

NOTICE OF PROPERTY RESTRICTIONS FOR THE ELK TRACKS PROPERTY

The **County of Boulder**, a body corporate and politic, owns an interest in the real property, described in Exhibit A, attached hereto and by this reference incorporated herein (the “Property”). The Property was acquired by a special warranty deed dated May 29, 2024, and recorded in the Boulder County Clerk and Recorder's Office at Reception Number 04049525. The Property was purchased with money acquired from a sales and use tax for acquisition of Open Space Land, approved by the voters of Boulder County. Pursuant to Resolution No. 2004-86, Resolution No. 2007-80, Resolution No. 2010-93, and Resolution No. 2016-77 of the Board of County Commissioners of Boulder County (“Resolutions”), which authorized the submission of the open space sales and use tax to the electors of Boulder County, the County is required to use the Property solely for passive recreational purposes, for agricultural purposes, or for environmental preservation purposes, as described in the Resolutions. The Resolutions also restrict the use of the Property as follows:

No open space interest in land acquired by Boulder County through the revenues provided by this sales and use tax may be sold, leased, traded, or otherwise conveyed, nor may any exclusive license or permit on such open space land be given, until approval of such disposal or transfer by the Board of County Commissioners. Prior to such disposal, the proposal shall be reviewed by the Parks & Open Space Advisory Committee, and a recommendation shall be forwarded to the Board of County Commissioners. Approval of the disposal may be given only by a majority vote of the members of the Board of County Commissioners after a public hearing held with notice published at least ten (10) days in advance in the official newspaper of the County and of each city and incorporated town within the County, giving the location of the land in question and the intended disposal thereof. No such open space land shall be disposed of until sixty (60) days following the date of Board of County Commissioners' approval of such disposal. If, within such sixty (60) day period, a petition meeting the requirements of § 29-2-104, C.R.S., as amended, or its successor statute, is filed with the County Clerk, requesting that such disposal be submitted to a vote of the electors, such disposal shall not become effective until a referendum held in accordance with said statute has been held. The provisions of this paragraph shall not apply to agricultural leases for crop or grazing purposes for a term of ten (10) years or less.

If the real property or any interest therein acquired by use of proceeds of said sales and use tax pursuant to the above paragraph of this resolution be ever sold, exchanged, transferred or otherwise disposed of, the consideration for such sale, exchange, transfer or disposition shall be subject to the same expenditure and use restrictions as those set forth herein for the original proceeds of said sales and use tax, including restrictions set forth in this paragraph; and if such consideration is by its nature incapable of being subject, then the proposed sale, exchange, transfer or disposition shall be unlawful and shall not be made.

Dated this ____ day of _____, 2024.

Boulder County, a body corporate and politic

By: _____

Printed Name: _____

Title: _____

of the Board of County Commissioners

State of Colorado
County of Boulder

The foregoing instrument was acknowledged before me this ____ day of _____, 2024,
by _____, _____, of the Board of County
Commissioners of Boulder County, Colorado.

(Notary official signature)

NOTARY
SEAL

(Commission expiration)

EXHIBIT A
Legal Description

A Portion of the Northwest 1/4 of Section 29, Township 1 South, Range 72 West of the 6th Principal Meridian, Boulder County, Colorado. Described as Commencing at A Brass Cap at the Northwest Corner of Said Section 29; Thence along the North line of said Northwest 1/4 of said Section 29, South 88 Degrees 24 Minutes 45 Seconds East, A Distance of 586.46 Feet to a point on said North line of said Section 29 and the point of Beginning. Thence Departing Said North Line, South 19 Degrees 37 Minutes 17 Seconds West a Distance of 1331.04 Feet to Point No. 61 on the Northeasterly Right of Way Line of Highway 72; Referred to in Instrument Recorded December 14, 1959 in Book 1129 at Pages 376 Thru 381 with Reception No. 644037, Boulder County Records; Thence along the Northerly and Northeasterly Right of way Line of said Highway 72 the Following Courses and Distances with Point Numbers Corresponding with Point Numbers as Recorded, from Point No. 61, South 84 Degrees 50 Minutes East, 136.56 feet to No. 62; Thence South 85 Degrees 03 Minutes East, 146.20 Feet To No. 63; Thence South 76 Degrees 53 Minutes East, 40.90 Feet To No. 64; Thence South 77 Degrees 56 Minutes 30 Seconds East, 188.90 Feet To No. 65; Thence South 49 Degrees 50 Minutes East, 234.30 Feet To No. 66; Thence South 45 Degrees 57 Minutes East, 347.80 Feet To No. 67; Thence Leaving The Said Right of Way, North 32 Degrees 58 Minutes 06 Seconds East 689.09 Feet; Thence North 02 Degrees 01 Minutes 50 Seconds West, 1124.59 Feet to a Point on said North line of said Northwest 1/4 of said Section 29; Thence along said North line, North 88 Degrees 24 Minutes 45 seconds West, 821.46 feet to the Point of Beginning.

County of Boulder, State of Colorado.