

**AGAPE OUTPOST
PLANNED UNIT DEVELOPMENT DESIGNATION**

The Agape Outpost Planned Unit Development Designation, approved the 18th day of January, 1983 by the Board of County Commissioners of Summit County, Colorado and recorded under reception number 251937, is hereby revised this 25 day of Sept, 1995. This designation establishes uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by Agape Outpost Church and their successors and assigns, who are owners and developers, and are hereinafter referred to as the "Owner/Developers." This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the "Owner/Developer." This Planned Unit Development Designation applies to certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "Property."

A. PERMITTED USES AND DEVELOPMENT PLAN

Use and development of the property shall be in compliance with the specific requirements of this PUD Designation and the Development Plan attached as Exhibit B hereto.

1. Permitted Uses

The permitted use for the property shall be a church not exceeding 12,720 square feet in size. The Church may include an auditorium, minister's office, meeting hall, kitchen, restrooms and recreation areas and accessory use areas. Use of the property for a school (grades K-12) is prohibited. A 4,000 square foot parsonage (residence for the parson and family) may also be included on the property as long as the total square footage of all uses on the property does not exceed 16,720 square feet. Other uses permitted on the property are summer day camp and training seminars (not to exceed 100 students at one time and a maximum of 60 days total per calendar year for both uses combined). Prior to the issuance of any building or grading permits for the parsonage, expansion of the church, or use of the property for a day camp and or training seminars, the Owner/Developer shall (a) obtain a new access permit from the Colorado Department of Transportation and (b) provide the Planning Department with verification from the State Engineer that an adequate water supply has been obtained or that adequate water taps have been acquired from the Town of Breckenridge and the subject property is connected to the Town's water supply system to serve all permitted uses on the property.

2. Site Plan Review

Implementation of any approved uses on-site requiring the approval of a building permit shall be required to undergo site plan review by the Upper Blue Planning Commission as required by Section 12600 et.seq. of the Summit County Land Use & Development Code.

B. DEVELOPMENT STANDARDS

1. Building Height

Building height for the church and associated uses shall not exceed 35 feet as defined in Section 3505.06(A)(1-2) of the Summit County Land Use and Development Code. Building height for the parsonage shall not exceed 28 feet as defined in Section 3505.06(A)(1-2) of the Summit county Land Use & Development Code.

2. Setbacks

Setbacks for all structures shall be 50 feet from the front property line and 35 feet from the rear and all side property lines. All development and use of the property shall maintain a minimum streamside setback where no soil disturbance is allowed of 25 feet as required under Section 7103 et seq. of the Summit County Land Use & Development Code.

3. Parking

The applicant shall provide at least 27 parking spaces for the church as shown on the development plan.

4. Designated Open Space Areas

The open space areas as shown conceptually on Exhibit B shall be used exclusively for open space recreation uses.

5. Signs

All signs shall comply with the Summit County Sign regulations as now in effect or hereafter amended.

C. REQUIRED IMPROVEMENTS

1. Access

Access to the property is provided from State Highway 9 under an access permit issued by the State Highway Department. The owner/developer shall comply with all conditions and requirements of that permit at all times. Access within the Property is to be provided by a paved, private drive as shown on the Development Plan.

2. Water Systems

Water supply for the development is currently provided by a private well.

3. Sewer Systems

Sewer is to be provided by the Breckenridge Sanitation District.

4. Fire Protection

The entire property is located within the Red, White and Blue Fire District. All development on the property shall meet all fire protection requirements of the District.

5. Landscaping

Landscaping to screen the building from the highway shall be installed in accordance with a detailed landscaping plan to be submitted to and approved by the County prior to site plan approval.

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 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

Agape Outpost Church
PO Box 1423
Breckenridge, CO 80424

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 Agape Outpost 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. Relationship to Original PUD Designation and Previous Amendments

To the extent the provisions of this revised PUD Designation are the same in substance to the provisions of earlier approved versions of this PUD designation, they shall be considered as continuations thereof and not new enactments. Where provisions of this revised PUD Designation conflict with earlier approved versions of the Agape Outpost PUD Designation the provisions of this revised PUD Designation shall supersede and replace such provisions.

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.

9. 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

s/ Don Peterson
Don Peterson, Chairman

ATTEST:

s/ Colleen Richmond
Colleen Richmond, Clerk and Recorder

Agape Outpost Baptist Church

s/ J.O. Durham
J.O. Durham, Trustee

s/ Jack Irwin
Jack Irwin, Trustee

s/ B. Dwayne Jackson
B. Dwayne Jackson, Pastor

APPROVAL OF AMENDMENTS

The foregoing document is the Agape Outpost Planned Unit Development Designation as amended and approved by the Summit County Board of County Commissioners on the 25TH day of Sept., 1995 by Resolution No. _____.

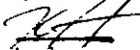
The planned unit development document dated the 18th day of January, 1983 and recorded at Reception No. 251937 and revised to incorporate the amendments approved as noted above shall remain in force as revised. The foregoing document is issued as a continuation of the original document. Copies of the original Agape Planned Unit Development Designation and the amendments noted above are available from the Summit County Clerk and Recorder.

Adopted this 25TH day of Sept., 1995.

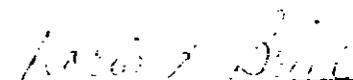
BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO


Marsha W. Osborn, Chairman

Approved as
to form


Legal

ATTEST:


Doris Brill, Clerk and Recorder