

Quincy Farm Management Plan

4400 East Quincy Avenue, Englewood, Colorado 80113

October 12, 2020



Prepared for Colorado Open Lands and Cherry Hills Village
Prepared by Natalie Anderson

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I. Introduction

a. Background

Catherine H. Anderson (“Cat”) generously gifted Quincy Farm (the “Property” or the “Farm”) to the City of Cherry Hills Village (“CHV”). She also protected the 17.5 acre Property in perpetuity by donating to Colorado Open Lands (“COL”) a Deed of Conservation Easement recorded on December 18, 2007 at Reception No. B7157828 in the Office of the Clerk and Recorder of Arapahoe County, Colorado (the “Conservation Easement”). (Capitalized terms used in this Plan shall have the meanings assigned to them in the Conservation Easement.) Upon Cat’s passing on June 2, 2016, the City of Cherry Hills Village took possession of Quincy Farm.

Since then, Cherry Hills Village and its Quincy Farm Committee have undertaken significant work to study and document the current conditions of the Property, to understand the possibilities for future use, and to identify the various stakeholders and the potential resources that may be available to realize this vision. The reports compiled by CHV include historic structure assessments (“HSAs”), building and engineering inspections, and studies of the trees and pond on the Property.

Additionally, CHV made upgrades to the Property and its infrastructure, including tree trimming, connecting the Property to the city sewer system and putting in a new irrigation system. They made additions to enhance the wildlife habitat and natural features of the Property, such as plant select and pollinator gardens, which will continue to be cared for and maintained. Many of these improvements have been made possible by generous donations from the Cherry Hills Land Preserve (“CHLP”) and grants from Arapahoe County Open Space.

CHV has also hosted programming and educational activities in partnership with non-profit organizations such as the CHLP and the Denver Audubon. Most recently, the Quincy Farm Committee has worked to draft a Master Plan for the Property, which outlined potential uses of the Property. These organizations and numerous other individual volunteers have contributed their time, energy and expertise to Quincy Farm, which has been invaluable in shaping this new Management Plan and continuing to protect and conserve Quincy Farm in perpetuity.

b. Management Plan Purpose

This new Management Plan (“Plan”) has been prepared by Natalie Anderson to detail proposed uses and management of the Property in consideration of a potential transfer of the Property from Cherry Hills Village to a newly formed family entity. While the structure of this entity has not yet been finalized, it will include the participation of multiple members of the family who share in a commitment to upholding the Conservation Easement, and preserving and protecting the Property in honor of Cat.

The Conservation Easement provides that the farm, “.. shall be managed in accordance with a ‘Management Plan’ which shall be prepared by Cherry Hills Village, and approved by Grantee [Colorado Open Lands], within one (1) year after termination of the Life Estate”. Pursuant to the Conservation Easement, the Quincy Farm Committee of CHV drafted a Management Plan for Quincy Farm in 2017. Many elements of this Plan are borrowed from and

build upon the significant work that has been performed up to this point by Cherry Hills Village including the 2017 Management Plan.

This Plan provides requirements for the present and future management of Quincy Farm, in accordance with the Conservation Easement to preserve and protect the Conservation Values of the Property as described in the Conservation Easement and the Baseline Report.¹ All activities permitted by and described in this Plan must also meet all of the requirements set forth in the Conservation Easement, regardless of whether such requirements are explicitly set forth in this Plan, including any required approvals of COL. The inclusion of an activity or use within this Plan does not obviate the need for the approval of COL where such approval is expressly required by the Conservation Easement.

c. Mission Statement

Our mission is to manage Quincy Farm for the purpose of preserving and protecting the Conservation Values while honoring Catherine Anderson's gift and vision.

Our goals are to promote the following in the setting of a historic farm:

- Land stewardship and wildlife habitat preservation
- Community connection
- Education of the next generation
- Appreciation for Colorado's natural and human history

d. Conservation Values

The purpose of the Conservation Easement is to preserve and protect in perpetuity the Conservation Values of the Property, and all current and future activities on the farm outlined in this Plan will also be carried out to achieve this purpose. The Conservation Values are:

- Public Recreation or Education
- Relatively Natural Habitat
- Open Space
 - Scenic enjoyment
 - Significant public benefit
- Historic

¹ A baseline report was generated to detail the conditions of the Property upon granting of the Conservation Easement in 2007. This report was updated again in 2012. See Appendix for a comprehensive list of available supporting documentation.

II. Property Description

a. Summary Information

Quincy Farm is a traditional agricultural parcel in a suburban setting. The Conservation Easement divides Quincy Farm into three sections: the East Area, the West Area and the Canal Area. The division between East and West is created by the High Line Canal, which bisects the Property. These areas are outlined in the Quincy Farm Area Map on page 7. The Property consists of nine structures: three residences, a detached garage, two barns, horse stalls, a chicken coop and a pump house.² These buildings are surrounded by open pastures, an irrigation pond, and a diversity of native and non-native trees and shrubs.

Quincy Farm was listed in the National Register of Historic Places in April 2007. The Farm is designated as a district, historically significant for both agriculture and architecture. The majority of the structures, as well as other elements of the farm, are considered historically important. It is one of the last farms in the area that has retained its integrity, maintaining its collection of agricultural buildings and pastures dating from the 1930's.

The Farm's open lands are also important as natural areas. The Property's mature trees, riparian zones, wetlands, and pond create an urban wildlife habitat, providing food, shelter, breeding grounds, and migration corridors for various bird species. The High Line Canal Trail which bisects the Property is used by hundreds of people every day for walking, hiking, bicycling and horseback riding. Trail users are able to experience this refuge of nature remaining in an urban space, often spotting wildlife from the trail around the farm.

b. Conservation Easement Permitted Uses

The Conservation Easement provides that the West Area will be managed primarily as a natural area with limited public access for Preservation Uses and Agricultural Uses. The East Area shall be managed for Preservation Uses, Recreational Uses and Agricultural Uses. The Preservation Uses, Agricultural Uses and Recreational Uses are described in the Conservation Easement as follows:

Preservation Uses.

The Parties intend that the Property remain in its substantially open condition with trees, grassed areas, gardens and the pond, and that only the permitted structures described herein shall be constructed or maintained on the Property. The Property, and the structures permitted thereon, may be used as a nature preserve, for historic preservation and interpretation, for gardens, for private and public meetings, gatherings and celebrations, for classes and education, for photography, painting and other artistic endeavors, and such other uses as help to preserve the Property and instill an appreciation and respect for the natural and human history of the vicinity (collectively the "Preservation Uses").

² See Page 7 for a Detailed Site Map of these features.

Recreation Uses.

Low-impact recreational uses such as bird watching, hiking, horseback riding and cross-country skiing are permitted on the Property; bicycling is permitted only on the Canal Area of the Property. Public Use of the Canal Area is permitted subject to the terms of the Denver Water Easement. These uses are referred to as the “Recreational Uses”.

Agricultural Uses.

The Property may be used for agricultural purposes, subject to the limitations in this Easement. All agricultural uses shall be conducted using stewardship and management methods that preserve the natural resources upon which agriculture is based. Long term stewardship and management goals include preserving soil productivity, maintaining natural stream channels, preventing soil erosion, minimizing invasive species, and avoiding unsustainable livestock grazing practices. The construction and maintenance of agricultural ditches, stock ponds or other agricultural water features is permitted. Maintenance of the Highline Canal in accordance with the Denver Water Easement is permitted. Maintenance of the pond is permitted. These uses are referred to as the “Agricultural Uses.”

c. Zoning

Quincy Farm is currently zoned O-2, “The Open Space, Conservation and Historic Area Zoning District”. This Zoning District was established on August 16, 2016, pursuant to Ordinance No. 6, Series 2016 specifically for Quincy Farm, and Quincy Farm is the only property in Cherry Hills Village subject to this zoning. The ordinance states in relevant part, “The purpose and intent of this Article is to establish a new zoning district that promotes conservation values and historic preservation of properties owned or leased by the City and provides for development, maintenance and operation of such properties consistent with the Master Plan and semi-rural character of Cherry Hills Village.

Permitted uses are as follows:

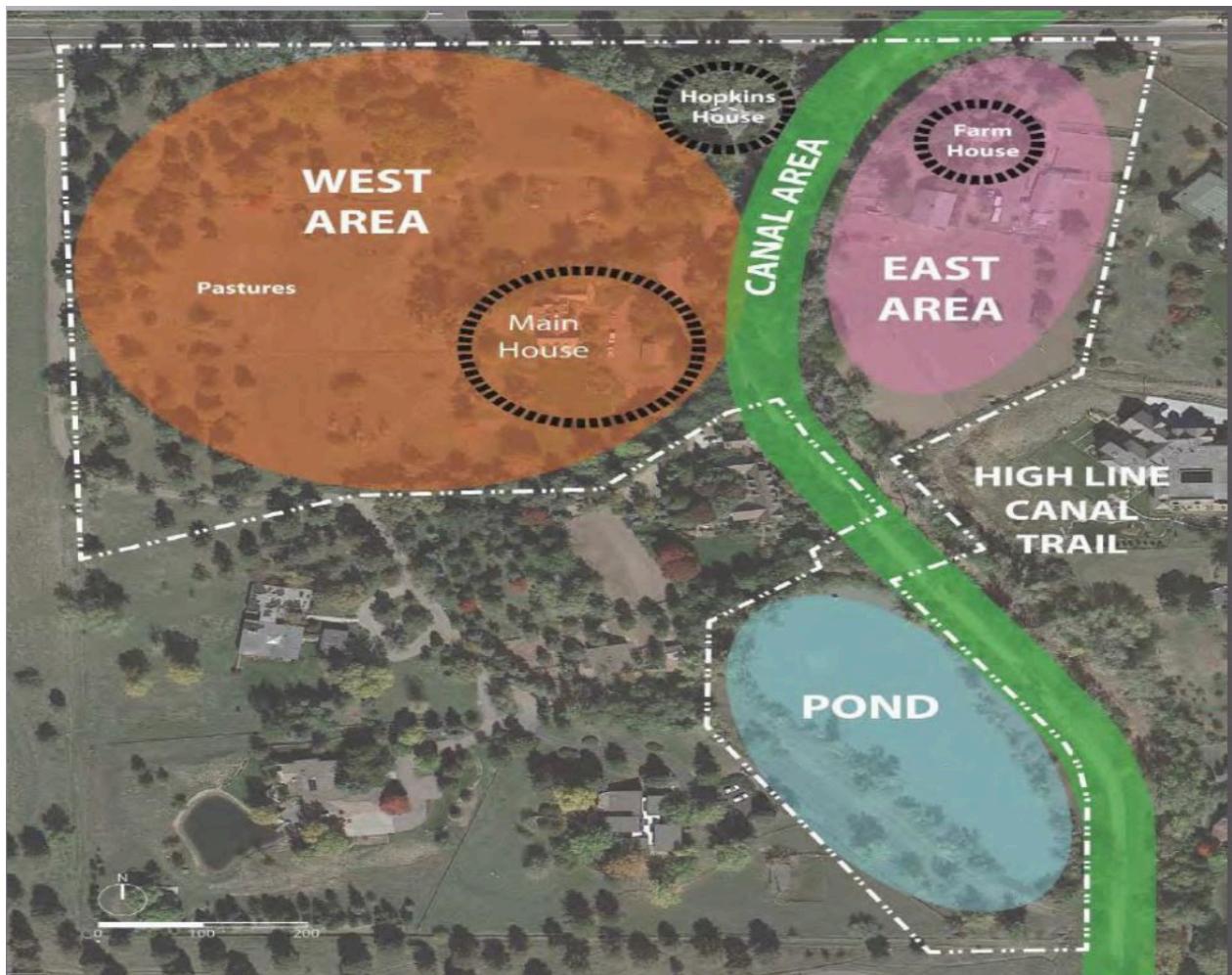
Sec. 16-11-120. Permitted uses

The following uses shall be permitted in the O-2 District:

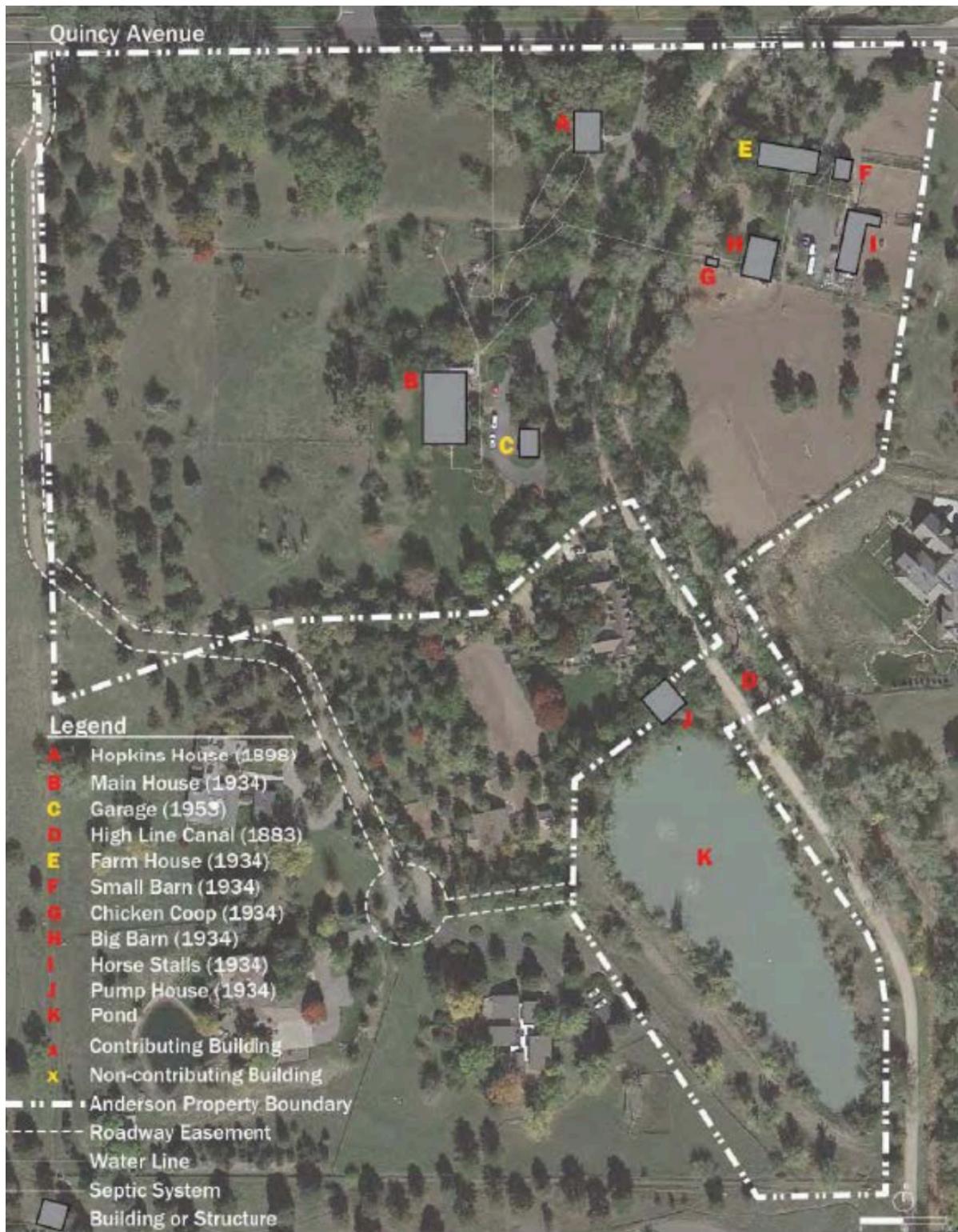
- (1) Unimproved open space and wildlife habitat.
- (2) Bridle and pedestrian paths and trails.
- (3) Irrigation canals, ponds and similar uses.
- (4) Agricultural uses and facilities, including conservation of agricultural resources and structures, and equestrian uses and facilities, when operated by a nonprofit entity, including keeping, raising and boarding livestock and horses.
- (5) Single-family dwellings and caretaker's dwellings associated with historic use of properties or maintenance operations of properties.
- (6) Community, educational, cultural and recreational facilities and activities.
- (7) Museums, public libraries and galleries when operated by a nonprofit entity.
- (8) Government and nonprofit offices.

a. Quincy Farm Maps

i. Quincy Farm Area Map



ii. Quincy Farm Detailed Site Map



*Note that since the creation of this map the Septic System has been replaced with a connection to the City Sewer System.

b. Current Property Uses

i. Residential Leases

At the time of drafting of this Plan, there are three single family residences on the Property, one of which, the Hopkins House, has been leased as caretaker residence through December 14, 2022 (the “Residential Lease”). Lessee is responsible for providing routine maintenance of the Premises, repair and maintenance of the furnace, hot water heater, air conditioner, stove, refrigerator, and all other appliances. Lessee pays all utilities furnished to the premises including, electric, gas, water, sewer, phone, refuse disposal, and all other charges incurred by the tenant.

III. Property Management

a. Planning for Future Uses

i. Plan for East Area

The East Area will be managed primarily for preservation uses and agricultural purposes based around a Community Supported Agriculture (“CSA”) farm which will provide significant opportunities for programming, educational activities and volunteering, further strengthening the connection between the community and the Property. These opportunities are more thoroughly detailed in the “Programming and Educational Opportunities” section on this Plan on page 12 and in the Cherry Hills Land Preserve Collaboration memorandum on page 14.

Under this structure, members of the community will have the opportunity to purchase seasonal “shares” from the CSA by making an upfront payment at the beginning of each growing season. In return, they will receive weekly boxes of freshly picked vegetables, fruits or other products such as honey that are produced on the farm. The CSA may also partner with other local producers to provide herbs, meats, eggs, dairy, cut flowers, and other products in the boxes. CSA members eat healthy, sustainably produced food and have the satisfaction of knowing where it came from and how it was grown.

Additionally, small farm animals such as chickens, goats, ducks and donkeys may be kept on the Property. Efforts will be made to adopt these animals from local rescues where possible. The house in the East Area of the Property will be used as a residence for a caretaker that will support the agricultural operations, provide general maintenance and upkeep of the Property and care for any animals.

ii. Plan for West Area

The West Area will be managed primarily as open space and wildlife habitat and some low-impact agricultural and programming activities will be undertaken. These activities are more thoroughly detailed in the “Programming and Educational Opportunities” section on this Plan on page 12 and, but shall be limited in scope and impact as to be consistent with the Conservation Easement.

The pastures within the West Area of the Property will be hayed in a manner consistent with historical practices. In the future orchards may be planted to support farming operations within the East Area of the Property and farm animals may be grazed in the pasture areas. There is currently one bee hive in the West Area, and additional bee hives may be added. Local organizations may be engaged to work to improve wildlife and pollinator habitat. The Hopkins House is subject to a Residential Lease through December 14, 2022 and in the near term, the Main Residence will also be used as an owner's and caretaker's residence.

b. Maintenance and Land Management

i. Structures and Fences

The priority for structures and fences is to perform any necessary repairs and address deferred maintenance needs. No buildings or structures will be removed or demolished. Some of the signage in the West Area and the fence style in the pasture will be evaluated and may be removed to return the area to a more natural state, consistent with the Farm's history. A variety of historic site assessments and general property inspections have been performed by Cherry Hills Village which provide a valuable foundation to prioritize these tasks. Once cost estimates are obtained and potential funding sources are identified, this work will begin, focusing first on the East Area, then the Main Residence and the pond, and finally the Hopkins House.

Prior to constructing, installing or placing any new structures or improvements on the Property, the Property owner will update this plan in accordance with the Conservation Easement. Pursuant to the Easement, "If any improvements are replaced or enlarged in a manner not requiring Grantee's approval, Grantor shall notify Grantee of the replacement or enlargement so that its records may be updated." There are currently no plans to install or place any new structures, except that the owner may install fencing between the pond and the Highline Canal for safety and property management purposes using materials permitted by the Conservation Easement.

ii. Pond

The irrigation pond abutting the High Line Canal is man-made. The pond is used primarily for irrigation water storage, but also provides wildlife habitat and is aesthetically pleasing for users of the High Line Canal Trail. The pond surface area is approximately 1.5 acres, and in most areas, the pond is 4 feet deep or less. There is no water right associated with the pond and the water level in the pond is maintained by water pumped from Anderson Well No. 1. Water delivered from the Highline Canal pursuant to Highline Canal and Antero Reservoir Water rights can be diverted into the pond and held there for a maximum of 72 hours, before being used to irrigate the Property. However, water delivered by the Highline Canal is not typically diverted to the pond, but instead diverted directly for use flood irrigation, as the silt carried by the canal tends to accelerate siltation problems in the pond.

A detailed Pond Assessment Report was conducted in both 2012 and 2017. The pond assessments revealed areas for improvement in water quality, aquatic species health, vegetation and habitat around the pond, and general pond condition and sustainability. The pond will continue to be used as an irrigation source for the Property, using water from existing deep well and surface water rights from the Highline Canal. The findings from the pond assessments will

be explored in more detail to understand potential methods for improving pond health and stability, water quality, the urgency of such work and associated costs.

Potential Funding Sources:

There are a variety of private and public organizations that provide funding for water projects that may be available to fund part or all of the pond improvement project. Funding sources previously identified include:

- Statewide Water Supply Initiative (“SWSI”): Administered by the Colorado Water Conservation Board, the SWSI provides loans and grants for public and private entities to perform structural and nonstructural water projects for consumptive and non-consumptive water needs.
- Great Outdoors Colorado (“GOCO”): GOCO provides grants to preserve and enhance Colorado’s wildlife, parks, rivers, trails and open space.
- Colorado Wetlands for Wildlife Program (“CWWP”): This collaborative and incentive-based program through the Colorado Division of Parks and Wildlife provides funds to restore, enhance, and create wetlands and riparian areas in Colorado.

iii. Water Rights

A detailed analysis of the history and ownership status of the water rights associated with the Property was completed by Melinda Beck, Esq. in 2017. In summary, there are two wells on the Property, along with High Line Canal water rights and Antero Reservoir Acre-Shares, which are both delivered via the High Line Canal. All efforts will be made to ensure the successful transfer of these water rights with a transfer of the Property.

The Anderson Well No. 1-P 8284 is located in the south west corner of the Property near the pond. The source is the Laramie Fox-Hills aquifer and the well is 1,888 feet deep. The water pumped from this well is discharged into the pond. The pump house next to the pond delivers water from the pond to the sprinkler irrigation system.

The Anderson Well No. 2-P 8283 is located north of the Main Residence within the West Area of the Property. The source is the Arapahoe Aquifer and the well is 797 feet deep. The original Decree allows use of .069 cubic feet per second for domestic use. This well was originally used for in-house water use but after the houses on the Property were connected to Denver Water’s potable supply, this well was no longer used. This well has not been used in many years, and the condition of the well and pump are unknown. The owner may take any steps necessary to restore this well and pump and to cause a change of the use of the well, if necessary, to agricultural use for farming and other agricultural purposes on the Property.

IV. Community Benefit and Community Supported Agriculture Farm

a. Summary Information

Of utmost importance is the fact that the plans for a CSA on Quincy Farm are consistent with the Conservation Easement and provide an exciting benefit for Cherry Hills² residents. The Property will become an important part of the Village as well as a source of pride as Quincy Farm grows into a fully functioning working farm again which is unique to any suburban or urban setting and neighborhood. Every year the citizens of the Village, as well as anyone else, will be able to benefit, support and participate in the farming when they purchase shares in that year's crops. To have such close access to organically grown produce and participate in the growth of farming on the Property is a significant community opportunity.

In addition to organic produce being grown on the Property, there will be flower gardens for bouquets, multiple beehives for the production of honey, chickens for eggs, as well as the potential for small farm animals – goats, sheep or ponies for example. Along with the availability of organic produce, eggs, honey, flowers, etc. the Property will offer volunteer opportunities for those wishing to learn and engage in farming practices. There will be year-round education and activities coordinated with the Cherry Hills Land Preserve, and opportunities for Kent Denver, St. Mary's Academy, Cherry Hills Village Elementary, West Middle School, and the National Register of Historic Places to name a few. The Property may also host one or more intimate farm-to-table events during the year.

b. Public Access

The Property will not be open to the public to drop in, but will be open for scheduled volunteer days, planned activities, events and educational programming. All farming and other activities, including the operation of machinery will be conducted in compliance with applicable federal, state and local laws, regulations and ordinances. We will work with the immediate neighbors and the community at large to create a harmonious relationship. The specific number of activities per year and the number of permitted attendees will be determined later as the planning process evolves in collaboration with COL and the surrounding neighbors.

c. Programming & Educational Opportunities

There are unlimited opportunities for Quincy Farm to become a resource for education on multiple levels for children as well as adults, which is one of the goals of the CSA. For example, The National Register of Historic Places has a successful program called "Teaching with Historic Places" ("TwHP") which is a series of lesson plans along with place and service-based learning resources produced by the National Park Service. Since Quincy Farm is listed twice on the National Register, multiple opportunities open up for education and community involvement with the farming history of Quincy Farm as well as creating avenues for understanding the role of farming in America in previous centuries.

The land also offers unlimited possibilities for educational opportunities working with Kent Denver. We have had an initial meeting with the school administration to explore future possibilities. For example, Quincy Farm could host science classes studying the pond, an environmental studies class discovering the effects of global warming on the Property and its

resources, or students working as volunteers on the Property and CSA farm. Cherry Hills Elementary, West Middle School and St. Mary's Academy would be other schools in the area that could take advantage of planned programming with the Property.

The Cherry Hills Land Preserve is another valuable resource for planned education. The programs will be planned a year in advance so all those entities who wish to take advantage of the opportunities available will be able to participate. The scheduling of programs will follow the Property's activities at a particular time of the year – for example in the spring during planting season, education will be centered around that general theme, the summer solstice offers more chances for education, as well as the growing season, harvest, etc. The schools and the Land Preserve will be able to originate ideas and present programming suggestions that tie in with their curriculums and plans.

The CSA will also offer its own brand of education in the way of fun opportunities to learn about how to prepare vegetables grown on the Property that appear in their weekly share - vegetables with which people may not be familiar. Different chefs throughout the summer could give demonstrations on preparing delicious meals using produce from the Farm. Additionally, educational and programming activities could relate to the animals living on the Property: ranging from how to care for them and what their role is on the Farm, to simply providing the community with opportunities to commune in a peaceful space with animals. The exciting aspect of education, programming and classes is that as the Farm grows, so will the programming and education because new ideas will present themselves with each new growing season.

i. Cherry Hills Land Preserve Collaboration Memo



October 6, 2020

To: Natalie Anderson

From: Janney Carpenter

Re: DRAFT FOR DISCUSSION - Collaboration Opportunities Between Quincy Farm & CHLP

The Cherry Hills Land Preserve (CHLP) believes Cat Anderson's conservation easement on Quincy Farm creates a critical community benefit by preserving open land, protecting wildlife habitat, and inspiring conservation for generations to come. We enthusiastically embrace this gift and are poised help the community realize this benefit. This draft memo summarizes our goals and outlines some ideas for how we might collaborate together to achieve our mutual goals. We look forward more fully exploring these exciting opportunities.

As a community nonprofit with a conservation and education mission, CHLP seeks to:

- Support the best possible management and legal structure to achieve the conservation stewardship and community benefit goals of Quincy Farm;
- Align the strategic interests of the family, the City, and the Cherry Hills Land Preserve to design a sustainable, long-term model;
- Support the conservation and education goals of Quincy Farm through community education programs, volunteer learning opportunities, and targeted fundraising;
- Partner with Quincy Farm to achieve our mission of preserving open lands, protecting rural character, and inspiring land stewardship through education, with a specific focus on preserving wildlife habitat and providing education programs to inspire lifelong conservation action.

Collaboration Opportunities

CHLP would like to partner with Quincy Farm to:

1. Provide nature and wildlife education programs for our community and inspire all ages to learn, explore, and protect natural open space and wildlife habitats;
2. Serve as a focus for our annual Impact Project to demonstrate conservation-minded leadership in the community (e.g. 2021 Bee Project)
3. Create volunteer learning opportunities related to nature and sustainable agriculture;
4. Provide targeted fundraising to support education programs and conservation mission of Quincy Farm.

Proposed Education Programs in 2021

CHLP provides nature and conservation education programs through (1) Kids in the Creek family programs and activities, (2) guest speakers on conservation topics and issues, (3) an annual conservation impact project. In 2021, we propose collaborating with Quincy Farm on the following:

- Education Programs:
 - Birding & Wildlife Habitat Walks with Denver Audubon (usually 3x year)
 - Stargazing and Dark Skies
 - Amazing Owls & Why Habitat Matters
 - Speaker Series (on conservation topics or Nature & Arts series)
 - Possible Programs related to QF CSA activities (e.g. composting 101, chickens 101, etc.)
- 2021 Bee Project: A series of programs to make CHV a pollinator-friendly community, supporting bees and native pollinators with measurable outcomes.
 - Kickoff event: Why Bees and Pollinators Help CHV Thrive (October 2020)
 - Spring *Bioblitz* coordinated with the national Spring 2021 City Nature Challenge and Denver University faculty to gather baseline data
 - Backyard Bee Experts Social (Gather local beekeepers & PPAN, Pollinators & People Action Network)
 - Place beehives at Quincy Farm and hire a beekeeper to maintain them, producing Quincy Farm honey and volunteer learning opportunities.
 - Spring & Summer programs on biodiversity, natural habitat, and pollinators
 - Follow-up *Bioblitz* with Denver University to gather Fall data.
- Farm Volunteer Days – Engage community volunteers for specific supervised projects like weeding & planting gardens, composting, harvesting, chickens, etc. (perhaps in conjunction with a limited number of community days).

Targeted Fundraising

- Raise funds to support CHLP education programs and education-related assets we would use on the Farm;
- Raise funds through our earmarked *Friends of Quincy Farm Fund* to support the QF conservation values identified in the conservation easement, subject to legal advice and approval (e.g. pond restoration, habitat restoration, etc.);
- Hold community-building events that raise funds and awareness for CHLP and conservation-minded land ownership.

Memorandum of Understanding

- We look forward to developing an MOU between Quincy Farm and CHLP to confirm our mutual intention to collaborate for environmental education programs and community engagement.

ii. Cherry Hills Land Preserve Programming & Education Calendar

Cherry Hills Land Preserve 2021 Preliminary Program Calendar

Cherry Hills Land Preserve 2021 Preliminary Program Calendar

Nature Education Programs

- Kids in the Creek Family Programs:
 - Publish CHLP Field Guide
 - Sunday Bird Walks at Quincy Farm (2/year, with Denver Audubon)
 - Presentations on Wildlife & Conservation:
 - Amazing Owls & Why Habitat Matters
 - Exploring Creeks & Finding Critters (with Denver Audubon)
 - Local Raptors and Talon Talk
 - Stargazing at Quincy Farm
 - Trail Walk or Fall Adventure (with partner conservation organizations)
 - Christmas Bird Count (help Denver Audubon volunteers)
 - Scavenger Hunt to Explore John Meade Park? (with PTRC)
- Speaker Series:
 - Conservation in Colorado: Panel on Wildfire Impacts on the Front Range
 - Conservation & Culture: TBD (Nature in Art, Young at Art, Biomimicry & Innovation?)
 - Backyard Bee Experts: Tips & Tricks for Backyard Beekeeping
- 2021 Bee Project (in collaboration with Quincy Farm):
 - Kickoff Fall 2020: Bees and Biodiversity – Why Native Pollinators Help Us Thrive
 - Garden Planning: Healthy habitats, Healthy pollinators
 - Pollinator Pledge – how YOU can support local bees & pollinators!
 - Spring and Fall Pollinator Bioblitz – Baseline data at Quincy Farm using iNaturalist platform
 - Quincy Farm Beehives: Beekeeping & building healthy ecosystems
 - Volunteer Project: Pollinator Habitat Restoration at Quincy Farm
- Community Grants Program:
 - 50% to local schools and nonprofits for projects on local biodiversity and water quality
 - 50% to partner organizations expanding access to nature programs for underserved youth

Draft Calendar by Month

January

- Annual bird count with Denver Audubon (Refreshments/warm up provided at QF)

February

- Garden Planning – Healthy Habitats, Healthy Pollinators (with CSU and Habitat Heroes) QF?

March

April

- Speaker Series: Wildfire Impacts in Colorado (3-person panel)

May

- Spring Bioblitz at Quincy Farm (with DU professor & National City Nature Challenge (4/30 – 5/9)
- 1st Sunday Bird Walk at Quincy Farm (QF)
- Distribute new CHLP Field Guide (late May)

June

- Volunteer Day at Quincy Farm – Pollinator habitat restoration project (QF)
- Volunteer Day at Quincy Farm - Composting 101: Helping pollinator gardens thrive (QF)
- Donor Reception – Armstrong residence or other residence

July

- Exploring Creeks & Finding Critters (Woody Hollow Park)
- Speaker Series: Backyard Bee Experts

August

- Fall Bird Walk – Birds & Conservation (Denver Audubon)
- Self-led Scavenger Hunt – John Meade Park? (with PTRC?)

September

- Barn Party fundraiser at Rady Barn
- Trail Walk (signature fall event with local conservation organizations and learning stations)

October

- Fall Pollinator Bioblitz (with University of Denver) - QF
- Fall Speaker Series - QF?

November

December

2018

V. Letters of Support and Community Endorsement

Letters of Support

To be included in packet.

List of Community Endorsement

To be included in packet.

VI. Frequently Asked Questions

Q. What is a conservation easement?

_____ A conservation easement is a legal agreement between a landowner and an eligible entity that restricts the activities that may take place on the land in an effort to protect the land's conservation values. The legal definition of a conservation easement is a less-than-fee, nonpossessory property interest in land, created by deed conveyance, held by a third party (usually a land trust or government entity), which, to protect certain conservation values, imposes permanent restrictions on the use of land through negative limitations or affirmative obligations.

Q. What is the effect of a change of ownership on the conservation easement?

_____ A landowner's covenants regarding the rights and obligations expressed in the conservation easement run with the land, meaning they stay with the property over time to bind future landowners, perpetually. Therefore, even if ownership of Quincy Farm were to be transferred to another entity, the Conservation Easement would continue to be in effect.

Q. Who is the "grantor" and how does the Easement read after a transfer of the underlying property?

The Grantor is Catherine H. Anderson and the Grantee, who holds the Easement is Colorado Open Lands. Because a transfer of the ownership of the Property to Cherry Hills Village was contemplated at the time of the drafting of the Easement, there are also references to CHV in the Easement.

Pursuant to Section 13 of the Easement, "The provisions of this Deed that apply to Grantor or Grantee shall also apply to their respective agents, heirs, executors, administrators, assigns, and all other successors as their interests may appear; provided, however, that each party's rights and obligations under this Easement shall terminate (as to such party, but not as to such party's successor, who shall be bound as provided herein) upon a transfer of the party's entire interest in this Easement or the Property, except that liability of such transferring party for an act or omissions occurring prior to such transfer shall survive the transfer."²

This means that if the Property is transferred at any time, all rights and obligations of Grantor as stated in the Easement would apply to the new owner of the Property. This includes sections that refer to CHV. For example, the Easement states that CHV is required to submit a management plan to COL within one year of after termination of Catherine H. Anderson's life estate, for approval by COL. However, the requirement to prepare a Management Plan will become the obligation of any new owner.

Q. Under what circumstances can a conservation easement be terminated?

_____ Under Colorado Law, an easement may only be terminated under two circumstances, if a court determines that all conservation values of the Property have been destroyed, and it is impossible to fulfill the conservation purposes of the easement, or if the property itself is condemned by a public authority. The relevant statute states:

If it is determined that conditions on or surrounding a property encumbered by a conservation easement in gross change so that it becomes impossible to fulfill its conservation purposes that are defined in the deed of conservation easement, a court with jurisdiction may, at the joint request of both the owner of property encumbered by a conservation easement and the holder of the easement, terminate, release, extinguish, or abandon the conservation easement. If condemnation by a public authority of a part of a property or of the entire property encumbered by a conservation easement in gross renders it impossible to fulfill any of the conservation purposes outlined in the deed of conservation easement, the conservation easement may be terminated, released, extinguished, or abandoned through condemnation proceedings. A conservation easement in gross for which a Colorado state income tax credit has been allowed may not in whole or in part be released, terminated, extinguished, or abandoned by merger with the underlying fee interest in the servient land or water rights. Any release, termination, or extinguishment of a conservation easement under this section must be recorded in the records of the office of the clerk and recorder in the county where the conservation easement is located. (C.R.S. § 38-30.5-107)

Q. Who is responsible for enforcing the terms of the conservation easement?

When an easement holder and landowner sign and record an easement, the landowner conveys the right to enforce these restrictions to the holder, in this case Colorado Open Lands. This is a critical obligation for Colorado Open Lands, who must defend and enforce the Conservation Easement against any owner who violates its terms.

Q. What is a management plan?

____ Certain conservation easements require that the property be managed and operated in accordance with a management plan, which is prepared by the owner of the property. This plan is submitted to the grantee of the conservation easement, the conservation organization that holds the easement, for its approval and updated as necessary under the terms of the specific conservation easement. In this case, the Conservation Easement requires a management plan for the Property to be approved by the owner of the Property and Colorado Open Lands. This Plan has been submitted to Cherry Hills Village in anticipation of a potential transfer of the Property for the benefit of the City in its decision-making process. If a transfer does take place, the Plan will be submitted to Colorado Open Lands for its approval.

VII. Appendix: (Materials referenced in this document that are available upon request)

- b. Baseline Report(s): (First generated in 2007, and updated in 2012)
- c. Deed of Conservation Easement
- d. Cherry Hills Village Management Plan
- e. Pond Assessments #1 and #2