

**SUMMIT ADVENTURE PARK
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Summit Adventure Park, is approved this 10th day of December, 1990, 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 Farmer's Kormer Inc., 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.

Specific objectives that will serve as the basis for planning and developing the adventure park are to:

1. provide for desirable, year-round recreational activities and facilities that are suited to all members of the family in an open, natural setting that emphasizes contact with the outdoors;
2. maintain and enhance the character of the view corridor along Highway 9 and the "gateway to the Upper Blue Basin," avoiding expansion of a strip commercial nature.

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

- a. snowmobile tours and lap tracks for snowmobiles and kitty karts;
- b. base area for rentals of jeep rides, horseback rides, bicycles, mopeds, ATV's including stable and equestrian activities accessing public lands;
- c. horseback rides and related equestrian activities;
- d. tubing, sledding and other snow-play activities;
- e. hayrack and sleigh rides (including dinners);
- f. administrative and operation offices (including manager's residence);
- g. other normal accessory uses such as parking, minor vehicle repair and maintenance, storage, signs, entrance gates, wind breaks and picnic shelters.
- h. horses as accessory to above uses and seasonal pasture
- i. A maximum of 72 residential units in the area shown on Exhibit B and subject to the Concept Guidelines in A.2.

No additional structures or expansion in area for any of the above permitted uses over and above those specifically shown in Exhibit B shall be constructed without prior site plan approval by the County.

Actual final location of lots, building sites, roads and other project improvements shall be determined at the final site plan approval stage of each individual phase of the development.

As future phases of the adventure park site development are explored, emphasis will continue to be placed on those types of predominantly open, outdoor recreational activities and facilities that will maintain or enhance the natural "open gateway" atmosphere that currently exists on the site. Visually obtrusive recreational uses or facilities will not be permitted. Height/bulk limits and requirements for landscaping and screening of any future permanent structures, such as the relocated park headquarters or other facilities that may be developed within the adventure park, shall be included in all final development plans submitted to the County for approval. All new uses shall require a PUD amendment pursuant to the Summit County Land Use and Development Code.

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SUMMIT COUNTY
CLERK AND RECORDER
JAN 23 2 28 PM '91
DORIS L. BRILL

2. Concept Guidelines for Residential Development

- a. **Medium residential development:** The development of a maximum of 72 residential units in the areas marked residential on Exhibit B. All future development shall require site plan approval and shall be carried out within the Summit Adventure Park PUD according to the following overall guidelines and Exhibit C.
1. The units shall be designed to serve as a low-profile buffer for the existing B-3 zoning adjacent to Highway 9.
 2. The "small cluster" layout concept will be utilized to avoid the row housing visual impact of the typical linear residential layouts and maintain views through the development where feasible.
 3. All residential units at a density higher than one unit per two acres shall be served by central sewer.
 4. Building heights will be limited to no more than 35 feet as defined by the Summit County Land Use and Development Code.
 5. The right-of-way easement for the relocated County bike path will be integrated into the design of the area in such a way as to minimize conflicts with land uses and local auto traffic, etc., and maximize the attractiveness of the routing.
- b. **Development objectives:** The following project objectives will provide a basis for specific site planning.
1. Objective 1: provide an attractive, safe and convenient residential environment for a wide range of possible housing types which may include single family, patio homes, duplex/triplex/fourplex, multiple family, apartments, bed and breakfast and lodging type units.
 2. Objective 2: minimize visual impacts on and of surrounding land uses and Highway 9 through screen planting and buffering.
 3. Objective 3: provide for affordable employee-type housing if needed and where appropriate.
 4. Objective 4: Unit density shall not exceed four units per acre or a total of 72 units.
 5. To preserve existing landscape features where possible and replace vegetation where necessary to provide buffers and screening for development.
 6. To manage development activity within the constraints of natural land features and other natural elements.

B. DEVELOPMENT STANDARDS

1. Development Character

The overall character for Phase I of the Summit Adventure Park portion of the PUD will basically be a continuation of the existing operations of the park, together with some minimal upgrading of the sledding/tubing hill as approved by site plan review. Emphasis in this phase will continue to be on maintaining the open, unobstructed quality of the meadow area.

2. Building Height

Building heights shall not exceed 35 feet as defined in the Uniform Building Code.

3. Setbacks

Setbacks shall be determined through the site plan approval process.

4. Parking

Parking shall be in designated paved or graded parking lots as shown in Exhibit B. No parking of vehicles shall be allowed on any public road, common driveway, turnaround or natural vegetation area. Adequate off-street parking shall be provided for each use within the PUD.

5. Landscaping

Landscaping shall be installed and maintained in accordance with County landscaping requirements as set forth in the "Landscaping Plan" as approved by the Upper Blue Planning Commission.

6. Designated Open Space Areas

a. Open space areas: Open/outdoor recreation areas as shown conceptually in Exhibit B shall be used and developed for the enjoyment of the paying public-at-large, to add to the availability of a range of recreational activities for Summit County residents and visitors. Any Phase I development which occurs within such areas shall be free of permanent structures and shall maintain the open space character that exists.

b. Buffer areas: A buffer area, as indicated in Exhibit B, shall be maintained around the existing residences. No uses, other than open space, summer pasture for horses except within 100 feet of the property line and use of the access road, shall be permitted in the buffer area.

7. Recreational Pathway

The Owner/Developer shall dedicate an easement and may also construct pedestrian and bike trails in the general area indicated on the development plan. All dedication or construction shall meet all criteria of the Summit County Recreational Pathways Master Plan. Should relocation of the County path system occur prior to approval of a final plat for this site, the Owner/Developer shall dedicate the easement in the general area indicated on Exhibit B or as otherwise mutually agreed upon by the Owner/Developer and the County within thirty (30) days of the request of the County.

8. Sign Program

A sign program shall be reviewed and approved by the Sign Review Commission after a review and recommendation by the Upper Blue Planning Commission. The sign program shall include information and traffic control signs preventing parking on roads, informing customers where office is located and prohibiting snowmobile and other use except where designated. The sign program shall be approved prior to March 1, 1991.

9. Snow Cover

All rides and tours will occur on existing roads unless six inches of snow is available where rides and tours occur to protect the ground from damage. Snowmobile use shall be limited to the track area and the routes designated on the approved site plan. The applicant shall make efforts to regulate unauthorized snowmobile activity through signage and other measures.

10. Lighting

All exterior lighting shall be subject to site plan review and designed and installed so that such lighting is downward projected and utilizes shielded luminaires. Lighting proposed shall be the minimum necessary for the use required.

C. REQUIRED IMPROVEMENTS

1. Access

- a. **Roadways:** Access to the property and to all building sites shall be provided by roads built to applicable County standards. Any additional development, as determined by the State Division of Highways, shall require the re-permitting of access from County Road 980 onto Highway 9 may include relocating the road to align with Swan Mountain Road. An access road which serves the upper lots of the Alpensee Subdivision Filing #1 shall be dedicated as required in Section D.1.b. Should access to the upper portions of Alpensee Filing #1 be relocated in the future, a turnaround meeting all requirements of the Summit County Land Use and Development Code shall be provided at the terminus of County Road 980. No change or relocation of roads or easements shall occur without County review and full compliance with County Road and Bridge Standards.

2. Water Systems

Water supply for Phase I shall be provided by on-site wells subject to the approval of the State Water Engineer. Water supply for any later phases shall be provided by on-site wells, plus a central storage and distribution system sufficient to provide adequate required fire flows for the project as determined by the Red, White and Blue Fire Protection District.

3. Sewer Systems

Sewer disposal for Summit Adventure Park shall be provided by the Breckenridge Sanitation District sewer line which is located immediately east of the subject property. No site plan for further development shall be approved until adequate sewage disposal as required by County standards has been demonstrated as determined by the County Engineer.

4. Fire Protection

The entire property is located within the Red, White and Blue Fire Protection District. All development on the property shall meet all fire protection requirements of the District. All buildings requiring site plan approval by the County shall also require review by the fire district prior to issuance of a building permit.

5. 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 each final plat. No change in utility easements shall occur without County review and compliance with all applicable standards.

D. IMPLEMENTATION

1. Platting Requirements

- a. **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 ownership interest in the property to others. Densities of development indicated in Exhibit B represent maximum permitted densities and levels of use and each proposed development phase must meet all applicable standards and requirements as contained in the Summit County Land Use and

Development Code unless such standards and requirements are specifically waived or modified by the terms of this designation.

- b. **Existing lot lines:** The Owner/Developer shall be required to replat portions of Alpensee Subdivisions Filings #1 and #2 controlled by the Owner/Developer. The replat shall include vacation of lot lines and dedication of right-of-way (not a County road) to serve all remaining lots in Alpensee Filing #1. The replat meeting the above criteria 1.b. and all provisions of County and State Subdivision Regulations shall be submitted prior to May 30, 1991 and recorded within thirty (30) days of approval by the Board of County Commissioners.

2. Site Plan Requirements

- a. **Approval:** Approval of a site plan pursuant to all requirements of the Summit County Land Use and Development Code is required prior to operation of any commercial, residential or recreational uses or any construction which requires a building permit. The site plan review shall include a review on the number and location of horses permitted.
- b. **Hours of operation:** Hours of operation shall be indicated on the approved site plan.

3. Zoning Review

The Upper Blue Planning Commission and the Board of County Commissioners shall conduct a review of this Planned Unit Development Designation prior to July 1, 1992 and at intervals thereafter as established by the Board of County Commissioners. The review shall consider compliance with all requirements of this designation, address any new issues which may arise and any problems regarding the public health, safety and welfare.

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.

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

Farmer's Komer Inc.
Lawrence E. Smith, President
P.O. Box 127
Frisco, CO 80443

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 Summit Adventure Park 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.

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


Marsha W. Osborn, Chairman

RECORDED
INDEXED
JUL 11
1991

ATTEST:



Colleen Richmond, Clerk and Recorder

FARMER'S KORNER, INC.


By: Lawrence E. Smith

ATTEST:



pud/sumadv

RESOLUTION NO. 94-51

Before the Board of County Commissioners

County of Summit

State of Colorado

4 7 3 0 9 5
DORIS L. BIRN

APPROVING A REQUEST TO AMEND THE SUMMIT ADVENTURE PARK PLANNED UNIT DEVELOPMENT TO INCLUDE A PETTING ZOO WITH TINY TOWN, BATTING CAGES, SKY SLIDE AND PAINTBALL WAR AS CONDITIONAL USES IN THE PUD (Applicant: Lori A. Cutunilli)

WHEREAS, Lori A. Cutunilli has made application to the Upper Blue Planning Commission to revise the Summit Adventure Park Planned Unit Development Designation to include additional temporary uses; and,

WHEREAS, the Summit Adventure Park Planned Unit Development Designation was approved on December 10, 1990 and recorded under reception number 398877 and revised on August 10, 1992 and recorded under reception number 432625, and;

WHEREAS, the application has been reviewed by the Summit County Planning Department and they recommended approval in part and denial in part of the request, and;

WHEREAS, the Upper Blue Planning Commission has reviewed the request at a public hearing on March 24, and April 28, 1994, with public notice as required by law, and they have recommended approval of the request; and;

WHEREAS, the Board of County Commissioners has reviewed the request at a public hearing on May 23, 1994 with public notice as required by law, and;

WHEREAS, the Board of County Commissioners finds as follows:

1. The modification is consistent with the efficient development and preservation of the entire planned units development.
2. The modification does not affect in a substantially adverse manner either the land abutting or across a street from the planned unit development or the public interest.
3. The modification is not granted solely to confer a special benefit upon any person.

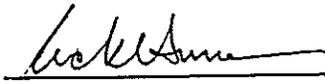
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SUIT COUNTY RECORDER

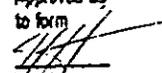
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, THAT THE REQUEST TO INCLUDE ADDITIONAL CONDITIONAL USES IN THE SUMMIT ADVENTURE PARK PLANNED UNIT DEVELOPMENT DESIGNATION IS HEREBY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The uses shall be limited as follows: petting zoo and tiny town (with adequate fencing, heights limited to 8 feet and species as approved by the Colorado Division of Wildlife), batting cages (not to exceed 3 with dark colored netting), one six foot wide section fiberglass slide (if painted a natural/neutral color) and paintball wars (with fencing to consist of colored stakes). The applicant shall not be required to go before the Planning Commission for a conditional use permit due to the nature of the approval granted hereby and the past approvals of the Planning Commission for these uses.
2. The conditional uses shall be valid on a temporary basis from May 15, 1994 to October 15, 1994 and the Planning Commission shall review the PUD in October, 1994 to determine whether these conditional uses shall continue in subsequent years.

ADOPTED this 23rd day of May, 1994.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY: 
Rick Hum, Chairman

Approved as
to form

Legal

ATTEST:


Doris Brill, Clerk and Recorder



**SUMMIT ADVENTURE PARK
PLANNED UNIT DEVELOPMENT DESIGNATION**

The Summit Adventure Park Planned Unit Development Designation, approved the 10th day of December, 1990 by the Board of County Commissioners of Summit County, Colorado and revised the 14th day of September 1992, is hereby further revised this 23rd day of May, 1994. This designation establishes uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by Farmer's Korner, Inc. and his successors and assigns, who is owner and development, and is 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." 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."

Specific objectives that will serve as the basis for planning and developing the adventure park are to:

1. provide for desirable, year-round recreational activities and facilities that are suited to all members of the family in an open, natural setting that emphasizes contact with the outdoors;
2. maintain and enhance the character of the view corridor along Highway 9 and the "gateway to the Upper Blue Basin," avoiding expansion of a strip commercial nature.

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

- a. snowmobile tours and lap tracks for snowmobiles and kitty kats;
- b. base area for rentals of jeep rides, horseback rides, bicycles, mopeds, ATV's including stable and equestrian activities accessing public lands;
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- f. administrative and operation offices (including manager's residence);
- g. other normal accessory uses such as parking, minor vehicle repair and maintenance, storage, signs, entrance gates, wind breaks and picnic shelters.
- h. horses as accessory to above uses and seasonal pasture
- i. A maximum of 72 residential units in the area shown on Exhibit B and subject to the Concept Guidelines in A.2;
- j. bungee jumping from non permanent structures, surface lifts and tows, ice skating facilities;
- k. the following uses are subject to conditional use permit review by the Upper Blue Planning Commission: luge, bobsled, ski jumps, hot air balloons, heli-ski stage area, petting zoo with tiny town, batting cages, sky slide and paintball wars;
- l. five general public special events covering six days of any calendar year limited to concerts, auctions, rallies and sporting events;

No additional structures or expansion in area for any of the above permitted uses over and above those specifically shown in Exhibit B shall be constructed without prior site plan approval by the County.

Actual final location of lots, building sites, roads and other project improvements shall be determined at the final site plan approval stage of each individual phase of the development.

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DORIS L. BRILL

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SUMMIT COUNTY RECORDER

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2. Concept Guidelines for Residential Development

- a. **Medium residential development:** The development of a maximum of 72 residential units in the areas marked residential on Exhibit B. All future development shall require site plan approval and shall be carried out within the Summit Adventure Park PUD according to the following overall guidelines and Exhibit C.
 - 1. The units shall be designed to serve as a low-profile buffer for the existing B-3 zoning adjacent to Highway 9.
 - 2. The "small cluster" layout concept will be utilized to avoid the row housing visual impact of the typical linear residential layouts and maintain views through the development where feasible.
 - 3. All residential units at a density higher than one unit per two acres shall be served by central sewer.
 - 4. Building heights will be limited to no more than 35 feet as defined by the Summit County Land Use and Development Code.
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 - 4. Objective 4: Unit density shall not exceed four units per acre or a total of 72 units.
 - 5. To preserve existing landscape features where possible and replace vegetation where necessary to provide buffers and screening for development.
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B. DEVELOPMENT STANDARDS

1. Development Character

The overall character for Phase I of the Summit Adventure Park portion of the PUD will basically be a continuation of the existing operations of the park, together with some minimal upgrading of the sledding/tubing hill as approved by site plan review. Emphasis in this phase will continue to be on maintaining the open, unobstructed quality of the meadow area.

2. Building Height

Building heights shall not exceed 35 feet as defined in the Uniform Building Code.

3. Setbacks

Setbacks shall be determined through the site plan approval process.

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Parking shall be in designated paved or graded parking lots as shown in Exhibit B. No parking of vehicles shall be allowed on any public road, common driveway, turnaround or natural vegetation area. Adequate off-street parking shall be provided for each use within the PUD.

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C. REQUIRED IMPROVEMENTS

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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 each final plat. No change in utility easements shall occur without County review and compliance with all applicable standards.

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- b. **Existing lot lines:** The Owner/Developer shall be required to replat portions of Alpensee Subdivisions Filings #1 and #2 controlled by the Owner/Developer. The replat shall include vacation of lot lines and dedication of right-of-way (not a County road) to serve all remaining lots in Alpensee Filing #1. The replat meeting the above criteria 1.b. and all provisions of County and State Subdivision Regulations shall be submitted prior to May 30, 1991 and recorded within thirty (30) days of approval by the Board of County Commissioners.

2. Site Plan Requirements

- a. **Approval:** Approval of a site plan pursuant to all requirements of the Summit County Land Use and Development Code is required prior to operation of any commercial, residential or recreational uses or any construction which requires a building permit. The site plan review shall include a review on the number and location of horses permitted.
- b. **Hours of operation:** Hours of operation shall be indicated on the approved site plan.

3. Zoning Review

The Upper Blue Planning Commission and the Board of County Commissioners shall conduct a review of this Planned Unit Development Designation prior to July 1, 1992 and at intervals thereafter as established by the Board of County Commissioners. The review shall consider compliance with all requirements of this designation address any new issues which may arise and any problems regarding the public health, safety and welfare.

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.

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

Farmer's Korner Inc.
Laurence E. Smith, President
P.O. Box 127
Frisco, CO 80443

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 Summit Adventure Park 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 Summit Adventure Park PUD Designation the provisions of this revised PUD Designation shall supersede and replace such provisions.

8. 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.

9. 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

[Signature]
Rick Hum, Chairman
Approved as
to form
[Signature]
Legal

ATTEST:

[Signature]
Doris L. Brill, Clerk and Recorder

FARMER'S KORNER, INC.

[Signature]
By: Laurence E. Smith

ATTEST:

pud/sumadv

APPROVAL OF AMENDMENTS

The foregoing document is the Summit Adventure Park Planned Unit Development Designation as approved and signed by the Summit County Board of County Commissioners and approved on the 10th day of December, 1990, and recorded at Reception No. 398877, and as amended by the Summit County Board of County Commissioners as follows:

Resolution #92- 76

Adopted August 10, 1992

Reception No. 432625

The planned unit development document dated the 10th day of December, 1990 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 Wilderdest Planned Unit Development Designation and the amendments noted above are available from the Summit County clerk and Recorder.

Adopted this 10th day of August, 1992.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO



Rick Hum, Chairman

ATTEST:



Doris L. Brill, Clerk and Recorder

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APPENDIX "A"

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 6 SOUTH RANGE 78 WEST AND THE SOUTHWEST ONE-QUARTER OF SECTION 31, TOWNSHIP 5, SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE ALPENSEE SUBDIVISION FILING NO. 1, A SUBDIVISION AS FILED FOR RECORD IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER, THENCE N89°09'45"E A DISTANCE OF 90.00 FEET; THENCE S00°50'15"E A DISTANCE OF 235.00 FEET; THENCE S89°09'45"W A DISTANCE OF 66.03 FEET TO A POINT ON THE EAST LINE OF SAID ALPENSEE SUBDIVISION FILING NO. 1; THENCE S06°39'38"E ALONG SAID EAST SUBDIVISION LINE EXTENDED, A DISTANCE OF 1089.36 FEET; THENCE S14°22'00"E A DISTANCE OF 672.56 FEET; THENCE S15°24'50"E A DISTANCE OF 451.14 FEET; THENCE S74°35'10"W A DISTANCE OF 480.00 FEET; THENCE N15°24'50"W A DISTANCE OF 1205.29 FEET; THENCE S84°00'32"W A DISTANCE OF 1034.16 FEET TO THE NORTHWEST CORNER OF THE E1/2N1/2 SW1/4 NE 1/4 SAID SECTION 1; THENCE S88°43'36"W A DISTANCE OF 337.56 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 2, SAID SECTION 1; THENCE N00°19'47"E A DISTANCE OF 826.23 FEET TO THE SOUTHWEST CORNER OF LOT 27, SAID ALPENSEE SUBDIVISION FILING NO. 1; THENCE N00°19'47"E ALONG THE WEST LINE OF LOTS 27 AND 28, SAID ALPENSEE SUBDIVISION FILING NO. 1, A DISTANCE OF 263.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 28; THENCE N80°30'00"E A DISTANCE OF 250.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 28; THENCE SOUTH ALONG THE EAST LINE OF SAID LOTS 27 AND 28 FOR THE FOLLOWING THREE COURSES:

1) 120.64 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 58°10'00", A RADIUS OF 118.83 FEET AND A CHORD WHICH BEARS S19°35'00"W 115.52 FEET DISTANT;

2) 171.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 43°20'00", A RADIUS OF 226.37 FEET AND A CHORD WHICH BEARS S27°00'00"W 167.15 FEET DISTANT;

3) S05°20'00"W A DISTANCE OF 47.33 FEET TO THE SOUTHEAST CORNER OF SAID LOT 27;

THENCE S23°E A DISTANCE OF 120 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED IN BOOK 183 AT PAGE 332 IN SAID OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER; THENCE ALONG THE BOUNDARY OF SAID PARCEL FOR THE FOLLOWING THREE COURSES:

1) S03°W A DISTANCE OF 110 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID PARCEL;

2) S87°E A DISTANCE OF 280 FEET MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID PARCEL;

3) N11°W A DISTANCE OF 110 FEET MORE OR LESS, TO THE NORTHEAST CORNER OF SAID PARCEL;

THENCE N13°30'E A DISTANCE OF 440 FEET MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 21, SAID ALPENSEE SUBDIVISION FILING NO. 1; THENCE S68°02'31"E A DISTANCE OF 131.87 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE NORTHERLY ALONG THE EAST LINE OF LOTS 21, 19 AND 33, SAID ALPENSEE SUBDIVISION FILING NO. 1 FOR THE FOLLOWING FOUR COURSES:

1) 72.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 08°49'59", A RADIUS OF 467.68 FEET, AND A CHORD WHICH BEARS N25°28'14"E 72.03 FEET DISTANT;

2) 113°13'E A DISTANCE OF 100.00 FEET;

79.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 22°10'57", A RADIUS OF 207.28 FEET AND A CHORD WHICH BEARS, N40°58'46"E 79.75 FEET DISTANCE;

N37°55'46"W A DISTANCE OF 223.10 FEET TO THE NORTH CORNER OF SAID LOT 33 ALSO BEING THE SOUTHWEST CORNER OF ALPENSEE SUBDIVISION FILING NO. 2 AS FILED FOR RECORD IN SAID OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER;

THENCE N00°14'39"E A DISTANCE OF 662.36 FEET TO THE NORTHWEST CORNER OF SAID ALPENSEE SUBDIVISION FILING NO. 2 BEING A DMWW BRASS CAP, THENCE N89°02'55"E A DISTANCE OF 627.89 FEET TO THE NORTHEAST CORNER OF SAID ALPENSEE SUBDIVISION FILING NO. 2 BEING AN EXISTING PIN AND CAP L.S. NO. 11944; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SUBDIVISION FOR THE FOLLOWING THREE COURSES:

1) S47°32'36"E A DISTANCE OF 87.13 FEET TO AN EXISTING COLORADO DEPARTMENT OF HIGHWAYS RIGHT-OF-WAY MONUMENT;

2) S53°17'47"E A DISTANCE OF 415.40 FEET TO AN EXISTING PIN AND CAP NO 11944;

3) S00°47'53"E A DISTANCE OF 348.98 FEET TO THE SOUTHEAST CORNER OF SAID ALPENSEE SUBDIVISION FILING NO. 2 BEING AN EXISTING PIN AND CAP L.S. NO. 11944;

THENCE N89°09'45"E ALONG THE NORTH LINE OF SAID ALPENSEE SUBDIVISION FILING NO. 1, A DISTANCE OF 22.06 FEET TO THE POINT OF BEGINNING, CONTAINING 75.21 ACRES, MORE OR LESS.

I, RICHARD A. BACKLUND, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION WAS WRITTEN BY ME AND UNDER MY SUPERVISION, THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE July 11, 1990

BY Richard A. Backlund

Revised 11721/90



7350
(7/11/90)

RESOLUTION NO. 92- 76

Before the Board of County Commissioners

County of Summit

State of Colorado

APPROVING A PUD AMENDMENT FOR THE SUMMIT ADVENTURE PARK PLANNED UNIT DEVELOPMENT (Applicant: Larry Smith, Farmers Korner Inc.)

WHEREAS, Larry Smith, Farmers Korner Inc., has made application for a PUD Amendment for the Summit Adventure Park Planned Unit Development; and

WHEREAS, the Upper Blue Planning Commission has recommended approval of the PUD amendment at a public hearing held on June 25, 1992; and

WHEREAS, the Board of County Commissioners has held a public hearing on the proposed PUD amendment August 10, 1992 with public notice as required by law; and

WHEREAS, the Board of County Commissioners finds as follows:

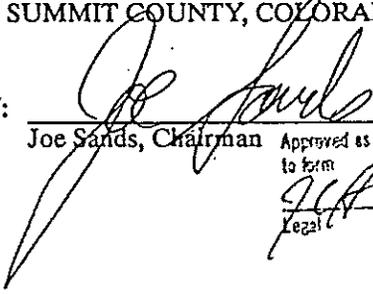
1. Modification of the Summit Adventure Park PUD is consistent with the efficient development and preservation of the entire planned unit development in that additional proposed uses are consistent with the overall objectives of the PUD.
2. The PUD modification will not have an adverse affect on land abutting or across the street from the PUD in that all uses require site plan and/or conditional use permit review by the Upper Blue Planning Commission.
3. The modification is not being granted solely to confer a special benefit upon any person in that the additional uses meet the overall objectives of the PUD and the Upper Blue Master Plan.

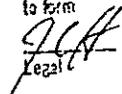
NOW, THEREFORE, BE IT RESOLVED BY THE SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS, that a PUD Amendment for the property as described in Exhibit A is hereby approved.

ADOPTED this ~~10th~~ day of ~~August~~, 1992.
14th September

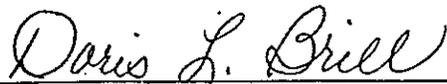
BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY:


Joe Sands, Chairman

Approved as
to form

Legal

ATTEST:


Doris L. Brill, Clerk and Recorder

432625
DORIS L. BRILL
SUMMIT COUNTY RECORDER
1992 NOV 16 P 4:32

rep/BOCCreso92-50