



STANDARD

Contract Routing Cover Sheet

Please print and attach to your document

You can view the status of your contract using the [Contract Tracking Status Page](#).

Routing Number	20200401-6653		
Originating Dept	Parks & Recreation		
Contact Person	Megann Lohman	Phone Number	303-579-7427
Project Manager / Contract Administrator	Margo Josphehs	E-mail	josephsm@bouldercolorado.gov
Counter Parties	City of Boulder		
Contract Title / Type	Attachment E to the Women’s Wilderness lease (20200310-6608).		
Number			
Description	Declaration of Use is Attachment E to the Harbeck-Bergheim House lease agreement (20200310-6608) between the City and Women's Wilderness. The document specifies protections for specific interior features of the house.		
Special Instructions	This does NOT need to go to Central Records. Clerks office should email Laurie Nading (NadingL@bouldercolorado.gov) and Margo Josephs (josephsm@bouldercolorado.gov) once Jane has signed.		
Amount	N/A	Expense Type	INCOMING

• Dept. Head Signature _____ *(Signature)*

NOTE; Originating Department: Identify with a check mark all areas document needs to be routed.

- Purchasing _____
- Budget _____
- Sales Tax _____
- CAO _____
- City Manager _____
- Central Records _____



DECLARATION OF USE

The City of Boulder, owner of the above described property, executes this Declaration of Use in order to inform future users of the property of some of the important features that are included in the interior of the property:

- 1) The property is located at 1206 Euclid Ave., Boulder, Colorado, within a RL-1 (Low Density Residential-1) zoning district and is locally designated as an individual historic landmarked property (the "Property"). The city is proposing to lease the dwelling at the Property. With such an anticipated Property lease, it is expected that any tenant, its staff, guests and vendors would regularly interface with certain interior features of the Property, limited to those listed below, which the owner recognizes and values as unique community assets ("Interior Features").
- 2) The city recognizes the value and significance of the Property's Interior Features as described below and more fully depicted in photographs stored in Central Records of the City of Boulder:
 - i. main floor fireplace surrounds including the tile, fireplace surrounding wood paneling, trim and mantle;
 - ii. main staircase railing, newel posts, treads and risers;
 - iii. wood doors (pocket or swinging);
 - iv. historic radiators (whether or not operational); and
 - v. stained and leaded glass windows on the main stair and at the home entry vestibule (collectively, the "Specific Interior Features"); and
 - vi. built in millwork features.
- 3) The city intends to preserve the Interior Features:
 - a. **Preservation of the Interior Features.** Users of the Property will maintain the Interior Features so as to prevent loss or substantial deterioration (absent normal wear and tear) of those features.
 - b. **No Alteration of Interior Features.** Future users or tenants of the Property will be required to maintain and preserve the Interior Features. No changes will be undertaken without the express written permission of the city. It is intended that any work or maintenance associated with the Interior Features will be done in an manner that is consistent with the Secretary of the Interior's Standards For The Treatment Of Historic Properties and Guidelines for Preserving, Rehabilitating for Restoring & Reconstructing Historic Buildings interior spaces, features, and finishes. Any authorized treatment (replacement, rebuilding, repair and reconstruction, as examples)

of those Interior Features shall be undertaken in a manner which maintains or recreates, as the case may be, the appearance of the Interior Features.

- c. **Damage or Destruction.** In the event that the Property or any part thereof shall be damaged or destroyed by casualty, temporary emergency work may be undertaken to prevent further damage to the Interior Features and the owner will use its best efforts to develop a report prepared by a qualified restoration architect and an engineer, if required, including the following:
 - i. a documented assessment of the nature and extent of the damage to the Interior Features;
 - ii. a determination of the feasibility of the restoration of the Interior Features; and
 - iii. a report defining, specifying and estimating the cost of such treatment necessary to return the Property's Interior Features to its varied states of repair immediately preceding the referenced damage or destruction.
 - d. **Owner right of determination.** The owner may, upon completion of that report, determine not to exercise its respective rights regarding restoration or reconstruction of the Interior Features and then may (in its sole discretion) alter, demolish, remove or raze the features, or construct new improvements on the Property. In such event, the owner may elect to choose any salvageable portion of the Interior Features of the Property and remove them from the Property.
- 4) This intends to place requirements in applicable contracts and leases for users of the Property to ensure that such users and tenants are aware of the Interior Features and further maintain and protect the Interior Features for future generations.
 - 5) This Declaration of Use shall be recorded and serve to notify any future owners of the Property described above of the intent and legal use of the structure. It is not intended that this in any way affects the permitted uses that may be allowed by amendment or change of the Land Use Regulations in the future.

OWNER:
CITY OF BOULDER,
a Colorado home rule city

Jane Brautigam,
City Manager

ATTEST:

Lynnette Beck,
City Clerk

APPROVED AS TO FORM:

City Attorney's Office