



**PAULSON
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as the Paulson PUD is approved this 8th day of September, 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 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 Don and Kay Thomas and Richard Paulson hereinafter referred to as the "Owner/Developer." This designation also specifies improvements which must be made and the 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 following specific requirements:

1. Permitted Uses

One single family residence and an attached garage.

2. Accessory and Conditional Uses

Accessory and conditional uses allowed under the R-1 zoning district as specified in the Summit County Land Use and Development Code ("Development Code"). The following permitted under the Development Code shall not be permitted hereunder: Modular or manufactured homes (except prebuilt modular wall units or factory built "custom style" homes assembled on the Property and otherwise in conformity with the Developer's design guidelines), community building, recreation building, bus shelter.

B. DEVELOPMENT STANDARDS

1. Building Height

Building heights shall be a maximum of thirty-five (35) feet as defined in Section 3505.06 of the Development Code.

2. Setbacks and Disturbance Limitations

The attached conceptual development plan (Exhibit B) establishes front and side lot line setbacks and a disturbance envelope for the property. All buildings constructed upon the property shall be located wholly outside the depicted lot line setbacks. Site disturbance outside of the disturbance envelope shall be limited to: (a) grading and surfacing of driveways; (b) installation of utilities; (c) installation of landscaping described herein; and (d) the construction of any entry features and split rail or other approved fencing. A twenty-five (25) foot building and site disturbance setback shall be maintained from all natural wetland areas and water bodies. This setback shall not preclude the installation of fencing within the wetland area or any wetland setback.

3. Parking

At least two (2) parking spaces shall be required per residence. No parking shall be permitted on County roads. Parking for any accessory unit shall comply with the parking requirements as stated in Section 3804.06 of the Development Code.

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 Development Code.

5. Design Standards

Any new construction on the Property, other than remodels or additions to the existing single family unit currently located thereon, and any newly constructed accessory structures shall be designed with:

- natural materials and colors so that the structures blend visually with the forest;
- building mass that is broken into distinct, smaller forms including facades and rooflines;
- lighting for the exterior of the buildings or any freestanding lights that comply with the Summit County Lighting Regulations as now in effect or hereinafter amended, with such lighting reviewed and approved during the Planning Department's site plan review for any structure;
- roofing material that is non-flammable; and
- any remodel or addition to the existing structure shall conform with and blend into the existing architectural design and appearance of the structure.

6. Landscaping

Landscaping shall include the revegetation of any areas disturbed by construction and adequate screening of adjacent properties to the East if any of the existing vegetation is removed or destroyed by construction. All plantings shall be of native drought tolerant plants at a density currently found naturally on the existing site. All areas disturbed by construction shall be revegetated free of weeds, as identified by the County as invasive, noxious, or otherwise nuisance weed species prior to the issuance of any building permit except as provided in Section 3606.01 of the Development Code.

7. Fencing

The subject property is allowed buck and rail fencing split rail or other wood fencing (top rail may not exceed 36" in height) that may be utilized along the Property boundary.

8. Wildlife Protection

All fencing must be "wildlife friendly" as per current DOW regulations or requirements. All trash enclosures must be bear proof. All housepets (dogs and cats) must either be kept in an enclosed kennel or kept with the residence or kept on a run or "electronic fence". No livestock (including but not limited to horses, sheep, goats, cattle, llamas or "pet pigs") of any kind shall be permitted to be kept or raised on the Property.

C. REQUIRED IMPROVEMENTS

1. Access

Access is currently provided by a public road and driveway as shown on Exhibit B meeting all County standards. An additional or alternative access may at the Owner/Developer's option be developed directly off Independence Road where it crosses the Property on the Northeast boundary, subject to all County Road and Bridge standards.

2. Water Systems

Domestic water supply is currently provided by an individual well permitted by the State Engineer. The Owner has currently entered into an agreement with Keystone Real Estate Development, LLC ("KRED") for the installation of water lines serving the Property and the payment of all required tap fees. As soon as such water lines are installed and servicing the Property, the use of the existing well for domestic in house

purposes shall be abandoned. Subject to State approval, the existing well permit may be converted for uses of irrigation or watering of the landscaping and vegetation on the Property.

3. Sewer System

The Property is currently utilizing a septic system for waste disposal. Pursuant to the KRED agreement referenced above, KRED has committed to install public sanitary sewer lines to the Property. As soon as the sewer lines are installed and serviceable, the Owner/Developer will abandon the existing septic system.

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 underground and in full accordance with the standards of each utility provided and County Regulations.

D. GENERAL PROVISIONS

1. Enforcement

The provisions of the Planned Unit Development Designation and the Development Plan relative to the use of land and the location of any structures or improvements shall run in favor of the residents, occupants and the 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 Designations

If at 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 of all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for with 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, representative and assigns, and all persons who may hereinafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may be modified, including amending the PUD or subdividing the Property, 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

Amendment to the provisions of a Planned Unit Development Designation shall be reviewed and acted upon as a rezoning, subject to the County's procedures for zoning amendments under Section 12208 of the Development Code and to the requirement for findings under the Planned Unit Development Act of 1972 at CRS §24-67-106(3)(b), or in accordance with any other statute or regulation then in effect and applicable to the Property.

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:

Dick Paulson
820 Glenview Road
Glenview, IL 60025

Don and Kay Thomas
2923 Pebble Beach Drive
Evergreen, CO 80439

With a copy to:

Richmond, Neiley & Sprouse, LLC
Attn: John F. Neiley
P.O. Box 280
Frisco, CO 80443

All notices so given shall be considered delivered three (3) days after the mailing thereof. Either party, by notice so given, may change the address to which future notice shall be sent.

6. Entire Designation

This designation contains all provisions and requirement incumbent upon the Owner/Developer relative to the Paulson Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the 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 Development Code or other regulations otherwise applicable to the development of the Property.

7. Effective Date

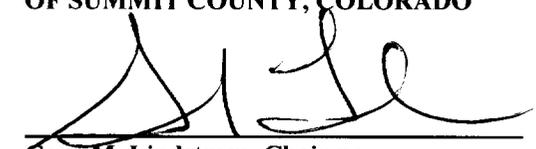
The effective date of the PUD will be when the PUD designation is signed by the Board of County Commissioners and by the property owner or his or her agent and recorded in the office of the Summit County Clerk and Recorder.

8. PUD Review Requirements

The 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 their potential impact should new design guidelines be established.

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**

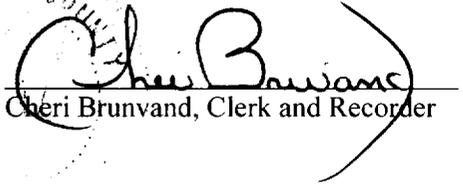


BY: ~~Gary M. Lindstrom, Chairman~~

Approved as
to form

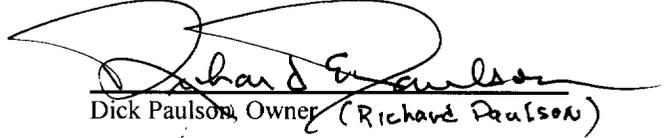
Legal

ATTEST:

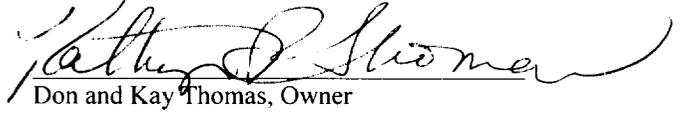


Cheri Brunvand, Clerk and Recorder

OWNER/DEVELOPER



Dick Paulson, Owner (Richard Paulson)



Don and Kay Thomas, Owner

EXHIBIT A

**PAULSON TRACT LEGAL DESCRIPTION
(BASED ON DEED)**

Certain real property being a part of the Thomas M. Black Homestead Entry, 1919, List 2-1238, also known as the Dercum's Ski Tip Ranch, in the Northeast 1/4, Section 19, Township 5 South, Range 76 West of the 6th P.M. in Summit County, Colorado, described as follows:

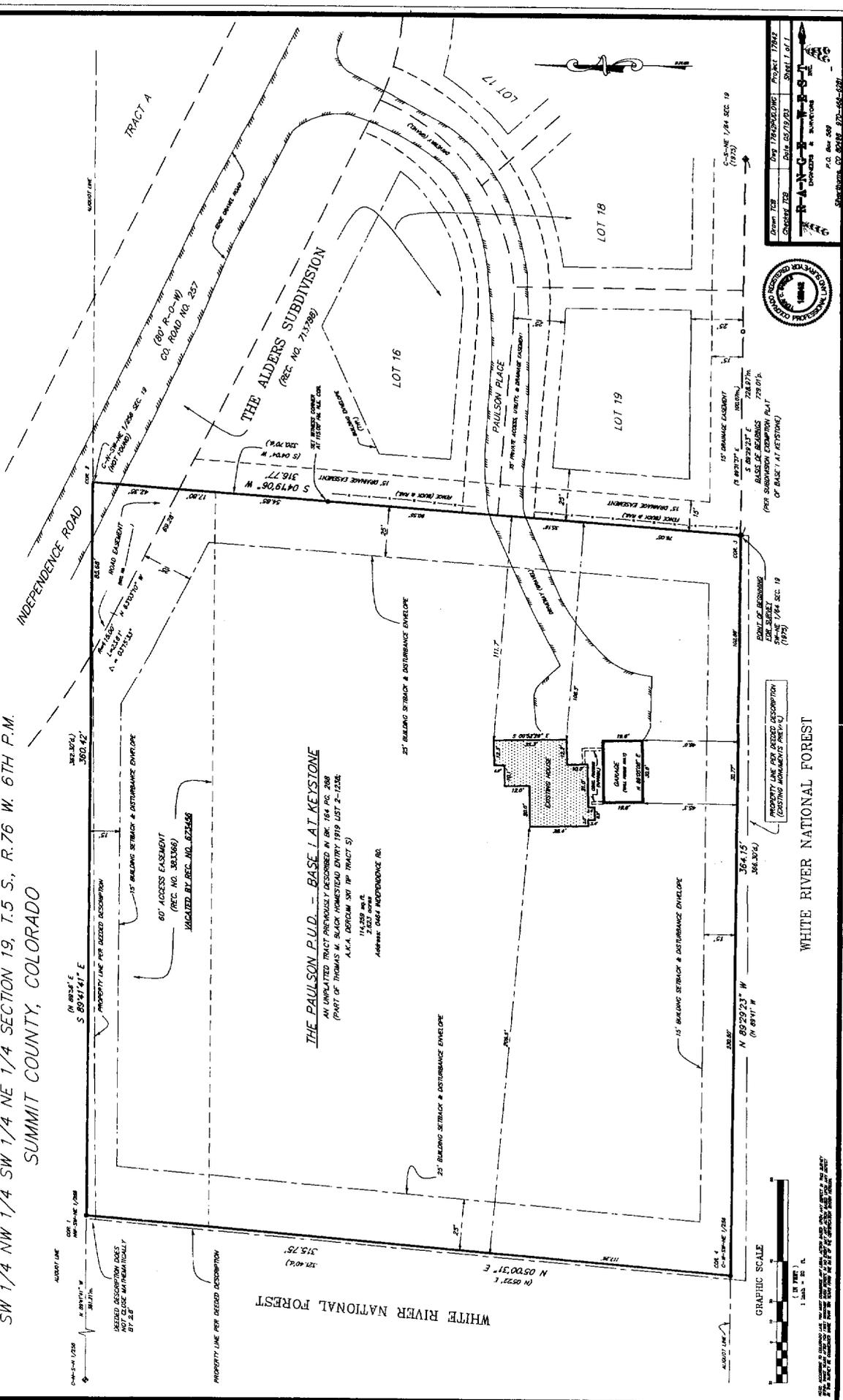
The Southeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 19, and also described as follows:

Beginning at Corner No. 1, whence the North 1/4 corner of Section 19, Township 5 South Range 76 West, bears South 89 degrees 56 minutes West 362.3 feet (5.49 chains) and North 6 degrees 04 minutes East 1574.1 feet (23.85 chains); thence, North 89 degrees 56 minutes East 362.3 feet (5.49 chains) to Corner No. 2; thence, South 4 degrees 40 minutes West 320.7 feet (4.86 chains) to Corner No. 3; thence, North 89 degrees 41 minutes West 366.3 feet (5.55 chains) to Corner No. 4; thence, North 5 degrees 22 minutes East 321.4 feet (4.87 chains) to Corner No. 1, the place of beginning, containing 2.68 acres more or less, (the "Paulson Property").

Exhibit B

DEVELOPMENT PLAN FOR
THE PAULSON P.U.D. - BASE I AT KEYSTONE
 AN UNPLATTED TRACT PREVIOUSLY DESCRIBED IN BK. 164 PG. 288
 SW 1/4 NW 1/4 SW 1/4 NE 1/4 SECTION 19, T.5 S., R.76 W. 6TH P.M.
 SUMMIT COUNTY, COLORADO

- LEGEND**
- SET NO. 4 REBAR & ALUMINUM CAP (PLS 15450)
 - FOUND NO. 4 REBAR & YELLOW PLASTIC CAP (PLS 10877/BUCKLAND)
 - ◆ FOUND STANDARD B.L.M. BRASS CAP
 - MEASURED COURSE
 - - - PLATTED COURSE
 - COURSE NOT RECORDED
 - COURSE NOT RECORDED



DATE: 11/28/2019
 PROJECT: 17842
 SHEET: 1 OF 1
RANCER
 SURVEYORS
 P.O. BOX 509
 FORT COLLINS, CO 80504 970-666-5371



PROPERTY LINE PER RECORDED DESCRIPTION (EXISTING MONUMENTS PREVIOUS)

PROPERTY LINE PER RECORDED DESCRIPTION (EXISTING MONUMENTS PREVIOUS)