

**MANAGEMENT PLAN FOR
West Avon Preserve**

Town of Avon ("Town") is the current owner of the West Avon Preserve property (the "Property") legally described in and subject to a conservation easement granted to the Eagle Valley Land Trust ("EVLТ") on "April 23rd, 2013" and recorded at Reception No. 201309282 in the real estate records of Eagle County, Colorado (the "CE").

This Management Plan ("Plan") update (aka amendment) replaces all prior management plan versions for the Property and provides for the present and future management of the Property. This plan shall be revised periodically by Town and EVLT as required by the CE and as necessary to reflect changing conditions on the Property. To the extent the provisions of this Plan conflict with the provisions of the CE, the CE shall control. Where notification and/or approval of EVLT is required pursuant to the CE for the uses described in this Plan, EVLT hereby acknowledges receipt of such notice and approval of such uses.

This Plan has been created to outline specific strategies to further protect and maintain the conservation values listed in the CE (the "Conservation Values"). The Property's Conservation Values, as set forth in the CE, are: protection of relatively natural habitat, scenic enjoyment by the general public and passive recreation and educational purposes for the public, all of which will yield a significant public benefit. The Town is obligated to uphold the terms of the CE including ensuring that all acts on and uses of the Property must have a positive impact, neutral impact, or no impact on the protection of the Conservation Values as determined by Grantee in its discretion.

The goal of this Plan is to set forth the use of the Property for the purpose of preserving and protecting the Town's investment in all of the Conservation Values, providing compatible outdoor recreation opportunities, including trails for hiking, mountain biking, and horseback riding, and providing for mitigation of the impacts of the recreational amenities on wildlife and habitat, all in accordance with the CE and this Plan.

The creation and maintenance of the trails on Property, and the protection of wildlife habitat, could not be possible without the significant volunteer efforts put forward by the Vail Valley Mountain Biking Association and the compliance of the general public with this Plan. The Vail Valley Mountain Bike Association has assured the Parties of its continued cooperation in assistance with maintaining the permitted trails and restoring former social trails. Without this continued cooperation, trails may need to be closed as required by this Plan.

EVLТ is not responsible for the management of the Property in any way including construction or maintenance of trails or installation or maintenance of improvements, and EVLT has no enforcement responsibility with respect to any provisions of this Plan, or usage rules and regulations as determined by the Town other than the requirement to enforce the terms of the CE should they be violated by the Town.

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A. GENERAL

The Town and EVLT agree that the following passive uses may occur on the Property so long as they do not create new unauthorized trails or adversely impact the Conservation Values of the Property: trail maintenance (and construction to the extent that the trails permitted by this Plan are not yet completed), restoration of social trails, habitat preservation and management, education of the public, hiking, mountain biking, equestrian, jogging, running, picnicking, photography, wildlife viewing, bird watching, snowshoeing, cross country skiing, orienteering, Frisbee (no Frisbee Golf) , kite-flying, and other uses not inconsistent with Town regulations for open space or with the Conservation Values of the Property.

Additional Improvements and Trails: Due to the large number of improvements, paths and trails permitted in 2013-2014, no additional trails, paths or improvements are permitted other than those described in this Plan without a formal assessment of the impacts of such additions and the approval of EVLT. All EVLT costs of assessing the impacts of such future proposals, including staff time, biological assessment reports, and legal fees, shall be reimbursed by the Town.

Motorized Use: No motorized use of the Property will occur unless it specifically involves the Town or contractors conducting management of the Property such as fence repair, weed control, or trail construction or maintenance. Any damage to the Conservation Values as a result of such activities shall be promptly repaired and native vegetation restored as described below.

Enforcement: The Town shall patrol the Property on a regular basis (at least monthly during the winter) to effectively enforce the Town's rules and the requirements of this Plan. The Town shall periodically walk the Property to notice any changes, pick up any found inorganic debris, and take reasonable steps to address any changes that are noticed that adversely impact the Conservation Values.

Closures: During periods of closures noted herein, no management activities shall take place other than enforcement of the Town's rules and compliance with the requirements of this Plan with the goal being that no humans or domestic animals enter any portions of the Property other than those areas specifically excepted to the closure.

B. HABITAT MANAGMENT

The Town intends to employ sound management and land conservation practices to protect its investment in the wildlife habitat by the Property and to preserve the Property in a natural, scenic, and open condition.

The Property provides habitat for a variety of wildlife species, including migratory songbirds, raptors, small mammals and big game. It also provides habitat for species considered rare, threatened, endangered or of special concern including the bald eagle and northern leopard frog. Riparian areas on the Property provide suitable habitat for the Northern Leopard frog (listed as a species of concern by the State of Colorado). The Property also contains important summer and winter range habitat for mule deer and elk, critical winter range for mule deer and bald eagle, overall range for mountain lion, and is summer range for black bear.

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Vegetation on the Property is comprised entirely of native plant communities including sagebrush shrublands, mixed mountain shrublands, Pinyon-juniper woodlands, and aspen stands. The Property has good quality winter range, providing important cover for deer and elk populations, and containing favorite browse species including mountain mahogany, big sagebrush, antelope bitterbrush, rabbitbrush, Rocky Mountain juniper and a diverse understory of grasses and forbs. Sage brush provides suitable habitat for Greater sage-grouse (a Colorado listed species of concern).

The Property also contains a significant population of the extremely rare Harrington's penstemon. Harrington's penstemon is a globally and state vulnerable plant species that is restricted to Colorado and is found almost exclusively in sagebrush habitat. It is found in only 37 locations in Colorado, with the heaviest concentration centered in Edwards, Colorado. The Colorado Natural Heritage Program (CNHP), a sponsored program at Colorado State University, tracks and stores information in a database on natural heritage elements (occurrences of significant natural communities and rare, threatened or endangered plants and animals) in Colorado. According to CNHP, the plant and its habitat are highly threatened by residential and recreational development. These threats combined with its restricted range emphasize the urgent need for its protection.

The Town intends to take the following actions to protect the Town's investment in wildlife habitat (additional natural habitat management activities may occur as agreed to in writing by the Town and EVLT):

Harrington's Penstemon: Maintenance, construction and management activities, which could impact the Property outside of the existing trailheads and trail treads, such as the reroute of trails and paths, should be planned to occur when Harrington's penstemon is in flower (usually June-July), as it is difficult to identify when not in flower. While a rare and vulnerable plant, Harrington's penstemon is believed to be found in large quantities on the Property, in places far outnumbering other types of more common penstemon. Such maintenance, construction and management activities that occur outside the flowering season for penstemon should avoid disturbance to any penstemon rosettes as these may very well be Harrington's penstemon.

The Town will conduct a biological inventory and mapping of Harrington's penstemon in the planning stages for any trail reroutes or new trail alignments to ensure the locations of this vulnerable plant species are preserved to the greatest extent possible.

Closures: Between December 15th and April 15th all portions of the Property shall be closed to all uses to protect the Town's investment in sensitive wildlife species, except that PB&J, Our Backyard, and Beaver Creek Overlook will be open year around. Closures may be adjusted by EVLT and the Town in writing as required to protect the Conservation Values of the Property. Additional closures pursued by the Town do not need the approval of EVLT. The goal of the closure shall be that no humans or domestic animals enter any portions of the Property other than those areas specifically excepted to the closure.

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Dogs: Failure to comply with dog leash requirements presents the single largest threat to wildlife on the Property. To protect the Town's investment in habitat and vegetation on the Property, pet owners must obey all requirements of the Avon Municipal Code including seasonal closures.

Enforcement: The Town shall conduct periodic visits to the Property, at least monthly during closure periods, to enforce the closures and leash restrictions contemplated in this Plan. In addition, the town shall undertake the following enforcement actions:

- The Town shall install appropriate signage at the entrance to Wild West Ridge on the June Creek Trail and elsewhere where necessary to prohibit trail usage during closure periods. If signage is found ineffective, closure gates will be installed by the Town.
- Closure signs, at a minimum, shall be placed and maintained by the Town at the east and west entrances to the Avon-Singletree connector, the northern entrances to Lee's Way, Wyse Way, and Saddle Ridge Trails, and at the northernmost point where the social trail from Wild Ridge intersects West Wild Ridge Trail.
- Upon failure of the general public to comply with seasonal wildlife closures, dog bans, or leash rules the Town shall promptly increase enforcement personnel and install additional signage and locking gates as needed to insure compliance. If compliance with the leash regulation during the closure is not successful, then management options, such as closing the Property completely during this period, will be considered.

Riparian Corridor: The Town shall protect and maintain the riparian features on the Property from being degraded or negatively impacted by humans, flooding, wildlife, and any other activities. Maintenance and enhancement of these areas will be performed in accordance with the requirements of Section 404 of the Clean Water Act.

Fence Removal: The Town shall remove the barbed-wire fence near the Wild West Trail as soon as practicable. . Fence posts may be left in place at the Town's discretion.

Weeds: The Property is generally free of noxious weeds given its arid nature. The Town shall manage the Property to control noxious weeds to the extent reasonably possible. Town trained staff, or third-party licensed commercial applicator, will complete any potential spraying operations. Town staff will monitor the Property to ensure that weed control efforts are successful and that new populations do not become established. Specific focus will be given to detecting Colorado "A list" noxious weed species. "A List" species are plants that are newly introduced to Colorado and represent a serious threat to ecological integrity and native biodiversity. For these plants the management goal is total eradication. Under Colorado Law, "B List" species must be controlled and the Town shall ensure that "B List" species are controlled.

C. TRAIL MANAGEMENT

The Town intends to employ sound management and land conservation practices to protect Town's investment in sustainable trails and to ensure the trails and their use do not damage the Town's investment in the Property's other Conservation Values.

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Trails shall be managed by the Town as follows:

Best Practices: The Town shall construct and maintain trails and paths throughout the Property using current industry standard best practices, with the goal of protecting the Conservation Values. Best practices include: utilizing trail design and revegetation techniques that ensure that the scenic impacts to the Property are minimized; use of water bars, grade dips, grade reversals, French drains, full bench construction, proper back slope grading, proper trail out slope, and use of erosion control fabric (if the gradient is steeper than 2:1 slope), and straw waddles and bales to sufficiently prevent erosion, sediment deposits and silting of creeks; avoidance of riparian areas; reuse of removed vegetation for erosion mitigation and habitat; use of hand tools and small machines, such as a 48" wide mini-excavator or Trail Dozer operated by a professional trail builder; and restoration practices as further described below. Trails shall be closed to the public until construction and maintenance is completed.

Maintenance: The Town shall construct and maintain trails and paths through the Property using industry standard best practices, with the goal of protecting the Conservation Values and preventing additional areas on the Property from being impacted by vehicle activities and social trail development.

- The Town may rely upon volunteer groups trained in best practices (such as trained Vail Valley Mountain Bike Association members) and projects to assist in the maintenance of the trails.
- Any person working on the Property should be trained to recognize Harrington's penstemon and any maintenance and construction activities shall make reasonable efforts avoid impacts to Harrington's penstemon plants.
- Maintenance and construction shall not occur during the Property closure periods as described above.
- If any areas wider than the widths of the trails as described below are disturbed for trail maintenance, the Town shall restore the ground as described herein.
- Heavy equipment should be avoided for trail maintenance and construction due to the inherent impacts to the habitat and vegetation. Where heavy equipment is necessary for trail maintenance, construction or reconstruction by the Town, the Town or its representatives shall ensure that any damage to the Property created by the heavy equipment shall be restored as described herein.

Trail Closures: Trails shall be closed if the Town or volunteer groups are unable to maintain the trails adequately to prevent damage to any of the Conservation Values such as significant wildlife habitat, vegetation, or water quality impacts. In such cases, the Town shall close the trail immediately and communicate carefully with the community about the resource damage and need for all interest groups to work together to resolve the issue. Any damage to the Conservation Values must be repaired, the ground restored as described herein, and the source of the damage remedied before the trail can be reopened.

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Decommissioning of Existing Trails: Any new social trails and short cuts shall be promptly closed and the ground restored by the Town. It is intended that public use of the many social trails on the Property will subside in favor of the sustainably built, well maintained, trails contemplated by this Plan. The social trails shall be allowed to regenerate vegetation and fill in naturally over the coming years due to disuse. Social trails, and areas unable to regenerate naturally, will be restored as described herein by the Town. A Trail Advisory Group, convened by the Town starting Fall, 2014 will develop restoration efforts for all social trails beginning in 2015. Closure signage will be installed as needed at the discretion of the Town.

Restoration: Restoration shall be according to current industry standard best practices including relieving compaction, scarifying the surface to prepare the ground for seeding, and collecting and scattering organic debris and the appropriate mixture of native grass seed and straw, and providing erosion control measures including those noted in best practices above. The goal is to make trails that are decommissioned invisible and revegetated with native cover. Reseeding should occur at an appropriate time of year to encourage germination (typically spring time) and a qualified botanist should review the seed mix to ensure it does not contain any non-native grasses or forbs. To protect its investment in restoration activities, the Town should revisit restored areas at in early and late summer to monitor the revegetation process and perform appropriate restoration activities (including weed control and reseeded) until successfully restored.

D. DESCRIPTION OF PERMITTED PATHS AND TRAILS

In the spring of 2014, the Town and EVLT evaluated the expansion of a formal multi-use trail system through a series of public meetings. Permitted trails and paths are those described below and depicted in their general locations on **Exhibit A**. These trails and paths have been determined by EVLT to be consistent with the protection of the Conservation Values. All trails are of a natural surface (dirt, gravel and rock found on the Property). The following is a list of the permitted paths and trails including approximate widths and mileage:

Social Trails. 2 miles. A series of social trails, approximately 18” in width, have existed on the Property for several years. Due to a lack of formal planning some trails have steep grades and are eroding.

Our Backyard. .89 miles. This is a multi-use loop trail, approximately 48” in width, that begins and ends in the Beaver Creek Point Parking Area.

Avon-Singletree Connector (ASC). 2.36 miles. This is a multi-use trail, approximately 18-36” in width, that connects the Singletree Access on the west side of the Property with Nottingham Road on the east side.

Saddle Ridge. 1.98 miles. This is a multi-use trail, approximately 18-36” in width, connecting ASC with Lee’s Way, Playground Way, and the Easy Loop trails.

Beaver Creek Overlook. .41 mile. This is an existing multi-use trail, approximately 48-60” in width, that begins in the Beaver Creek Point Parking lot and ends at the terminus of Beaver Creek Point. Improvements to this trail will likely include removing redundant duplicative trails

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that have developed (“decommissioning” as described above) and revegetating disturbed areas to natural conditions. The Beaver Creek Lookout Trail may be improved with a crusher-fine surface to the trail terminus. Except as needed to comply with the Americans with Disabilities Act (ADA), the trail width should not exceed 36 inches and should remain natural surface to provide (ADA) access. The trail improvement plans will be submitted to EVLT for review and approval prior to implementation.

PB&J. 1.08 miles. This is a multi-use trail, approximately 24-36” in width, that connects O’Neal Spur Pocket Park with Saddle Ridge, Lee’s Way, and Easy Loop trails.

Lee’s Way. .93 miles. This is a multi-use downhill directional only trail, approximately 24-48” in width, that connects Easy Loop, Playground Way, and Saddle Ridge with ASC and the Nottingham Road Trailhead.

Wyse Way. 1.14 miles. This is a multi-use trail, approximately 18-24” in width, that connects ASC with Playground Way trail. The riparian areas within the Masher Trail zone are particularly important to protect from recreational over-use as well as construction impacts.

Carroll’s Cutoff. .2 miles. This is a multi-use trail, approximately 18-36” in width, within the existing ASC trail boundary that connects the lower bench of the Property (ASC on both sides) in order to offer loop opportunities and a more gentle grade for beginner bicyclists or restricted hikers.

BLT. .29 miles. This is a multi-use trail, approximately 36-48” in width, within the existing ASC trail boundary.

Wild West Ridge. 2.18 miles. This is a multi-use trail (expected completion Fall 2014) connecting ASC with June Creek trail at the northwest corner of the Property. Because of this trail’s proximity to a riparian area, construction will utilize more extensive mitigation techniques proven to prevent erosion and sediment deposit. Additionally, a bridge will be constructed to cross June Creek, further minimizing any disturbances in the riparian environment.

E. TRAILHEADS AND PARKING AREAS

Trailhead, parking and improvements are permitted as described herein. Users will access the Property from one of the identified trailheads and parking areas noted below.

Two (2), two (2) acre building envelopes are permitted by the CE allowing these new improvements after notification of and consultation with EVLT: “trailhead facilities and associated parking areas (including landscaping berms and landscaping), sheds, restroom facilities, and accessory uses and structures.” The location of the building envelopes must be designated by this Plan (or in an update to this Plan) prior to constructing any improvements within the building envelopes. As of this writing, the only building envelope identified by the Town is the area surrounding the existing Beaver Creek Point trailhead, improved as described below. Other improvements shall be agreed upon as required by the CE and this Plan.

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No parking is allowed on adjacent residential streets including but not limited to: Saddle Ridge Loop, Beaver Creek Point (except as may be permitted by the Town), or June Creek Trail. EVLT shall have no obligation to enforce these requirements.

No current plans for restroom facilities exist. The Town will monitor use and the condition of the trailhead areas to determine if a restroom facility is needed. The location of the restroom(s) would be adjacent to the trailhead area(s) within Building Envelope(s) as described in the CE. Prior to the construction of any restroom facilities on the Property, the Town and EVLT shall update this Plan.

The Town shall maintain all improvements in good condition including the replacement of dilapidated improvements, the replenishment of dog station bags, and the removal of trash.

Nottingham Road. This trailhead is not on the Property. It is located on a Town of Avon Right-of-Way on the south side of the Nottingham Road cul-de-sac, approximately 750' west of the intersection with Metcalf Road outside of the Property. This access point will be improved to prevent or mitigate future debris flow issues that stem from hillside to the north. Signage will be installed describing the "non-motorized" status of the trail and designating between 5 and 10 parking spaces along Nottingham Road right-of-way. If necessary, post and rail fence will be installed to prevent motorized vehicles from accessing the Property. Trail and parking signage and trash receptacles will be provided in 2014.

Beaver Creek Point. This existing trailhead on the Property is accessed from the Beaver Creek Point Parking Area, at the midway point of Beaver Creek Point Road. It accommodates 6 cars and is surfaced with asphalt. The parking area is fully contained within the Building Envelope as described in the CE. A split rail fence defines the area to avoid motorized access to the trail system. Parking signage and trash receptacles are provided. Trail signage shall be provided in 2014.

O'Neal Spur Pocket Park. This trailhead is not on the Property and is located at the O'Neal Spur Pocket Park at the intersection of Old Trail and O'Neal Spur roads in Wildridge. There are existing on-street parking spaces and park facilities. This trailhead can be utilized to access new trails including the Masher and Playground Way trails. It can also be a parking area if the 10' recreation path contemplated in the CE is constructed to connect Wildridge with Nottingham Road. Trail signage shall be provided in 2014.

Singletree Access. This trailhead is not located on the Property. In 2003, the Berry Creek Metropolitan district purchased this property in order to provide access to the planned trail network. This access point is located at 701 June Creek Drive on the eastern edge of the Singletree Community in Eagle County. Split rail fence was installed to prevent motorized vehicles from accessing the Property. Signage was also installed to notify trail users of its "non-motorized" status. There are no current or planned parking spaces at this trailhead. Trail signage shall be provided in 2014.

F. MINOR IMPROVEMENTS

The following is a list of the permitted minor improvements:

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Signage: Signage will include regulatory, educational, and directional signs, mainly in the trailhead locations, with limited signage at trail intersections. The Town will develop, install and maintain an effective trail signage system that is tasteful, unobtrusive to the natural landscape, and consistent with size limitations stipulated in the CE (less than twelve square feet). The goal is to provide a comprehensive coordinated sign program. Regulatory signs will essentially focus on rules for using the Property. Directional signs with trail maps may be located on the Property at trail intersections and key way-finding points. Educational signs and trail etiquette signs may be concentrated at the trailhead, with limited signs along the trails at unique vantage points (i.e. Beaver Creek Overlook terminus). Signage at trailheads and directional signs on the trail system will be installed in 2014 after EVLT approval.

To foster appreciation of Harrington's penstemon as an important element of Colorado's natural heritage, the Town shall provide interpretive signage (at all the trailheads noted herein) on the ecology of the Harrington's penstemon (highlighting how the area is the core of Colorado's last remaining population of the plant).

To educate the public and to justify the winter closure and dog ban, the Town shall provide interpretive signage at all trailheads showing maps of the deer and elk winter range.

All signage costs shall be borne by the Town and shall be completed by the end of 2015.

Trashcans: Wildlife-proof containers will be installed by the Town on the Property at the Beaver Creek Point parking area and the Nottingham Road trailhead in 2014. The receptacles will be emptied regularly by Town staff. Additional wildlife-proof receptacles will be added as necessary based upon use and needs identified on the Property as determined by the Town.

Dog Bag Dispensers: It is anticipated that many users will visit the Property with dogs. Dog-bag dispensers will be installed at each trailhead maintained by the Town.

Picnic Tables: The Town may place and maintain picnic tables on the Property at the terminus of the Beaver Creek Overlook Trail. Tables will be situated in a manner that does not negatively impact the scenic qualities of the Property.

Fences: If deemed necessary by the Town for management purposes, new fences and gates may be constructed by the Town. The Town will insure that the fences meet standards established by Colorado Parks and Wildlife designed to reduce wildlife entanglement risk. In all cases the fencing will be split rail or buck and rail designs.

G. OTHER USES

Hours Open: Parking Lots will be open daily from 6am to 10pm. In addition to the closures provided for herein, the Property may be closed as determined by the Town for maintenance or to address wildlife or other matters affecting the Property. In the event of such additional closures, the same shall be posted on the Property and no additional notice to EVLT shall be required.

Rules: Avon has established rules and regulations for all open space properties that will be owned and managed by the Town. The Town reserves the right to amend and enact such rules

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and regulations as deemed appropriate by the Town in the exercise of its police powers for the preservation of the health, safety and general welfare of the Avon community. EVLT shall have no obligation to enforce any rules and regulations adopted by the Town, including those listed below.

The following rules apply:

- No fires or fireworks
- No hunting on the Property and no hunting access to the Property
- No discharge of weapons
- No motorized or electrically assisted recreation
- No off-trail use that would lead to creation of new trails
- No littering
- No collection of artifacts
- No commercial activity
- No removal or collection of plants, animals, fungi, or rocks
- No hang-gliding
- No loud music
- No camping
- No overnight parking in trailhead parking areas
- No smoking

Encroachments: The general public is not permitted to place or store personal items on the Property. Encroachments involving personal items often include lawn furniture, yard tools and equipment, grass clippings, yard waste, sports equipment, firewood, toys, targets, tents, forts, and trash. The Town will notify offenders that the activity is not permitted and will outline what is expected of them to correct the situation. In the case the offenders are not identified, the Town will mitigate the encroachment.

Utility Improvements: There are Third Party Easements affecting the Property. The terms of those Third Party Easements shall control. No new utility improvements are contemplated at this time. Future utility improvements may be allowed as contemplated by the CE.

Conservation Easement Monitoring: EVLT holds a CE on the Property. This will necessitate annual monitoring. EVLT staff shall notify Town staff in advance of any annual monitoring effort so that Town staff may accompany EVLT staff during the monitoring. Avon and EVLT will maintain a file of annual easement monitoring reports and work cooperatively to address any concerns associated with use and management of the Property.

Educational Programming: Educational activities on the Property are encouraged. These activities may take many forms including guided hikes, school programs, and trail maintenance and restoration workshops.

Special Uses: The Town anticipates that certain special uses will be requested by the public, which are too numerous and wide-ranging to list in this Plan. Each request will be evaluated by Town staff to determine if it will have detrimental impacts to the Conservation Values of the

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Property in which case such special event shall not be approved by the Town. Specific considerations will include:

- Duration of event.
- Specific location within the Property.
- Potential impacts to vegetation and wildlife.
- Potential impacts to soil stability.
- Potential impacts to adjacent landowners.
- Consistency with vision of open space purpose to provide passive recreational access.
- The extent to which the proposed use interferes with, compromises or diminishes the ability for others to use and enjoy the Property.
- Potential increased management costs for the Town.
- Overall scope and scale of impacts to the Property, adjacent properties, and Conservation Values.

The Town shall provide notice to EVLT as contemplated in paragraph 6.h. of the CE and shall provide EVLT with a copy of any request for a special use on the Property.

Executed this 29th day of December, 2014.

Town of Avon

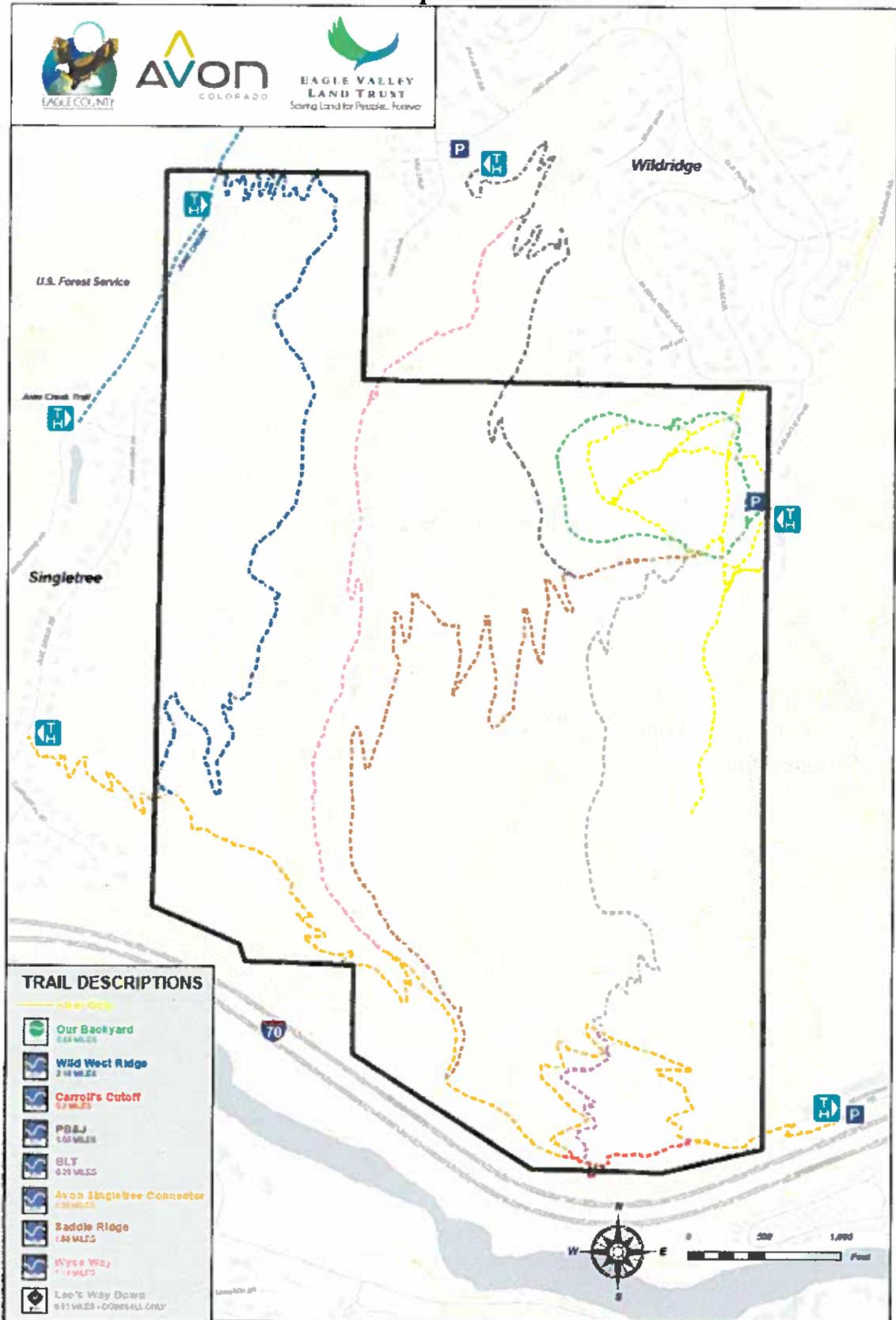

By: Virginia Egger
Its: Manager

Eagle Valley Land Trust


By Jim Daus
Executive Director

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Exhibit A- Map of Permitted Trails



Date: _____