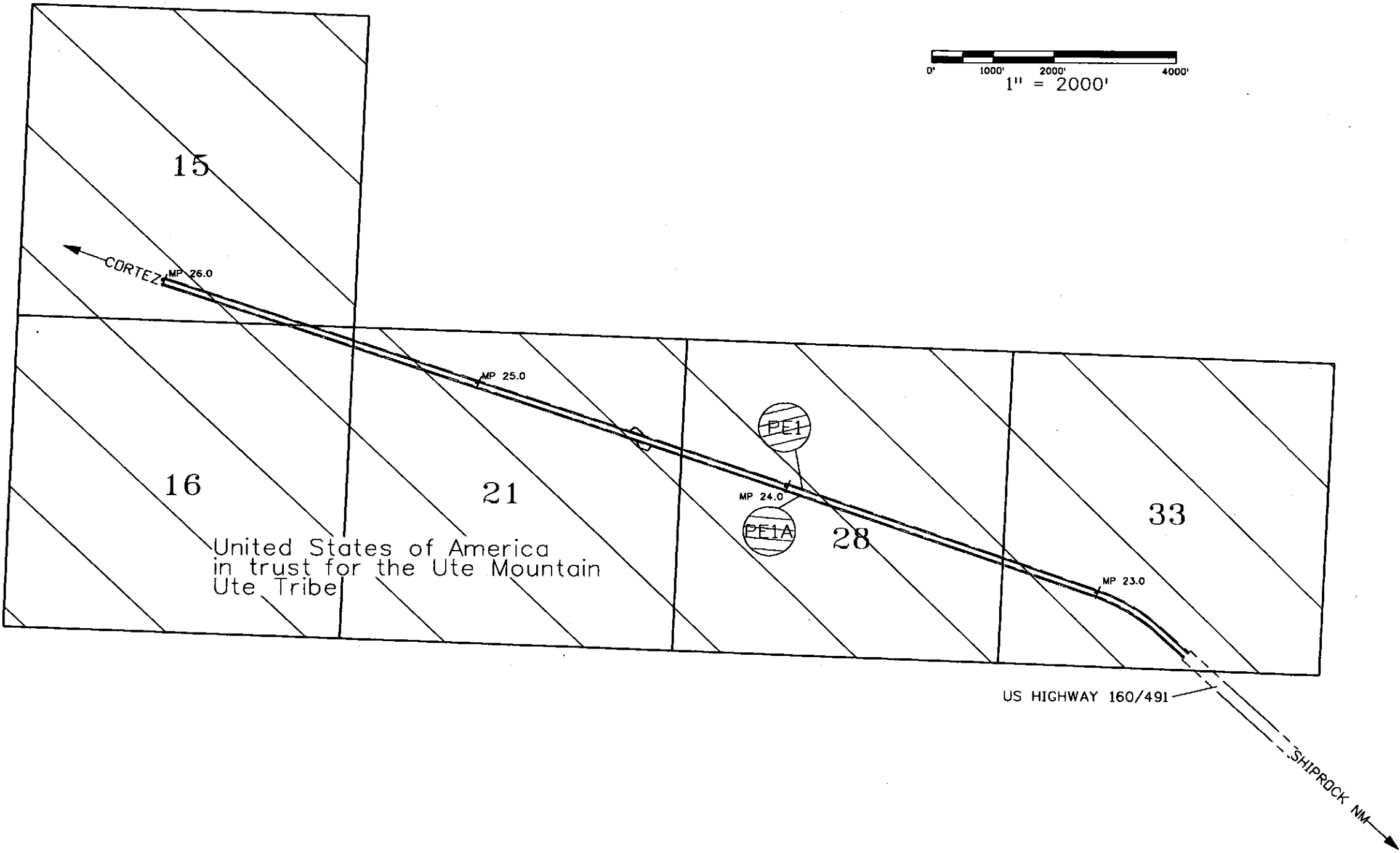
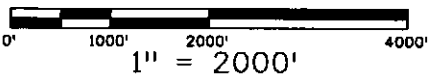


Right of Way Plans

OWNERSHIP SHEET

Project Number: NH 1601-058				
Project Location: US 160-S Towaoc NB Passing Ln				
Project Location: US Hwys 160/491-Ute Mountain Ute Res.				
Project Code:	Last Mod. Date	Subset Sheets	Sheet No.	Total No. of Sheets
15950	9/30/2007		RW6.01	

T. 33 1/2 N., R. 17 W., N.M.P.M.



COLORADO STATE HIGHWAY DEPARTMENT

FEDERAL ROAD DIVISION NO.	DISTRICT	PROJ. NO.	SHEET NO.
9	COLORADO	FLHP-8(3)	1
		BF023-1(4)	

RIGHT OF WAY

CONVENTIONAL SIGNS

CENTER LINE	PLAN SHEET	TITLE SHEET
RIGHT OF WAY LINE	R.O.W. MARKER	
COUNTY LINE		
TOWNSHIP OR RANGE LINE		
LAND LINES	SECTION LINE	1/4 SECTION LINE
RAILROAD	TITLE SHEET	PLAN SHEET
BARBED WIRE FENCE		
COMBINATION WIRE FENCE		
SNOW FENCE		
TELEPHONE & TELEGRAPH LINES		
POWER LINE		
DETOUR		
PRESENT ROAD (Plan Sheets)		

SET NO.

INDEX OF SHEETS	
SHEET NO. 1	TITLE SHEET
" 2-10	PLAN SHEETS SHOWING R.O.W. REQUIREMENTS
" 11	OWNERSHIP MAP

PLAN AND PROFILE OF PROPOSED COMBINED FEDERAL AID PROJECT NO. FLHP-8(3) & BF023-1(4) STATE HIGHWAY NO. 106 RIGHT OF WAY

SCALES OF ORIGINAL DRAWINGS

ON PLAN, 1 IN. = 100 FT.
ON PROFILE 1 IN. = 100 FT. HORIZONTAL
1 IN. = 10 FT. VERTICAL

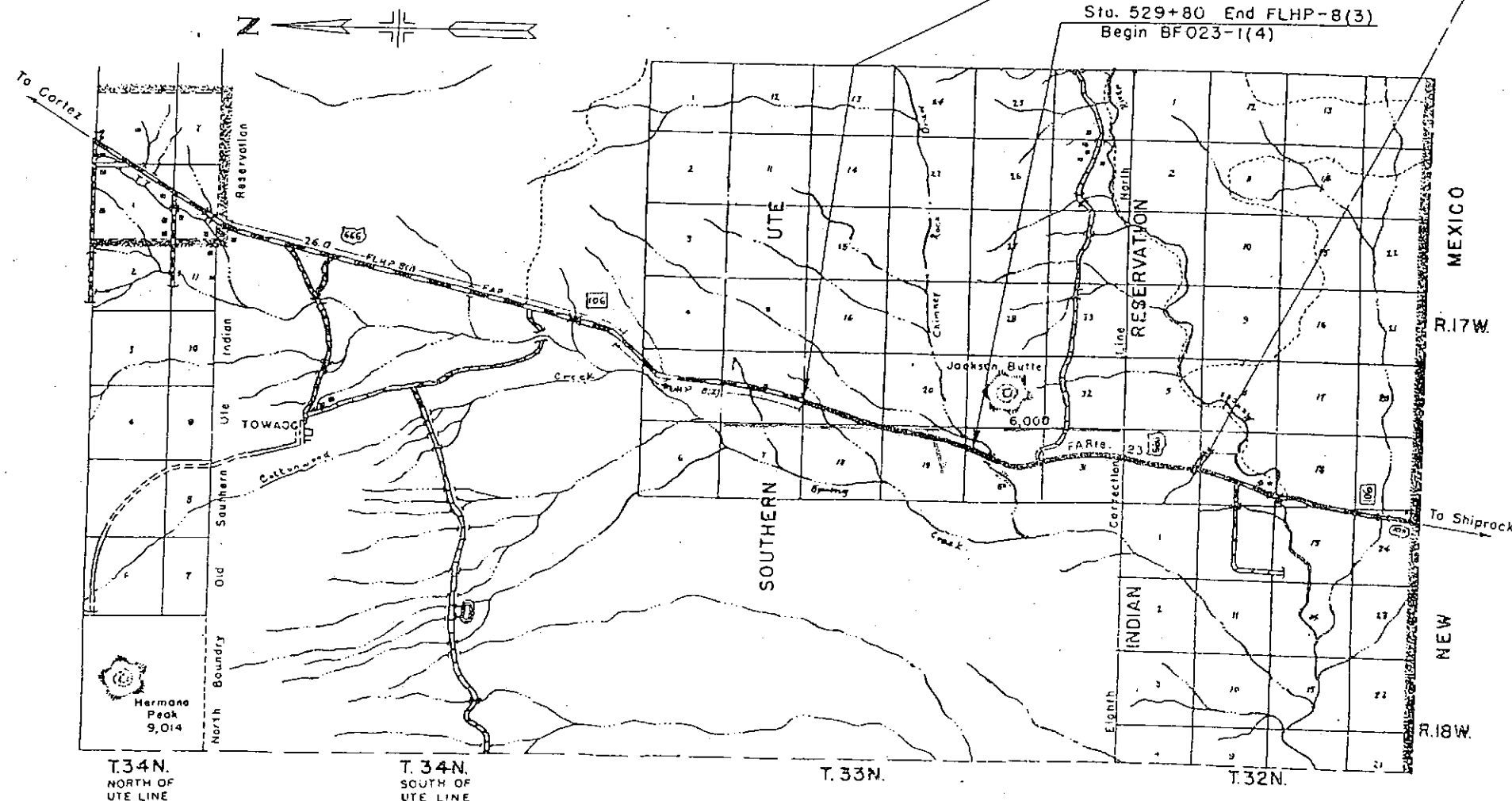
GRADE LINE ON PROFILE IS SHOWN AS GRADE OF FINISHED ROAD

FLHP-8(3)	GROSS LENGTH OF PROJECT	12,143.8' = 2.300 MI.
	NET LENGTH OF PROJECT	
BF023-1(4)	GROSS LENGTH OF PROJECT	14,020.0' = 2.655 MI.
	NET LENGTH OF PROJECT	

Sta. 399+00Bk. Begin FLHP-8(3)
Sta. 408+36.2 Ah. End FLHP-8(2)

Sta. 670+00 End BF023-1(4)
Sta. 670+00 on FAP 147A

Sta. 529+80 End FLHP-8(3)
Begin BF023-1(4)



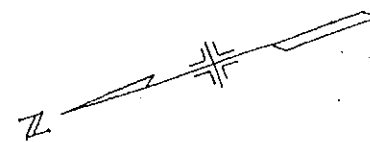
NOTE:
ENTIRE COMBINED PROJECT
IS ON UTE TRIBAL LAND.

	PARCEL	TO BE ACQUIRED
FLHP-8(3)	48,490 Acres	22,628 Acres
BF023-1(4)	41,912 Acres	19,610 Acres
TOTAL	90,402 Acres	42,238 Acres

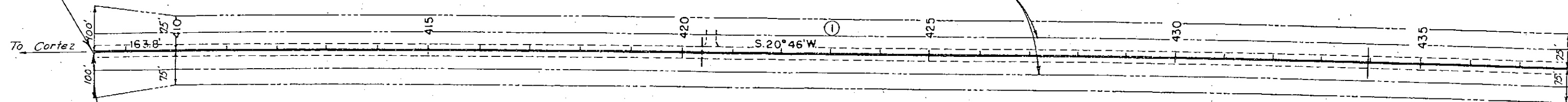
FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	T. S.
9	COLO.	FLHP-8(3)	2	

RIGHT OF WAY

Begin Parcel No. 1
7.557 Miles southerly of the
North boundary of the Ute
Reservation along State
Highway No. 106.

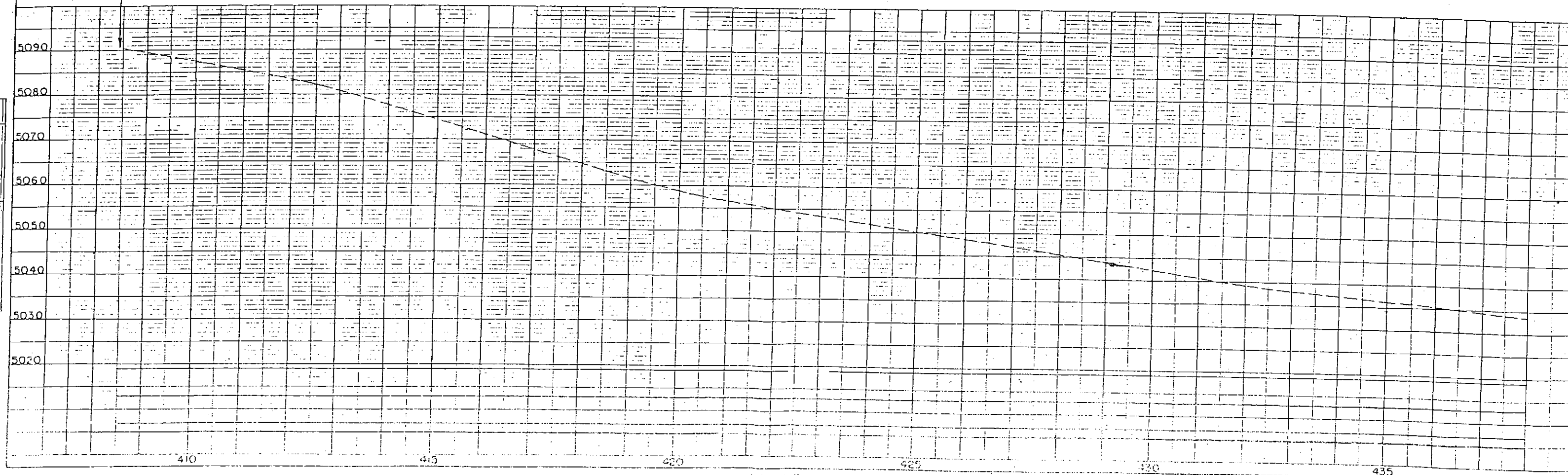


Present ROW



Sta. 408+36.2 Ah. - Begin FLHP-8(3)
Sta. 399+00 Bk. End FLHP-8(2)

① UTE INDIAN TRIBE



PLAN	NO.	DATE	BY	CHECKED
NOTE BOOK				
RT. OF WAY CHECKED				

PROFILE	NO.	DATE	BY	CHECKED
NOTE BOOK				
FLHP-8(3) CHECKED				

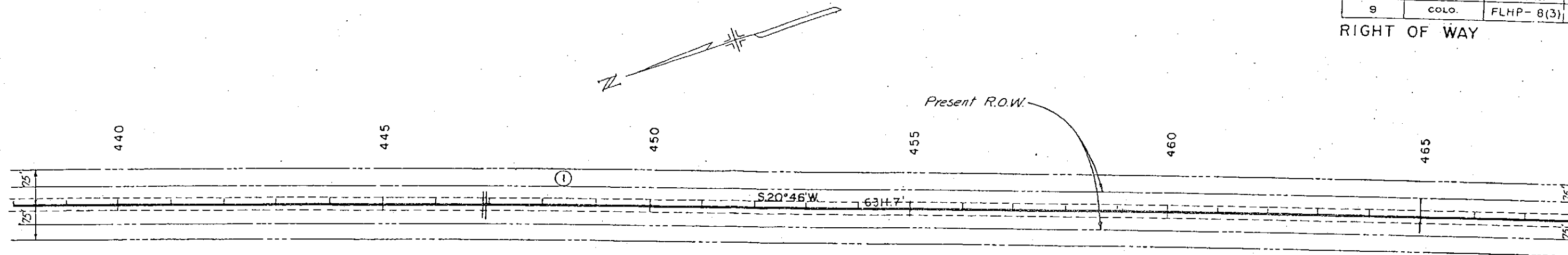
CALCULATED SEPARATION OF HIGHWAYS
APRIL 1961

PLAN	REVISION	DATE	BY	CHKD.
NOTE BOOK	PLATTED			
NO.	ALIGNED CHECKED			
	BY SURVEYOR			

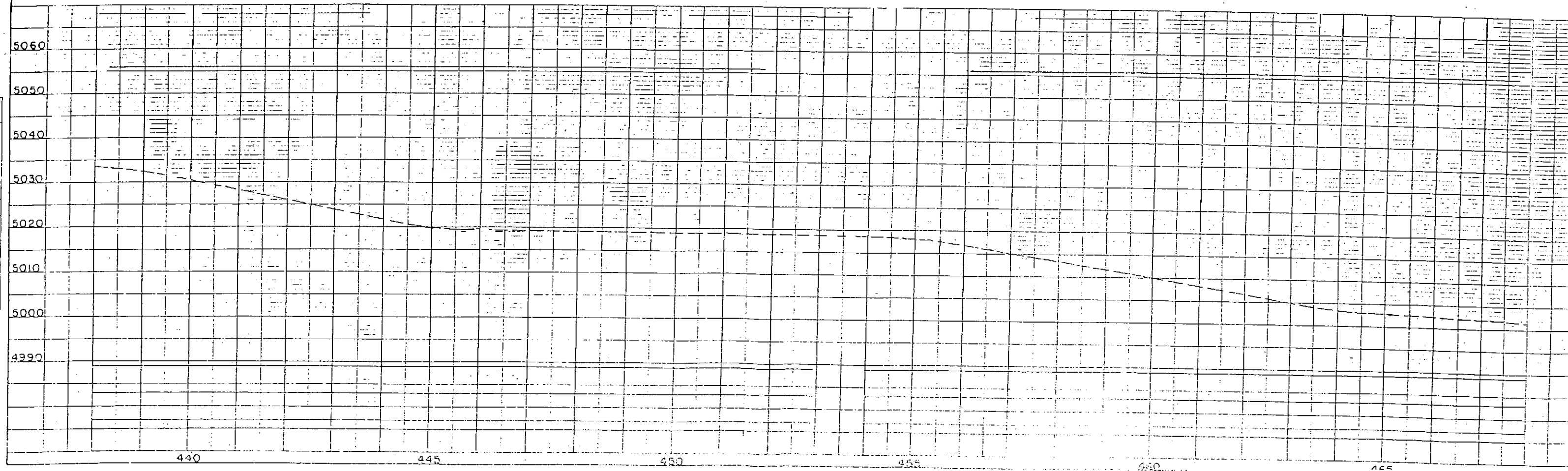
PROFITE	REVISION	DATE	BY	CHKD.
NOTE BOOK	PLATTED			
NO.	ALIGNED CHECKED			
	BY SURVEYOR			

FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLO.	FLHP-8(3)	3	3

RIGHT OF WAY



① UTE INDIAN TRIBE



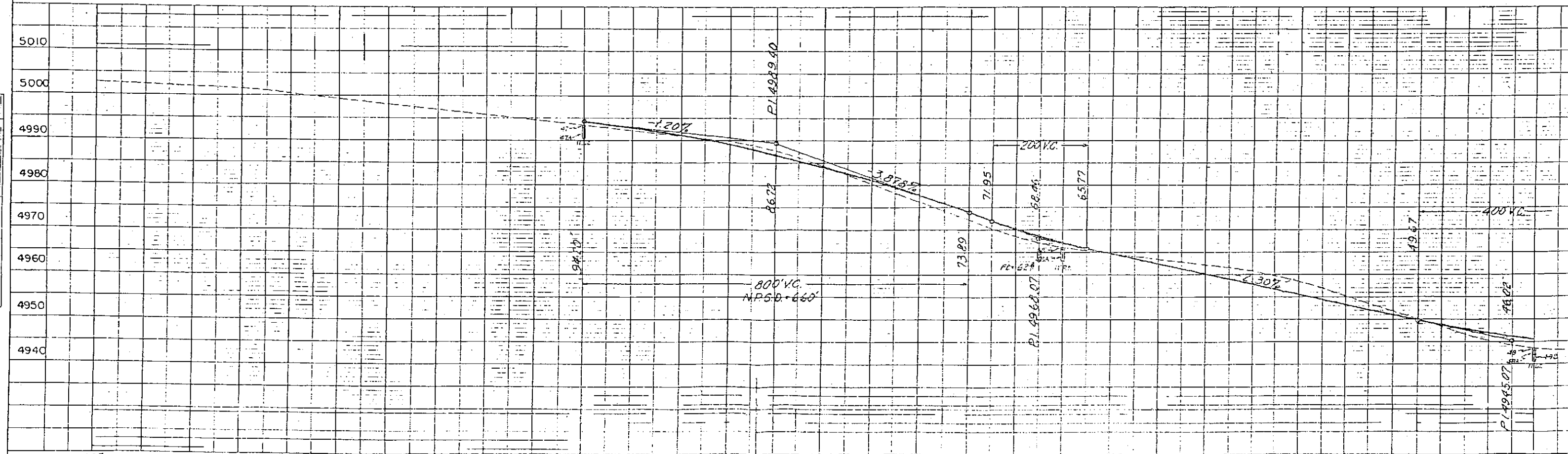
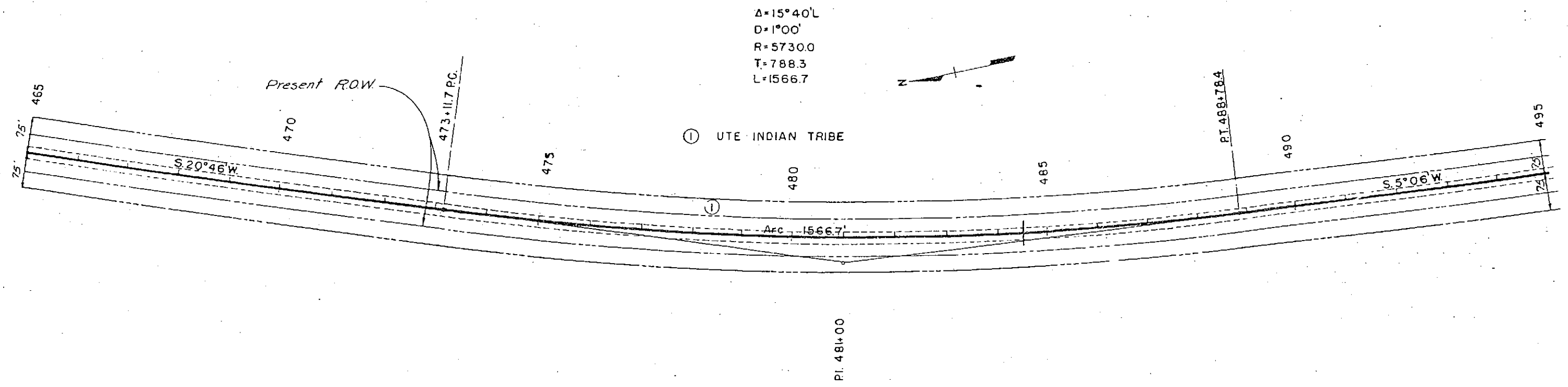
DESIGNED BY: J. L. HARRIS
 CHECKED BY: J. L. HARRIS
 DATE: 11/17/84

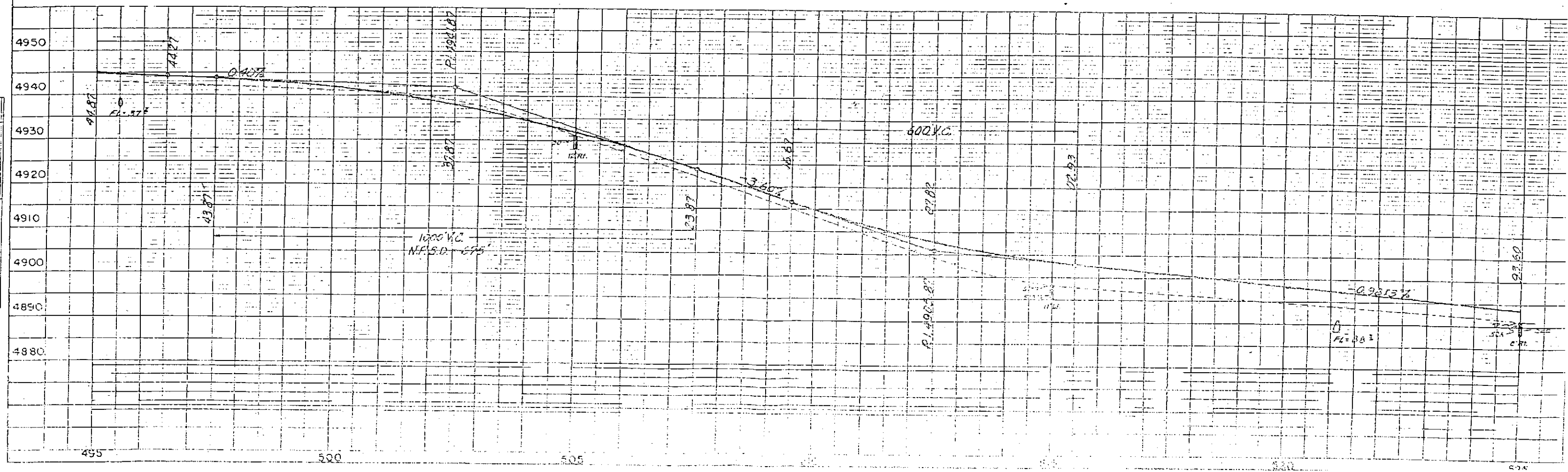
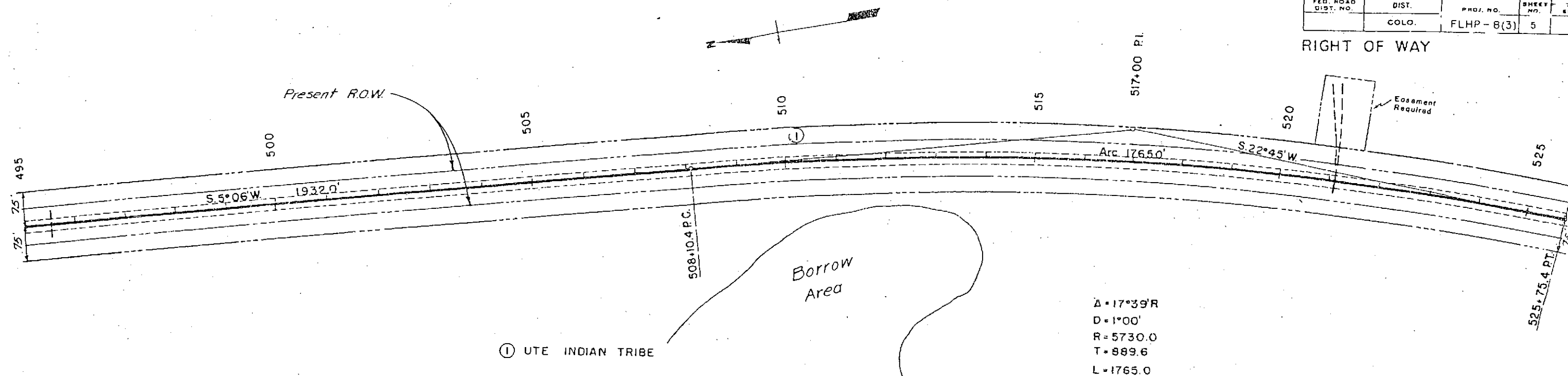
PLAN
 PROJECTED
 NOTE: ROAD
 RIGHT OF WAY CHECKED
 BY: J. L. HARRIS
 DATE: 11/17/84

PROFILE
 PROJECTED
 NOTE: ROAD
 RIGHT OF WAY CHECKED
 BY: J. L. HARRIS
 DATE: 11/17/84

FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLO.	FLHP-8(3)	4	5

RIGHT OF WAY



RIGHT OF WAY

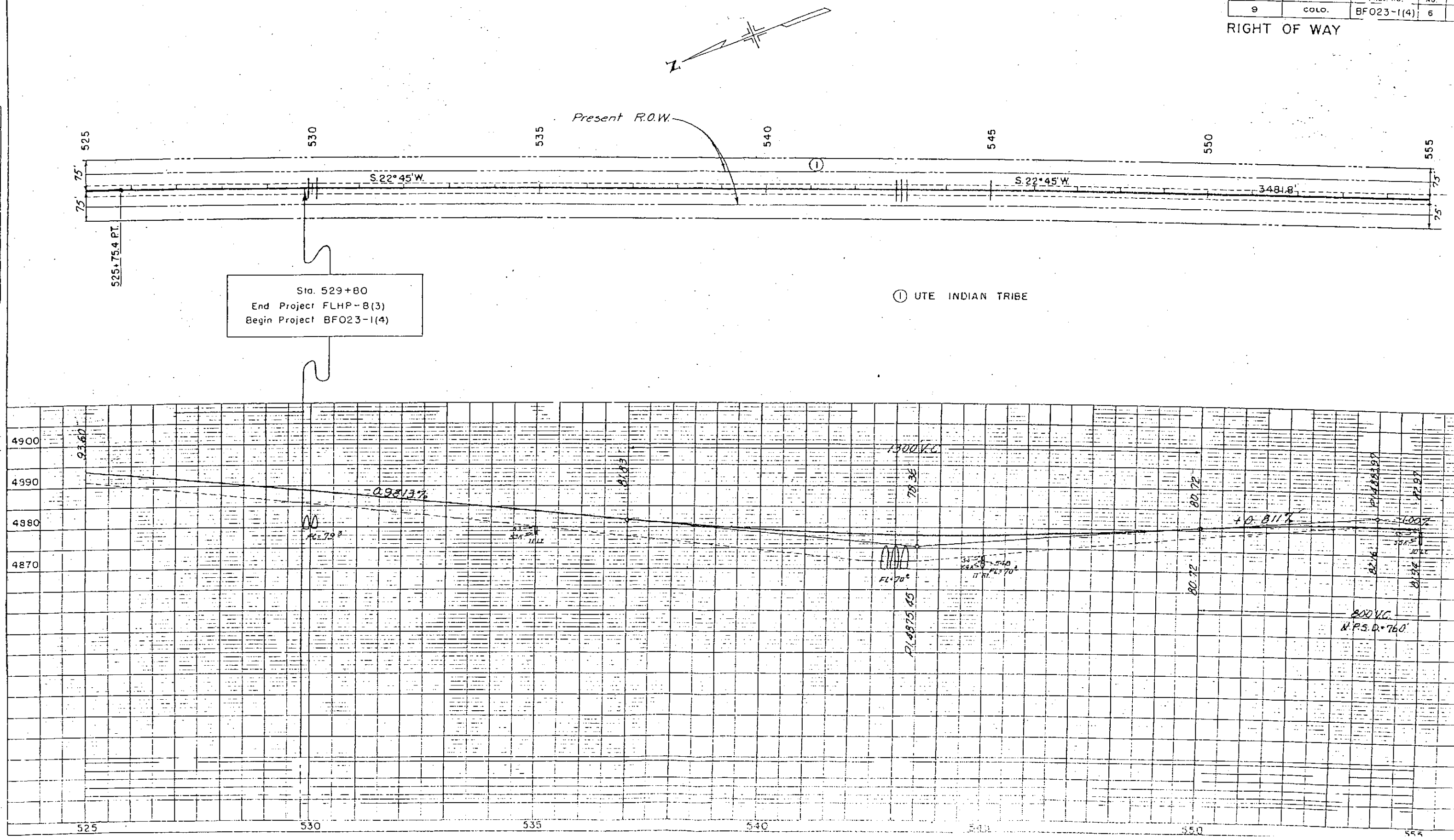
COLORED DEPARTMENT OF HIGHWAYS
 1/4" = 100' HORIZ.
 1/4" = 10' VERT.

PLAN	DATE	BY	CHKD.
DESIGNED			
NOTED			
NOTED			
NOTED			
NOTED			

PROFILE	DATE	BY	CHKD.
DESIGNED			
NOTED			
NOTED			
NOTED			
NOTED			

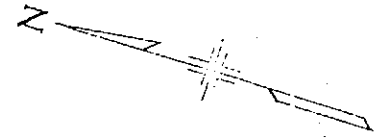
FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	S.
9	COLO.	BF023-1(4)	6	

RIGHT OF WAY

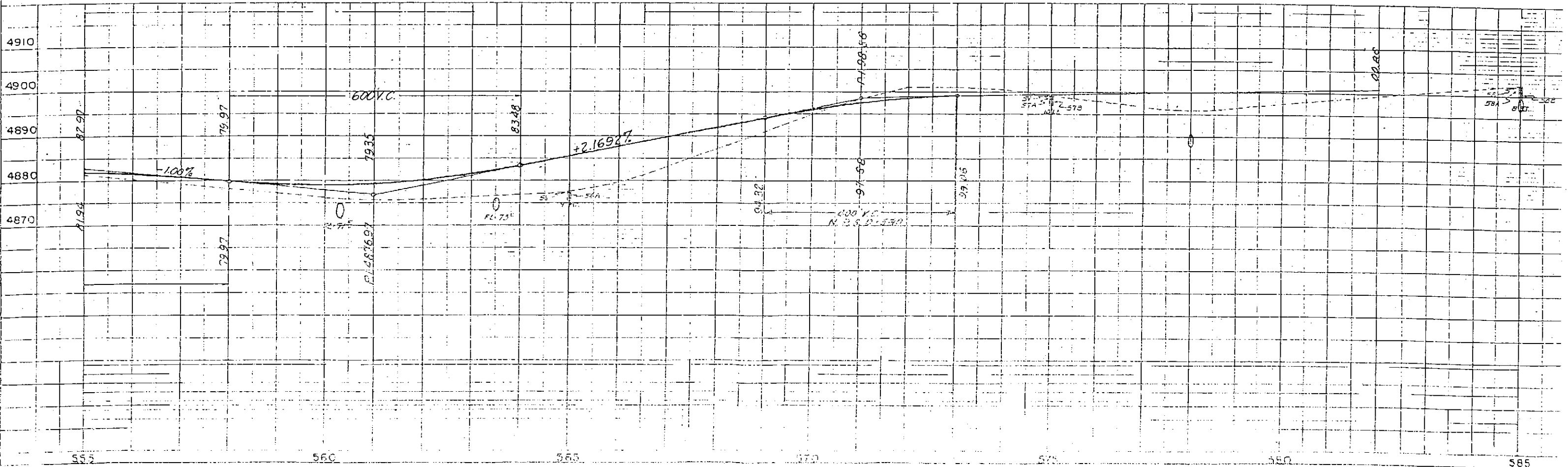
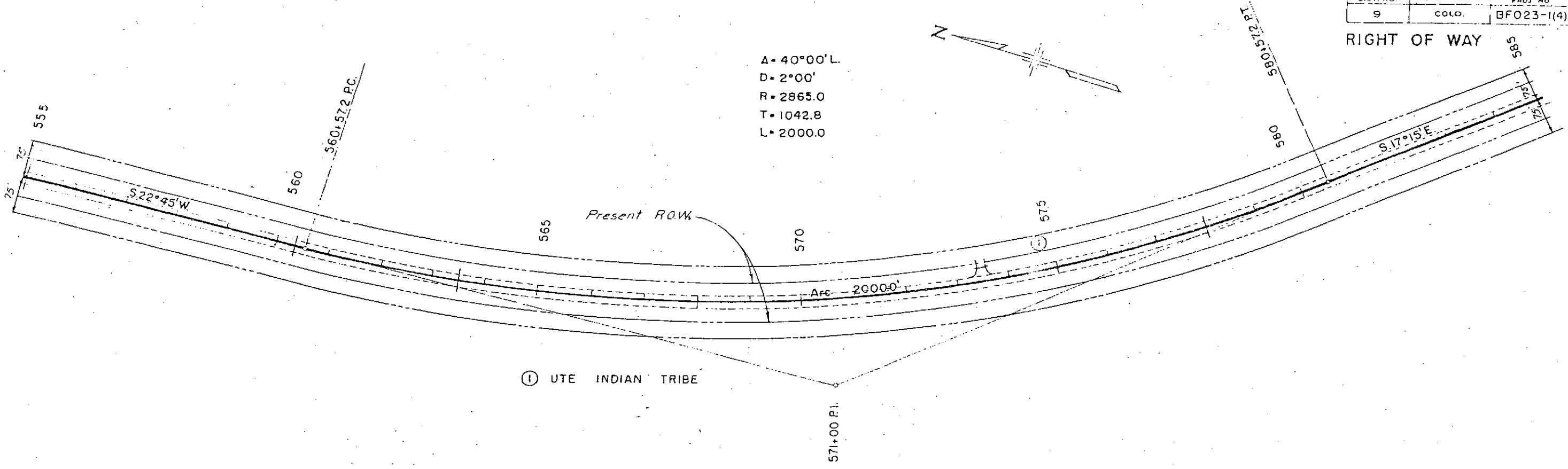


FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLO.	BF023-1(4)	7	

RIGHT OF WAY



A = 40°00' L.
D = 2°00'
R = 2865.0
T = 1042.8
L = 2000.0



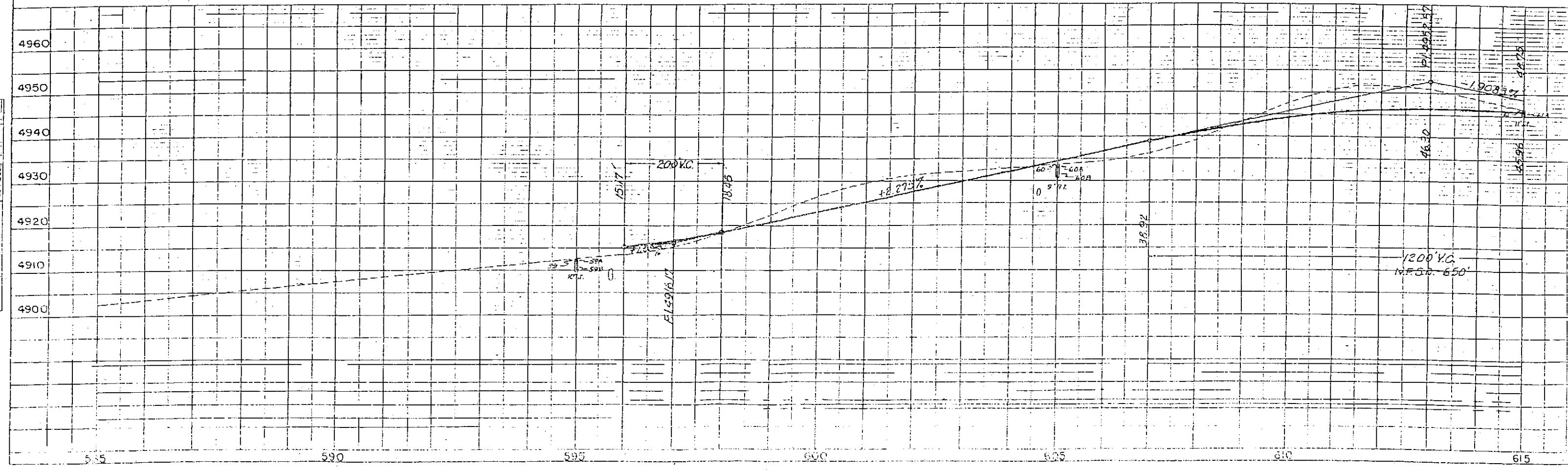
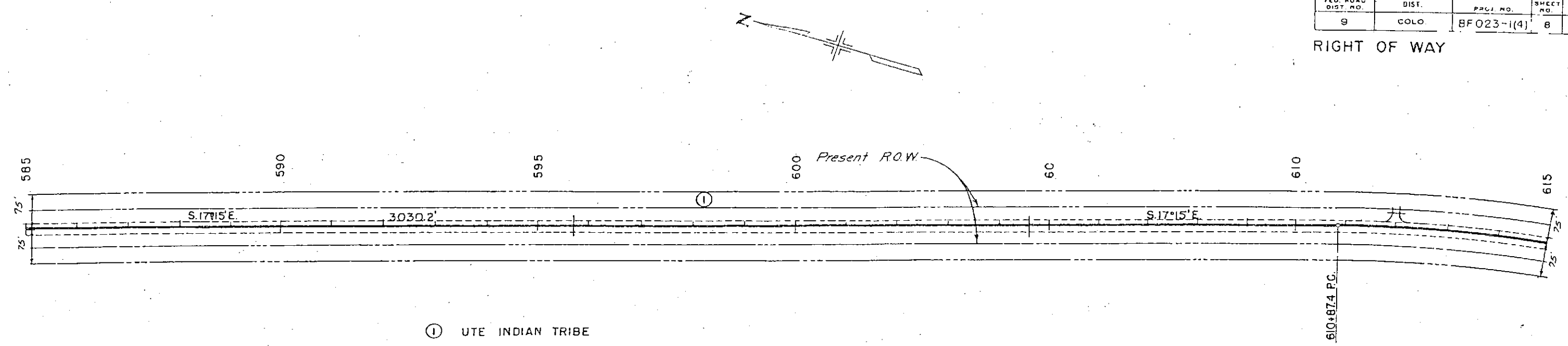
DESIGNED BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 DATE: 10/1/50

PLAN
 REVISIONS
 NO. 1
 DATE 10/1/50
 BY J. H. HARRIS
 CHECKED BY J. H. HARRIS

PROFILE
 REVISIONS
 NO. 1
 DATE 10/1/50
 BY J. H. HARRIS
 CHECKED BY J. H. HARRIS

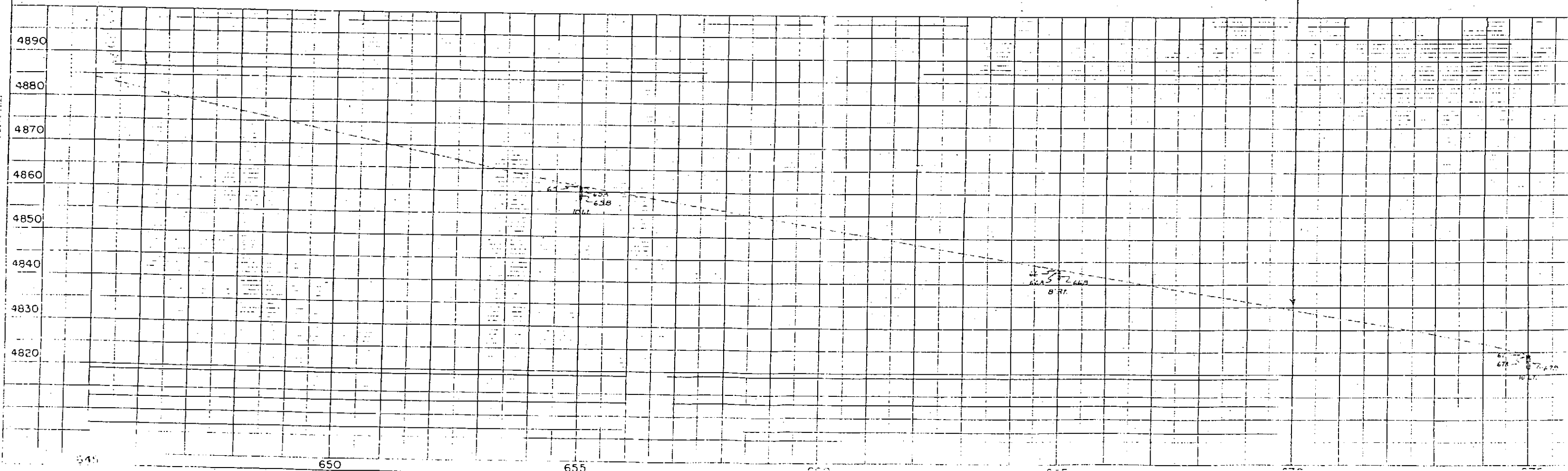
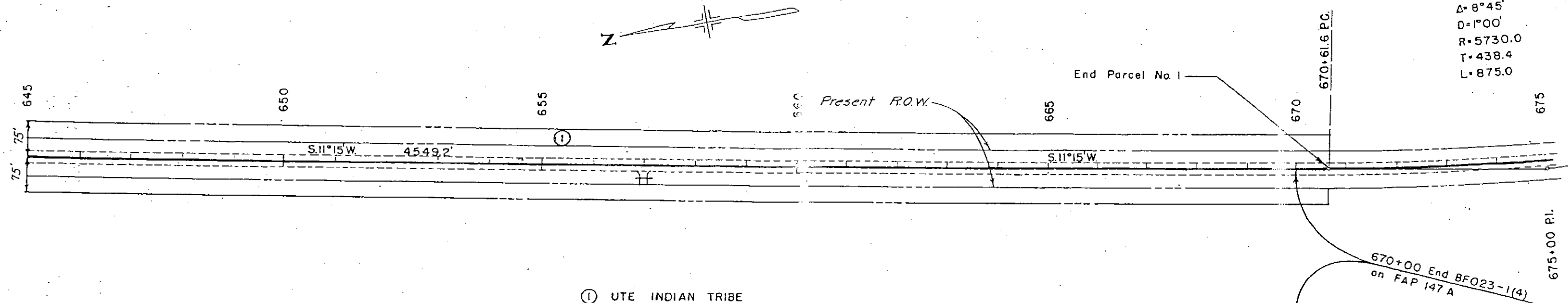
FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	TOT. SHEET
9	COLO.	BF023-1(4)	8	

RIGHT OF WAY



FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	TO SHEET
9	COLO.	BF023-1(4)	10	

$\Delta = 8^{\circ}45'$
 $D = 1^{\circ}00'$
 $R = 5730.0$
 $T = 438.4$
 $L = 875.0$



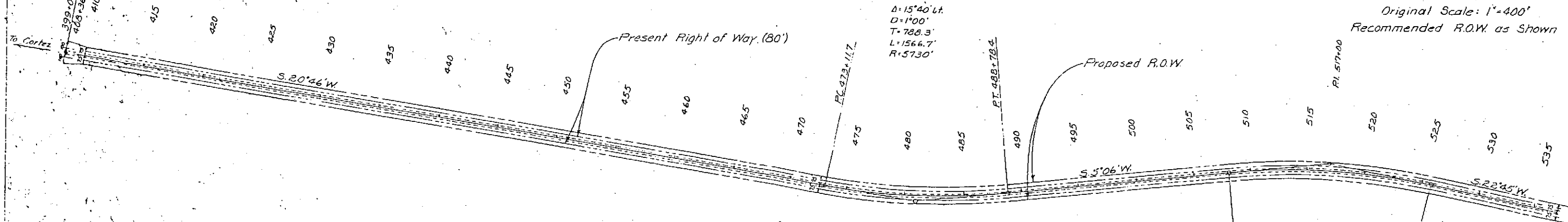
T.33 N., R.17 W., N.M.P.M.

① UTE INDIAN TRIBE
Towaoc, Colorado
(Entire Project)

FED. ROAD DIST. NO.	DIST.	PROJ. NO.	SHEET NO.	TO SHEET
9	COLO.	FLHP 8(3)	11	TO SHEET

RIGHT OF WAY
OWNERSHIP MAP PLAT
Showing Claimants With Regard
To Right of Way for Project No.
FLHP 8(3)

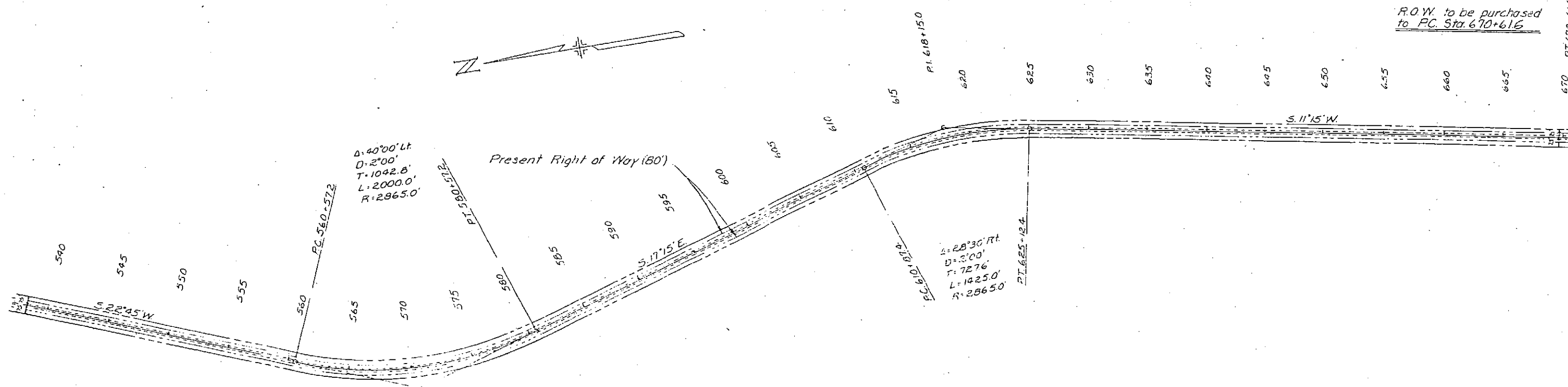
Original Scale: 1"=400'
Recommended R.O.W. as Shown



T.33 N., R.17 W., N.M.P.M.

T.32 N., R.17 W., N.M.P.M.

R.O.W. to be purchased
to PC Sta. 670+616



DEPARTMENT OF TRANSPORTATION

STATE OF COLORADO

REAL PROPERTY

TO BE ACQUIRED

FROM

UTE MOUNTAIN UTE TRIBE

TOWAOC, CO 81334

PARCEL NO. 1

STA. 571+50.00 TO STA. 624+00.00

FOR

PROJECT NO. NH(CX) 160-1(30)

U.S. HIGHWAY NO. 160

(Designation) NORTH OF TOWAOC

D E S C R I P T I O N

An Easement of Grant No. 1 of the Department of Transportation, State of Colorado, Project No. NH(CX) 160-1(30) containing 16.271 acres, more or less, in Sections 10 & 15, Township 34 North, S.U.L., Range 17 West, of the New Mexico Principal Meridian, in Montezuma County, Colorado, said tract or parcel being more particularly described as follows:

Beginning C.D.O.T. PNT 1 from which the South West corner of Section 10 bears N.70°11'29"W. a distance of 1238.74 feet;

1. Thence N. 17° 13' 17" E., a distance of 900.00 feet to C.D.O.T. PNT 3;
2. Thence N. 72° 45' 12" W., a distance of 50.00 feet to C.D.O.T. PNT 5;
3. Thence N. 17° 13' 17" E., a distance of 100.00 feet to C.D.O.T. PNT 7;
4. Thence S. 72° 45' 12" E., a distance of 50.00 feet to C.D.O.T. PNT 9;

5. Thence N. $17^{\circ} 13' 17''$ E., a distance of 575.00 feet to C.D.O.T. PNT 11;
6. Thence N. $72^{\circ} 45' 12''$ W., a distance of 20.00 feet to C.D.O.T. PNT 13;
7. Thence N. $17^{\circ} 13' 17''$ E., a distance of 75.00 feet to C.D.O.T. PNT 15;
8. Thence S. $72^{\circ} 45' 12''$ E., a distance of 20.00 feet to C.D.O.T. PNT 17;
9. Thence N. $17^{\circ} 13' 17''$ E., a distance of 525.00 feet to C.D.O.T. PNT 19;
10. Thence N. $72^{\circ} 45' 12''$ W., a distance of 50.00 feet to C.D.O.T. PNT 21;
11. Thence N. $17^{\circ} 13' 17''$ E., a distance of 150.00 feet to C.D.O.T. PNT 23;
12. Thence S. $72^{\circ} 45' 12''$ E., a distance of 50.00 feet to C.D.O.T. PNT 25;
13. Thence N. $17^{\circ} 13' 17''$ E., a distance of 975.00 feet to C.D.O.T. PNT 27;
14. Thence N. $72^{\circ} 45' 12''$ W., a distance of 20.00 feet to C.D.O.T. PNT 29;
15. Thence N. $17^{\circ} 13' 17''$ E., a distance of 100.00 feet to C.D.O.T. PNT 31;
16. Thence S. $72^{\circ} 45' 12''$ E., a distance of 20.00 feet to C.D.O.T. PNT 33;
17. Thence N. $17^{\circ} 13' 17''$ E., a distance of 980.59 feet to C.D.O.T. PNT 35;
18. Thence along the arc of a curve to the right having a radius of 5794.58 feet, a distance of 879.20 feet to C.D.O.T. PNT 37 (the chord of said arc bears N. $21^{\circ} 34' 05''$ E., a distance of 878.36 feet);
19. Thence S. $64^{\circ} 12' 02''$ E., a distance of 130.00 feet to C.D.O.T. PNT 22;
20. Thence along the arc of a curve to the left having a radius of 5664.58 feet, a distance of 859.74 feet to C.D.O.T. PNT 20 (the chord of said arc bears S. $21^{\circ} 34' 10''$ W., a distance of 858.92 feet);
21. Thence S. $17^{\circ} 13' 17''$ W., a distance of 830.65 feet to C.D.O.T. PNT 18;
22. Thence S. $72^{\circ} 45' 12''$ E., a distance of 25.00 feet to C.D.O.T. PNT 16;
23. Thence S. $17^{\circ} 13' 17''$ W., a distance of 250.00 feet to C.D.O.T. PNT 14;

24. Thence N. 72° 45' 12" W., a distance of 25.00 feet to C.D.O.T. PNT 12;
25. Thence S. 17° 13' 17" W., a distance of 900.00 feet to C.D.O.T. PNT 10;
26. Thence S. 72° 45' 12" E., a distance of 40.00 feet to C.D.O.T. PNT 8;
27. Thence S. 17° 13' 17" W., a distance of 100.00 feet to C.D.O.T. PNT 6;
28. Thence N. 72° 45' 12" W., a distance of 40.00 feet to C.D.O.T. PNT 4;
29. Thence S. 17° 13' 17" W., a distance of 2300.00 feet to C.D.O.T. PNT 2;
30. Thence N. 72° 45' 27" W., a distance of 130.00 feet, more or less, to the POINT OF BEGINNING.

The above described parcel contains 16.271 acres/708763 square feet, more or less.

BASIS OF BEARING: A line between The SW Corner of Section 10 (a 3" B.L.M Brass cap) and (a 1 1/2" aluminum cap) bears N. 89° 51' 25" W.

This description was prepared by: Randy N. Crumbaugh
Colorado Department of Transportation
214 W. 6th St., Durango, CO 81301

970-799-1897

(Both Ends) Very Bad

25.90

East End OK West end
Bad

Best of 25.50

Bobble

25.30

Not Bad

24.90

North end
of access

Not Bad

~~24.30~~

Not Bad

~~24.00~~

Found 2 pipes

I very much

I Not Bad

23.80

(Both Sides) Not Rad



~~23.03~~ - Both side found

west side? found east side

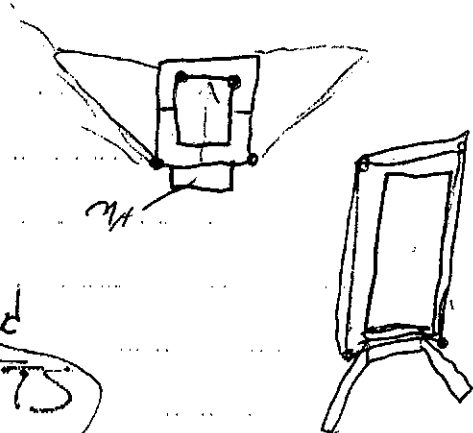
No Pipes

found

22.95

~~2 COLVERTS~~

35.53



22-90
22-60
22-94
22-94
22-94

5 580
36 1600
34 180

Kevin

508 295 0812

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON, D. C. December 23, 1916

I CERTIFY THAT THE PLAT OF SURVEY OF THE BOUNDARIES OF THE SOUTHERN UTE INDIAN RESERVATION, AS SURVEYED UNDER THE SUPERVISION AND DIRECTION OF A. F. DUNNINGTON, TOPOGRAPHER, IS STRICTLY CONFORMABLE TO THE FIELD NOTES OF THE SURVEY THEREOF ON FILE IN THIS OFFICE WHICH HAVE BEEN EXAMINED AND APPROVED.

A. F. Dunnington
COMMISSIONER

R. 20 W. R. 19 W. R. 18 W. R. 17 W. R. 16 W.
Note: See subdivisional plats of Twp. 35 N., Rgs. 17 and 18 W. for bearings and distances in Secs. 19, 20, 24, 25, 29 and 30.

Note: See subdivisional plats of T. 34 N., R. 15 & 16 W., S. of Life Line T. 34 N., R. 16, 17 & 18 W., N. T. 35 N., R. 16, 17 & 18 W. for topography along Reservation boundary.

UTAH
COLORADO

OLD UTE BOUNDARY LINE

3rd Standard Parallel N.

COLORADO
NEW MEXICO

PLAT showing
RESURVEY OF
BOUNDARIES OF THE
SOUTHERN UTE INDIAN RESERVATION

Tps. 31, 32, 33, 34 AND 35 N. Rgs. 14, 15, 16, 17, 18, 19 AND 20 W.,
NEW MEXICO PRINCIPAL MERIDIAN
COLORADO AND NEW MEXICO.

SURVEYED BY C. R. BURT, U. S. SURVEYOR,
DIRECTION OF A. F. DUNNINGTON, TOPOGRAPHER,
UNDER INSTRUCTIONS DATED JULY 19, 1913.

SURVEYED MAY 14, 1914, TO JULY 17, 1915.

SCALE 60 CHS.=1 INCH.

Note: For corrected boundary in T. 34 and 35 N., R. 17 W. and T. 35 N., R. 18 W., under Group 19, Colorado, see plats of those townships approved May 28, 1920.

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY SURVEYED BY C. R. BURT, U. S. SURVEYOR, UNDER MY SUPERVISION AND DIRECTION UNDER INSTRUCTIONS FROM THE COMMISSIONER OF THE GENERAL LAND OFFICE DATED JULY 19, 1913, IS STRICTLY CONFORMABLE TO THE FIELD NOTES OF THE SURVEY THEREOF.
A. F. Dunnington
DENVER, COLORADO.
MAY 8, 1916. TOPOGRAPHER, GENERAL LAND OFFICE.

T. 31 to 35 N., R. 14 to 20 W. - N.M.

Embankment, are to be classified and paid for as
Excavation.

These quantities are to be staked as part of the original excavation at locations indicated on the plans. Slope stakes beyond the limits of the 'Typical Section', as shown, are subject to change by the Engineer to fit Embankment requirements actually met in construction.

The entire Project is to be cleared for the full width of the right of way, and the cost thereof is to be included in the Lump Sum price for Clearing and Grubbing the entire Project. Notes on the plans indicate the character and approximate location of Clearing & Grubbing required.

All curves are to be superelevated and widened as provided by the Standard sheet included with the plans.

All poles encroaching on construction are to be removed by the owners.

Unless otherwise noted, the inlet ends of all C.M.P. Culverts are to be protected by dry rubble slope paving, 1 ft. thick, placed about the end of the pipe.

The Detour for this Project is to be over the present road. The Contractor shall maintain in safe condition and at his own expense all temporary approaches to and crossings of intersecting roads.

R.O.W. MARKERS

STATION	SIDE	No.	STATION	SIDE	No.	STATION	SIDE	No.
360+00	R&L	2	527+66	R	1	690+20	R	1
368+50	R&L	2	540+44	R	1	698+25	L	1
			541+00	L	1	700+00	L	1
379+88	L	1	570+32	R	1	713+00	L&R	2
380+08	R	1	570+40	R	1	720+00		2
391+20	R	1	570+90	L	1	724+31	L	1
396+45	L	1	576+00	R	2	727+00	R	1
397+65	R	1	596+82	R	1	734+60	R	1
418+52	R	1	597+22.1	L	1	735+00	L	1
419+80	L	1	598+80	L	1	741+75	L	2
433+95	L	1	608+45	R	1	744+35	L	2
434+75	R	1	624+00	L	1	760+00	L	2
456+87	R	1	624+13	R	1	762+75	L	2
457+27	L	1	651+40	R	1	763+12	R	1
484+42	R	1	651+61	L	1	772+00	R&L	2
484+71	L	1	660+90	R	1			
511+25	R	1	660+90	L	2			
511+39	L	1	681+82	R	1			
525+68	L	1	683+73	L	1			
			690+09	L	1			
						TOTALS		68

NOTE: RESOLUTION No 899b SUPERCEDES EARLIER RESOLUTION
899 & 899a. IT IS THE FINAL.

Resolution No. 899b

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
December 1, 1959

WHEREAS, Authority is vested in Article V, Section 2 of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1940; and

WHEREAS, The Ute Mountain Ute Tribe by Resolution No. 899a, passed, adopted and approved ^{Nov. 17, 1959}, 1959, did offer the Colorado State Highway Department a right of way across the Ute Mountain Reservation; and

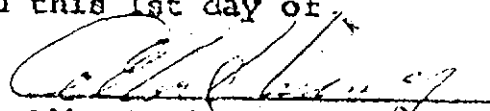
WHEREAS, ~~The State Highway Department did accept the terms of said Resolution No. 899a on November 17, 1959 at a formal meeting of the State Highway Commission; and~~

WHEREAS, Under the terms of acceptance by the Colorado State Highway Commission a waiver of the requirements of Section 161.7C of PCR is required; and

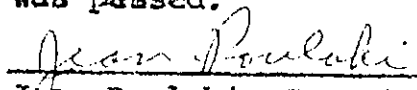
WHEREAS, The waiving of said CFR requirement does not influence, alter or affect the position of the Ute Mountain Tribe in their Resolution No. 899a;

NOW, THEREFORE, BE IT RESOLVED That: (1) This Council urges and recommends the provisions of Section 161.7C of CFR be waived, and (2) That the Superintendent of the Consolidated Ute Agency is urged to use all expediency in securing the waiving of Section 161.7C of CFR.

The foregoing resolution was duly adopted this 1st day of December, 1959.


Albert Wing, Chairman
Ute Mountain Tribal Council

This is to certify that there were six of the regularly elected councilmen at the above meeting, that being a quorum, that five voted for and none opposed and the above resolution was passed.


Jean Poulaki, Secretary

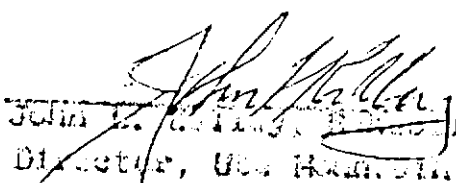
WARRANT


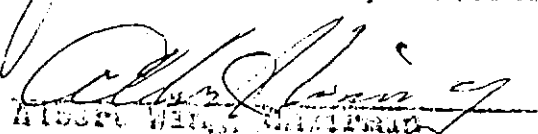
WARRANT is acknowledged of State of Colorado Cash Funds
Warrant No. 33645 charged to the Fund of State Highway Supplementing,
dated December 23, 1959, payable to the order of the U. S. Department
of the Interior, Bureau of Indian Affairs, in the sum of \$500.00 -
voucher No. 20938, account No. 2111 - as total compensation for all
damages for a right of way of varying widths, and other considerations
set forth in Resolution No. 699-A dated November 17, 1959, of the
Ute Mountain Tribal Council, across the Ute Mountain Reservation as
more particularly shown and described on the Map of Definite Location
dated December 1, 1959, being sheets 1 to 4 inclusive of the Four
Corners to Jct. U. S. 666, and 1 to 4 inclusive of the Utah Branch,
this day approved by the undersigned Superintendent in accordance
with Title 29, Subchapter C, Part 161, Code of Federal Regulations.

The consent of the Tribe to the granting of such right of
way and for other considerations is contained, in the form of an
offer, in the above mentioned Resolution No. 699-A dated November 17,
1959, of the Ute Mountain Tribal Council and accepted by the State
Highway Commission of Colorado by resolution No. 749-C, dated
November 17, 1959.

DATE: DEC 1 1959

WITNESS:


JOHN L. COLLINS, Director, Ute Mountain Tribe


JAMES F. COLLINS, Superintendent

ALBERT W. SMITH, Chairman
Ute Mountain Tribal Council

Tribal Relations

Gallup Area Office
P. O. Box 1200
Gallup, New Mexico

DEC 1 1959

*Mr. FRIX
for Real file*

Commissioner, Bureau of Indian Affairs

Washington 25, D. C.

Attention: Tribal Programs

Dear Sir:

We are transmitting with this letter one copy of the Ute Mountain Tribal Council Resolution 899-A, which was passed by the Council as a result of their negotiations with the Colorado Highway Department.

The principal change in the resolution from #899, adopted on June 26, 1959, is the new figure of \$500,000 and the deletion of the requirement that the State provide insurance for livestock which might be killed as a result of the highway.

The latest information we have is that the check has not been received. We will advise you by teletype as soon as we get word it has been delivered.

Sincerely yours,

Sgn. Walter U. Olson

Esst. Area Director

Enclosure

cc: Superintendent

RESOLUTION
OF THE
UTE MOUNTAIN TRIBAL COUNCIL
TOWAOC, COLORADO
November 12, 1959

WHEREAS, Authority is vested in Article V Section 1 (b) of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1940; and

WHEREAS, A request for a right of way across the Ute Mountain Reservation has been presented to the Ute Mountain Tribal Council, which right of way will run west from the vicinity of Chimney Rock across the Ute Mountain Reservation to the Aneth oil fields and another spur south to the four corners, which road will be twenty-eight (28) miles more or less; and

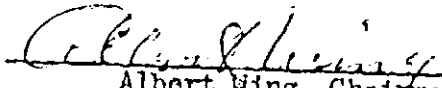
WHEREAS, The Ute Mountain Tribal Council feels that said highway is of little importance to the Ute Mountain Tribe, but of great importance to the growth of Cortez and the overall development of the four corners area:

NOW, THEREFORE, BE IT RESOLVED, That the Ute Mountain Tribal Council, acting for and on behalf of the individual members of its tribe, does hereby with offer to the State Highway Department for the State of Colorado a right of way across the Ute Mountain Reservation for the construction of approximately twenty-eight (28) miles of road more or less, upon compliance with the following conditions:

- (a) That the State Highway Department for the State of Colorado pay to the Ute Mountain Tribe the sum of five hundred thousand dollars (\$500,000) for the use of said right of way and fifteen cents (15¢) for each and every ton of gravel over and beyond one million (1,000,000) tons;
- (b) That no construction or preparation for construction on said right of way is to be made until such time as the Ute Mountain Tribe is in receipt of said five hundred thousand dollars (\$500,000);
- (c) That the State Highway Department for the State of Colorado is not to ask for any more right of ways across the Ute Mountain Reservation;
- (d) That the granting of this right of way is with the understanding that it is only an easement for highway purposes, and does not convey any additional property rights.
- (e) That there will be no signs along said right of way other than signs put up by the said State Highway Department for traffic control, etc;

- (f) That the granting of said right of way and said money received for same has no connection with this tribe's request for five hundred dollars (\$500.00) additional family plan funds.
- (g) That upon receipt of same said right of way funds are to be distributed on a pro rata basis to each and every qualified member of the Ute Mountain Tribe, provided that the checks for said members living in the Blanding area will be held until such time as it is definitely decided as to whether or not they can receive said monies;
- (h) That a sufficient number of underpasses are to be provided so that the tribe may fence the lands adjacent to the right of way at a later date;
- (i) That said right of way will run west from the vicinity of Chimney Rock across the Ute Mountain Reservation to the Aneth oil fields and another spur south to the four corners, which road will be twenty eight (28) miles more or less and shall have a maximum width of two hundred fifty (250) feet.

1959. The foregoing resolution was duly adopted this 17th day of November,


Albert Wing, Chairman
Ute Mountain Tribal Council

This is to certify that there were seven of the regularly elected councilmen at the above meeting, that being a quorum, that four voted for and three opposed and the above resolution was passed.


Jean Poulaki, Secretary

*Folder for
File*

WL

Resolution No. 899a

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
December 1, 1959

50158 (1)

C32-0032-02

C5-9032-02

WHEREAS, Authority is vested in Article V, Section 2 of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1940; and

WHEREAS, The Ute Mountain Ute Tribe by Resolution No. 899a, passed, adopted and approved Nov. 17, 1959, did offer the Colorado State Highway Department a right of way across the Ute Mountain Reservation; and

WHEREAS, The State Highway Department did accept the terms of said Resolution No. 899a on November 17, 1959 at a formal meeting of the State Highway Commission; and

WHEREAS, Under the terms of acceptance by the Colorado State Highway Commission a waiver of the requirements of Section 161.7C of PCR is required; and

WHEREAS, The waiving of said PCR requirement does not influence, alter or affect the position of the Ute Mountain Tribe in their Resolution No. 899a;

NOW, THEREFORE, BE IT RESOLVED That: (1) This Council urges and recommends the provisions of Section 161.7C of PCR be waived, and (2) That the Superintendent of the Consolidated Ute Agency is urged to use all expediency in securing the waiving of Section 161.7C of PCR.

The foregoing resolution was duly adopted this 1st day of December, 1959.

Albert Hing
Albert Hing, Chairman
Ute Mountain Tribal Council

This is to certify that there were six of the regularly elected councilmen at the above meeting, that being a quorum, that five voted for and none opposed and the above resolution was passed.

Joan Poulakis
Joan Poulakis, Secretary

RECEIPT

RECEIPT is acknowledged of State of Colorado Cash Funds Warrant No. 39845 charged to the fund of State Highway Supplementary dated November 25, 1959, payable to the order of the U. S. Department of the Interior, Bureau of Indian Affairs, in the sum of \$500,000.00 - voucher No. 78938, account No. 2111 - as total compensation for all damages for a right of way of varying widths, and other considerations set forth in Resolution No. 899-A dated November 17, 1959, of the Ute Mountain Tribal Council, across the Ute Mountain Reservation as more particularly shown and described on the Map of Definite Location dated December 1, 1959, being sheets 1 to 6 inclusive of the Four Corners to Jct. U. S. 666, and 1 to 4 inclusive of the Utah Branch, this day approved by the undersigned Superintendent in accordance with Title 25, Subchapter O, Part 161, Code of Federal Regulations.

The consent of the Tribe to the granting of such right of way and for other considerations is contained, in the form of an offer, in the above mentioned Resolution No. 899-A dated November 17, 1959, of the Ute Mountain Tribal Council and accepted by the State Highway Commission of Colorado by resolution No. 745-C, dated November 17, 1959.

DATE: DEC 1 1959

WITNESS:

John L. Kelley
John L. Kelley, Rehabilitation
Director, Ute Mountain Tribe

James F. Canan
James F. Canan, Superintendent

Albert Wing
Albert Wing, Chairman
Ute Mountain Tribal Council

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
June 26, 1959

WHEREAS, Authority is vested in Article V Section 1 (b) of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1940; and

WHEREAS, A request for a right of way across the Ute Mountain Reservation has been presented to the Ute Mountain Tribal Council, which right of way will run west from the vicinity of Chimney Rock across the Ute Mountain Reservation to the Aneth oil fields and another spur south to the four corners, which road will be twenty-eight (28) miles more or less; and

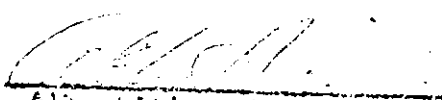
WHEREAS, The Ute Mountain Tribal Council feels that said highway is of little importance to the Ute Mountain Tribe, but of great importance to the growth of Cortez and the overall development of the four corners area:

NOW, THEREFORE, BE IT RESOLVED, That the Ute Mountain Tribal Council, acting for and on behalf of the individual members of its tribe, does herewith offer to the State Highway Department for the State of Colorado a right of way across the Ute Mountain Reservation for the construction of approximately twenty-eight (28) miles of road more or less, upon compliance with the following conditions:

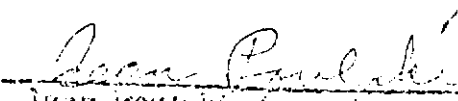
- (a) That the State Highway Department for the State of Colorado pay to the Ute Mountain Tribe the sum of four hundred eighty thousand dollars (\$480,000) for the use of said right of way and fifteen cents (15¢) for each and every ton of gravel over and beyond one million (1,000,000) tons;
- (b) That no construction or preparation for construction on said right of way is to be made until such time as the Ute Mountain Tribe is in receipt of said four hundred eighty thousand dollars (\$480,000);
- (c) That the State Highway Department for the State of Colorado is not to ask for any more right of ways across the Ute Mountain Reservation;

- (d) That the granting of this right of way is with the understanding that it is only an easement for highway purposes, and does not convey any additional property rights.
- (e) That there will be no signs along said right of way other than signs put up by the said State Highway Department for traffic control, etc;
- (f) That the granting of said right of way and said money received for same has no connection with this tribe's request for five hundred dollars (\$500.00) additional family plan funds.
- (g) That upon receipt of same said right of way funds are to be distributed on a pro rata basis to each and every qualified member of the Ute Mountain Tribe, provided that the checks for said members living in the Blanding area will be held until such time as it is definitely decided as to whether or not they can receive said monies;
- (h) That an arrangement will be worked out by the State whereby the Ute livestock will be insured at no cost to the Tribe or individual owners against any damage caused by the highway or traffic on the highway under the provisions of Governor McNichol's letter of August 13, 1958;
- (i) That a sufficient number of underpasses are to be provided so that the tribe may fence the lands adjacent to the right of way at a later date;
- (j) That said right of way will run west from the vicinity of Chimney Rock across the Ute Mountain Reservation to the Aneth oil fields and another spur south to the four corners, which road will be twenty eight (28) miles more or less and shall have a maximum width of two hundred fifty (250) feet.

The foregoing resolution was duly adopted this 26th day of June, 1959.


Albert Wing, Chairman
Ute Mountain Tribal Council

This is to certify that there were six of the regularly elected councilmen at the above meeting, that being a quorum, that five voted for and none opposed and the above resolution was passed.


Joan Paulsen, Secretary

C O L O R A D O



ADDRESS ALL COMMUNICATIONS TO
COLORADO DEPARTMENT OF HIGHWAYS
4201 E. ARKANSAS AVE.

CS 32-9032-02
On Ute Reservation

MARK U. WATROUS
CHIEF ENGINEER

DEPARTMENT OF HIGHWAYS

DENVER 22, COLORADO

Durango, Colorado
December 1, 1959

Mr. James F. Canan, Supt.
Consolidated Ute Agency
Ignacio, Colorado

Dear Sir:

The Colorado Department of Highways wishes hereby to make formal application for Two (2) parcels of land to be used for right-of-way for the construction of a highway from the vicinity of the Four Corners to a junction with U.S. Highway No. 666, a distance of 18.3 miles, and a branch to the Utah line, a distance of 9.5 miles. This is designated as our Project CS 32-9032-02, On Ute Reservation.

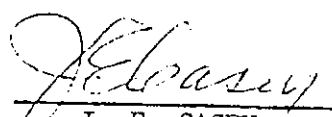
Consent of the Ute Mountain Tribe for this project was given by Resolution No. 899-A of the Ute Mountain Tribal Council, adopted by them on November 17, 1959, and accepted by the State Highway Commission on November 17, 1959.

The following papers and maps are being forwarded:

- 2 - Descriptions of Parcel No. 1, Four Corners to U.S. 666
- 2 - Descriptions of Parcel No. 2, Utah Branch
- 2 - Sets Linen Tracings of Four Corners to U.S. 666 with Engineer's Affidavit and Applicant's Certificate thereon.
- 2 - Sets Linen Tracings of Utah Branch with Engineer's Affidavit and Applicant's Certificate thereon.
- 4 - Sets of Prints of each set of tracings.
- 2 - Application for Right-of-Way with Attachment.

All right-of-way on this project is on Ute Indian Land.

Very truly,


J. E. CASEY
District Engineer

Encl:

J.E.C.:ENH:enh

cc: Orig. & 1 cc., Mr. J.F.Canan, Supt.

Cons. Ute Agency

Mr. Frix, Land Man, Cons. Ute Agency

Mr. L.G.Trucheart

Mr. C.M.Burke

Mr. G.F.McNicholas

Mr. E.N.Haase

APPLICATION FOR RIGHT OF WAY

REFERENCE:

Title 25 - Indians, Chapter 1 - Bureau of Indian Affairs, Dept. of Interior, Sub-Chapter Right-of-Way, Paragraph 161.7.

The stipulations as set forth below are expressly agreed to:

- A - To construct and maintain the right-of-way in a workmanlike manner.
- B - To pay promptly all damages, in addition to the deposit made pursuant to Paragraph 161.5, determined by the Superintendent to be due the landowners on account of the construction and maintenance of the right-of-way.
- C - Letter requesting waiver of this indemnity clause attached.
- D - To restore the lands as nearly as may be possible to their original condition upon the completion of construction.
- E - That the applicant will not interfere with the use of the lands by or under authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way was granted.

Widths and lengths of the right-of-way are set forth in the "Description" which is submitted with maps and other papers herewith. In addition the widths and lengths are delineated on maps submitted,

The above "Application for Right-of-Way" is submitted under "Statute for Public Highways, Sec. 4, 31 Stat. 1084, 38 Stat. 1188, 25 U.S.C. 311, 323-327".

Respectfully submitted for the:

COLORADO DEPARTMENT OF HIGHWAYS
(Applicant)

By J. E. Casey
J. E. CASEY
District Engineer

cc: Orig. & 1 cc., Mr. James P. Canan, Supt., So.Cons.Ute Agency, Ignacio, Colo.
Mr. Frix, Land Man, So.Cons. Ute Agency, Ignacio, Colo.
Mr. L. C. Trueheart
Mr. C. M. Furke
Mr. G. F. McNicholas
Mr. E. N. Haase
File

RIGHT OF WAY
TO BE ACQUIRED FROM

PARCEL NO. 1 ✓

UTE MOUNTAIN TRIBE -
Towaoc, Colorado

IN
MONTEZUMA COUNTY ✓
FOR

PROJECT CS 32-9032-02 ✓
Across Ute Reservation

FOUR CORNERS TO U.S. 666 ✓

D E S C R I P T I O N

A tract or parcel of land No. 1 of Colorado Department of Highway's Project No. CS 32-9032-02 containing 552.918 acres, more or less, in Sections 21, 22, 15, 14, 13 and 12, Township 32 North, Range 20 West, of the New Mexico Principal Meridian; in Sections 7, 8, 5, 4, 3 and 2, Township 32 North, Range 19 West, of the New Mexico Principal Meridian; in Township 33 North, Range 19 West, of the New Mexico Principal Meridian, not subdivided; in Township 33 North, Range 18 West of the New Mexico Principal Meridian, not subdivided; and in Section 19, Township 33 North, Range 17 West of the New Mexico Principal Meridian, all in Montezuma County, Colorado, said tract or parcel being 250 feet wide, 125 feet to the left and 125 feet to the right of the centerline of highway, said centerline being described as follows: ✓

Beginning at a point on the Colorado-New Mexico State Line from which point the Southwest corner of the State of Colorado bears West a distance of 3,244.1 feet and the Southwest corner of Sec. 21, T. 32 N., R. 20 W., N.M.P.M., bears West a distance of 704.4 feet. ✓

1. Thence along said centerline of highway along a curve to the left with a radius of 3,820.0 feet a distance of 373.3 feet; ✓
2. Thence N. 21° 38' E. a distance of 1696.8 feet; ✓
3. Thence along a spiral curve to the right with a central angle of 2° 00' a distance of 200.0 feet; ✓
4. Thence along a curve to the right with a radius of 2865.0 feet a distance of 1811.7 feet; ✓
5. Thence along a spiral curve to the right with a central angle of 2° 00' a distance of 200.0 feet; ✓
6. Thence N. 61° 52' E. a distance of 108.6 feet; ✓
7. Thence along a spiral curve to the right with a central angle of 2° 00' a distance of 200.0 feet; ✓
8. Thence along a curve to the right with a radius of 2865.0 feet a distance of 1186.1 feet; ✓
9. Thence along a spiral curve to the right with a central angle of 2° 00' a distance of 200.0 feet; ✓
10. Thence S. 76° 37' E. a distance of 53.4 feet to a point on the East line of Sec. 21, T. 32 N., R. 20 W., N.M.P.M., from which the Northeast corner of Sec. 21 bears North a distance of 293.5 feet; ✓
11. Thence continuing S. 76° 37' E. along said centerline of highway a distance of 97.7 feet; ✓
12. Thence along a spiral curve to the left with a central angle of 8° 00' a distance of 400.0 feet; ✓

13. Thence along a curve to the left with a radius of 1432.5 feet a distance of 1153.3 feet; ✓
14. Thence along a spiral curve to the left with a central angle of $8^{\circ} 00'$ a distance of 54.0 feet to a point on the North line of Sec. 22, T. 32 N., R. 20 W., N.M.P.M., from which the Northwest corner of Sec. 22 bears West a distance of 1617.0 feet; ✓
15. Thence continuing along said centerline of highway along the spiral curve to the left with a central angle of $8^{\circ} 00'$ a distance of 346.0 feet; ✓
16. Thence N. $41^{\circ} 15'$ E. a distance of 738.8 feet; ✓
17. Thence along a spiral curve to the right with a central angle of $4^{\circ} 30'$ a distance of 300.0 feet; ✓
18. Thence along a curve to the right with a radius of 1910.0 feet a distance of 867.2 feet; ✓
19. Thence along a spiral curve to the right with a central angle of $4^{\circ} 30'$ a distance of 300.0 feet; ✓
20. Thence N. $76^{\circ} 16'$ E. a distance of 1792.7 feet to a point on the East line of Sec. 15, T. 32 N., R. 20 W., N.M.P.M., from which the Southeast corner of Sec. 15 bears South a distance of 1964.5 feet; ✓
21. Thence continuing N. $76^{\circ} 16'$ E. along said centerline of highway a distance of 324.4 feet; ✓
22. Thence along the arc of a curve to the left with a radius of 11,460.0 feet a distance of 3560.0 feet; ✓
23. Thence N. $58^{\circ} 28'$ E. a distance of 1969.6 feet to a point on the East line of Sec. 14, T. 32 N., R. 20 W., N.M.P.M., from which the Southeast corner of Sec. 14 bears South a distance of 4436.2 feet; ✓
24. Thence continuing N. $58^{\circ} 28'$ E. along said centerline of highway a distance of 1708.6 feet; ✓
25. Thence along the arc of a curve to the right with a radius of 5729.6 feet a distance of 207.8 feet to a point on the North line of Sec. 13, T. 32 N., R. 20 W., N.M.P.M., from which the Northeast corner of Sec. 13 bears East a distance of 3390.4 feet; ✓
26. Thence continuing along said centerline of highway along the arc of a curve to the right with a radius of 5729.6 feet a distance of 820.5 feet; ✓
27. Thence N. $68^{\circ} 45'$ E. a distance of 28421.7 feet to a point on the East line of Sec. 12, T. 32 N., R. 20 W., N.M.P.M., from which the Southeast corner of Sec. 12 bears South a distance of 1381.4 feet; ✓
28. Thence continuing N. $68^{\circ} 45'$ E. along said centerline of highway a distance of 5653.8 feet to a point on the East line of Sec. 7, T. 32 N., R. 19 W., N.M.P.M., from which the Southeast corner of Sec. 7 bears South a distance of 3430.6 feet; ✓
29. Thence continuing N. $68^{\circ} 45'$ E. along said centerline of highway a distance of 5282.2 feet to a point on the North line of Sec. 8, T. 32 N., R. 19 W., N.M.P.M., from which the Northeast corner of Sec. 8, T. 32 N., R. 19 W., N.M.P.M., bears East a distance of 357.3 feet; ✓

30. Thence continuing N. $68^{\circ} 45'$ E. along said centerline of highway a distance of 383.4 feet to a point on the East line of Sec. 5, T. 32 N., R. 19 W., N.M.P.M., from which the Southeast corner of Sec. 5 bears South a distance of 139.0 feet; ✓
31. Thence continuing N. $68^{\circ} 45'$ E. along said centerline of highway a distance of 5642.5 feet to a point on the East line of Sec. 4, T. 32 N., R. 19 W., N.M.P.M., from which the Southeast corner of Sec. 4 bears South a distance of 2184.0 feet; ✓
32. Thence continuing N. $68^{\circ} 45'$ E. along said centerline of highway a distance of 5713.9 feet to a point on the East line of Sec. 3, T. 32 N., R. 19 W., N.M.P.M., from which the Northeast corner of Sec. 3 bears North a distance of 963.5 feet; ✓
33. Thence continuing N. $68^{\circ} 45'$ E. along said centerline of highway a distance of 1072.8 feet; ✓
34. Thence along the arc of a curve to the right with a radius of 11,459.2 feet a distance of 2075.6 feet to a point on the North line of Sec. 2, T. 32 N., R. 19 W., N.M.P.M., from which the Northeast corner of Sec. 2 bears East a distance of 2324.8 feet; ✓
35. Thence continuing along said centerline of highway in T. 33 N., R. 19 W., N.M.P.M., (not subdivided), along the arc of a curve to the right with a radius of 11,459.2 feet a distance of 694.4 feet; ✓
36. Thence N. $82^{\circ} 36'$ E. a distance of 2242.7 feet; ✓
37. Thence along the arc of a curve to the right with a radius of 5729.6 feet a distance of 1203.3 feet; ✓
38. Thence S. $85^{\circ} 22'$ E. a distance of 2160.8 feet; ✓
39. Thence along the arc of a curve to the left with a radius of 10,743.0 feet a distance of 1346.9 feet to a point on the East line of T. 33 N., R. 19 W., N.M.P.M., from which point the Northeast corner of Sec. 1, T. 32 N., R. 19 W., N.M.P.M., bears South a distance of 227.4 feet; ✓
40. Thence continuing along said centerline of highway in T. 33 N., R. 18 W., N.M.P.M., (not subdivided), along the arc of a curve to the left with a radius of 10,743.0 feet a distance of 356.3 feet; ✓
41. Thence N. $85^{\circ} 33'$ E. a distance of 9181.3 feet; ✓
42. Thence along the arc of a curve to the left with a radius of 11,460.0 feet a distance of 2303.3 feet; ✓
43. Thence N. $74^{\circ} 02'$ E. a distance of 2998.1 feet; ✓
44. Thence along the arc of a curve to the left with a radius of 11,460.0 feet a distance of 2310.0 feet; ✓
45. Thence N. $62^{\circ} 29'$ E. a distance of 17,174.9 feet to a point on the East line of T. 33 N., R. 18 W., N.M.P.M., (not subdivided), from which the Northwest corner of Sec. 30, T. 33 N., R. 17 W., N.M.P.M., bears North a distance of 1404.5 feet; ✓

- 1900-1905

100-443887-100

RIGHT OF WAY
TO BE ACQUIRED FROM

UTE MOUNTAIN TRIBE
Towaoc, Colorado

IN
MONTEZUMA COUNTY
FOR

PROJECT CS 32-9032-02
On Ute Reservation

UTAH BRANCH

DESCRIPTION

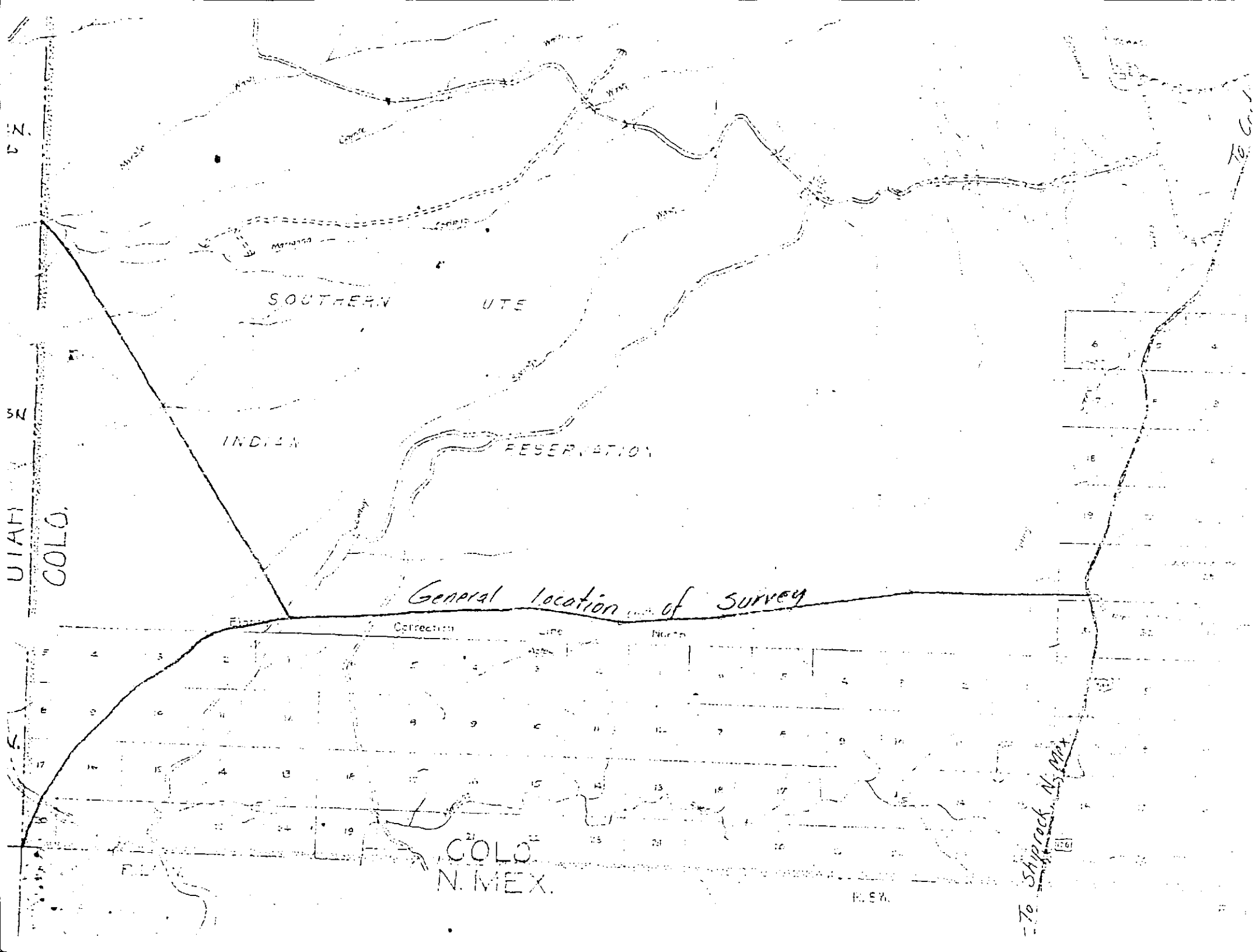
A tract or parcel of land No. 2 of Colorado Department of Highways' Project No. CS 32-9032-02, containing 287.830 acres, more or less, in Sections 32 and 33, Township 33 $\frac{1}{2}$ North, Range 20 West, of the New Mexico Principal Meridian; Sections 5, 4, 9, 10, 15, 22, 23, 26, 35 and 36, Township 33 North, Range 20 West, of the New Mexico Principal Meridian; and Sections 1 and 12, Township 32 North, Range 20 West, of the New Mexico Principal Meridian, and Section 7, Township 32 North, Range 19 West, of the New Mexico Principal Meridian, all in Montezuma County, Colorado, said tract or parcel being 250 feet wide, 125 feet to the left and 125 feet to the right of the centerline of highway, said centerline being described as follows:

Beginning at a point on the Colorado-Utah State line from which point a State Monument marked "1/2 MP, W.C. Utah, Colo. U.I.R., 1915", bears North a distance of 394.5 feet and the Southeast corner of Sec. 32, T. 33 $\frac{1}{2}$ N., R. 20 W., N.M.P.M., bears S. 35° 17' E. a distance of 3918.7 feet.

1. Thence along said centerline of highway along the arc of a curve to the left with a radius of 11,460.0 feet a distance of 470.2 feet;
2. Thence S. 46° 12' E. a distance of 1049.8 feet;
3. Thence along a spiral curve to the right with a central angle of 2° 00' a distance of 200.0 feet;
4. Thence along the arc of a curve to the right with a radius of 2865.0 feet a distance of 1215.0 feet;
5. Thence along a spiral curve to the right with a central angle of 2° 00' a distance of 200.0 feet;
6. Thence S. 17° 54' E. a distance of 64.0 feet;
7. Thence along the arc of a curve to the left with a radius of 3820.0 feet a distance of 767.4 feet to a point on the East line of Sec. 32, T. 33 $\frac{1}{2}$ N., R. 20 W., N.M.P.M., from which the Southeast corner of said Sec. 32 bears South a distance of 24.9 feet;
8. Thence continuing along said centerline of highway along the arc of a curve to the left with a radius of 3820.0 feet a distance of 28.7 feet to a point on the South line of Sec. 33, T. 33 $\frac{1}{2}$ N., R. 20 W., N.M.P.M., from which the Southwest corner of said Sec. 33 bears West a distance of 14.2 feet;
9. Thence continuing along said centerline of highway along the arc of a curve to the left with a radius of 3820.0 feet a distance of 303.9 feet;
10. Thence S. 34° 24' E. a distance of 2031.0 feet;
11. Thence along the arc of a curve to the right with a radius of 11,460.0 feet a distance of 980.0 feet;

12. Thence S. 29° 30' E. a distance of 2890.1 feet to a point on the South line of Sec. 4, T. 33 N., R. 20 W., N.M.P.M., from which the Southwest corner of said Sec. 4 bears West a distance of 3264.9 feet;
13. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 4127.3 feet to a point on the East line of Sec. 9, T. 33 N., R. 20 W., N.M.P.M., from which the Southeast corner of said Sec. 9 bears South a distance of 1712.5 feet;
14. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 1967.6 feet to a point on the South line of Sec. 10, T. 33 N., R. 20 W., N.M.P.M., from which the Southwest corner of said Sec. 10 bears West a distance of 968.9 feet;
15. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 6066.5 feet to a point on the South line of Sec. 15, T. 33 N., R. 20 W., N.M.P.M., from which the Southwest corner of said Sec. 15 bears West a distance of 3956.2 feet;
16. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 2688.4 feet to a point on the East line of Sec. 22, T. 33 N., R. 20 W., N.M.P.M., from which the Northeast corner of said Sec. 22 bears North a distance of 2339.9 feet;
17. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 3350.1 feet to a point on the South line of Sec. 23, T. 33 N., R. 20 W., N.M.P.M., from which the Southwest corner of said Sec. 23 bears West a distance of ~~1660.4~~ 1600.4 feet;
18. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 6066.5 feet to a point on the South line of Sec. 26, T. 33 N., R. 20 W., N.M.P.M., from which the Southeast corner of said Sec. 26 bears East a distance of 692.3 feet;
19. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 1405.9 feet to a point on the East line of Sec. 35, T. 33 N., R. 20 W., N.M.P.M., from which the Northeast corner of said Sec. 35 bears North a distance of 1223.6 feet;
20. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 4664.0 feet to a point on the South line of Sec. 36, T. 33 N., R. 20 W., N.M.P.M., from which the Southwest corner of said Sec. 36 bears West a distance of 2282.7 feet;
21. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 6112.4 feet to a point on the South line of Sec. 1, T. 32 N., R. 20 W., N.M.P.M., from which the Southeast corner of said Sec. 1 bears East a distance of 148.0 feet;
22. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 246.9 feet to a point on the East line of Sec. 12, T. 32 N., R. 20 W., N.M.P.M., from which the Southeast corner of said Sec. 12 bears South a distance of 4928.6 feet;
23. Thence continuing S. 29° 30' E. along said centerline of highway a distance of 3255.8 feet to a point on the northerly right-of-way line of the Four Corners to U.S. No. 666 Highway (State Highway No. 106) from which the Southwest corner of Sec. 7, T. 32 N., R. 19 W., N.M.P.M., bears S. 36° 36' W. a distance of 2654.5 feet;

The above described tract contains 287.830 acres, more or less.





STATE OF
COLORADO

Johnston - CDOT, Todd <todd.johnston@state.co.us>

Re: Ute Mountain Ute Follow-up Meeting

Johnston - CDOT, Todd <todd.johnston@state.co.us>

Wed, Feb 27, 2013 at 9:35 AM

To: "Muraro - CDOT, Matt" <matt.muraro@state.co.us>

Cc: Kerrie Neet - CDOT <kerrie.neet@state.co.us>, Mike McVaugh - CDOT <mike.mcvaugh@state.co.us>, Tony Cady - CDOT <tony.cady@state.co.us>, Alice Baker - CDOT <alice.baker@state.co.us>, Rick Routh - CDOT <rick.routh@state.co.us>, Gregory Sarafin - CDOT <gregory.sarafin@state.co.us>, Ralph Campano - CDOT <ralph.campano@state.co.us>, Edward Archuleta - CDOT <edward.archuleta@state.co.us>, Randy Crumbaugh - CDOT <Randy.Crumbaugh@state.co.us>

The ROW in front of the Ute Mountain Ute Casino and Mike Wash Road (approx. Milepoint 26.5) has been researched by the ROW/Survey Unit twice before. Once in 1993 for Project NH(CX) 160-1(30) and again in 2007. In 2007, we had Randy Crumbaugh research all the highways on the Ute Mountain Ute Reservation. Attached are memos from Bob Brown (Staff ROW) in 1993 and Randy in 2007, which address the situation. I have placed yellow boxes around the parts of Randy's memo that apply.

Here's a summary.

-An 80' (40' either side of centerline) ROW was acquired in 1928 under Project FAP 147-A (Brown and Crumbaugh memos).

-There is no "highway easement deed" with stipulations for Project FAP 147-A. It appears the ROW was granted by United States Code and GLO sign off (Brown and Crumbaugh memos).

-ROW fence was built at 65' either side of centerline (130' ROW). There is no evidence that ROW was acquired to place the fences at that location (Crumbaugh memo).

-I drafted ROW plans (Project NH 1601-058) in 2007 to acquire additional ROW up to the fence lines at 65' either side of centerline.

This additional ROW **ended at Milepoint 26** and did **not** make it north to Mike Wash Road/Casino. I believe we stopped at that milepoint because of the project #463.

-ROW plans were drafted for Project NH(CX) 160-1(30) in 1993 for improvements to the Mike Wash Rd/US Highway 160 intersection.

But, there is no evidence that the ROW was ever acquired (Crumbaugh memo).

My interpretation of this information is that we have an 80' ROW from Milepoint 26 to the Reservation boundary at approximately Milepoint 27.5.

The ROW fence is certainly outside of that ROW. Roadway improvements for Mike Wash Rd/US Highway 160 intersection and the Casino may be outside the existing ROW as well.

If there are any questions or concerns, please contact me.

Thanks,

Todd C. Johnston, PLS
Survey Coordinator
Colorado Department of Transportation
Region 5 - Survey/ROW Unit
Office: 970-385-1419
Fax: 970-385-1410

On Mon, Feb 25, 2013 at 4:22 PM, Muraro - CDOT, Matt <matt.muraro@state.co.us> wrote:

All,

The following is a list of items needed for follow-up to Weeminuche Board Meeting held on 2/11/13. Kerrie asked me to draft a status letter by the end of the week. Please send me an update with a completion date by Friday. The goal is to see all of these items addressed by the Joint Coop Meeting on March 27th.

1. Send IGA template to Troy Ralstin (Weeminuche) for comment. Mike McVaugh
2. Run accident report for the area around Woodies store for the past 10 years to determine if a south bound left turn lane is warranted. Mike McVaugh
3. Provide Troy Ralstin (Weeminuche) with Taro Ordinance language included in the US 160 Towaoc to Cortez project contract. Greg Sarafin
4. Repair overhead lights at Mike Wash road. Rick Routh
5. Review ROW agreement with the Tribe for the section of US 160 at Mike Wash Road with legal. Todd Johnston
6. Provide advance warning signs for three school bus stops where CDOT previously built pull-offs south of Towaoc. Rick Routh

Thanks,

Matt Muraro

Environmental Specialist/Regional Planner
Colorado Department of Transportation
3803 North Main Avenue
Durango, CO 81301
(970) 385-1433
Matt.Muraro@state.co.us

PLEASE NOTE, MY E-MAIL ADDRESS CHANGED ON OCTOBER 8, 2012

3 attachments

 **FAP-147A-BIA Memo_ROW_App.pdf**
186K

 **FAP-147A-Brown_Memo.pdf**
808K

 **FAP-147A-Crumbaugh_Memo_2007.pdf**
275K

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9011



Date: April 27, 1993
To: Carl Watson *CW*
Region 5 ROW
From: Bob Brown *Bob Brown*
Staff ROW
Subj: Plat showing right of way on S.H. 666

Enclosed is a copy of the plat received from the State Office of the Bureau of Land Management, showing the right of way along S.H. 666 south of Cortez.

As stated in my earlier E mail (April 5), the plat was approved by the Department of the Interior on January 24, 1928 and recorded in the General Land Office on February 18, 1928. Unfortunately, this information is barely legible. My source at BLM thinks this was granted under authority of Section 4 of the act of March 3, 1901 (copy enclosed).

cc: ROW Files

RECEIVED
MAY 3 1993
COLORADO DEPT. OF TRANSPORTATION
DISTRICT 5
CONSTRUCTION / PRE-CONSTRUCTION

from: An Act Making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirteenth, nineteen hundred and two and for other purposes.

March 3, 1901 31 Stat 1058

1084

FIFTY-SIXTH CONGRESS. SESS. II. CH. 832. 1901.

FIFTY-SIXTH

Regulating tolls reserved.

Rights of towns on line of construction.

Condemnation of lands allotted in severalty authorized.

Secretary of Interior may grant permission to open highways through Indian reservations, etc.

Diversion of surplus for subsistence.

Provisos.—report.

Purchase of stock cattle.

Treaty funds not available.

Transfer of funds for employees.

Diversions.

Proviso. Crow Reservation, Mont. Use of annuity money of Indians for irrigation.

Rejection of bids.—purchases in open market.

may be lawfully assessed against them by either State, Territorial, or municipal authority; and Congress hereby expressly reserves the right to regulate the tolls or charges for the transmission of messages over any lines constructed under the provisions of this Act: *Provided*, That incorporated cities and towns into or through which such telephone or telegraphic lines may be constructed shall have the power to regulate the manner of construction therein, and nothing herein contained shall be so construed as to deny the right of municipal taxation in such towns and cities.

That lands allotted in severalty to Indians may be condemned for any public purpose under the laws of the State or Territory where located in the same manner as land owned in fee may be condemned, and the money awarded as damages shall be paid to the allottee.

SEC. 4. That the Secretary of the Interior is hereby authorized to grant permission, upon compliance with such requirements as he may deem necessary, to the proper State or local authorities for the opening and establishment of public highways, in accordance with the laws of the State or Territory in which the lands are situated, through any Indian reservation or through any lands which have been allotted in severalty to any individual Indians under any laws or treaties but which have not been conveyed to the allottees with full power of alienation.

SEC. 5. That the Secretary of the Interior, under the direction of the President, may use any surplus that may remain in any of the said appropriations herein made for the purchase of subsistence for the several Indian tribes, to an amount not exceeding twenty-five thousand dollars in the aggregate, to supply any subsistence deficiency that may occur: *Provided*, That any diversions which shall be made under authority of this section shall be reported in detail, and the reason therefor, to Congress at the session of Congress next succeeding such diversion: *Provided further*, That the Secretary of the Interior, under direction of the President, may use any sums appropriated in this Act for subsistence, and not absolutely necessary for that purpose, for the purchase of stock cattle for the benefit of the tribe for which such appropriation is made, and shall report to Congress, at its next session thereafter, an account of his action under this provision: *Provided further*, That funds appropriated to fulfill treaty obligations shall not be used.

SEC. 6. That when not required for the purpose for which appropriated the funds herein provided for the pay of specified employees at any agency may be used by the Secretary of the Interior for the pay of other employees at such agency, but no deficiency shall be thereby created; and, when necessary, specified employees may be detailed for other service when not required for the duty for which they were engaged; and that the several appropriations herein or heretofore made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, and for various articles provided for by treaty stipulation for the several Indian tribes, may be diverted to other uses for the benefit of said tribes, respectively, within the discretion of the President, and with the consent of said tribes, expressed in the usual manner; and that he cause report to be made to Congress, at its next session thereafter, of his action under this provision: *Provided*, That with the consent of the Crow Indians in Montana, to be obtained in the usual way, the Secretary of the Interior, in his discretion, may use the annuity money due or to become due said Indians to complete the irrigation system heretofore commenced on said Crow Indian Reservation.

SEC. 7. That whenever, after advertising for bids for supplies in accordance with sections three and four of this Act, those received for any article contain conditions detrimental to the interests of the Government they may be rejected and the articles specified in such bids

purchased in open bidder, and not to time as satisfactory timent shall be herein made as may expenses incident same, for the year shall be immediately distributed or deli nineteen hundred a

SEC. 8. That the to Congress, special agency, industrial or in part out of t employed, in what or Indian, amount of the appropriation missioner, any of s

SEC. 9. That sec lands in severalty t the protection of over the Indians, a eighteen hundred a following provisio of the Interior sha Indian Reservation their own business upward, shall, th more than eighty patents to be issu over and above th be issued for the shall be discharged or restriction wha authorized and di whether any of s patents conveying Act."

Approved, Mar

CHAP. 833.—An Military Reservation land on said reservati

*Be it enacted by States of America exercised the right man reservation is settlement and ho to the right to pu retary of the Inte cents per acre, no on said reservation of: *Provided*, Th homestead entry otherwise: And y grazing land sha cant, exceed in th*

Approved, Mar

REFER IN REPLY TO THE FOLLOWING:

158725

5-1100

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

L-C
57155-27

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

The Honorable

The Secretary of the Interior.

JAN 21 1928

Sir:

There are transmitted herewith the papers in connection with the application of the Colorado State Highway Department for permission to open a public highway designated as Colorado Federal Aid Project No. 147A, across certain lands within the Ute Mountain Indian Reservation part of which is unsurveyed and part located in Townships 32 and 33 north, Ranges 17 and 18 west, Montezuma County, Colorado.

The Superintendent of the Consolidated Ute Agency reports that the road when built will be a great help to the Indians as well as the general public, giving them a good highway across the reservation which they have never had. He says that the road does not cross any allotted land nor any land of particular value, and recommends that the application be approved without assessment of damages.

In view of the facts presented, it is recommended that the application herewith be approved subject to the provisions of the Act of March 3, 1901 (31 Stat. 1058-1084); Department regulation

Map 10685
Tube 1355

FILED
JAN 21 1928

2nd R 12/15

15 NOV 1927
RECEIVED

APPLICATION FOR PUBLIC HIGHWAY

We, The Colorado State Highway Dept.

a majority of

of _____ township, Montezuma County, Colorado
(State)

duly authorized by law to open and establish public highways in said County, do hereby petition the Secretary of the Interior to grant permission in accordance with section 4 of the act of March 3, 1901 (31 Stats. L., 1058, 1084), to open and establish a public highway 80 feet wide, extending across Indian lands for a distance of 15.89 miles as shown on accompanying map of definite location.

All the laws of the State of Colorado with regard to the opening and establishment of public highways have been complied with in this instance.

The highway is to be a { branch / part } of the main road connecting the towns of Cortez Colorado and Shiprock New Mexico, and is a public necessity for the following reasons:

It is the shortest approach from the south to Mesa Verde Nat. Park
and serves as an outlet to tourists coming in from the east to
the park and desiring to go out to the south west to Arizona or
California points.

There is also developing a considerable truck traffic from
Montezuma valley points around Cortez south through Shiprock
to Gallup New Mexico which is a shipping point on the Santa Fe
R.R.

FILED BY 111111

The proposed highway has been laid out to conform to section lines, except as hereafter stated. The departures from section lines are as follows and the reasons as stated:

(Here state the place of each departure and the reasons for each)

The proposed highway has been laid out without regard to section lines for the following reasons,

The land traversed is arid and without development of any kind.

Present day highways have developed an importance much beyond that of the earlier roads so that modern engineering practice calls for a higher type of alignment than section lines would allow.

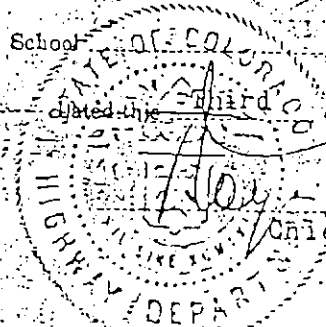
The topography of the country is such that an attempt to follow section lines would result in either very poor alignment or else very heavy construction cost.

Damages to Indian lands and improvements have been allowed in the sum of _____, and exchange in the form of _____

is inclosed herewith, to be held by the superintendent of _____ Indian

School _____ pending the action of the Department on this petition.

Dated this Third day of December, 1927




Chief Clerk.

DEPARTMENT OF THE INTERIOR,

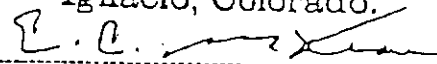
Approved: _____

Secretary.



State Highway
Engineer.

Consolidated Ute Agencies
Ignacio, Colorado.

 Dept.

N. B.—ON ACCOUNT OF SERIOUS SHORTAGE OF PRINT PAPER, WHEREVER POSSIBLE ONLY ONE FORM SHOULD BE USED FOR EACH APPLICATION.

REPORT ON APPLICATION FOR PUBLIC HIGHWAY

I, E. E. McKean, Superintendent of the Consolidated Ute Agency School, hereby certify that I believe to be true the statements contained in the inclosed petition and accompanying papers filed by the State Highway Engineer of Colorado of _____ township, _____ County, _____ (State.) for a grant in accordance with section 4 of the act of March 3, 1901 (31 Stat. L., 1084), of permission to open and establish a public highway along a course described as follows: Through the Ute Mountain Indian Reservation as described on the tracing linen to which this is attached. The road is not described by section lines.

RECEIVED
DEC 12 1927
57155

thereunder; and subject also to any prior, valid, existing right or adverse claim.

It is recommended further that no damages in addition to the benefits resulting from the road be assessed in connection therewith.

Respectfully,

E. B. M. M. M.
Assistant Commissioner.

Approved: JAN 24 1928
John H. Edwards
Assistant Secretary.

I further certify that the map of definite location submitted by the petitioners accurately represents the above-described highway, and that the lands described on the accompanying schedule of damages are all the Indian lands which are involved; that the question of damages has been fully explained to the Indian owners, and was fully understood by them; that the damages assessed by me as shown by the accompanying schedule represent fair and adequate compensation to the Indians for the land taken and damages done to improvements, growing crops, and adjoining lands; and that the amount of damages,

viz, None, has been collected from the petitioners and is now held by me as "special deposit" pending Department action in the matter.

All
The following-named } allottees in interest have { consented } to the establishment of the proposed highway as set forth in
their written statements herewith.

This road will not cross allotted land nor land of any
particular value.

I consider the objections of the following Indians to the establishment of the proposed highway to be { worthy } of serious
consideration for the reasons hereinafter given in connection with each case:

The following information is given in compliance with Office Circular No. 485:

(a) No allotted lands involved.

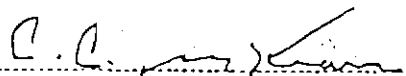
(b) No conflict with any other right of way.

(c) This road if built will be a great help to the Indians as well as the general public. It will give them a good highway across their reservation something they have never had.

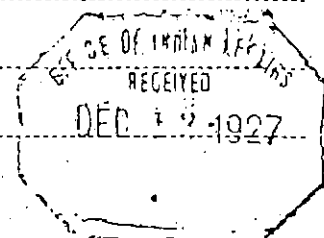
Recommendation:

I respectfully recommend that the application for this right of way receive favorable consideration.

Respectfully,

 E. E. McKean.

Superintendent and Special Disbursing Agent.



STATUS OF ALLOTMENT

File No. 57155/27Noted on Boette Carl
Vol. _____ page _____Reviewed Examined 12/17/27 by J. T. L.

Allotted under Act of _____

Original trust patent issued _____ under Act of _____

In all cases where the heirs are required to be determined, and in all cases submitting wills for approval, give below a description of all the lands in the allotment, and the status of it.

SUBDIVISIONS	SEC.	T.	R.	ACRES	STATUS
no Allotted land involved					

Remarks: _____

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9011



Date: April 27, 1993
To: Carl Watson *CW*
Region 5 ROW
From: Bob Brown *Bob Brown*
Staff ROW
Subj: Plat showing right of way on S.H. 666

Enclosed is a copy of the plat received from the State Office of the Bureau of Land Management, showing the right of way along S.H. 666 south of Cortez.

As stated in my earlier E mail (April 5), the plat was approved by the Department of the Interior on January 24, 1928 and recorded in the General Land Office on February 18, 1928. Unfortunately, this information is barely legible. My source at BLM thinks this was granted under authority of Section 4 of the act of March 3, 1901 (copy enclosed).

cc: ROW Files

RECEIVED
MAY 3 1993
COLORADO DEPT. OF TRANSPORTATION
DISTRICT 6
CONSTRUCTION / PRE-CONSTRUCTION

March 3, 1901 31 Stat 1058

Rejection of bids.
—purchases in open
market.

SEC. 7. That whenever, after advertising for bids for supplies in accordance with sections three and four of this Act, those received for any article contain conditions detrimental to the interests of the Government they may be rejected and the articles specified in such bids

Approved, Mar



DATE: June 5, 2008

RESOLUTION NO. 2008-073

**RESOLUTION
UTE MOUNTAIN TRIBAL COUNCIL**

**REFERENCE: AMENDMENT TO GRANT OF EASEMENT FOR HIGHWAY 491 TO
COLORADO DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL ACREAGE
TO BUILD NORTH BOUND PASSING LANE**

WHEREAS, the Constitution and By-Laws of the Ute Mountain Tribe, approved June 6, 1940, and subsequently amended, provides in Article III that the governing body of the Ute Mountain Ute Tribe is the Ute Mountain Ute Tribal Council and sets forth in Article V the powers of the Ute Mountain Ute Tribal Council exercised in this Resolution;

WHEREAS, the Tribal Council is responsible for protecting and promoting the best interests of the community and the members of this Tribe;

WHEREAS, a request has been made to the Ute Mountain Ute Tribal Council by the State of Colorado, Department of Transportation, Denver, Colorado for the purpose of improving the safety of the traveling public on Highway 491, to include the construction of a new northbound passing lane, and will also include resurfacing the existing pavement and the new passing lane for approximately 3.5 miles upon the following described lands:

Parcel 1

PE #1 a permanent easement No. 1 (PE1) of the Department of Transportation, State of Colorado, Project NH 1601-058 containing 10.100 acres, more or less, in Sections 15, 16, 21, 28, and 33, Township 33 ½ North, Range 17 West, of the New Mexico Principal Meridian, Montezuma County, Colorado.

Parcel 2

PE #1A a permanent easement No. 1 (PE1A) of the Department of Transportation, State of Colorado, Project NH 1601-058 containing 10.188 acres, more or less, in Sections 15, 16, 21, 28, and 33, Township 33 ½ North, Range 17 West, of the New Mexico Principal Meridian, Montezuma County, Colorado.

WHEREAS, the proposed right-of-way will be 3.5 miles in length, 50 feet in width, an 20.288 acres, more or less in size or area, and is more particularly described in the Colorado Department of Transportation Right-of-Way Map for Project NH 1601-058, which Right-of-Way Map is attached hereto and made a part hereof as Exhibit "A" and

WHEREAS, The right-of-way contained in Parcels 1 and 1A shall be perpetual from the date of execution of this resolution and shall not be transferable in the event of change of ownership without prior written consent of the Tribal Council; and

WHEREAS, this right-of-way is granted for the purposes of construction of a new northbound passing lane, which will include resurfacing the existing pavement, any changes or upgrades to the right-of-way shall be renegotiated by the Tribe, the Bureau of Indian Affairs, and the Colorado Department of

**REFERENCE: AMENDMENT TO GRANT OF EASEMENT FOR HIGHWAY 491 TO COLORADO DEPARTMENT OF
TRANSPORTATION FOR ADDITIONAL ACREAGE TO BUILD NORTH BOUND PASSING LANE**

Page 1 of 2;

Resolution Number 2008-073

Transportation; and

WHEREAS, this right-of-way is granted subject to the Ute Mountain Ute Tribe's General Right-of-Way Stipulations, attached hereto.

WHEREAS, compensation for said perpetual right-of-way shall be \$23,200.00 and;

WHEREAS, the Tribal Council through Resolution # 2006-072 prohibits contract in perpetuity when the Tribe is a party, but due to the extended safety concerns concerning this highway the Tribal Council accepts Colorado Department of Transportation's application as an amendment to the existing Bureau of Indian Affairs Grant of Easement Document #46594, Project number FLHP-8(1) which approved a perpetual term via Tribal Resolution #492 on December 22, 1955; and

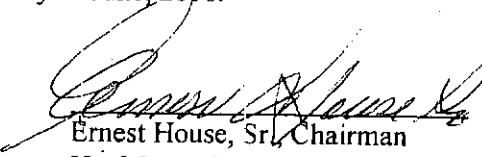
WHEREAS, the Tribe and Colorado Department of Transportation has identified and acknowledge the ROW fence to be outside of the current ROW boundaries for a number of years; and

NOW, THEREFORE BE IT RESOLVED that the Council of the Ute Mountain Ute Indian Tribe hereby agrees that the Superintendent, Ute Mountain Ute Agency, Towaoc, Colorado, s hereby authorized to grant the State of Colorado, Department of Transportation, the right-of-way requested, in accordance with the terms provided above and the Ute Mountain Ute Tribe's General Right-of-Way Stipulations, attached hereto also provided that the granting of the right-of-way shall be made in full conformity with Title 25 – Code of Federal Regulations, Part 169.

BE IT FURTHER RESOLVED that the Ute Mountain Ute Indian Tribe specifically reserves and retains the right to exercise governmental dominion, control and jurisdiction over the right-of-way lands and the activities conducted thereon, including without limitation, the application of Tribal TERO fees and Tribal taxation.

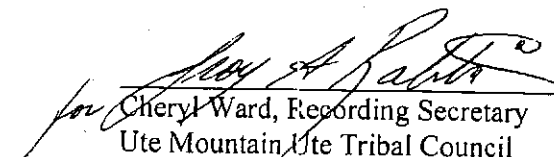
BE IT FINALLY RESOLVED that the Chairman of the Ute Mountain Ute Tribe is authorized to sign this Resolution and to take such further action as may be necessary to carry out the intent of this Resolution.

The foregoing Resolution was duly adopted this 5th day of June, 2008.


Ernest House, Sr., Chairman
Ute Mountain Ute Tribal Council

CERTIFICATION

This is to certify that there was a quorum of 7 Tribal Council Members present at the official meeting of the Ute Mountain Ute Tribal Council held on June 5, 2008, that 4 voted for this Resolution, that 2 opposed, and that this Resolution was, therefore, duly adopted.


Cheryl Ward, Recording Secretary
Ute Mountain Ute Tribal Council

REFERENCE: AMENDMENT TO GRANT OF EASEMENT FOR HIGHWAY 491 TO COLORADO DEPARTMENT OF
TRANSPORTATION FOR ADDITIONAL ACREAGE TO BUILD NORTH BOUND PASSING LANE

Page 2 of 2;

Resolution Number 2008-073



EXHIBIT "A"
PROJECT NUMBER: NH 1601-058
PERMANENT EASEMENT NO. 1 (PE1)
Project Code: 15950
Date: September 29, 2007

DESCRIPTION

A Permanent Easement No. 1 (PE1) of the Department of Transportation, State of Colorado, Project NH 1601-058 containing 10.100 acres, more or less, in Sections 15, 16, 21, 28, and 33, Township 33 ½ North, Range 17 West, of the New Mexico Principal Meridian, Montezuma County, Colorado, said permanent easement being more particularly described as follows:

Beginning at a point on the southeasterly right-of-way of U.S. Highway 160/491, as established on Project FAP 147-A (1928) whence the Southwest Section Corner of Section 15, a 3-1/4" brass cap stamped "U.S. General Land Office Survey T33.5N R17W S16-S15-S21-S22 1957", bears S. 15°01'53" W., a distance of 3097.72 feet;

1. Thence departing from said right-of-way, S. 70°47'01" E., a distance of 25.00' feet;
2. Thence S. 19°12'58" W., a distance of 15828.05 feet;
3. Thence along an arc to the right having a radius of 3074.39 feet, a distance of 1257.81 feet (the chord bears S. 30°56'12" W., a distance of 1249.06 feet);
4. Thence S. 42°39'26" W., a distance of 617.20 feet, to a point on the southeasterly right-of-way of U.S. Highway 160/491, as established on Project FLHP 8(2) (1956);
5. Thence along said right-of-way, N. 47°20'34" W., a distance of 25.00 feet to a point on the southeasterly right-of-way of U.S. Highway 160/491, as established on Project FAP 147-A (1928);
6. Thence along said right-of-way, N. 42°39'26" E., a distance of 647.20 feet;
7. Thence continuing on said right-of-way, along an arc to the left having a radius of 2904.79 feet, a distance of 1188.42 feet (the chord bears N. 30°56'12" E., a distance of 1180.15 feet);
8. Thence continuing on said right-of-way, N. 19°12'58" E., a distance of 15858.05 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described permanent easement contains 10.100 acres, more or less.

The purpose of the above-described permanent easement is for the construction and maintenance of highway improvements.

BASIS OF BEARING: Bearings are based on the "State Plane" grid bearing from CDOT Control Point 22.30 (a 3-1/4" aluminum cap) to CDOT Control Point 22.60 (a 3-1/4" aluminum cap). That bearing being N. 35° 48' 48" E.

For and on behalf of the
Colorado Department of Transportation
Todd C. Johnston, PLS 37932
(970) 385-1400
3803 North Main Avenue, Suite 300
Durango, CO 81301

EXHIBIT "A"
PROJECT NUMBER: NH 1601-058
PERMANENT EASEMENT NO. 1A (PE1A)
Project Code: 15950
Date: September 29, 2007

DESCRIPTION

A Permanent Easement No. 1A (PE1A) of the Department of Transportation, State of Colorado, Project NH 1601-058 containing 10.188 acres, more or less, in Sections 15, 16, 21, 28, and 33, Township 33 1/2 North, Range 17 West, of the New Mexico Principal Meridian, Montezuma County, Colorado, said permanent easement being more particularly described as follows:

Beginning at a point on the northwesterly right-of-way of U.S. Highway 160/491, as established on Project FAP 147-A (1928) whence the Southwest Section Corner of Section 15, a 3-1/4" brass cap stamped "U.S. General Land Office Survey T33.5N R17W S16-S15-S21-S22 1957", bears S. 13°33'32" W., a distance of 3104.59 feet;

1. Thence departing from said right-of-way, N. 70°47'01" W., a distance of 25.00' feet;
2. Thence S. 19°12'58" W., a distance of 15828.05 feet;
3. Thence along an arc to the right having a radius of 2944.39 feet, a distance of 1204.62 feet (the chord bears S. 30°56'12" W., a distance of 1196.24 feet);
4. Thence S. 42°39'26" W., a distance of 617.20 feet, to a point on the southeasterly right-of-way of U.S. Highway 160/491, as established on Project FLHP 8(2) (1956);
5. Thence along said right-of-way, S. 47°20'34" E., a distance of 25.00 feet to a point on the southeasterly right-of-way of U.S. Highway 160/491, as established on Project FAP 147-A (1928);
6. Thence along said right-of-way, N. 42°39'26" E., a distance of 647.20 feet;
7. Thence continuing on said right-of-way, along an arc to the left having a radius of 2824.79 feet, a distance of 1155.69 feet (the chord bears N. 30°56'12" E., a distance of 1147.65 feet);
8. Thence continuing on said right-of-way, N. 19°12'58" E., a distance of 15858.05 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described permanent easement contains 10.188 acres, more or less.

The purpose of the above described permanent easement is for the construction and maintenance of highway improvements.

BASIS OF BEARING: Bearings are based on the "State Plane" grid bearing from CDOT Control Point 22.30 (a 3-1/4" aluminum cap) to CDOT Control Point 22.60 (a 3-1/4" aluminum cap). That bearing being N. 35° 48' 48" E.

For and on behalf of the
Colorado Department of Transportation
Todd C. Johnston, PLS 37932
(970) 385-1400
3803 North Main Avenue, Suite 300
Durango, CO 81301

DATE: March 9, 2001

RESOLUTION NO. 2001-036

**RESOLUTION OF THE UTE MOUNTAIN UTE TRIBAL COUNCIL
REFERENCE: STATE OF COLORADO, DEPARTMENT OF
TRANSPORTATION REQUEST FOR ADDITIONAL RIGHT OF WAY FOR
REPLACEMENT OF STRUCTURE P-2-C AND SAFETY IMPROVEMENTS
ALONG U.S. HIGHWAY 160/666 ON TRIBALLY OWNED LAND IN
MONTEZUMA COUNTY, COLORADO**

WHEREAS, the Constitution and By-Laws of the Ute Mountain Ute Tribe, approved June 6, 1940 and subsequently amended, provides in Article III that the governing body of the Ute Mountain Ute Tribe ("Tribe") is the Ute Mountain Ute Tribal Council and sets fourth in Article V the powers of the Tribal Council exercised in this Resolution;

WHEREAS, the Ute Mountain Ute Tribal Council is committed to programs that benefit the social and public well-being of the Ute Mountain Ute Tribal Members; and

WHEREAS, the Ute Mountain Ute Tribal Council has determined that strategic community and economic development planning is essential to the future economic well-being of the Tribe and Tribal Members; and

WHEREAS, this resolution rescinds and replaces Resolution No. 2001-8, passed by the Tribal Council on January 25, 2001; and

WHEREAS, a request has been made to the Ute Mountain Ute Tribal Council by the State of Colorado, Department of Transportation, Denver, Colorado for the purpose of replacing the existing wooden box culvert under U.S. Highway 160 with a concrete box culvert, and widening of shoulders of the highway within the construction limits of the project over, across, in and upon the following described lands:

Parcel 1

A tract or parcel of land No. 1 of the Department of Transportation, State of Colorado Project Number NH 1601-049 containing 0.4066 acres, more or less, in the Southeast Quarter of Section 21, Township 33½ North, Range 17 West of the New Mexico Principal Meridian, Montezuma County, Colorado, said tract being more particularly described as follows.

Commencing at the South Quarter Corner of said Section 21;
Thence South 87°50'36" East, 653.08 feet, along the South line of said Southeast Quarter to a point on the westerly right-of-way of State Highway 160;
Thence North 19°13'03" East, 516.58 feet, along said westerly right-of-way to the TRUE POINT OF BEGINNING;
Thence North 19°13'03" East, 239.46 feet, continuing along said right-of-way line;
Thence South 72°08'53" West, 112.79 feet;

Thence South 19°13'03" West 154.17 feet;
Thence South 59°54'16" East, 91.64 feet, to the POINT OF BEGINNING.
The above described Parcel contains 0.4066 acres, more or less.

Parcel 1A

A tract or parcel of land No. 1A of the Department of Transportation, State of Colorado Project Number NH 1601-049 containing 0.2657 acres, more or less, in the Southeast Quarter of Section 21, Township 33½ North, Range 17 West of the New Mexico Principal Meridian in Montezuma County, Colorado, said tract or parcel being more particularly described as follows.

Commencing at the South Quarter Corner of said Section 21;
Thence South 87°50'36" East, 789.06 feet, along the South line of said Southeast Quarter to a point on the easterly right-of-way line of State Highway 160;
Thence North 19°13'03" East 640.17 feet, along said easterly right-of-way line to the TRUE POINT OF BEGINNING;
Thence North 48°09'40" East, 165.31 feet;
Thence North 19°13'03" East 51.86 feet;
Thence North 43°41'43" West 89.86 feet, to a point on said easterly right-of-way line;
Thence South 19°13'03" West 237.44 feet, along said easterly right-of-way line to the POINT OF BEGINNING;
The above described parcel contains 0.2657 acres, more or less.

Temporary Easement 1

A tract or parcel of land No. TE-1 of the Department of Transportation, State of Colorado Project Number NH 1601-049 containing 3.5050 acres, more or less, in the Southeast Quarter of Sections 21 and 28, Township 33½ North, Range 17 West of the New Mexico Principal Meridian, Montezuma County, Colorado, being more particularly described as follows.

Commencing at the South Quarter Corner of said Section 21;
Thence South 87°50'36" East 653.08 feet, along the southerly line of said Southeast Quarter to a point on the westerly right-of-way line of State Highway 160;
Thence South 19°13'03" West, 279.26 feet, along said westerly right-of-way line to the TRUE POINT OF BEGINNING;
Thence North 06°31'49" East, 767.04 feet;
Thence North 19°13'03" East 96.82 feet;
Thence North 30°10'07" East 886.79 feet, to a point on said westerly right-of-way line;
Thence South 19°13'03" West, 1715.77 feet, along said westerly right-of-way line to the POINT OF BEGINNING.
The above described Parcel contains 3.5050 acres more or less.

The purpose of Temporary Easement 1 is to construct and remove a detour to be used during construction of the new concrete box culvert.

Temporary Easement 1A

A parcel of land lying within Section 21, Township 33½ North, Range 17 West of the New Mexico Principal Meridian, Montezuma County, Colorado, being more particularly described as follows.

Commencing at the South Quarter Corner of said Section 21;
Thence South 87°50'36" East, 789.06 feet, along the southerly line of said Southeast Quarter to a point on the easterly right-of-way line of State Highway 160;
Thence North 19°13'03" East, 640.17 feet, along said easterly right-of-way line to the TRUE POINT OF BEGINNING;
Thence North 48°09'40" East, 165.31 feet;
Thence South 19°13'03" West 61.99 feet;
Thence South 48°09'40" West, 165.31 feet, to a point on said easterly right-of-way line;
Thence North 19°13'03" East, 61.99 feet, along said easterly right-of-way line to the POINT OF BEGINNING.
The above described parcel contains 0.1138 acres, more or less.
The purpose of Temporary Easement 1A will be to re-align an existing dirt road on tribal lands.

WHEREAS, the proposed right-of-way will be 1,715 feet in length, 250 feet in width, and 4.29 acres, more or less, in size or area, and is more particularly described in the Colorado Department of Transportation Right-of-Way Map for Project NH 1601-049, which Right-of-Way Map is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the right-of-way contained in Parcels 1 and 1A shall be perpetual from the date of execution of this resolution and shall not be transferable in the event of change of ownership without prior written consent of the Tribal Council; and

WHEREAS, the right-of-way contained in Temporary Easement 1 and 1A shall be for a term commencing 90 days from commencement of construction, and shall expire thereafter, and shall not be transferable in the event of change of ownership without prior written consent of the Tribal Council; and

WHEREAS, this right-of-way is granted for the purposes of replacing the existing culvert under U.S. Highway 160, for widening shoulders within the construction limits of the project, and the construction of a detour to be used during construction, any changes or upgrades to the right-of-way shall be renegotiated by the Tribe, the Bureau of Indian Affairs, and the Colorado Department of Transportation; and

WHEREAS, this right-of-way is granted subject to the Ute Mountain Ute Tribe's General Right-Of Way Stipulations, attached hereto

WHEREAS, compensation for said perpetual right-of-way shall be \$3,250.00; and

WHEREAS, compensation for the Temporary Easements shall be \$1,750.00; and

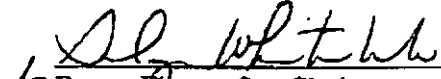
WHEREAS, the deposit of damages shall be \$109,000.00, which funds will be held by the Tribe in an interest bearing account, the deposit to be returned to the Colorado Department of Transportation, without interest, after completion of the project, reclamation, and final inspection as set forth in the General Right of Way Stipulations;

NOW, THEREFORE, BE IT RESOLVED the Council of the Ute Mountain Ute Indian Tribe hereby agrees that the Superintendent, Ute Mountain Ute Agency, Towaoc, Colorado, is hereby authorized to grant the State of Colorado, Department of Transportation, the right-of-way requested, in accordance with the terms provided above and the Ute Mountain Ute Tribe's General Right-Of Way Stipulations, attached hereto, also provided that the granting of the right-of-way shall be made in full conformity with Title 25 – Code of Federal Regulations, Part 169.

BE IT FURTHER RESOLVED that the Ute Mountain Ute Indian Tribe specifically reserves and retains the right to exercise the application of Tribal TERO fees and Tribal taxation.

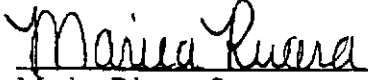
BE IT FINALLY RESOLVED that the Chairman of the Ute Mountain Ute Indian Tribe is hereby authorized to sign the documents necessary in carrying out the purpose of this resolution.

The foregoing Resolution was duly adopted this 9th day of March 2001.

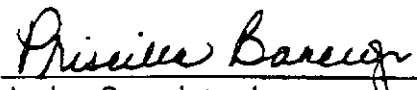

Ernest House, Sr., Chairman
Ute Mountain Tribal Council

CERTIFICATION

This is to certify that there was a quorum of 6 Tribal Council members present at the official meeting of the Ute Mountain Tribal Council held on the above-mentioned date, that 5 voted for and 0 opposed the above resolution, and 0 abstained, the Chairman not voting since not a tie vote, and that the above resolution was duly adopted.


Maria Rivera, Secretary
Ute Mountain Tribal Council

BIA APPROVAL:


Acting Superintendent
Ute Mountain Ute Agency BIA

Date

EXHIBIT "A"

Resolution No. 515

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
January 13, 1956

WHEREAS, Authority is vested in Article V Section 2 of the constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1948; and

WHEREAS, It is deemed by the State Highway Department of Colorado, to be less hazardous to eliminate the large curve on present US Highway #666 south of the site of Towaoc; and

WHEREAS, The Tribal Council, after conferring with State Highway Officials and Engineers of the Consolidated Ute Agency, desire to follow their recommendations;

NOW, THEREFORE, BE IT RESOLVED That the State of Colorado is granted a 52.616acre (More or Less) right-of-way east of the present site of US Highway #666.

BE IT FURTHER RESOLVED That this right-of-way shall be in accordance with the tracings and survey conducted by the State Highway Department and approved by the Superintendent of the Consolidated Ute Agency.

The foregoing resolution was duly adopted this 13th day of January, 1956.


Scott Jacket, Chairman, Ute Mountain
Tribal Council

This is to certify that there were six of the regularly elected councilmen at the above meeting, that being a quorum, that five voted for and none opposed and the above resolution was passed.


Dorothy Parris, Secretary.

FLHP 8(2)
1

Form Con. Ute, Realty

Project: FLHP 8 (2)
No. Bdy. Ute Res.-New Mexico Line

EASEMENT FOR RIGHT OF WAY, RESTRICTED INDIAN LANDS

This is to certify that in accordance with Ute Mountain Ute Tribal
Council Resolution No. 515, adopted January 13 1956, an easement
was approved January 25, 1956, for the below described property for unlimited
years, and subject to the provisions of said resolution and the Act of
February 5, 1948 (62 Stat. 17, 25 USCA 323), and the Departmental Reg-
ulations 25 C.F.R. 256 and subject to any valid existing right or adverse
claim; to wit: A tract or parcel of land containing 59.687 acres, more or less in
a portion of Township 34 N., S. U. L., Range 17 W., N. M. P. M. (not subdivided) and Sections
5, 8, and 17, Township 33 N., R. 17 W., N. M. P. M., all in Montezuma County, Colorado, said
tract or parcel being 200 feet wide, 100 feet on the easterly side and 100 feet on the westerly
side of the centerline of the highway, more particularly described in description filed at
Consolidated Ute Agency.

Certified this the 24th day of May 19 56, at Ignacio, Colorado.

James F. Cavan
Superintendent
Consolidated Ute Agency.

RIGHT OF WAY
TO BE ACQUIRED
FROM

PARCEL NO. 1
STA. 269/00 TO STA. 399/00

UTE INDIAN TRIBE
Towaoc, Colorado

IN
MONTEZUMA COUNTY
FOR

PROJECT FLHP 8(2)
Ute Res. -South

STATE HIGHWAY NO. 106

DESCRIPTION

A tract or parcel of land No. 1, of Colorado Department of Highways Project No. FLHP 8(2) containing 59.687 acres, more or less, in a portion of Township 34 North, S.H.L., Range 17 West of the New Mexico Principal Meridian, (not subdivided), and Section 5, Section 8 and Section 17, Township 33 North, Range 17 West of the New Mexico Principal Meridian, in Montezuma County, Colorado, said tract or parcel being 200 feet wide, 100 feet on the easterly side and 100 feet on the westerly side of the centerline of highway, said centerline being described as follows:

Beginning at a point designated as Sta. 269/00 on the Colorado Department of Highways R.O.W. Map for their Project FLHP 8(2), which point is 5.098 miles southerly of the north boundary of the Ute Indian Reservation on State Highway No. 106;

1. Thence S 40° 33' W along said centerline of highway a distance of 2427.2 feet;
2. Thence along said centerline of highway along a spiral curve to the left with a central angle of 2° 00' a distance of 200 feet;
3. Thence along said centerline of highway along the arc of a curve to the left with a radius of 2865.0 feet a distance of 953.3 feet (the chord of which arc bears S 29° 01' W a distance of 949.0 feet);
4. Thence along said centerline of highway along a spiral curve to the left with a central angle of 2° 00' a distance of 200.0 feet;
5. Thence S 17° 29' W along said centerline of highway a distance of 2491.3 feet;
6. Thence along said centerline of highway along the arc of a curve to the left with a radius of 5730.0 feet a distance of 741.7 feet (the chord of which arc bears S 13° 46' 30" W a distance of 741.2 feet);
7. Thence S 10° 04' W along said centerline of highway a distance of 4710.3 feet;
8. Thence along said centerline of highway along the arc of a curve to the right with a radius of 5730.0 feet a distance of 998.3 feet (the chord of which arc bears S 15° 03' 30" W a distance of 997.2 feet);
9. Thence S 20° 03' W a distance of 277.7 feet, more or less, to the point known as Sta. 399/00 on the Colorado Department of Highways R.O.W. Map for their Project FLHP 8(2).

The above described parcel contains 59.687 acres, more or less. Of the above acreage 7.071 acres are right-of-way of the present road.

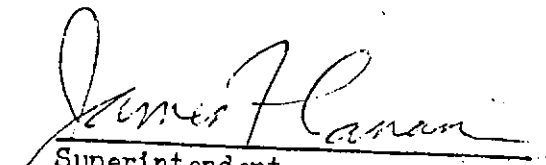
Form Con. Ute, Realty

Project: FLHP 8 (2)
No. Bdy. Ute Res.-New Mexico Line

EASEMENT FOR RIGHT OF WAY, RESTRICTED INDIAN LANDS

This is to certify that in accordance with Ute Mountain Ute Tribal
Council Resolution No. 515, adopted January 13 1956, an easement
was approved January 25, 1956, for the below described property for unlimited
years, and subject to the provisions of said resolution and the Act of
February 5, 1948 (62 Stat. 17, 25 USCA 323), and the Departmental Reg-
ulations 25 C.F.R. 256 and subject to any valid existing right or adverse
claim; to wit: A tract or parcel of land containing 59.687 acres, more or less in
a portion of Township 34 N., S. U. L., Range 17 W., N. M. P. M. (not subdivided) and Sections
5, 8, and 17, Township 33 N., R. 17 W., N. M. P. M., all in Montezuma County, Colorado, said
tract or parcel being 200 feet wide, 100 feet on the easterly side and 100 feet on the wester-
side of the centerline of the highway, more particularly described in description filed at
Consolidated Ute Agency.

Certified this the 24th day of May 1956, at Ignacio, Colorado.


Superintendent
Consolidated Ute Agency.

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

Region 5 - Engineering
3803 N. Main Ave. Suite 300
Durango, Colorado 81301

(970) 385-1400
FAX (970) 385-1410



DATE: August 17, 2007

TO: John Willis

FROM: Randy Crumbaugh

RE: Right of Way Documents through the Ute Mountain Ute Indian Reservation

This memo is for the purpose of delineating the various documents and maps that establish the Colorado Department of Transportation Right of Ways through the Ute Mountain Ute Indian Reservation.

Resolution # 899B ~ Establishes ROW of 250', or 125' each side of centerline for both the "Utah Branch" which is HWY. 41 starting at M.P. 4.9 of SH 160 and running Northwesterly to the Utah State Line AND the "Four Corners to U.S. 666" branch of S.H. 160 which runs from M.P. 0 to MP 18.3. (See copies of Resolution 899B, Legal Descriptions, and ROW maps CS 32-9032-02 both the Utah Branch and the Four Corners to Jct. US 666 branch)

The Right of Way for SH 491 (formerly SH 666) was originally established from the North Boundary of the Ute Mountain Indian Reservation, southerly to the Colorado/New Mexico State Line by project FAP 147-A under the authority of Sec. 4 of the Act of March 3, 1901. It was recorded in the General Land Office on 02/18/28. It is shown on a plat recorded 01/24/1928 that shows the FAP 147-A centerline description. The ROW is established as 80' total, 40' each side of said centerline. (See project plan sets: FAP 147-A)

Resolution # 515, dated 01/13/1956 establishes a 200' Right of Way, 100' each side of a centerline description (the same centerline and stationing as established on FAP 147-A) from Station 269+00 to Station 399+00. (See plan set: FLHP 8(2))

Resolution # 640, dated 5/14/1957 and recorded in the Montezuma County records under Bk. 238, Pg. 58, Reception No. 180204. This document establishes a 150' wide ROW, 75' each side of a centerline description (the same centerline and stationing as established on FAP 147-A) from Station Equation 399+00Bk=408+36Ah. to Station 670+00. (See plan set: FLHP 8(3) & BF023-1(4))

Resolution # 787A, dated 5/20/1958 ~ Establishes a 150' wide ROW, 75' each side of a centerline description (the same centerline as established on FAP 147-A) from Station 670+00 to Station 844+34 at the Colorado/ New Mexico boundary. (See plan set FLHP 8(4) & F023-1(6))

Other more recent projects along this corridor include:

NH (CX) 160-1(30) ~ MP 26.34 to 27.33 ~ This project was for the construction of acceleration and deceleration traffic lanes north and south of the casino. Right of Way monuments were set on this project along the existing fences at a distance of 65' from the centerline. However, I can find no documents in the files that establish the ROW at this distance.

NH 1601-049 ~ MP 24.20 to MP 24.70 ~ This project was for the purpose of constructing a large box culvert. Right of Way monuments were set along the existing fences at a distance of 65' from the centerline. Additionally, there also were a couple of parcels outside of the aforementioned 65' distance at the inlet and outlet of the box culvert that were acquired and monumented. CDOT acquired a Grant of Easement for Right of Way for this project and these parcels. It is recorded under reception number 495536 in the records of Montezuma County. A couple of items of concern with this document are:

- Reference to Ute Tribal Resolution: #2001-008. The records show that resolution #2001-008 was superseded by resolution #2001-036 which had some revised language.
- The grant of easement statement concerning the length, width and acreage of the new ROW does not match the plan set at all.

Additionally, we have a copy of Resolution ~~#492 which grants CDOT a Right of Way across tribal lands~~. Although there is no language which relates this resolution to a specific project or location, it was attached to Resolution 640 which is tied to project BF 023-1(4)

Also of interest is a memo from Carl Watson of CDOT to a Priscilla Bancroft of the Bureau of Indian affairs which mentions a Resolution # 2044 which granted the right to CDOT to erect a highway fence along US 160/666 at a location 65' on either side of the center line of the highway from the north boundary of the Ute Mountain Ute Reservation to a point where the right-of-way widens to 200'. This explains the location of the existing ROW fences, however, there is no copy of this resolution document in our records and it most likely was not intended to give the CDOT a Right of Way.

NOTE: This report is a summary from the records found in the CDOT, Region 5 records. Additional information may be found in the CDOT Staff Right of Way records and in the records of the Bureau of Indian Affairs.

FY 14 RAMP Surface Treatment Project

New Mexico to Towaoc

US 491: MP 0.0 – MP 6.4

US 160: MP 17.9 – MP 27.85

Total Budget: \$19,708,000

Estimated Contract Bid Amount: \$13,500,000

Planned Ad Date: Spring 2014

Planned Construction period: Summer/Fall 2014

*Bernadette Culthair
berathair@utemountain.org
970-238-0129 cell
Planning Dept (UMUT)*

Scope of work by priorities:

1 - US 160/491 intersection (US 491 MP 6.4) to US 160 MP 26.0 (location of CBC)

(skipping the previously completed passing lane between MP 21.25-23.0)

1. Surface treatment consists of Full Depth Reclamation, a new HMA pavement section on top. Depth of pavement section to be determined by CDOT.
2. Upgrade any signs, striping, delineators, guardrail and shoulder rumble strips.
3. Culverts:
 - Any cross culvert less than 36" will be upsized to a 36". Pipes will need to be of sufficient length to meet clear zone requirements, but must stay within the existing ROW.
 - All other culverts will be reviewed for structural integrity only.
 - The need to clean culverts will be determined after field inspection.
4. There are no bridge structures in this segment.
5. Lighting: This project will also review current lighting and determine if upgrades are needed at the US 160/US 491 intersection.

2.) US 160 - MP 26.0 to MP 27.85 (at Woody's store)

1. Surface treatment will be a 2" "mill and fill" of the existing pavement limits.
2. There will be a deep patch or some other type of settlement correction at MP 27.01.
3. Upgrade any signs, striping, guardrail and shoulder rumble strips.
4. Culverts: Any cross culvert less than 36" will be upsized to a 36". Pipes will need to be of sufficient length to meet clear zone requirements, but must stay within the existing ROW.
5. The structural plate arch at ISMAY Draw may be surveyed, but any improvements may be done as part of the future passing lane project.
6. The need to clean culverts will be determined after field inspection.
7. There are no bridge structures in this segment.

3) US 160 MP 17.9 to 18.23 (West to the Four Corners)

1. Overlay to tie into the previously completed project.
2. Possible upgrade of the traffic loop counters located on US 160 at MP 17.9.
3. Upgrade any signs, striping, guardrail and shoulder rumble strips.
4. There will be no lane width changes at the intersection.

4.) US 491 – MP 0.0 to MP 6.4

The US 491 segment from New Mexico to the US 160/US 491 Intersection will receive surface treatment will be a 1" + leveling course and 2" overlay on the existing surface.

1. Culverts: We do not anticipate any culvert replacements including upsizing to 36" due to the RAMP criteria.
2. There are three bridge structures located in this segment. These structures will be evaluated for RAMP preventative maintenance funding for minor deck rehab and waterproofing membrane.
 - P-02-A over the Mancos River has a structural rating of 55. Guardrail and bridge rail appear to be up to date, but we will need to check with HQ Staff Bridge for their recommendations on that and the need for a waterproofing membrane replacement.
 - P-02-B over Indian Creek has a structural rating of 54. It appears that upgrades to bridge rail and guardrail are needed, as well as a waterproofing membrane. We will need to confirm with HQ Staff Bridge.
 - P-02-E is the multi culvert crossing at Chimney Rock Draw. There are no improvements planned at this site because the scope of the funding is surface treatment.

5.) Other Work

1. We have summarized all the large culverts greater than 48 inch and none qualify for work; the ratings are all greater than 50.
2. There are 15 each 36 inch culverts that we are trying to get inspected by Staff Bridge to determine if we need to address these - only if the rating is less than 50.
3. Possible street lighting upgrades at Mike Wash Road; the design engineer will review needs.
4. Possible improvements to Pottery Business access will be reviewed with the Tribe.
5. Coordination with the Tribe's work with the removal of the cattleguard at Mike Wash Road.

6) Issues and Concerns

1. The project has a short time frame to design and obtain necessary clearances in order to advertise in Spring of 2014.
2. Apparently CDOT does not have a ROW easement from MP 26 to MP 27 that would allow work to be completed outside of 40 feet each side of centerline. In order for work to be completed through this section of US 160 the ROW would need to be finalized. We understand the process involves the Tribe and th BIA. We believe if we begin working together now we can have the ROW easement finalized in time for the Ad date
3. CDOT proposes we have regular coordination/design update meetings in order to have a successful project.

Agenda

Transportation Meeting (CDOT)

7/11/2013

1:00 p.m. to 4:30 p.m.

Location: East Wing Conference Room/Tribal Complex Building (Towaoc, CO)

1. **Introductions**

2. **FY 14 RAMP/Surface Treatment Project**

Edward Archuleta, Program Engineer

- a. Tribal ROW/Easement (MP 26 to MP 27). Objective: Agree on acquisition process and responsibilities
- b. Draft Preliminary Project Easement Acquisition Schedule.

3. **Next Meeting**

4:30 p.m. **Conclusion of Meeting**

Location: East Wing Conference Room

[illegible]

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
December 22, 1955.

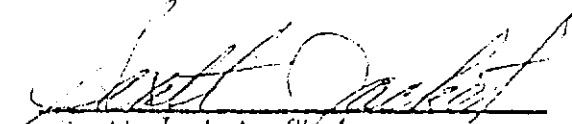
WHEREAS, authority is vested in the Tribal Council pursuant to Article V, Section 1(b) of the Constitution adopted by the Ute Mountain Tribe of the Ute Mountain Reservation on June 6, 1940; and

WHEREAS, the State of Colorado has made request for a right of way across Ute Mountain tribal lands for the purpose of re-alignment and re-location of U.S. Highway #666 across tribal lands of the Ute Mountain Tribe;


NOW, THEREFORE, BE IT RESOLVED that the Superintendent of the Consolidated Ute Agency at Ignacio, Colorado, is hereby authorized to grant to the State of Colorado a right of way across tribal lands of the Ute Mountain Tribe for a highway pursuant to the rules and regulations of the Interior Department, and

BE IT FURTHER RESOLVED that the Superintendent is authorized to grant the State Highway Department permission to commence immediately the construction of the highway.

The foregoing resolution was duly adopted this 22nd day of December, 1955.


Scott Jacket, Chairman,
Ute Mountain Tribal Council.

This is to certify that there were five of the regularly elected Councilmen at the above meeting, that being a quorum, that five voted for and none opposed and the above resolution was passed.


Robert B. White, Jr.
Acting Secretary.

-Document # Project BF 023-1(4)
-Document Name/Title Project No. FLHP-8(3) & BF023-1(4)
-Date of Approval January 4, 1957
-Type of right granted Easement
-Duration of right granted Perpetual
-Resolution number 492 & 640 — December 5, 1956
/ December 22, 1955

Grants an additional 42,238 acres to existing ROW

Attachments:

1. Map
2. Tribal Resolution 492
3. Right-of-Way Application
4. Description & Engineers Affidavit
5. Tribal Resolution 640
6. Affidavits of Completion
Project FLHP 8(3)
Project BF023-1(4)

Received at
Reception No.

180204

10 45 o'clock

4 May 19, 1957
John Leavitt, Rep. Montezuma Co. Colo.
nw

FLHP 8(3)

BF 23-1(1)

BOOK 238 PAGE 58

Resolution No. 840

RESOLUTION
of the
UTE MOUNTAIN TRIBAL COUNCIL
Towaoc, Colorado
December 5, 1956

WHEREAS, Authority is vested in Article V Section I (b) of the Constitution and By-Laws of the Ute Mountain Tribe of Ute Indians and approved June 6, 1940; and

WHEREAS, Mr. J. I. Casey, authorized representative of the State Highway Department appeared before the Tribal Council requesting permission to purchase 42.238 acres at \$30.00 each, said 42.238 acres to be added to the now existing right of way and to be used for new construction for making the road less hazardous, and

WHEREAS, the said 42.238 acres are further described as beginning 1 1/4 mile north of Mancos River on Highway 568; thence running 26,124 feet north on the existing highway and more specifically described in Project FLHP 8(3) & BF 23-1(4) as attached hereto, and

WHEREAS, The Tribal Council feels that the improvement of Highway 568 across the Ute Reservation would also be beneficial to the Tribe;

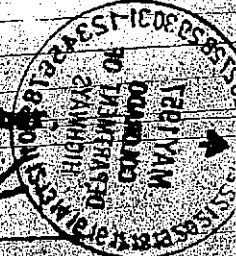
NOW, THEREFORE, BE IT RESOLVED That the State Highway Department of Colorado is granted the 42.238 acres as an addition to their existing right of way, a description of which is stated above and attached hereto.

BE IT FURTHER RESOLVED that said 42.238 acres will be paid for as per the State Highway Engineers's recommendation, which is \$30.00 per acre, making a total of \$1267.00 payable to the Ute Mountain Tribe.

BE IT FURTHER RESOLVED That this right of way shall be in accordance with the tracing and survey conducted by the State Highway Engineer and approved by the Superintendent of the Consolidated Ute Agency.

The foregoing resolution was duly adopted this 5th day of December 1956.

Scott Jacket
Scott Jacket, Chairman
Ute Mountain Tribal Council



REFER IN REPLY TO THE FOLLOWING:

134723

5-1100

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

L-C
57155-27

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

The Honorable

The Secretary of the Interior.

JAN 21 1928

Sir:

There are transmitted herewith the papers in connection with the application of the Colorado State Highway Department for permission to open a public highway designated as Colorado Federal Aid Project No. 147A, across certain lands within the Ute Mountain Indian Reservation part of which is unsurveyed and part located in Townships 32 and 33 north, Ranges 17 and 18 west, Montezuma County, Colorado.

The Superintendent of the Consolidated Ute Agency reports that the road when built will be a great help to the Indians as well as the general public, giving them a good highway across the reservation which they have never had. He says that the road does not cross any allotted land nor any land of particular value, and recommends that the application be approved without assessment of damages.

In view of the facts presented, it is recommended that the application herewith be approved subject to the provisions of the Act of March 3, 1901 (31 Stat. 1053-1084); Department regulation

Map 10685
Tub 1355

RECEIVED
JAN 21 1928

thereunder; and subject also to any prior, valid, existing right or adverse claim.

It is recommended further that no damages in addition to the benefits resulting from the road be assessed in connection therewith.

Respectfully,

E. B. M. M. M.
Assistant Commissioner.

Approved: JAN 24 1928
John H. Edwards
Assistant Secretary.

7-12-15

5-104

15 NOV 1927
RECEIVED

APPLICATION FOR PUBLIC HIGHWAY

We, The Colorado State Highway Dept.

a majority of _____

of _____ township, Montezuma County, Colorado
(State)

duly authorized by law to open and establish public highways in said County, do hereby petition the Secretary of the Interior to grant permission in accordance with section 4 of the act of March 3, 1901 (31 Stats. L., 1058, 1084), to open and establish a public highway 80 feet wide, extending across Indian lands for a distance of 15.89 miles as shown on accompanying map of definite location.

All the laws of the State of Colorado with regard to the opening and establishment of public highways have been complied with in this instance.

The highway is to be a { branch } of the main road connecting the towns of Cortez Colorado and Shiprock New Mexico, and is a public necessity for the following reasons: _____

It is the shortest approach from the south to Mesa Verde Nat. Park and serves as an outlet to tourists coming in from the east to the park and desiring to go out to the south west to Arizona or California points.

There is also developing a considerable truck traffic from Montezuma valley points around Cortez south through Shiprock to Gallup New Mexico which is a shipping point on the Santa Fe R.R.

FILED BY 111 111 111

The proposed highway has been laid out to conform to section lines, except as hereafter stated. The departures from section lines are as follows and the reasons as stated:

(Here state the place of each departure and the reasons for each)

The proposed highway has been laid out without regard to section lines for the following reasons,

The land traversed is arid and without development of any kind.

Present day highways have developed an importance much beyond that of the earlier roads so that modern engineering practice calls for a higher type of alignment than section lines would allow.

The topography of the country is such that an attempt to follow section lines would result in either very poor alignment or else very heavy construction cost.

Damages to Indian lands and improvements have been allowed in the sum of _____, and exchange in the form of _____

is inclosed herewith, to be held by the superintendent of _____ Indian

School _____ pending the action of the Department on this petition.

Dated this _____ day of December, 1927



Chief Clerk.

[Signature]
State Highway Engineer.

DEPARTMENT OF THE INTERIOR,

Consolidated Ute Agencies
Ignacio, Colorado.

[Signature] *[Signature]* *[Signature]*

Approved:

Secretary.

I, E. E. McKean, Superintendent of the Consolidated Ute Agency
School, hereby certify that I believe to be true the statements contained in the inclosed petition and accompanying papers
filed by the State Highway Engineer of Colorado
of _____ township, _____ County, _____
(State.)
for a grant in accordance with section 4 of the act of March 3, 1901 (31 Stat. L., 1084), of permission to open and establish a
public highway along a course described as follows: Through the Ute Mountain Indian
Reservation as described on the tracing linen to which this is
attached. The road is not described by section lines.

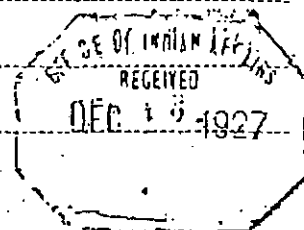
[illegible]

The following information is given in compliance with Office Circular No. 435:

(a) ~~No allotted lands involved.~~

(b) No conflict with any other right of way.

(c) This road if built will be a great help to the Indians as well as the general public. It will give them a good highway across their reservation something they have never had.



Recommendation:

I respectfully recommend that the application for this right of way receive favorable consideration.

Respectfully,

E. E. McKean E. E. McKean.

Superintendent and Special Disbursing Agent.

Noted on 10th of Carl
Vol. _____ page _____

Row 1 / Examined 12/17/77 by J. T. L.
allotted under act of

Allotted under Act of

Original trust patent issued.....under Act of

In all cases where the heirs are required to be determined, and in all cases submitting wills for approval, give below a description of all the lands in the allotment, and the status of it.

[illegible]

Remarks:

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 767-8011



Date: April 27, 1993
To: Carl Watson *CW*
Region 5 ROW
From: Bob Brown *Bob Brown*
Staff ROW
Subj: Plat showing right of way on S.H. 666

Enclosed is a copy of the plat received from the State Office of the Bureau of Land Management, showing the right of way along S.H. 666 south of Cortez.

As stated in my earlier E mail (April 5), the plat was approved by the Department of the Interior on January 24, 1928 and recorded in the General Land Office on February 18, 1928. Unfortunately, this information is barely legible. My source at BLM thinks this was granted under authority of Section 4 of the act of March 3, 1901 (copy enclosed).

cc: ROW Files

RECEIVED
MAY 3 1993
COLORADO DEPT. OF TRANSPORTATION
DISTRICT 5
CONSTRUCTION / PRE-CONSTRUCTION

from: An Act Making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirteenth, nineteen hundred and two and for other purposes.

March 3, 1901 31 Stat 1058

1084

FIFTY-SIXTH CONGRESS. SESS. II. CH. 832. 1901.

FIFTY-SIXTH C

Regulating tolls reserved.

Rights of towns on line of construction.

Condemnation of lands allotted in severalty authorized.

Secretary of Interior may grant permission to open highways through Indian reservations, etc.

Diversion of surplus for subsistence.

Provision—report.

Purchase of stock cattle.

Treaty funds not available.

Transfer of funds for employees.

Diversions.

Proviso. Crow Reservation, Mont. Use of annuity money of Indians for irrigation.

Rejection of bids. —purchases in open market.

may be lawfully assessed against them by either State, Territorial, or municipal authority; and Congress hereby expressly reserves the right to regulate the tolls or charges for the transmission of messages over any lines constructed under the provisions of this Act: *Provided*, That incorporated cities and towns into or through which such telephone or telegraphic lines may be constructed shall have the power to regulate the manner of construction therein, and nothing herein contained shall be so construed as to deny the right of municipal taxation in such towns and cities.

That lands allotted in severalty to Indians may be condemned for any public purpose under the laws of the State or Territory where located in the same manner as land owned in fee may be condemned, and the money awarded as damages shall be paid to the allottee.

SEC. 4. That the Secretary of the Interior is hereby authorized to grant permission, upon compliance with such requirements as he may deem necessary, to the proper State or local authorities for the opening and establishment of public highways, in accordance with the laws of the State or Territory in which the lands are situated, through any Indian reservation or through any lands which have been allotted in severalty to any individual Indians under any laws or treaties but which have not been conveyed to the allottees with full power of alienation.

SEC. 5. That the Secretary of the Interior, under the direction of the President, may use any surplus that may remain in any of the said appropriations herein made for the purchase of subsistence for the several Indian tribes, to an amount not exceeding twenty-five thousand dollars in the aggregate, to supply any subsistence deficiency that may occur: *Provided*, That any diversions which shall be made under authority of this section shall be reported in detail, and the reason therefor, to Congress at the session of Congress next succeeding such diversion: *Provided further*, That the Secretary of the Interior, under direction of the President, may use any sums appropriated in this Act for subsistence, and not absolutely necessary for that purpose, for the purchase of stock cattle for the benefit of the tribe for which such appropriation is made, and shall report to Congress, at its next session thereafter, an account of his action under this provision: *Provided further*, That funds appropriated to fulfill treaty obligations shall not be used.

SEC. 6. That when not required for the purpose for which appropriated the funds herein provided for the pay of specified employees at any agency may be used by the Secretary of the Interior for the pay of other employees at such agency, but no deficiency shall be thereby created; and, when necessary, specified employees may be detailed for other service when not required for the duty for which they were engaged; and that the several appropriations herein or heretofore made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, and for various articles provided for by treaty stipulation for the several Indian tribes, may be diverted to other uses for the benefit of said tribes, respectively, within the discretion of the President, and with the consent of said tribes, expressed in the usual manner; and that he cause report to be made to Congress, at its next session thereafter, of his action under this provision: *Provided*, That with the consent of the Crow Indians in Montana, to be obtained in the usual way, the Secretary of the Interior, in his discretion, may use the annuity money due or to become due said Indians to complete the irrigation system heretofore commenced on said Crow Indian Reservation.

SEC. 7. That whenever, after advertising for bids for supplies in accordance with sections three and four of this Act, those received for any article contain conditions detrimental to the interests of the Government they may be rejected and the articles specified in such bids

purchased in open market, and not to exceed time as satisfactory to the Government shall be made as may be incident to same, for the year ending June thirteenth, nineteen hundred and one.

SEC. 8. That the Secretary of the Interior, in his discretion, may employ, in what he may deem proper, or Indian, amount of the appropriation for the purpose of the missioner, any of such lands in severalty to the protection of the Indians, an eighteen hundred and one following proviso: of the Interior shall Indian Reservation. their own business upward, shall, through more than eighty a patents to be issued over and above the be issued for the land shall be discharged or restriction what authorized and directed whether any of said patents conveying Act."

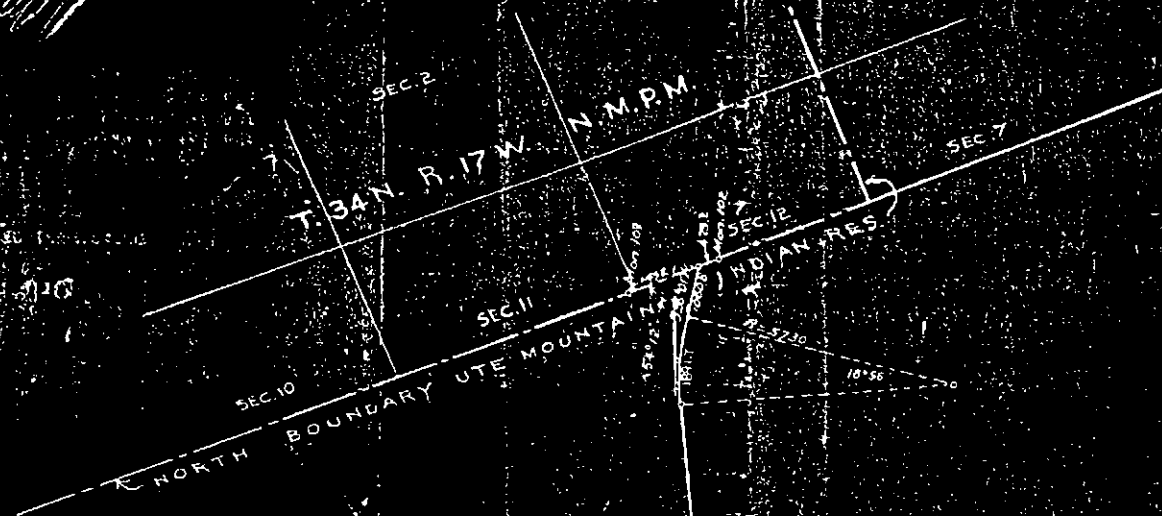
SEC. 9. That section of the Act approved March 3, 1901, entitled "An Act to provide for the protection of the Indians, an eighteen hundred and one following proviso: of the Interior shall Indian Reservation. their own business upward, shall, through more than eighty a patents to be issued over and above the be issued for the land shall be discharged or restriction what authorized and directed whether any of said patents conveying Act."

Approved, March 3, 1901.

CHAP. 833.—An Act to provide for the Military Reservation in land on said reservation.

Be it enacted by the States of America, exercised the right man reservation in settlement and homestead to the right to purchase of the Interior cents per acre, not on said reservation of: *Provided*, That homestead entry 1 otherwise: And 2 grazing land shall cant, exceed in the

Approved, March 3, 1901.



MAP SHOWING LOCATION OF
COLORADO FEDERAL AID PROJECT NO. 147A

OVER

STATE HIGHWAY NUMBER 106
THRU
UTE MOUNTAIN INDIAN RESERVATION

SCALE 1 in = 2640 Ft

DECEMBER 1 1927

*Right of Way to be 80 Ft wide, lying 40 Ft. on each side of
center line shown on this map.*

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

Region 5 - Engineering
3803 N. Main Ave. Suite 300
Durango, Colorado 81301

(970) 385-1400
FAX (970) 385-1410



DATE: August 17, 2007

TO: John Willis

FROM: Randy Crumbaugh

RE: Right of Way Documents through the Ute Mountain Ute Indian Reservation

This memo is for the purpose of delineating the various documents and maps that establish the Colorado Department of Transportation Right of Ways through the Ute Mountain Ute Indian Reservation.

Resolution # 899B ~ Establishes ROW of 250', or 125' each side of centerline for both the "Utah Branch" which is HWY. 41 starting at M.P. 4.9 of SH 160 and running Northwesterly to the Utah State Line AND the "Four Corners to U.S. 666" branch of S.H. 160 which runs from M.P. 0 to MP 18.3. (See copies of Resolution 899B, Legal Descriptions, and ROW maps CS 32-9032-02 both the Utah Branch and the Four Corners to Jct. US 666 branch)

The Right of Way for SH 491 (formerly SH 666) was originally established from the North Boundary of the Ute Mountain Indian Reservation, southerly to the Colorado/New Mexico State Line by project FAP 147-A under the authority of Sec. 4 of the Act of March 3, 1901. It was recorded in the General Land Office on 02/18/28. It is shown on a plat recorded 01/24/1928 that shows the FAP 147-A centerline description. The ROW is established as 80' total, 40' each side of said centerline. (See project plan sets: FAP 147-A)

Resolution # 515, dated 01/13/1956 establishes a 200' Right of Way, 100' each side of a centerline description (the same centerline and stationing as established on FAP 147-A) from Station 269+00 to Station 399+00. (See plan set: FLHP 8(2))

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Other more recent projects along this corridor include:

NH (CX) 160-1(30) ~ MP 26.34 to 27.33 ~ This project was for the construction of acceleration and deceleration traffic lanes north and south of the casino. Right of Way monuments were set on this project along the existing fences at a distance of 65' from the centerline. However, I can find no documents in the files that establish the ROW at this distance.

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- Reference to Ute Tribal Resolution: #2001-008. The records show that resolution #2001-008 was superseded by resolution #2001-036 which had some revised language.
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NOTE: This report is a summary from the records found in the CDOT, Region 5 records. Additional information may be found in the CDOT Staff Right of Way records and in the records of the Bureau of Indian Affairs.



STATE OF
COLORADO

Johnston - CDOT, Todd <todd.johnston@state.co.us>

Re: Ute Mountain Ute Follow-up Meeting

1 message

Johnston - CDOT, Todd <todd.johnston@state.co.us>

Wed, Feb 27, 2013 at 9:35 AM

To: "Muraro - CDOT, Matt" <matt.muraro@state.co.us>

Cc: Kerrie Neet - CDOT <kerrie.neet@state.co.us>, Mike McVaugh - CDOT <mike.mcvaugh@state.co.us>, Tony Cady - CDOT <tony.cady@state.co.us>, Alice Baker - CDOT <alice.baker@state.co.us>, Rick Routh - CDOT <rick.routh@state.co.us>, Gregory Sarafin - CDOT <gregory.sarafin@state.co.us>, Ralph Campano - CDOT <ralph.campano@state.co.us>, Edward Archuleta - CDOT <edward.archuleta@state.co.us>, Randy Crumbaugh - CDOT <Randy.Crumbaugh@state.co.us>

The ROW in front of the Ute Mountain Ute Casino and Mike Wash Road (approx. Milepoint 26.5) has been researched by the ROW/Survey Unit twice before. Once in 1993 for Project NH(CX) 160-1(30) and again in 2007. In 2007, we had Randy Crumbaugh research all the highways on the Ute Mountain Ute Reservation. Attached are memos from Bob Brown (Staff ROW) in 1993 and Randy in 2007, which address the situation. I have placed yellow boxes around the parts of Randy's memo that apply.

Here's a summary.

- An 80' (40' either side of centerline) ROW was acquired in 1928 under Project FAP 147-A (Brown and Crumbaugh memos).
- There is **no** "highway easement deed" with stipulations for Project FAP 147-A. It appears the ROW was granted by United States Code and GLO sign off (Brown and Crumbaugh memos).
- ROW fence was built at 65' either side of centerline (130' ROW). There is no evidence that ROW was acquired to place the fences at that location (Crumbaugh memo).
- I drafted ROW plans (Project NH 1601-058) in 2007 to acquire additional ROW up to the fence lines at 65' either side of centerline. This additional ROW **ended at Milepoint 26** and did **not** make it north to Mike Wash Road/Casino. I believe we stopped at that milepoint because of the project #463.
- ROW plans were drafted for Project NH(CX) 160-1(30) in 1993 for improvements to the Mike Wash Rd/US Highway 160 intersection. But, there is no evidence that the ROW was ever acquired (Crumbaugh memo).

My interpretation of this information is that we have an 80' ROW from Milepoint 26 to the Reservation boundary at approximately Milepoint 27.5. The ROW fence is certainly outside of that ROW. Roadway improvements for Mike Wash Rd/US Highway 160 intersection and the Casino may be outside the existing ROW as well.

If there are any questions or concerns, please contact me.

Thanks,

Todd C. Johnston, PLS
Survey Coordinator
Colorado Department of Transportation
Region 5 - Survey/ROW Unit
Office: 970-385-1419
Fax: 970-385-1410

On Mon, Feb 25, 2013 at 4:22 PM, Muraro - CDOT, Matt <matt.muraro@state.co.us> wrote:

All,

The following is a list of items needed for follow-up to Weeminuche Board Meeting held on 2/11/13. Kerrie asked me to draft a status letter by the end of the week. Please send me an update with a completion date by Friday. The goal is to see all of these items addressed by the Joint Coop Meeting on March 27th.

1. Send IGA template to Troy Ralstin (Weeminuche) for comment. Mike McVaugh
2. Run accident report for the area around Woodies store for the past 10 years to determine if a south bound left turn lane is warranted. Mike McVaugh
3. Provide Troy Ralstin (Weeminuche) with Taro Ordinance language included in the US 160 Towaoc to Cortez project contract. Greg Sarafin
4. Repair overhead lights at Mike Wash road. Rick Routh
5. Review ROW agreement with the Tribe for the section of US 160 at Mike Wash Road with legal. Todd Johnston
6. Provide advance warning signs for three school bus stops where CDOT previously built pull-offs south of Towaoc. Rick Routh

Thanks,

Matt Muraro

Environmental Specialist/Regional Planner
Colorado Department of Transportation
3803 North Main Avenue
Durango, CO 81301
(970) 385-1433
Matt.Muraro@state.co.us

PLEASE NOTE, MY E-MAIL ADDRESS CHANGED ON OCTOBER 8, 2012

3 attachments

 **FAP-147A-BIA Memo_ROW_App.pdf**
186K

 **FAP-147A-Brown_Memo.pdf**
808K

 **FAP-147A-Crumbaugh_Memo_2007.pdf**
275K

Colorado Department of Transportation
Colorado State Highway 160/666
Ute Mountain Ute Tribal Resolution: #2001-008
Adopted: January 25, 2001

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Allotted _____
Tribal X

GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America, Acting by and through the Superintendent, Ute Mountain Ute Agency, Bureau of Indian Affairs, Department of the Interior, Towaoc, Colorado, hereinafter referred to as "Grantor", under authority of the Secretary of the Interior delegated by 209 DM 8, 230 DM 1, 3 IAM 4, Secretary's Order No.(s) 3150 and 3177, as amended, 10 BIAM Bulletin 13, as amended, and Albuquerque Area Addendum Release No. 9401, pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17), 25 U.S.C. §§323-328, and Part 169, Title 25 Code of Federal Regulations, in consideration of \$5,000.00 and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant to the Colorado Department of Transportation, 3803 N. Main Avenue, Suite 300, Durango, CO 81301, hereinafter referred to as "Grantee", an easement for the construction, maintenance, repair, inspection, protection, operation and removal of easement for Colorado State Highway 160/666 safety improvement project to replace the existing wooden box culvert under U.S. Highway 160/666 with a concrete box culvert, and widening of shoulders of the highway within the construction limits of the project, and the construction of a detour to be used during construction over, across, in and upon the following described lands located in the County of Montezuma, State of Colorado :

The said easement is limited to and more particularly described as:

Township 33 1/2 North, Range 17 West, N.M.P.M., Montezuma County, Colorado
Section 21 & Section 28

WHEREAS, the proposed right of way will be 1,715 feet in length, 250 feet in width, and 4.29 acres, more or less, in size or area, and the metes and bounds more particularly described in the CDOT Project No. NH-1601-049 which Right-of-Way map is attached hereto.

This easement is subject to any prior valid existing right or adverse claim and is for a term of the above mentioned right-of-way shall be granted perpetually, as long as said right-of-way shall be used for public access for Colorado State Highway 160, from date of execution and in accordance with Tribal Resolution #2001-008, dated January 25, 2001, (copies of which are attached hereto, and the terms and conditions of which are incorporated herein by reference). This Easement shall not be transferable in the event of change of ownership without the prior written consent of the Tribal Council, so long as said easement shall be actually used for the purposes above specified: PROVIDED, that this right-of-way shall be terminable in whole or in part by the Grantor for any of the following causes upon 30 days' written notice and failure of the Grantee within said notice period to correct the basis for termination (25 CFR 169.20):

- A. Failure to comply with any term or condition of the grant of the applicable regulations.
- B. A nonuse of the right-of-way for a consecutive two-year period for the purpose for which it was granted.
- C. An abandonment of the right-of-way.
- D. Failure of the Grantee, upon completion of construction, to file with the grantor an Affidavit of Completion pursuant to 25 CFR 169.16.
- E. The Grantee shall do everything in his power to prevent damage to the environment, including damage to vegetation, wildlife, and water resources located on the Ute Mountain Ute Indian Reservation.
- F. Grantee is responsible for compliance with all stipulations as specified in the attached General Utility Right-of-Way Agreement/Stipulations and Ute Mountain Ute Tribal Resolution.
- G. In granting this easement, the Ute Mountain Ute Tribe specifically retains all civil jurisdiction over the land that will be burdened by this right-of-way, subject to the terms and conditions stated in the Ute Mountain Ute Tribal Resolution #2001-008, adopted January 25, 2001.
- H. This easement shall not be transferable in the event of change of ownership without the prior written consent of the Ute Mountain Ute Tribal Council.



The conditions of this easement shall extend to and be binding upon and shall inure to the benefit of the heirs, representative, successors, and assigns of the Grantee.

It has been determined that approval of this documents is not such a major federal action significantly affecting the quality of the human environment as to require the preparation of an environmental impact statement under Section 102 (2) C of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) (2) (c).

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement this 25th
day of January, 2001.

UNITED STATES OF AMERICA

BY: Priscilla Bancroft
Superintendent, Ute Mountain Ute Agency
United States Department of the Interior
Bureau of Indian Affairs
Towaoc, CO 81334

ACKNOWLEDGEMENT

[illegible]

Before me, the undersigned, a Notary Public, in and for said County and State, on this 25th
day of January, 2001, personally appeared Priscilla Bancroft, Acting Superintendent
to me known to be the identical person who executed the within and foregoing instrument and acknowledged
to me that he executed the same as his free and voluntary act and deed for the use and purposes therein set
forth.

Given under my hand and seal the day and year last above written.

Lorraine J. Ben
Notary Public

My Commission Expires: July 6, 2003

AFTER RECORDING RETURN TO:
CDOT-Region 5 Right of Way Unit
3803 N. Main Avenue, Suite 300
Durango, CO 81301

Colorado Department of Transportation
Colorado State US Highway 160/491
Ute Mountain Ute Tribal Resolution: #2008-073
Adopted: June 05, 2008

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Allotted _____
Tribal X

GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the United States of America, Acting by and through the Superintendent, Ute Mountain Ute Agency, Bureau of Indian Affairs, Department of the Interior, Towaoc, Colorado, hereinafter referred to as "Grantor", under authority of the Secretary of the Interior delegated by 209 DM 8, 230 DM 1, 3 IAM 4, Secretary's Order No.(s) 3150 and 3177, as amended, 10 BIAM Bulletin 13, as amended, and Albuquerque Area Addendum Release No. 9401, pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 17), 25 U.S.C. §§323-328, and Part 169, Title 25 Code of Federal Regulations, in consideration of \$23,200.00 and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant to the Colorado Department of Transportation (CDOT), 3803 N. Main Avenue, Suite 300, Durango, CO 81301, hereinafter referred to as "Grantee", an easement for right-of-way for the following purposes, specifically: for the construction of a new northbound passing lane, and will include resurfacing the existing pavement over, across, in and upon the following described lands located in the County of Montezuma, State of Colorado.

The said easement is limited to and more particularly described as:

Permanent Easement No. 1
Township 33 1/2 North, Range 17 West, N.M.P.M., Montezuma County, Colorado
Section 15, 16, 21, 28 & Section 33

Permanent Easement No. 1A
Township 33 1/2 North, Range 17 West, N.M.P.M., Montezuma County, Colorado
Section 15, 16, 21, 28 & Section 33

WHEREAS, the proposed right of way will be 3.5 miles in length, 50 feet in width, and 20.288 acres, more or less, in size or area, the metes and bounds more particularly described in CDOT Project No. NH 1601-058, which Right-of-Way map is attached hereto.

This easement is subject to any prior valid existing right or adverse claim and is for a perpetual term, as long as said right-of-way shall be used for public access for Colorado State Highway 491, from date of execution and in accordance with Tribal Resolution #2008-073, dated June 05, 2008, (copies of which are attached hereto, and the terms and conditions of which are incorporated herein by reference,) so long as said easement shall be actually used for the purposes above specified: PROVIDED, that this right-of-way shall be terminable in whole or in part by the Grantor for any of the following causes upon 30 days' written notice and failure of the Grantee within said notice period to correct the basis for termination (25 CFR 169.20):

- A. Failure to comply with any term or condition of the grant of the applicable regulations.
- B. A nonuse of the right-of-way for a consecutive two-year period for the purpose for which it was granted.
- C. An abandonment of the right-of-way.
- D. Failure of the Grantee, upon completion of construction, to file with the grantor an Affidavit of Completion pursuant to 25 CFR 169.16.
- E. The Grantee shall do everything in his power to prevent damage to the environment, including damage to vegetation, wildlife, and water resources located on the Ute Mountain Ute Indian Reservation.
- F. Grantee is responsible for compliance with all stipulations as specified in the attached General Utility Right-of-Way Agreement/Stipulations and Ute Mountain Ute Tribal Resolution.
- G. In granting this easement, the Ute Mountain Ute Tribe specifically retains all civil jurisdiction over the land that will be burdened by this right-of-way, subject to the terms and conditions stated in the Ute Mountain Ute Tribal Resolution #2008-073, adopted June 05, 2008.

When recorded please return to:
Kathryn Fulton
Co Dept. of Transportation
3803 N. Main Ave. Ste. 300
Durango, CO 81301

558276 EASE 08/19/2008 12:30:07 PM
Page: 1 of 6 R 31.00 D 0.00 T 31.00
Carol Tullis Clerk/Recorder, Montezuma County, Co

H. This easement shall not be transferable in the event of change of ownership without the prior written consent of the Ute Mountain Ute Tribal Council.

The conditions of this easement shall extend to and be binding upon and shall inure to the benefit of the heirs, representative, successors, and assigns of the Grantee.

It has been determined that approval of this documents is not such a major federal action significantly affecting the quality of the human environment as to require the preparation of an environmental impact statement under Section 102 (2) C of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) (2) (c).

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement this 9th day of June, 2008.

UNITED STATES OF AMERICA

BY: Priscilla Bancroft
Superintendent, Ute Mountain Ute Agency
United States Department of the Interior
Bureau of Indian Affairs
Towaoc, CO 81334

ACKNOWLEDGEMENT

STATE OF COLORADO)
COUNTY OF MONTEZUMA) ss.

Before me, the undersigned, a Notary Public, in and for said County and State, on this 9th day of June, 2008 personally appeared Priscilla Bancroft, Superintendent to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the use and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Cheryl J. Ward
Notary Public

My Commission Expires: 06-14-2011



