

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
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FAX (510) 286-4482
TTY (800) 735-2929



*Flex your power!
Be energy efficient!*

March 1, 2005

Mr. Michael Hunt
Brush Road and Old Well Road Homeowners Association
21111 Old Well Road
Los Gatos, CA 95033

Dear Mr. Hunt:

This letter concerns the maintenance responsibilities for a 24-inch Corrugated Steel Pipe (CSP) storm drain culvert under Brush Road, located about 350 feet uphill from Route 17.

A recent review of the California Department of Transportation's (Department) records indicates that whereas a portion of Brush Road is within the State Right of Way and is maintained by the Department, that portion of the roadway, which encompasses the 24" culvert, is not within State right of way. Further, the Department is not aware of any existing Maintenance Agreement or Drainage Easement that would obligate the Department to maintain or repair this storm drain culvert. As such, it appears that the Department has maintained portions of Brush Road up to "the gate", as a courtesy in the past. Based on the foregoing, the Department has determined that it does not have the ability to continue this past erroneous practice of maintaining improvements that are outside of the State right of way.

In addition, as mentioned in a February 7, 2005 phone conversation with Monika Pedigo of the Department's Hydraulics Office, it has come to the Department's attention that the subject storm drain culvert may be in need of repair. A recent site visit noted significant perforation of the pipe invert near the downstream outlet. At the upstream end of the pipe, it was noted that the pipe has separated from its entrance structure, which consists of a concrete junction box and 36-inch slotted CSP vertical riser. In addition, Route 17 is located downstream of the Brush Road culvert, the continued deterioration of the culvert could adversely affect Brush Road and possibly Route 17. As such, the Department strongly urges you to perform your own culvert evaluation and take any and all remedial action(s) necessary to prevent such adverse effects on not only the Brush Road, but also Route 17.

Mr. Michael Hunt
March 1, 2005
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For your reference and use in your investigation, a copy of the Department's Route 17 As-Built Plan at Brush Road, Right of Way Parcel Map and Deed are attached.

If you have any questions or comments, please contact Steven Rouse of my staff at (510) 286-4501 or Monika Pedigo of the Hydraulics Office at (510) 286-4864. We look forward to working with you on successful resolution of the herein matter.

Sincerely,

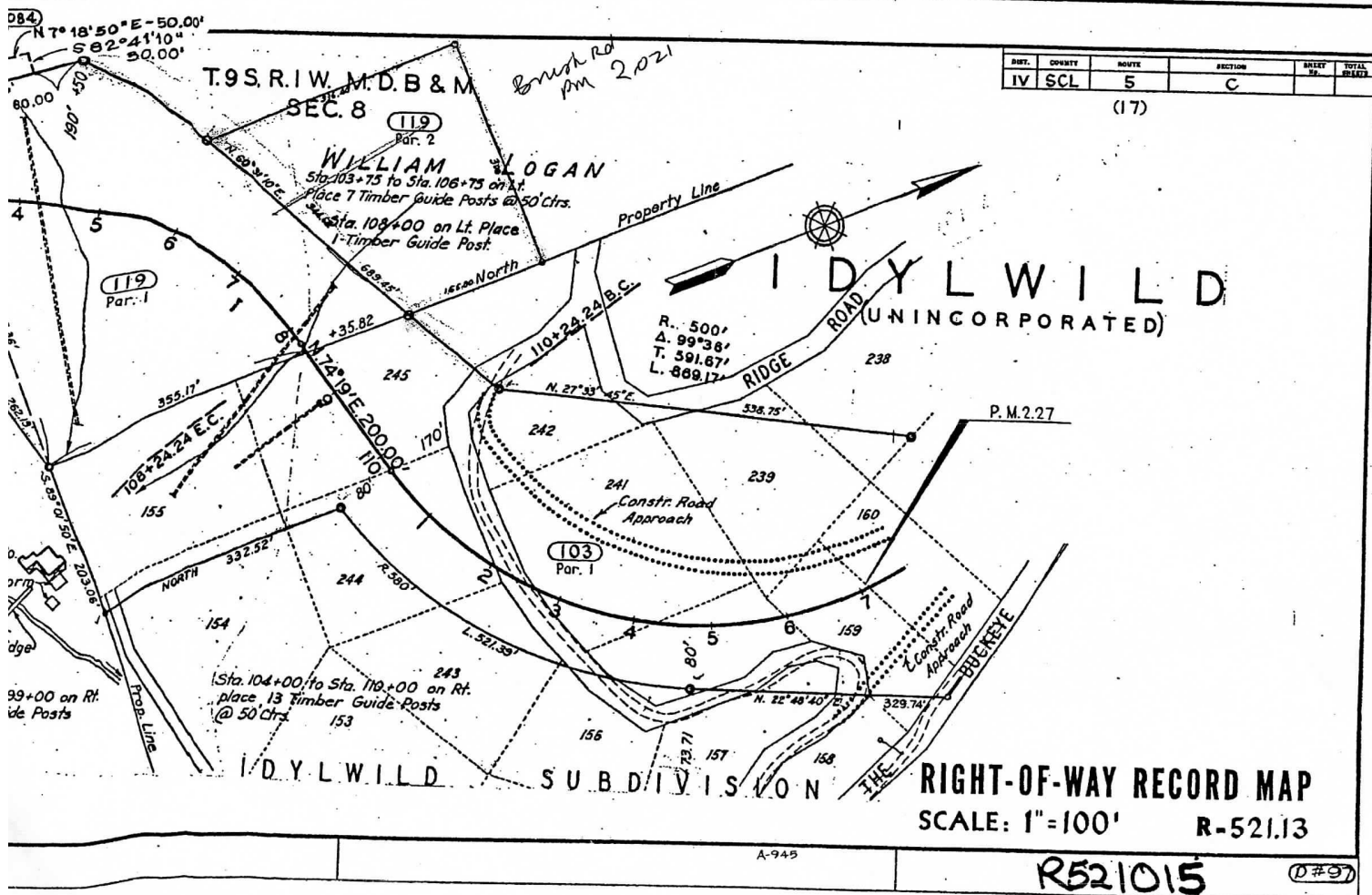
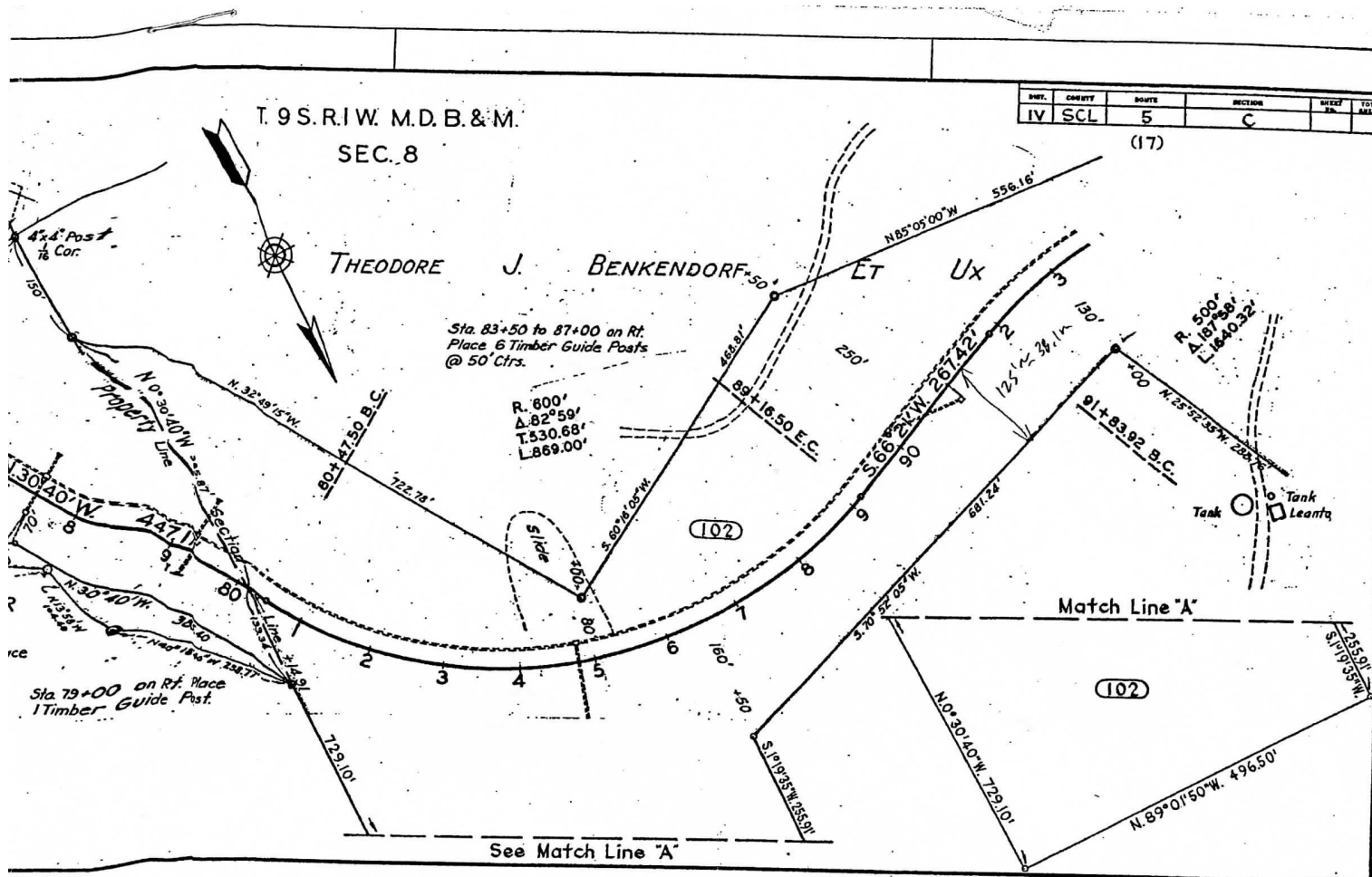


KIM LE
District Office Chief
Office of Maintenance Services

Attachments

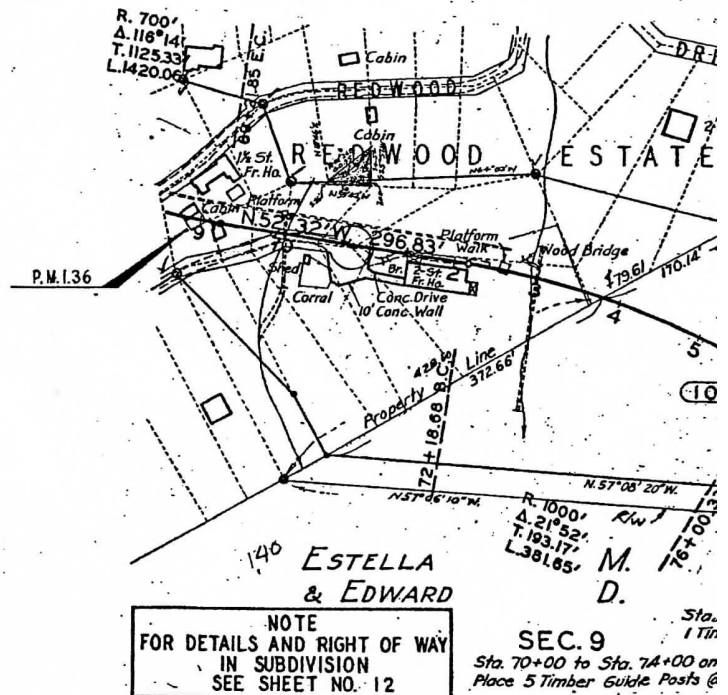
c: Mr. Ron Kaminski
Brush Road and Old Well Homeowners Association
21111 Old Well Road
Los Gatos, CA 95033

Mr. Dennis McCoy
General Manager
Redwood Estates Homeowners Association
P. O. Box 591
Redwood Estates, CA 95014

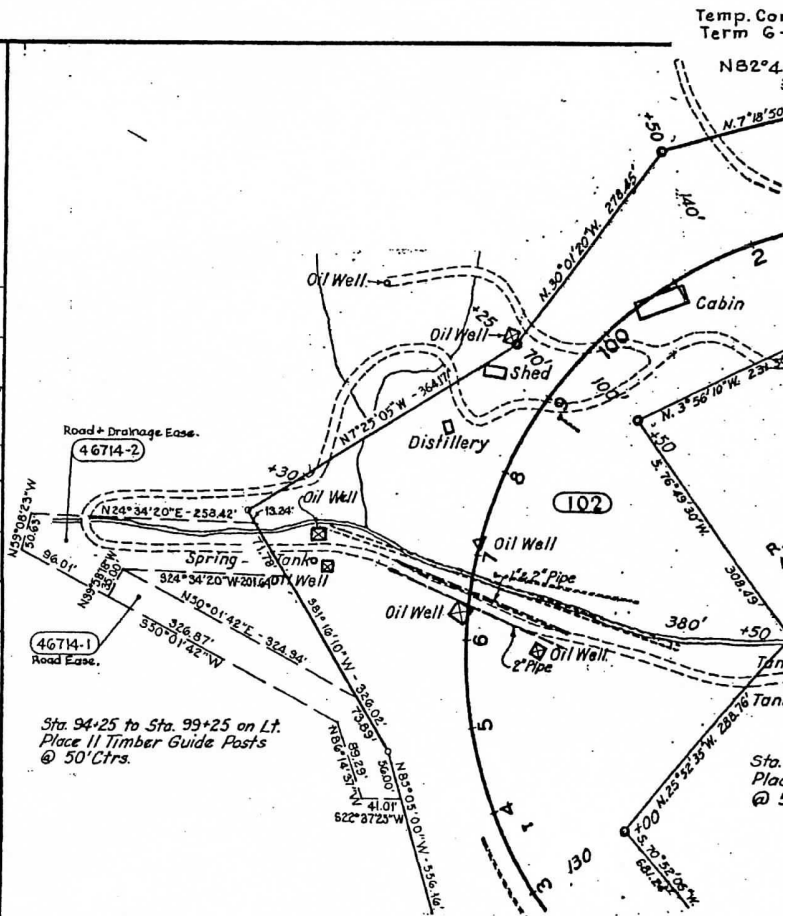


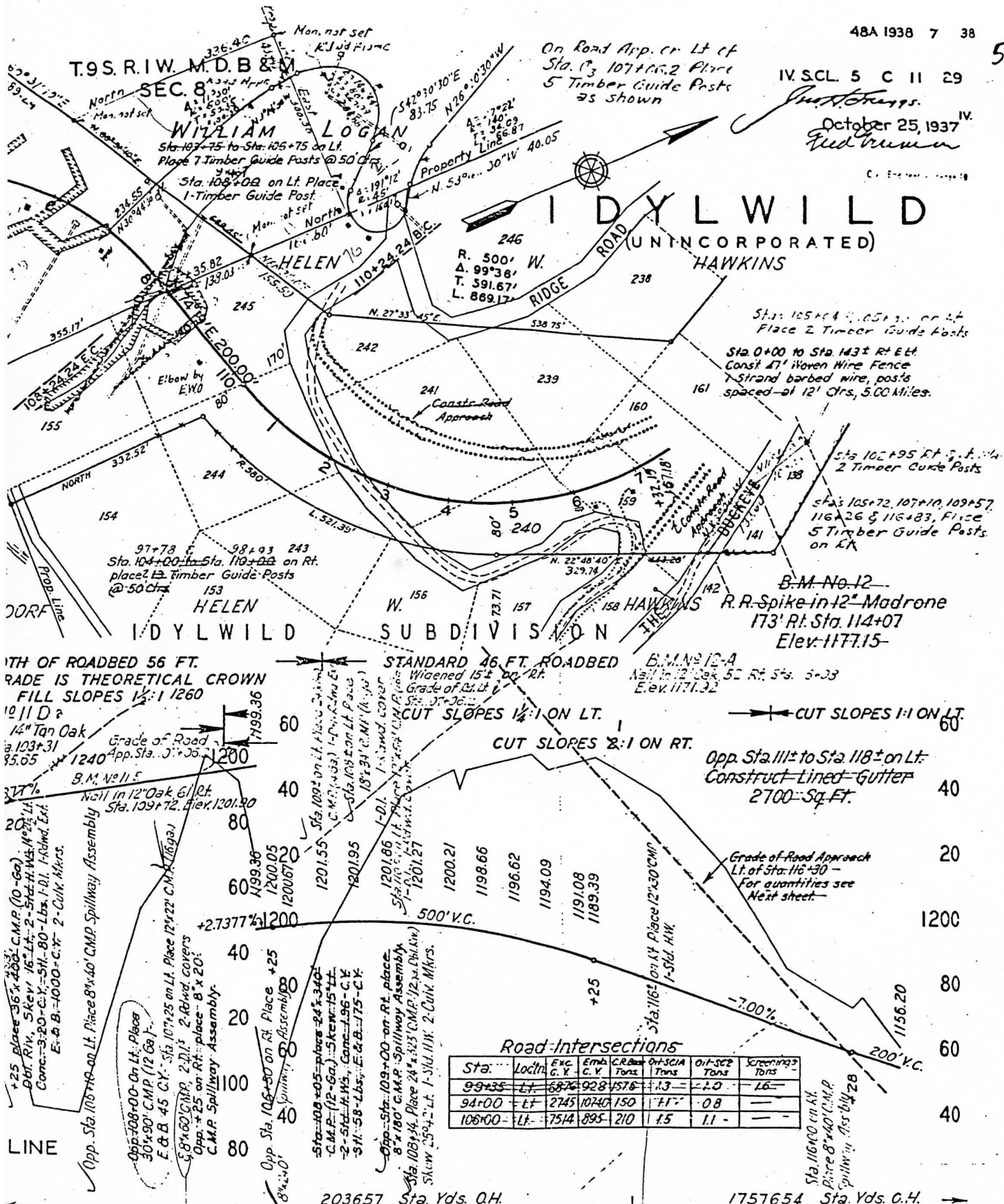
Revisions	Date
Added Parcel 46714-1 & 2	3-8-79
Corrected & Revised 46714-1 & 2	5-79
Add dimensions to RW lines	8-83
X	
Conform to HF	4-1-91
Conform to HF	5-8-91
Conform to HF	6-10-92

No.	Grantor	Area Acquired (A.C.±)			Type	Recordation			Remarks
		Total	R/W	Excess		Date	Book	Page	
1.01	Estella Marie Turner et al	4.937			F	7-14-41	1052	15	
1.02	Theodore J. Bankendorf et ux	21.191			F	11-17-37	849	409	



No.	Grantor	Area Acquired (A.C.±)			Type	Recordation			Remarks
		Total	R/W	Excess		Date	Book	Page	
1.02	Theodore J. Bankendorf et ux	21.191			E	11-17-37	849	409	
1.03	Hein W. Hawkins	8.275			E	8-23-38	892	87	
1.04	Wm. Logan et ux	3.891			E	6-4-42	1101	75	
46714-1	Lester Holmes et ux	0			E				
46714-2	Connie Sanders	18.951			E				





IV. SCL. 5 C II 29
 J. H. Thompson
 October 25, 1937
 Fred Brown

THEODORE J. BENKENDORF ETI UX.

AS BUILT PLANS

Contract No. _____

Date Completed _____

Document No. 4000714

Construct Side Road

Sta. 95+80 to 97+52 on Lt.
Place 2 Timber Guide Posts

Sta. 98+87 to 99+25 on Lt.
Place 2 Timber Guide Posts

Sta. 94+25 to Sta. 99+25 on Lt.
Place # Timber Guide Posts
@ 50' Ctrs.

B.M. No. 11-A
Nail in End of Log
420' Lt. Sta. 96+70
Elev. 1172.23

B.M. 11-C
Spike in 4" Oak
90' Lt. Sta. 99+40
Elev. 1172.17

THEODORE J. BENKENDORF ET UX.

Grade of Road Lt.
Sta. 94+00

