



**GOVERNMENT LOT 59
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as the Government Lot 59 PUD is approved this 24th day of April, 2000 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 the 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 John and Kristina Wood 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 accordance with the Development Plan attached hereto as Exhibit B and the following specific requirements:

1. Permitted Uses

One single family residence

The single family unit may include an accessory or caretaker unit. An accessory unit is not to be offered or used as a rental unit. An accessory unit is intended for the use of persons related to the property owner by blood or marriage, guests of the owner or employees of the owner who exchange security and/or caretaker services for housing. An accessory unit shall comply with the following criteria:

- a. Each accessory unit shall be provided with at least one parking space in addition to the parking spaces required for the single family unit.
- b. The property owner shall pay additional water and/or sewer tap fees and charges for the accessory unit if so required by the supplier of water and/or sewer service.
- c. The floor area of the accessory unit shall not exceed 900 square feet.
- d. The use of the accessory unit shall be restricted to members of the property owner's family, or guests or employees of the property owner by a covenant recorded against the property. At least one member of the household shall qualify as an "employee" within Summit County. An employee is anyone who works at least 30 hours per week for at least 30 weeks a year at a business located in Summit County. The covenant shall grant enforcement power to Summit County.
- e. A unit which contains an accessory unit shall retain a single family character in both function and design.

In addition to the above criteria, an accessory unit may have a separate kitchen and a separate entrance from that of the single family unit with which it is associated. It is the property owner's responsibility to ensure the use and occupancy of an accessory unit located on his property complies with the requirements of this section. The accessory unit shall be reviewed by the Summit County Community Development Department prior to issuance of building permits or occupancy of the unit.

B. DEVELOPMENT STANDARDS

1. Building Height

Building heights shall be a maximum of 35 feet as defined in Section 3505.06(A) of the Summit County Land Use & Development Code.

2. Setbacks

Setbacks shall be a minimum of 35 feet from all County roads and 20 feet from all other property lines. A 25 foot setback shall be maintained from all wetland areas and water bodies and as illustrated on the attached conceptual development plan.

3. Parking

At least two (2) parking spaces shall be required for the residence and one additional for the accessory/caretaker unit. No parking shall be permitted on County roads.

4. Wetlands/Water Quality

Development of the property shall comply with all requirements for wetland and water quality protection pursuant to Chapter 7 of the Summit County Land Use and Development Code.

5. Site Specific Design Criteria

All outdoor lighting shall be limited to a low level luminescence type with neither the lighting or mounting structure exceeding ten (10) feet above ground level

All buildings shall be of similar exterior, utilize earth tones, and be of a country/western character

C. REQUIRED IMPROVEMENTS

1. Access

Access shall be provided by a driveway off of North Fork Road meeting all County standards. The owner/developer shall dedicate to the County an 80 foot R.O.W for that portion of Montezuma Road that crosses the subject property as shown on the development plan (Exhibit B).

2. Water Systems

Domestic water supply shall be provided by either the Snake River Water District or by individual wells permitted by the State Engineer. Prior to execution and recording of this designation, the applicants shall either:

- a. Provide a written guarantee of water supply for the single family home from the Snake River Water District; or,
- b. Provide an approval of an augmentation plan and water court decree which provides a guarantee of adequate domestic water supply for the single family home.

In the event that the requirements of either a. or b. above are not satisfied within **six years** of the date of approval of the resolution rezoning this property from A-1 to PUD, this PUD Designation shall be considered null and void.

3. Sewer Systems

Sewage treatment for the development shall be provided by Snake River Sanitation District and shall meet all requirements of the district.

4. Fire Protection

The entire property is located within the Snake River 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.

6. Landscaping

Revegetation of all disturbed areas shall be required in accordance with Summit County Landscaping and Grading and Excavation Regulations.

D. 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 the 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 80424N

Notice to Owner/Developer

John and Kristina Wood
7849 Brockway Dr.
Boulder, CO 80303

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

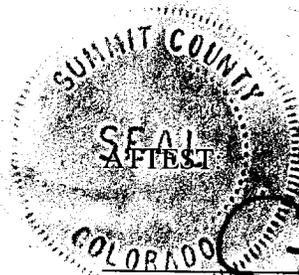
This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the Barton Creek Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit County Land Use and Development 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.

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



Gary M. Lindstrom, Chairman
Summit County BOCC

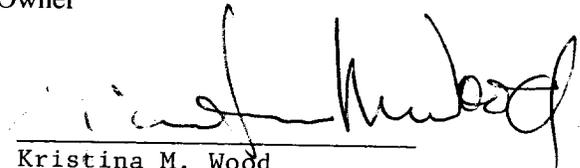


Cheri Brunvand

Cheri Brunvand, Clerk and Recorder



John Wood
Owner



Kristina M. Wood
Owner

ATTEST:

The United States of America

Exhibit A

To all to whom these presents shall come, Greeting:

WHEREAS

John B. Wood and Kristina M. Wood

are entitled to a Patent pursuant to the General Exchange Act of March 20, 1922 (42 Stat. 465), as amended by the Act of February 28, 1925 (43 Stat. 1090), and the Act of October 21, 1976 (90 Stat. 2743), for the following described land:

Sixth Principal Meridian, Colorado,
T. 5 S., R. 76 W..

sec. 19, lot 59,

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto John B. Wood and Kristina M. Wood, the land described above; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto John B. Wood and Kristina M. Wood, their heirs and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.



GIVEN under my hand, in LAKESWOOD, COLORADO
the EIGHTH day of OCTOBER
in the year of our Lord one thousand nine hundred and
NINETY-SIX and of the Independence of the
United States the two hundred and TWENTY-FIRST.

By Jeanne L. Saunders
Realty Officer, Colorado

Patent Number 05-97-0003

528482 1996-11-18 11:58 Jpg Exempt
Doris L. Brill - Summit County Recorder

Conceptual Development Plan

GRAPHIC SCALE
 (1" = 100 FT)
 1" = 100' 0"

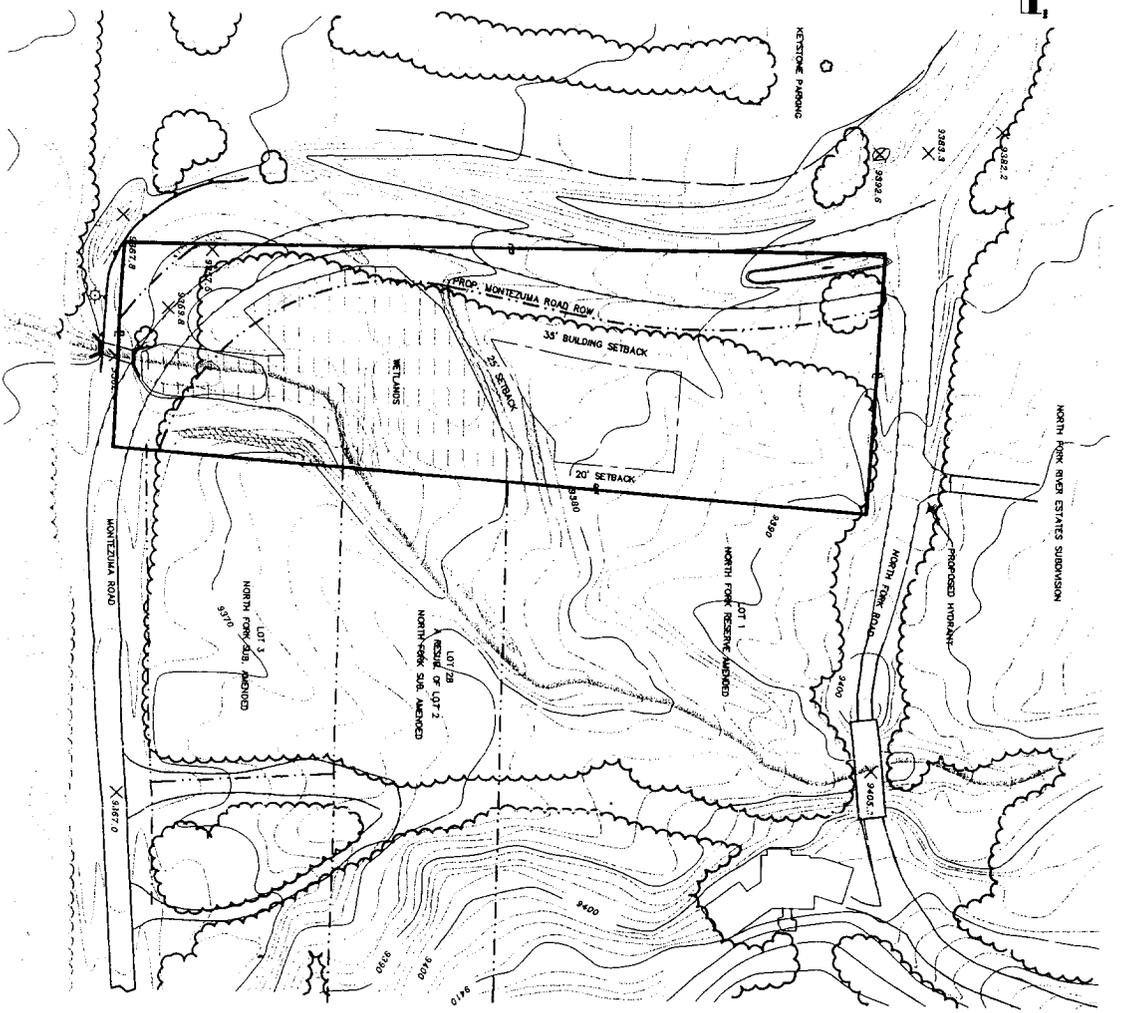
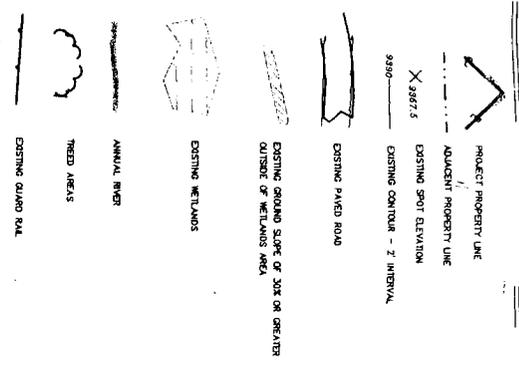


Exhibit B



LAND USE MODEL

TOTAL LOT AREA: 2.787 ACRES
 TOTAL WETLANDS AREA: 1.028 ACRES
 LESS 30% SLOPE AREA: 0.028 ACRES
 NET WETLANDS: 2.003 ACRES

JOHN WOOD - SITE PLAN		DATE: 12-14-09
GOVERNMENT LOT 50		SCALE: 1" = 100'
SECTION 18	TOWNSHIP 5 SOUTH RANGE 75 WEST	SHEET 1 OF 1
SUMMIT COUNTY, COLORADO		
P PEARSON ENGINEERING, INC. 770 2001 18th Street, Suite 200 Fort Collins, CO 80501 970-226-0000		