



Parks & Open Space

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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, January 26, 2023

TO: Parks & Open Space Advisory Committee
FROM: Janis Whisman, Real Estate Division Manager
AGENDA ITEM: 2022 Real Estate Division Accomplishments
ACTION REQUESTED: Recommendation to the BOCC

For much longer than Parks & Open Space's history of stewarding open space, the land in this community has been important to the diverse Indigenous communities that continue to thrive here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.

This memo summarizes the Real Estate Division's 2022 accomplishments.

Acquisitions

The Real Estate Division is working with willing landowners on approximately 100 acquisition projects at any given time. These projects include new acquisitions and conservation easement amendments.

In 2022, Boulder County invested a net of \$18,809,595 to acquire a net of 1,615 acres. This included completing grant requirements and receiving \$1,250,000 in reimbursement from Great Outdoors Colorado for the 2020 Tucker acquisition. The county completed 16 acquisition projects that included three new fee properties, five new conservation easements, five conservation easement amendments, and 70 shares of priority agricultural water rights in the Goodhue, Highland, and Leyner-Cottonwood ditches. The year's most significant acquisitions were:

- **Camp Tahosa CE:** We acquired two conservation easements over 318 acres. One CE covers the land north of Beaver Reservoir Road and the other covers the land south of the road. Camp activities are allowed to continue. The CEs protect the undeveloped portions of the property and Tumblesom (a/k/a Tumbleson) Lake.
- **Bald Mountain and Heil Valley Ranch State Land Board Property:** We acquired fee title to these two properties, which have been long-time acquisition priorities. The county has been leasing the bulk of the Bald Mountain property since 1973 and the Heil Valley Ranch property since 1998. Heil Valley Ranch was the poster property for the 1993 passage of the first open space sales tax, and this acquisition protects the final 586-acre interior of the ranch from development.
- **Rademacher Farm Water:** We acquired 6 units of Highland Ditch water for irrigation use on open space. We also 'loaned' our land officer negotiating skills to the Boulder County Housing Authority to acquire water it needs for the future Willoughby Corner affordable housing project. In this deal, 184 units of Northern Colorado Water Conservancy District water went straight to the City of Lafayette to be ready for use

when that housing project gets developed. No open space or other county funds were used to acquire that NCWCD water.

Dispositions

The Real Estate Division works on about 50 disposition projects at any given time. These projects primarily include takings and requests for temporary access from authorities with condemnation power over Boulder County. Sometimes we are also working on sales of agricultural open space to tenant farmers subject to county-held conservation easements.

In 2022, Boulder County received \$971,769 in proceeds from takings. The county completed 8 disposition projects that included three non-exclusive easements, one fee title transfer with a conservation easement retained, and four fee dispositions. The year's most significant dispositions were:

- McLachlan: We sold the 73-acre McLachlan property to the City of Longmont. This property lies on the west side of Clover Basin Reservoir (just north of Nelson Road and about one mile west of 75th Street). This fulfilled a city-county partnership to protect the land for open space. The county acquired fee title initially to get the deal done and conveyed the land to Longmont after it had finished paying its portion of the purchase price. The property is now subject to a county-held conservation easement that ensures the property will remain as open space.
- Haley-Macy (Doris)-Smith (Joe)-2022 CDOT Takings: CDOT took several acres of county open space and a conservation easement property at all four corners of the intersection of Highways 52 and 287. CDOT needed this land for making safety improvements to that intersection.

Real Estate Stewardship and Maintenance

As we do every year, our 2022 stewardship and maintenance of real estate included:

- Monitoring several hundred conservation easement properties and resolving violations. (Boulder County holds conservation easements and similar restrictions over 850 private properties.)
- Coordinating the department's response to oil and gas operators' requests for approval to maintain wells on county open space, and also on private land where we assist the Community Planning & Permitting department in providing feedback to operators to minimize impacts to agricultural, real estate, plant ecology, and wildlife resources.
- Coordinating with the State of Colorado's Division of Reclamation, Mining and Safety (DRMS) to close hazardous hard-rock mine openings on county open space. (We typically average about 20 closures annually.)
- Ensuring that only allowed uses of open space occur.
- Maintaining data about the county's ownership of open space.
- Responding to inquiries about the county's open space real estate interests.

Boulder County Parks and Open Space 2021 Closings

Acquisitions										Resulting County Interest/s									
#	Closing Date	Property	Dev. Rights Removed	Dev. Rights Retained by Seller	Acres	Price	Donation Value	Grants	Total Value	Fee	Water Shares/Units	CE Am.	CE Am.	Trail	Other	Land Ofcr	Para-legal	Notes	
1	3/1/2022	Johnstone Farm	0	0	44.95	\$0	\$0	\$0	\$0			1				BP	N/A	CE over parcels SE and SW of Johnstone Farm property.	
2	3/15/2022	Lippincott	12	0	424.00	\$0	\$0	\$0	\$0			1				TB	N/A	County accepted CC&R over the property to satisfy a GOCO Grant to the City of Boulder and Jefferson County for purchasing the property in fee.	
3	4/1/2022	Oreo Farms-2022 CE Amendment	0	0	0.00	\$0	\$0	\$0	\$0				1			TB	LN	No change in acres. CE Amendment to allow for additional 672 sf of ag accessory structures and to reconfigure building envelope.	
4	4/21/2022	Plum	0	0	2.96	\$215,000	\$0	\$0	\$215,000			1				MS	ML	Will become part of City of Longmont McCall Lake Nature Area	
5	4/21/2022	Page (Paul) Water	0	0	0.00	\$93,000	\$0	\$0	\$93,000		31					MS	ML	31 shares of The Leyner-Cottonwood Consolidated Ditch Co.	
6	5/27/2022	Wallace (Debra)*	3	0	110.00	\$1,050,000	\$0	\$0	\$1,050,000	1						SD	KC		
7	8/18/2022	Green Water	0	0	0.00	\$255,364	\$0	\$0	\$255,364		33.164					MS	ML	29.164 shares of Goodhue Ditch Company and 4 shares of FRICO. Price included a pivot sprinkler system.	
8	8/25/2022	Camp Tahosa	8	1	318.00	\$3,000,000	\$0	\$0	\$3,000,000			2				SD	ML		
9	8/25/2022	Rademacher Farm Water	0	0	0.00	\$2,700,000	\$0	\$0	\$2,700,000		6					MS	ML	6 shares of Highland Ditch Company.	
10	8/31/2022	Seyler North & South-CE Amendment	0	0	0.00	\$0	\$0	\$0	\$0			1				MA	N/A	No change in acres. CE Amendment reconfigured the 2 parcels under CE for better property management.	
11	9/15/2022	Telleen-2022 City of Boulder CE Amendment	0	0	0.00	\$0	\$0	\$0	\$0			1				TB	N/A	Former joint city-county project where CE interests were updated.	
12	11/3/2022	Barrett 2-2022 Access Easement Exchange	0	0	0.00	\$0	\$0	\$0	\$0					1		KB	N/A	More direct and developed access to county open space.	
13	12/14/2022	Owen-2022 Restrictive Covenant	0	0	0.00	\$0	\$0	\$0	\$0			1				MA	N/A	No change in acres. RC tied two parcels together.	
14	12/15/2022	Olson-Lot D-2022 CE Amendment	0	0	0.00	\$0	\$0	\$0	\$0			1				MA	EN	No change in acres. CE correction to enumerate correct square footage of existing home.	
15	12/16/2022	Bald Mountain *	3	0	130.15	\$2,878,000	\$0	\$0	\$2,878,000	1						SD	ML	County had leased this property from the State Land Board since 1973.	
16	12/16/2022	Heil Valley Ranch-SLB Parcel*	16	0	586.00	\$10,840,000	\$0	\$0	\$10,840,000	1						SD	ML	County had leased this property from the State Land Board since 1998.	
Totals:			1,616.06		\$21,031,364	\$0	\$0	\$21,031,364	\$0	3	70.164	5	5	0	1				
Grant proceeds:			N/A	-\$1,250,000 GOCO/for Tucker property (2020 acquisition)															
Fee Disposition Acres Only (see below for details):			-1.12	-\$971,769 All disposition proceeds															
Net:			1,614.94	\$18,809,595															

Easement Dispositions <u>Still</u> Part of County Open Space (non-exclusive easements)										Resulting County Interest/s						
#	Closing Date	Property	Dev. Rights Sold	Acres	Sale/Taking Price	Donation Value	Grants	Total Value	Fee	CE Am.	CE Am.	Trail	Other	Land Ofcr	Para-legal	Notes
1	3/30/2022	Sombrero Ranch-2022 City of Boulder Water Pipeline	0	0.402	\$1,608			\$1,608						TB	N/A	Non-exclusive easement for relocation of water pipeline.
2	9/20/2022	Haley-Macy (Doris)-Smith (Joe)-2022 CDOT Takings	0	0.601	\$41,258			\$41,258						DD	KC	CDOT took land for improving the intersection of Highways 52 and 287.
3	11/23/2022	Smith (Joe) CE-2022 CDOT Taking	0	0.032	part of #4 below			\$0						DD	KC	CDOT took land for improving the intersection of Highways 52 and 287.
Total Non-Exclusive Easement Dispositions:			0	1.035	\$42,866			\$42,866	0	0	0	0	0			

Fee Dispositions Subject to County-Held CEs										Resulting County Interest/s						
#	Closing Date	Property	Dev. Rights Sold	Acres	Sale/Taking Price	Donation Value	Grants	Total Value	Fee	CE Am.	CE Am.	Trail	Other	Land Ofcr	Para-legal	Notes
1	3/29/2022	McLachlan-2022 Transfer to Longmont	0	73.46	\$700,000			\$700,000			1			MS	ML	Sold to City of Longmont with county CE.
Total Fee Dispositions Subject to County-Held CEs:			0	73.46	\$700,000			\$700,000	0	1	0	0	0			

Dispositions <u>Not</u> Subject to County-Held CEs										Resulting County Interest/s						
#	Closing Date	Property	Dev. Rights Sold	Acres	Sale Price	Donation Value	Grants	Total Value	Fee	CE Am.	CE Am.	Trail	Other	Land Ofcr	Para-legal	Notes
1	2/16/2022	Liley, Roberts (Simi), Thompson (Tommy), and Valley Investments-2022 Transfer of Management	0	2.34	\$0			\$0						TB	N/A	Transfer of management to Public Works for road improvements and management of ROW. Liley (1.08 acres), Roberts (Simi) (0.29 acres), Thompson (Tommy) (0.67 acres), and Valley Investments (0.3 acres).
2	7/11/2022	Brady (Anne)-2022 Transfer to Salina Community Assn	0	0.59	\$0			\$0						TB	N/A	County transferred the 0.59 acre flood buyout property to the Salina Community Association.
3	9/20/2022	Haley-Macy (Doris)-Smith (Joe)-2022 CDOT Takings	0	1.945	\$163,792			\$163,792						DD	KC	CDOT took land for improving the intersection of Highways 52 and 287.
4	11/23/2022	Smith (Joe) CE-2022 CDOT Taking	0	1.118	\$65,111			\$65,111						DD	KC	CDOT took land for improving the intersection of Highways 52 and 287.
Total Fee Title Dispositions:			0	1.118	\$228,903			\$228,903								
8	Total Dispositions		Total Disposition Proceeds:		\$971,769			\$971,769								

8 Total Deals Completed

4 Temporary Access Requests

28 Projects Completed

* Priority Acquisition