



**GOLDENVIEW
PLANNED UNIT DEVELOPMENT**

This Planned Unit Development Designation, to be known as the Goldenview Planned Unit Development (PUD), is approved this 11th day of February, 1991 and amended on the 24th day of March, 2003, 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 uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by Indian Creek Ltd. Who is the owner and developer of the property, and is hereinafter referred to as the "owner/developer". This designation also specifies improvements which must be fulfilled in conjunction with this designation by the owner/developer.

A. PERMITTED USES AND DEVELOPMENT PLAN

The goal of the Goldenview PUD is to provide for single family development in a manner which minimizes site disturbance and maintains existing vegetation and natural systems to the fullest extent possible.

1. Permitted Uses

Uses and development of the property shall be in general accordance with the Development Plan attached as Exhibit B hereto. The development plan is conceptual. Actual location of lots, building sites, roads, and other necessary improvements shall be determined through the preliminary submittal and final plat approvals for subdivision of each phase of the development. A total of 30 single family units, one per site, is permitted.

Building heights shall not exceed 35 feet with height as defined in the Summit County Building Code. All buildings shall be located within building envelopes on lots as conceptually shown on Exhibit B. Final building envelope locations shall be shown on the final plat(s) of the property. All proposed building on the property must receive site plan approval from the Summit County Planning Department.

2. Conditional Uses

Accessory units meeting all current criteria of the Summit County Land Use and Development Code may be permitted if a conditional use permit is approved in conformance with the Summit County Land Use and Development Code.

3. Platting

The final plat for each phase of the property shall be submitted to and approved by the County prior to any development in that phase.

4. Parking

No parking shall be allowed in any County road, private road, common driveway, cul-de-sac or hammerhead turnaround. Off street parking shall be provided for each single family unit.

5. Open Space/Public Use Areas

Pursuant to Section 8601 of the Summit County Land Use and Development Code the Owner/Developer is required to provide lands for public use. The parcel indicated on attached exhibit B, located adjacent to Baldy Road shall be dedicated to Summit County for use as a cross country skier parking and turnaround area for at least ten cars. As conceptually shown on Exhibit B, Parcel A shall be retained as common open space. A public pedestrian access easement shall be designated on all of Parcel A. Final delineation of open space areas will occur at the final plat approval stage. All lands dedicated to the public shall meet all requirements of Section 8601 of the Summit County Land Use

and development Code. The Owner/Developer shall be given appropriate credit toward Public Use Area Fees for dedication after determination that all requirements of Section 8601 are met or exceeded. Vegetative management in accordance with an approved vegetation management program may be carried out in open space areas.

6. Vegetation Management Program

A vegetation management program to reduce wildfire hazard and susceptibility to mountain pine beetle infestation, and to enhance wildlife habitat and tree vigor on the property shall be prepared. The plan shall be approved by the Colorado State forest Service guaranteed through the Subdivision Improvements Agreement.

7. Covenants

Concurrent with submittal of the first final plat for the property the owner/developer shall submit covenants for the entire property. The covenants shall provide for formation of a homeowners association with responsibility for architectural control and maintenance of all common driveways and open space prior to approval of any final plat, and the covenants shall be recorded concurrent with recording the first final plat of building sites on the property.

B. UTILITIES AND IMPROVEMENTS

Utilities and improvements shall be provided in the development of the property as set forth in this section. Detailed specifications shall be set forth in the final plat submittal. Time schedules for construction of improvements shall be set forth in the subdivision improvements agreement which must accompany the final plat approval.

1. Water System

Water supply will be provided by a water system subject to approval by the State Engineer, Division of water Resources. The Water supply system shall provide adequate fire flows as determined by the Red, White and Blue Fire District. The Owner/developer shall attempt to obtain an emergency water tie-in with the existing water system to help with fire flow.

2. Sewer Systems

Sewage disposal shall be provided by Woodmoor Water and Sanitation District. The system shall be subject to all requirements of the district.

3. Access

Access to the property and all building sites shall be provided by roads and common driveways built to County specifications. Final road designs shall be approved by the County Engineer prior to approval of a final plat. The county reserves the right to accept or reject responsibility for year round maintenance, including snow removal, on all dedicated public roads. Maintenance of all driveways and all roads not accepted by the County shall be the responsibility of the developer or of the Goldenview Homeowners Association. Access to all dwelling units shall be maintained at all times.

4. Fire Protection

Fire protection is to be provided by the Red, White and Blue Fire District. All development on the property shall meet all fire protection requirements of the District.

5. Utilities and Easements

All new utility lines shall be installed within the PUD in accordance with the standards of each utility provider and County Subdivision Regulations. Easements for all utilities shall be shown on the final plat.

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. 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
PO Box 68
Breckenridge, CO 80424

Notice to Applicant:

Indian Creek Ltd.
408 South Tejon
Colorado Springs, CO 80903

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 and the County relative to the Goldenview Planned Unit Development, and nothing contained herein shall be construed as waiving any requirements of the County's Zoning and Subdivision regulations, Common Review Procedures, or other regulations otherwise applicable to the development of the property.

7. Effective Date

This 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

/s/ Joe Sands, Chairman

ATTEST:

/s/ Doris Brill, Clerk and Recorder

Indian Creek Ltd.

/s/ Ruth O'Connor, Personal representative Estate of
Leo O'Connor

ATTEST:

/s/ Kimberly A. McIntosh, Notary
commission exp. 8/30/92

APPROVAL OF AMENDMENTS

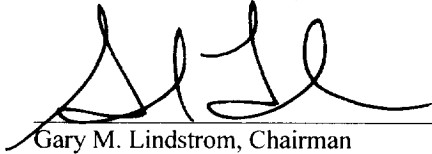
The foregoing document is the Goldenview Planned Unit Development Designation as amended and approved by the Summit County Board of County Commissioners on the 11th day of February 1991 by Resolution No. 91-6 and as amended by the Summit County Board of County Commissioners as follows:

Resolution #	Reception #	Date
03-		


The planned unit development document dated the 11th day of February, 1991 under Resolution No. 91-6 and revised to incorporate the amendments approved as noted above shall remain in force as revised. The foregoing document is issued as a continuation of the original document. Copies of the original Goldenview Planned Unit Development Designation and the amendments noted above are available from the Summit County Clerk and Recorder.

Adopted this 24th day of March 2003.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO



Gary M. Lindstrom, Chairman

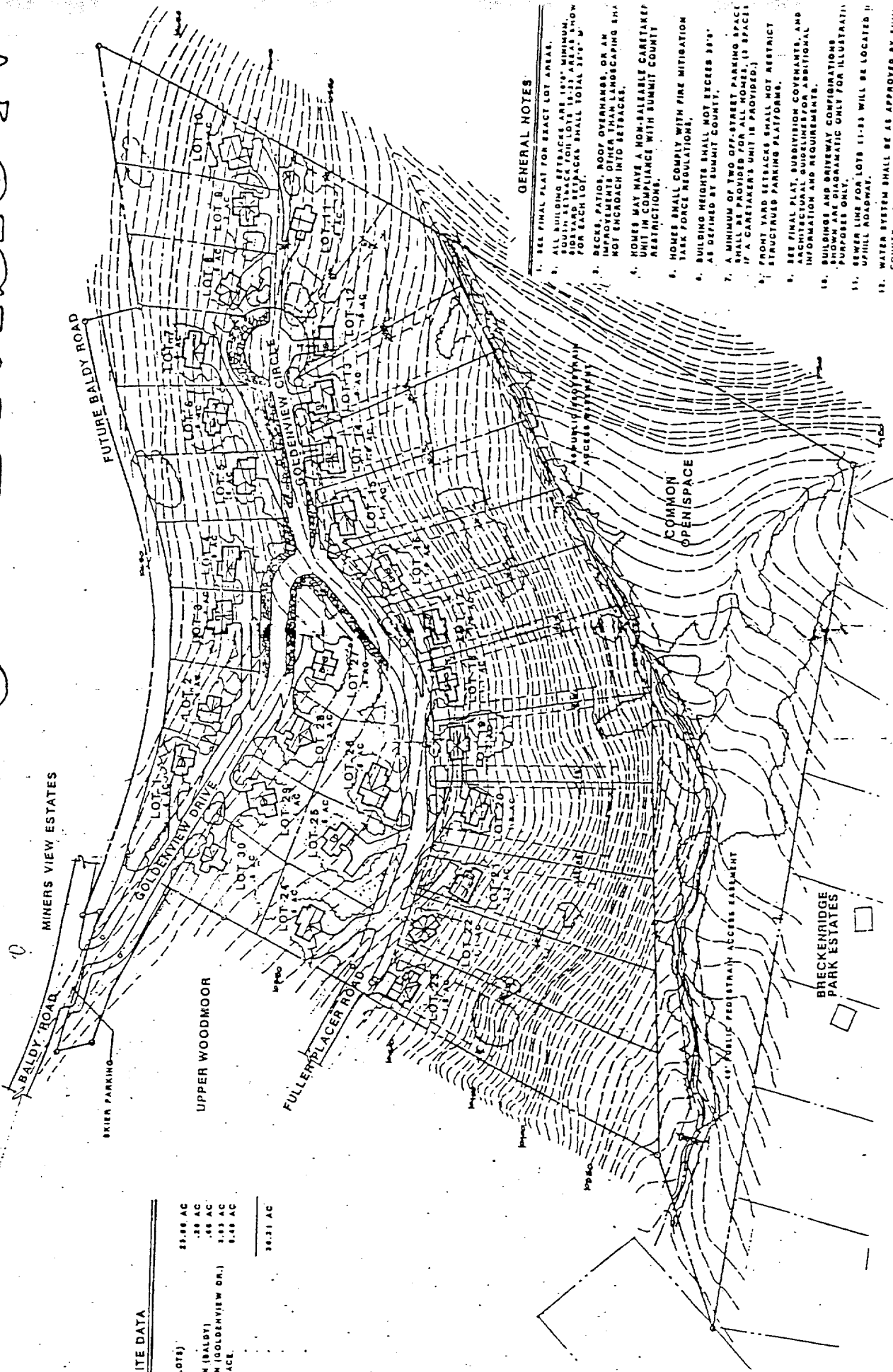


SEAL
Cheri Brunvard
Cheri Brunvard, Clerk & Recorder

Exhibit A

Goldenview Subdivision, Filings 1 and 2, and the remaining portion of the Bulwer Lode, U.S.M.S. 3259, Located in Sections 4 and 5, Township 7 South, Range 77 West of the 6th Principal Meridian Summit County, Colorado.

GOLDENVIEW SUBDIVISION



SITE DATA

TOTAL AREA (30 LOTS)	58.86 AC
W. DEDICATION (BALDY)	.28 AC
W. DEDICATION (GOLDENVIEW DR.)	.68 AC
COMMON OPEN SPACE	5.83 AC
AL. AREA	36.31 AC

GENERAL NOTES

1. SEE FINAL PLAT FOR EXACT LOT AREAS.
2. ALL BUILDING SETBACKS ARE 10' MINIMUM. SIDEYARD SETBACKS SHALL BE 5' MINIMUM. FRONT YARD SETBACKS SHALL TOTAL 20' MINIMUM FOR EACH LOT.
3. DECKS, PATIOS, ROOF OVERHANGS, OR AN IMPROVEMENTS OTHER THAN LANDSCAPING SHALL NOT ENCRUSCH INTO SETBACKS.
4. HOMES MAY HAVE A NON-SALEABLE CARETAKER UNIT IN COMPLIANCE WITH SUMMIT COUNTY RESTRICTIONS.
5. HOMES SHALL COMPLY WITH FIRE MITIGATION TASK FORCE REGULATIONS.
6. BUILDING HEIGHTS SHALL NOT EXCEED 30' AS DEFINED BY SUMMIT COUNTY.
7. A MINIMUM OF TWO OFF-STREET PARKING SPACES SHALL BE PROVIDED FOR ALL HOMES. (3 SPACES IF A CARETAKER'S UNIT IS PROVIDED.)
8. FRONT YARD SETBACKS SHALL NOT RESTRICT STRUCTURED PARKING PLATFORMS.
9. SEE FINAL PLAT, SUBDIVISION COVENANTS, AND ARCHITECTURAL, SUBSTITUTION, ADDITIONAL INFORMATION AND REQUIREMENTS.
10. BUILDINGS AND DRIVEWAY CONFIGURATIONS SHOWN ARE DIAGNOSTIC ONLY FOR ILLUSTRATION PURPOSES ONLY.
11. SEWER LINE FOR LOTS 11-30 WILL BE LOCATED IN UPHILL ROADWAY.
12. WATER SYSTEM SHALL BE AS APPROVED BY SUMMIT COUNTY. (SEE ENGINEERS DRAWINGS)