

Public Access Restrictions for Appraisal Purposes:

The City's grantee, and any future owner of the property, shall (i) fully collaborate with the US Forest Service in the completion of the National Environmental Policy Act ("NEPA") Bear Creek Watershed Restoration planning process and subsequent Environmental Assessment, (ii) implement the terms and conditions of the NEPA final decision, including maintenance and monitoring requirements, as it applies to the subject property and all related mitigation measures as developed by the State Historic Preservation Office and the US Fish and Wildlife Service necessary to comply with NEPA final decision, the Endangered Species Act, and the National Historic Preservation Act, and (iii) provide public recreational access in perpetuity that is not inconsistent with the NEPA final decision.

Any future use of the property shall not interfere with the City's rights and benefits, or the performance of its obligations, and access required therefore, related to the maintenance of watershed lands under applicable laws, including the Act of Congress, approved February 27, 1913, granting the City of Colorado Springs, Colorado, certain rights on the north slope of Pikes Peak, Public No. 392, H. R. 23293, for the protection of the water supply of the City of Colorado Springs and the Town of Manitou, Colorado, and under the following agreements: (i) the Cooperative Agreement for the Purpose of Conserving and Protecting the Water Supply of Colorado Springs and Manitou, Colorado, dated October 9, 1914, and (ii) the Cooperative Agreement for the Purpose of Conserving and Protecting the Water Supply of the City of Colorado Springs, Colorado, dated January 9, 1924.

Any future change in the use of the property and any future construction or development upon the property shall (i) be conditioned upon the reasonable approval of the City and (ii) be consistent with the property's function as a watershed within the City's Water Supply System and with the similar function of adjoining US Forest Service lands.