

SPURGEON, CLARK AND SPURGEON
ATTORNEYS AND COUNSELORS AT LAW
EXCHANGE NATIONAL BANK BUILDING
COLORADO SPRINGS, COLORADO

October 2, 1944

W. H. SPURGEON
FUNSTON CLARK
R. L. SPURGEON

Miss Laura Gilpin
317 Cheyenne Road
Colorado Springs, Colorado

Dear Madam:

In 1942, when you sold and conveyed approximately sixty acres of your land, near Woodland Park, to Harry S. Kennedy and Katherine K. Kennedy, you apparently reserved, to yourself, a right of way for ingress and egress over the lands conveyed to other and adjacent lands owned by yourself.

We understand that you and Miss Foster are now proposing to sell the "other land" to a third party, and that further, the prospective purchasers of that land will have access to the property they are purchasing from you, over property they now own.

In other words, if the prospective purchasers were not granted the right of way over the said sixty acres, they would have other and convenient ways of access to the lands they propose to buy from you.

If the purchasers used the reserved right of way for a dude ranch, or other purposes, it would naturally cause a great hardship and inconvenience upon the Grace Church, which, as you know, conducts a camp during the entire summer upon this property.

From what we know about this matter, it appears that it was never contemplated, either by you, as Grantor, or by the Kennedys, as Grantees, that the right of way would be used, except by private individuals. If it is used for a dude ranch, or other purposes, it would seem to us that the spirit of the original reservation would be violated.

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At any rate, Grace Church is desirous of having as much privacy as possible in the operation and conduct of their summer camps, and it has requested us to ascertain, from you, whether or not you and Miss Foster would be willing to Quit Claim, to the Kennedys, the right of way reserved across the Kennedy property, for a fair consideration.

Will you please advise us if you and Miss Foster are willing to cooperate with Grace Church in the solution of this problem.

Very truly yours,

SPURGEON, CLARK AND SPURGEON

By

Freestone Clark

FC:ps