

**BLUE STAR 101 PLACER TRACT B  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Blue Star 101 Placer Tract B, is approved this 10th day of May, 1993 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 Wallace W. Edens 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.

DORIS L. BILL

443288

**A. PERMITTED USES AND DEVELOPMENT PLAN**

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

SUMMIT COUNTY RECORDER

1993 MAY 19 P 12:45

**1. Permitted Uses**

One existing single family residence and one detached caretaker's unit utilizing an existing 1,334 square foot building. The structure that will serve as the proposed caretaker's unit shall not be enlarged without approval of the Board of County Commissioners. Accessory and conditional uses are permitted as allowed for in the A-1 zone as set forth in the Summit County Land Use and Development Code. Prior to the recordation of the PUD Designation the applicant shall record a restrictive covenant limiting the use of the caretaker's unit to members of the property owner family, guests, or employees and prohibiting the separate sale of the subject unit with enforcement power granted to Summit County. Rental of the caretaker's unit to the general public on either a long or short term basis is prohibited.

**B. DEVELOPMENT STANDARDS**

**1. Parking**

At least two (2) parking spaces shall be required for both the primary residence and the caretaker's unit. No parking shall be allowed on County roads.

**2. Building Height**

Building heights shall not exceed 35 feet as defined in the Summit County Land use and Development Code Section 3505.06.

**3. Setbacks**

Building setbacks in the Blue Star 101 Placer PUD shall be 50 feet from the front, rear and side setbacks for both the primary residence and the caretakers unit.

**4. Platting**

Any future subdivision of this property will require a PUD amendment and the submission of an approved final plat for recordation by the Summit County Clerk and Records Office.

## C. GENERAL PROVISIONS

### 1. Enforcement

The provisions of the planned unit 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 any time any provision or requirements 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

Wallace W. Edens  
5965 Telegraph Rd.  
Alexandria, VA 22310

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 Blue Star 101 Placer 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 Summit County Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

**7. 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.

**8. PUD Review Requirements**

The Summit County Land Use and Development Code, Chapter 12, includes procedures and requirements for review of all Planned Unit Developments. The Owner/Developer shall be on notice of these requirements and shall insure that information necessary for the periodic review is made available to the County within the time frames as may be established in Chapter 12. The Owner/Developer further understands that failure to provide the necessary information or to proceed with the review process may result in development approvals within the PUD being withheld.

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



BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

Joe Sands, Chairman

ATTEST:

Doris L. Brill, Clerk and Recorder

Wallace W. Edens

ATTEST:

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# EXHIBIT A

## LEGAL DESCRIPTION TRACT B, BLUESTAR 101 PLACER

A TRACT OF LAND BEING A PORTION OF GOVERNMENT LOT 17, SECTION 26, TOWNSHIP 4 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO KNOWN AS TRACT B, BLUESTAR 101 PLACER ACCORDING TO THE PLAT FILED AT RECEPTION NO. 257097 IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BLM WITNESS CORNER (BRASS CAP) ON THE SOUTH LINE OF SAID SECTION 26, WHENCE ANOTHER BLM WITNESS CORNER (BRASS CAP) ON SAID SOUTH SECTION LINE BEARS S89°38'00"E A DISTANCE OF 1145.28; AND THE ONE-QUARTER CORNER OF SECTIONS 26 AND 35 BEARS N89°38'00"W 1105.50 FEET; THENCE N66°07'24"E A DISTANCE OF 77.63 FEET TO THE POINT OF BEGINNING, BEING ON THE SOUTHERLY BOUNDARY LINE OF SAID GOVERNMENT LOT 17 AND THE EASTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 9; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING SIX (6) COURSES:

- 1.) N17°14'17"W A DISTANCE OF 169.27 FEET;
- 2.) N03°12'07"W A DISTANCE OF 103.08 FEET;
- 3.) N17°14'17"W A DISTANCE OF 537.28 FEET;
- 4.) 332.28 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 3°22'00", A RADIUS OF 5655.00 FEET AND A CHORD WHICH BEARS N15°33'17"W 332.24 FEET DISTANT;
- 5.) N13°52'17"W A DISTANCE OF 161.20 FEET;
- 6.) 45.71 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 2°08'43", A RADIUS OF 1221.00 FEET AND A CHORD WHICH BEARS N14°56'38"W 45.71 FEET DISTANT TO THE NORTHERLY BOUNDARY LINE OF SAID GOVERNMENT LOT 17;

THENCE S89°36'40"E ALONG SAID NORTHERLY BOUNDARY LINE A DISTANCE OF 11.92 FEET TO THE APPROXIMATE CENTERLINE OF THE BLUE RIVER; THENCE ALONG SAID CENTERLINE FOR THE FOLLOWING SEVENTEEN (17) COURSES:

- 1.) S11°37'50"E A DISTANCE OF 97.33 FEET;
- 2.) S19°37'24"E A DISTANCE OF 126.36 FEET;
- 3.) S51°52'23"E A DISTANCE OF 79.42 FEET;
- 4.) N82°32'35"E A DISTANCE OF 176.50 FEET;
- 5.) S84°59'18"E A DISTANCE OF 109.41 FEET;
- 6.) S68°48'08"E A DISTANCE OF 142.62 FEET;
- 7.) S49°56'58"E A DISTANCE OF 171.06 FEET;
- 8.) S26°56'59"E A DISTANCE OF 61.72 FEET;
- 9.) S07°28'57"E A DISTANCE OF 275.37 FEET;
- 10.) S02°36'37"E A DISTANCE OF 130.14 FEET;
- 11.) S40°48'10"E A DISTANCE OF 53.53 FEET;
- 12.) S76°53'08"E A DISTANCE OF 72.90 FEET;
- 13.) S85°39'47"E A DISTANCE OF 166.47 FEET;
- 14.) S79°13'29"E A DISTANCE OF 168.96 FEET;
- 15.) S61°39'08"E A DISTANCE OF 234.00 FEET;
- 16.) S41°43'00"E A DISTANCE OF 292.86 FEET;
- 17.) S65°18'10"E A DISTANCE OF 13.67 FEET TO THE SOUTHERLY BOUNDARY LINE OF SAID GOVERNMENT LOT 17;

THENCE N89°38'00"W A DISTANCE OF 1249.95 FEET TO THE POINT OF BEGINNING, CONTAINING 771,760 SQUARE FEET OR 17.717 ACRES, MORE OR LESS.

PREPARED BY:

*Robert R. Johns*  
ROBERT R. JOHNS  
COLORADO P.L.S. NO. 26292



PREPARED FOR: WALLY EDENS  
PROJECT NO.: 12691-411

P.O. Box 589  
Silverthorne, CO 80498  
2921/AR/90

**RANGE  
WEST, INC.**  
Engineers & Surveyors

Phone 303-468-6261  
FAX 303-262-0699

