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Rita Bertolli



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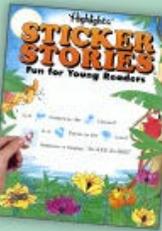
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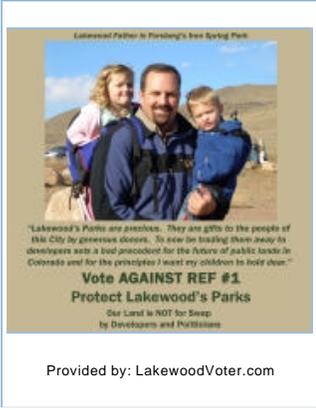
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Land swap debate convinces voters against Ref #1

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 Contributed by: Rita Bertolli on 12/18/2006

This past Saturday, Councilor Vicki Stack hosted a debate/question & answer for residents concerning the land swap in Lakewood. The swap proposes 22 acres of Forsberg's Iron Spring Park to be traded to a developer (Carma, a multi-billion dollar Canadian corporation) in exchange for land on the eastern boundary of his parcel.



Proponents and opponents attended the debate and presented their views. Proponents brought maps of the land trade and the proposed "wildlife corridor" that would seemingly be created with the exchange. Opponents brought USGS maps, engineering maps, and subdivision maps from the 1970s showing the topology/make up of the two parcels, and encouraging residents to vote down the measure.

The debate most importantly revealed a critical fact about the land exchange: that whether or not citizens give Forsberg Park to the developer, there will be an automatic 40ft utility easement that runs within the corridor regardless. This 40ft path was also specified on the developers Official Development proposal without the swap. Another resident pointed out that the "connection" of the two big parks is relatively impossible, because the proposed "corridor" as it runs south, narrows to an incredible 8ft in some areas. Wildlife corridor? Not exactly.

Citizens posed many questions about the land exchange, especially pertaining to the values of the properties. According to the appraiser retained by Carma, the developer, she was asked specifically not to appraise development value. In the section entitled "Assumptions and Limiting Conditions," article 12 states: "Parcels A and B have been appraised on a further hypothetical condition which is the same zoning and land use approvals as pertain to Parcels C through G. This condition was requested by the appraisal client to assist in facilitating the exchange of Parcels A and B with Parcels C through G." The appraisal, as stated by MAI appraiser Burton S. Lee, is faulty, based on the premise that no zoning change would happen to the park that Carma would be receiving, thus conclusions show "equal" value ONLY if all parcels of land remain in a vacant land state. Burton, in his report concludes his assessment of Carma's appraisal, stating, "Therefore, in my opinion, the relative market values presented in the Bonnie D. Roerig, MAI appraisal report dated March 31, 2006 have been effected by the assumption that all the parcels be valued as parkland and this assumption might have altered the results of that appraisal so as to create an exchange that may not constitute a "fair market value" exchange."

Rita Bertolli has posted 41 stories and 225 comments since joining on 11/2/2005. Rita Bertolli's average story rating is 2.68.

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In addition to evidence against the "equitable" value of these two parcels of land, the debate discussed the deed of the Forsberg Parkland to the City of Lakewood, and the expressed obligation that this land be kept for "Park and Other Municipal Purposes ONLY." Do private homes constitute either park or municipal purpose? The answer is definitely not.

Why is the City supporting this? The question was asked at the debate, and it is a fair one. In my belief, the City is desperately endorsing this decision NOT because it was right, but because they refuse to admit to making a mistake and now must win the election. As so many politicians, our City officials have forgotten that they are just humans, that they are not infallible, and that they do make mistakes. If Ref #1 is voted down, the dozens of City proponents, City officials, and City organizations that have supported it will feel slighted by the people who pointed out the improprieties of this transaction. Ego is often the greatest vice of those in power. If not for true active community leaders and citizens, this entire issue would have been swept under the rug...millions of dollars handed over to a developer at the expense of a deceased landowner and the citizens of Lakewood, Colorado.

Referendum #1 is dangerous. It sets a terrible precedent for developers to build on public lands. It puts all of our parklands at risk of development. It breeches faith with generous owners who donate land for the public good. It demonstrates the lack of good leadership in our community...and in our world. Referendum #1 is wrong. Vote AGAINST Referendum #1.

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Submitted By: Rita Bertolli Rated Story
 posted on 2/17/2007 @ 6:02:27 PM ★★★★★

We prevaied, 57% AGAINST the swap Jan 2, 2007.

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Submitted By: Rita Bertolli Rated Story
 posted on 12/29/2006 @ 4:59:51 PM ★★★★★

The developer's Official Development Plan map without the swap clearly shows a corridor running through the property and the easements are delineated on their engineering maps from Carroll-Lange. Johann, these are final. They were approved by Council in July.

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Submitted By: Johann Cohn Rated Story
 posted on 12/21/2006 @ 10:10:34 PM ★☆☆☆☆

I attended the same meeting you did and I don't recall anyone citing a definitive authority for that 40 foot utility easement. I don't believe that Carma has presented a final development plan for this property--it's still pending. Your article is dismissive of City Manager Rock's statement at the July Council meeting that had the city's appraisal not asserted the hypothetical you alude to, the corridor property to be acquired would have greater value than that to be traded off. OK, so that's Mike Rock. On the other hand my own lifetime of observation demonstrates that people who hold public responsibilities aren't the only ones that might be subject to the "vice" of ego.

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Submitted By: Ginny Krause
posted on 12/18/2006 @ 11:58:35 PM

Rated Story
★☆☆☆☆

Please refer to the article by Alan Berger, appraiser, entitled: "Another e-mail from the city -very, very helpful (Allan Berger)" for another view.

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Submitted By: steve holben
posted on 12/18/2006 @ 3:40:42 PM

Rated Story
★★★★★

This really is a very good, articulate and succinct summary of the facets that have driven this thing to where it is. My dealing with these same people have resulted in Mike Rock actually banning employees and Roger Noonan from talking to me; and the city council knowingly stands by. Yes Ms. Bertolli has shown the cowardly and egomaniacal underbelly of those who we elect to run this city WE own.

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Submitted By: Allan Berger
posted on 12/18/2006 @ 3:23:54 PM

Rated Story
★★★★☆

Rita, nice post. but I am a little confused. Is there an 8 foot wide corridor at the south end of the parcel or a 40 foot wide easement, or both?

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