

**RESOLUTION NO.   3**  
**(Series 2007)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF  
THE TOWN OF LAKE CITY, COLORADO,  
AUTHORIZING CURRENT MAINTENANCE WORK  
ON WATER STREET AND ITS DRAINAGE  
DITCHES.**

WHEREAS, in 1986, a 60-foot wide strip of land known as Water Street was formally dedicated for public use to the Town of Lake City as part of, and for primary access to, the residential subdivision known as Lake City Heights; and

WHEREAS, “as built” diagrams of Water Street furnished to the Town by the developers of the Lake City Heights Subdivision show that, after construction, the roadbed and flanking drainage ditches actually occupied less than half of the dedicated width of Water Street and left vacant margins of approximately fifteen feet on each side thereof; and

WHEREAS, the construction of Water Street also left steep embankments of loose earth and fractured rock along parts of its length, which embankments naturally tend to erode and ravel into the roadbed and drainage ditches below them; and

WHEREAS, like any municipal thoroughfare, Water Street has required, and will continue to require, periodic maintenance for the sake of public safety; and

WHEREAS, Water Street has not been maintained since the early fall of 2003 and now presents certain dangerous conditions that require immediate correction (there being substantial accumulations of eroded earth and rock in the drainage ditches along the aforementioned street embankments which, if uncleared, will likely lead to the diversion of water and accumulation of winter ice on the surface of the unpaved roadbed itself); and

WHEREAS, the interests of adjoining private landowners should be reasonably considered and protected during the course of the maintenance work deemed necessary on Water Street;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Lake City as follows:

1. As soon as reasonably practical, the currently built and useable width of Water Street and its flanking drainage ditches shall be cleared of any accumulated rockfall and other debris and regraded to a condition that will assure the safe usage of Water Street’s unpaved surface by vehicular and pedestrian traffic.

2. Such authorized maintenance work on Water Street shall be conducted by employees of Hinsdale County, Colorado under the terms of the inter-governmental agreement historically applicable between the Town and County.

3. The pertinent maintenance work on Water Street by Hinsdale County employees shall be directly and carefully supervised by County Road Foreman Robert Hurd in consultation with Town Mayor Larry Iiams or Town Manager Michelle Pierce, either one of which individuals shall have authority to make day to day decisions on the Town's behalf for all purposes of the subject maintenance project.

4. At least one full week prior to actual commencement of the subject maintenance work on Water Street, a brief description of the project and its anticipated dates of occurrence shall be published in the legal notices section of the Silver World, a newspaper of general circulation in the County of Hinsdale, Colorado.

5. The authorized maintenance work on Water Street shall be conducted as much as practically possible within the areas occupied by the historic roadbed and drainage ditch courses. In no event, shall any of the physical work stray beyond the dedicated street boundaries shown by the as built drawings of Water Street.

6. Reasonable care shall be exercised during the course of the work to minimize disturbance of the flanking street embankments, the upper parts of which may partly intrude into private lands adjoining boundaries of Water Street.

7. Within ten days after the conclusion of the authorized maintenance project, a written report of its details, and a summary of any pertinent complaints by private parties and/or problems encountered, shall be promptly submitted to the Board of Trustees by the Town Manager.

ADOPTED BY UNANIMOUS VOTE OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2007.

TOWN OF LAKE CITY, COLORADO

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk