

RESOLUTION NO. 2024-042

**A RESOLUTION APPROVING THE PURCHASE, SALE AND
MANAGEMENT AGREEMENT BETWEEN THE CONSERVATION FUND
AND THE TOWN OF CASTLE ROCK FOR THE LOST CANYON RANCH**

WHEREAS, the Lost Canyon Ranch is an approximately 681.07-acre parcel of land owned by Lost Canyon, LLC (the “Owner”), and located at 6581 Lost Canyon Ranch Road (the “Property”) in unincorporated Douglas County (the “County”); and

WHEREAS, the Property, located on the southeastern border of the Town of Castle Rock (the “Town”) and adjacent to Castlewood Canyon State Park, is one of the last, large-acreage properties near the Town yet to be developed; and

WHEREAS, the Property is characterized by its outstanding and unparalleled scenic and cultural resources, which include a variety of habitats (canyon, riparian, ponderosa forest and open grasslands), cliff outcroppings, Willow Creek, and the Franktown Cave – a culturally-significant prehistoric archaeological site which dates back over 8,000 years; and

WHEREAS, with the primary goal of protecting and preserving these important resources and providing local residents with additional passive recreational opportunities, the Town is partnering with The Conservation Fund, a non-profit corporation dedicated to the preservation of this country’s most critical lands and waters (“TCF”), to acquire the Property; and

WHEREAS, for this purpose, TCF has agreed to purchase the Property from the Owner, with funding from the Town, the County, the Great Outdoors Colorado Trust Fund, and an unnamed private foundation; and

WHEREAS, prior to the conveyance of the Property to the Town, TCF will place a conservation easement on the Property in favor of the Douglas Land Conservancy, thereby ensuring the preservation of the Property as open space for the use and enjoyment of the public (the “Conservation Easement”); and

WHEREAS, the preservation of the Property as public open space in accordance with the terms and conditions of the Conservation Easement will benefit the existing and future residents of both the Town and the County for the foreseeable future; and

WHEREAS, as part of the conveyance of the Property, the Town will also be acquiring the rights to all nontributary and not-nontributary groundwater from the Dawson, Denver, Arapahoe, Laramie Fox-Hills, and Dakota aquifers underlying the Property (the “Groundwater Rights”) for the benefit of the Town’s water system; and

WHEREAS, the Town Council finds and determines that it is in the best interests of the Town and its residents to authorize the execution of the Purchase, Sale and Management Agreement with TCF for the conveyance of the Property and Groundwater Rights.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. The Purchase, Sale and Management Agreement between The Conservation Fund and the Town of Castle Rock for the Lost Canyon Ranch and the associated Groundwater Rights is hereby approved in substantially the same form as presented at tonight's meeting, with such technical changes, additions, modifications, deletions, or amendments as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Agreement and any technical amendments thereto by and on behalf of the Town.

Section 2. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligations under the Purchase, Sale and Management Agreement, the Town Council authorizes the expenditure and payment of an amount not to exceed \$14,627,432.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 16th day of April, 2024, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Jeff Brauer, Director of Parks and Recreation