

CITY OF LITTLETON, STATE OF COLORADO

HPB RESOLUTION NO. 2

SERIES, 2019

**A RESOLUTION OF THE HISTORICAL PRESERVATION BOARD OF
THE CITY OF LITTLETON, CONCERNING A PROPOSED DRAFT
AMENDMENT TO AN EXISTING CONSERVATION EASEMENT FOR A
PROPERTY LOCATED AT 2707 WEST MAIN STREET**

WHEREAS, in 1973, the City of Littleton designated the Carnegie Library building on the property located at 2707 West Main Street as a local historic landmark; and

WHEREAS, on January 7, 1983 the property owner and the City of Littleton entered into an agreement titled "Conservation Easement in Gross" recorded January 24, 1983 at reception number 2240833; and

WHEREAS, the property owner requests approval of a draft amendment to the Conservation Easement in Gross to potentially allow new pergola structures as an exception to the easement; and

WHEREAS, at its regular meeting of April 15, 2019, the historical preservation board of the City of Littleton considered the said proposed draft amendment, as more specifically described in Exhibit A, which is attached hereto and made a part hereof by this reference; and

WHEREAS, the board recognizes and appreciates the Melting Pot (applicant) has contributed to the economic viability of Littleton; and

WHEREAS, the board recognizes any change to the easement would be permanent and would impact future property owners and open the door to future changes to the view of this building.

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORICAL PRESERVATION BOARD OF THE CITY OF LITTLETON THAT:

Section 1. The historical preservation board finds that the proposed draft amendment to the conservation easement in gross counteracts the intent of the original easement to preserve views of the Carnegie Library building and will diminish the full and uninterrupted visual enjoyment of the building for the general public.

Section 2. The historical preservation board hereby recommends denial of the proposed draft amendment to the city council of the City of Littleton.

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INTRODUCED, READ AND ADOPTED at a regularly scheduled meeting of the historical preservation board of the City of Littleton, Colorado, on the 15th day of April, 2019, at 6:30 p.m. at the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado by the following vote: 7-0.

ATTEST:

DocuSigned by:

Colleen Norton

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COLLEEN E. NORTON

DEPUTY CITY CLERK

DocuSigned by:

Michael Price

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CHAIR

APPROVED AS TO FORM:

DocuSigned by:

Paul D. Godec, Interim Assistant City Attorney

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AMENDMENT TO CONSERVATION EASEMENT IN GROSS

THIS AMENDMENT to Conservation Easement in Gross made January 7, 1983 and recorded January 24, 1983, Rec.No. 2240833, Book 3781 page 347, between D. L. K. General Partnership "Grantor" and the City of Littleton, a municipal corporation existing pursuant to the laws of the State of Colorado "Grantee".

NOW THEREFORE, the above Easement is hereby Amended by including the following exception:

Except Grantor may affix to the patio on the east side of the structure, four-season Pergola(s)

Acceptance of this grant by the Grantee shall be evidenced by the signature of an officer or executive administrator of the Grantee on this instrument or such other instrument which references this document.

The Grantee shall have and hold this Easement with all privileges thereunto belonging to in anywise thereunder forever.

Grantor:

D.L.K. a General Partnership

By: _____

STATE OF COLORADO)

)

COUNTY OF ARAPAHOE)

Subscribed and Sworn to before me this ____ day of _____, 2019

By _____

Witness my hand and seal

My commission expires: _____

Notary Public

Accepted:

By:

Title: