



**NORTH FORK RIVER ESTATES
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as North Fork River Estates, is approved this 27th day of July, 1992 and is amended on the 13th day of March, 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 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 Keystone Valley Land Company, Inc., 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.

GOAL: To preserve the natural environment while promoting a responsible, high-quality community growth plan.

OBJECTIVES: To preserve existing landscape features where possible and replace vegetation when necessary to provide buffers and screening for development.

To ensure all development complies with the North Fork River Estates design standards and procedures, with emphasis on harmony and compatibility of architecture, landscaping and other design elements.

To consider visual impact of development from all perspectives including Montezuma Road, U.S. Highway 6 and existing developed areas.

To manage development activity within the constraints of natural land features and other natural elements.

GOAL: To protect, maintain and enhance wildlife and its habitat in the upper Snake River Valley.

GOAL: To plan and manage growth so that development meets responsible standards for air and water quality within the Snake River Basin.

OBJECTIVES: To expand utilization of existing municipal water and wastewater utilities.

To participate in the development of community-wide phosphorus recovery regulations.

To implement standards for wood-burning appliances.

To utilize appropriate measures to minimize site disturbance during construction activity.

1. Permitted Uses

Nine single family homes on Lots 1 through 9.

B. DEVELOPMENT STANDARDS

1. Building Height

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

2. Setbacks

To create buffers along property lines, streams or environmentally sensitive areas, the following setbacks have been established:

<u>Buffer</u>	<u>Setback</u>
Montezuma Road	50 feet from right-of way
North Fork Road	25 feet from right-of-way
239 KV power line easement	15 feet from right-of-way
Exterior (PUD Boundary) property lines	
Abutting private property	25 feet
Abutting public land	10 feet
North Fork of Snake River (edge of bank)	25 feet
US Highway 6	50-100 feet
	As designated on final plat

In addition to the above, the Owner/Developer has established 15 foot building setbacks on either side of all shared or common lot lines which may be reduced to 10 feet at the discretion of the Architectural Review Board for the Property

3. Parking

All residential units are required to provide off-street parking in accordance with the following:

No garage	three spaces
One-car garage	1 interior; 2 exterior
Two-car garage	2 interior; 2 interior

The exterior parking spaces may be in driveways and may be tandem. All exterior parking spaces shall have an all weather surface such as gravel, asphalt or concrete pavement.

4. Accessory/Caretaker units

Single family units may include accessory or caretaker units. Accessory units are not to be offered or used as rental units. Accessory units are 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. Accessory units 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 600 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. The covenant shall grant enforcement power to Summit County.
- e. Units which contain accessory units shall retain a single family character in both function and design.
- f. Each single family unit shall have no more than one accessory unit.

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. Each accessory unit shall be reviewed and approved by the North Fork River Estates Architectural Review Board and approved by the Summit County Community Development Department prior to issuance of building permits or occupancy of the unit.

5. Architectural Review Board

An Architectural Review Board shall be established to review all improvements proposed within North Fork River Estates. The Architectural Review Board shall be empowered with the following duties:

- a. implementation of the Noah Fork River Estates Design Standards and Procedures;
- b. creation and maintenance of a harmonious relationship between residences and the site and the relationship between adjacent properties;

- c. promotion of coordination and compatibility of architecture, landscaping and other design elements;
- d. protection of view corridors, sound and sight buffers, and access to light and air;
- e. assurance of high quality building materials and building techniques;
- f. evaluation of exterior wall and accent colors to ensure compatibility with the environment and adjacent development;
- g. review and approval of all signage in conformance with a PUD sign program reviewed and approved by the County.

Design Standards and Procedures for the Property have been reviewed and approved by the County.

6. Public Use Areas

Pursuant to Section 8601 of the Summit County Land Use and Development Code the owner/Developer shall pay public use area fees in lieu of land dedication. The fees will be paid prior to recordation of the final plat.

7. Air Quality

All wood-burning devices shall be EPA certified. In addition, if Summit County initiates a countywide air quality monitoring program, the Owner/Developer will cooperate in the program as it relates to the Snake River Basin.

8. Water Quality

The water quality mitigation terms contained in Exhibit C attached hereto are incorporated as if fully set forth herein.

9. Wetlands

It is the intent of this PUD to preserve wetlands from development wherever possible. The Owner/Developer is required to obtain 404 permits as required by the U.S. Army Corps of Engineers wherever necessary for roads and utilities. Wetland areas remain free of development other than roads and utilities.

10. Public Access Easement

The final plat for the Property shall note the reservation of a non-exclusive public access easement for pedestrian access through the Property (i.e., camping or similar type use) running from the North Fork of the Snake River to a line ten (10) feet east of the east bank and a line ten (10) feet west of the west bank of the North Fork of the Snake River.

11. Signage

Sign control within the PUD shall be regulated by the Owner/Developer and the Summit County Sign Review Commission pursuant to the adoption of a PUD sign code. Prior to the adoption of a PUD sign code, all signs shall comply with the Summit County Sign Regulations then in effect.

All signage within the North Fork River Estates PUD shall conform to Section 9500 of the Summit County Land Use and Development Code now in effect or as hereinafter amended.

13. Platting

A final plat of the Property shall be submitted to and approved by the County prior to issuance of any building or grading permits for development.

14. Development Schedule

The Owner/Developer shall extend all utilities at or near the lots within the Property in the 1992 building season.

15. On-site Office

The Owner/Developer shall be allowed to maintain an on-site construction and sales office as currently located on the property until September 15, 1992.

C. UTILITIES AND REQUIRED IMPROVEMENTS

1. Access

Primary access to the North Fork River Estates PUD shall be provided via U.S. Highway 6, Montezuma Road and North Fork Road. Internal access shall be provided via a system of paved common driveways as illustrated in the Development Plan. Access easements capable of meeting County standards shall be supplied at time of subdivision to all adjacent lands requiring access.

The design of all internal driveways shall meet County standards. North Fork Road shall be dedicated and accepted for public access but shall be privately maintained by the homeowners association for the Property, subject to appropriate contributions from adjacent property owners who also utilize the road as access. The common driveways within the Property shall also be private and maintained by the homeowners association.

2. Water System

Water shall be provided by the Snake River Water District. Construction of all water lines shall be in conformance with the rules and regulations of the District.

3. Sewer Systems

Sanitary sewer service shall be provided by the Snake River Sewer District. Construction of all sewer mains shall be in conformance with the rules and regulations of the District.

4. Fire Protection

Fire protection shall be provided by the Snake River Fire Protection District (SRFPD). All construction within the North Fork River Estates PUD shall conform to the Uniform Fire Code currently adopted by the County at the time building permits are requested. The Owner/Developer shall construct a turnaround on each common driveway acceptable to the Fire Chief of the SRFPD.

5. Vegetation Management

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 reviewed by the Colorado State Forest Service and submitted concurrent with the preliminary plat for the project. The plan, once approved by the Colorado Forest Service shall be implemented prior to recordation of any final plat for the property or guaranteed in the subdivision improvements agreement.

6. Utilities and Easements

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

7. Landscaping

Landscaping within all lots shall be installed in accordance with a detailed landscaping plan approved by the North Fork River Estates Architectural Review Board with each lot plan review. Landscaping plans shall be identify significant existing stands of trees and seek to protect existing trees where possible.

E. 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
PO Box 68
Breckenridge, CO 80424

Notice to Owner/Developer

Lenn M. Haffeman
Keystone Valley Land Company
PO Box 2614
Dillon, CO 80435

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 North Fork River Estates, 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.

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

By: S/S Joe Sands, Chairman
Joe Sands, Chairman

ATTEST:

S/S Doris Brill, Clerk & Recorder
Doris Brill, Clerk & Recorder

BY: S/S Lenn M. Haffeman, President
Lenn M. Haffeman, President

APPROVAL OF AMENDMENTS

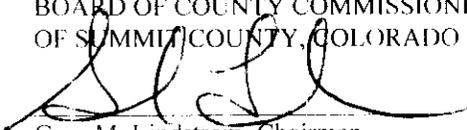
The foregoing document is the North Fork River Estates Planned Unit Development designation as approved and signed by the Summit County Board of County Commissioners on 27th day of July, 1992 and recorded at Reception No. 426197 and as amended by the Summit County Board of County Commissioners as follows:

Resolution Number: Reception Number:
Resolution #2000-24 Reception #626224

The planned unit development document dated the 13th of March, 2000 and recorded as Reception No. 626224 and revised to incorporate the amendments approved as noted above shall in force as revised. The foregoing document is issued as a continuation of the original document. Copies of the original Planned Unit Development designation and the amendments noted above are available from the Summit County Clerk and Recorder.

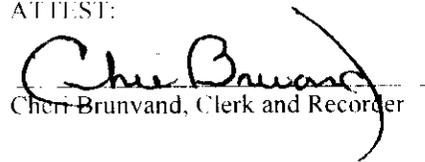
Adopted this 13th day of March, 2000

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO



Gary M. Lindstrom, Chairman

ATTEST:



Cheri Brunvand, Clerk and Recorder

EXHIBIT "A"

LEGAL DESCRIPTION: NORTH FORK RIVER ESTATES

A TRACT OF LAND BEING ALL OF GOVERNMENT LOT 19, SECTION 18, T.5 S., R.76 W. OF THE 6TH P.M. AND GOVERNMENT LOT 57, SECTION 19, T.5 S., R.76 W. OF THE 6TH P.M. LOCATED IN SUMMIT COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AP 1 OF SAID LOT 19, BEING THE MOST NORTHERLY CORNER OF LOT 19 AND BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6; THENCE S49°04'28"E A DISTANCE OF 555.94 FEET TO AP 12; THENCE S00°00'00"E A DISTANCE OF 348.30 FEET TO AP 11, THENCE N89°56'23"W A DISTANCE 241.53 FEET TO AP 10; THENCE S00°03'53"W A DISTANCE OF 118.01 FEET TO AP 9; THENCE N86°51'16"W A DISTANCE OF 449.23 FEET TO AP 8; THENCE S04°25'44"W A DISTANCE OF 47.86 FEET TO AP 7; THENCE N86°30'30"W A DISTANCE OF 215.49 FEET TO AP 6; THENCE N37°24'20"W A DISTANCE OF 79.13 FEET TO AP 5; THENCE N53°23'46"W A DISTANCE OF 79.13 FEET TO AP 4; THENCE N00°01'25"W A DISTANCE OF 214.07 FEET TO AP 3 AT THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6; THENCE ALONG SAID RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO (2) COURSES:

- 1.) N76°51'28"E A DISTANCE OF 32.92 FEET TO AP 2;
- 2.) 796.10 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 57°43'54", A RADIUS OF 790.09 FEET AND A CHORD WHICH BEARS N48°11'13"E 762.85 FEET DISTANT TO THE POINT OF BEGINNING; CONTAINING 12.005 ACRES, MORE OR LESS.

EXHIBIT B

A FINAL PLAT OF
NORTH FORK RIVER ESTATES
 A RESUBDIVISION OF GOVERNMENT LOT 19, SECTION 18,
 AND GOVERNMENT LOT 57, SECTION 19
 T.5S., R.76W. OF THE 6th P.M.
 SUMMIT COUNTY, COLORADO

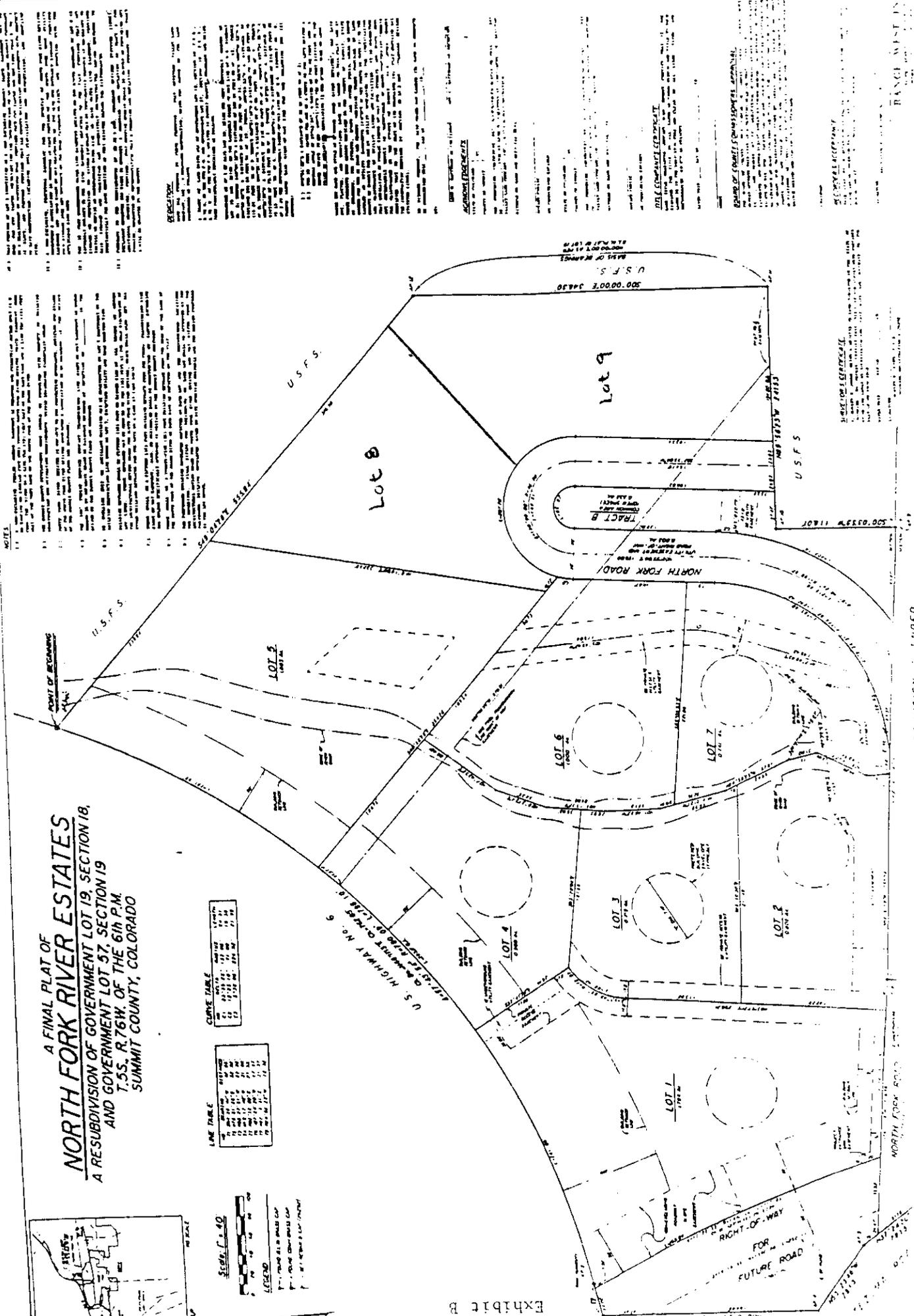


CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC DISTANCE
1+00.00	S 89° 57' 12" W	117.11	117.11
1+117.11	S 89° 57' 12" W	117.11	117.11
1+234.22	S 89° 57' 12" W	117.11	117.11
1+351.33	S 89° 57' 12" W	117.11	117.11

LINE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC DISTANCE
1+00.00	S 89° 57' 12" W	117.11	117.11
1+117.11	S 89° 57' 12" W	117.11	117.11
1+234.22	S 89° 57' 12" W	117.11	117.11
1+351.33	S 89° 57' 12" W	117.11	117.11



NOTES
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ASSURANCE STATEMENTS
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FILE COMPLIANCE CERTIFICATE
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SEVERAL RECEIPTS
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