

Thomas Chapman is making a mint by holding our national parks hostage

Real-Estate Broker From Hell

By RICHARD MINITER

OCTOBER 23, 1998, was one of the most rewarding days of Ken Gale's life. After more than 14 years of effort by him and others, the Black Canyon, a spectacular natural vista about 250 miles southwest of Denver, became a national park.

These days, even thinking about the park makes the local businessman angry. "I'll show you why," Gale said last year, while taking me up a steep, brush-covered peak inside the park's east entrance. There, at

the top, was a red, black and white billboard proclaiming: "For Sale. Forty-acre building sites. Beautiful canyon views. World-class sunsets. 800-662-8632."

Luxury housing may soon sprout on the three parcels that are up for sale, ruining the unspoiled view in the 30,000-acre park. Unless, that is, someone—such as the federal government—buys out the owners, who are represented by real-estate agent Thomas E. Chapman.

"This is outrageous," Gale charges. For Chapman and his clients, however, it is standard operating procedure.

Unapologetic—Uncle Sam was caught with his pants down." Chapman (right) gloated after one deal.



ture. Throughout the mountain West, Chapman and the investors he represents are legendary for spearheading real-estate deals involving private property inside or adjacent to federally protected lands, and then proceeding to develop the property until their price is met. It's not illegal. It's also lucrative. So far, Chapman and his clients have completed millions of dollars worth of deals, with no end in sight.

Six Hours by Mule

CHAPMAN'S EXPLOITS began in 1984, when he was hired by a man trying to sell 4200 acres on the northern rim of the Black Canyon to the U.S. Park Service. The Park Service appraised it at \$244 an acre, a price the owner considered far too low.

Chapman had a bulldozer begin clearing the land, and mailed photos of the construction site to reporters, government officials and environmentalists. He told the press he was planning to build a subdivision.

There was an uproar, but the Park Service was powerless to stop him. Ultimately a federal judge determined a price, \$2.1 million, or \$500 an acre, to which both parties agreed. "Uncle Sam was caught with his pants down," Chapman gloated.

Several years later, Robert Minerich hired Chapman to sell his 240-acre parcel inside Colorado's West Elk Wilderness Area, a wild region of forested mountains and canyons.

When the Forest Service balked at Minerich's price of \$5000 an acre, Chapman began clearing the parcel for a huge multimillion-dollar log home, bringing in building materials by helicopter.

"It's quite a sight to see that concrete fly over a wilderness area," reporters quoted Chapman as saying. (He denies the remark.) His action brought down a torrent of complaints on the heads of Forest Service officials.

As the project became more controversial, Minerich backed off, selling his land to Chapman and a few partners. But Chapman plowed ahead until then-Sen. Hank Brown (R., Colo.) had an aide, Kathy Hall, defuse the crisis. Saddling a horse, Hall led a mule team on a six-hour trek to Chapman's construction site. The two came to an agreement: if Chapman stopped work, the land would be reappraised.

Chapman's land was revalued at \$640,000—a price the Forest Service couldn't afford. Now the Park Service came to the rescue, agreeing to swap Chapman's 240 acres in the West Elk region for 107 acres near Telluride, the famous Colorado ski resort.

The Telluride parcel boasted a spectacular 270-degree alpine view dominated by Mount Wilson, one of the snow-covered peaks that inspired the Coors beer label. On paper, these properties were of equal value. But within 14 months, Chapman and his partners sold most of the Telluride land for a cool \$4.2 million—a profit of more than 600 percent.

More Chapmans?

THOUGH HE HASN'T SPOKEN to the press since 1997, Chapman is unabashed by critics. "There is nothing illegal or unethical in my working for remote landowners to get them the highest possible price for their lands," he wrote Sen. Ben Nighthorse Campbell (R., Colo.). One recent stunt, on Fossil Ridge in Colorado's Gunnison National Forest, began in 1998. Chapman approached Deb and Rudy Rudibaugh and said that a company he represented, TDX, L.P., wanted their 12 acres for a hunting cabin or some other structure.

"We thought he had the same conservation values that we do," Deb Rudibaugh says. But after the Rudibaughs sold their land for \$150,000, TDX mailed out glossy brochures promising a handcrafted, "state-of-the-art mountain home" for \$4.6 million. Negotiations between Chapman and the Forest Service have so far been fruitless.

Ironically, Chapman is a hero to some of the thousands of frustrated individuals who want to sell property they own within public parks and forests to the federal government.

They don't make waves, but they don't make much progress, either. At least Chapman gets results; they can't even get a meeting with overburdened federal land managers, much less a fair price for their land.

Government officials don't deny there's a problem. "Congress adds parks to the system every year," says William Shaddox, chief of the National Park Service's Land Acquisition Office. "It gets harder to handle the backlog."

That doesn't excuse Chapman's methods. "He's holding our national parks for ransom," charges Rep. Mark Udall (D., Colo.), whose father authored the original Wilderness Act of 1964. But unless federal officials get their act together, there may be many more Chapmans to come. Already one Seattle real-estate investor threatened to log near the Glacier Park Wilderness Area in 1998. He made a \$250,000 profit when the government bought him out.

Meanwhile, at the Black Canyon, Ken Gale is urging the county commissioner to deny road, well and building permits to Chapman and TDX. "I'll do anything legal to stop him," Gale vows.

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SNOW TRUE

During a storm, my wife's car became stuck in a snowbank. Our obstetrician saw her spinning her wheels, trying to get out. When he offered to help, my wife could not resist telling him, "Okay, doctor, now when I count to three, push!" —Contributed by H. STEINBERG