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SUMMIT COUNTY
CLERK AND RECORDER

OCT 13 9 09 AM '87
COLLEEN RICHMOND

Allen
Planned Unit Development Designation

This Planned Unit Development Designation, to be known as Allen, is approved this 24 day of August, 1987, 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 uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by Joe William Allen and Marilyn J. Allen who are the owners and developers of the property, and are hereinafter referred to as the "owner/developer". This designation also specifies improvements which must be provided in conjunction with this designation by the owner/developer.

A. PERMITTED USES AND DEVELOPMENT PLAN

The primary goal of the Allen PUD is to develop one residential homesite consistent with the existing low density residential character of the surrounding neighborhood and the preliminary designation of rural outlying in the proposed Upper Blue Master Plan.

1. Permitted Uses

One single family dwelling together with accessory uses such as a garage and outdoor storage shed are allowed.

Setbacks shall be a minimum of 25 feet front and rear yard and 15 feet side yard. Building heights shall not exceed 35 feet with height defined in the Summit County Building Code.

2. Parking

No parking shall be allowed within any County right-of-way. Two off road parking spaces shall be provided.

B. UTILITIES AND IMPROVEMENTS

1. Water System

Water shall be provided by on site well subject to approval by the State Engineer. The owner/developer shall participate in any future improvements districts for extension of public water service to the site.

2. Sewer System

Sewer service shall be provided by on site septic systems subject to approval by the Summit County Environmental Health Department. The owner/developer shall participate in any future applicable improvement district to extend public sewer to the site. The septic system shall

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be abandoned when public sewer service is available.

3. Access

Access will be provided by a private drive from County Road 3 into the property. This driveway shall be constructed to county driveway standards approved by the County Engineering Department and Red, White and Blue Fire District prior to issuance of a Certificate of Occupancy for any residence. The owner/developer shall participate in any future applicable cooperative effort or improvement district to improve County Road 3 adjacent to the property.

4. Utilities

All utilities (electricity, phone and cable) shall be installed underground within the property.

5. Fire Protection

Fire protection will be provided by the Red, White and Blue Fire District. The development of the property shall meet all fire protection standards of the district.

6. Vegetation Management Program

A vegetation management program to reduce potential wildfire hazard on the property shall be prepared. The plan shall be reviewed by the Colorado State Forest Service and approved by the County prior to issuance of any certificate of occupancy on the property.

C. GENERAL PROVISIONS

1. Material Breach of Provisions of PUD Designation

If at any time any provision or equipment stated in this designation has been breached in a material way by the owner/developer, the County may withhold or certificates of occupancy the issuance of all building permits applied for on the property, until such breach has been remedied; provided, however, that the County shall not take any 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.

2. Binding Effect

This planned unit development 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 C.3. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

3. Amendments

Amendments to the provisions of this planned unit development designation shall be reviewed and acted upon in the same manner as any 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 C.R.S. 24-67-106(3)(b)[1973 ed]. Action in any proposed amendment shall be taken by the Summit County Board of County Commissioners, after conducting a public hearing for which notice has been published at least 30 days prior in a newspaper of general circulation and mailed to all property owners within and abutting this planned unit development.

4. 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

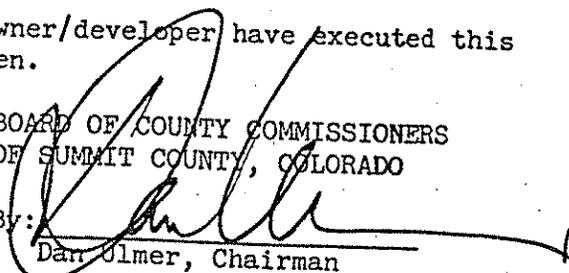
Joe William Allen & Marilyn J Allen
3796 Club Drive
Kennesaw, GA 30144

5. Entire Designation

This designation contains all provisions and requirements incumbent upon the owner/developer and the County relative to the Dorband Planned Unit Development, and nothing contained herein shall be construed as waiving any requirements of the County's Zoning and Subdivision Regulations, Common Review Procedures, 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 above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: 
Dan Olmer, Chairman

ATTEST:


Colleen Richmond, Clerk and Recorder

ALLEN PLANNED UNIT DEVELOPMENT

By: Joe William Allen
Joe William Allen

Marilyn J. Allen
Marilyn J. Allen

EXHIBIT A
LEGAL DESCRIPTION

A portion of the Wildcat Lodes 2, 3, 4 and 5, M.S. 15733, Section 36, Range 6 South, Range 78 West of the 6th Principal Meridian, situate in the County of Summit, State of Colorado and more particularly described as follows:

Beginning at Corner No. 3 of said Wildcat No. 5 and running
 N 28° 54' 46" E 62.28' to a point, which point is, in fact, the true point of beginning, thence
 N 28° 54' 46" E 941.44', thence
 S 61° 06' 13" E 377.63' to a point on the westerly right of way of a 60' county road, thence
 Southeasterly 127.11' along the arc of a 211.44' radius curve to the right whose long chord bears S 10° 15' 04" E 125.20' along said right of way, thence
 Southwesterly 129.03' along the arc of a 70.00' radius curve to the right, whose long chord bears S 59° 46' 37" W 111.52' along said right of way, thence
 N 67° 25' 00" W 89.50' along said right of way, thence
 Southwesterly 217.31' along the arc of a 80.00' radius curve to the left, whose long chord bears S 34° 45' 52" W 156.40' along said right of way, thence
 S 43° 03' 17" E 277.08' along said right of way, thence
 Southwesterly 125.66' along the arc of a 40.00' radius curve to the right, whose long chord bears S 46° 56' 43" W 80.00' along said right of way, thence
 N 43° 03' 17" W 334.12' along said right of way, thence
 Southwesterly 214.06' along the arc of a 90.00' radius curve to the left whose long chord bears S 68° 48' 23" W 167.06' along said right of way, thence
 S 00° 40' 03" W 299.33' along said right of way, thence
 Southwesterly 110.14' along the arc of a 100.00' radius curve to the right whose long chord bears S 32° 13' 15" W 104.66' along said right of way, thence
 S 63° 46' 28" W 4.85' along said right of way, thence
 Northwesterly 72.30' along the arc of a 70.00' radius curve to the right whose long chord bears N 86° 38' 15" W 69.13' along said right of way, thence
 N 57° 02' 57" W 141.68' along said right of way, thence
 Northwesterly 38.78' along the arc of a 130.00' radius curve to the left whose long chord bears N 65° 35' 42" W 38.64' along said right of way to the true point of beginning.

Contains: 6.06 acres, more or less.

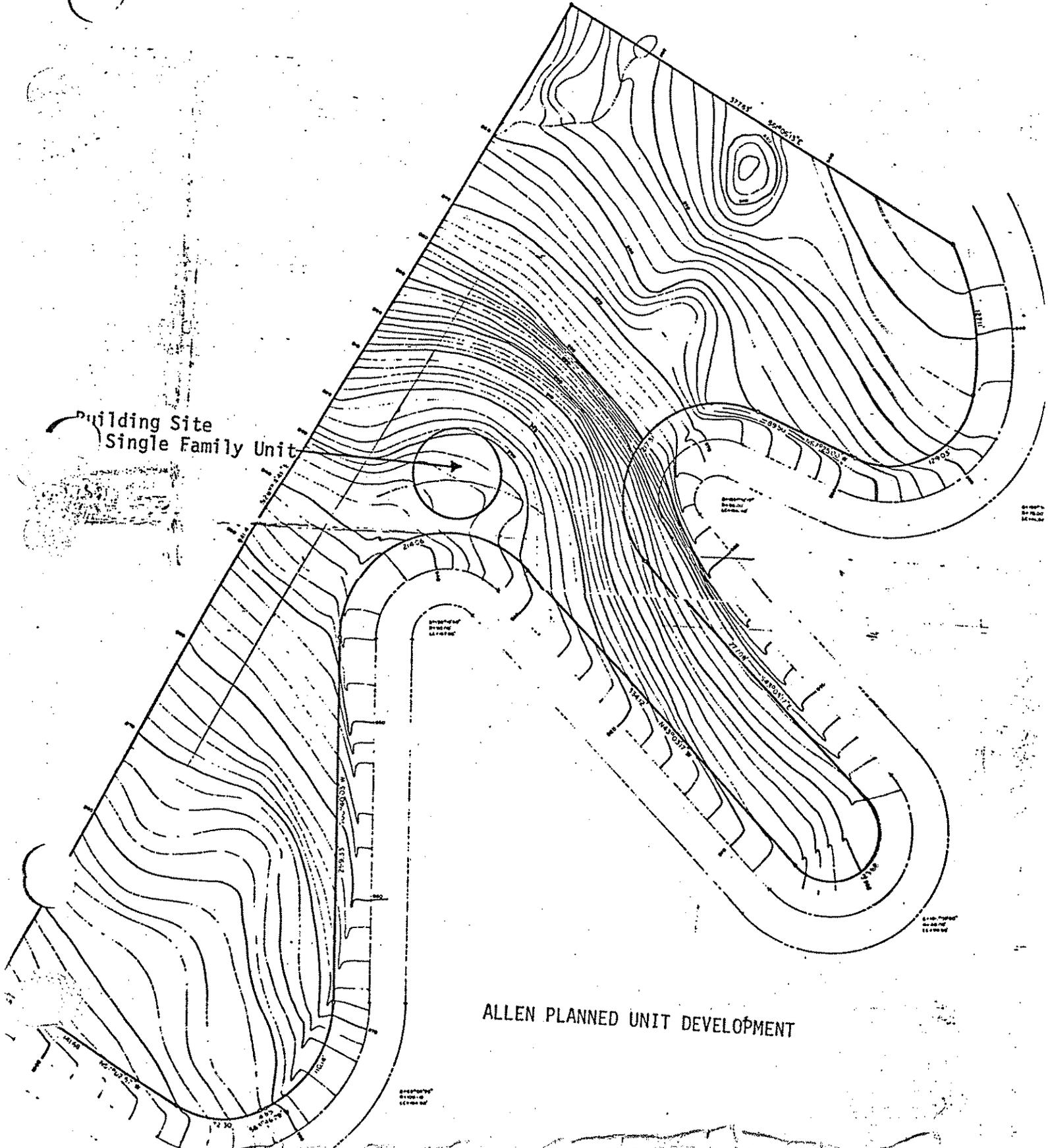
SURVEYOR'S CERTIFICATE

I, Raymon D. McGinnis, a duly registered Land Surveyor under the laws of the State of Colorado, do hereby certify that this topography and boundary was made under my supervision and that this plat is a true representation to the best of my knowledge.

Raymon D. McGinnis
 RAYMON D. MCGINNIS L.S. No. 9939

EXHIBIT B
DEVELOPMENT PLAN

Building Site
Single Family Unit



ALLEN PLANNED UNIT DEVELOPMENT