



Parks and Open Space

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PARKS AND OPEN SPACE ADVISORY COMMITTEE MEETING

TO:	Parks & Open Space Advisory Committee
TIME/DATE:	Thursday, July 27, 2017 at 6:30 p.m.
LOCATION:	Commissioners Hearing Room, 3 rd floor, Boulder County Courthouse, 1325 Pearl Street, Boulder, CO
AGENDA ITEM:	Mayhoffer Farm – Acquisition of Fee Title, Conservation Easements and a Restrictive Covenant
PRESENTER:	Mel Stonebraker
ACTION REQUESTED:	Recommendation to the BOCC

Summary

Boulder County, the Cities of Lafayette and Louisville (the Partners) propose to acquire the majority of the Mayhoffer family farm between Lafayette and Louisville at the intersection of South 95th Street and Empire Road for open space. It is bordered by the Harney Lastoka open space on the north and the Adler-Fingru open space on the east. The Partners will acquire fee title to 170.20 acres with associated water rights, two conservation easements over two residential lots totaling approximately 17.40 acres, and one restrictive covenant over a residential lot totaling 11.88 acres for \$8,500,000. The county will pay fifty percent of the price, and each city will pay twenty-five percent.

Background

The Mayhoffer property was homesteaded by David and Anne Kerr in 1865, and the farm has remained in the Kerr/Mayhoffer family from that time to the present. David and Anne had 8 children, but only 4 lived to adulthood. The property was originally used for farming and ranching, but in 1877, the first coal seam in the area was discovered under the Kerr's wheat fields. In 1877, the City of Louisville was platted and the rest is history. In 1887, Leanna Kerr married John Mayerhofer (during world war one the family changed the name to Mayhoffer).

The Partners have for many years hoped that the Mayhoffer farm might one day be preserved as open space. The property's value as a community buffer along with its historic, agricultural and other open space attributes have always made it a high priority open space acquisition. In August of 1996, the Partners entered into an intergovernmental agreement which designated the property as a Rural Preservation Area and stipulated that if the opportunity to preserve the Mayhoffer farm ever presented itself and an agreement could be reached with the family, the county would pay half the purchase price and the Cities of Louisville and Lafayette would pay the other half (one quarter each).

Deal Terms

The total property is approximately 199.48 acres. It is proposed that Robert Mayhoffer retain approximately 29.28 acres, which would be divided into three residential lots. Two of the lots would be subject to conservation easements, and the third lot would be created subject to a restrictive covenant. Among other things, the conservation easements and the restrictive covenant would limit the sizes of the residences and accessory structures, require that certain historic buildings be protected, and prohibit future subdivision or annexation. The remaining

approximately 170.2 acres, the mineral rights and various water rights would be acquired by the Partners as open space. The proposed purchase price for the land, conservation easements, mineral rights and water rights is \$8.5 million. The county's share of the purchase price would be \$4.25 million, and Lafayette and Louisville would pay the remaining \$4.25 million.

Mayhoffers have asked to retain another 4.89 acres total with the three house lots. The partners are considering whether to agree, and if so, the purchase price will be reduced accordingly.

Mineral Rights

The acquisition would include the mineral rights under the entire 199.48 acres, which have not been severed or leased. The transaction would prohibit the property from being used for mineral extraction.

Water Rights

The following water rights would be included in the acquisition and are collectively valued at approximately \$675,000.

- a) 86.826 shares of the capital stock of the Davidson Ditch and Reservoir Company
- b) 152.658 shares of the capital stock of the Goodhue Ditch & Reservoir Company
- c) 2 shares of the capital stock of the Farmers Reservoir and Irrigation Company
- d) The Hutchinson and Roosevelt Street Irrigation Well.

Acquisition Summary

Acres	Water Rights	# Conservation Easements/Restrictive Covenant	# Building Rights to Be Acquired	Price per Acre*	Total Purchase Price
170.2 fee 29.48 CE/RC 199.48 total	See above	3	2	\$42,611	\$8,500,000

* Includes the value of the restrictive covenant and the two conservation easements.

Boulder County Comprehensive Plan Designations

Since the maps in the comprehensive plan are intended to be illustrative rather than specific, these designations are indicators of importance but not confirmation that these features exist on the property. The Boulder County Comprehensive Plan maps indicate the property is Significant Agricultural Land of National Importance.

Public Process

The Parks and Open Space Department's division of land process to create parcels of land under 35 acres require commissioners' approval pursuant to the Community Facility Lot Split regulations contained in the Land Use Code, and so adjacent property owners and the Land Use and Transportation Departments and Boulder County Public Health have been notified according to standard practice.

Staff Discussion and Recommendation

The preservation of the Mayhoffer farm has been a high priority for many years. The Cities of Louisville and Lafayette have always hoped it could be preserved as a buffer between their two communities.

For the past 20 years, the Partners collectively and separately have from time to time talked with the Mayhoffers about the possibility of preserving their farm, but it wasn't until this last year that they were willing to consider a proposal.

Staff fully supports the acquisition of the Mayhoffer farm. The Mayhoffer farm is a perfect example of the values that the taxpayers of this county and the Parks and Open Space Department have sought to preserve and protect.

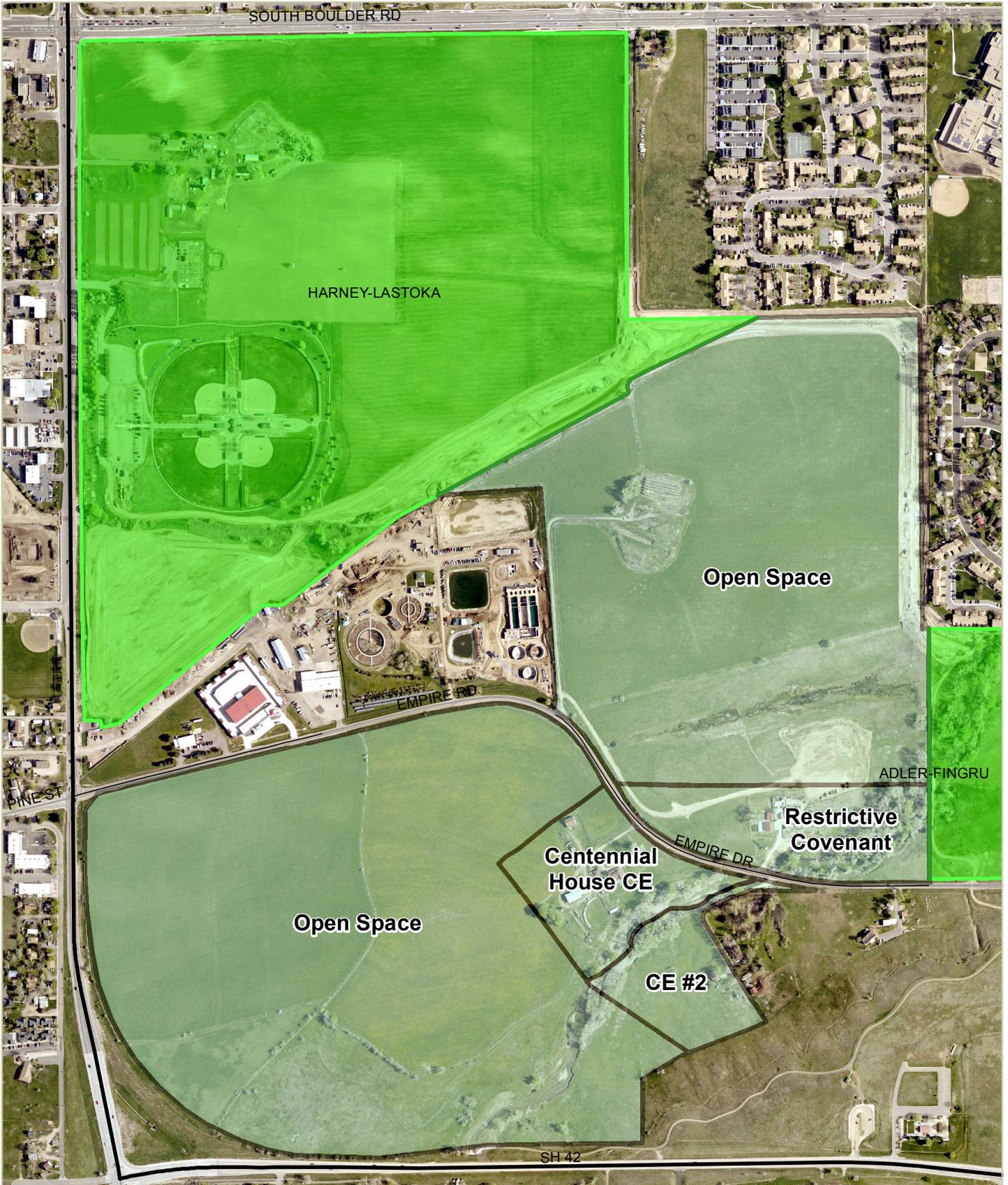
POSAC Action Requested

Recommendation to the Boulder County Commissioners for approval of the acquisition of the Mayhoffer farm as described above.

Mayhoffer Farm Aerial Map



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 Mayhoffer Farm

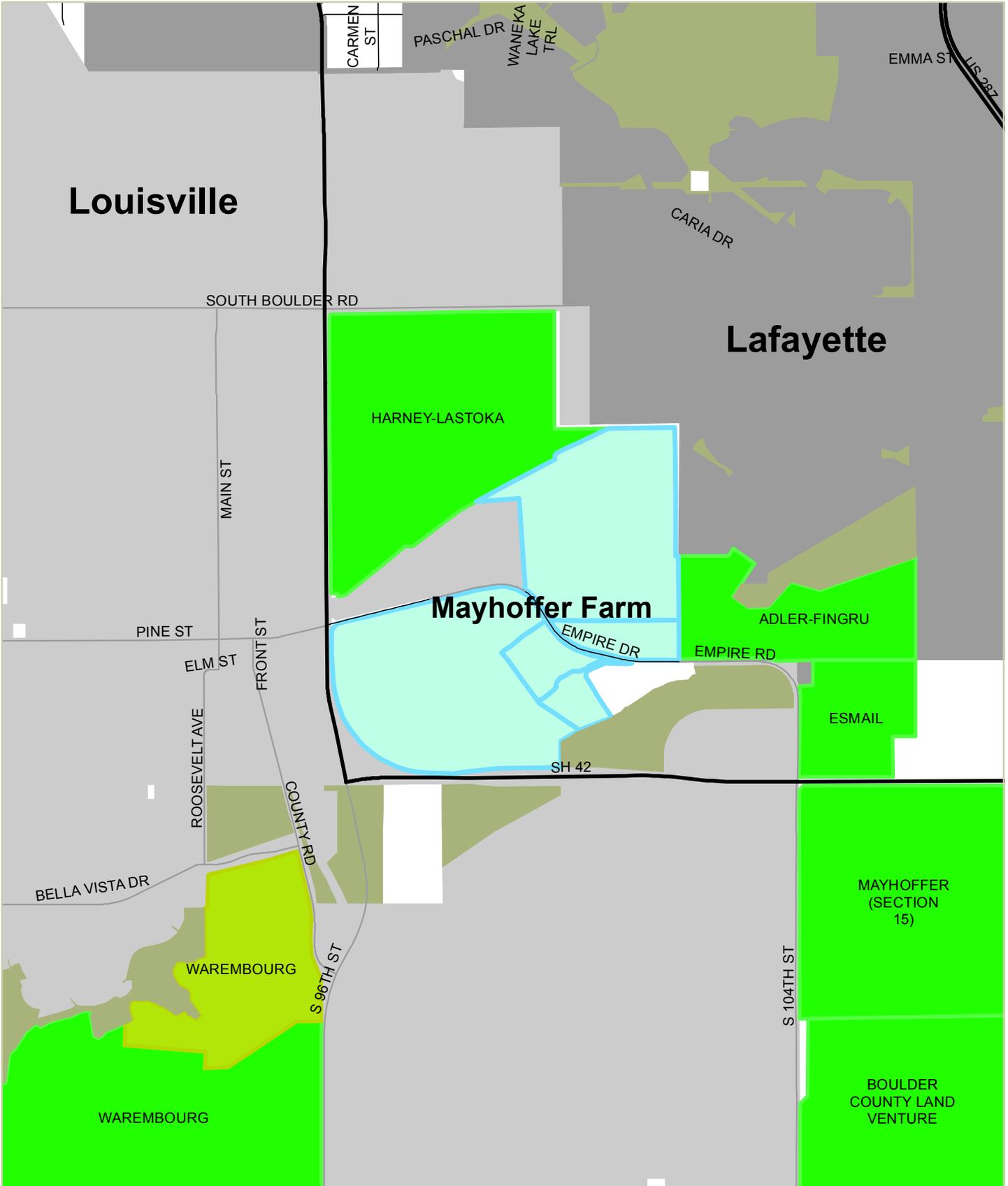

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Feet

Mayhoffer Farm Vicinity Map



Parks & Open Space



- Mayhoffer Farm
- Joint County and Municipal Open Space
- County Conservation Easement
- City Parks and Open Space
- Municipal OS-CoMap data
- Louisville
- Lafayette

0 500 1,000
Feet

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