



Parks & Open Space

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PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, April 25, 2024

TO: Parks & Open Space Advisory Committee
FROM: Don Durso, Land Officer
AGENDA ITEM: Alexander Dawson-2024 United Power Easement Taking
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 diverse Indigenous communities that continue to live 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.

Summary

United Power proposes to acquire a permanent non-exclusive easement over a portion of the Alexander Dawson open space property (the "Property") to provide more reliable electrical power in the area. Alexander Dawson open space is located on the west side of Highway 287, north and east of the Alexander Dawson School (please see the maps attached at the end of this memo). Because United Power has condemnation authority over Boulder County, staff supports granting this easement.

Background Information

United Power is planning an upgrade to the area's power delivery system. To accommodate this project, United Power is proposing to acquire a ten-foot wide by 636-foot-long easement, for a total area of 6,360 square feet (0.146 acres), along the north edge of the property, adjacent to the CDOT right of way for Highway 287.

United Power plans to bore subsurface from the CDOT right of way on the east of the Property and continue boring west until it reaches the Alexander Dawson School property. There will not be any above-ground installation, and the surface should not be disturbed.

Utility companies have condemnation authority over Boulder County, so the county is legally unable to prevent this project. Boulder County prefers to cooperate informally with entities with condemnation authority in these instances to negotiate fair compensation rather than a full formal condemnation process that is more costly and time-consuming for both parties. United Power is being cooperative in meeting staff's requests designed to protect natural resources as much as possible.

The county will be entitled to the proceeds for the value of the easement taking. United Power and the county will coordinate to protect and preserve the open space interests, minimize site disturbances, and provide reclamation standards to the extent practicable.

Value of Taking

United Power is required to provide just compensation for the taking. The county and United Power have negotiated \$2,555 for the permanent easement area, and the county believes this is an appropriate value.

Public Process

The terms of the resolution creating the sales tax that was used to purchase the property requires specific procedures be followed to dispose of this property, including adjacent property owner notification, newspaper notice, and a 60-day waiting period following county commissioner approval. All notice requirements of the resolution have been met. No comments on the proposal have been received as of the date of this memo. Any comments we receive after the date of this memo will be shared with POSAC at the meeting.

Staff Recommendation

Staff recommends the approval of the requested 0.146-acre easement to United Power.

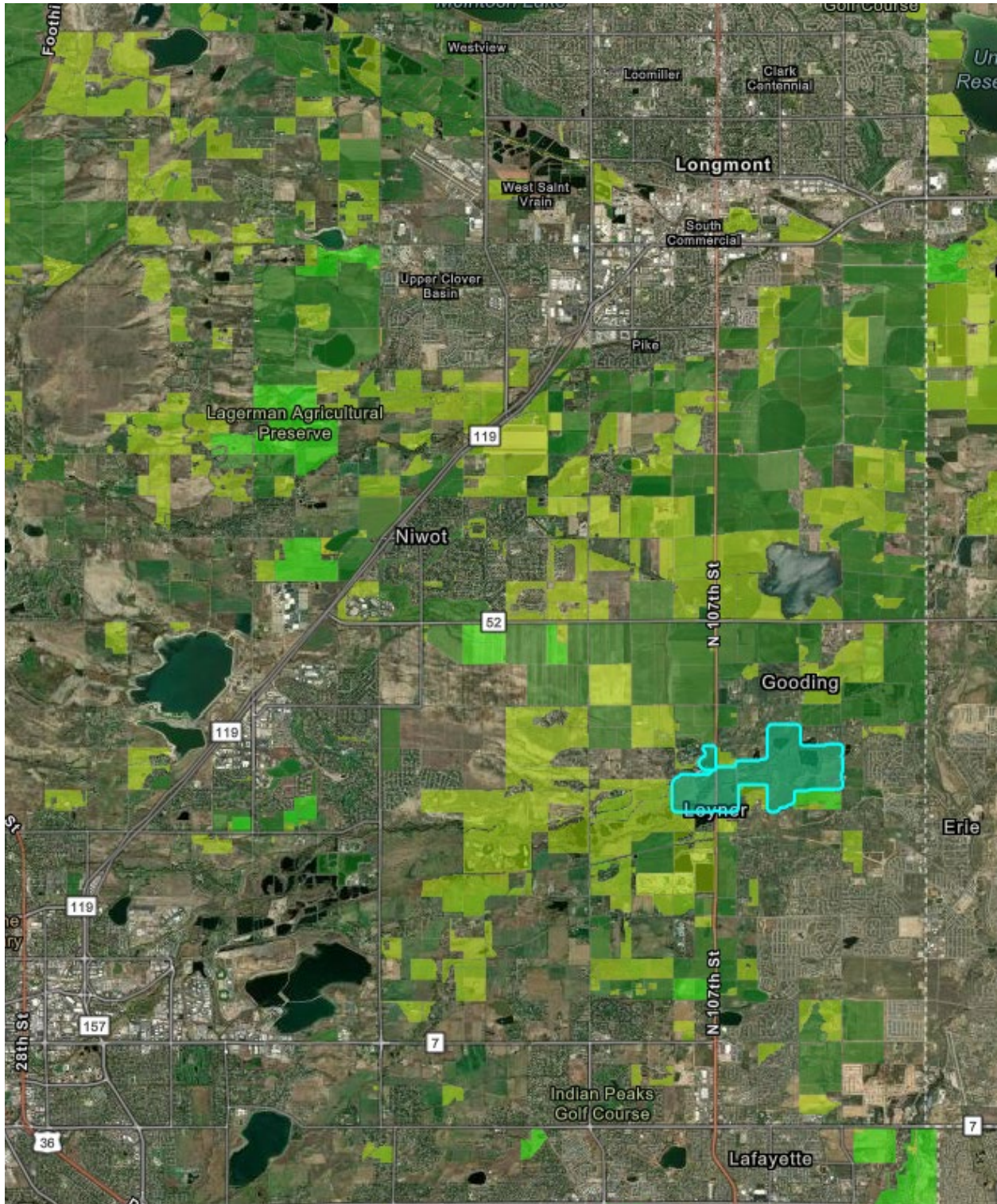
POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the disposition of the easement area as described above and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the disposition of the easement as staff has described.

(see next pages for maps)

Vicinity Map



Close-Up Map

