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SUMMIT COUNTY  
CLERK AND RECORDER

JUN 17 10 02 AM '91

DORIS L. GRILL

Sawlog Placer Parcel  
Planned Unit Development Designation

This Planned Unit Development Designation, to be known as the Sawlog Placer Parcel, is approved this 13th day of May, 1991, 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 the owner/developer of the Property, Daniel J. McGuire, 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 compliance with the Upper Blue Master Plan, and more specifically, with the Development Plan, attached hereto as Exhibit "B", and with the following requirements:

1. Permitted Uses

One single family residence, one detached garage, and any of the permitted accessory and permitted uses of the RU zoning district as described in the Summit County Land Use and Development Code now in effect or as hereafter amended.

2. Parking

Adequate parking space will be allowed to support the needs of a single family residential site; however, parking spaces must be confined to the areas surrounded by trees and other vegetation.

3. Setbacks and Building Height

Setbacks for structures shall be as noted below:

Principal Structures:

Front Yards	50 feet
Rear Yards	50 feet
Side Yards	50 feet

Accessory Structures

Front Yards	50 feet
Rear Yards	50 feet
Side Yards	50 feet

These setbacks shall apply to all potential building sites.

Building heights shall not exceed 40 feet as determined by the Uniform Building Code. The applicant shall work with planning staff in the determination of an applicable building site.

## B. UTILITIES AND IMPROVEMENTS

Utilities, improvements, and services shall be provided in accordance with all State, County, and Federal regulations. The development of the Property will be completed as set forth below:

### 1. Water System

Water will be provided from a domestic water well. State Water Well Permit Number 155593 has been awarded to this Property by the Colorado State Engineer.

### 2. Wastewater and Solid Waste

Wastewater must be returned to the same stream system in which the well is located; therefore, the return flow will be through an individual waste water disposal system. The soils are very conducive to a Septic System and a Septic Permit, Number 1555, has been issued by the Department of Environmental Health.

### 3. Access

Access will be provided by a private driveway. Ingress will be provided from Colorado Highway Number 9 directly opposite Blue Lakes Road. The driveway structure will include an engineered bridge in order to cross Monte Cristo Creek. A Driveway Permit, Number DOH 19004, has been issued by the Colorado State Highway Department.

### 4. Wetlands

In conjunction with the construction of the bridge to cross Monte Cristo Creek, the U. S. Army Corps of Engineers has evaluated the project and the local District Office has issued a set of specifications to protect the wetlands during construction. All specifications must comply with the US Army Corps of Engineers. Further, the office has determined that this project can be constructed subject to the general nationwide permit authorization.

### 5. Landscaping

Revegetation with natural plants and grasses will be completed for all sites which are disturbed as a result of construction activities.

### 6. Drainage Control

In order to control erosion, a catch basin will be located under the State Highway drainage culvert which is located on the South side of the Property. Further, ditch liners will be placed in the erosion trench for a distance of approximately 120 feet from the catch basin to a point just beyond the abandoned ore road. This will prevent further soil erosion created by the culvert discharge.

### 7. Fire Protection

Fire protection will be provided by the Red, White, and Blue Fire District. The development of the property will conform to all fire protection regulations and all health/safety regulations including wildfire mitigation as determined necessary by the Red, White and Blue Fire District.

8. Vegetation Management Program

A vegetation management program to reduce wildfire hazard and to enhance wildlife habitat and tree vigor on the property shall be prepared with the planning staff and applicants agreement to be approved by the Colorado State Forester.

C. GENERAL PROVISIONS

1. Enforcement

The provisions of the planned unit development 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, or owners of the planned unit development shall run in favor of the county.

2. Breach of Provisions of PUD Designation

If at anytime any provision or requirement 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 CRS 24-67-106(3)(b).

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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 Comm.  
P.O. Box 68  
Breckenridge, CO 80424

Notice to Owner/Developer

Daniel J. McGuire  
8705 Belmar Avenue  
Lakewood, CO 80226

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 Sawlog Placer Parcel 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 County's 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 above written.

BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

BY: *Marsha W. Osborn*  
Marsha W. Osborn, Chairman



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

*Daniel J. McGuire*  
Daniel J. McGuire, Owner



*Charles R. Loren*  
Notary Public

pud/sawlogplacer

EXHIBIT "A"

SAWLOG PLACER PARCEL

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN PORTIONS OF THE SAWLOG PLACER, M.S. 2154 AND THE  
WONDERFUL PLACER, M.S. 10281, ALL IN SECTION 1, TOWNSHIP 8 SOUTH, RANGE 78 WEST OF  
THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF SUMMIT, STATE OF COLORADO, TO WIT:

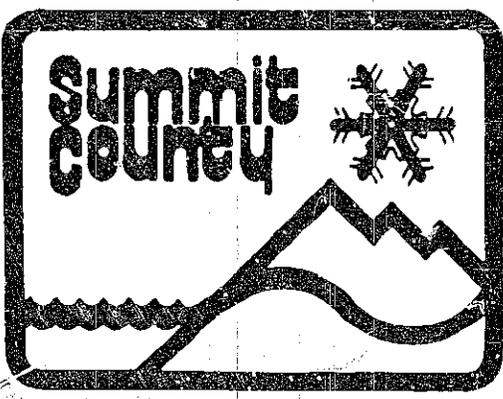
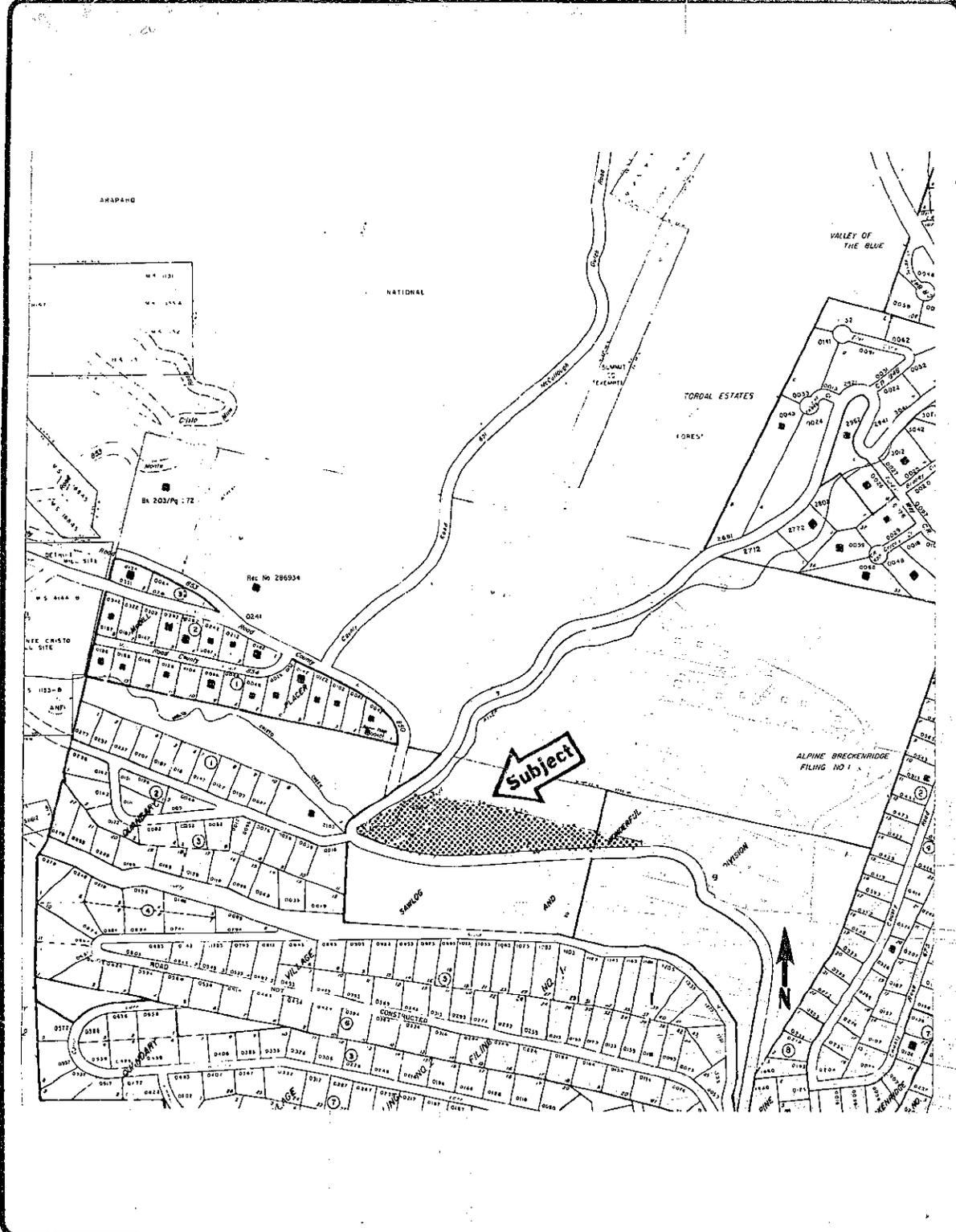
BEGINNING AT CORNER NO. 1 OF THE SAID WONDERFUL PLACER, THENCE  
S79°01'41"E ALONG LINE 1 - 2 OF SAID WONDERFUL PLACER A DISTANCE OF 302.75',  
THENCE S14°02'21"W FOR A DISTANCE OF 165.39' TO A POINT ON THE NORTHERLY  
RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO.9, THENCE WESTERLY  
ALONG SAID R.O.W. AND TO THE LEFT ALONG THE ARC OF A CURVE WHOSE DELTA  
IS 17°11'48" AND WHOSE RADIUS IS 417.74' FOR A DISTANCE OF 125.38',  
THENCE S86°50'33"W ALONG SAID R.O.W. FOR A DISTANCE OF 782.05',  
THENCE ALONG SAID R.O.W. AND TO THE LEFT ALONG THE ARC OF A CURVE WHOSE DELTA IS 11°28'08"  
AND WHOSE RADIUS IS 961.31' FOR A DISTANCE OF 192.48', THENCE ALONG SAID  
R.O.W. AND TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE DELTA IS 23°14'08"  
AND WHOSE RADIUS IS 456.40' FOR A DISTANCE OF 185.09' THENCE N81°23'27" W  
ALONG SAID R.O.W. FOR A DISTANCE OF 196.07', THENCE ALONG SAID R.O.W. AND TO THE  
RIGHT ALONG THE ARC OF A CURVE WHOSE DELTA IS 136°58'27" AND WHOSE RADIUS  
IS 70.38' FOR A DISTANCE OF 168.25', THENCE N55°35'00E ALONG SAID R.O.W. FOR A  
DISTANCE OF 514.20' TO A POINT ON LINE 1 - 2 OF THE SAWLOG PLACER, THENCE  
ALONG SAID LINE 1 - 2 OF SAID SAWLOG PLACER S79°01'41"E FOR A DISTANCE OF  
835.72' TO THE POINT OF BEGINNING. THE TRACT CONTAINS 10.03 ACRES MORE OR  
LESS. ALL BEARINGS ARE REFERENCED TO THE RECORDED PLAT OF THE  
QUANDARY VILLAGE FILING NO. 1.

SURVEYOR'S CERTIFICATE

I, D.H. HAMILTON, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE  
OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY AND PLAT OF THE PROPERTY  
SHOWN AND DESCRIBED HEREON WAS PREPARED UNDER MY SUPERVISION AND THAT  
BOTH THE SURVEY AND THE PLAT ARE TRUE AND ACCURATE TO THE BEST OF MY  
KNOWLEDGE.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_

D. H. HAMILTON L.S. 4440



OFFICIAL ZONING MAP

FOR: Sawlog Placer Rezone A-1 to PUD

ADOPTED BY THE SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

DATE: May 13, 1991

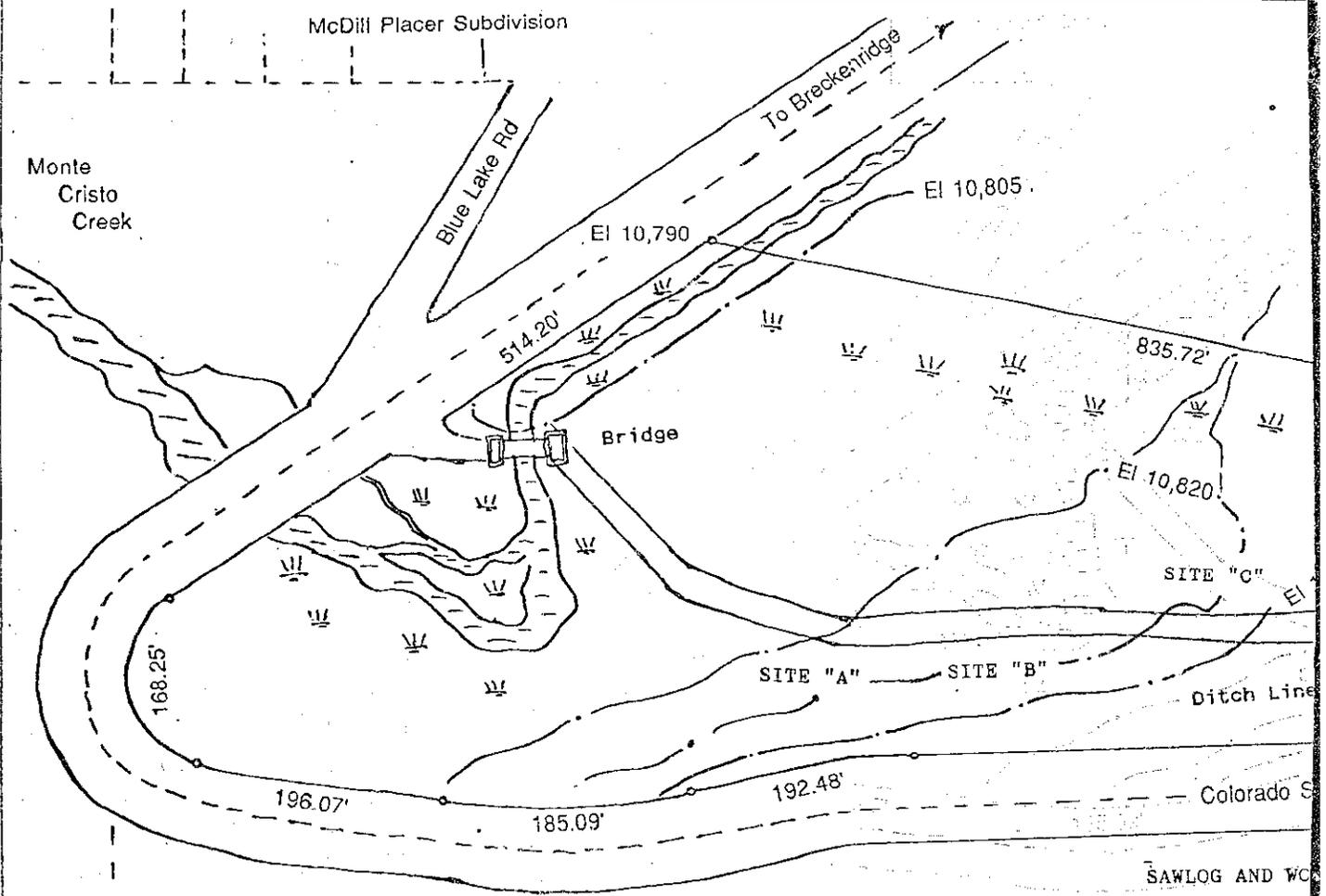
RESOLUTION NUMBER: 91-28

*Marsha W. Osborn*

Marsha W. Osborn, Chairman

EXHIBIT "B"

SAWLOG PLACER PARCEL PLANNED UNIT DEVELOPMENT



Scale:

1 inch = 120 feet

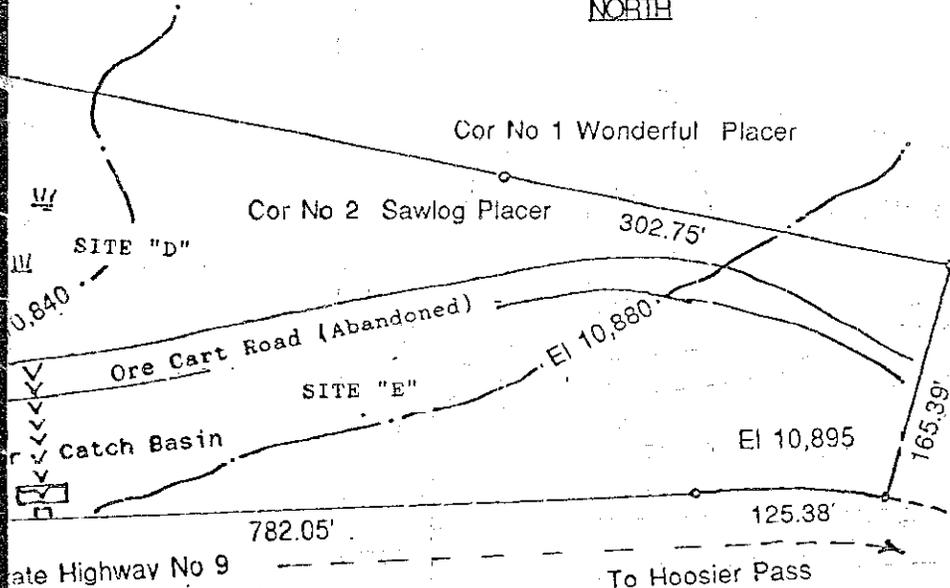
Development Notes:

- (1) A single residential unit will be selected from Site A through Site B. Percolation test from Site A and B.
- (2) Residential unit will not be visible from nearby roads.
- (3) Engineered bridge will be situated as noted above.
- (4) Catch basin and ditch liners will be placed as noted above.

MENT

ALVAREZ PARCEL

NORTH



WONDERFUL PLACER SUBDIVISION

CRETTEL PARCEL

**Rezoning Application:** Proposed Planned Unit Development  
**Location:** Upper Blue Master Plan  
**Vicinity:** Warriors Mark/Gold King/Hoosier Pass  
**Site:** Sawlog Placer Parcel PUD

**Date:** February 28, 1991

**Owner:** Daniel J. McGuire  
 8705 Belmar Avenue  
 Lakewood, CO 80226

Please Record  
 Return to Dori

Daniel J. McGuire  
 8705 Belmar Avenue  
 Lakewood, CO 80226