

CORTINA EXPANSION PLANNED UNIT DEVELOPMENT

This Planned Unit Development Designation, to be known as CORTINA EXPANSION is approved this 26th day of July, 1999, 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 legally 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 conceptual development plan shown in Exhibit B, and a statement of development guidelines and conditions which must be adhered to by the hereinafter referred to "Owner/Developer." This designation also specifies improvements that must be completed and conditions that must be fulfilled in conjunction with this designation by the Owner/Developer. For the purposes of this agreement, the Owner/Developer shall be the Cortina Property Owners Association.

A. PERMITTED USES

The overall goal of the Cortina Expansion PUD is to provide a rural, low density, single family residential development and preserve the open space parcels that were formally a part of the White River National Forest.

1. Permitted Uses

The following uses are allowed INSIDE the building envelopes, (as described in Section B.2.):

- A. Single-family residence. One (1) residence per lot for a total of twelve (12) single-family residences;
- B. Attached or detached garages, (if a detached garage is proposed, it must be completed at the same time as the residence);
- C. Motor vehicle parking and storage of currently registered and operable vehicles;
- D. Recreational vehicle parking and storage, (includes camper, boat, snowmobile, trailer, etc.);
- E. Gazebos, greenhouses, hot tub structures;
- F. Home occupations, as permitted in Section 3810 of the Summit County Land Use and Development Code;
- G. Home child care;
- H. Outdoor display of merchandise as permitted in Section 3814 of the Summit County Land Use and Development Code. This outdoor display of merchandise shall be restricted to yard and garage sales only. These permitted yard and garage sales shall not exceed three (3) days per quarter of the year;
- I. Children's playground equipment.

The area OUTSIDE of the building envelopes shall be considered private open space and shall remain in a natural state as much as possible. The following uses are allowed in this area:

- A. Automobile parking on existing driveways;
- B. Utility connections.

2. Animal Keeping

Animal keeping shall be restricted as follows:

Because of the close proximity to wildlife, NO animals, livestock, poultry, etc., other than pets for household enjoyment, and not for commercial purposes shall be kept or maintained on any building site. Fences and dog runs are allowed but must be within the building envelopes.

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Cheri Brunvard - Summit County Recorder

B. DEVELOPMENT STANDARDS

The following design guidelines/criteria shall be used to guide the development of the PUD plan:

1. Building Height

The maximum building height shall be 35'-0" and shall be measured as defined by the zoning ordinance at the time any construction is proposed.

2. Building Envelopes

All lots shall have building envelopes; the official building envelopes shall be described on the plat. All building construction, including roof overhangs, building projections, and decks shall be constructed within the established building envelopes.

3. Parking

No parking shall be permitted on County roads. Parking areas for RV's, boats, trailers, snowmobiles, etc. shall be within envelopes.

4. Fences

Fences shall be restricted to building envelopes and setbacks. Fences cannot extend past the front of the residence and cannot exceed 6'-0" in height. Any fence design should be consistent with the exterior materials and compatible with the design of the residence. Chain link, chicken wire, snow fence and similar materials are not allowed.

5. Snow Storage

Snow storage shall be totally contained on the lot and located adjacent to driveways and parking areas. Snow storage shall be located in areas which provide protection for existing vegetation, proposed landscaping, and existing Cortina utilities.

6. Trash

Because of the close proximity to wildlife, all trash shall be contained within the garage or in enclosed, secured, covered containers not visible to the public except on collection days.

7. Exterior Storage Areas

Exterior storage areas shall be within building envelopes and directly adjacent to the structure. Exterior storage shall be limited to typical household storage such as firewood, barbecue grills, lawn furniture, etc.

8. Re-subdivision/ Lot Line Adjustment/ Lot Line Vacations

No additional subdivision of the lots will be permitted. No adjustment to property line lines will be allowed except that if two or more lots are combined, the common property line can be vacated.

9. Landscaping

Landscaping improvements shall be required as part of any site plan required pursuant to Summit County Regulations. Revegetation of all disturbed areas shall be required in accordance with Summit County Landscaping and Grading and Excavation Regulations.

The removal of existing trees and vegetation (excluding dead-fall materials) outside of the envelopes is discouraged. Any new landscaping in the proposed development area should match the existing natural vegetation. The use of landscaping to define property lines is prohibited.

10. Erosion Control

Erosion control and revegetation should be included in all new landscape plans. Temporary erosion control measures during any construction are required.

C. REQUIRED IMPROVEMENTS

1. Access

A) Roadways: Access to the property and to all building sites is provided by existing roads built to applicable County standards.

B) Driveways: Each lot will be accessed by a single driveway located in such a way as to minimize site disturbance. ONLY Lots 4R and 6R of Block G and Lot 2R of block D shall have driveway access to Royal Buffalo Drive.

All driveways shall be a maximum of 8% slope and 12'-0" to 18'-0" wide. The first 20'-0" of the driveway from the edge of the road cannot exceed 2.0%. Culverts shall be provided under driveways at drainage ditches.

2. Water Systems

Water supply for the development is provided by the Mesa Cortina Water System.

3. Sewer Systems

Sewage for the development is provided by the Mesa Cortina Sewer System.

4. Fire Protection

The entire property is located within the Lake Dillon 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 in full accordance with the standards of each utility provider and County Subdivision Regulations. Any easements needed for all utilities shall be shown on the subdivision exemption plat.

D. IMPLEMENTATION

1. Subdivision Exemption plat: A Subdivision Exemption plat shall be approved by the County prior to any development that involves selling or conveying any interest in the property to others. All development must meet all applicable standards and requirements as contained in the Summit County Land Use and Development Code unless such standards and requirements are specifically waived or modified by the terms of this designation.

2. Site Plan Review: Any development proposed for the project shall comply with Section 12600 of the Summit County Land Use and Development Code.

E. GENERAL PROVISIONS

1. Enforcement

The provisions of the planned unit designation and the development plan relating to the use of land 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), unless such amendment is determined to be minor in nature.

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 Developer:

Cortina Property Owners Association

P.O. Box 1189

Silverthorne, CO 80498

All notices so given shall be considered delivered three days after the mailing thereof, excluding weekends or official holidays. 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 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

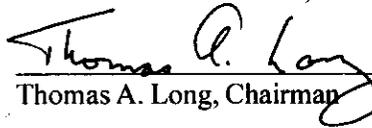
This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date of recordation.

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.

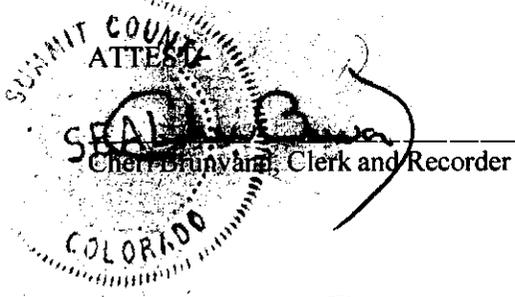
IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first written above.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO


Thomas A. Long, Chairman

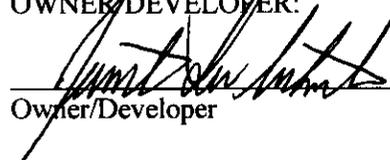
Approved as
to form

Date




Cheryl Branyard, Clerk and Recorder

OWNER/DEVELOPER:


Owner/Developer


ATTEST:

LEGAL DESCRIPTION

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LOTS 1 & 2, BLOCK C. LOTS 1, 2 & 3, BLOCK D. LOTS 1 & 2, BLOCK E LOTS 1 & 2, BLOCK F LOTS 1, 4 & 6, BLOCK G OF CORTINA, FILING NO. ONE, CONTAINING A TOTAL OF 10.00 ACRES, MORE OR LESS, AND A PORTION OF THE N 1/2 NW 1/4 OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 78 WEST OF THE 6TH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY LINE OF SAID CORTINA, FILING NO. ONE WHENCE THE SOUTHWESTERLY CORNER OF SAID CORTINA, FILING NO. ONE BEARS N67°40'44"W 313.90 FEET DISTANT; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE FOR THE FOLLOWING 4 COURSES:

- 1.) S67°40'44"E A DISTANCE OF 709.00 FEET;
- 2.) N83°10'31"E A DISTANCE OF 677.24 FEET;
- 3.) N65°15'09"E A DISTANCE OF 671.80 FEET;
- 4.) S85°18'23"E A DISTANCE OF 263.96 FEET.

THENCE ALONG THE FOLLOWING 17 COURSES:

- 1.) S63°17'11"W A DISTANCE OF 49.14 FEET;
- 2.) 94.26 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 730.92 FEET, A CENTRAL ANGLE OF 7°23'19" AND A CHORD WHICH BEARS S59°35'32"W 94.19 FEET DISTANT;
- 3.) S55°53'52"W A DISTANCE OF 245.59 FEET;
- 4.) 60.49 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 6°32'22" AND A CHORD WHICH BEARS S59°10'03"W 60.46 FEET DISTANT;
- 5.) S62°26'14"W A DISTANCE OF 290.10 FEET;
- 6.) 86.79 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 15°40'09" AND A CHORD WHICH BEARS S69°58'19"W 86.54 FEET DISTANT;
- 7.) S77°30'23"W A DISTANCE OF 296.35 FEET;
- 8.) 32.73 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 5°40'56" AND A CHORD WHICH BEARS S80°20'51"W 32.71 FEET DISTANT;
- 9.) S83°11'19"W A DISTANCE OF 171.53 FEET;
- 10.) 63.60 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 15°50'38" AND A CHORD WHICH BEARS N88°53'22"W 63.40 FEET DISTANT;
- 11.) N80°58'03"W A DISTANCE OF 345.21 FEET;
- 12.) 203.13 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 21°57'33" AND A CHORD WHICH BEARS N69°59'17"W 201.89 FEET DISTANT;
- 13.) N59°00'30"W A DISTANCE OF 67.74 FEET;
- 14.) 54.55 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 26°02'44" AND A CHORD WHICH BEARS N72°01'52"W 54.08 FEET DISTANT;
- 15.) N85°03'14"W A DISTANCE OF 185.51 FEET;
- 16.) 262.37 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 107°22'30" AND A CHORD WHICH BEARS N31°21'59"W 225.62 FEET DISTANT;
- 17.) N22°19'16"E A DISTANCE OF 39.67 FEET TO THE POINT OF BEGINNING, CONTAINING 8.34 ACRES, MORE OR LESS.

PREPARED BY:

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



March 24, 1999
DATE

PREPARED FOR: CORTINA PROPERTY OWNERS ASSOCIATION
PROJECT NO.: 14776-411

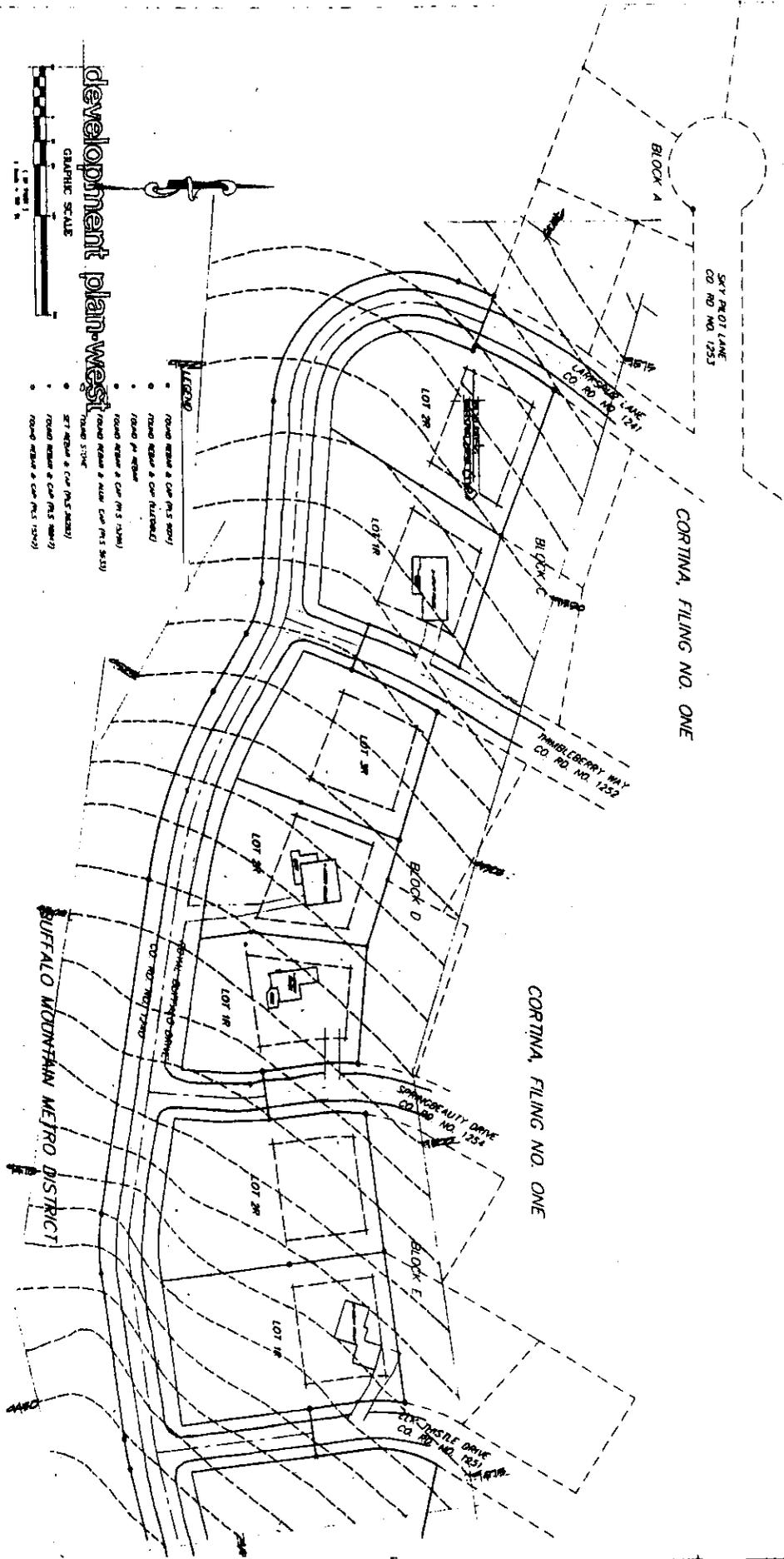
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P.O. Box 589
Silverthorne, CO 80498

RANGE
WEST, INC.
Engineers & Surveyors

Phone 970-468-6281
FAX 970-668-3765

A REPLAN OF
LOTS 1 & 2 BLOCK C, LOTS 1, 2 & 3 BLOCK D, LOTS 1 & 2 BLOCK E,
LOTS 1 & 3 BLOCK F, LOTS 1 & 4 BLOCK G, CORTINA FILING NO. ONE
AND A PORTION OF THE N1/2 NW1/4 OF SECTION 14, T.5S, R.78W, OF THE 6TH P.M.
 SUMMIT COUNTY, COLORADO
 (SHEET 2 OF 3)

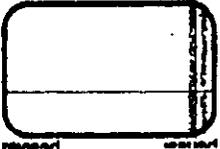


WILDERNEST FILING NO. 2

Project No.	100-000000-001
Sheet No.	2
Scale	AS SHOWN
Date	7/15/00
Author	...
Checker	...
Designer	...
Drawn	...
Reviewed	...
Approved	...



cortina expansion
 BUFFALO MOUNTAIN METRO DISTRICT
 1000 1/2 AVENUE
 BOULDER, COLORADO 80506



hodes/marvin architects, inc.
 1207 GLEN, COLORADO, 80436
 970-468-6671