



## MEMORANDUM

---

**MEETING TYPE:** Board of County Commissioners

**MEETING DATE:** Tuesday, February 27, 2024

**ITEM NAME:** Cuchara Mountain Park Conditions of Transfer

**SUBMITTED BY:** Carl Young, County Administrator

**SUMMARY:** Per BOCC direction, conditions of transfer between Huerfano County and Cuchara Foundation concerning Cuchara Mountain Park have been developed and are awaiting next steps.

**BACKGROUND:** At the January 23, 2024 BOCC Meeting, staff was given direction through a motion to develop conditions of transfer between Huerfano County and Cuchara Foundation regarding Cuchara Mountain Park. If you so choose to continue with the transfer the following conditions are recommended:

1. That the Mountain Park will revert back to the County in the event the Cuchara Foundation ceases to operate
2. That the Mountain Park shall be kept free of liens and encumbrances, in the event the Cuchara Foundation fails to pay property taxes for two years the Park will revert back to the County
3. The Cuchara Foundation must maintain the Park and public access to the Park for the term of the Access Agreement between the County and the Foundation, failure to do so shall be grounds for the Park to revert back to the County.
4. The Cuchara Foundation may not sell or otherwise transfer ownership of the Park to any entity, other than Huerfano County, during the term of the Access Agreement. After the Access Agreement expires the Cuchara Foundation must offer the County the first right of refusal to purchase the property and the right to match any offer made to purchase the property.

**BOARD ACTION TAKEN:**

APPROVED

DENIED

OTHER

SIGNATURE OF THE CHAIR: \_\_\_\_\_

**NOTES:**