

A  
RESOLUTION

OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE  
ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY KNOWN AS THE  
"CATHERINE ANDERSON PROPERTY" AND EXPRESSING ITS GRATITUDE TO  
MS. CATHERINE H. ANDERSON FOR THE DONATION

WHEREAS, by way of Resolution 13, Series 2006, this Council recognized the need to preserve lands that:

- (1) maintain urban open space, natural areas, water quality, urban wildlife habitat and movement corridors, views, and trail corridors; and/or
- (2) serve to maintain community identity; and/or
- (3) provide for passive and active recreational needs, including but not limited to walking, cycling, horseback riding, cross-country skiing, photography and nature studies; and/or
- (4) have been identified by the Blue Ribbon Panel report as "Scenic Treasures" or that are adjacent to and/or that protect "Scenic Treasures," which "Scenic Treasures" include the Highline Canal trail corridor; and

WHEREAS, Ms. Catherine H. Anderson is the owner of certain real property within Cherry Hills Village that is comprised of approximately 17.5 acres of land situated on both sides of the Highline Canal immediately south of East Quincy Avenue, and that is described in the Special Warranty Deed attached hereto (hereinafter the "Anderson Property"); and

WHEREAS, on December 14, 2007, Ms. Anderson conveyed a conservation easement over the Anderson Property to Colorado Open Lands, a Colorado non-profit corporation, by way of the Deed of Conservation Easement attached hereto; and

WHEREAS, thereafter, also on December 14, 2007, Ms. Anderson conveyed the Anderson Property (subject to said conservation easement and a reserved life estate) to the City of Cherry Hills Village by way of the Special Warranty Deed attached hereto; and

WHEREAS, the Anderson Property is a prime example of the type of property that ought to be preserved pursuant to the City Council's land preservation goals as the Anderson Property has great value for conservation purposes due to:

- (1) its proximity to the Highline Canal trail and the scenic and open space values that the property provides in the form of scenic vistas of the Front Range of the Rocky Mountains, significant natural areas, wetland areas and a pond adjacent to the trail;
- (2) the wildlife habitat that it provides in the form of food, shelter, breeding grounds and migration corridors for several wildlife species, including but not limited to the fact that it is the first documented breeding site in Colorado for the Hooded Merganser;
- (3) the potential it provides for public recreational and educational activities; and
- (4) the historic nature of the property as evidenced by its listing on the National Register of Historic Places by the United States Department of the Interior; and

WHEREAS, open spaces, parks and trails within the City of Cherry Hills Village enhance the quality of life of Village residents, contribute to the Village's unique character, provide habitat for urban wildlife and provide opportunities for exalted views as well as recreational and educational activities; and

WHEREAS, the City Council is overwhelmed by the generosity of Ms. Catherine H. Anderson in her donation of the Anderson Property to the City, and desires to accept the donation and express great gratitude to Ms. Anderson on behalf of both itself and the citizens of Cherry Hills Village.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

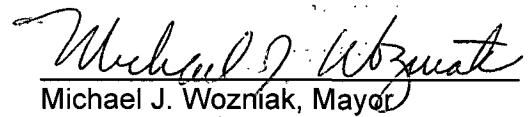
1. The City Council hereby accepts the donation of the Anderson Property to the City of Cherry Hills Village in the form evidenced by the Special Warranty Deed and Quit Claim Deed attached hereto.

2. The City Council, on behalf of both itself and the citizens of Cherry Hills Village, hereby expresses its great gratitude to Ms. Catherine H. Anderson for her very generous donation of the property to the Village.

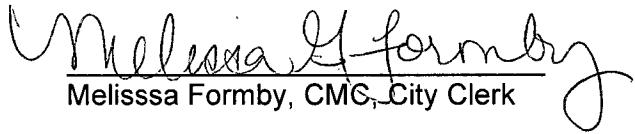
3. The City Council encourages the owners of areas of land that have value for conservation purposes to follow the example set by Ms. Anderson by considering voluntary land and/or easement dedications to preserve such areas, including but not limited to conservation easements and other, similar methods and further encourages the owners of such areas of land to present to the City Council any request that they may have for the City Council to adopt a Resolution supporting the open space or other similar value of lands that they may propose be so preserved.

This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this 15th day of January, 2008, by a vote of 4 yes and 0 no.

  
Michael J. Wozniak, Mayor

ATTEST:

  
Melisssa Formby, CMC, City Clerk

APPROVED AS TO FORM:

  
Thad W. Renaud, City Attorney

(SEAL)