

**CORKSCREW  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Corkscrew is approved this 24th day of March, 1993 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 Corkscrew Distribution Joint Venture 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**

Permitted uses shall be open space, access and utility easements.

**B. DEVELOPMENT STANDARDS**

**1. Designated Open Space Areas**

- a. **Open space areas:** The open areas as shown on Exhibit B shall be used exclusively for open land and other utility and accessory uses.

**C. REQUIRED IMPROVEMENTS**

**1. 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 the final plat.

**D. IMPLEMENTATION**

**1. Platting Requirements**

**Preliminary and final plats:** A preliminary and final plat shall be approved by the County prior to any development that involves selling or conveying any interest in the property to others.

**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.

4 4 0 4 7 9  
LEAH L BRILL

1993 MAR 30 P 4: 51  
SUMMIT COUNTY RECORDER

Re 25 25 25 9 3  
LEAH L BRILL

1993 MAY - 6 A 9: 13  
SUMMIT COUNTY RECORDER

**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

Corkscrew Distribution Joint Venture  
P.O. Box 7  
Breckenridge, Colorado 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 Corkscrew 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. 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.

**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.

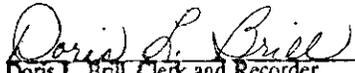
IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first written above.



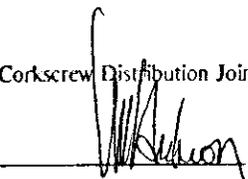
BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

  
\_\_\_\_\_  
Joe Sands, Chairman

ATTEST:

  
\_\_\_\_\_  
Dore L. Brill, Clerk and Recorder

Corkscrew Distribution Joint Venture

  
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ATTEST:

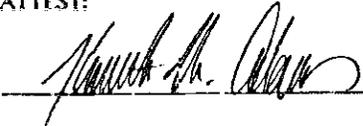
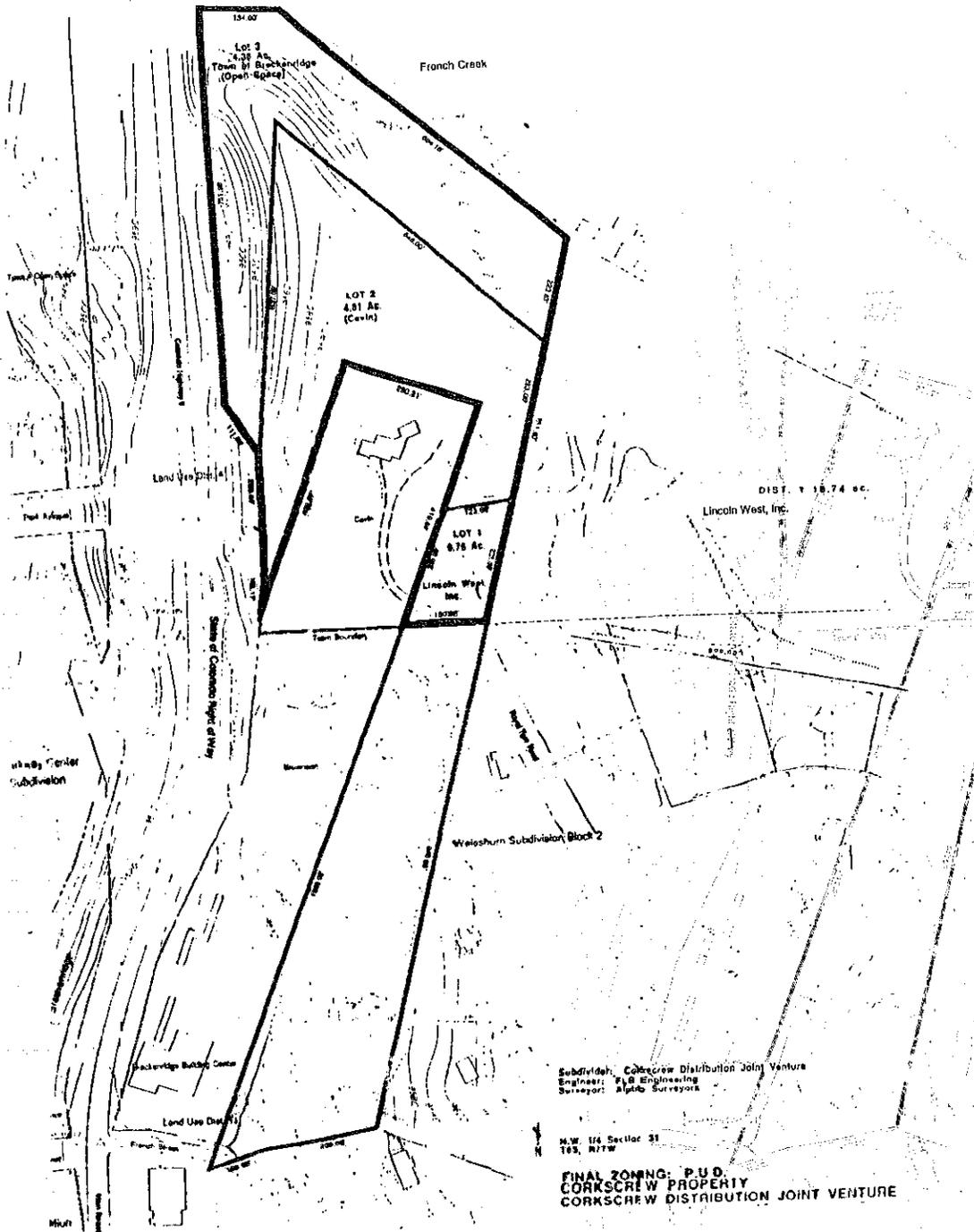
  
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EXHIBIT B



RESOLUTION NO. 93-23

Before the Board of County Commissioners

County of Summit

State of Colorado

APPROVING A FINAL REZONING REQUEST FROM NR-2 TO PUD FOR A PORTION OF T6S, R77W, SECTION 31 (Applicant: Corkscrew Distribution Joint Venture)

WHEREAS, Corkscrew Distribution Joint Venture has made application for approval of a final rezoning from NR-2 to Planned Unit Development for a portion of T6S, R77W, Section 31, to be known as Corkscrew PUD; and,

WHEREAS, the Upper Blue Planning Commission recommended approval of the final rezoning for 9.73 acres of open space at a public hearing on January 6, 1993; and,

WHEREAS, the Community Development Department has reviewed the request and recommends approval; and,

WHEREAS, the Board of County Commissioners held a public hearing on March 8, 1993 and heard public testimony at said hearing; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The proposal is consistent with the Upper Blue Master Plan because it will provide open space along a major travel corridor and protect scenic views.
2. The proposal is consistent with present area development in that it will provide access and buffers from development.
3. The proposal is consistent with the public health, safety and welfare in that it will not require services or include new development.
4. The proposal is justified by the fact that conditions have changed in the area with the land changing from public to private ownership.
5. Water, sewer, access and geologic review are not required because the property will not be used for building sites.

1993 MAR 30 11 17 AM  
DORIS L. BRILL

1993 MAR 30 11 51 AM  
SUMMIT COUNTY RECORDER

Resolution No. 93-23

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, THAT the final rezoning request for Corkscrew PUD is hereby approved with the following conditions:

1. The request is approved for a PUD for open space and access only.

ADOPTED this 28<sup>th</sup> day of March, 1993.

22<sup>nd</sup>

BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

BY: Joe Sands  
Joe Sands, Chairman

Approved as  
to legal  
Legal

ATTEST:

Doris L. Brill  
Doris L. Brill, Clerk and Recorder



RESOLUTION NO. 93- 24

Before the Board of County Commissioners

County of Summit

State of Colorado

APPROVING A PRELIMINARY PLAT REQUEST FOR A PORTION OF T6S, R77W, SECTION 31  
(Applicant: Corkscrew Distribution Joint Venture)

WHEREAS, Corkscrew Distribution Joint Venture has made application for approval of a preliminary plat for a portion of T6S, R77W, Section 31, to be known as Corkscrew PUD; and,

WHEREAS, the Upper Blue Planning Commission recommended approval of the preliminary plat for 9.73 acres of open space at a public hearing on January 6, 1993; and,

WHEREAS, the Community Development Department has reviewed the request and recommends approval; and,

WHEREAS, the Board of County Commissioners held a public hearing on this matter on March 8, 1993 and heard public testimony at said hearing; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The proposal is consistent with the Upper Blue Master Plan because it will provide open space along a major travel corridor and protect scenic views.
2. The proposal is consistent with present area development in that it will provide access and buffers from development.
3. The proposal is consistent with the public health, safety and welfare in that it will not require services or include new development.
4. The proposal is justified by the fact that conditions have changed in the area with the land changing from public to private ownership.
5. Water, sewer, access and geologic review are not required because the property will not be used for building sites.

DORIS L. BRILL  
440478

1993 MAR 30 P 4:51  
SUMMIT COUNTY RECORDER

Resolution No. 93-24

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS,  
THAT the preliminary plat request for Corkscrew PUD is hereby approved.

ADOPTED this 8th day of March, 1993.

*200d J*

BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

BY: *Joe Sands*  
Joe Sands, Chairman

Attested as  
to the  
*JLH*  
fact

ATTEST:

*Doris L. Brill*  
Doris L. Brill, Clerk and Recorder

