

Intergovernmental Agreement
between
the Board of County Commissioners of Clear Creek County
and
the Town of Silver Plume
Relating to
the Acquisition of the Taylor Kennedy Family Mining Claims for Use as Open Space

This Intergovernmental Agreement ("Agreement") is entered into between the Board of County Commissioners of the County of Clear Creek, Colorado, a political subdivision of the State of Colorado ("County"), and the Town of Silver Plume, a body corporate and politic ("Town").

This Agreement is based upon the following:

A. In 2022, the Town approached the County regarding its proposed purchase of 95 mining claims (hereinafter referred to as the "Silver Plume Claims") from a private party for its use on the Silver Plume Mountain Project ("SPMP"). The Town was seeking a funding contribution from the County's Open Space Trust Fund in the amount of \$100,000.00 toward the purchase of the Silver Plume Claims.

B. On May 17, 2022, Clear Creek County adopted Resolution R-22-31 and approved the contribution of \$100,000.00 toward Silver Plume's acquisition of the Silver Plume Claims in furtherance of the Town's Silver Plume Mountain Project.

C. In 2024 and 2025, the Town approached the County's Open Space Commission to assess the Open Space Commission's interest in helping support the purchase of an additional 1220 claims comprising 350 acres of property from the Taylor Kennedy Family (hereinafter referred to as the "Taylor Kennedy Claims"), and submitted a letter requesting a financial contribution of \$100,000.00 from the Open Space Commission Trust Fund to assist with this purchase.

D. At its February 12, 2025, meeting, the Open Space Commission agreed to recommend to the Board of County Commissioners of Clear Creek County that Clear Creek County support the purchase of the Taylor Kennedy Claims by the Town with a monetary contribution in the amount of \$100,000.00.

E. On March 4, 2025, the Board of County Commissioners for Clear Creek County approved the monetary contribution of \$100,000.00 from the County Open Space Trust Fund to the Town to assist in the Town's purchase of the Taylor Kennedy Claims.

F. At its December 10, 2025, meeting the Open Space Commission agreed to recommend to the Board of County Commissioners for Clear Creek County that Clear Creek County support the purchase of the Taylor Kennedy Claims by the Town with an additional monetary contribution in the amount of \$25,000.00.

G. On January 6, 2026, Clear Creek County adopted Resolution R-26-02 and formally approved a total contribution of \$125,000.00 toward Silver Plume's purchase and acquisition of the Taylor Kennedy Claims.

H. County and Town feel the acquisition of the Silver Plume Claims and the Taylor Kennedy Claims (hereinafter collectively referred to as the "Properties") will benefit the County, the Town, county residents and visitors to the area.

I. The Clear Creek County Open Space Program is funded by a property tax restricted to use for acquisition and management of lands for open space, recreation and park land purposes as provided in the 1999 ballot question authorizing the tax (reflected in Clear Creek County Resolution R-99-104).

J. The parties are authorized to enter into this Agreement by Colorado Constitution Article XIV §18 and C.R.S. § 29-1-203.

THEREFORE, the County and the Town agree as follows:

1. County will contribute a total amount of \$125,000.00 from its Open Space Trust Fund toward the purchase by the Town of the Taylor Kennedy Claims for use as open space.

2. County's contributions to the Town as specified in herein is restricted solely for use by the Town to purchase of the Taylor Kennedy Claims.

3. Town represents that, at the conclusion of closing, it will be the sole owner of fee title to the Taylor Kennedy Claims, free and clear of all interests, liens and encumbrances except those the Town, in its sole judgment, deems acceptable.

4. Town acknowledges that it would be inconsistent with the County's Open Space Program for the Taylor Mining Claims, in whole or in part, to be sold or conveyed to a third party, or used for purposes other than as open space, which purposes include educational displays or low-impact recreational uses including hiking and walking and trailheads.

5. Accordingly, in the event of (a) a sale, (b) conveyance, or (c) use of the Taylor Kennedy Claims for anything other than open space, educational displays, and low-impact recreational uses such as hiking and walking and trailhead for such purposes, at any time whatsoever, Town shall immediately pay County the sum of \$125,000.00, to refund County's contributions toward the purchase of the Taylor Kennedy Claims, unless the County, by its Board of County Commissioners, consents in writing to such sale, conveyance or other use.

6. Notwithstanding anything herein to the contrary, County shall have no ownership or management interest in the acquired Taylor Kennedy Claims.

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“COUNTY”

County of Clear Creek, Colorado

ATTEST:

By: Rebecca Lloyd, Chair

Deputy Clerk and Recorder for
Brenda L. Corbett
Clear Creek County Clerk and Recorder

Approved as to form and
legal sufficiency:

Peter A. Lichtman
County Attorney

“TOWN”

Town of Silver Plume

ATTEST:

By: _____
Its: _____

Town Clerk