

Parks, Recreation & Cultural Services



Agenda

PR&CS Administration
1401 Recreation Way
Colorado Springs, CO 80905

Parks and Recreation Advisory Board

Please silence your phone during the meeting.

Thursday, April 9, 2014

7:30am

Palmer Room

Call to Order

Citizen Discussion

Time for any individual to bring before the Parks and Recreation Advisory Board any matter of interest they wish to discuss that is not on the agenda. (Time limit: five minutes or as may be established by the Chair)

Approval of Minutes-March 4, 2015

Minutes are posted after 5:00pm on the Tuesday before the meeting at:

<http://parks.coloradosprings.gov/explore-play/get-involved/boards-committees/parks-and-recreation-advisory-board>

Ceremonial Items (10:00am – Time Certain)

- Recognition of Councilmembers Jan Martin and Val Snider Karen Palus
- Volunteer Report/Volunteer Recognition Kim King

Action Items

1. Transportation Enhancement Grant Resolution of Acceptance for the Sand Creek Trail-Palmer Park Boulevard to Constitution Avenue Jeff Webb
2. Transportation Enhancement Grant Resolution of Acceptance for the Rock Island Trail-Sand Creek Trail to Constitution Avenue Jeff Webb
3. Springs Ranch Golf Course/Parkland Credit Agreement Chris Lieber

Presentations

4. Buffalo Soldiers Memorial Update Kurt Schroeder
5. Larry Ochs Sports Complex Update Chris Lieber
6. Westside Community Center Update Kim King
7. Golf Enterprise Year-End Report Dal Lockwood
8. Forestry Annual Report Jay Hein
9. Cemetery Enterprise Year-End Report Kim King

Staff Reports

- Kaboom Playground Build Jeff Webb
- Venezia Park Update Chris Lieber

- Legacy Loop Update
- Media Information

Chris Lieber
Karen Palus

Board Business

Board/Committee Reports and Concerns

Adjournment

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: April 9, 2015

Item Number: Action Item # 1

Item Name: Transportation Enhancement Grant Resolution of Acceptance for Construction of the Sand Creek Trail From Palmer Park Boulevard to Constitution Avenue

SUMMARY:

The Parks, Recreation and Cultural Services Department has received a Transportation Enhancement grant in the amount of \$800,000 for the construction of the Tier 1 Sand Creek Trail from Palmer Park Boulevard to Constitution Avenue. This new 1.2 mile long trail will allow trail users to travel safely under Powers Boulevard from the neighborhood west of the Palmer Park Road and Powers Boulevard intersection to facilities and services located on the east side of Powers Boulevard. The Sand Creek Trail will allow users to access multiple amenities including schools, parks, major shopping centers, movie theaters, popular restaurants, along with fast food restaurants, medical services and general businesses. This project will also create a connection to the existing Rock Island Trail which will allow trail users access to downtown and the larger Colorado Springs bicycle trail network.

The total cost of this project is anticipated to be approximately \$1.8 million dollars. \$800,000 will be provided by the Colorado Department of Transportation through the Transportation Enhancement Grant. The remaining \$1,050,000 will be funded by TOPS Trail Funds previously allocated in budget years 2013 and 2014.

In order to receive the \$800,000 in Transportation Enhancement grant funds, the Parks Advisory Board is required to pass a Resolution of Grant Acceptance that allows the Parks, Recreation and Cultural Services Department to sign a Grant Agreement with the Colorado Department of Transportation. Should the Parks Advisory Board pass a Resolution of Acceptance, their recommendation will be forwarded to the Colorado Springs City Council for a vote on the final passage of the Resolution of Acceptance.

PREVIOUS COUNCIL ACTION:

City Council appropriated \$1,050,000 in TOPS Funds in 2013 and 2014 for this project.

BACKGROUND:

The Sand Creek Trail is one of the major multi-use trail corridors in Colorado Springs. The 2014 Park System Master Plan, as well as multiple prior planning documents, have identified improvement of the Sand Creek Trail as a high-priority for improving the overall connectivity, function and recreation opportunities provided by the Colorado Spring urban trail network. Construction of the Sand Creek Trail from Constitution Avenue to Palmer Park Boulevard will allow safe trail passage under Powers Boulevard and will extend the Sand Creek Trail northeast 1.2 miles, increasing trail access for many thousands of citizens.

In 2012 the Parks, Recreation and Cultural Services Department submitted a grant application for the 2013-2018 Transportation Enhancement grant round for this project. The \$800,000 application was successful and pending passage of a Resolution of Acceptance by the Parks Advisory Board and City Council, construction of the Sand Creek Trail from Constitution to Palmer Park project will proceed in 2015. The funds provided by this grant will leverage already

allocated TOPS funds to create a trail project that is larger in scope and more beneficial in outcome than would be possible with the support of Transportation Enhancement funds.

Transportation Enhancement grants are Federal funds made available to the Colorado Department of Transportation to support projects including the construction of Pedestrian and Bicycle Facilities. The City as well as the Parks, Recreation and Cultural Services Department have been the recipient of multiple Transportation Enhancement grants in the past. In order to receive Transportation Enhancement funds, City Council must pass a Resolution of Acceptance and enter into a grant agreement with the Colorado Department of Transportation.

FINANCIAL IMPLICATIONS:

The Sand Creek Trail- Palmer Park Boulevard to Constitution Avenue project is estimated to cost \$1,800,000. \$1,050,000 in TOPS funds has been allocated in 2013 and 2014. By passing a Resolution of Acceptance, the City will receive an additional \$800,000 in Transportation Enhancement Grant funds to complete the Sand Creek Trail from Palmer Park Boulevard to Constitution Avenue.

BOARD/COMMISSION RECOMMENDATION:

N/A

ALTERNATIVE:

The Parks and Recreation Advisory Board can choose not to pass a Resolution of Acceptance for the Transportation Enhancement grant funds. Doing so would forfeit \$800,000 that would otherwise supplement \$1,050,000 in already allocated TOPS funds dedicated to this project.

RECOMMENDATION:

Pass a Resolution of Acceptance to receive \$800,000 in Transportation Enhancement grant funds.

PROPOSED MOTION:

The Parks and Recreation Advisory Board votes to pass a Resolution of Grant Acceptance allowing the Parks, Recreation and Cultural Services Department to sign a Grant Agreement with the Colorado Department of Transportation in order to receive an \$800,000 Transportation Enhancement grant for the Sand Creek Trail project.

Attachments:

N/A

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: April 9, 2015

Item Number: Action Item # 2

Item Name: Transportation Enhancement Grant Resolution of Acceptance for Construction of the Rock Island Trail from Sand Creek Trail to Constitution Avenue

SUMMARY:

The Parks, Recreation & Cultural Services Department has received a Transportation Enhancement grant in the amount of \$613,549 for the construction of the Tier 1 Rock Island Trail from the Sand Creek Trail to Constitution Avenue. This new 1.7 mile long trail segment will serve non-motorized commuters traveling on foot or by bicycle seeking to connect to the City's extensive trail system as well as recreationalist walkers, runners and bicyclists. Students attending Rocky Mountain Classic Academy and Horizon Middle School will also directly benefit from the completion of this project. In addition, this segment of trail will link residential areas and also commercial with numerous restaurants and retail businesses located at or near the intersection of Constitution and Powers.

The total cost of this project is anticipated to be approximately \$1.1 million dollars. \$613,549 will be provided by the Colorado Department of Transportation through the Transportation Enhancement Grant. The remaining \$468,967 will be funded by TOPS Trail Funds previously allocated in budget years 2014 and 2015.

In order to receive the \$613,549 in Transportation Enhancement grant funds, the Parks Advisory Board is required to pass a Resolution of Grant Acceptance that allows the Parks, Recreation & Cultural Services Department to sign a Grant Agreement with the Colorado Department of Transportation. Should the Parks Advisory Board pass a Resolution of Acceptance, their recommendation will be forwarded to the Colorado Springs City Council for a vote on the final passage of the Resolution of Acceptance.

PREVIOUS COUNCIL ACTION:

City Council appropriated TOPS funds in 2014 and 2015.

BACKGROUND:

The City of Colorado Springs first began construction of the Rock Island Trail in the mid 1980's. This proposed project represents an important and logical next step in the extension of the Rock Island Trail to the east. For the first time, the Cimarron Hills Neighborhood and Stetson Hills Neighborhoods, located east of Powers Boulevard, will have direct access to the extensive Colorado Springs Trail System. This proposed project also enhances the Sand Creek Trail project, Palmer Park to Constitution, by providing an extension of the Rock Island trail via the Sand Creek Trail. In Colorado Springs, there are very few trails available for commuter and recreational users east of Powers Boulevard. In most recent years, development in Colorado Springs has expanded east of Powers Boulevard at an accelerated rate. The completion of this key segment of non-motorized trail the next logical section of trail towards the eventual connection to El Paso County's completed segment of the Rock Island Trail in Falcon.

The Rock Island Trail is the primary east/west trail corridor serving Colorado Springs. This important trail will eventually connect to the Pikes Peak Greenway, the Banning Lewis Ranch

area and eastern El Paso County. The existing segments of the Rock Island Trails currently serve thousands of residents west of Powers Boulevard. The completion of this proposed project will provide immediate access to the east side of Powers Boulevard. This proposal focuses on the section of trail between the Sand Creek Trail and Constitution Avenue. The proposed trail will allow users to travel safely through the Cimarron Hills neighborhood while enjoying the view of beautiful Pikes Peak. A pedestrian bridge will be installed to travel safely over Sand Creek. It also provides key connections to neighborhoods, shopping areas at Constitution and Powers, Rocky Mountain Classic Academy Elementary School and Horizon Middle School.

In 2012 the Parks, Recreation & Cultural Services Department submitted a grant application for the 2013-2018 Transportation Enhancement grant round for this project. The \$613,549 application was successful and pending passage of a Resolution of Acceptance by the Parks Advisory Board and City Council, construction of the Rock Island Trail from Constitution Avenue to the Sand Creek Trail project will proceed in late 2015. The funds provided by this grant will leverage already allocated TOPS funds to create a trail project that is larger in scope and more beneficial in outcome than would be possible with the support of Transportation Enhancement funds.

Transportation Enhancement grants are Federal funds made available to the Colorado Department of Transportation to support projects including the construction of Pedestrian and Bicycle Facilities. The City as well as the Parks, Recreation & Cultural Services Department have been the recipient of multiple Transportation Enhancement grants in the past. In order to receive Transportation Enhancement funds, City Council must pass a Resolution of Acceptance and enter into a grant agreement with the Colorado Department of Transportation.

FINANCIAL IMPLICATIONS:

The Rock Island Trail- Sand Creek Trail to Constitution Avenue project is estimated to cost \$1,082,516. \$468,967 in TOPS funds has been allocated in 2014 and 2015 for this project. By passing a Resolution of Acceptance, the City will receive an additional \$613,549 in Transportation Enhancement Grant funds to complete the Rock Island Trail from Sand Creek Trail to Constitution Avenue.

BOARD/COMMISSION RECOMMENDATION:

N/A

ALTERNATIVE:

The Parks and Recreation Advisory Board can choose not to pass a Resolution of Acceptance for the Transportation Enhancement grant funds. Doing so would forfeit \$613,549 that would otherwise supplement \$468,967 in already allocated TOPS funds dedicated to this project.

RECOMMENDATION:

Pass a Resolution of Acceptance to receive \$613,549 in Transportation Enhancement grant funds.

PROPOSED MOTION:

The Parks and Recreation Advisory Board votes to pass a Resolution of Grant Acceptance allowing the Parks, Recreation & Cultural Services Department to sign a Grant Agreement with the Colorado Department of Transportation in order to receive a \$613,549 Transportation Enhancement grant for the Rock Island Trail project.

Attachments:

N/A

COLORADO SPRINGS PARKS, RECREATION & CULTURAL SERVICES DEPARTMENT
PARKS AND RECREATION ADVISORY BOARD

Date: April 9, 2015

Item Number: Action Item #3

Item Name: Springs Ranch Golf Course: Second Amendment to Agreement Concerning Park Credits

SUMMARY:

The City of Colorado Springs Parks Department has been approached by Tom Tauche, owner of the Springs Ranch Golf Course, requesting an amendment to the Agreement Concerning Park Credits for the Springs Ranch Golf Course (Agreement). This issue is a companion item to a development request submitted by NES, Inc. on behalf of Tom Tauche for a zone change and concept plan. The Parks and Recreation Advisory Board will consider the merits of the proposed amendment to the Agreement Concerning Park Credits for the Springs Ranch Golf Course. All matters pertaining to the proposed zone change and concept plan will be considered by the Colorado Springs Planning Commission at a future date.

PREVIOUS COUNCIL ACTION:

On October 12, 1999, City Council approved Resolution No. 160-99, granting parkland credit in an amount not to exceed 31.4 percent or 66.5 acres to BRE/Springs Ranch LLC for the Springs Ranch Golf Course. An Amendment to Agreement Concerning Park Credits for Springs Ranch Golf course effective November 30, 2011.

BACKGROUND:

In 1999, the City of Colorado Springs entered into an Agreement for the Springs Ranch Golf Course with BRE/Springs Ranch LLC to grant partial park credit to satisfy parkland dedication requirements for the Springs Ranch Master Plan. The Agreement stipulated that the Springs Ranch Golf Course would remain open to the general public and be available for all residents of the City. In the Agreement, partial park credits were granted to BRE/Springs Ranch LLC in an amount not to exceed 31.4% or 66.5 acres for the Spring Creek Golf Course. At the time of the Agreement, the Golf Course contained approximately 210 acres. The Agreement stipulated that the City shall be paid back at the future fee-in-lieu of land value of the granted credits should the golf course ever withdraw public access. In addition, issuance of credit would not place the City in the position of having to purchase any master-planned parkland within the Springs Ranch Master Plan. The 1999 Agreement was amended in November 2011 resulting in an adjustment to the boundaries of golf course but retaining the same net acreage and park credit ratio (31.4%).

Tom Tauche, owner of the Springs Ranch Golf Course, has approached the City of Colorado Springs with a proposed Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course (Second Amendment). Major tenets of the Second Amendment include the following: The Springs Ranch Golf Course will remain open to the general public and be available for all residents of the City as an 18-hole golf course, The City agrees to release 13.8 acres from the Agreement. The Springs Ranch Golf Course conveys 4.7 acres of property to public ownership for park and trail purposes. The Springs Ranch Golf Course transfers ownership of a pedestrian bridge to the City.

The Second Amendment will benefit the City's Park System by continuing general public access to the Springs Ranch Golf Course for all residents of the City. The transfer of three parcels of property to the City will provide additional land for the eventual development of the Tutt Sports Complex and provide necessary right-of-way for the continuation of the Sand Creek Trail.

On behalf of Mr. Tauche and the Springs Ranch Golf Course, representatives from NES, Inc. will present an overview of the proposed amendment.

The City of Colorado Springs Planning and Development Land Use Review Division sent a public notice to property owners and hosted a public meeting on March 5, 2013. Park staff was present at the public meeting and discussed the request for an amendment to the park credit agreement. While some participants expressed concerns relating to the proposed development, no concerns were heard related to the amendment of the park credit agreement. A second public notice was sent by the Parks and Recreation Department notifying property owners of the April 9, 2015 Parks and Recreation Advisory Board Meeting.

FINANCIAL IMPLICATIONS:

N/A

BOARD/COMMISSION RECOMMENDATION:

None

ALTERNATIVE:

N/A - Presentation Item Only

RECOMMENDATION:

Staff recommends approval of the proposed Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course.

PROPOSED MOTION:

A motion recommending to City Council the approval of the Second Amendment to the Agreement Concerning Park Credits for Springs Ranch Golf Course

PARTIES NOTIFIED OF THIS MEETING:

Tom Tauche, Owner, Springs Ranch Golf Course
NES, Inc.
Adjoining property owners

Attachments:

- Letter of Request from Tom Tauche
- Original Resolution Granting Park Credit for Springs Ranch Golf Course
- Second Amendment to the Agreement Concerning Park Credits for Springs Ranch Golf Course
- Context Map
- Public Meeting Notification

Springs Ranch Golf Club

3525 Tutt Blvd.

Colorado Springs, Colorado 80922

(719) 573-4863

December 2, 2014

Mr. Chris Lieber
City of Colorado Springs
Parks, Recreation & Cultural Services
1401 Recreation Way
Colorado Springs, CO 80905-1975

RE: Springs Ranch Golf Course – Land Swap

Dear Chris:

As the owner of the Springs Ranch Golf Course (the “Golf Course”), I am requesting the Parks Board’s approval to allow for the removal of approximately 15 acres from the Golf Course for development of residential uses and senior living/services uses. In consideration of that removal, I will convey to the Parks Department three other parcels needed by the Parks Department to expand the planned sports complex, enhance trail connections and make trail improvements.

The motivation for this request is to assist the Golf Course financially. The Golf Course is still under significant debt and is economically threatened and challenged. As most are aware, golf courses are struggling financially across the country with many closing. That trend has been occurring locally with three golf courses closing during the past two years. If approved, the proceeds from the proposed new development would be used to completely pay off the existing debt, leaving the Golf Course in the position to survive economically.

I believe this removal should be permissible without reimbursement to the Parks Department for any park fees because the Agreement for Park Credits for Springs Ranch Golf Course (the “Agreement”) indicates that such a repayment obligation would be triggered only if the nature or rules of the Golf Course are changed so that it no longer is available as a public golf course. Under the proposal, the Golf Course would remain as a full 18-hole golf course open to the public.

In exchange for the removal of approximately 15 acres of land from the existing Golf Course, I propose the following:

1. Convey to the City for the benefit of the Parks Department the approximate 3-acre parcel identified as Parcel 1 on the attached map. Parcel 1 is adjacent to the future sports complex and will be an expansion of and an amenity to the complex.
2. Convey to the City for the benefit of the Parks Department approximately 2 acres identified as Parcel 2 and Parcel 3 on the attached map. The parcels are needed by Parks to connect the trail system and improve the trail design so it meets handicap accessibility requirements. The exact configuration of the parcels will be refined as engineering and plans for the trail system are completed.
3. The total acreage to be conveyed with Parcels 1 – 3 to the Parks Department will be sufficient to fully offset the acreage being removed from the Golf Course based on the formula in the Agreement.
4. Transfer to the City of a bridge that I own which the City could relocate to provide a convenient connection between Parcel 1 and the future sports complex.
5. I would agree to require, as part of development of the 15 acre site, the completion of the trail system along Tutt Boulevard in front of the club house area and the 15 acre site. I would request the improvement costs are credited against future park fees to be paid at building permit by the future developer or builder. Alternatively, if the Parks Department prefers to complete that trail, I would request the City to commit that the park fees paid to be paid would be utilized to complete the trail.

I believe that this proposal should be attractive to the Parks Department. First, the proposal is needed to assist the Golf Course to survive for the benefit of the general public. Second, the owner will be substituting sufficient park ground to fully offset the removal of the 15-acres from the golf course for which park credit was given on the .314 ratio basis as set forth in the Agreement. In addition, the Parks Department would receive an expanded park area, improved trail connections and a pedestrian bridge which is can use to provide improved access to the public.

Thank you for your consideration.

Sincerely,



Tom Tauche

RESOLUTION NO. 160-99

A RESOLUTION GRANTING PARKLAND CREDIT IN AN AMOUNT NOT TO EXCEED 31.4 PERCENT OR 66.5 ACRES TO BRE/SPRINGS RANCH LLC FOR SPRINGS RANCH GOLF COURSE.

WHEREAS, BRE/Springs Ranch LLC developed Springs Ranch Golf Course, and

WHEREAS, Springs Ranch Golf Course is open to the general public and is available for play to all residents of the City, and

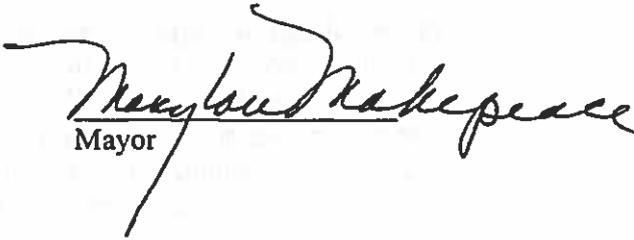
WHEREAS, The City of Colorado Springs recognizes that the Springs Ranch Golf Course, because it is open to the public, partially satisfies the requirements and purposes of the City's ordinances concerning park dedications by providing open space and recreational opportunities for the residents of the City.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council hereby grants parkland credit to BRE/Springs Ranch LLC in an amount not to exceed 31.4% or 66.5 acres of the total acreage of Springs Ranch Golf Course, subject to the execution of the Agreement Concerning Park Credits for Springs Ranch Golf Course.

Section 2. The City Manager of the City of Colorado Springs is hereby authorized to execute the Agreement Concerning Park Credits for Springs Ranch Golf Course.

Dated at Colorado Springs, Colorado this 12th day of October 1999.


Mayor

ATTEST:


City Clerk

INTEROFFICE
MEMORANDUM

160-99



CITY OF COLORADO SPRINGS

Date: September 28, 1999

To: James H. Mullen, City Manager

From: Paul D. Butcher, Parks and Recreation Group Support Manager

Subject: Grant of Parkland Credit to BRE/Springs Ranch LLC for Springs Ranch Golf Course

Summary: BRE/Springs Ranch LLC developed the Springs Ranch Golf Course, and has requested parkland credit in an amount not to exceed 31.4 %, or 66.5 acres. The golf course is open to the public and contains approximately 210 acres.

Previous Council Action: None on this request, but City Council granted partial credit at the rate of 75% to LP47 LLC for Pine Creek Golf Course in Briargate on April 22, 1997.

Background: Section 15-3-1207.a.2 of the Code of the City Of Colorado Springs permits City Council to grant up to a maximum of 100% credit for private park land and /or recreation facilities within a development toward the required parkland dedication for that development. City Council has granted partial credit in the past for open space, parkland, recreational facilities, and a golf course in Briargate. The developer of the Springs Ranch Master Plan and Springs Ranch Golf Course has requested credit for this golf course at a rate not to exceed 31.4 percent or 66.5 acres.

Financial Implications: Financial implications are minimized due to the protection afforded the City of Colorado Springs by the credit agreement. The agreement stipulates that the City shall be paid back at the future fee-in-lieu of land value of these credits should the golf course ever withdraw public access, and the City would never receive less than the current 1999 credit value in any case. In addition, issuance of credit will not place the City in the position of having to purchase any master-planned parkland within the Springs Ranch Master Plan.

Board/Commission Recommendation: The Parks and Recreation Advisory Board heard this request for credit at the board meeting of September 9, 1999 and approved it unanimously. Minutes of this meeting which pertain to this item are attached.

Alternatives: Denial of parkland credits to BRE/Springs Ranch LLC for this golf course. Public access to this course could then be withdrawn at the owner's option without penalty.

Recommendation: Staff recommends approval of the request from BRE/Springs Ranch LLC for parkland credit in the not to exceed amount of 31.4% or 66.5 acres.

Proposed Motion: Move approval of a resolution granting parkland credit not to exceed 31.4 % or 66.5 acres to BRE/Springs Ranch LLC for Springs Ranch Golf Course, and authorizing the City Manager to enter into an agreement concerning park credits for Springs Ranch Golf Course.

**SECOND AMENDMENT
TO AGREEMENT CONCERNING PARK CREDITS
FOR SPRINGS RANCH GOLF COURSE**

This is a Second Amendment (the "Second Amendment") to that certain Agreement Concerning Park Credits for Springs Ranch Golf Course dated October 12, 1999 (the "Agreement"), by and among the **CITY OF COLORADO SPRINGS**, a home rule city and a Colorado municipal corporation (the "City"), and **BRE/SPRINGS RANCH, L.L.C.**, a Delaware limited liability company ("BRE/SPRINGS"), and **TOM TAUCHE, INC.**, a Colorado corporation ("Tauche"). The Agreement is modified by that certain Amendment to Agreement Concerning Park Credits for Spring Ranch Golf Course dated effective November 30, 2011 (the "First Amendment"). The Agreement and First Amendment are collectively referred to herein as the "Agreement."

Recitals

A. The Agreement was recorded in the real property records of the Clerk and Recorder of El Paso County, Colorado on October 29, 1999, at Reception No. 099167517.

B. The First Amendment was recorded in the real property records of the Clerk and Recorder of El Paso County, Colorado on December 2, 2011, at Reception No. 211119344.

C. The Springs Ranch Golf Course (the "Golf Course") is subject to indebtedness which Tauche desires to pay in full, and to facilitate that payoff, Tauche desires to amend the Agreement to release a certain portion of the real property subject to the Agreement in exchange for a conveyance of land and a certain pedestrian bridge to the City for the benefit of the City Parks Department.

D. The City is willing to release that parcel under the terms of this Second Amendment.

E. Following the release and this Amendment, the Golf Course shall remain an 18-hole golf course open to the public; and as such, the nature of the Golf Course will remain as originally contemplated in the Agreement.

F. Paragraph 6. of the Agreement permits amendment of the Agreement by written instrument signed by all parties.

Agreement

1. The parties hereby agree that the real property consisting of approximately 13.843 acres as described on attached **Exhibit A** to this Amendment (the "Released Property") and owned by Tauche is hereby released from and shall no longer be subject to the terms and conditions of the Agreement. As such, the Agreement shall not apply to the Released Property,

and the Released Property shall not constitute property of the Golf Course for purposes of the Agreement.

2. By virtue of withdrawal of the Released Property, the Agreement requires Tauche to either pay to the City a sum equal to the value of the park credits associated with the Released Property or make a dedication of land to the City consistent with the .314 ratio described in the Agreement. In accordance therewith, the parties hereby agree that the real property consisting of three parcels and totaling approximately 4.7 acres described on attached **Exhibit B** to this Amendment (the "Conveyed Property") and owned by Tauche shall be conveyed to the City for the benefit of the Parks Department in the form of a special warranty deed attached hereto as **Exhibit C** (the "Deed"). The Conveyed Property is comprised of three separate parcels: Parcel 1, consisting of approximately .261 acres; Parcel 2, consisting of approximately 1.136 acres; and Parcel 3, consisting of approximately 3.303 acres. The parties agree that the total acreage of the Conveyed Property exceeds that required by the Agreement for the withdrawal of the Released Property and satisfies the obligations of Tauche in connection therewith.

3. As additional consideration, Tauche agrees to convey to the City and the City agrees to accept a certain pedestrian bridge which is currently located on the Golf Course (the "Pedestrian Bridge"). The Pedestrian Bridge will be transferred to the City by Bill of Sale in its "as is" condition. At its option and expense, the City may use and relocate the Pedestrian Bridge as the City sees fit to serve the needs of the City and the general public.

4. Portions of the Released Property are currently used by Tauche for utilities and access and Tauche shall reserve in the Deed certain easement rights in the Conveyed Property as more particularly described in the Deed.

5. In consideration of the release of the Released Property, Tauche covenants and agrees to use all of the net proceeds of any sale of the Released Property after payment of costs incurred by Tauche for this action and for the sale, first to pay down or off as possible the outstanding indebtedness of the Golf Course.

6. The City agrees that any park credits paid to the City incidental to any future development of the Released Property shall first be expended towards the completion of the City trail system on the west side located adjacent to the Released Property along Tutt Boulevard.

7. The parties agree that the actions taken hereunder shall not constitute a change to the nature or rules of the Golf Course as defined in the Park Credit Agreement, and there shall be no obligation to reimburse the City for any park dedication credits granted pursuant to the Park Credit Agreement.

8. Each party hereto shall execute and cause to be delivered to each other party hereto such instruments and other documents, and shall take such other actions, as such other party may reasonably request in order to carry out the intent and accomplish the purposes of this Second Amendment and the consummation of the transaction contemplated hereby.

9. All other terms and conditions of the Agreement shall remain in effect. The terms of this Second Amendment shall control in the event of a conflict between the terms of this Second Amendment and the Agreement.

[Signature Page Follows]

Dated this _____ day of _____, 2015.

IN WITNESS WHEREOF, the parties have signed this Amendment as of the date indicated above.

TOM TAUCHE, INC.
a Colorado corporation

BRE/SPRINGS RANCH L.L.C.
a Delaware limited liability company

By: _____
Tom Tauche
Its: President

By: _____
Donald S. Magill
Its: Vice President

CITY OF COLORADO SPRINGS
a home rule city and Colorado municipal
corporation

By: _____

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:

Municipal Attorney
Office of the City Attorney

[Notary Blocks on Following Page]

EXHIBIT A

Legal - Released Property

EXHIBIT B

Legal - Conveyed Property

Parcel 1

Legal Description

Parcel 2

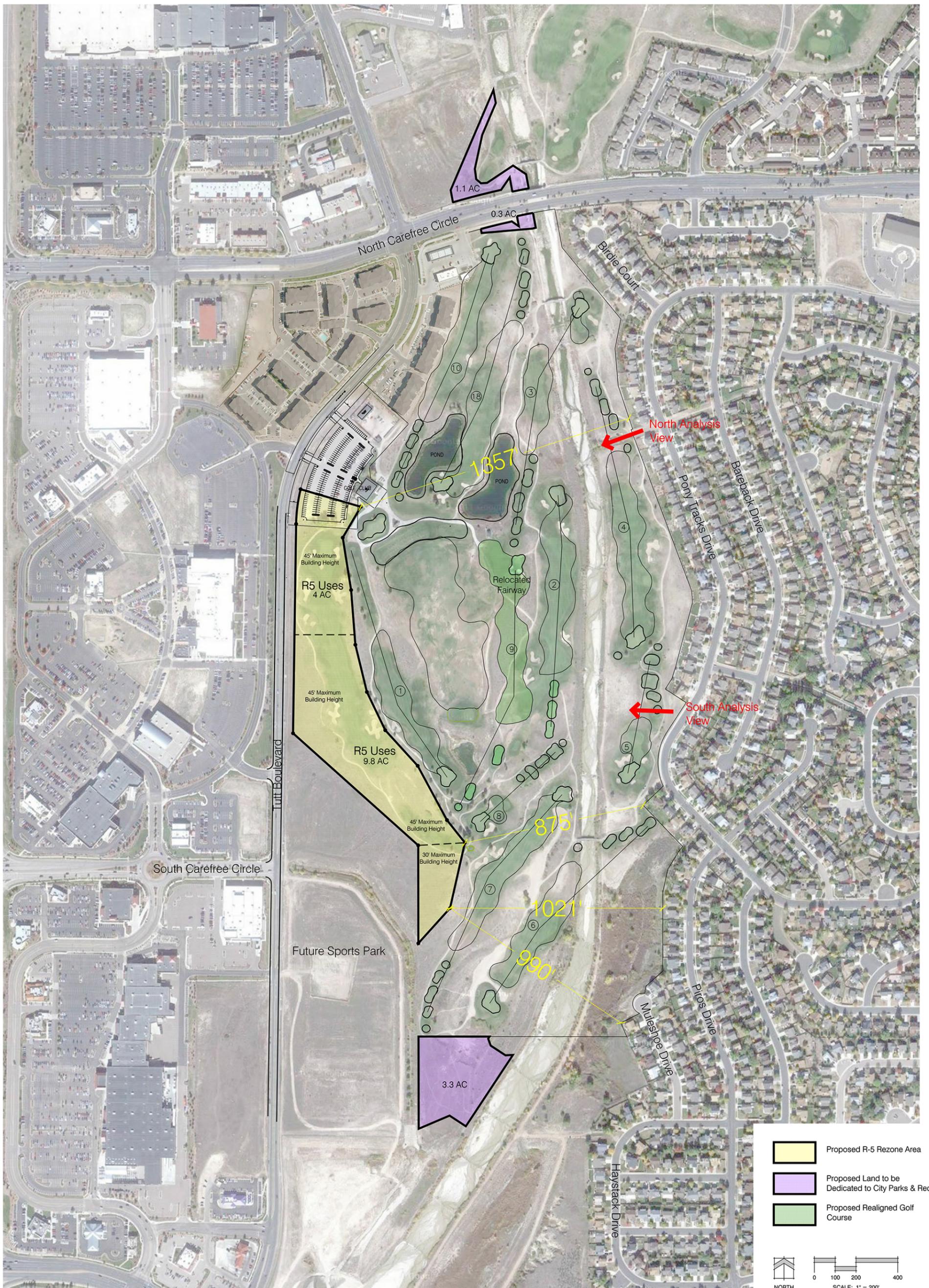
Legal Description

Parcel 3

Legal Description

Exhibit C

Special Warranty Deed





Reviewing Planner: Steve Tuck 719-385-5366 stuck@springsgov.com	Plans can be reviewed at: 30 S. Nevada, Suite 105 Colorado Springs, CO 719-385-5905	Hours of Operation: Monday – Friday 8am-5pm
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PUBLIC NOTICE & PUBLIC MEETING

The City of Colorado Springs, Land Use Review Division has received a request by N.E.S. Inc. on behalf of Tom Tauche Inc. for approval of the following land development applications:

File No. CPC ZC 15-00006 - A zone change from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-family Residential with Airport Overlay) and

File No. CPC CP 15-00007 – A concept plan which shows the reconfiguration of the Springs Ranch Golf Course so that the 18-hole golf course is maintained and a separate parcel consisting of 13.8 acres for further development is created. Residential uses as allowed by the R-5 zone are proposed.

The property is located adjacent to the east side of Tutt Boulevard immediately south of the Springs Ranch Golf Course clubhouse and consists of 13.8 acres.

You are invited to attend a public meeting to discuss the applications. Representatives of the project and the City Planning & Development Department will attend this meeting. You are encouraged to share this notice with your neighbors.

Meeting date and time: Thursday, March 5, 2015 at 5:30 p.m.
Meeting location: Springs Ranch Golf Clubhouse, 3525 Tutt Boulevard

If you have questions contact the planner listed above

To review the plans for this project bring this postcard to the address listed above. Comments regarding this application will be considered by staff until Monday, March 9, 2015. All comments received are public record and will be made available to the applicant. If you have questions contact the planner listed above.

To view this application and related documents, go to: www.springsgov.com, select "Land Use Review" from the Departments drop down list, and click on "LDRS-Plan Search." Type the entire file number of CPC ZC 15-00006 (zone change) or CPC CP 15-00007 (concept plan) within the "Enter the File Number" field and click on the "Run Query" button. You can view PDF documents by clicking on the links that appear on the left side of the resulting page. Please contact the planner listed above for assistance viewing this application.

Media Report

03/03

State cycling map now includes Colorado Springs trails
CSBJ

03/05

GUEST OPINION: More of us should rally around Colorado Springs flag
The Gazette
Alex Johnson

03/09

Just because weather will be nice, doesn't mean area trails will be
KOAA

Colorado Springs named 16th fittest city
FOX21

YMCA 'meet and greet' at Westside Community Center March 13
Westside Pioneer

03/10

Warm temperatures melt snow, muddy trails around Colorado Springs
The Gazette

03/11

'Fields at Focus' soon to fade from Colorado Springs
KOAA

Using muddy trails can lead to damage
KOAA

03/12

YOUR VIEWPOINT: Something needs to change
The Gazette

Money merge helps Colorado Springs trails merge
KOAA

03/13

Local Bark Rangers Enjoy Their Job
Cheyenne Edition

New Summit Facilities Important for Community
Cheyenne Edition/Woodmen Edition

Discuss Red Rock Canyon Saturday
Woodmen Edition

03/17

YOUR VIEWPOINT: Develop a plan for the homeless
The Gazette
Charles Castle

03/18

NOTED: Springs on bike map
The Independent

03/20

Balloon festival has two sponsors
The Gazette

New Developments for Outdoor Enthusiasts
Cheyenne Edition/Woodmen Edition

New Lighted Trail Coming to North Cheyenne Canon Park
Cheyenne Edition

Mayor's Cup Golf Tournament Coming in May
Woodmen Edition

03/24

City Parks flood repairs include Garden of the Gods, Red Rock Canyon
Westside Pioneer

Expect more activities at Labor Day Balloon fest
The Gazette

03/26

Effort to close trail gap finally pays off
The Gazette

03/27

Historic steam engine going home
The Gazette

Development director of Pioneers Museum to step down
CSBJ

City of Colorado Springs Lease Engine that Once Transported President Taft
KTVD

04/01

YOUR VIEWPOINT: Filthy condition of city parks

The Gazette

LETTERS: Looking ugly

The Independent

Here, Kitty, Kitty, Kitty, Kitty...

With nation's first cat park, Colorado Springs aims to leave its mark

The Independent

Volunteers needed for trail work, Garden preservation, Waldo Canyon Fire rehab

Westside Pioneer

Assault at Memorial Park

KKTV

04/03

Thanks for playing with those cats

The Independent