



November 2, 2020

Mr. Tom Donnelly
Larimer County Commissioner District 3
PO Box 1190
Fort Collins, CO 80522

Denver Office
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Mr. Todd Juergens
Road & Bridge Department
2643 Midpoint, Suite C
Fort Collins, CO 80525

Re: *River Glen Subdivision/Maintenance of County Roads*
Our File No. 3462.0007

Dear Mr. Donnelly:

Altitude Community Law P.C. is legal counsel to the River Glen Homeowners' Association ("Association"). The Association's Board of Directors has requested that we contact you directly regarding the condition of the roads within the River Glen Subdivision. As you may be aware, the roads located within the River Glen Subdivision are considered part of the County Secondary Road System per the Resolution Concerning County Maintenance of Roads dated January 3, 1979, a copy of which is enclosed for your reference ("River Glen Resolution"). The roads within the River Glen Subdivision are less than two miles and service 65 homes within the Association.

The River Glen Resolution requires that the County maintain the roads, which includes maintenance and snow removal, in a manner consistent with maintenance of other roads of a similar class. The Association has brought its concerns regarding the condition of the roads and lack of maintenance to the County on numerous occasions. Several years ago, the County informed the Association that the County's maintenance of the roads within the River Glen Subdivision had been consistent with the maintenance of other subdivision roads, specifically periodic crack sealing, chip sealing and repair of small areas of pavement failure, and that any maintenance above and beyond would be the Association's responsibility.

While some minor chip sealing of the roads was performed early on, this was done mostly as the request of the Association. Also, the scope of the maintenance performed over the years does not appear to be in a manner consistent with other similarly situated subdivisions. For instance, we understand Wilfred Road within the Park Meadows Subdivision was resurfaced and re-stripped as recently as 2017 by the County. Wilfred Road is part of the same road class and is of a similar age to the roads within the River Glen Subdivision; however, the County has not performed chip sealing, resurfacing or other maintenance of the River Glen Subdivision roads for over twenty years.

Another concern is that the condition of the roads has been further deteriorated by the County's contractors driving heavy equipment within the River Glen Subdivision to perform maintenance on roads *outside* the River Glen Community, including as recently as 2019 and 2020 for road work on County Road 2 and County Road 17, respectively. Of particular concern is the damage sustained to Riverview Drive.

The overall lack of maintenance of the roads and damage caused by the County's contractors has contributed to the current state of disrepair of the roads, but also appears inconsistent with how the County

has maintained other roads over the years that are part of the County Secondary Road System and of a similar age.

As such, the Association is requesting that the County address the current damage, specifically in regards to Riverview Drive, and perform such maintenance and surface repairs as necessary to bring the roads into a condition similar to that of other similar roads within the County Secondary Road System, including, but not limited to, resurfacing and restriping the roads as performed in the Park Meadows Subdivision. The Association has an interest in ensuring that the roads within the River Glen community are maintained properly and would appreciate a response from the County by November 30, 2020 as to its plan for road maintenance and repairs of the County Secondary Road System for the remainder of 2020 as well as 2021, including snow removal.

Lastly, the Association believes it is in both the County's and the River Glen Community's interest to discuss future, long-term plans as to the maintenance, repair and replacement of the county roads after the requested, immediate repairs as set forth above have been completed.

If you have any questions or would like to discuss the matters raised in this letter, please contact our office.

Sincerely,



Kelly K. McQueeney
Altitude Community Law P.C.

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c: Board of Directors, River Glen Homeowners' Association
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