

**RESOLUTION ACCEPTING AND APPROVING THE DEED OF
CONSERVATION EASEMENT BETWEEN ADAMS COUNTY AND CASTLE
HILLS CORPORATION FOR THE 38TH & TOWER PROPERTY**

WHEREAS, Adams County voters approved an Open Space Sales Tax on November 2, 1999, to be used in accordance with Resolution 99-1; and,

WHEREAS, the City of Aurora received an Open Space Sales Tax grant on November 13, 2018 for the acquisition of the 38th & Tower property, which is approximately 2.7 acres in size and located along the High Line Canal; and,

WHEREAS, pursuant to the Open Space Sales Tax Policies and Procedures, upon acquisition of the 38th & Tower property, a conservation easement is required to be placed on the property to preserve passive use of the property in perpetuity; and,

WHEREAS, the City of Aurora has a restriction that does not allow any interest in parks or open space land to be sold once it has been acquired; and,

WHEREAS, the City of Aurora has arranged for the seller, Castle Hills Corporation, to grant the conservation easement prior to selling the property to the City of Aurora; and,

WHEREAS, the seller has set a closing date for the property and wishes to encumber the property with a conservation easement prior to the property being purchased by the City of Aurora; and,

WHEREAS, the City of Aurora has requested that Adams County holds the conservation easement; and,

WHEREAS, Adams County wishes to accept the conservation easement; and,

WHEREAS, the conservation easement will be effective as of the date that the easement is recorded with the Adams County Clerk and Recorder.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Deed of Conservation Easement between Adams County and Castle Hills Corporation for the 38th & Tower property, a copy of which is attached hereto and incorporated herein by this reference, is hereby accepted and approved.

BE IT FURTHER RESOLVED, that the Chair is authorized to sign said Conservation Easement on behalf of Adams County.

BE IT FURTHER RESOLVED, that Parks and Open Space Department staff is authorized to sign any non-contractual documents necessary to achieve acceptance of the conservation easement.