

# Why Did Westside Buy The Land? - Greater Park Hill Community

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[News and Opinion](#)

## Thoughts On Conserving The Park Hill Golf Course

by Maria Flora, Woody Garnsey and Penfield Tate

We are writing to address issues raised in [Kenneth Ho's letter to the editor](#) published in the July issue. We are longtime Park Hill residents and members of [Save Open Space Denver](#). One of us is a practicing attorney and two of us are retired attorneys.

First, it is important to underscore the fact that Stapleton resident Mr. Ho is an employee and part owner of [Westside Investment Partners, Inc.](#) Westside is the real estate developer and land speculator that in July 2019 acquired the Park Hill Golf Course land as encumbered by the recorded perpetual conservation easement.

Purchased by Denver taxpayers in 1997, the conservation easement is intended forever to preserve the land for the conservation purposes explained below. Westside purchased the land banking on its ability to use its vast financial resources, its political connections, and its hired gun consultants and lobbyists somehow to break the conservation easement and allow the company to make huge profits on the land. Let there be no mistake—Westside did not purchase the land as Mr. Ho implies to address any perceived community inequities. It bought the land to maximize the company's profits from developing the land.

Second, Mr. Ho incorrectly interprets the conservation easement in an effort to sell the idea that the easement always requires the land to be used as a golf course.

The starting point for interpreting the conservation easement is to determine its overarching conservation purposes. The conservation purposes are to maintain the land's "scenic and open condition" and to preserve the land "for recreational use." The conservation easement defines permitted recreational uses as including a golf course and other "unrelated recreational uses such as ball fields, tennis courts, etc." All of these permitted uses are consistent with the easement's conservation purposes.

If Westside didn't want to operate a golf course on the land and it believes that the conservation easement requires a permanent golf course use, why did it buy the land? In fact, why isn't Westside complying with its own interpretation of the conservation easement by planning to reopen the golf course upon completion of the stormwater detention project? Are they ignoring the law as they see it? How long do they plan to "mothball" the site?

All of that said, if Westside doesn't want to be a golf course operator, it could negotiate with the city to clarify and/or change the conservation easement language

regarding permitted uses of the land as long as these permitted uses would be consistent with the easement's overarching conservation purposes. Alternatively, Westside could sell the land to the city at its fair market value for the city to operate as a designated park.

We would be thrilled to be part of a community process where we could all voice our opinions about how the Park Hill Golf Course land could be used consistent with the easement's conservation purposes. Swimming pool, ball fields, tennis courts, walking/running/biking paths, picnic areas, neighborhood gardens, kids playground, basketball courts, natural and grassy areas, or whatever! And, how about a community process for exploring uses of underutilized properties outside the Park Hill Golf Course land for other community amenities that people want? What a true community visioning process!