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Dan Blankenship
Roaring Fork Transportation Authority
1340 Main Street
Carbondale, CO 81623

Re: Draft Access Control Plan

Dear Dan:

I have reviewed the draft Access Control Plan dated 2/28/17. I think it is a very good guidance documents for RFTA and commend you and your staff on putting together this comprehensive guidance document. My only concern about the document is that I think some individual property owners along the Corridor may construe this document as granting them certain rights not intended to be granted by the document. In fact, I do not believe it was the intent of the document to grant any access rights to adjoining landowners and public entities not otherwise provided by Colorado law. This is a governance or guidance document only. However, to protect against any confusion or misinterpretation, I recommend that the following language be added to Section VI, 5.0 A at the end of that paragraph on page 13:

> Notwithstanding anything in this document to the contrary, nothing herein is intended to grant to or permit any adjacent landowner or public entity any greater rights of access over, under, along or across the Corridor than they would otherwise have under Colorado law or to impair or limit RFTA's rights as a public entity and landowner in managing its Corridor.

This also should be part of any adopting resolution. Thank you for giving me the opportunity to review this important document.

Sincerely,

Walter J. Downing

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