

<p>DISTRICT COURT, CITY AND COUNTY OF LARIMER, COLORADO Larimer County Justice Center 201 Laporte Avenue, Suite 100 Fort Collins, Colorado 80521 (970) 498-6100</p>	<p>DATE FILED: January 27, 2021 7:13 PM FILING ID: EC4F4321E3CEC CASE NUMBER: 2020CV30833 ▲ COURT USE ONLY ▲</p>
<p>PLAINTIFF: THE CITY OF FORT COLLINS, COLORADO, a Colorado home rule city and municipal corporation,</p> <p>vs.</p> <p>DEFENDANTS: PLANNING ACTION TO TRANSFORM HUGHES SUSTAINABLY CORP., a Colorado nonprofit corporation; and ELENA M. LOPEZ, MELISSA ROSAS, AND PAUL PATTERSON, each in their official capacity as a petition representative of the persons signing the petition for a citizen-initiated ordinance relating to the City of Fort Collins rezoning and acquiring certain real property</p>	<p>Case Number: 2020CV30833</p> <p>Div.: 3B</p>
<p><i>Attorney for the Defendants:</i></p> <p>Michael Foote, #34358 Foote Law Firm, LLC 357 S. McCaslin Blvd. Suite 200 Louisville, Colorado 80027 Phone: (303) 519-2183 Fax: (888) 804-8679 mjbfoote@gmail.com</p>	
<p align="center">AFFIDAVIT OF Philip H. Friedman</p>	

I, Philip H. Friedman, being duly sworn under penalty of perjury, state and declare as follows:

1. My name is Philip H. Friedman. I am over the age of 18 and I have personal knowledge of the matters set forth in this Affidavit.
2. I am currently a resident of the City of Fort Collins and have been a resident of Fort Collins for 43 years. I live in Council District 6.
3. While a resident of Fort Collins, I have often used the City's Natural Areas, also known as public open lands or open space.
4. It is my opinion, and the opinion of many of my friends and acquaintances, that the City's existing Natural Areas are one of the main positive features of living in Fort Collins.
5. I have noticed over the last several years that the Natural Areas have become more and more crowded. As more people move to Fort Collins, more people use its Natural Areas. The Natural Areas are suffering from wear and tear. In more colloquial terms, our Natural Areas are being "loved to death."

6. I believe the City Council has neglected to appropriately expand acquisition and connectivity between Natural Areas to keep up with increased use and population. The City's current policies regarding acquisition of properties with vital connectivity need to be reviewed. I have publicly advocated for those changes, including the expansion of the City's existing Natural Areas and/or acquisition of new properties.
7. Since 1992, I have volunteered on all of the citizen lead efforts to create and expand open space and natural areas. I have spoken on this issue before City Council numerous times. I was a member of the City Natural Resource Advisory Board (NRAB) for approximately 14 years, including the formative years in the early 1990s when the NRAB had the council-directed charge to identify, review, and recommend areas for inclusion to the city natural area system.
8. I joined Planning Action to Transform Hughes Sustainably ("PATHS") because its leadership and other members believe – as I do – that Fort Collins needs more Natural Areas.
9. I believe the property formerly home to the Colorado State University Hughes football stadium would be an excellent property to acquire in an effort to obtain more open space within Fort Collins. In addition, and critically, the Hughes property would create and maintain a valuable connection (both ecologic and human) between Maxwell and Pineridge Natural Areas.
10. What ultimately happens with the Hughes property will have major long-lasting effects on Fort Collins. If the Hughes property is acquired as open space, it will allow residents like myself and many others to enjoy the quality of life we associate with Fort Collins. If it is developed, the City's residents will suffer a reduction in quality of life.
11. I have publicly advocated for the transformation of the Hughes property into open space because I believe it is currently one of the best ways for the City Council to expand its Natural Areas program and expand connectivity between natural areas.

FURTHER, Affiant sayeth naught.



STATE OF COLORADO

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) ss.
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COUNTY OF LARIMER

Subscribed and sworn to before me this 27th day of January, 2021, by Philip H. Friedman.

**JAMES A B LARSEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20104028699
MY COMMISSION EXPIRES 08/20/2022**



A handwritten signature in black ink, appearing to read "James A B Larsen", written over a horizontal line.

Notary public