



June 29, 2016

Mr. Ryan Tefertiller, Urban Planning Manager
City of Colorado Springs
City Planning Department – Land Use Review
30 South Nevada Avenue, 5th Floor
Colorado Springs, CO 80903

Mr. Robert Cope, Economic Development
City of Colorado Springs
Mayor's Office
30 South Nevada Avenue, 4th Floor
Colorado Springs, CO 80903

RE: Conservation Easement Modifications – Santa Fe Depot
Conservation Easement, Recorded at Book 3515, Page 608-611

Dear Ryan and Bob,

Thank you, Ryan, for your letter dated April 11, 2016 and for the time you were able to spend with me last week to discuss the State Historical Fund's easement process. As you know, I represent The O'Neil Group Company, LLC, and their entity, OGC RE1, LLC, ("OGC") the current owner of the Santa Fe Station. Please consider this correspondence OGC RE1, LLC's formal request to modify the existing Conservation Easement.

1. Justification

Attached please find **Exhibit A**, which depicts the current legal description associated with the recorded Conservation Easement, encumbering a considerable portion of the adjacent parking. Since OGC's purchase of the Santa Fe Depot, we have participated in discussions with the City of Colorado Springs, Colorado State Historical Society, State Historical Fund and the National Register of Historic Places, who concur the architectural, historic and cultural value of the Depot only applies to the historic structure itself.

In addition, the City of Colorado Springs recently sponsored OGC's grant application to the State Historical Fund (SHF). The application was successful and the City was awarded a grant of approximately \$150,000 for the exterior rehabilitation of the Santa Fe Depot. As part of the SHF grant contract process, the SHF has requested the City's Conservation Easement be modified to reflect the actual project area. Attached for your consideration, please find **Exhibit B** depicting the exterior boundary of the historic Depot structure.

The Paramount Group
Asset Managers

6 N Tejon St, Suite 510
Colorado Springs, CO 80903

P.O. Box 1385
Colorado Springs, CO 80901

Fax (719) 632-6203
Phone (719) 635-5062

2. Proposed Modified Easement

Pursuant to our request, please find a proposed Amended and Modified Conservation Easement, attached hereto as **Exhibit C** which we believe more accurately describes the current status of the property.

3. Impact of Modified Easement on National Registry

Pursuant to an email communication with Michelle Chichester, Historic Preservation Specialist & Property Protections Coordinator at State Historical Fund, dated May 19, 2016, the State Historical Fund/History Colorado confirmed the proposed amendment to the existing Conservation Easement has no impact the Depot's listing with the National Register of Historic Places. Attached hereto as **Exhibit D** is a copy of this correspondence for your records.

Thank you for the time and effort the City has devoted to both the modification of the Conservation Easement and preservation of the Santa Fe Depot. Should you have any additional questions, please do not hesitate to contact me.

Kind regards,



Ingrid Richter, President

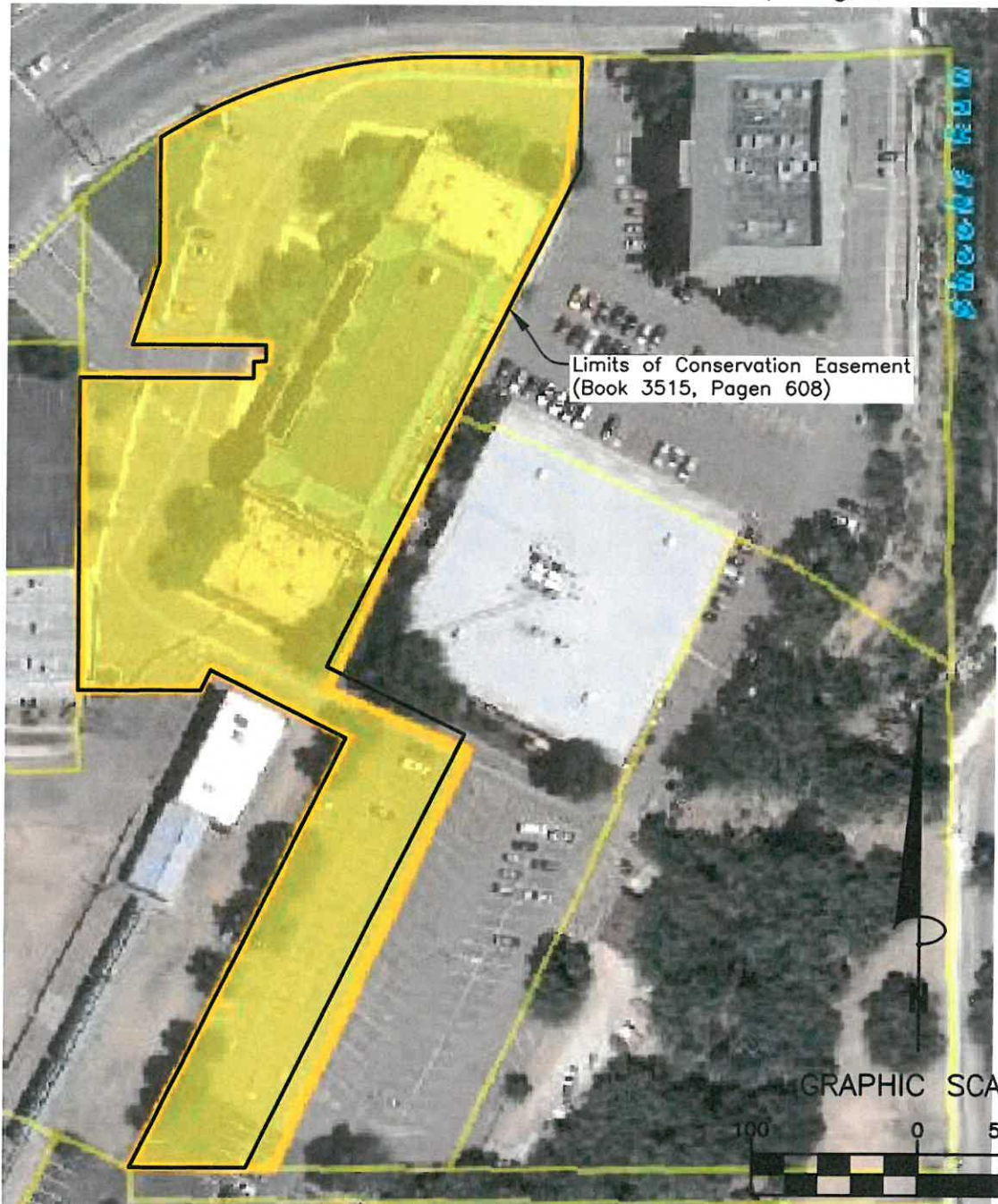
Paramount Group

Phone: (719) 445-5055

ingrid.richter@paramountam.com

cc: Ron Voss, Esq., Maury Keller & Kevin O'Neil, OGC RE1, LLC

Conservation Easement Exhibit
555 E. Pikes Peak Avenue, Colorado Springs, CO

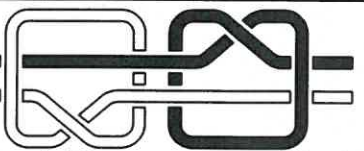


(IN FEET)
1 inch = 100 ft.

Sheet 1 of 1

EXHIBIT A

Project No:
14427

Clark 

Surveying * Mapping * Geospatial

119 N. Wahsatch Ave. • Colorado Springs, CO 80903 • 719.633.8533

www.clarkls.com

Drawn: CEF

Check: WRC

Date: 7/28/14

February 18, 2016

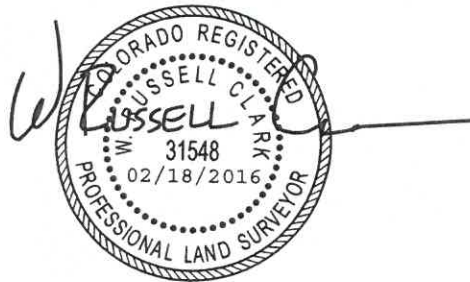
Legal Description

A parcel of land within that part of Lot 1, Santa Fe Station Subdivision, recorded June 17, 1980 at Reception No. 677278, in the offices of the El Paso County Clerk and Recorder, lying westerly of parcels conveyed by Book 3398, Page 740 and Book 3325, Page 662 being more particularly described as follows:

Commencing at the most northwesterly corner of said subdivision; thence N88°29'49"E, a distance of 142.80 feet to the Point of Beginning, bearings being based on the southerly line of said subdivision, assumed to bear S89°55'22"W, thence along the following four (4) courses:

1. S63°32'48"E, a distance of 105.05 feet
2. S26°27'12"W, a distance of 304.10 feet
3. N63°32'48"W, a distance of 105.05 feet
4. N26°27'12"E, a distance of 304.10 feet to the Point of Beginning.

Said parcel contains an area of 31,946 square feet, 0.733 acres, more or less.



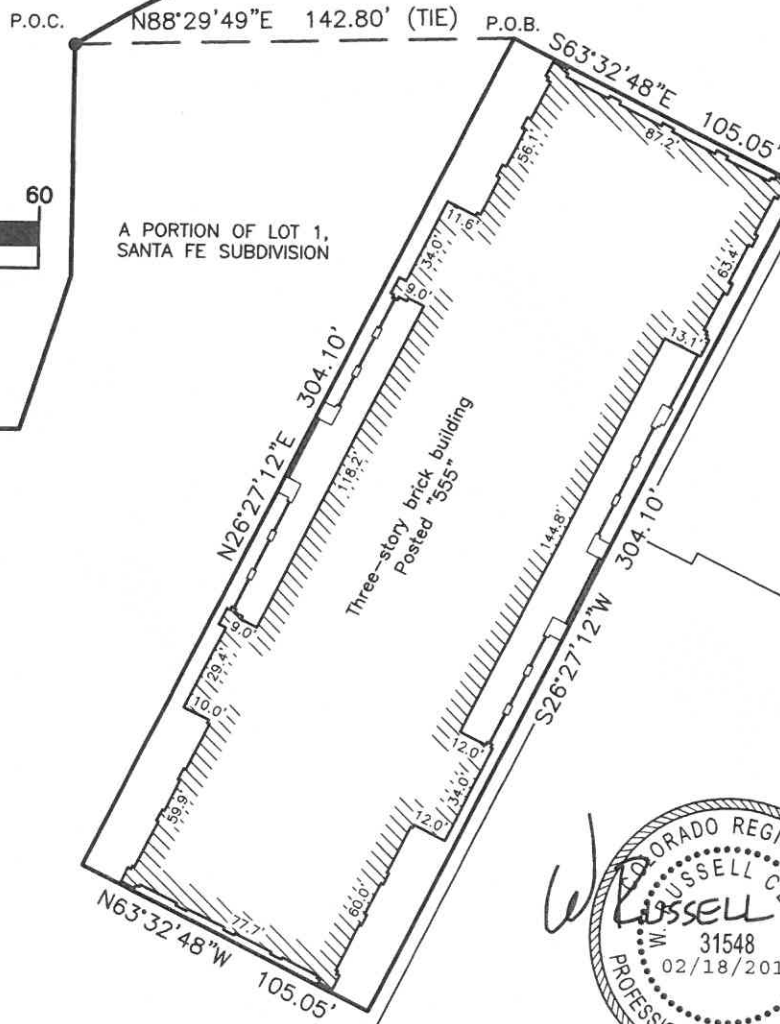
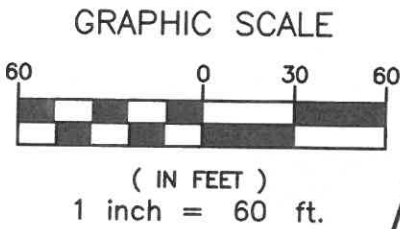
W. Russell Clark, Professional Land Surveyor
State of Colorado, L.S. 31548
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT B

EXHIBIT B

NOTE:
This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

E. PIKES PEAK AVE.
(Public R.O.W. varies)



Sheet 1 of 2

Revisions			
No.	Description	Date	By

Project No:
160134



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www.clarkls.com

Drawn: ZAR

Check: WRC

Date: 02/18/2016

Ingrid Richter

From: Chichester - HC, Michelle <michelle.chichester@state.co.us>
Sent: Thursday, May 19, 2016 9:50 AM
To: Ingrid Richter
Cc: Vance, Jennifer
Subject: Re: Easement Request
Attachments: 1602002 Exhibit B - Michelle.docx; 1602002 Exhibit A - Michelle.docx

Hi Ingrid,

I realize that I never got back to you about the National Register. Changing the easement boundaries will not affect your listing in the National Register.

As for updating the easement, the city will just need to send us the letter/memo stating that an update to the easement is required and if there are any fees associated with that process.

Once we get that memo, the contracts staff will be able to complete drafting the contracts. I have forwarded them the attached draft exhibits. I used the figures from the application since the scope sent in March seemed to be missing some information. Please let me know if any of the numbers have changed.

Thanks,

Michelle

On Mon, Apr 25, 2016 at 2:32 PM, Chichester - HC, Michelle <michelle.chichester@state.co.us> wrote:
Ingrid,

I am still working on drafting the exhibits for this project. I apologize for the delay on that. As soon as I'm finished, I'll forward the exhibits to Jenny Deichman (Contracts Specialist for this project) to finish the contracting on our process. She'll be in touch as soon as she sends them out for your signature.

As for updating the easement, once all of the details have been straightened out, we will just need a letter from the City stating the costs associated with updating the easement, if any. Since SHF requires a perpetual easement, we will pay 100% of those costs. They will be included in your contract, on top of the awarded grant amount.

I have contacted the State/National Register staff about how the change in legal description would affect the listing, if at all. I will let you know as soon as I hear anything.

Thanks,

Michelle

On Mon, Apr 25, 2016 at 6:16 AM, Ingrid Richter <Ingrid.Richter@theoneilgroupco.com> wrote:

Dear Michelle and Jen,

EXHIBIT D