

From: Alex Dorotik <AleDor@lakewood.org>
Sent: Tuesday, March 14, 2023 11:54 AM
To: Dylan Woods <dwoods@cmw-evergreen.law>
Subject: Proposal for the Ravine Structures

Dylan-

I have a couple proposals (or maybe a proposal with a couple different options) as potential solutions to the Ravine structure issue.

I believe that both parties are essentially in agreement as to the following:

1. Lakewood assuming all liability for any injury/tort due to pedestrian (or bicycle, etc) use of the structures.
2. There is a need for erosion control and diversion of inflows for the middle structure.
3. There is a need to fix the easement to conform to current structure placement.

Additionally, so that you understand and convey what is of primary value to Lakewood, Lakewood is primarily concerned with keeping the northernmost structure open and available for pedestrian use.

So, Proposal 1:

1. Lakewood leases the northern and southern structure for the purposes of pedestrian use.
 - a. Lakewood assumes all liability for such use.
 - b. Lakewood assumes all responsibility for the maintenance of the structures relating to pedestrian use.
 - c. Lakewood will pay a lease amount annually (still to be determined, wanted to get this to you before the meeting and didn't want dollar amounts to slow down the process)
2. Erosion control measures will be enacted by the City of Lakewood, on City park property, for the purpose of limiting erosion to each of the structures.
3. The easement will be re-written to conform with the current placement of the structures/water-sewer lines

Proposal 2:

1. Ownership of the northern and southern structures will be transferred to Lakewood. (and naturally, Lakewood would then have liability for any use)
 - a. Lakewood assumes all liability for such use.
 - b. GMWSD assumes all responsibility maintenance for pipe and support structures.
 - c. GMWSD will pay a lease amount annually (still to be determined, wanted to get this to you before the meeting and didn't want dollar amounts to slow down the process)
 - i. An additional option is GMWSD will agree to an automatic reversion of ownership, back to GMWSD, should any structure fail and need to be replaced in total.
2. Erosion control measures will be enacted by the City of Lakewood, on City park property, for the purpose of limiting erosion to each of the structures.
3. The easement will be re-written to conform with the current placement of the structures/water-sewer lines

Additionally, Lakewood would agree to include the middle structure in any of the above once it is structurally sound. (However, this is not of primary or much concern, so Lakewood is fine with it being blocked for pedestrian use and we will work cooperatively to make that happen).

I'm happy to discuss further,