



River's Edge

Planned Unit Development Designation

This Planned Unit Development Designation, to be known as River's Edge, is approved this 28th day of June, 2016 by the Board of County Commissioners of Summit County, Colorado, and subsequently amended on the 27th day of June 2016 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 uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by River's Edge Development, LLC, which is the owner and developer of the property, and are 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.

The goal of the River's Edge PUD is to provide secluded residential sites in close proximity to the Blue River, which can be developed in a manner compatible with environmental constraints and which minimizes visual impact from Highway 9.

1. Permitted Uses.

Uses and development of the property shall be in general accordance with the Development Plan attached as Exhibit "B" hereto. The development plan is conceptual. A total of 25 units are permitted as follows: Lots 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, and 13 shall be duplex lots which will allow for one duplex or a total of 2 Units per lot. Lot 8 shall allow for a single family home or 1 Unit. No additional density will be permitted other than the densities listed herein. Duplex lots may be subdivided via the Summit County subdivision exemption process.

Building heights shall not exceed 35 feet with "height" as defined in the Summit County Land Use and Development Code. All buildings shall be located generally as conceptually shown in Exhibit "B". Final building envelopes for each lot shall be established on the final plat of the property. All building improvements must be contained within the established building envelope for the individual lot.

2. Platting.

A final plat of the property shall be submitted to and approved by the County prior to any development.

3. Parking.

No parking shall be allowed within any County right-of-way, private road, common driveway, hammerhead turnaround or cul de sac. Two off street parking spaces shall be provided for each dwelling unit.

4. Open Space Areas.

As shown on Exhibit B, Parcels A, B, and C shall be dedicated as public open space for public use. No buildings, roads, grading or substantial alteration of vegetation shall be allowed within the open space parcels. Grading and vegetation removal will be permitted for the construction of River Park Drive and trail construction.

5. Development Schedule.

The applicant intends to initiate development in 2016 and proceed in phases as indicated in Exhibit "B".

6. Covenants.

Concurrent with submittal of the first final plat for the property the owner/developer shall submit covenants for the entire property. The covenants shall provide for formation of a homeowners association with responsibility for architectural control and maintenance of all private roads, common driveways and private open space with the property. The owner/developer shall obtain county approval for those portions of the covenants concerning maintenance of private roads, common driveways and open space prior to approval of any final plat, and the covenants shall be recorded concurrent with recording the first and final plat of building sites on the property.

B. Utilities and Improvements.

Utilities and improvements shall be provided in the development of the property as set forth in this section. Detailed specification shall be set forth in the final plat submittal. Time schedules for construction of improvements shall be set forth in the subdivision improvements agreement which must accompany the final plat approval.

1. Water System.

Water shall be provided by the Town of Breckenridge. Design of the water system shall meet all standards and specifications for the Town of Breckenridge.

2. Sewer System.

Sewer service will be provided by the Upper Blue Sanitation District. Design of the sewer system shall meet all standards and specifications of the Breckenridge Sanitation District.

3. Access.

Access to the property is to be provided by a County road known as River Park Drive. River Park Drive extends from Highway 9 and passes through the adjacent River Park Subdivision before reaching River's Edge. The entire length of River Park Drive and bridge through River's Edge Subdivision must be completed or insured by a subdivision improvements agreement and financial guarantee in conjunction with approval of the final plat for River's Edge Subdivision so the road will be constructed to a standard acceptable to the County prior to occupancy of any units.

Access to Lots 10, 11, 12, and 13 will be provided by private common driveways as shown on Exhibit "B". The owner/developer shall be responsible for construction of all common driveways. All common driveways easements shall be shown on the final plat.

4. Fire Protection.

Fire protection is to be provided by the Red, White and Blue Fire District. The development shall meet all fire protection requirements of the Red, White and Blue Fire Protection District. Future development within the property shall comply substantially with the "Firewise Construction: Site Design & Building Materials" developed and published by the Colorado State Forest Service, as well as the "Fire Mitigation/Forest Management/Fuels Reduction Plan for River's Edge" by Ceres Landcare.

C. Standard Provisions

The following provisions shall be included in each PUD designation for the designation to be approved by the County, except when waived by the BOCC:

1. **Enforcement:** The provisions of the 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 the PUD designation and the development plan shall run in favor of the residents, occupants and owners of the PUD but only to the extent expressly provided in, and in accordance with the terms of, the PUD designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants or owners of the PUD shall run in favor of the County.
2. **Breach of Provisions:** If at any time any provision or requirement stated in the PUD 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 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. **Modifications or Amendments:** Modifications or amendments to the provisions of a PUD designation shall be reviewed and acted upon in accordance with the provisions listed in Section 12202 et seq. of the Summit County Land Use and Development Code unless specific amendment provisions are drafted as part of a PUD.
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:

River's Edge Development, LLC
P.O. Box 7
Breckenridge, CO 80424

All notices so given shall be considered delivered three (3) days after the mailing thereof, excluding weekends and official holidays. 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 (name of PUD) PUD, except as modified by subsequent action of the BOCC in accordance with procedures set forth in the Summit County Land Use and Development Code and the Colorado Planned Unit Development Act (C.R.S. § 24-67-106 et seq.) for amending PUDs, 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 BOCC 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. **Signature Block:**

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: /S/ Dan Ulmer
Chair

ATTEST:

/S/ Colleen Richmond
Clerk and Recorder

River's Edge Planned Unit Development

By: /S/ Jon Gunson

By: /S/ Judith Gunson

By: /S/ Robert French

4. 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 Applicant:

Jon Gunson and Robert French
c/o Jon Gunson
Box 1490
Breckenridge, CO 80424

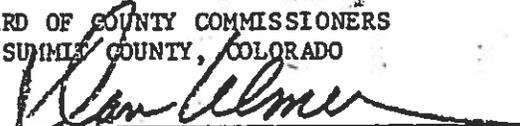
All notices so given shall be considered delivered three days after the mailing thereof. Either party, by notice so given, may change the address to which future notices shall be sent.

5. Entire Designation.

This designation contains all provisions and requirements incumbent upon the owner/developer and the County relative to the River's Edge Planned Unit Development, and nothing contained herein shall be construed as waiving any requirements of the County's Zoning and Subdivision Regulations, Common Review Procedures, or other regulations otherwise applicable to the development of the property.

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

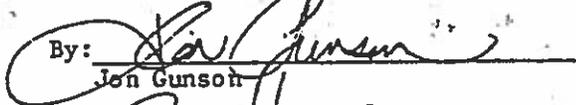
By: 

Dan Ulmer, Chairman

ATTEST:


Colleen Richmond, Clerk and Recorder

RIVER'S EDGE PLANNED UNIT DEVELOPMENT

By: 

Jon Gunson

By: 

Judith Gunson

By: 

Robert French

APPROVAL OF AMENDMENTS

The foregoing document is the River's Edge Planned Unit Development Designation as approved by the Summit County Board of County Commissioners on the 27th Day of January 1986 and under at Reception No. 312400 and as amended by the Summit County Board of County Commissioners as follows:

Resolution Number	Reception Number
2016-48	1115703

The planned unit development document dated the 27th day of January 1986 and recorded at Reception No. 312400 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 Planned Unit Development Designation and the amendments noted above are available from the Summit County Clerk and Recorder.

Adopted this 28th day of June 2016.

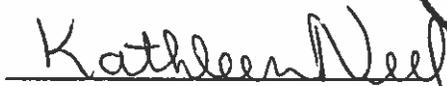
COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY
COMMISSIONERS



Thomas C. Davidson, Chair

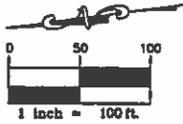


ATTEST:



Kathleen Neel, Clerk and Recorder

RIVERS EDGE



S32°01'09"E 186.65'
POINT OF BEGINNING

BEKKEDAL
SUBDIVISION

L=444.13'
R=743.60'
Δ=34°13'16"
CH=N56°11'39"W
437.56'

LEGAL DESCRIPTION - PARCEL A

A PORTION OF THE MAGGIE PLACER M.S. 1338, SECTION 6, TOWNSHIP 7 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SITUATE IN THE COUNTY OF SUMMIT, STATE OF COLORADO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE B-9 LINE OF THE MAGGIE PLACER AND THE WESTERLY RIGHT OF WAY OF COLORADO STATE HIGHWAY NO. 9;
THENCE S 79°24'24" W, 843.67 FEET ALONG SAID B-9 LINE OF SAID MAGGIE PLACER WHICH IS COMMON TO THE NORTHERLY LINE OF THE BEKKEDAL SUBDIVISION, A SUBDIVISION OF RECORD FILED UNDER RECEIPTION NUMBERS 942120 AND 112629 IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER;
THENCE N 22°51'32" W, 286.37 FEET;
THENCE N 76°30'55" W, 62.13 FEET;
THENCE N 66°32'18" W, 144.32 FEET;
THENCE N 77°55'42" W, 125.48 FEET;
THENCE N 01°17'32" W, 343.36 FEET TO THE WESTERLY RIGHT OF WAY SAID COLORADO HIGHWAY NO. 9;
THENCE S 49°01'39" E, 18.19 FEET ALONG SAID RIGHT OF WAY;
THENCE S 69°51'09" E, 181.50 FEET ALONG SAID RIGHT OF WAY;
THENCE S 85°15'39" E, 315.00 FEET ALONG SAID RIGHT OF WAY;
THENCE S 83°47'09" E, 21.70 FEET ALONG SAID RIGHT OF WAY;
THENCE S 80°44'16" E, 285.76 FEET ALONG SAID RIGHT OF WAY;
THENCE SOUTHEASTERLY 443.60 FEET ALONG THE ARC OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 743.60 FEET, A CENTRAL ANGLE OF 34°10'51" AND A CHORD BEARING S 56°11'39" E, 437.56 FEET ALONG SAID RIGHT OF WAY;
THENCE S 32°01'09" E, 186.65 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.
CONTAINS 11.493 ACRES MORE OR LESS

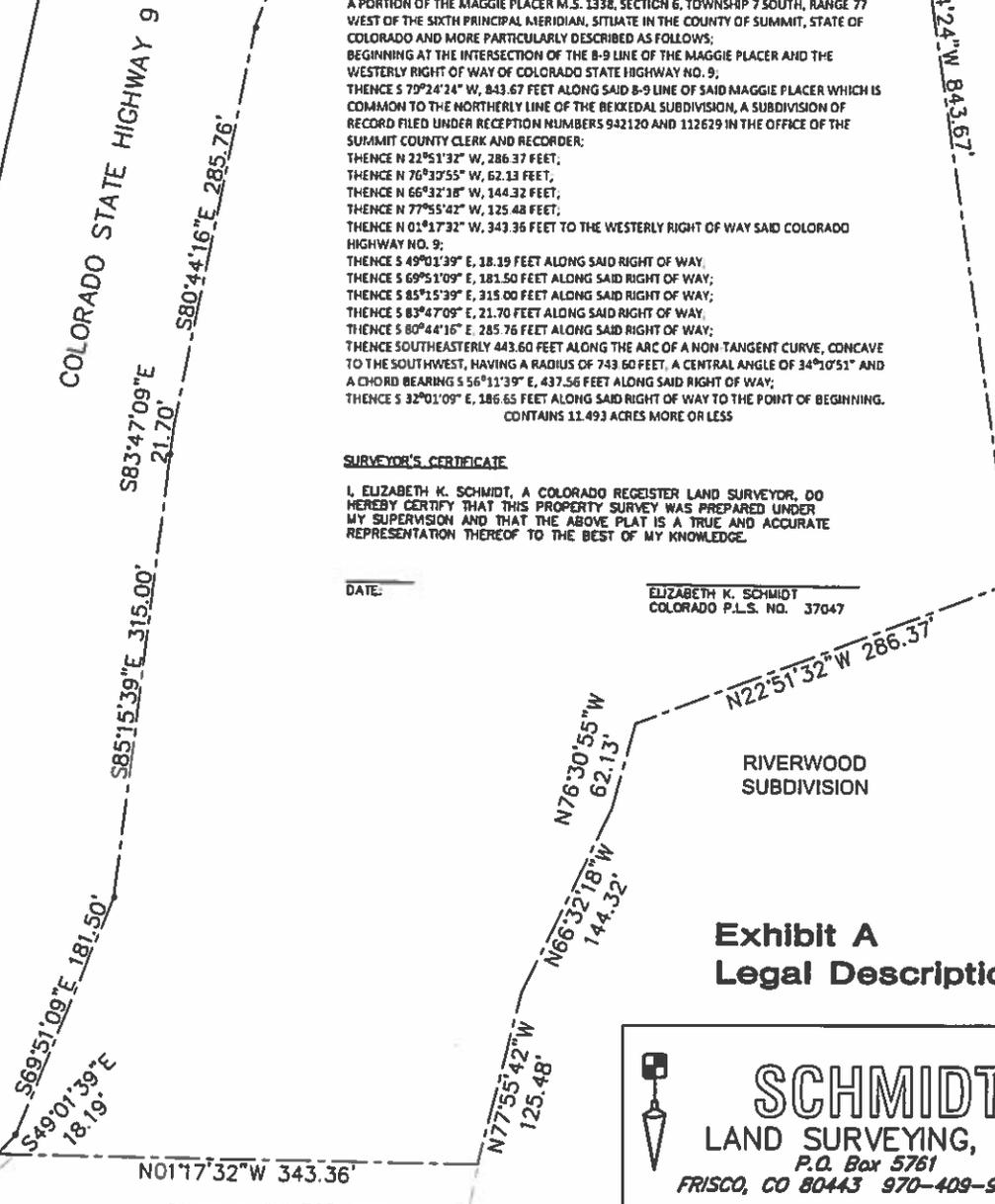
SURVEYOR'S CERTIFICATE

I, ELIZABETH K. SCHMIDT, A COLORADO REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROPERTY SURVEY WAS PREPARED UNDER MY SUPERVISION AND THAT THE ABOVE PLAT IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE.

DATE: _____

ELIZABETH K. SCHMIDT
COLORADO P.L.S. NO. 37647

COLORADO STATE HIGHWAY 9



S79°24'24"W 843.67'

N22°51'32"W 286.37'

RIVERWOOD
SUBDIVISION

N76°30'55"W
62.13'

N66°32'18"W
144.32'

N77°55'42"W
125.48'

N01°17'32"W 343.36'

RIVER PARK ESTATES

BY:GROGERS FILE:100535-DEVELOPMENT PLAN LEGAL DESCRIPTION EXHIBIT052416.DWG DATE:5/24/2016 12:19 PM

Exhibit A Legal Description

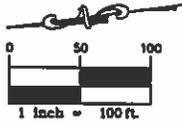


SCHMIDT
LAND SURVEYING, INC.

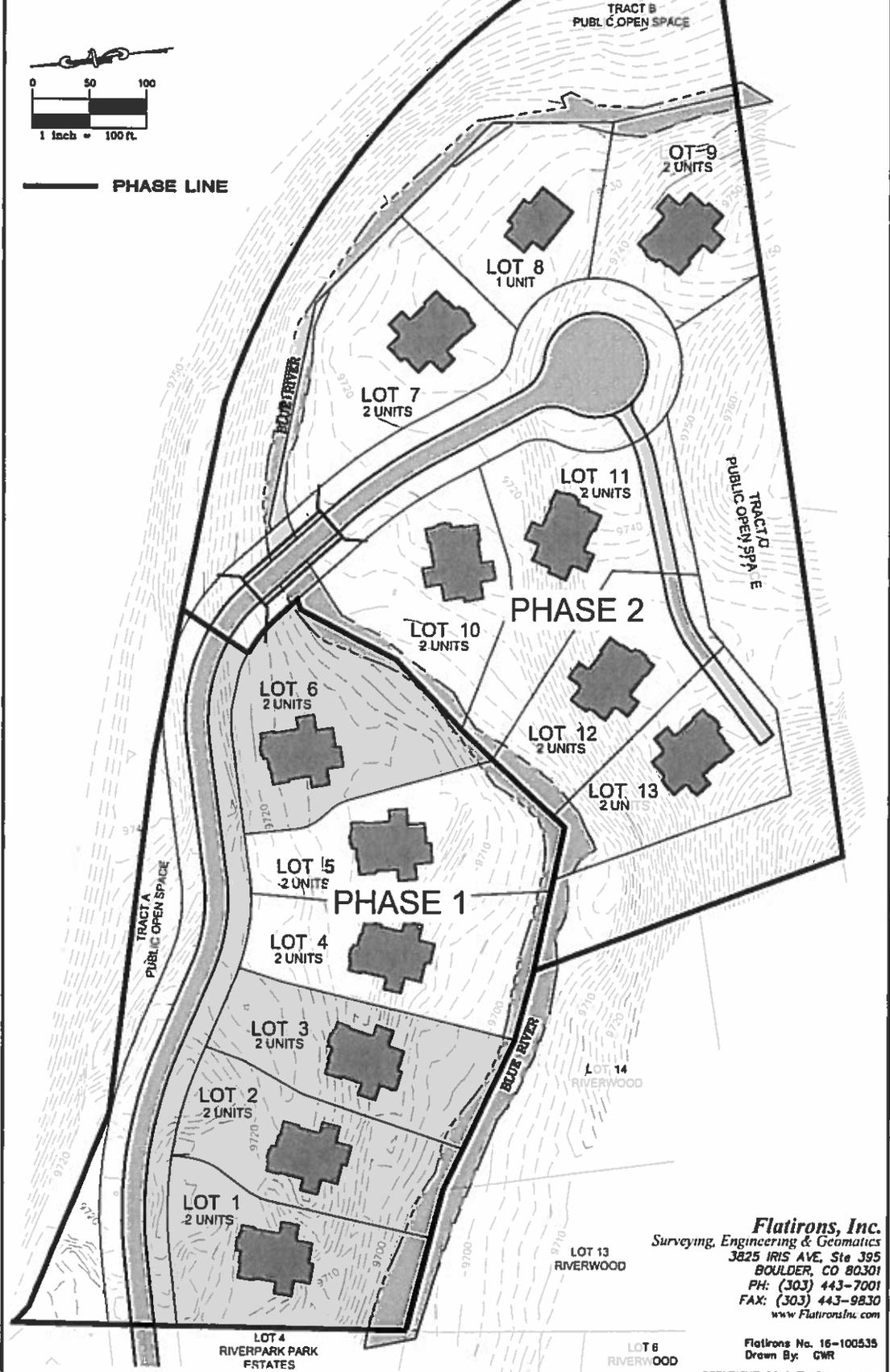
P.O. Box 5761
FRISCO, CO 80443 970-409-9963

RIVERS EDGE

DEVELOPMENT PLAN EXHIBIT B



— PHASE LINE



BY:GROGERS FILE:100535-DEVELOPMENT PLAN EXHIBIT062116.DWG DATE:6/22/2016 8:39 AM

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 IRIS AVE, Ste 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.FlatironsInc.com

Flatirons No. 16-100535
Drawn By: GWR