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CONSERVATION EASEMENT

This Conservation Easement is granted by Lon J. L'Heureux and Carol A. L'Heureux (Grantor) on the 20TH day of FEBRUARY, 1997, to the County of Boulder (Grantee), a body corporate and politic ("County").

*LLH
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WHEREAS, the Grantor is the owner of Outlot A on the plat of Sage Valley N.U.P.U.D. Subdivision, a part of the SW/4 of Section 18, Township 2 North, Range 70 West of the 6th P.M. in the County of Boulder, State of Colorado; and

WHEREAS, the Grantor has received approval of a Non-Urban Planned Unit Development; and

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WHEREAS, the Grantor has been allowed greater density in consideration of his agreement to preserve agricultural land or land designated for preservation in the Environmental Resources Element of the Boulder County Comprehensive Plan through this conservation easement; and

WHEREAS, the parties intend to preserve open land for agricultural purposes or other purposes designated in the Environmental Resources Element of the Boulder County Comprehensive Plan;

NOW THEREFORE, for good and valuable consideration the Grantor hereby grants and conveys to the County, a conservation easement in gross pursuant to Title 38, Article 30.5 of the 1973 Colorado Revised Statutes over Agricultural Outlot A of the Sage Valley N.U.P.U.D. Subdivision ("Outlot"). Conservation Easement(s) created through the Noncontiguous Non-urban Planned Unit Development process pursuant to Article 7-11201 et. seq. of the

Boulder County Subdivision Regulations and Article 21-210 et. seq. of the Boulder County Zoning Resolution shall be granted to Boulder County in perpetuity.

The terms of this easement are as follows:

1. The Grantor shall not erect on the Outlot any residential structures or any other structure which are not accessory to an agricultural use.

2. The Grantor shall not divide the Outlot into two or more parcels, separate interests or interests in common unless such division is one which is excluded from the statutory definition of "subdivision" by C.R.S. 30-28-101(1)(c)(VII), or is exempted under C.R.S. 30-28-101(10)(d), as amended, or unless the Outlot is re-subdivided under the Boulder County Subdivision Regulations.

3. The Grantor shall not erect, construct or expand any structure and/or pavement on the Outlot such that the total coverage of structure and/or pavement on the Outlot exceeds ten (10) acres or ten percent (10%) of the area of such Outlot, whichever is less unless such structure or pavement is accessory to a principal open agricultural use and is required by government regulation. A management plan is hereby attached as Exhibit "A" for the purpose of maintaining the Outlot.

4. Agriculturally related buildings and structures may be permitted on the Outlot if (a) they are not used for residential purposes, (b) they are constructed and used as accessory structure to a single principal use of agriculture, and (c) they are in accordance with County Land Use Regulations.

5. The County shall have the right to enter upon the Outlot to inspect for violations of the terms and covenants of this easement and to remove or eliminate any conditions or operations which violate the same. No further right of access entry or possession is conveyed hereby.

6. This easement shall run with the land and shall remain an easement on the land until terminated or transferred according to one of the following provisions:

A. Termination

(1) This easement shall terminate pursuant to C.R.S. 38-30.5-107 as amended, provided both the Planning Commission and the Board of County Commissioners have determined that such termination would be consistent with the then current Boulder County Comprehensive Plan and County Land Use Regulations.

(2) This easement shall terminate upon annexation of the Outlot to a municipality, provided such annexation and proposed use are determined by the Boulder County Planning Commission and the Boulder County Board of County Commissioners to be in accordance with the Comprehensive Plan mutually adopted by the municipality and Boulder County.

(3) This easement may be terminated and another easement substituted upon approval of the Boulder County Planning Commission and the Boulder County Board of County Commissioners, with the consent of the Grantor, if:

(a) A new Comprehensive Plan has been adopted by Boulder County, which Plan would permit the construction on the

property of additional residences or structures not accessory to the principal use of agriculture; or the present Boulder County Comprehensive Plan is amended, which amended Plan permit the construction on the property of additional residence or structures not accessory to the principal use of agriculture; and

(b) The Zoning, the Boulder County Land Use Regulations or policies of Boulder County are amended or modified in such a manner as to permit further development or subdivision of this Outlot; and

(c) A new conservation easement is received which is in conformance with the current adopted Comprehensive Plan.

B. Transfer

With the consent of the owner(s) of the underlying fee interest, the Grantee may transfer this easement to a governmental entity or to a charitable organization exempt under Section 501(c)(3) of the "Internal Revenue Code of 1954", as amended, which organization was created at least two years prior to the transfer, provided:

(1) Both the Boulder County Planning Commission and Board of County Commissioners have determined that such transfer is consistent with the then current Boulder County Comprehensive Plan and Boulder County Land Use Regulations; and

(2) The owner(s) of the underlying fee interest receive(s) compensation equal to the fair market value of the easement less costs of transfer or waive(s) such compensation; and

(3) A covenant is placed on the property requiring that

any development be consistent with the then current Boulder County Comprehensive Plan.

It is understood, that Grantee may require compensation for and attach conditions to these transfers, and that these conditions may include restrictions of the future use of the Outlot.

7. This Agreement, attachment(s) and the covenants as set forth herein shall run with the land and be binding upon all parties thereto, their heirs, successors, representatives, and assigns and all persons who may hereafter acquire an interest in the Outlot or any part thereof. It is intended that the conservation easement and any other interests created under this agreement vest immediately. If any future interest in land are created, those interests shall vest, if at all, within the lives of the undersigned plus twenty year and 364 days.

IN WITNESS WHEREOF, the said Grantor has caused his name to be hereunto subscribed the day and year first above written.

[Signature]

Lon J. L'Heureux

[Signature]

Carol A. L'Heureux

STATE OF COLORADO)
)ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 7th day of February, 1992, by Lon J. L'Heureux and Carol A. L'Heureux.



WITNES MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES: May 6, 1994


[Signature]

Notary Public

IN WITNESS AND ACCEPTANCE WHEREOF, the said County has caused its name to be hereunto subscribed the day and year first above written.

Ronald K Stewart
Chairman

ATTEST:

M. Schwartz
Clerk of the Board


Section IV
All Field Offices
April 1985

STANDARD AND SPECIFICATION
for
PASTURE AND HAYLAND MANAGEMENT (Acre) 510

STANDARD

Definition

Proper treatment and use of pastureland.

Purpose

To prolong life of desirable forage species, to maintain or improve the quality and quantity of forage, to protect the soil, and reduce water loss.

Where applicable

On all pasture and hayland.

Planning Considerations

I. Fertilization

- A. Fertilize to meet the needs of the plants or the economic objective of the producer.
- B. Specific fertilizer recommendations should be based on soil or tissue analysis. General recommendations can be made using the following units of fertilizer per ton of air dry material removed:

Exhibit "A"

Species	Lbs. 1/ N/Ton	Lbs. 2/ P ₂ O ₅ /Ton	Lbs. 3/ K ₂ O/Ton
Cool season grass	30	10	5
Grass-legume	25	15	6
Forage sorghums	40	15	6
Alfalfa & other properly inoculated legumes	0	15	5

- 1/ Organic matter is a major key to estimating available nitrogen. Mountain regions of Colorado are high in organic matter, but decomposition is extremely slow because of low temperatures. Soils of the eastern slopes are low in organic matter, but decomposition is rapid. This indicates that most pasture and haylands of Colorado will respond to nitrogen in proportion to the amount applied.
- 2/ In general, laboratory soil tests indicate adequate available phosphorus for medium to high tonage of grass production. For grass-legume mixtures or solid legume stands, a good response from P₂O₅ should occur.
- 3/ Unless a laboratory soil analysis indicates the need for K₂O, this element should not be recommended due to the abundance of available potassium present in most Colorado soils.

C. Nitrogen should be applied in split applications for improved efficiency.

II. Rotation Grazing

- A. Grazing units should be approximately equal in size. Small pastures may be grouped to form a grazing unit within a system.
- B. The grazing-recovery period should not exceed 30 days for optimum forage quality.
- C. When forage is grazed down to the minimum recommended height, cattle should be moved.
- D. Clip uneven growth down to the recommended height to prevent spot grazing.
- E. A one herd-three unit system furnishes a simple but adequate grazing system. Grazing 7-10 days and resting 14-20 days is a good rule of thumb.

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III. Other Management Considerations

- A. Hay harvest should be based on the stage of growth. Continuous cutting at an immature stage will cause the stand to deteriorate prematurely due to a continuous reduction of food reserves in the roots.
- B. Varying the ratio of nitrogen and phosphorus fertilizer can be used to manipulate the ratio of grasses and legumes.
- C. Stocking rates vary with climate, soil, type of forage, available moisture, and degree of management. Observation and local experience are the best guides for determining stocking rates but the following can be used for guidance.
 - 1. Approximately 1 AUM per 1000 lbs. of air dried forage produced.
 - 2. Non-irrigated pasture in Colorado (average year) produces 300-3500 lbs. per acre.
 - 3. Irrigated pastures produce from 2000-16,000 lbs. per acre depending on climate, management, and species present.
- D. After irrigation, a deferment period should be in effect to permit the surface soil to dry out before grazing to avoid excessive compaction. A minimum of three days on sandy soils, four days on loamy soils, and five to six days on clay soils.

SPECIFICATIONS

I. Minimum Grazing or Cutting Heights

A. Pastureland

Species	Minimum Height Prior to beginning grazing (inches)		Minimum Height During growing season (inches)	
	Maintenance <u>1/</u>	Optimum <u>2/</u>	Maintenance <u>1/</u>	Optimum <u>2/</u>
Alkali Sacaton	5	8	3	5
Brome, smooth	5	8	3	4
Fescue, Meadow	5	8	3	5
Fescue, Tall	5	8	3	5
Fescue, Hard	4	5	2	4
Foxtail, creeping meadow	5	10	3	5
Kentucky bluegrass	3	5	2	4
Indiangrass	12	18	6	10
Orchardgrass	5	8	3	5
Redtop	4	6	3	4
Reed canarygrass	12	18	4	6
Russian wildrye	4	6	3	5
Sideoats grama	4	5	2	4
Switchgrass	12	18	8	10
Timothy	4	6	2	4
Sedge, Nebraska	3	5	2	4
Wheatgrass	5	8	3	5
Pubescent, Western				
Intermediate, Slender				
Wheatgrass, Crested, Siberian	4	6	2	4
Wheatgrass, Tall	8	12	5	8
Cicer Milkvetch	6	10	3	4
Alfalfa	6	10	3	4

1/ These heights will allow maintenance of the stand.

2/ These heights will provide maximum yields when other plant requirements are met.

B. Hayland

Species	Growth Stage for Quality Hay	Minimum Cutting Heights
Alfalfa	Early bloom stage	2"
Grass-Legume	When grass is in boot-stage or legume in early bloom.	3"
Tall grasses	Boot stage	4"
Mid-Grasses	Boot stage	3"

The last cutting should be timed to allow for a two to four week regrowth period before the average first killing frost.

C. Pastures for special use:

Grasses such as Crested wheatgrass and Pubescent wheatgrass are commonly used for early spring grazing until other forage is available. Realizing that production on the pasture will be reduced, acceptable management can be accomplished by heavy grazing for short periods during the spring, followed by deferment the remainder of the year. During the grazing period, sufficient growth should be left to protect the soil from wind and water erosion. This provision will be restricted to apply between April 1st and June 1st.

II. Required Management Considerations

A. Observe recommended grazing heights shown in Item I of these specifications.

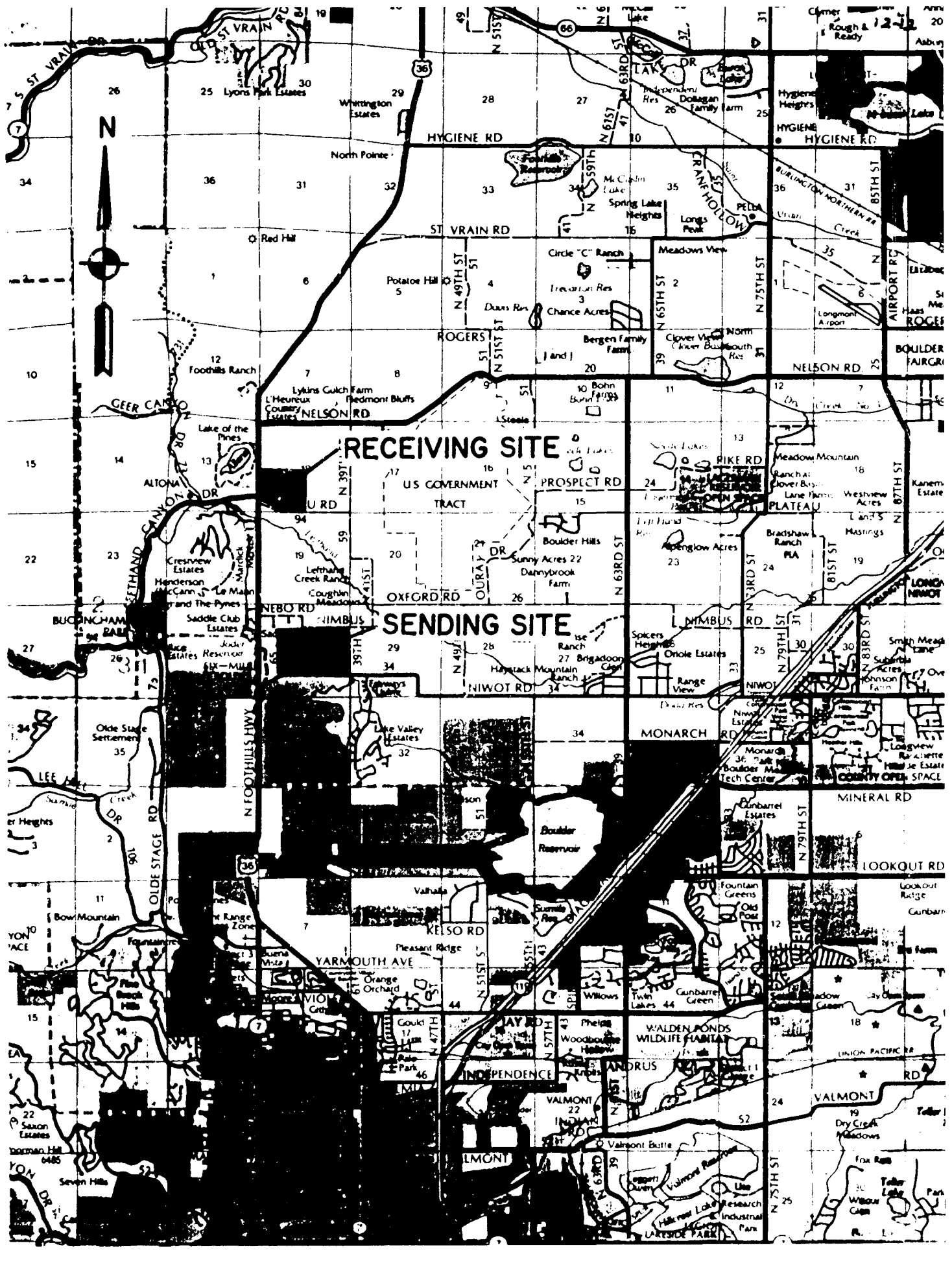
B. Practice weed control if weeds are significantly inhibiting the growth of desirable species.

1. Chemical - Colorado Weed Control Handbook will be used for recommendations.

2. Mechanical - Mow or shred weeds when they become significantly taller than the desirable plants. Do not shred shorter than minimum recommended harvesting heights.

C. Livestock water will be available in each grazing unit.

D. Rotation grazing is required on irrigated pastures unless the use is for early spring grazing, fall grazing or other "Special use" acceptable to the designated technician.



RECEIVING SITE

SENDING SITE

