

SUMMIT COVE RECREATION ASSOCIATION
(formerly Country Run)
PLANNED UNIT DEVELOPMENT DESIGNATION

397504
SUMMIT COUNTY
CLERK AND RECORDER
DEC 20 2 40 PM '90
COLLEEN HUGHES

The Country Run Planned Unit Development Designation approved the 3rd day of July 1985, by the Board of County Commissioners is hereby revised and renamed this 26th day of November, 1990. This designation establishes the general uses which shall be permitted on the Property, a general development plan and a statement of development guidelines and conditions which must be adhered to by the owner/developer of the Property, Summit Cove Recreation Association, hereinafter referred to as the "Owner/Developer". This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the Owner/Developer. This planned unit development designation applies to certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "property."

A. USES PERMITTED AND DEVELOPMENT PLAN

Use and development of the property shall be in accordance with the following specific requirements:

1. Permitted Uses. Permitted uses for the Property shall be not for profit recreational opportunities and facilities as follows:
 - a. Swimming pools, saunas, hot tubs, racquetball, squash, handball or volleyball courts, workout, exercise and weight rooms, locker rooms, bath and shower rooms, meeting and/or community rooms, and other similar uses normally and customarily found within recreation facilities.
 - b. Open space and recreation.
 - c. Bicycle and hiking paths.
 - d. Outdoor tennis and/or volleyball courts, horseshoe pits, childrens gymnasium facilities, picnicking areas, and similar low intensity uses.
 - e. Parking and driveways associated with the operation of the said recreation facilities, pathways, landscaping, storm drainage detention and/or retention facilities and similar accessory uses.
 - f. One apartment or dwelling unit for use by a resident manager and/or caretaker.
2. Building Heights. Building heights shall not exceed 35 feet, with height as defined in the Uniform Building Code.
3. Site Coverage. Coverage of buildings, parking lots and hard surfaced recreation facilities such as tennis courts shall not exceed 25% percent of the property area.
4. Parking. A minimum of six parking spaces shall be provided for the use of members and/or guests at the existing recreation facility. Parking plans and standards for future development shall be provided to Summit County at the time such development plans are presented to the County for review and approval.
5. Site Plans. Site plan review by the Snake River Planning Commission shall be required for all new uses or improvements with the exception of interior remodeling which will not effect parking requirements. The site shall meet all requirements of the Summit County Land Use and Development Code.

B. UTILITIES AND IMPROVEMENTS

1. Water System. Water service is to be provided by the East Dillon Water District.
2. Sewer System. Sewer service is to be provided by the Snake River Sanitation District operated by the County.
3. Fire Protection. Fire protection is to be provided by the Snake River Fire Protection District.

C. GENERAL PROVISIONS

1. Enforcement

The provisions of the planned unit development designation and the development plan relating to the use of land and the location of common open space shall run in favor of Summit County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law. Other provisions of the planned unit development designation and the development plan shall run in favor of the residents, occupants, and owners of the planned unit development but only to the extent expressly provided in, and in accordance with the terms of, the planned unit development designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants, or owners of the planned unit development shall run in favor of the County.

2. Breach of Provisions of PUD Designation

If at any time any provision or requirement stated in the planned unit development designation has been breached by the Owner/Developer, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however that the County shall not take affirmative action on account of such breach until it shall have first notified the Owner/Developer in writing and afforded the Owner/Developer a reasonable opportunity to remedy the same.

3. Binding Effect

The PUD designation shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in the County Development Review Procedures. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

4. Amendments

Amendments to the provisions of a planned unit development designation shall be reviewed and acted upon as a rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at CRS 24-67-106(3)(b).

5. Notices

All notices required by this designation shall be in writing and shall be either hand delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:

Board of County Commissioners
P.O. Box 68
Breckenridge, CO 80424

Notice to Owner/Developer:

Summit Cove Recreation Assoc.
P.O. Box 2384
Dillon, CO 80435

All notices so given shall be considered delivered three days after the mailing thereof. Either party, by notice so given, may change the address to which future notices shall be sent.

6. Entire Designation

This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the (Summit Cove Recreation Association) Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit County Land Use and Development Code and the Colorado Planned Unit Development Act (CRS 24-67-106) for amending planned unit developments, and except that nothing contained herein shall be construed as waiving any requirements of the County's Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

7. Relationship to Original PUD Designation and Previous Amendments

To the extent the provision of this revised PUD designation are the same in substance to the provisions of earlier approved versions of this PUD designation, they shall be considered as continuations thereof and not new enactments. Where provisions of this revised PUD designation conflict with earlier approved versions of the Country Run PUD Designation, the provisions of this revised PUD designation shall supersede and replace such provisions.

8. Effective Date

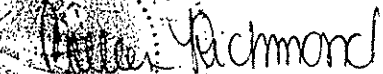
This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date of recordation.

IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY: 
Marsha W. Osborn, Chairman

ATTEST:

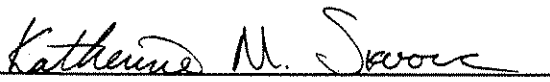

Colleen Richmond, Clerk and Recorder


Owner

Hugo Rutherford, Jr.
President

Owner

ATTEST:


Katherine M. Skvorc
Secretary

pud/scra

EXHIBIT A

Covering the Land in the State of Colorado, County of Summit
Described as:

A tract of land being an easterly portion of Summit Cove, Filing No. 4, as recorded under Reception No. 145703 in the office of the Summit County Clerk and Recorder, and located in the Southeast one-quarter of Section 21, Township 5 South, Range 77 West of the Sixth Principal Meridian, described as follows:

Beginning at the Southeast corner of said Summit Cove, Filing No. 4, also being the Northeast corner of Lot 11, Summit Cove, Filing No. 1, from which the East 1/4 corner of said Section 21, bears $N13^{\circ}17'02''E$, 1,206.45 feet

thence $S80^{\circ}38'07''W$, along the North line of said Summit Cove, Filing No. 1, a distance of 670.12 feet;

thence $N09^{\circ}21'53''W$, along the East line of Cove Condominiums, Filing No. 1, a distance of 250.00 feet to the Northeast corner of a 50.00 foot wide right-of-way dedicated to the County of Summit as described in Book 208 at Page 379;

thence continuing $N09^{\circ}21'53''W$, 194.04 feet to the South line of that parcel of land described in Book 273 at Page 843;

thence Easterly and Northerly along the South and East lines of said parcel described in Book 273 at Page 843 for the following two (2) courses:

1.) $N72^{\circ}24'40''E$, a distance of 37.55 feet;

2.) thence $N17^{\circ}35'20''W$, a distance of 137.00 feet to a point on the Southerly right-of-way line of Cove Boulevard, an 80.00 foot wide county road;

thence $N72^{\circ}24'40''E$, along said Southerly right-of-way line 556.75 feet to the Westerly right-of-way line of Summit Drive, a 60.00 foot wide county road;

thence Southerly along said Westerly right-of-way line for the following three (3) courses:

1.) $S21^{\circ}38'25''E$, a distance of 470.49 feet;

2.) thence 107.45 feet along the arc of a curve concave to the West having a radius of 286.46 feet and a central angle of $21^{\circ}29'27''$ to a point of reverse curve;

3.) thence 98.49 feet along the arc of a curve concave to the East having a radius of 335.04 feet and a central angle of $16^{\circ}50'34''$ to the Point of Beginning,

SUMMIT COUNTY

PLANNED UNIT DEVELOPMENT
SUMMARY SHEET

NAME: Country Run
 LOCATION: SUMMIT COVE FILING #4
 ORIGINAL PROPERTY OWNER: SUMMIT COVE RECREATION ASSOCIATION
 ORIGINAL ADOPTION DATE: 7/12/85
 BOCC RESOLUTION #: 85-52
 ORIGINAL CASE #: 85-12, 85-27

PLANNING AREA	ACREAGE	TYPE OF USE	UNIT COUNT ALLOWED	SQ. FT. ALLOWED	BLDG HEIGHT	BLDG SETBACK		PARKING REQUIRED	OTHER	BUILT TO DATE
						FRONT	REAR			
TRACT A	0.763	RECREATION	REG BLDG	6,200	24 ft			16	PLUS 1 HANDICAPPED SPACE	
TRACT B	0.310	BIKE PATH								
TRACT C	0.023	OPEN SPACE								
TRACT D	0.253	OPEN SPACE								
TRACT E	0.209	OPEN SPACE #								
TRACT F	0.735	OPEN SPACE #						213	24x30 CONCRETE PIKE PATH 1 CONCRETE 2 CONC OVER PEK UNIT AND 27 GUEST SPACES	
TRACT G	6.765	RESIDENTIAL	62 SE	53,520	24 ft					