

## ***THE HISTORY OF SOPRIS MOUNTAIN RANCH 1981 to 1999***

This is a brief history of the 2010 acre Sopris Mountain Ranch since it was purchased from the Hawaiiana Modular Company, Inc., on August 25, 1982 (Pitkin County Book 275 Page 809) by 10 individuals under the name of the Mount Sopris Joint Ventures. Hawaiiana purchased the property from Bart and Mary Strang who ran the Ranch as a cow/calf operation as well as a boy's camp.

About the time of the 1981 purchase, the Pitkin County Planning Department was aggressively trying to stop any development in the West Sopris Creek Valley. They had already received various small parcel applications from the Hawaiiana Modular Company including a modular home plan for the property. The road at that time was strictly a marginal ranch road. It was extremely narrow, dangerous, constructed very poorly and a dirt surface. It was used to serve a few families that lived in the area, to drive cattle back and forth and as a minimal access to the Dinkle Lake and Crown recreational areas.

Pitkin County turned down all the plans that were submitted to them by Hawaiiana. Amongst other things, they did not want the responsibility of building and maintaining an improved road. Driving on this road at was an exciting adventure complete with deep wheel ruts, a slimy and gooey clay mud that was often more slippery than ice and it had little, if any, drainage (see photos).

The County wanted to restrict this area, including the ranch, to a minimum of 160 acre lot zoning. This option would have made it near impossible to support the investment of the Sopris Mountain Joint Ventures. At that time, Pitkin County had no real power to control parcels of 35 acres or larger. However, Colorado State Law permitted parcels of 35 acres or more to be platted with no 1041 regulations by the counties. It was discovered that the State's requirements on these parcels was just about to be transferred to individual counties allowing them to regulate the subdivision of 35 acre and larger land and allowing them to regulate such parcels with their own 1041 Regulations and Conditions.

With advice from counsel, the Joint Ventures knowing they only had a short period of time in which to decide what to do with the property had to make a decision. Some wanted to keep the Ranch "as is" using the Red House as a guesthouse and running cattle as a means of supporting the upkeep. Some wanted to simply divide the Ranch up amongst the 10 members. Others wanted to see a plan that included dedicated home sites so the roads and utilities could be distributed over a larger number of home sites.

Knowing that any subdivision would be impossible even in 35 acre parcels from Pitkin County with their newly acquired controls and, with the impending deadline only weeks away, the Ranch was quickly platted into 35 acre parcels by metes and bounds without individual surveys so it could fall under the existing State mandates. 52 lots were laid out on paper making each lot 35 acres or larger.

This was officially recorded allowing the Ranch to become possible. As a result, the Ranch has never been registered as an "official subdivision" by County standards and that remains the case

today. Actual surveys never took place when the land was transferred to the members of the Joint Ventures but was when the land was sold to other individuals. Pitkin County was upset by this last minute action and it was a source of contention with them for years. However it is now accepted, and should be noted that, on occasion, is used as a model for large acreage planning and development. While not officially a subdivision, Sopris Mountain Ranch is treated as such by the County and it complies with all regulations of a subdivision.

## THE SOPRIS MOUNTAIN RANCH

In order to get this accomplished on time, the Joint Ventures made a number of decisions, which affect the Ranch to this day. The main decisions were the Protective Covenants, By-laws, Road Easements and, the biggest issue of all, the decision to define and dedicate the “Open Space Land” we all enjoy to this day. After much discussion, it was the majority opinion that the most important long-range vision of Sopris Mountain Ranch was to protect as much open space as possible for present and future generations. It was a plan that was ahead of its time for this area but would turn out to be centermost in making the Ranch special and ultimately unique from other land developments in this area.

It was agreed to dedicate all the irrigated land (by record) as “common pasture land” which would never be used for any home site but instead be used for the pasturing and maintenance of animals and for various recreational purposes. It was the intention of the Joint Ventures that this land would be for the mutual benefit of all lot owners and guests for the 50 years that the present covenants would be in effect. *The present covenants expire in August 2032 and will need to be re-recorded at that time.* The land was to be kept in the best possible condition with all costs shared by the members of the Sopris Mountain Homeowners Association.

Another important decision was to restrict each home site to no more than a 5 acre building envelope and requiring that all the remaining land on any lot be dedicated (not by deed but by covenant) to the members of the Association as open space for common recreational uses such as riding trails, cross-country skiing, hiking, etc. The details of this were spelled out in the Covenants that were prepared by Ranch legal counsel, Joseph Edwards, in 1982.

The Articles of Incorporation of the Sopris Mountain Ranch Homeowners’ Association were recorded in Book 507 Page 689 on December 22, 1982 as a Not for Profit corporation. The Mount Sopris Ranch Joint Ventures recorded the covenants we operate under today on December 15, 1982 in Book 437 Page 751 under the name of Declaration of Protective Covenants and Dedication of Easements for Sopris Mountain Ranch, Pitkin County, Colorado. Addendums have been added since then. NOTE: The original name, *Mount Sopris Ranch* was changed to *Sopris Mountain Ranch* around this time because of a conflict with an existing *Mount Sopris Ranch* in *Carbondale*.

In 1983 Parcel 5 (36 acres) and all the existing buildings and facilities, along with all water rights plus 12 additional acres of contiguous land acquired in a trade with the BLM were dedicated to the Sopris Mountain Ranch Homeowners’ Association. At the same time parcel 10 was dedicated to the Association as a recreational parcel used primarily for horse related activities including a polo field constructed by the Joint Ventures and gifted to the Association. In 1998 the Joint

Ventures placed lots 17, 18, 19, 20, 21, 24 and 25 into a Conservation Easement with the Aspen Valley Land Trust (see amendment #7). In 1999 the Joint Ventures also dedicated lot 26 as Open Space to the SMRHOA by a Special Warrant Deed. The Joint Venture was dissolved shortly thereafter and the remaining 41 lots are now solely regulated by the existing covenants of the Association.