

GOLD HILL ESTATES
Planned Unit Development Designation

387142
SUMMIT COUNTY
CLERK AND RECORDER
MAY 11 10 00 AM '90
SOLICITATION NUMBER

This Planned Unit Development Designation, to be known as the Gold Hill Estates Planned Unit Development Designation, is approved this 9th day of April, 1990, by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County," for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "Property." 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, Ceasar Verdelli, 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.

A. PERMITTED USES AND DEVELOPMENT PLAN

Use and development of the property shall be in substantial compliance with the Development Plan attached as Exhibit B hereto, and with the following specific requirements

1. Permitted Uses

Three single family dwellings (which may include as a conditional use caretaker or guest quarters of up to 800 square feet, as provided in the Summit County Land Use and Development Code, together with normal accessory uses such as garages and outdoor storage buildings. Stables for the private use of up to two horses per lot by the owners or residents of the property area are allowed, provided that the owners of the property have provided proof of an adequate water supply for the use to the Planning Division. No development other than fencing, driveways and utilities shall be located outside designated building envelopes which are to be indicated on the final subdivision plat for the property.

2. Parking

No parking shall be allowed within any County road right-of-way or common driveway. At least two parking spaces for each dwelling unit and one space per guest/caretaker quarters shall be provided.

3. Setbacks and Building Heights

Setbacks for structures shall be as provided by the building envelopes established on the final subdivision plat for the property. In no event shall any principal structure be built within 25 feet of any lot line within the subdivision. Maximum building height (as defined in the Summit County Land Use and Development Code) shall not exceed 35 feet for principal structures and 25 feet for accessory structures.

B. UTILITIES AND IMPROVEMENTS

1. Water System

Water service shall be provided by on-site wells subject to approval by the Colorado State Engineer.

2. Sewer System

Sewer service shall be provided by on-site, subsurface disposal systems subject to approval by the Summit County Environmental Health Department. If it is determined by the County that the area should be provided with sewer lines in the future, the Owner/Developer agrees to participate in any local improvement district formed for the purpose and/or pay his proportionate share in any coordinated effort by neighboring property owners to provide sewer lines to the area.

3. Access

Access shall be provided through Summit County Road 950 via the Common Driveway as designated on Exhibit B.

4. Utilities

All electricity, phone and cable shall be underground if located outside of the forested portions of the site.

5. Fire Protection

Fire protection shall be provided by the Red, White and Blue Fire District. The development of the property shall meet all fire protection standards of the District. Prior to issuance of building permits, fire flow requirements shall be submitted to the Red, White and Blue Fire District and shall not exceed 1,000 gpm. Special design considerations, such as the following, may be necessary to meet this requirements:

- a. one hour fire rated construction throughout;
- b. construction types more restrictive than Type V or Type V 1-hour as outlined in Uniform Building Code;
- c. fire resistive area separation walls, roofing material or monitored residential sprinkler and alarm systems.

6. Vegetation Management Program

A vegetation management program to reduce potential wildfire hazard on the property shall be prepared. Said plan shall be reviewed by the Colorado State Forest Service and approved by the County prior to issuance of building permits for the property.

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:
Ceasar Verdelli
P.O. Box 608
Frisco, CO 80443

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

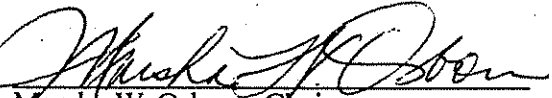
This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the (name of planned unit development) Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit 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. Effective Date

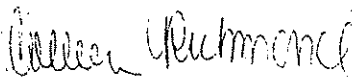
This revised PUD designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date of recordation.

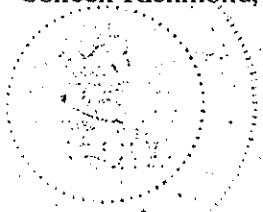
IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

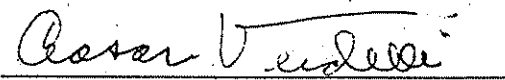
BY: 
Marsha W. Osborn, Chairman

ATTEST:


Colleen Richmond, Clerk and Recorder



OWNER/DEVELOPER

BY: 
Ceasar Verdelli

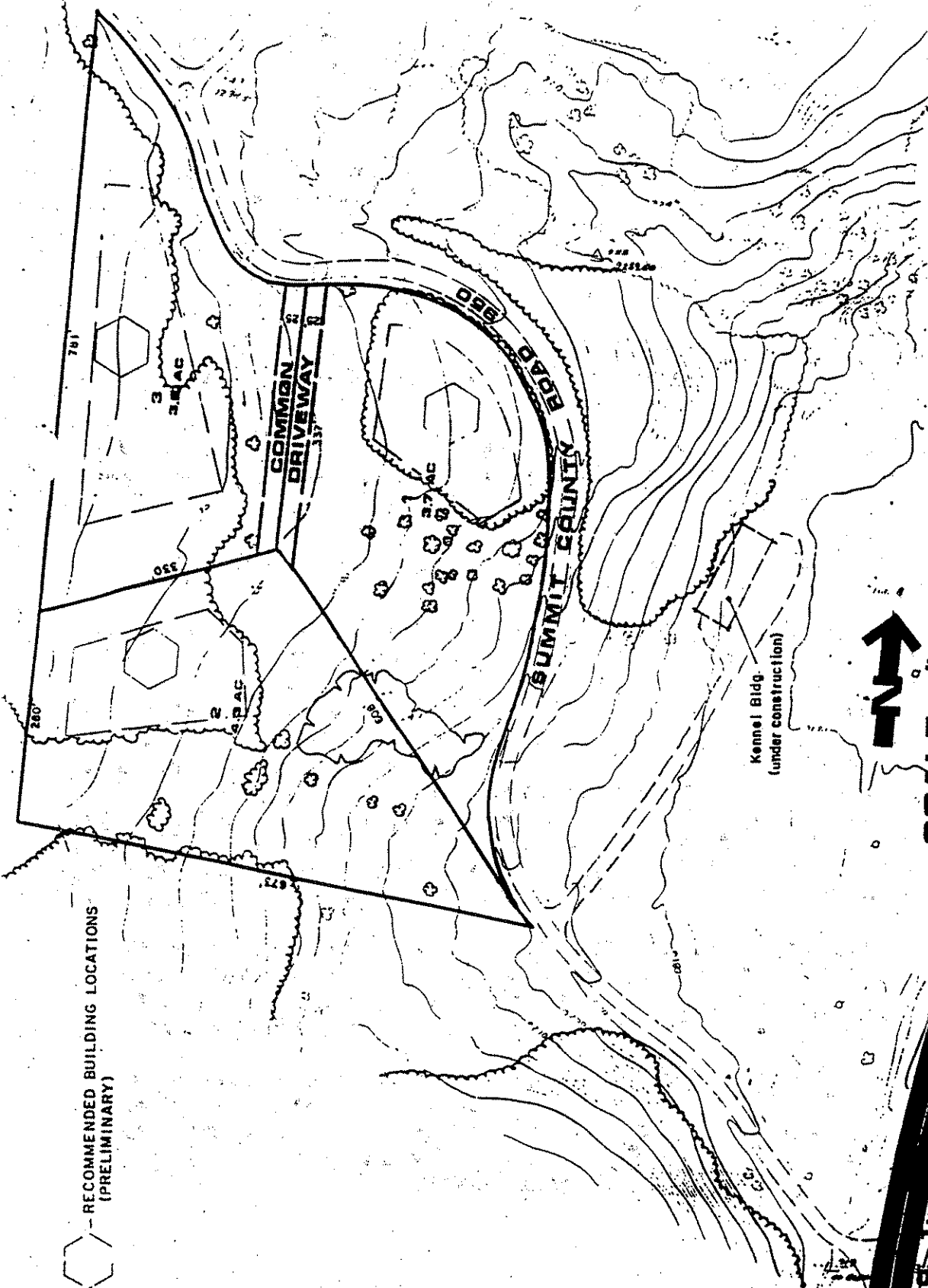
LEGAL DESCRIPTION - GOLD HILL ESTATES

A tract of land located in Gold Hill Placer, U.S. Mineral Survey No. 13719 and the Du-Lack Placer, U.S. Mineral Survey No. 13802, in Section 7, Township 6 South, Range 77 West of the 6th P.M., County of Summit, State of Colorado, more particularly described as follows:

Beginning at Corner No. 8 of the said Du Lack Placer: thence North $81^{\circ}31'42''$ West along line 8-9 of the said Du Lack Placer a distance of 455.79 feet to the center line of a road being the true point of beginning; thence along the center line of the said road North $32^{\circ}40'42''$ West a distance of 126.68 feet to a point of curvature; thence along a curve to the right having a radius of 120.33 feet, a cord length of 92.35 feet, an arc distance of 94.78 feet; thence North $12^{\circ}26'58''$ East a distance of 84.35 feet to a point of curvature; thence along a curve to the left having a radius of 1,342.84 feet, a cord length of 282.64 feet, an arc distance of 283.16 feet to a point of compound curvature; thence along a curve to the left having a radius of 283.52 feet, a cord length of 412.12 feet, an arc distance of 461.36 feet; thence North $89^{\circ}18'14''$ West, a distance of 111.12 feet to a point of curvature; thence along a curve to the right having a radius of 80.38 feet, a cord length of 84.91 feet, an arc distance of 89.46 feet; thence North $25^{\circ}32'9''$ West a distance of 68.15 feet to a point of curvature; thence along a curve to the left having a radius of 633.39 feet, a cord length of 235.81 feet, an arc distance of 237.19 feet; thence North $46^{\circ}59'30''$ West, a distance of 66.16 feet; thence leaving the center line of said road South $0^{\circ}20'24''$ East a distance of 1,102.24 feet; thence South $81^{\circ}31'42''$ East a distance of 712.84 feet to the true point of beginning. containing 12.973 acres more or less.

EXHIBIT A

Gold Hill Estates PUD



GOLD HILL ESTATES

EXHIBIT B

Gold Hill Estates Pl development Plan