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VIA EMAIL

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CRE 408 OFFER OF SETTLEMENT

THIS LETTER IS BEING SENT PURSUANT TO CRE 408 AND SHALL NOT BE USED
FOR ANY OTHER PURPOSE EXCEPT AS PROVIDED BY LAW

Re: Use of Road Easement for 99 North Ranch Road

Mr. Snyder,

Thank you for speaking with me on Friday regarding the use of the easement for 99 North Ranch Road. As you are aware, Jonathan Sawyer ("Mr. Sawyer"), the present owner of 99 North Ranch, has retained my firm to represent him regarding issues related to the easement dedicated to his property located at 99 North Ranch Road.

In a good faith effort to avoid any protracted litigation please find the foregoing responses to the questions propounded during our conversation.

After carefully reviewing the relevant documents and applying the requisite legal standards, we have concluded Mr. Sawyer's intended use of his easement is consistent with the connected use of the easement and will not interfere with the rights and benefits of the County and/or any other holder of the easement.

With that being said, Mr. Sawyer will continue to use the easement to access his property. By choosing a different type of transportation-an aircraft- to effectuate his rightful use is of no legal consequence. Mr. Sawyer's use of his airplane to access his property will neither violate any terms of the easement nor applicable rules, ordinances, laws, or regulations.

As pertinent here, Mr. Sawyer's lawful use of his easement will include:

1. Occasionally landing a small aircraft;
2. The aircraft, a Maule MT7, is a single engine aircraft;
 - a. The aircraft is one third the weight of most family cars.

- b. The speed of the aircraft while using the easement is comparable to the speed of other vehicles using the easement;
- c. The aircraft's noise signature is the lowest available;
 - i. The aircraft's noise signature is within the acceptable limits.
 - ii. The aircraft's noise signature is actually less than Mr. Sawyer's motorcycle he once owned.
- d. The aircraft will fit well within the allotted measurements of the easement.
 - i. The Aircraft's wingspan is less than the typical Cessna or Piper.

Mr. Sawyer will not fly over any existing homes in connection with the use of his easement. He will have precautions and safeguards in place to insure the easement is free and clear of any obstacles, impediments, persons, or wildlife; which shall include, real-time contact with personnel on the ground, personnel stationed at the southern end of the easement, and access to his array of cameras on the property. To be clear, Mr. Sawyer is not in any manner advising he will deny access to authorized persons or wildlife in the area.

I understand and appreciate your reaction during our phone conversation on Friday. We are concerned with the direction the relationship may take from this point moving forward. If the County is now planning on opposing the fence then please let us know. We are re-evaluating the fence given our conversation and the contents of this letter.

As for liability, Mr. Sawyer has insurance coverage for his airplane and his use of the same. He is also willing to consider an indemnification and hold harmless agreement as it relates to his use of the easement as discussed herein.

Mr. Sawyer is willing to work with you in good faith to resolve any questions you have regarding the contents of this letter. However, please understand our willingness to work with you has nothing to do with our assessment of the strength of our position. We simply prefer to maintain an amicable, cooperative relationship with you.

We look forward to hearing from you. Should you have any further questions please do not hesitate to contact me.

Sincerely,
LeRoux Law LLC
/s/ L. Paul LeRoux II
L. Paul LeRoux II
Attorney for Jonathan Sawyer