



**SWAN RIVER RANCH
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, formerly known as Tiger Run Resort and to be known henceforth as Swan River Ranch, originally approved on the 16th day of October 1980 by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County", is hereby revised on this 3rd day of August, 2006 by the County. This PUD Designation is 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 that 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 Swan River Ranch Filing #1 homeowners and Glenn Campbell and their successors and assigns, collectively hereinafter referred to as the "Owner/Developer".

Where this Designation does not address a specific development standard or requirement of the Summit County Land Use and Development Code ("Development Code"), the provisions of the Development Code shall apply. Where the Designation addresses a specific development standard or requirement, with a clear intent to supercede the Code on said matters, the provisions of this PUD Designation shall supersede the provisions of the Development Code.

A. PERMITTED USES AND DEVELOPMENT PLAN

Use and development of the property shall be in accordance with the PUD Designation's Development Plan attached hereto as Exhibit B and the following specific requirements:

1. Permitted Uses

Parcel A: Open Space in a natural state and passive recreation.

Parcel B: Open Space in a natural state and passive recreation.

Parcel C: Open Space in a natural state and passive recreation.

Parcel D: (Swan's Nest Placer MS14412) Four (4) single family residences (including the existing Revett House with its existing cabin as one residence).

Parcel E: Open space in a natural state and passive recreation.

Parcel F: (Swan River Ranch Filing No. 1) Eighteen (18) single-family residences.

2. Accessory, Conditional and Temporary Uses

Parcel D: Accessory, conditional and temporary uses as allowed in the Development Code's R-1 zoning district, including accessory apartments per the standards as listed in Section 3801 of the Development Code, the existing community area fenced for large animals (primarily horses) and the existing barn.

Parcel F: Accessory, conditional and temporary uses, as allowed in the Development Code's R-1 zoning district. Accessory apartments shall be allowed as accessory uses per the standards as listed in Section 3801 of the Development Code with the following exceptions:

Permit process: Accessory apartments shall be a permitted use, even if a proposed apartment is located within 500 feet of an existing accessory apartment. Accessory apartments shall be evaluated administratively by the Planning Department concurrently with the building permit review, in accordance with the regulations in the code in effect at the time the application is submitted.

Maximum size: The maximum permitted size shall be 45% of the square footage contained in the primary residence, excluding garage space, or not more than 1,000 square feet, whichever is less.

Number of units: A maximum of 15% of the single-family lots in the subdivision shall be allowed accessory apartments. This 15% figure shall be calculated by rounding up to the next whole number (i.e. 2.7 units would be rounded up to 3 units).

3. Animal Keeping

Animal keeping shall be restricted as follows: Parcel D is permitted to maintain the existing animal keeping facilities (corral, barn, pasture, etc.) subject to compliance with the limitation on the number of animals kept on the parcel under Section 3802 and Figure 3-14 of the Development Code (maximum of eight (8) horses). An expansion of the animal keeping use may be permitted on Parcel D subject to the standards included in Section 3802 of the Development Code for common animal keeping, including, but not limited to, securing a conditional use permit for the expansion of the existing animal keeping facilities prior to the construction of such improvements.

B. DEVELOPMENT STANDARDS

1. Building Height

Building heights shall not exceed thirty-five (35) feet as defined in Section 3505.06 of the Development Code.

2. Setbacks

Parcel D:

The three (3) new single-family residential lots on Parcel D shall be located within designated disturbance envelopes, not to exceed a maximum of 10,000 square feet in size, with the goals of limiting overall site disturbance, tree removal, prohibit soil disturbance outside of the designated envelopes, avoid placing structures within 25 feet of delineated wetlands, and avoid development on slopes that exceed 30%. The size of the disturbance envelopes shall: (i) allow adequate room for the construction of the structures; (ii) ensure that a majority of the trees on this property are preserved, wetland areas and steep slopes are avoided; and, (iii) allow for ample buffering from neighboring homes. All structures shall maintain a minimum setback of twenty-five (25) feet from any delineated wetland. The Revett Manor shall also be located within a disturbance envelope. These disturbance envelopes shall be designated by a preliminary and final plat map for Parcel D in order to ensure that the existing Revett Manor, the new single family residential lots and their disturbance envelopes that surround the structures will limit site disturbance and tree removal, prohibit soil disturbance and structures within twenty-five (25) feet from delineated wetlands, and avoid development on slopes that exceed thirty percent (30%) located on Parcel D.

Parcel E:

A minimum five (5) foot setback is required from all property lines for minor utility structures, with the sole exception being that all structures within Parcel E shall maintain a minimum twenty-five (25) foot setback from any delineated wetlands.

Parcel F:

Swan River Ranch Subdivision - 25-foot front setback; 25-foot rear setback; and 20-foot side setback. Disturbance envelopes have been platted on Lots 17 and 18 in order to prohibit soil disturbance and structures within 25-feet of delineated wetlands.

3. Parking

A minimum of two (2) on-site parking spaces shall be required for each unit, and a minimum of one and one-half (1.5) parking space per unit shall be required for one studio or one (1) bedroom accessory apartments and a minimum of two (2) parking spaces per unit shall be required for two (2) bedroom or more accessory apartments. Garage space shall count towards the parking requirement. No parking shall be permitted on County roads.

4. Designated Open Space Areas/Public Use Areas

- a. **Open space areas:** The open space areas as shown conceptually in Exhibit B shall remain open and free from all improvements except landscaping, utility work and access.
- b. **Maintenance of open space areas:** Private open space areas consisting of Tracts A, B, C, the Private Park within Parcel F and the private open remaining within Parcel D shall be maintained by the property owners and homeowners association. The Parcel E public open space shall be maintained by the County.
- b. **Public use areas:** Pursuant to Section 8601 of the Summit County Land Use and Development Code the Owner/Developer is required to provide public use areas. The requirement for public use areas may be met by either payment of fees, land dedication, or

obtaining credits for construction of recreational facilities. Payment of fees in the amount of \$575 for each of the three new units within Parcel D is required prior to recordation of a final plat for the site for Parcel D.

5. Wetlands

It is the intent of this PUD to preserve wetlands from development wherever possible. The Owner/Developer is required to obtain 404 permits as required by the U.S. Army Corps of Engineers wherever necessary for roads and utilities. Wetland areas shall remain free of development other than necessary roads and utilities. All other soil disturbance and structures shall maintain a minimum setback of twenty-five (25) feet from any delineated wetland.

Prior to the issuance of the first building permit for a new single family residence in Parcel D, the Owner/Developer shall be required to initiate the reclamation of the existing wetland setback areas on Parcel D that have been disturbed in the past and shall complete the installment of improvements that provide for proper drainage and control of runoff to prevent stagnant, standing water, or the flow of contaminated water into surface or subsurface water supplies from the animal keeping facilities.

6. Signs and Lighting

All signs shall comply with the Development Code Sign Regulations as now in effect or hereafter amended.

All lighting shall comply with the Development Code Lighting Regulations as now in effect or hereafter amended. All new lighting fixtures shall include cut-off shields that reduce glare by casting light down from the fixtures and reduce light spilling onto adjacent properties. In the future, any non-conforming light fixtures that require replacement due to damage or need of repair, the replacement light fixtures shall comply with the lighting provisions as set forth in this section.

7. Design Standards

Parcel D

The Revett Manor house is considered to be historically significant structures. Any proposed exterior remodeling or expansion of the Revett Manor house shall comply with the following criteria:

- The proposed work preserves, enhances, or restores and does not damage or destroy the exterior architectural features of the Revett Manor;
- The proposed work does not adversely affect the special character or special historical, architectural, or aesthetic interest or value of the Revett Manor; and

Parcel E

Any new structures within Parcel F shall include appropriate exterior materials and colors in

order to ensure that development within the PUD is compatible with existing development in the area and blends with the natural environment. Buildings within the Swan River Ranch PUD shall be comprised of mostly natural materials including, but not limited to wood, native or synthetic stone, masonry and glass. The building mass and scale shall be broken up through variation in rooflines and articulation in the building facades.

C. REQUIRED IMPROVEMENTS

1. Access

Roadways: Access to the property and to all building sites shall be provided by roads and driveways built to applicable County standards.

2. Water Systems

Water supply for the development shall be provided by Swan's Nest Metropolitan District. Adequate fire flows shall be provided as determined by the Red, White and Blue Fire District.

3. Sewer Systems

Sewage disposal for the development shall be provided by 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. Vegetation Management

A vegetation management program to reduce wildfire hazard and susceptibility to mountain pine beetle infestation and to enhance wildlife habitat and tree vigor on the property shall be prepared. The plan shall be reviewed by the Colorado State Forest Service and submitted concurrent with any plat for the project. Such plan, once approved by the Colorado Forest Service, shall be implemented prior to recordation of any final plat for the property or guaranteed in the subdivision improvements agreement.

6. 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.

7. Landscaping

Landscaping improvements shall be required as part of any site plan review required pursuant to the Development Code. Landscaping improvements shall comply with the regulations in Section 3600 of the Development Code.

8. Grading and Drainage

A grading and drainage plan stamped by a professional engineer licensed in the State of Colorado shall be submitted with any building permit application for new structures within the Swan River Ranch PUD.

D. IMPLEMENTATION

1. Platting Requirements

A preliminary and final plat shall be approved by the County prior to any development that involves selling or conveying any interest in the three (3) new building envelopes allowed in Parcel D to others.

E. GENERAL PROVISIONS

1. Enforcement

The provisions of this PUD 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 this PUD Designation and the powers delegated to the homeowners association under the Property Covenants, to the extent such powers are consistent with this PUD Designation shall run in favor of the residents, occupants and Owners of the Property, but only to the extent expressly provided in and in accordance with the terms of this PUD Designation and the Covenants. Provisions not expressly stated as running in favor of the residents, occupants or Owners shall run in favor of the County.

2. Breach of Provisions of PUD Designation

If any time any provision or requirements stated in this PUD Designation are breached by the Owners, the County may withhold approval of any or all 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 responsible Owner(s) in writing and afforded the Owner(s) a reasonable opportunity to remedy the same.

3. Binding Effect

The PUD Designation shall run with the land and be binding upon the Owner(s), 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), unless such amendment is determined to be minor in nature.

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:

Glenn Campbell
650 N. Hawes Road #2000
Mesa, AZ 85207-5833

All notices so given shall be considered delivered three days after the mailing thereof, excluding weekends or official holidays. Either party, by notice so given, may change the address to which future notices shall be sent.

6. Entire Designation

This PUD Designation contains all provisions and requirements incumbent upon the the undersigned parties relative to the Swan River Ranch 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 the provisions of this revised Designation conflict with earlier approved versions of the Designation, the provisions of this revised Designation shall supersede and replace such provisions.

8. Effective Date

The effective date of the PUD Designation will be when the PUD Designation is signed by the Board of County Commissioners and recorded in the office of the Summit County Clerk and Recorder, which may be referred to as the Effective Date throughout this PUD Designation.

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

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

S/s ARLYS H. WARD

S/s L. SCOTT GOULD

Arlys H. Ward, Clerk and Recorder

L. Scott Gould, Chairman

ATTEST:

Tiger Run, Inc.,

S/s Mary C. Campbell

S/s Robert G. Campbell

Secretary

President

ATTEST:

P-W Investments, Inc.

S/s illegible name

S/s Albert Hanna

Secretary

President

ATTEST:

Resort Development, Inc.

S/s illegible first name Gallagher

S/s Gary Takacs

Secretary

President

APPROVAL OF AMENDMENTS

The foregoing document is the Tiger Run Planned Unit Development Designation as approved by the Summit County Board of County Commissioners on the 16th day of October 1980 by Resolution No. 213418 in the Office of the Summit County Clerk and Recorder and as amended by the Board of County Commissioners as follows:

Date of Modification

Resolution No.

Reception No.

August 3, 2006

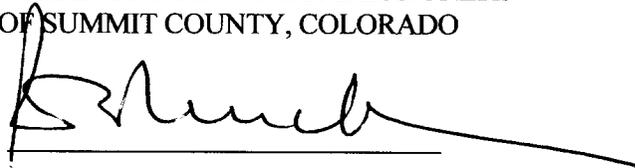
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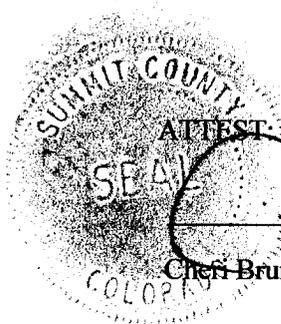
The planned unit development document dated the 16th day of October, 1980 and originally recorded at Reception No. 213418 is hereby revised to incorporate the approved amendments as noted above shall remain in force as revised. The foregoing document is issued as a continuation of the original document. Copies of the original Tiger Run Planned Unit Development Designation and the amendments noted above are available from the Summit County Clerk and Recorder.

Adopted this 3rd day of August 2006.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO



Robert H. S. French, Chairman



ATTEST:

Chen Brunvand, Clerk and Recorder

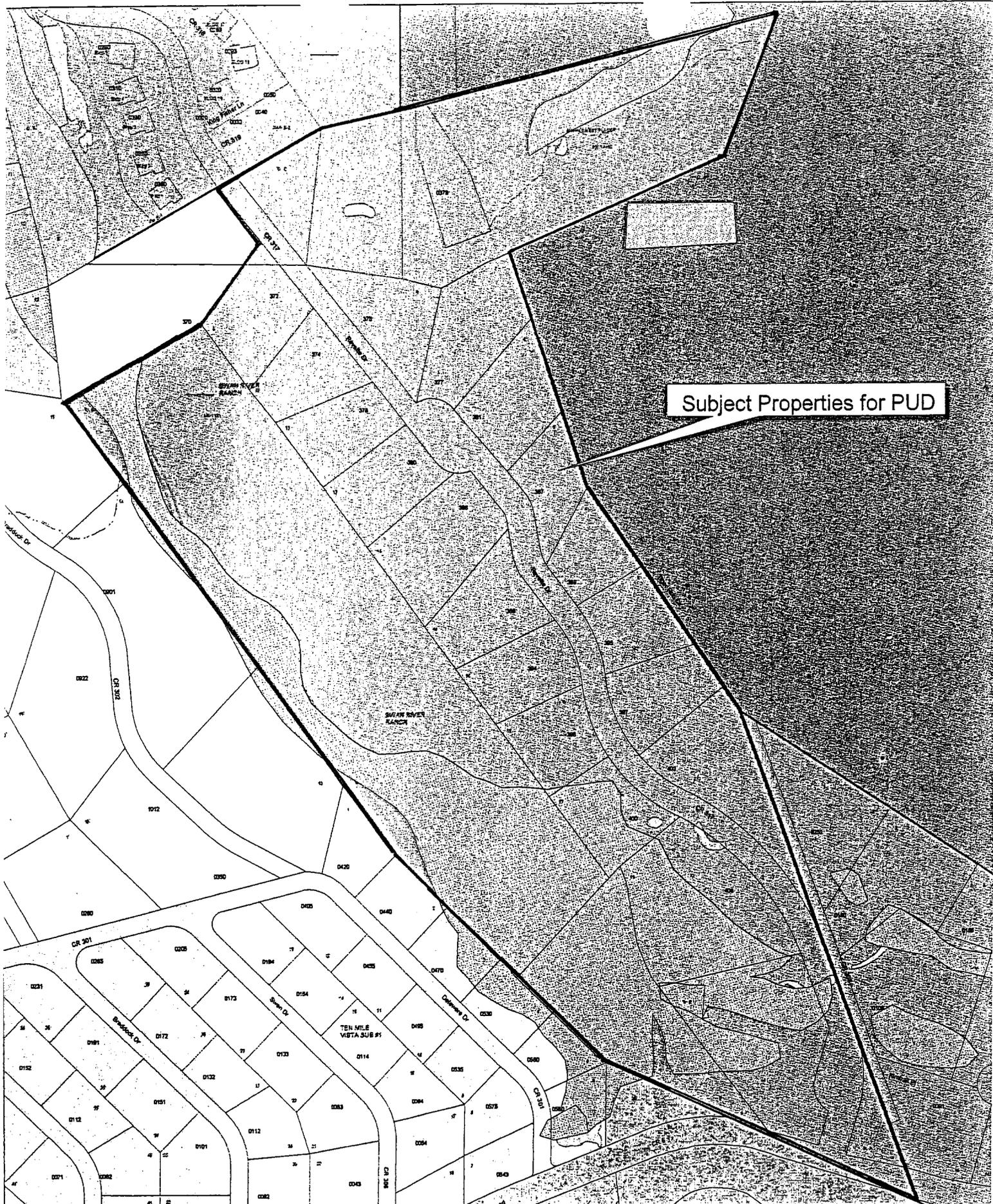
Exhibit A
Legal Description

Lots 1 through 18, inclusive, Tracts A, B, C, E (Kimball Placer MS 1151) of Swan River Ranch Filing No. 1
Plat Map, and

Swan's Nest Placer MS 14412.

Exhibit B

Development Plan



Subject Properties for PUD

Tiger Run Major PUD Modification

Swan River Ranch #1 includ Swan's Nest Placer MS14412

Proposed Use: 22 SFR on 84.86 ac

Prepared by Larkin Owens

1/11/2005

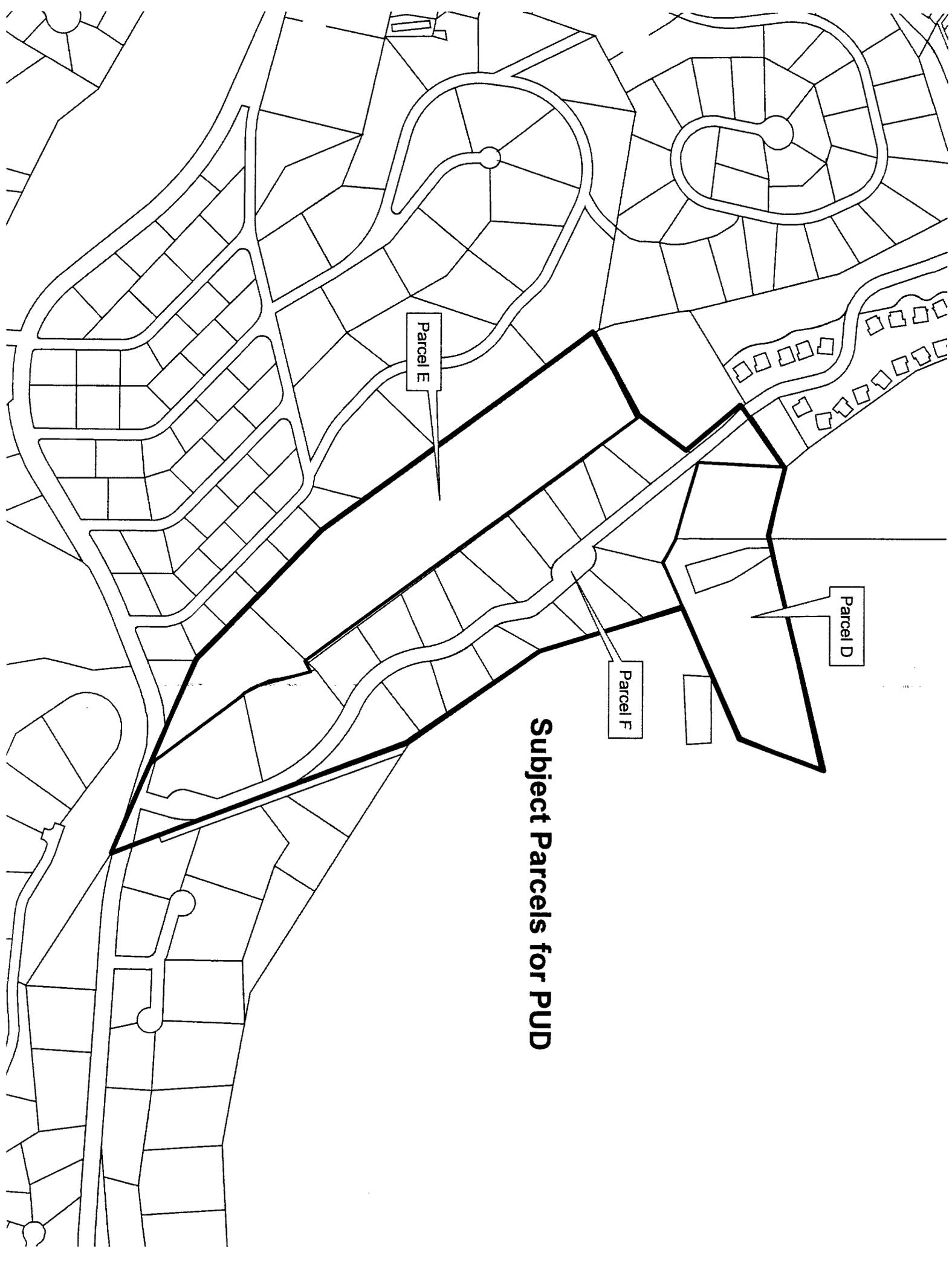
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This map is for display purposes only.
Do not use for legal conveyance.
Not necessarily accurate by surveying
standards, and does not comply with



Parcel E

Parcel F

Parcel D

Subject Parcels for PUD