



MEMORANDUM

TO: TRANSPORTATION COMMISSION
FROM: JOSHUA LAIPPLY, CHIEF ENGINEER
DATE: MAY 6, 2016
SUBJECT: REPORT PURSUANT TO COLORADO REVISED STATUTES, §43-1-208 REGARDING PROJECT NUMBER STA 0702-327, I-70 VAIL UNDERPASS

Background

This written report to the Transportation Commission is pursuant to Colorado Revised Statutes ("C.R.S."), Section 43-1-208 (statute attached with this memorandum). Generally, Section 43-1-208(1), (2) and the first two sentences of (3) prescribe an eminent domain procedure for the department. Pursuant to the final sentence of Section 43-1-208(3), it is CDOT's position that the Chief Engineer and the Transportation Commission do not need to comply with the highly prescriptive procedures set forth in Section 43-1-208(1),(2) and the first two sentences of (3). Additionally, CDOT asserts that that Transportation Commission Resolution 271, passed in 1994, properly delegated authority to the Executive Director or his delegatee to approve and acquire property through eminent domain procedures. By submitting this written report, CDOT does not admit that it is required to follow the procedures set forth in Section 43-1-208(1), (2) and the first two sentences of (3) in order to condemn private property for state highway purposes. This written report is made in order to cure any alleged defects in CDOT's condemnation authority.

However, there is pending before the Colorado Supreme Court a challenge to the Transportation Commission's and CDOT's authority to condemn private property pursuant to the final sentence of Section 43-1-208(3). The Colorado Supreme Court case is titled *Department of Transportation v. Amerco Real Estate Company and U-Haul of Colorado*, 2016SA75. The pending Colorado Supreme Court case is complicating efforts to acquire possession of a portion of the common elements of the Simba Run Condominium Association identified on CDOT's Right-of-Way Plans as RW-2, PE-2, PE-2A and TE-2 (the "Property") in connection with the I-70 Vail Underpass Project, Project No. STA 0702-327 (the "Project"), in a pending condemnation action filed on March 8, 2016 in the Eagle County District Court, captioned *Department of Transportation v. Simba Run Condominium Association, et. al.*

The Property is located adjacent to the North Frontage Road for I-70 in Vail, Colorado and is the only property remaining to be acquired by CDOT for the I-70 Vail Underpass Project. Counsel for Simba Run Condominium Association has raised the alleged defect at issue in the pending Colorado Supreme Court case as an impediment to CDOT's authority to condemn and consequently CDOT's ability to acquire immediate possession of the Property. Pursuant to the construction contract CDOT has executed with Edw. Kraemer & Sons, CDOT is to deliver the Property not later than August 29, 2016. Timely delivery of the Property to the construction contractor is necessary to allow Project completion by year-end 2017.

CDOT anticipated immediate possession of the Property in June of 2016 and it is necessary that CDOT have access to the Property to continue critical construction on this Project. While CDOT could await the outcome of the pending Colorado Supreme Court case, such a course of action could deprive CDOT of possession of the Property for many months. Such a delay would be detrimental to completing the Project on schedule and would expose CDOT to significant contractor delay claims. Therefore, in an abundance of caution, I submit this written report pursuant to Section 43-1-208(1). The I-70 Vail Underpass Project is necessary to relieve congestion on I-70 through Vail, Colorado and improve connectivity for the community and is therefore, desirable. I hereby request that the Transportation Commission determine that the proposed changes of the Project serve the public interest and/or convenience of the traveling public.

If the Transportation Commission determines that the proposed changes will serve the public and/or convenience of the traveling public, I respectfully request that the Transportation Commission enter a resolution upon its minutes, approve the same, and authorize me to tender Simba Run Condominium Association amount of damages, as estimated by me and approved by the Transportation Commission as are set forth in the accompanying Land Acquisition Approval and as further estimated in an approved real estate appraisal of the Property.

Description of Portion of Highway to be Changed and Proposed Changes

The Project will construct an I-70 underpass in Vail, Colorado that will connect the North and South Frontage Roads for I-70 and construct two roundabouts. The Project is a RAMP Project which was initially approved by the Transportation Commission in February 2015 and a budget supplement approved in June 2015. I have determined that it is necessary to alter this portion of I-70 to increase highway capacity and provide increased safety for the traveling public.

Description of Simba Run Property Needed for Project

The Property is located adjacent to the North Frontage Road for I-70 in Vail, Colorado where the I-70 underpass will be constructed. The legal descriptions of the Simba Run parcels are attached with this memorandum.

Estimate of Damages and Benefits Accruing to Simba Run

On July 9, 2015, I approved an estimate of land acquisition costs and damages for property in this Project area. The Land Acquisition Approval represents a reasonable budget of the costs and damages related to the Simba Run Property. Since the Land Acquisition Approval was executed, CDOT has obtained an approved real estate appraisal for the Simba Run parcels which more precisely estimates the just compensation and damages to the Property.

Attachments

§43-1-208, C.R.S.

Legal Descriptions of Simba Run Parcels

Right-of-Way Plans

Land Acquisition Approval

Proposed Resolution

EXHIBIT "A"

PROJECT NUMBER: STA 0702-327

PARCEL NUMBER: RW-2

PROJECT CODE: 19094

DATE: May 29, 2015

DESCRIPTION

A tract or parcel No. RW-2 of the Department of Transportation, State of Colorado, Project No. STA 0702-327 containing 4,450 sq. ft. (0.102 acres) of land, more or less, being a portion of the First Supplemental Map for Simba Run Condominiums, as recorded in Book 371 at Page 527, in the Eagle County Colorado Clerk and Recorder's Office on October 25, 1993, lying in the Northeast Quarter of Section 12, Township 5 South, Range 81 West, of the 6th Principal Meridian, in Eagle County, Colorado, said tract or parcel being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 12, whence the Northeast Corner of said Section 12 bears N.88°48'05"E., a distance of 2,752.83 feet; Thence S.58°54'12"E., a distance of 1,442.47 feet, to a point on the northwesterly line of Interstate 70 (May 2015), said point being the **POINT OF BEGINNING**;

1. Thence N. 31°58'50" E., a distance of 92.11 feet;
2. Thence on the arc of a curve to the right, a radius of 79.50 feet, a central angle of 69°20'31", a distance of 96.21 feet, (a chord bearing N. 66°39'06" E., a distance of 90.45 feet);
3. Thence on the arc of a reverse curve to the left, a radius of 78.00 feet, a central angle of 14°37'49", a distance of 19.92 feet, (a chord bearing S. 85°59'33" E., a distance of 19.86 feet), to a point on said northwesterly line of Interstate 70 (May 2015);
4. Thence along said northwesterly line of Interstate 70 (May 2015), S. 53°24'25" W., a distance of 188.87 feet, more or less, to the **POINT OF BEGINNING**.

The above described parcel contains 4,450 sq. ft. (0.102 acres) of land, more or less.

BASIS OF BEARINGS: All bearings are based on the line connecting NGS control point "WOODMAN" to NGS control point "SPRADDLE", being a GRID bearing of N. 72°26'53" E., as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said Grid bearing is NAD 83 (2011) Colorado State Plane – Central Zone 502. "WOODMAN" (PID AB2085) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "WOODMAN 1994". "SPRADDLE" (PID AB2083) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "SPRADDLE 1994".

Geoffrey F. Stephenson, PLS 23521
For and on behalf of The Lund Partnership, Inc.
12265 W. Bayaud Avenue, Suite 130
Lakewood, CO 80228

EXHIBIT "A"

PROJECT NUMBER: STA 0702-327
PERMANENT EASEMENT NUMBER: PE-2
PROJECT CODE: 19094
DATE: May 29, 2015
DESCRIPTION

A Permanent Easement No. PE-2 of the Department of Transportation, State of Colorado, Project No. STA 0702-327 containing 18,855 sq. ft. (0.433 acres) of land, more or less, being a portion of Simba Run Condominiums as recorded in Book 352 at Page 155, in the Eagle County Colorado Clerk and Recorder's Office on January 19, 1983, and the First Supplemental Map for Simba Run Condominiums, as recorded in Book 371 at Page 527, in the Eagle County Colorado Clerk and Recorder's Office on October 25, 1993, all lying in the Northeast Quarter of Section 12, Township 5 South, Range 81 West, of the 6th Principal Meridian, in Eagle County, Colorado, said permanent easement being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 12, whence the Northeast Corner of said Section 12 bears N.88°48'05"E., a distance of 2,752.83 feet; Thence S.58°54'12"E., a distance of 1,442.47 feet, to a point on the northwesterly right of way line of Interstate 70 (May 2015), said point being the **POINT OF BEGINNING**;

1. Thence along said northwesterly right of way line of Interstate 70 (May 2015), S. 53°24'25" W., a distance of 29.72 feet, to the most southerly corner of said First Supplemental Map for Simba Run Condominiums;
2. Thence along the westerly line of said First Supplemental Map for Simba Run Condominiums, N. 04°08'09" E., a distance of 52.78 feet;
3. Thence along the northwesterly line of an existing 40 foot wide utility easement as shown on said condominium maps, N. 53°24'25" E., a distance of 325.33 feet;
4. Thence continuing along said northwesterly line of existing 40 foot wide utility easement, on the arc of a curve to the right, a radius of 5,940.00 feet, a central angle of 02°19'25", a distance of 240.88 feet, (a chord bearing N. 54°34'08" E., a distance of 240.86 feet);
5. Thence S. 34°16'10" E., a distance of 40.00 feet, to a point on said northwesterly right of way line of Interstate 70 (May 2015);
6. Thence along said northwesterly right of way line of Interstate 70 (May 2015), on the arc of a non-tangent curve to the left, a radius of 5,900.00 feet, a central angle of 02°19'25", a distance of 239.26 feet, (a chord bearing S. 54°34'08" W., a distance of 239.24 feet);
7. Thence continuing along said northwesterly right of way line of Interstate 70 (May 2015), S. 53°24'25" W., a distance of 141.18 feet;
8. Thence on the arc of a non-tangent curve to the right, a radius of 78.00 feet, a central angle of 14°37'49", a distance of 19.92 feet, (a chord bearing N. 85°59'33" W., a distance of 19.86 feet);

9. Thence on the arc of a reverse curve to the left, a radius of 79.50 feet, a central angle of 69°20'31", a distance of 96.21 feet, (a chord bearing S. 66°39'06" W., a distance of 90.45 feet);
10. Thence S. 31°58'50" W., a distance of 92.11 feet, more or less, to the **POINT OF BEGINNING**.

The above described Permanent Easement contains 18,855 sq. ft. (0.433 acres) of land, more or less.

The purpose of the above-described Permanent Easement is for construction, use and maintenance of roadway slopes, subsurface reinforcing elements for retaining walls, and drainage facilities

BASIS OF BEARINGS: All bearings are based on the line connecting NGS control point "WOODMAN" to NGS control point "SPRADDLE", being a GRID bearing of N. 72°26'53" E., as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said Grid bearing is NAD 83 (2011) Colorado State Plane – Central Zone 502. "WOODMAN" (PID AB2085) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "WOODMAN 1994". "SPRADDLE" (PID AB2083) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "SPRADDLE 1994".

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EXHIBIT "A"

PROJECT NUMBER: STA 0702-327
PERMANENT EASEMENT NUMBER: PE-2A
PROJECT CODE: 19094
DATE: May 29, 2015
DESCRIPTION

A Permanent Easement No. PE-2A of the Department of Transportation, State of Colorado, Project No. STA 0702-327 containing 2,270 sq. ft. (0.052 acres) of land, more or less, being a portion of the First Supplemental Map for Simba Run Condominiums, as recorded in Book 371 at Page 527, in the Eagle County Colorado Clerk and Recorder's Office on October 25, 1993, lying in the Northeast Quarter of Section 12, Township 5 South, Range 81 West, of the 6th Principal Meridian, in Eagle County, Colorado, said permanent easement being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 12, whence the Northeast Corner of said Section 12 bears N.88°48'05"E., a distance of 2,752.83 feet; Thence S.66°21'24"E., a distance of 1,491.21 feet, to a point on the northwesterly line of an existing 40' utility easement as shown on said First Supplemental Map for Simba Run Condominiums, said point being the **POINT OF BEGINNING**;

1. Thence along said northwesterly easement line, S. 53°24'25" W., a distance of 148.44 feet;
2. Thence N. 32°05'24" E., a distance of 55.25 feet;
3. Thence N. 53°14'10" E., a distance of 76.52 feet;
4. Thence S. 81°46'41" E., a distance of 28.82 feet, more or less, to the **POINT OF BEGINNING**.

The above described Permanent Easement contains 2,270 sq. ft. (0.052 acres) of land, more or less.

The purpose of the above-described Permanent Easement is for construction, use and maintenance of roadway slopes, subsurface reinforcing elements for retaining walls, utilities and drainage facilities

BASIS OF BEARINGS: All bearings are based on the line connecting NGS control point "WOODMAN" to NGS control point "SPRADDLE", being a GRID bearing of N. 72°26'53" E., as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said Grid bearing is NAD 83 (2011) Colorado State Plane – Central Zone 502. "WOODMAN" (PID AB2085) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "WOODMAN 1994". "SPRADDLE" (PID AB2083) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "SPRADDLE 1994".

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EXHIBIT "A"

PROJECT NUMBER: STA 0702-327
TEMPORARY EASEMENT NUMBER: TE-2
PROJECT CODE: 19094
DATE: May 29, 2015
DESCRIPTION

A Temporary Easement No. TE-2 of the Department of Transportation, State of Colorado, Project No. STA 0702-327 containing 35,182 sq. ft. (0.808 acres) of land, more or less, being portions of Simba Run Condominiums as recorded in Book 352 at Page 155, in the Eagle County Colorado Clerk and Recorder's Office on January 19, 1983, and the First Supplemental Map for Simba Run Condominiums, as recorded in Book 371 at Page 527, in the Eagle County Colorado Clerk and Recorder's Office on October 25, 1993, all lying in the Northeast Quarter of Section 12, Township 5 South, Range 81 West, of the 6th Principal Meridian, in Eagle County, Colorado, said temporary easement being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 12, whence the Northeast Corner of said Section 12 bears N.88°48'05"E., a distance of 2,752.83 feet; Thence S.57°48'10"E., a distance of 1,431.45 feet, to the southwest corner of said First Supplemental Map for Simba Run Condominiums, said point being the **POINT OF BEGINNING**;

1. Thence along the westerly line of said First Supplemental Map for Simba Run Condominiums, N. 04°08'09" E., a distance of 62.13 feet;
2. Thence N. 32°05'24" E., a distance of 87.31 feet;
3. Thence N. 53°14'10" E., a distance of 87.78 feet;
4. Thence S. 81°46'41" E., a distance of 28.52 feet;
5. Thence on the arc of a non-tangent curve to the right, a radius of 103.50 feet, a central angle of 33°33'19", a distance of 60.62 feet, (a chord bearing N. 56°33'58" E., a distance of 59.75 feet);
6. Thence on the arc of a non-tangent curve to the right, a radius of 34.57 feet, a central angle of 83°51'31", a distance of 50.60 feet, (a chord bearing N. 11°35'35" E., a distance of 46.20 feet);
7. Thence N. 53°31'21" E., a distance of 23.12 feet;
8. Thence N. 72°52'37" E., a distance of 19.95 feet;
9. Thence N. 63°10'41" E., a distance of 14.17 feet;
10. Thence N. 68°28'03" E., a distance of 13.84 feet;
11. Thence on the arc of a non-tangent curve to the right, a radius of 34.86 feet, a central angle of 41°46'36", a distance of 25.42 feet, (a chord bearing N. 89°21'21" E., a distance of 24.86 feet);

12. Thence N. 66°10'03" E., a distance of 3.20 feet;
13. Thence S. 65°10'45" E., a distance of 21.50 feet;
14. Thence on the arc of a non-tangent curve to the right, a radius of 5,940.00 feet, a central angle of 00°29'13", a distance of 50.49 feet, (a chord bearing N. 54°17'49" E., a distance of 50.49 feet);
15. Thence N. 40°12'29" E., a distance of 42.34 feet;
16. Thence N. 51°32'27" E., a distance of 19.32 feet;
17. Thence on the arc of a non-tangent curve to the right, a radius of 14.95 feet, a central angle of 131°29'12", a distance of 34.30 feet, (a chord bearing N. 57°42'42" E., a distance of 27.25 feet);
18. Thence N. 71°59'09" E., a distance of 83.07 feet;
19. Thence N. 66°16'13" E., a distance of 18.32 feet;
20. Thence on the arc of a curve to the left, a radius of 243.18 feet, a central angle of 15°52'24", a distance of 67.37 feet, (a chord bearing N. 58°20'01" E., a distance of 67.15 feet), to a point on the easterly line of said Simba Run Condominiums;
21. Thence along said easterly line of Simba Run Condominiums, S. 11°40'19" W., a distance of 31.38 feet, to the southeast corner of said Simba Run Condominiums, said corner lying on the northwesterly line of the Interstate 70 right-of-way (May 2015);
22. Thence along said northwesterly right-of-way line, on the arc of a non-tangent curve to the left, a radius of 5,900.00 feet, a central angle of 03°21'18", a distance of 345.49 feet, (a chord bearing S. 55°05'05" W., a distance of 345.44 feet);
23. Thence continuing along said northwesterly right-of-way line, S. 53°24'25" W., a distance of 141.18 feet;
24. Thence on the arc of a non-tangent curve to the right, a radius of 78.00 feet, a central angle of 14°37'49", a distance of 19.92 feet, (a chord bearing N. 85°59'33" W., a distance of 19.86 feet), to a point of reverse curvature;
25. Thence on the arc of a curve to the left, a radius of 79.50 feet, a central angle of 69°20'31", a distance of 96.21 feet, (a chord bearing S. 66°39'06" W., a distance of 90.45 feet);
26. Thence S. 31°58'50" W., a distance of 92.11 feet, to a point on said northwesterly right-of-way line;
27. Thence along said northwesterly right-of-way line, S. 53°24'25" W., a distance of 29.72 feet, more or less, to the **POINT OF BEGINNING**.

The above described Temporary Easement contains 35,182 sq. ft. (0.808 acres) of land, more or less.

The purpose of the above-described Temporary Easement is for construction and grading, including installation of landscaping, reconstruction of roadway, lighting, and associated

appurtenances for condominium entrance and removal of recreation path.

BASIS OF BEARINGS: All bearings are based on the line connecting NGS control point "WOODMAN" to NGS control point "SPRADDLE", being a GRID bearing of N. 72°26'53" E., as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said Grid bearing is NAD 83 (2011) Colorado State Plane – Central Zone 502. "WOODMAN" (PID AB2085) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "WOODMAN 1994". "SPRADDLE" (PID AB2083) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "SPRADDLE 1994".

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For and on behalf of The Lund Partnership, Inc.
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Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials



Right of Way Plans			
Title Sheet			
Project Number:	STA 0702-327	Sheet No.:	1.01
Project Location:	I-70 VAIL UNDERPASS	Sheet No.:	2.01
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Local Map Title	Subpart	Sheet No.
1804	90-22-210	181	1.01

DEPARTMENT OF TRANSPORTATION

STATE OF COLORADO

RIGHT OF WAY PLANS OF PROPOSED
 FEDERAL AID PROJECT NO. STA 0702-327

INTERSTATE 70 - VAIL UNDERPASS
 TOWN OF VAIL, EAGLE COUNTY

Section 12, Township 5 South, Range 81 West

of the 6th Principal Meridian

R.O.W. Length of Project = 6.41 Miles
 Const. Length of Project = 3.41 Miles
 Mile Posts: 174.55 to 174.96

SHEET NO.

- 1.01
- 2.01
- 3.0X
- 4.01-4.03
- 5.01
- 6.0X
- 7.01-7.07
- 8.01

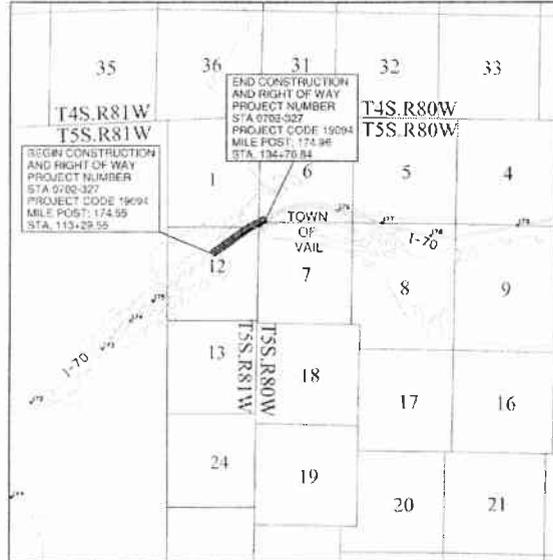
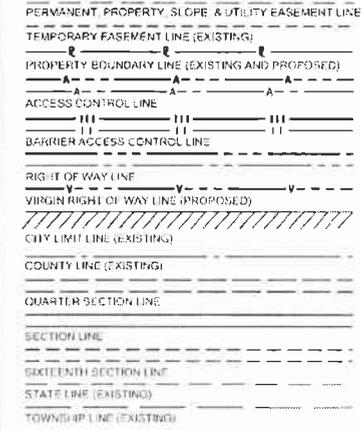
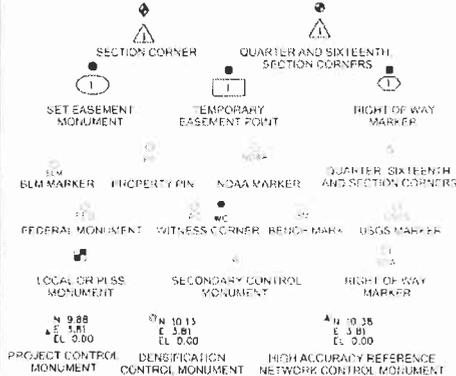
INDEX OF SHEETS

- (1) Title Sheet
- (1) Tabulation of Properties
- (N/A) Project Control Diagram
- (3) Land Survey Control Diagram
- (1) Monumentation Sheets
- (N/A) Tabulation of Road Approach Sheets
- (7) Plan Sheets
- (1) Ownership Map
- (14) Total Sheets

Scales of Original 11x17 Drawings

Plan Sheets 1"=50'

Ownership Map 1"=300'



BASIS OF BEARINGS: All bearings are based on the line connecting "WOODMAN" to "SPRADDLE" being a GRID bearing of N. 72° 26' 53" E, as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said Grid bearing is NAD 83 (2011) Colorado State Plane - Central Zone 502. "WOODMAN" (PID AB2085) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "WOODMAN 1994". "SPRADDLE" (PID AB2083) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "SPRADDLE 1994".

- This Right-of-Way Plan is not a boundary survey of the adjoining property and is prepared for the Town of Vail and Colorado Department of Transportation purposes only.
- For title information the Town of Vail, and the Colorado Department of Transportation relied on Title Commitments prepared by Heritage Title Company. See Sheet 2.01 for specific title information.
- This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with the Town of Vail and CDOT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.

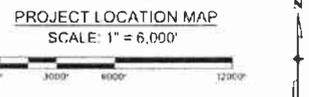
NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown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

COLORADO DEPARTMENT OF TRANSPORTATION
 FEDERAL AID HIGHWAY PROJECT
 7-2-15
 [Signature]

SURVEYOR STATEMENT (ROW PLAN)
 I, Geoffrey F. Stephanson, a professional land surveyor licensed in the State of Colorado, do hereby state to the Town of Vail, and the Colorado Department of Transportation, that based upon my knowledge, education and belief, research, calculation and evaluation of the survey evidence which was performed, and the 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 warranty or warranty, either expressed or implied.
 PLS No. 23523



FILING CERTIFICATION:
 DEPOSITED THIS ____ DAY OF _____, 20____, AT ____ M.
 IN BOOK ____ OF THE COUNTY LAND SURVEYS, RIGHT OF WAY
 SURVEYS AT PAGE ____ RECEPTION NUMBER ____
 SIGNED _____
 DEPT. _____



Note: For a complete listing of symbology used within this set of plans, please refer to the M-5001 Standard Symbols of the Colorado Department of Transportation M&S Standards Publication dated July 2012. Existing features are shown as surveyed weight (as scale) except as noted with the word (existing). Proposed or new features are shown as full weight without a symbol, except as noted with the word (proposed).

Colorado Department of Transportation



222 S. 6th Street - Room 317
Grand Junction, CO 81501
Phone: 970-683-6233 FAX: 970-683-6249

Region 3 Right of Way LED

Sheet Revisions

Date	Description	Initials

Sheet Revisions

Date	Description	Initials



Right of Way Plans			
Tabulation of Properties			
Project Number: STA 0702-327			
Project Location: I-70 VAIL UNDERPASS			
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Last Mod. Date:	Sheet:	Sheet No.:
1004	05-29-2018	2 of 2	2 of 2

R.O.W. Tabulation of Properties in Eagle County - I-70 Vail Underpass

Parcel No.	Owner & Mailing Address	Parcel Address	Location Township 5 South Range 81 West 6th P.M.	Area In Square Feet (Acres)					Book and Page No. And/Or Reception No.	Title Commitment No.	Remarks
				Area Of Parcel	Existing ROW	Net Area	Remainder Left	Remainder Right			
TE-1	Savoy Villas Condominium Association, Inc. 1180 N. Frontage Rd. Vail, CO 81657 Malia Nobrega (970) 476-4300	1209 Interstate 70 Frontage Road Vail, CO 81657	Savoy Villas Condominiums Vail, Colorado NE 1/4 Section 12, T.5S, R.81W, 6th P.M.	6,755 (0.155)		6,755 (0.155)				454-H0419655-610-ETO Amendment No. 2	For construction and grading, including reconstruction of condominium entrance and installation of landscaping
RW-2	Simba Run Condominium Association, Inc., a Colorado non-profit corporation 1100 N. Frontage Rd. Vail, CO 81657 Anne Nelson (303) 690-6038	1312 Interstate 70 Frontage Road Vail, CO 81657	Simba Run Condominiums Vail, Colorado NE 1/4 Section 12, T.5S, R.81W, 6th P.M.	4,450 (0.102)		4,450 (0.102)	201,974 (4.637)			454-H0419695-610-ETO Amendment No. 3	
PE-2	Same as Above	Same as Above	Same as Above	18,855 (0.433)		18,855 (0.433)				Same as Above	For construction, use and maintenance of roadway slopes, subsurface reinforcing elements for retaining walls, and drainage facilities
PE-2A	Same as Above	Same as Above	Same as Above	2,270 (0.052)		2,270 (0.052)				Same as Above	For construction, use and maintenance of roadway slopes, subsurface reinforcing elements for retaining walls, utilities and drainage facilities
TE-2	Same as Above	Same as Above	Same as Above	35,182 (0.808)		35,182 (0.808)				Same as Above	For construction and grading, including installation of landscaping, reconstruction of roadway, lighting and associated appurtenances for condominium entrance and removal of recreation path
TE-3	SOHO Development LLC, a Colorado limited liability company 390 Interlocken Crescent Broomfield, CO 80021	1031 South Frontage Road Vail, CO 81657	Vail, Colorado NE 1/4 Section 12, T.5S, R.81W, 6th P.M.	759 (0.017)		759 (0.017)				454-H0419930-610-ETO Amendment No. 2	For construction and grading
TE-4	Vail Run Resort Community Association, Inc., a Colorado non-profit corporation 1000 Lions Ridge Loop Vail, CO 81657 Alan McLean (970) 476-1500	1218 Interstate 70 Frontage Road Vail, CO 81657	Vail Run Resort Community Vail, Colorado NE 1/4 Section 12, T.5S, R.81W, 6th P.M.	3,117 (0.072)		3,117 (0.072)				454-H0419717-610-ETO Amendment No. 2	For construction and grading, including removal of recreation path

Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials

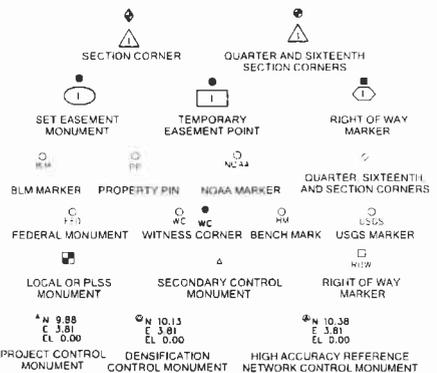


Project and Land Survey Control Diagram				
Title Sheet				
Project Number:	STA 0702-327			
Project Location:	I-70 VAIL UNDERPASS			
TOWN OF VAIL, EAGLE COUNTY				
Project Code:	Last Mod. Date:	Sheet:	Sheet No.:	
1002	08-28-2015	4.01 to 4.03	4.01	

DEPARTMENT OF TRANSPORTATION STATE OF COLORADO LAND SURVEY CONTROL DIAGRAM

SHEET NO.	INDEX OF SHEETS
4.01	(1) Title Sheet
4.02	(1) Monument Coordinate Tables
4.03	(1) Plan Sheet
(3) Total Sheets	

I-70 Vail Underpass
 Sections 6 and 7
 Township 5 South, Range 80 West
 AND
 Sections 1 and 12
 Township 5 South, Range 81 West
 of the 6th Principal Meridian
 Eagle County, Colorado



Note: For a complete listing of symbology used within this set of plans, please refer to the M-100-1 Standard Symbols of the Colorado Department of Transportation M&S Standards Publication dated July 2012. Existing features are shown as screened weight (gray scale). Proposed or new features are shown as full weight without screening.

General Notes:

- This Land Survey Control Diagram is not a boundary survey of the adjoining property and is prepared for the Town of Vail and the Colorado Department of Transportation purposes only. No determination has been made to determine if the found monuments as shown are in their proper position or if they are at the corners they are intended to monument.
- This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with the Town of Vail and CDOT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.
- Refer to the M-629-1 Survey Monuments of the Standard Plans dated July, 2012 found in The Colorado Department of Transportation, M & S Standards for typical survey monument descriptions.



PROJECT LOCATION MAP
 SCALE: 1" = 6,000'



FILING CERTIFICATION:
 DEPOSITED THIS ___ DAY OF ___, 20___ AT ___ M.,
 IN BOOK ___ OF THE COUNTY LAND SURVEYS/RIGHT OF WAY
 SURVEYS AT PAGE ___, RECEPTION NUMBER _____
 SIGNED _____
 DEPT. _____

BASIS OF BEARINGS: All bearings are based on the line connecting "WOODMAN" to "SPRADDLE" being a GRID bearing of N. 72°25'53" E. as obtained from a global positioning system (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN). Said Grid bearing is NAD 83 (2011) Colorado State Plane - Central Zone 502. "WOODMAN" (PID AB2085) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "WOODMAN 1994". "SPRADDLE" (PID AB2083) is a National Geodetic Survey (NGS) first order horizontal mark monumented with a 3.5" diameter brass cap set flush in a boulder, cap stamped in part "SPRADDLE 1994".

BASIS OF ELEVATIONS: Project elevations are GPS derived heights based Geoid 12A as published by the NGS. The GPS network was constrained to NGS Second Order bench mark "T 280" (PID K1.0004) with a published NAVD 88 elevation of 7731.29 feet. Differential digital levels were run between the listed set secondary project control points as shown herein to establish precise vertical control within the project limits. Datum is NAVD88.

COORDINATE DATUM: Project coordinates are modified Colorado State Plane Central Zone NAD '83(2011) coordinates. The combined elevation/scale factor used to modify the coordinates from state plane to project coordinates is 1.0004043600. The resulting project coordinates are truncated by 1,000,000th in the Northing and 2,000,000th in the Easting after converting from state plane coordinates to project coordinates.

Project Coordinates Northing US Survey Feet = (State Plane Coordinate Northing * 1.0004043600 - 1,000,000)
 Project Coordinates Easting US Survey Feet = (State Plane Coordinate Easting * 1.0004043600 - 2,000,000).

The horizontal positional accuracy tolerance for this land survey control diagram meets the CDOT Class "B" secondary tolerance as defined in the CDOT survey manual chapter 5, paragraph 5.2.2 and 5.5.3.

The vertical accuracy tolerance for this land survey control diagram meets the minimum vertical accuracy tolerance as defined in the CDOT survey manual chapter 5, paragraph 5.8.6.

The CDOT survey manual can be viewed at [HTTP://WWW.COLORADODOT.INFO/BUSINESS/MANUALS/SURVEY](http://www.coloradodot.info/business/manuals/survey)

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 herein.

SURVEYOR STATEMENT (LAND SURVEY CONTROL DIAGRAM)
 I, Geoffrey F. Stephenson, a professional land surveyor licensed in the State of Colorado, do hereby state to the Town of Vail and 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 the Colorado Department of Transportation publications. This statement is not a guaranty or warranty, either expressed or implied.
 PLS No. 23521



Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials



Project and Land Survey Control Diagram				
Monumentation Sheet				
Project Number:	STA 0702-327			
Project Location:	I-70 VAIL UNDERPASS			
TOWN OF VAIL, EAGLE COUNTY				
Project Code:	Leaf Mod. Date:	Section:	Sheet No.:	
10001	05-20-2015	4.01 (1 of 2)	4.02	

GEODETIC COORDINATE SUMMARY TABLE OF FOUND NATIONAL GEODETIC SURVEY (NGS) CONTROL POINTS (HELD FIXED U.S. FEET)

POINT NO.	GEODETIC COORDINATES - NAD 83 (2011)		ELLIPSOID HEIGHT	MAPPING ANGLE	NAD 83 (2011) ZONE 502		POINT NO.	PROJECT COORDINATES		NAVD 88 ELEVATION	DESCRIPTION
	LATITUDE	LONGITUDE			NORTHING	EASTING		NORTHING	EASTING		
GPS 005 *	39° 38' 35.22804" N	106° 22' 28.61797" W	8165.73	0° 33' 06"	1660320.21	2753702.64	GPS 005 *	660991.57	754816.13	8207.	FOUND 3 1/4" ALUMINUM CAP IN BOULDER (PID AH7731)
SPRADDLE	39° 38' 38.53811" N	106° 22' 25.48726" W	8246.58	0° 33' 04"	1660652.75	2753950.75	SPRADDLE	661324.26	755064.34	8287.	FOUND 3 1/2" NGS BRASS DISK IN BOULDER (PID AB2083)
T 280 *	39° 36' 33.30981" N	106° 26' 58.52274" W	7690.18	0° 35' 56"	1648196.95	2732461.42	T 280 *	648863.41	733566.32	7731.29	FOUND 3 1/2" NGS BRASS DISK IN CONCRETE ABUTMENT (PID KL0004)
VAIL PASS *	39° 31' 44.04431" N	106° 13' 03.17284" W	10570.03	0° 27' 09"	1618330.13	2797604.37	VAIL PASS *	618984.52	798735.61	10611.00	FOUND 3 1/2" NGS BRASS DISK IN BOULDER (PID AB2084)
WOODMAN	39° 37' 11.80369" N	106° 28' 08.00559" W	7607.01	0° 36' 40"	1652149.01	2727065.33	WOODMAN	652817.07	728168.05	7648.7	FOUND 3 1/2" NGS BRASS DISK IN BOULDER (PID AB2085)

* Denotes Control Points Not Shown On Diagram

PROJECT COORDINATE SUMMARY TABLE OF SET SECONDARY SURVEY CONTROL POINTS (ADJUSTED FIELD DATA U.S. FEET):

POINT NO.	PROJECT COORDINATES		NAVD 88 ELEVATION	DESCRIPTION
	NORTHING	EASTING		
1	661237.01	749022.54	8143.22	SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "L.P.I. SURVEY CONTROL POINT 1"
2	660435.72	747718.64	8116.01	SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "L.P.I. SURVEY CONTROL POINT 2"
3	659537.17	746513.60	8086.47	SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "L.P.I. SURVEY CONTROL POINT 3"
4	660489.80	748805.60	8105.85	SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "L.P.I. SURVEY CONTROL POINT 4"
5	660207.80	747834.04	8102.00	SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "L.P.I. SURVEY CONTROL POINT 5"
6	659342.69	746615.91	8078.72	SET 2" ALUMINUM CAP ON #5 REBAR STAMPED "L.P.I. SURVEY CONTROL POINT 6"

ALIQUOT CORNERS TABULATION PROJECT SPECIFIC COORDINATES (U.S. FEET):

POINT NO.	PROJECT COORDINATES		LOCATION	DESCRIPTION
	NORTHING	EASTING		
200	659681.53	747586.38	NORTHEAST 1/16TH CORNER SECTION 12, T5S, R81W, 6TH P.M.	FOUND 2 1/2" ALUMINUM CAP STAMPED "U.S. DEPT OF AGRICULTURE - FOREST SERVICE - LS 12457 - NE 1/16 - S12 - 2004"
201	658302.32	747565.56	CENTER EAST 1/16TH CORNER SECTION 12, T5S, R81W, 6TH P.M.	FOUND 2 1/2" ALUMINUM CAP STAMPED "U.S. DEPT OF AGRICULTURE - FOREST SERVICE - CADASTRAL SURVEY - CE 1/16 - S12"
202	661035.67	746233.25	NORTH 1/4 CORNER SECTION 12, T5S, R81W, 6TH P.M.	FOUND 2 1/2" BRASS CAP STAMPED "U.S. GENERAL LAND OFFICE SURVEY - 1942 - S1-S12"
220	658296.10	743379.58	WEST 1/4 CORNER SECTION 12, T5S, R81W, 6TH P.M.	FOUND 2 1/2" BRASS CAP STAMPED "U.S. GENERAL LAND OFFICE SURVEY - 1942 - S11 S12"
221	661093.25	748985.48	NORTHEAST CORNER SECTION 12, T5S, R81W, 6TH P.M.	CALCULATED LOCATION OF CORNER PER RECORDED DISTANCES FROM REFERENCE MONUMENTS
1209	661063.91	748968.49	33.9' R.M. TO NORTHEAST CORNER SECTION 12, T5S, R81W, 6TH P.M.	FOUND 3 1/2" ALUMINUM CAP ON PIPE STAMPED "U.S. DEPARTMENT OF INTERIOR - BLM - 1986 - 33.9' TO COR - RM - T5S R81W"
1211	661086.25	749006.54	22.2' R.M. TO NORTHWEST CORNER SECTION 7, T5S, R80W, 6TH P.M.	FOUND 3 1/2" ALUMINUM CAP ON PIPE STAMPED "U.S. DEPARTMENT OF INTERIOR - BLM - 1984 - 22.2' TO COR - RM - T5S R80W"

FOUND PROPERTY EVIDENCE TABULATION - PROJECT SPECIFIC COORDINATES (U.S. FEET)

POINT NO.	PROJECT COORDINATES		DESCRIPTION
	NORTHING (SFT)	EASTING (SFT)	
320	660487.41	747733.43	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 1684"
322	659493.56	746394.86	FOUND 1 1/2" ALUMINUM CAP STAMPED "PROP COR"
324	659691.06	747369.34	FOUND 1 1/2" YELLOW PLASTIC CAP STAMPED "HCE - PLS 19598 - PROP COR"
327	660057.11	747888.08	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 16306"
329	660189.21	748029.79	FOUND PK NAIL IN ASPHALT SIDEWALK
331	660290.37	748001.30	FOUND 1 1/2" ILLEGIBLE ALUMINUM CAP
335	660433.13	748201.85	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 30091"
337	660558.05	748415.12	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 30091"
341	660631.09	749142.37	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 21598"
343	661605.81	749603.05	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 26598"
345	661631.64	749649.56	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 26598"
347	659224.40	745848.49	FOUND 1 1/2" ILLEGIBLE ALUMINUM CAP
349	659338.55	746001.73	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 20895"
351	659403.46	746089.15	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 26598"
353	661878.61	750203.65	FOUND 1 1/2" ILLEGIBLE ALUMINUM CAP
361	658890.92	746219.65	FOUND 1 1/2" ILLEGIBLE ALUMINUM CAP
362	659041.86	746356.72	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 26598"
363	659131.02	746477.51	FOUND 1 1/2" ALUMINUM CAP STAMPED "PLS 26598"
2624	660945.82	748452.58	FOUND #5 REBAR NO CAP

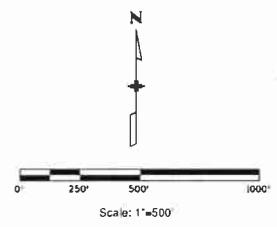


TYPICAL LUND PARTNERSHIP CONTROL MONUMENT
 2" DIAMETER ALUMINUM CAP

Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials



Project and Land Survey Control Diagram			
Plan Sheet			
Project Number:	STA 0702-327		
Project Location:	I-70 VAIL UNDERPASS		
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Last Mod. Date:	Subject:	Sheet No.:
10000	05-29-2013	4.31 to 4.33	4.33



SE 1/4 SECTION 1
 T 5 S, R 81 W
 6TH P.M.

221
 CALCULATED SECTION CORNER
 LOCATION ESTABLISHED FROM
 REFERENCE MONUMENTS.
 SEE DETAIL BELOW.

202
 FOUND 2-1/2" BRASS CAP
 0.5' BELOW SURFACE

W 1/2, NE 1/4
 SECTION 12
 T 5 S, R 81 W
 6TH P.M.

NW 1/4
 SECTION 12
 T 5 S, R 81 W
 6TH P.M.

NW 1/4
 SECTION 7
 T 5 S, R 80 W
 6TH P.M.

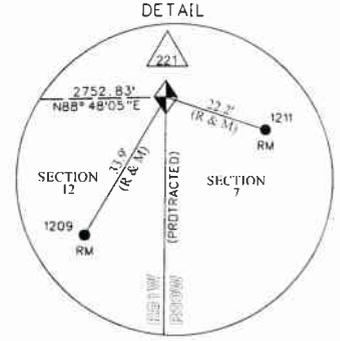
200
 FOUND 2-1/2" ALUMINUM
 CAP 0.1' ABOVE SURFACE

E 1/2, NE 1/4
 SECTION 12
 T 5 S, R 81 W
 6TH P.M.

220
 FOUND 2-1/2" BRASS CAP
 0.6' ABOVE SURFACE

201
 FOUND 2-1/2" ALUMINUM CAP
 0.1' ABOVE SURFACE

WOODMAN
 N 652817.07
 E 728168.05
 EL 7648.7



Aerial Mapping as shown hereon was flown 11/09/2013.

Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials



Right of Way Plans Monumentation Sheet			
Project Number:	STA 0702-327		
Project Location:	I-70 VAIL UNDERPASS		
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Last Mod. Date:	Subarea:	Sheet No.:
02000	05-20-2018	6.01 to 6.01	6.01

XXX

Point No.	Northing	Easting	Description	Station	Offset
600	660290.66	747468.43	CDOT TYPE 1 MONUMENT	124+35.49	169.41 LEFT
601	660368.79	747517.22	CDOT TYPE 1 MONUMENT	125+21.27	202.96 LEFT
602	660404.63	747600.26	CDOT TYPE 1 MONUMENT	126+09.29	182.15 LEFT
603	660403.25	747620.07	CDOT TYPE 1 MONUMENT	126+24.36	169.21 LEFT
604	659637.93	747159.66	CDOT TYPE 1 MONUMENT	117+98.10	169.91 RIGHT
605	659693.13	747367.76	CDOT TYPE 1 MONUMENT	119+98.01	249.86 RIGHT
606	659871.97	747608.63	CDOT TYPE 1 MONUMENT	122+98.01	250.18 RIGHT
607	659915.29	747700.97	CDOT TYPE 1 MONUMENT	123+97.96	270.55 RIGHT
608	660033.99	747864.42	CDOT TYPE 1 MONUMENT	125+99.95	272.90 RIGHT
609	660194.11	748028.41	CDOT TYPE 1 MONUMENT	128+29.80	242.00 RIGHT
610	659631.38	746580.49	CDOT TYPE 1 MONUMENT	113+29.55	170.59 LEFT
611	659358.61	746783.46	CDOT TYPE 1 MONUMENT	113+29.55	169.41 RIGHT
612	660885.51	748345.86	CDOT TYPE 1 MONUMENT	134+76.84	167.84 LEFT
613	660609.71	748505.01	CDOT TYPE 1 MONUMENT	134+76.84	150.58 RIGHT
614	660864.07	748307.80	CDOT TYPE 1 MONUMENT	134+33.18	168.30 LEFT
615	660050.39	747156.96	CDOT TYPE 1 MONUMENT	120+47.55	168.82 LEFT

XXX

TABULATION OF PERMANENT EASEMENT MARKERS TO BE SET					
Point No.	Northing	Easting	Description	Station	Offset
701	660272.94	747444.57	CDOT TYPE 6 MONUMENT	124+05.77	169.44 LEFT
702	660325.59	747448.38	CDOT TYPE 6 MONUMENT	124+40.25	209.40 LEFT
703	660349.14	747480.11	CDOT TYPE 6 MONUMENT	124+79.77	209.36 LEFT
704	660395.96	747509.46	CDOT TYPE 6 MONUMENT	125+31.27	229.39 LEFT
705	660441.75	747570.76	CDOT TYPE 6 MONUMENT	126+07.78	229.54 LEFT
706	660437.63	747599.29	CDOT TYPE 6 MONUMENT	126+28.21	209.20 LEFT
707	660519.52	747709.58	CDOT TYPE 6 MONUMENT	127+65.58	209.05 LEFT
708	660659.16	747905.84	CDOT TYPE 6 MONUMENT	129+98.00	208.79 LEFT
709	660626.10	747928.36	CDOT TYPE 6 MONUMENT	129+97.95	168.79 LEFT

XXX

TABULATION OF TEMPORARY EASEMENT POINTS TO BE STAKED				
Point No.	Northing	Easting	Station	Offset
700	660308.33	747425.14	124+11.31	209.43 LEFT
800	660205.53	747353.76	122+92.69	169.56 LEFT
801	660238.64	747329.20	122+92.73	210.79 LEFT
802	660254.96	747344.45	123+14.71	214.78 LEFT
803	660271.20	747327.06	123+10.45	238.20 LEFT
804	660282.55	747342.34	123+29.49	238.18 LEFT
805	660295.31	747383.34	123+70.00	223.94 LEFT
806	660287.07	747387.36	123+68.31	214.93 LEFT
807	660318.40	747438.70	124+28.19	209.41 LEFT
808	660334.91	747449.05	124+46.36	216.48 LEFT
809	660408.88	747495.43	125+27.73	248.13 LEFT
810	660461.42	747565.76	126+15.51	248.30 LEFT
811	660457.34	747593.98	126+35.72	228.18 LEFT
812	660490.26	747643.85	126+95.38	224.82 LEFT
813	660535.52	747653.14	127+29.85	255.59 LEFT
814	660549.27	747671.72	127+52.97	255.52 LEFT

TABULATION OF TEMPORARY EASEMENT POINTS TO BE STAKED				
Point No.	Northing	Easting	Station	Offset
815	660555.14	747690.79	127+71.52	248.85 LEFT
816	660561.53	747703.44	127+84.91	246.46 LEFT
817	660566.61	747716.31	127+97.74	242.91 LEFT
818	660566.89	747741.16	128+17.15	228.44 LEFT
819	660568.19	747744.09	128+20.16	227.76 LEFT
820	660558.16	747763.60	128+30.23	208.98 LEFT
821	660588.63	747804.60	128+78.95	208.92 LEFT
822	660620.96	747831.94	129+18.47	219.50 LEFT
825	660673.23	747949.10	130+40.21	196.17 LEFT
826	660680.60	747965.88	130+57.66	192.96 LEFT
827	660715.86	748023.04	131+22.61	199.91 LEFT
828	660736.94	748048.39	131+54.29	194.83 LEFT
829	660747.21	748066.29	131+74.22	193.81 LEFT
830	660773.11	748137.64	132+46.07	177.69 LEFT
831	660796.44	748193.29	133+03.95	168.44 LEFT
832	660326.37	748051.89	129+29.13	147.98 RIGHT
833	660324.50	748060.88	129+35.60	154.67 RIGHT
834	660308.06	748064.37	129+28.83	170.14 RIGHT
835	660293.21	747999.94	123+82.07	212.35 LEFT
837	660685.13	748016.69	131+01.15	168.67 LEFT
838	660632.98	747847.06	129+37.04	220.66 LEFT
839	660647.54	747870.10	129+63.26	219.46 LEFT

QUANTITY OF MONUMENTS TO BE SET

CAP TYPE	MONUMENT TYPE								
	1	1A	2	2A	3	3A	4	5/S/S	6
REFERENCE									
ROW	16								
CONTROL									
ALLOYED CORNER									
PERMANENT EASEMENT									9
PROJECT POINTS									
WITNESS POST (REQUIRED)									

SURVEYOR STATEMENT (R.O.W. MONUMENTS)

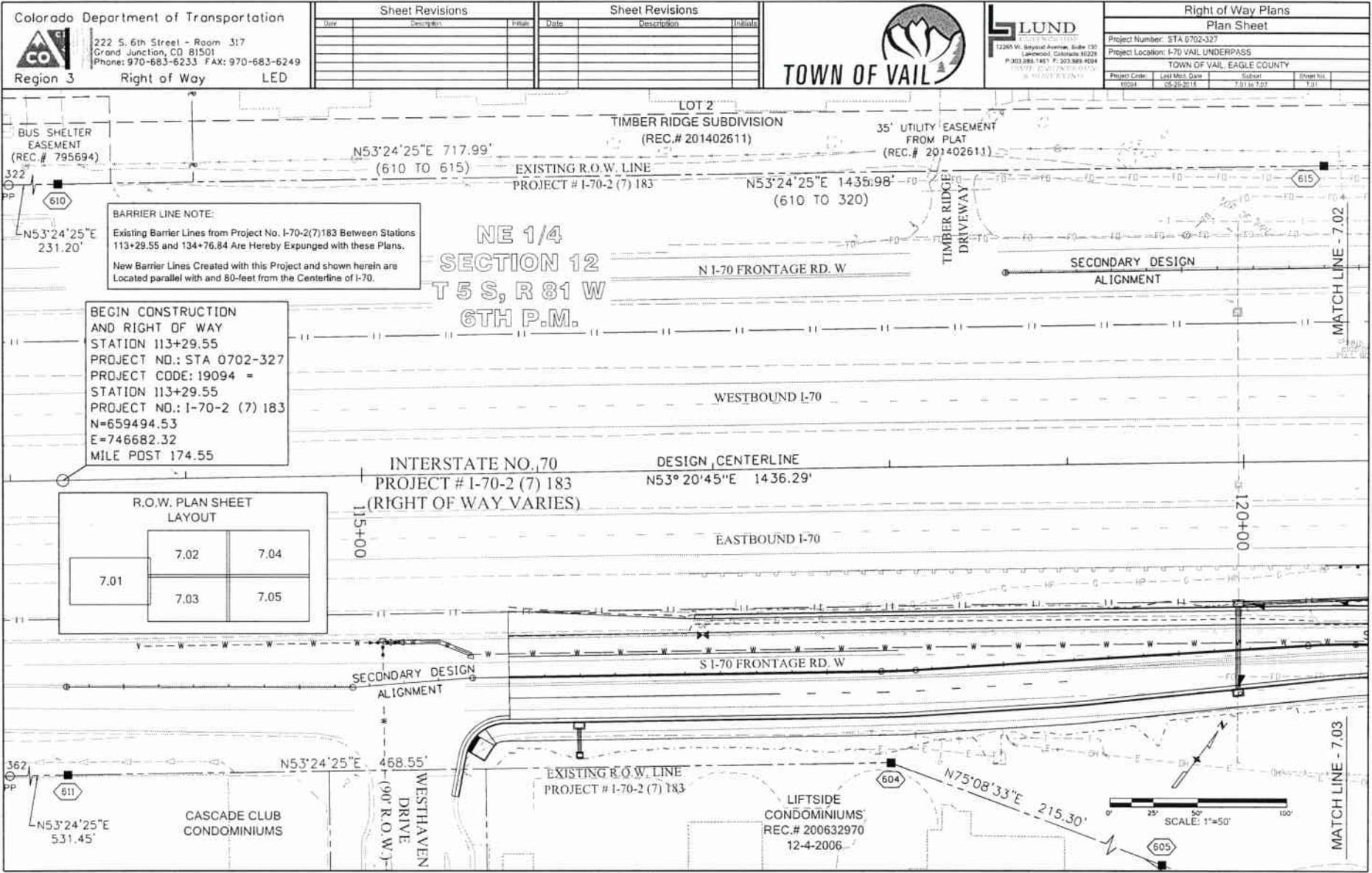
I, Geoffrey F. Stephenson, a professional land surveyor licensed in the State of Colorado, do hereby state to the Colorado Department of Transportation that based upon my knowledge, information and belief, adequate research, calculations and evaluation of survey evidence were performed and the Right-of-Way monuments depicted on this Right-of-Way Plan were set under my responsible charge in accordance with applicable standards of practice defined by the Colorado Department of Transportation publications. This statement is not a guaranty or warranty, either expressed or implied.

PLS No. 23521

General Notes:

- All centerline and offset stationing may not represent the centerline as constructed in the field.
- Refer to the M-629-1 Survey Monuments of the Standard Plans dated July, 2012 found in The Colorado Department of Transportation, M & S Standards for survey monument descriptions.
- This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDOT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.
- COORDINATE DATUM: For coordinate system details refer to sheet 4.01 of this right of way plan set.
- The purpose of this right of way plan is for acquisition of right of way parcels, and re-establishment and monumentation of existing R.O.W.
- Existing right of way lines were retraced and monumented per a compilation of surveyed field evidence, available public records, and the Department of Highways Project Numbers I-70-2 (7) 183 and F.A.P. 25-A (1).
- Existing right of way monumentation found and shown as accepted herein was determined to be harmonious with the preponderance of evidence of found monuments, deeds and the calculated alignment of the existing right of way lines.
- It should be noted that some of the linear distances between accepted found monuments do not match the record distances, however it was determined that it would be in the best interest of the general public to accept these monuments as the existing right of way in order to avoid additional monumentation and avoid creating further confusion along the existing right of way line.
- Right of way lines resolved from existing field monumentation and evidence were fixed in position over record deed ties, and record Department of Highways Project Numbers I-70-2 (7) 183 and F.A.P. 25-A (1).
- The project area lies in Flood Zone X, as shown on Flood Insurance Rate Map number 08037C0469D, Panel 469 of 1125, having an effective date of December 4, 2007.
- Station and offset information shown hereon is based upon the roadway centerline design alignment for this project.

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.



Colorado Department of Transportation
 222 S. 6th Street - Room 317
 Grand Junction, CO 81501
 Phone: 970-683-6233 FAX: 970-683-6249
 Region 3 Right of Way LED

Sheet Revisions			Sheet Revisions		
Rev	Description	Initial	Date	Description	Initial



LUND
 CIVIL ENGINEERS
 12345 W. Beyond Avenue, Suite 130
 Lakewood, Colorado 80229
 P: 303.888.1451 F: 303.888.4004
 WWW.LUNDENGINEERS.COM

Right of Way Plans				
Plan Sheet				
Project Number:	STA 0702-327			
Project Location:	I-70 VAIL UNDERPASS			
TOWN OF VAIL, EAGLE COUNTY				
Project Code:	Last Mod. Date:	Subplot:	Sheet No.:	
1004	04-26-2018	1.01 to 7.07	7.01	

BARRIER LINE NOTE:
 Existing Barrier Lines from Project No. I-70-2(7)183 Between Stations 113+29.55 and 134+76.84 Are Hereby Expunged with these Plans.
 New Barrier Lines Created with this Project and shown herein are Located parallel with and 80-feet from the Centerline of I-70.

BEGIN CONSTRUCTION AND RIGHT OF WAY
 STATION 113+29.55
 PROJECT NO.: STA 0702-327
 PROJECT CODE: 19094 =
 STATION 113+29.55
 PROJECT NO.: I-70-2 (7) 183
 N=659494.53
 E=746682.32
 MILE POST 174.55

R.O.W. PLAN SHEET LAYOUT

7.01	7.02	7.04
	7.03	7.05

NE 1/4 SECTION 12 T5S, R81W 6TH P.M.

INTERSTATE NO. 70 PROJECT # I-70-2 (7) 183 (RIGHT OF WAY VARIES)

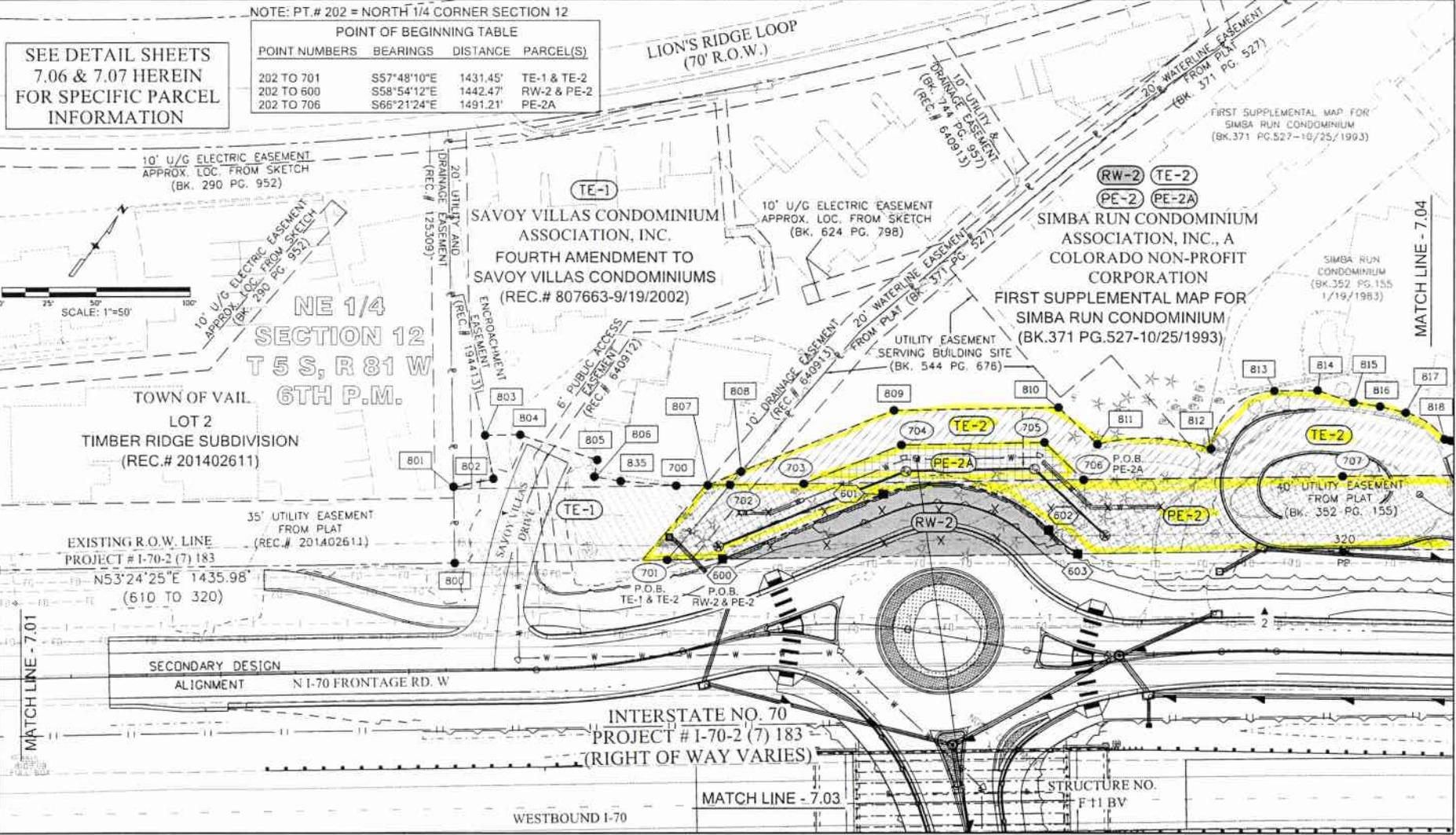
LIFTSIDE CONDOMINIUMS
 REC.# 200632970
 12-4-2006

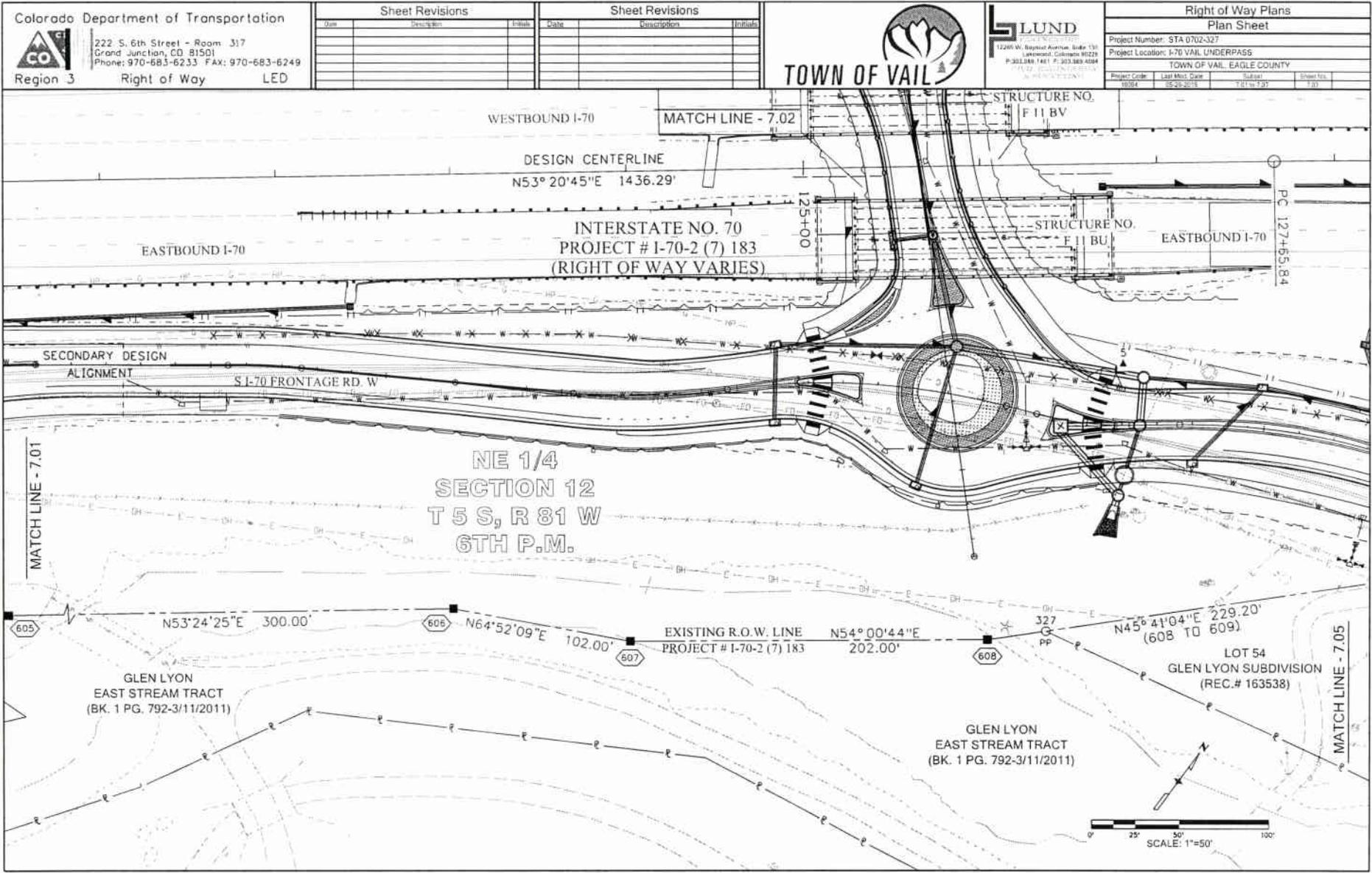
SCALE: 1"=50'

Sheet Revisions				Sheet Revisions			
Date	Description	Initials	Date	Description	Initials		



Right of Way Plans			
Plan Sheet			
Project Number:	STA 0702-327	Sheet No.	102
Project Location:	F-70 VAIL UNDERPASS	Sheet No.	102
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	1000	Sheet No.	102
Last Mod. Date:	05-29-2018	Sheet No.	102





Colorado Department of Transportation
 222 S. 6th Street - Room 317
 Grand Junction, CO 81501
 Phone: 970-683-6233 FAX: 970-683-6249
 Region 3 Right of Way LED

Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials



LUND
 PROJECT ENGINEER
 12305 W. Highway Avenue, Suite 130
 Lakewood, Colorado 80226
 P: 303.988.1441 F: 303.989.4284
 FAX: 303.989.4284
 A. HENNINGSEN

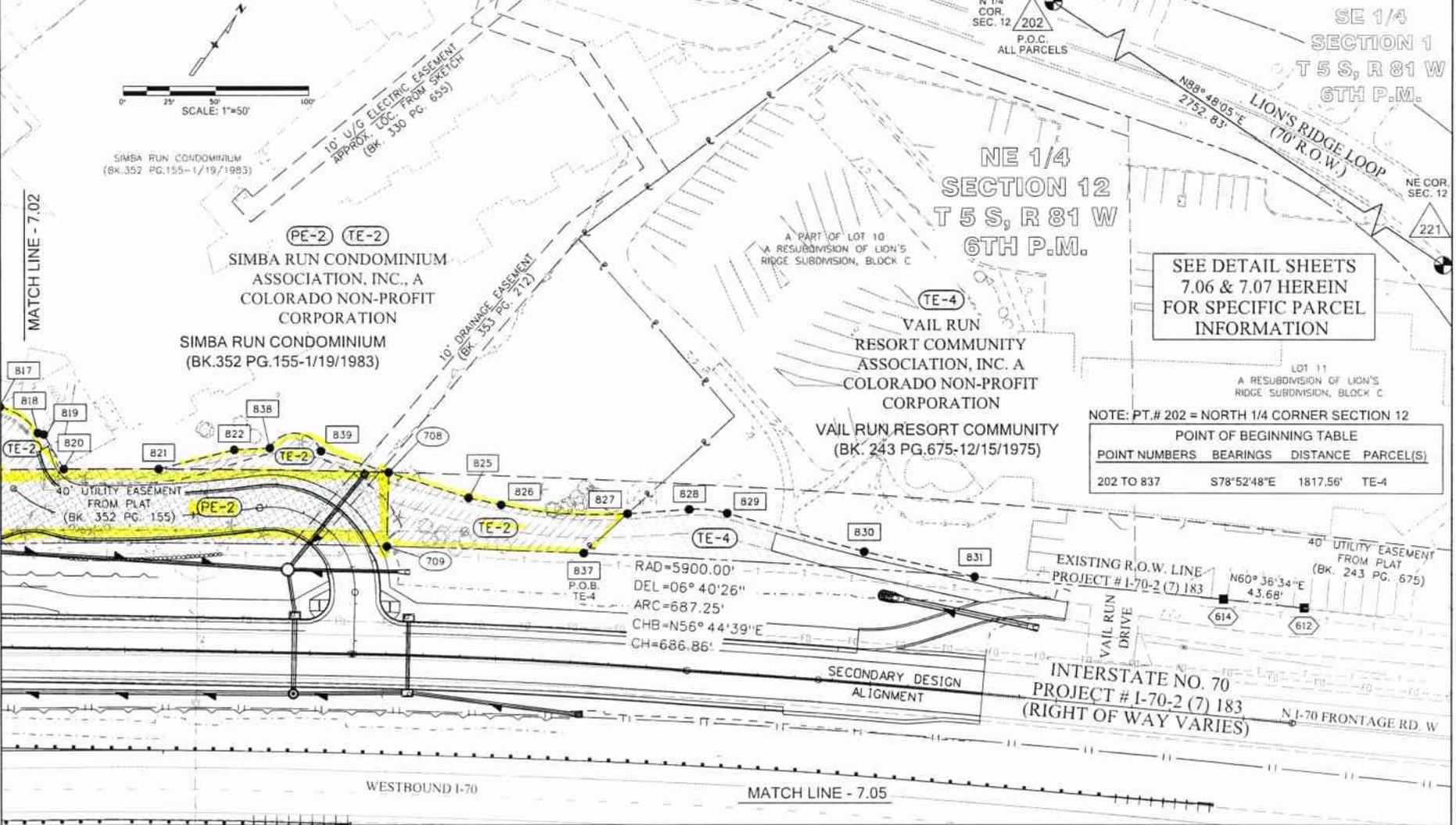
Right of Way Plans			
Plan Sheet			
Project Number:	STA 0702-327		
Project Location:	I-70 VAIL UNDERPASS		
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Last Mod. Date:	Station:	Sheet No.:
10004	05-20-2018	7.01 to 7.05	7.03

Sheet Revisions			Sheet Revisions		
Use	Description	Initials	Date	Description	Initials



LUND
 12200 W. Bayview Avenue, Suite 130
 Lakewood, Colorado 80228
 P. 303.986.1461 F. 303.986.4884
 WWW.LUNDENGINEERS.COM

Right of Way Plans			
Plan Sheet			
Project Number:	STA 0702-327	Sheet No.:	7.06
Project Location:	I-70 VAIL UNDERPASS	Sheet No.:	7.06
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	10200	Sheet No.:	7.06
Last Mod. Date:	05-20-2010	Sheet No.:	7.06



SEE DETAIL SHEETS
 7.06 & 7.07 HEREIN
 FOR SPECIFIC PARCEL
 INFORMATION

NOTE: PT.# 202 = NORTH 1/4 CORNER SECTION 12
 POINT OF BEGINNING TABLE

POINT NUMBERS	BEARINGS	DISTANCE	PARCEL(S)
202 TO 837	S78°52'48"E	1817.56'	TE-4

RAD=5900.00'
 DEL=06°40'26"
 ARC=687.25'
 CHB=N56°44'39"E
 CH=686.86'

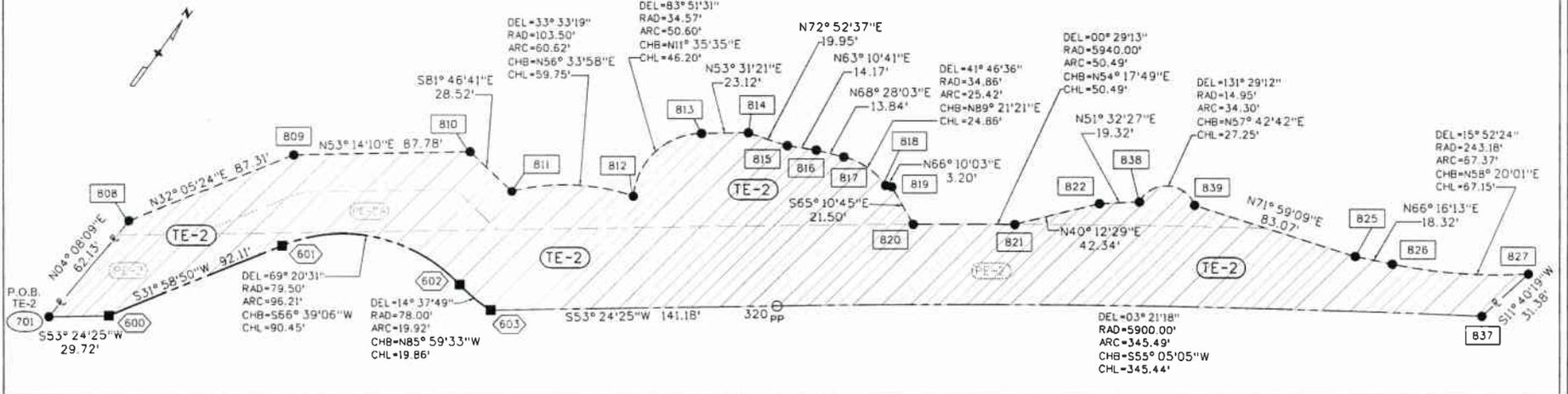
EXISTING R.O.W. LINE
 PROJECT # I-70-2 (7) 183
 INTERSTATE NO. 70
 PROJECT # I-70-2 (7) 183
 (RIGHT OF WAY VARIES)

Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials

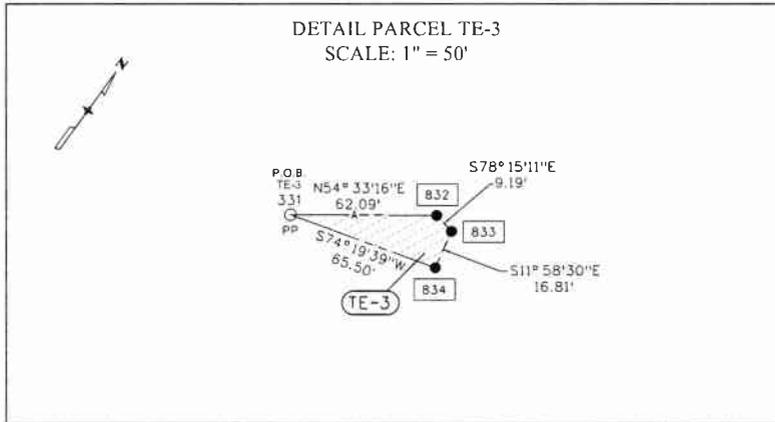


Right of Way Plans			
Plan Sheet - Details			
Project Number:	STA 0702-327		
Project Location:	I-70 VAIL UNDERPASS		
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Last Mod. Date:		
	08-20-2018		

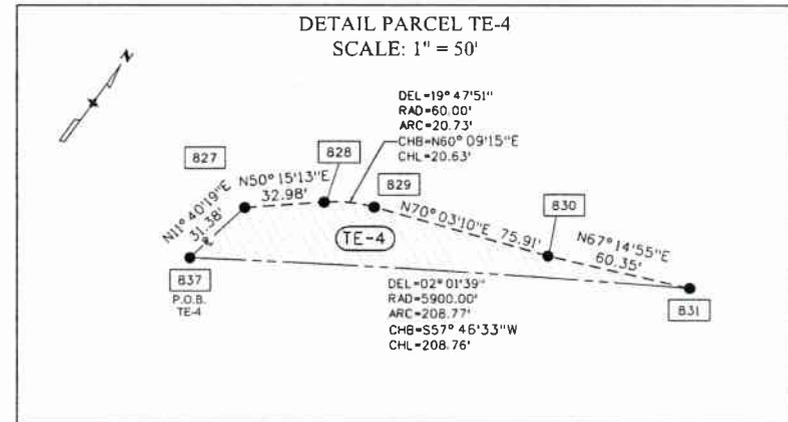
DETAIL PARCEL TE-2
 SCALE: 1" = 50'



DETAIL PARCEL TE-3
 SCALE: 1" = 50'



DETAIL PARCEL TE-4
 SCALE: 1" = 50'



Sheet Revisions			Sheet Revisions		
Use	Description	Initials	Date	Description	Initials



Right of Way Plans			
Ownership Map			
Project Number:	STA 0702-327		
Project Location:	I-70 VAIL UNDERPASS		
TOWN OF VAIL, EAGLE COUNTY			
Project Code:	Last Mod. Date:	Sheet:	Sheet No.:
19094	09-29-2011	8 of 8	8131

- TE-1**
Savoy Villas Condominium Association, Inc.
- RW-2 TE-2**
PE-2 PE-2A
Simba Run Condominium Association, Inc., a Colorado non-profit corporation
- TE-3**
SOHO Development LLC, a Colorado limited liability company
- TE-4**
Vail Run Resort Community Association, Inc., a Colorado non-profit corporation

202
N 1/4 CORNER
SECTION 12

SIMBA RUN CONDOMINIUM
(BK.352 PG.155-1/19/1983)
AND
FIRST SUPPLEMENTAL MAP FOR
SIMBA RUN CONDOMINIUM
(BK.371 PG.527-10/25/1993)

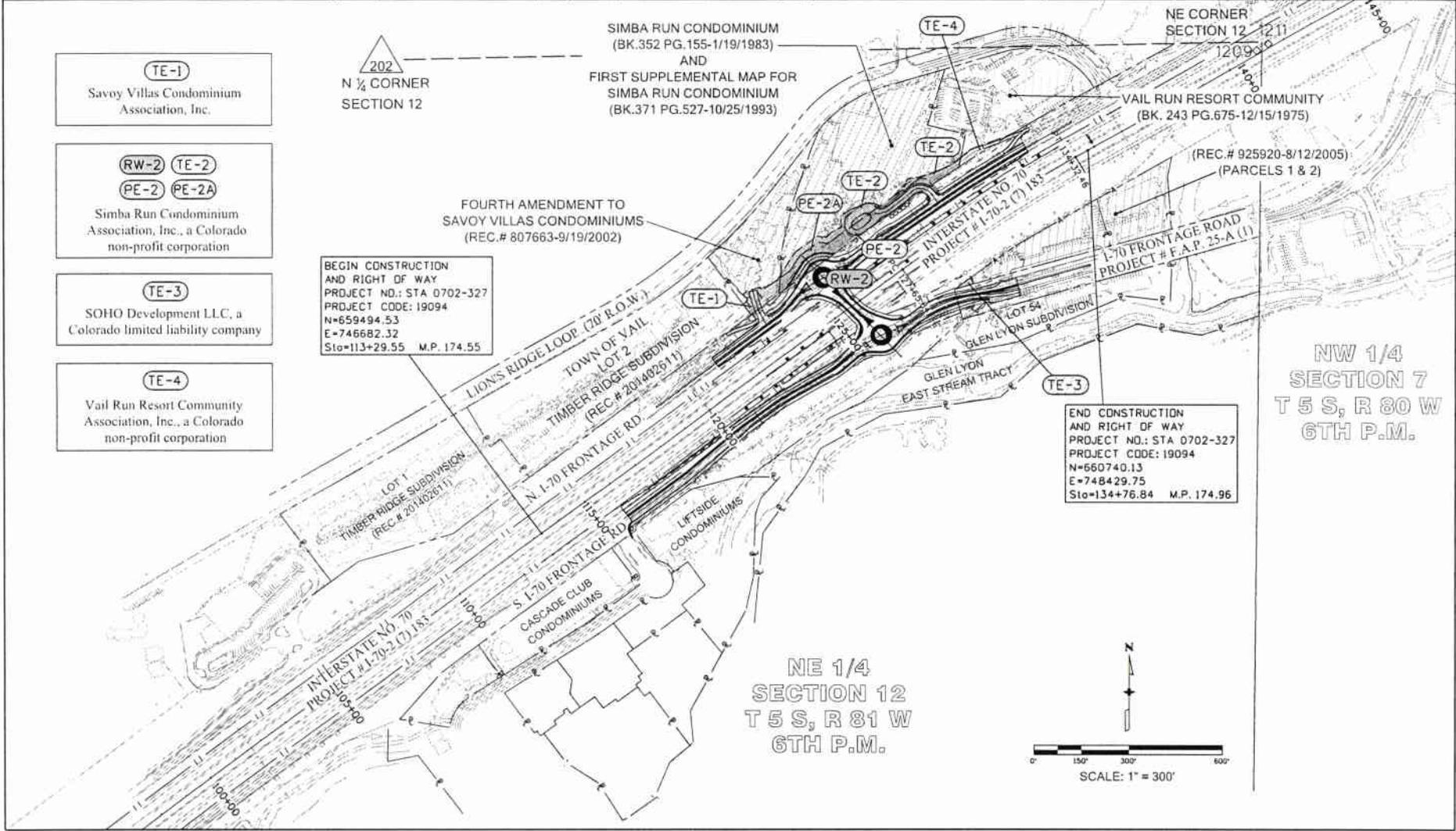
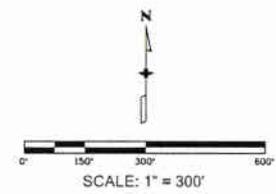
FOURTH AMENDMENT TO
SAVOY VILLAS CONDOMINIUMS
(REC.# 807663-9/19/2002)

BEGIN CONSTRUCTION
AND RIGHT OF WAY
PROJECT NO.: STA 0702-327
PROJECT CODE: 19094
N=659494.53
E=746682.32
Sto=113+29.55 M.P. 174.55

END CONSTRUCTION
AND RIGHT OF WAY
PROJECT NO.: STA 0702-327
PROJECT CODE: 19094
N=660740.13
E=748429.75
Sto=134+76.84 M.P. 174.96

NW 1/4
SECTION 7
T 5 S, R 80 W
6TH P.M.

NE 1/4
SECTION 12
T 5 S, R 81 W
6TH P.M.



PROJECT CODE: 19094
PROJECT NO: STA 0702-327
DESIGNATION: I-70 Vail Underpass
REGION: 3
COST ESTIMATE: \$1,634,900
OWNERSHIPS: 1, 2, 3, 4

LAND ACQUISITION APPROVAL

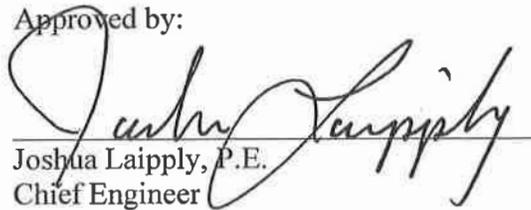
WHEREAS, the Colorado Transportation Commission by Resolution No. TC-271, directs the Executive Director or his delegatee, to handle the approval for land acquisition actions and the tendering of payment to landowners for damages in connection with previously approved highway projects; and

WHEREAS, the Executive Director of the Department of Transportation has delegated, to the Chief Engineer, the above stated approval; and

WHEREAS, Project No. STA 0702-327, has been previously approved by the Transportation Commission; and

THEREFORE, on behalf of the Transportation Commission, the undersigned approves the land acquisition costs and damages as shown in the attached estimate for the above mentioned project.

Approved by:


Joshua Laipply, P.E.
Chief Engineer

7/9/2015
Date

CERTIFIED TO BE A TRUE COPY OF DOCUMENT'S
WITHIN FILES KEPT UNDER MY CONTROL


CHIEF CLERK FOR RIGHT OF WAY DATE: 8/29/2016

Resolution # TC-16-5-[]

Authorizing the Chief Engineer to negotiate with and tender damages to Simba Run Condominium Association

WHEREAS, the Transportation Commission is authorized pursuant to Section 43-1-106(8), C.R.S. to formulate the general policy with respect to management, construction and maintenance of public highways and other transportation systems in the state and to promulgate and adopt all budgets of CDOT; and

WHEREAS, pursuant to Colorado law at Section 43-1-208, C.R.S., the Colorado General Assembly has conferred the power of eminent domain upon CDOT to acquire property necessary for state highway purposes; and

WHEREAS, pursuant to the final sentence of Section 43-1-208(3), C.R.S., since 1994 the Transportation Commission has authorized CDOT to condemn private property without following the more prescriptive practice for condemnation set forth in Section 43-1-208(1), (2) and the first two sentence of (3); and

WHEREAS, there is pending before the Colorado Supreme Court a challenge to the Transportation Commission's and CDOT's authority to condemn private property pursuant to the final sentence of Section 43-1-208(3) which case is titled *Department of Transportation v. Amerco Real Estate Company; U-Haul Company of Colorado; et al.*, 2016SA75; and

WHEREAS, the pendency of the Colorado Supreme Court case is having a negative impact on CDOT's ability to timely acquire possession of property sought for state highway purposes under the authority granted pursuant to the final sentence of Section 43-1-208(3); and

WHEREAS, in order to allow CDOT construction projects to proceed in a more timely fashion, the Transportation Commission, without admitting the validity of the challenge to its condemnation authority presented in the pending Colorado Supreme Court case, is electing to follow the prescriptive practice set forth in Section 43-1-208(1), (2) and the first two sentences of (3); and

WHEREAS, the Transportation Commission is authorized pursuant to Section 43-1-208(2), C.R.S. to determine whether a proposed change to a state highway will serve the interest and convenience of the public; and

WHEREAS, the Transportation Commission may enter a resolution upon its minutes approving the proposed highway changes and authorizing the CDOT Chief Engineer to tender landowners the amount of damages, as estimated by the Chief Engineer; and

WHEREAS, on March 8, 2016, CDOT filed a Petition in Condemnation in Eagle County District Court against certain property located adjacent to the North Frontage Road for I-70 in Vail, Colorado (the “Property”) owned by Simba Run Condominium Association, numerous entities owning condominium units and mortgage holders (together, the “Owners”); and

WHEREAS, counsel for CDOT and Simba Run Condominium Association have discussed proceeding to an Immediate Possession Hearing before the Eagle County District Court but the attorneys for Simba Run Condominium Association have asserted that CDOT is or may be barred from acquiring the Property from the Owners based upon the pending Colorado Supreme Court case; and

WHEREAS, CDOT has an immediate need for the Property and the inability to work on the Property will likely cause delay to the Vail Underpass Project which is a RAMP project, resulting in significant monetary harm to CDOT; and

WHEREAS, without admitting that CDOT is required to comply with the provisions of Section 43-1-208(1), (2) and the first two sentences of (3), C.R.S., the Transportation Commission acknowledges that it has reviewed the written report of the Chief Engineer in relation to the Vail Underpass Project and the Simba Run Condominium Association Property; and

WHEREAS, after reviewing the Chief Engineer’s written report regarding Vail Underpass Project and the Property, the Transportation Commission has determined that the proposed changes from the Vail Underpass Project on I-70 will serve the public interest and convenience of the traveling public; and

WHEREAS, the Transportation Commission also approves of the Chief Engineer’s estimate of damages set forth in his written report.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby declares that the public interest and convenience will be served by the proposed changes to I-70 by virtue of the Vail Underpass Project, and authorizes the Chief Engineer to negotiate with the Owners regarding the amount of damages, and tender such damages as estimated by him, and authorizes CDOT to proceed with condemnation of the Property in the event negotiations are unsuccessful.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date