RECOMMENDATION AND JUSTIFICATION:
Approve the revised Right of Entry form to gain access to properties adjacent to the County Right of Way (ROW). In order to complete the environmental phases of the Local Highway Bridge Programs (HBP) currently programmed in the County, the project consultants and county staff need to access adjacent private properties at various times throughout the project duration. The Right of Entry form will also be utilized for routine road maintenance operations.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The access allows the consultants to investigate the presence of vegetation and/or sensitive species that may (or may not) migrate throughout the area of concern, and to assist county personnel in the coordination of routine road maintenance activities. The revised Right of Entry form requires notice to be given to the private owner(s) so that alternative arrival days or times can be accommodated as necessary.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve. The updated form would not be implemented for use in the future. The previous form would be utilized which provides no advance warning to private owners and does not meet the approval of County Counsel.

ATTACHMENTS:
Right of entry form Original (PDF)
Right of Entry Update (DOCX)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
Example Person  
999 Riggs Ave.  
Merced, CA 95341

Right of Entry

Expires:  

Renewed:  

Owner’s Initial

RE:  [DESCRIBE REASON FOR ENTRY HERE PROJECTS OR ROADWAYS]

To Whom It May Concern:

Permission is hereby granted to enter upon the land located at __________ and identified as APN _________ (the “Property”).

[Projects] For the purpose of performing engineering studies, topographic surveys and environmental studies as part of the ___________ (the “Project”). Entry onto the Property will be the minimum necessary to perform these surveys. County Personnel may need to enter at various times throughout the duration of the Project. Public Works staff will attempt to contact the property owner at least ___ days prior to a site visit by utilizing the phone number and/or email address provided below. Specific information will be provided that includes the time of arrival and the expected duration.

[Roadways] For the purpose of roadway maintenance, which includes inspection of facilities, maintaining ditches, culverts, or clearing vegetation, brush and tree growth that limits visibility and vehicle safe sight distances.

Mariposa County shall be responsible for any injury to any County employee and its agents, associates, and/or consultants (“County Personnel”), together with all damages to the Property resulting from this work. Landowner shall not be held liable for any personal injury to any County Personnel as a result of this work.

Staff will be identifiable. If you have any questions please call Public Works at the number above.

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone:_________</td>
<td>Email:_________</td>
</tr>
</tbody>
</table>

Owner’s Special Instructions: ____________________________

Recommended for Approval: ___________  

Accepted: ___________

By ________________  

Right-of-Way Agent  

By ________________  

[County Engineer] or [Road Superintendent]