

**IRONWOOD PUD
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Ironwood PUD, is approved this 11th day of April, 1994, 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 the Ivy Group (Terry Staples and Jack Koson) 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

14 townhome units

B. DEVELOPMENT STANDARDS

1. Building Height

Building heights shall not exceed 36 feet as defined in the Summit County Land Use and Development Code.

2. Setbacks

The front setback shall be 35 feet, the side setbacks shall be 7.5 feet, and the rear setback shall be the 404 Permit Boundary.

3. Parking

At least two parking spaces shall be required for each residence. No parking shall be permitted on County roads.

4. Public Use Areas

Pursuant to Section 8601 of the Summit County Land Use and Development Code, the Owner/Developer is required to provide lands for public use. The Owner/Developer shall dedicate a public, pedestrian only, easement across the property to the Snake River and may also construct trails. A public fishing easement shall be granted along the Snake River. In addition, a pedestrian easement shall be granted in the general location of the existing pathway along Keystone Road. All dedication or improvements shall be in lieu of the payment of Public Use Area Fees after determination that all requirements of Section 8601 are met or exceeded. Dedication of an easement, construction or payment of fees is required prior to recordation of a final plat for the site.

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 roads and utilities.

6. Animal Restrictions

Animals are permitted in accordance with Section 3802 of the Summit County Land Use and Development Code for the R-6 zoning district.

7. Trash Restrictions

Bear-proof trash dumpsters shall be required in perpetuity.

8. Signs

All signs shall comply with the Summit County Sign Regulations in the Land Use and Development Code.

C. REQUIRED IMPROVEMENTS

1. Access

Access to the property and to all building sites shall be provided by a private driveway built as approved by the Board of County Commissioners. If and when Keystone Road is relocated the owner/developer shall pursue shared access with Keystone.

2. Water Systems

Water supply for the development shall be provided by the Snake River Water District. Adequate fire flows shall be provided as determined by the Snake River Fire District.

3. Sewer Systems

Sanitary sewer service is to be provided by the Snake River Waste Treatment District.

4. Fire Protection

The entire property is located within the Snake River Fire District. All development on the property shall meet all fire protection requirements of the District.

5. Landscaping

Landscaping shall be installed in accordance with the detailed landscaping plan as approved by the County with the Ironwood PUD site plan or subdivision approval with the condition that existing spruce trees that are removed will be replaced with new spruce trees.

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.

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 the conveyance of 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.

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:

Notice to Owner/Developer

~~Board of County Commissioners~~
P.O. Box 68
Breckenridge, CO 80424

~~The Ivy Group~~
215 St. Paul Street
Denver, CO 80206

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 Ironwood 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

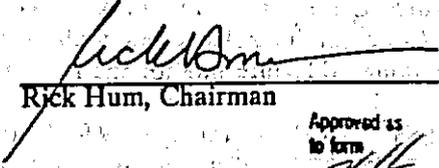
This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date of recordation.

8. PUD Review Requirements

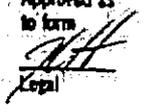
The Summit County Land Use and Development Code, Chapter 12, includes procedures and requirements for review of all Planned Unit Developments. The Owner/Developer shall be on notice of these requirements and shall insure that information necessary for the periodic review is made available to the County 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.

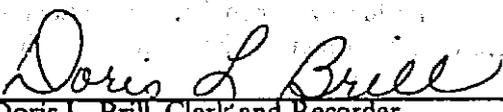
BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO


Rick Hum, Chairman

Approved as
to form

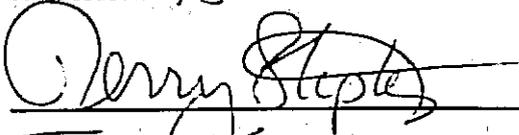

Legal

ATTEST:


Doris L. Brill, Clerk and Recorder



The Ivy Group, LLC
Terry Staples
Jack Kesen TS


TERRY STAPLES, MANAGER

ATTEST:

EXHIBIT A

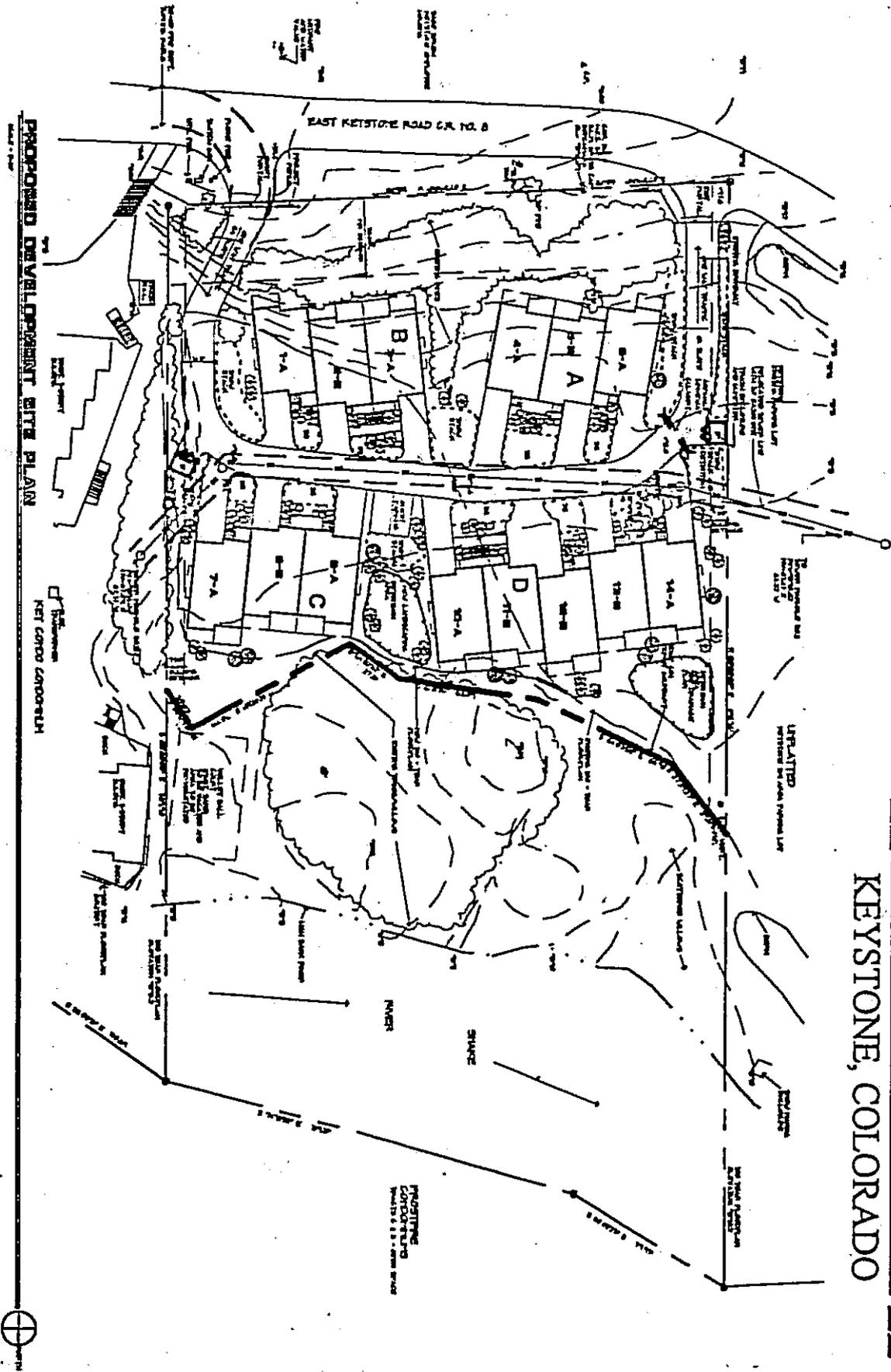
Beginning at Corner No. 7 of said H.E.S. 110, being a standard B.L.M. brass cap; thence S87°59'00"W along the 7-8 line of said H.E.S. 110 a distance of 65.05 feet; thence due north a distance of 492.26 feet to the south line of Frostfire Condominiums Amended, a plat recorded at Reception No. 287537 in the Summit County Records; thence along said south line for the following two (2) courses:

- 1.) S58°02'23"E a distance of 79.97 feet;
- 2.) S74°18'32"E a distance of 189.10 feet to the northwest corner of Key Condo Condominium Amended, a recorded plat;

Thence due south a distance of 389.98 feet to the southwest corner of said Key Condo Condominium; thence S87°59'00"W along the 6-7 line of said H.E.S. 110 a distance of 185.00 feet to the point of beginning, containing 2.482 acres or 108,117 square feet, more or less.

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EXHIBIT B



IRONWOOD
KEYSTONE, COLORADO

SECTION
A-B

BAKER • HOGAN • HOUX
ARCHITECTURE & PLANNING / A.A./P.C.
P.O. BOX 222, 100 EAST 10TH, DENVER CO., COLORADO 80202 (303) 452-8288

IRONWOOD KEYSTONE, COLORADO

REVISIONS

NO. DATE BY

1 10/1/88 JKH

2 10/1/88 JKH

3 10/1/88 JKH

4 10/1/88 JKH

