

PLAT IDENTIFICATION SHEET

RECEPTION #:

DC00076396

DATE: 10+26-00

11:18

TIME

FEE: \$ 40⁰⁰

(4 P)

GRANTOR:

(OWNER/SIGNER)

Diamond Ridge

GRANTEE:

(SUBDIVISION NAME OR NAME OF PLAT)

Maker Ranch

Phase 1

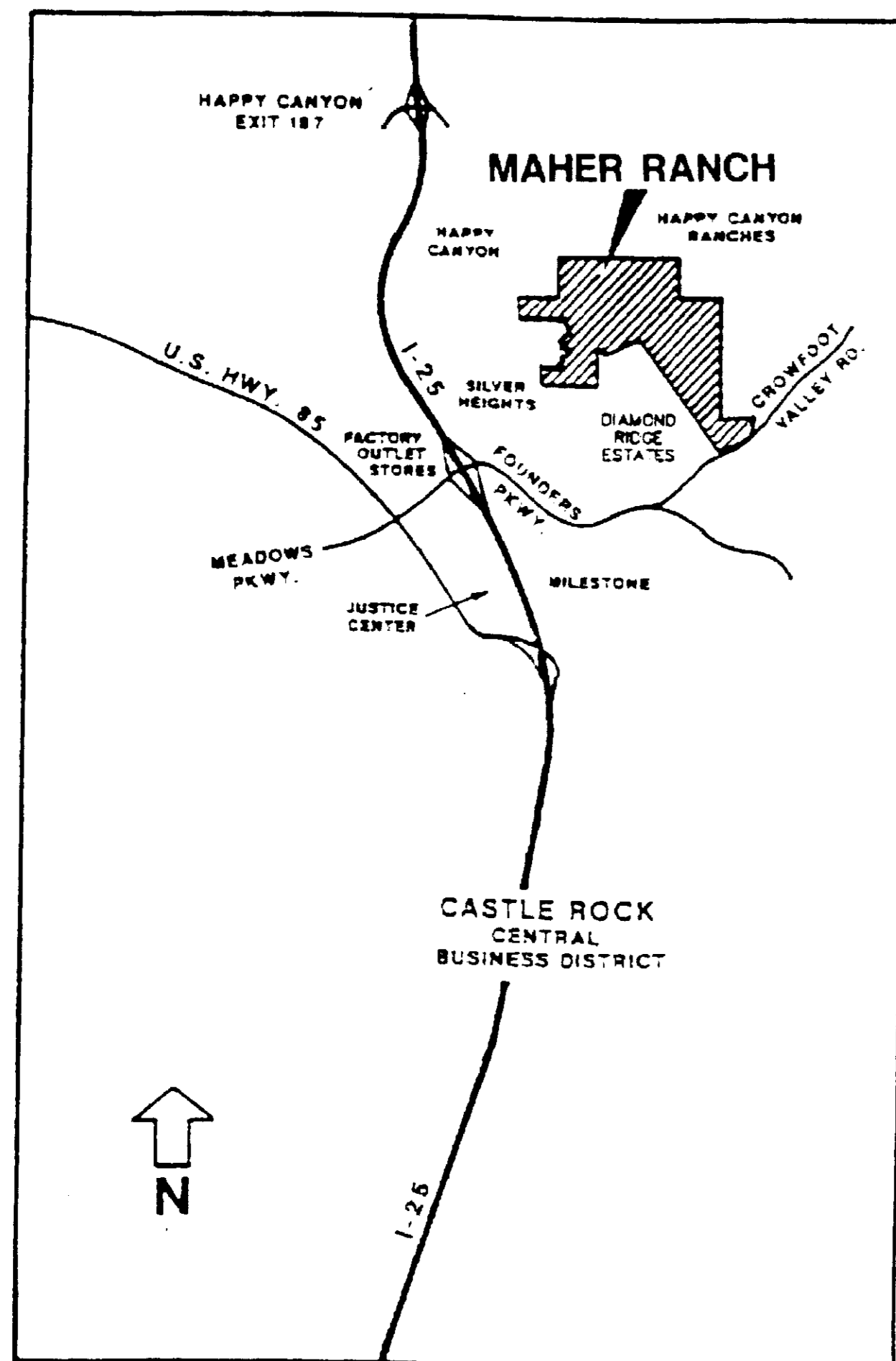
Preliminary PD Site Plan

LEGAL:

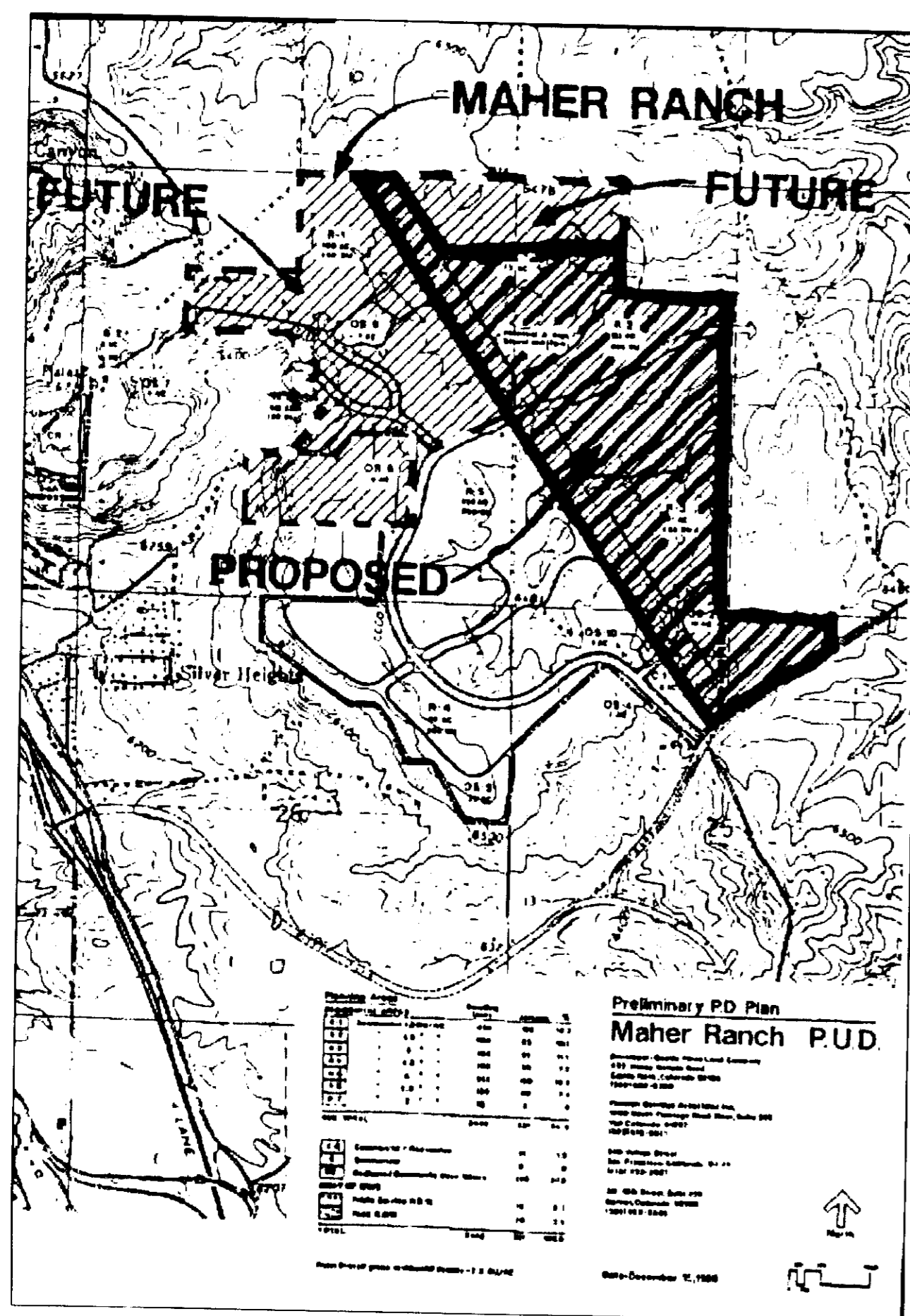
(SECTION-TOWNSHIP-RANGE)

N/A

NEW SUBDIVISION ABBREV: _____



VICINITY MAP
N.T.S.



Maher Ranch Phase 1

PRELIMINARY PD SITE PLAN A MINOR AMENDMENT #1 TO THE MAJOR AMENDMENT OF MAHER RANCH PHASE I PRELIMINARY PD CASTLE ROCK, COLORADO

SHEET No.	SHEET INDEX
1	COVER SHEET
2	PD SITE PLAN
3	PHASING & UTILITY PLAN
4	GRADING PLAN

Applicant

Diamond Ridge, LLC
5400 South Park Terrace Ave. #22-202
Englewood, CO 80111

Land Planning Consultant

David A. Clinger and Associates
21759 Cabrini Boulevard
Golden, CO 80401

Owner Representative

Lenn Haffeman
Diamond Ridge, LLC
5400 South Park Terrace Ave. #22-202
Englewood, CO 80111

Engineering/Surveying Consultant

Nolte and Associates, Inc.
7000 S. Yosemite Street, Suite 200
Englewood, CO 80112

This plan represents a site specific development plan pursuant to Chapter 15.24 of the Castle Rock Municipal Code and §24-68-101, et seq., C.R.S. and establishes vested property rights through December 31, 2007, to undertake and complete the development and use of the property in accordance with this plan.

Notes:

- The existing zoning for a portion of this property is PD, as per the Maher Ranch P.U.D. recorded on January 18, 1988, at Reception Number 8801194. The remaining parcels to be annexed from Douglas County are presently zoned agricultural.
- The contour interval on this plan is 10' and the topography was obtained through aerial photography. Two foot contour topography is available for future engineering design.
- The PLD designation on the plan represents the Public Land Dedication. The remainder of the open space will be private (OSP) and dedicated (OSD) open space.
- There are no FEMA flood plain boundaries within this site.
- For site plan criteria see "Maher Ranch Zoning Regulations" adopted with this plan.

LAND USE SUMMARY

LAND USE	PROPOSED MAHER RANCH PHASE 1 PD			A PORTION OF EXISTING MAHER RANCH PD			
	ACRES	OPEN SPACE	MAX. DU'S	MIN. LOT AREA (SF)	ACRES	DU'S	DENSITY
Single Family Residential							
RSF-D	71.95		221	8,500			
RSF-E	51.80		195	7,500			
RSF-LXB (Luxury)	2.5		10	4 DU/AC			
TOTAL RSF	126.25		411*				
RTH (Townhomes)**	8.39		100				
R-2					37.0	204.0	5.5
R-3					91.0	455.0	5.0
Open Space					105.4		
PLD (Total)	30.01						
PLD (Required Ph-1)		23.66					
PLD (Credit to Ph-2)		6.35					
OSP (Total)	89.53						
OSP (Dedicated Ph-1)		79.53					
OSP (Credit to Ph-2)		10.0					
OSD							
Subtotal		119.54					
UD	14.7						
Major Roadway	17.93						
Totals	286.8	119.54	511*	1.78 DU/AC	243.4	659.0	2.7

* NOT TO EXCEED
** INCLUDES UD ACRES

Existing Zoning and Adjacent Land Uses

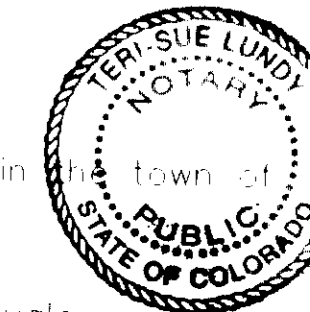
Most of this property was zoned as the Maher Ranch P.U.D. on January 18, 1988, and the plan recorded at Reception Number 8801194. That Preliminary P.U.D. Plan also included what is now Castle Rock Estates PD, which has been partially developed. There are also two parcels totaling 43.09 acres, annexed July 8, 1999, that were zoned agriculture in Douglas County.

Ownership Certification

The undersigned are all of the owners of certain lands known herein as Maher Ranch PD in the Town of Castle Rock.

Lenn Haffeman, Manager
Diamond Ridge, LLC
Landowner (Notarized Signature)
Signed this 17th day of August, 2000

The foregoing instrument was acknowledged before me this 17th day of August, 2000 by Lenn M. Haffeman as manager for Diamond Ridge, LLC.
witness my hand and seal
Exp 12-17-02
Jeanie Suberdy
Notary Public



Lienholder Subordination Certificate

The undersigned are all the mortgagees and the lienholders of certain lands known herein as the Maher Ranch Filing No. 1 subdivision pd in Castle Rock.

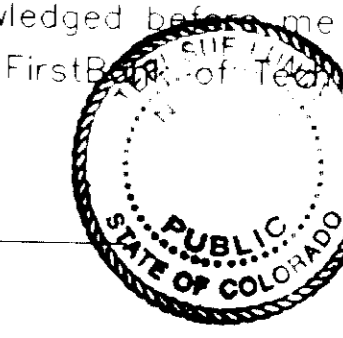
The undersigned beneficiary of the lien created by instrument recorded on September 14, 1999, in 1755 book at page 721 Douglas County, Colorado, subordinate the subject lien to the terms, conditions and restrictions of this document:

[Signature]
FirstBank of Tech Center (Notarized Signature)
signed this 17th day of August, 2000

The foregoing lienholder subordination certificate was acknowledged before me this 17th day of August, 2000, by Charles W. Kerneval as member of FirstBank of Tech Center.

witness my hand and seal
My commission expires: 12-17-02

Jeanie Suberdy
Notary Public



Title Certification

I, *Eric Stearns*, an authorized representative of

Land Title Guarantee, a Title Insurance Company licensed to do business in the State of Colorado, have made an examination of the Public Records and state that all owners, mortgagees, and lienholders of the property are listed in the Certificate of Ownership and Lienholder Subordination Certificate.

Signed this 22nd day of August, 2000

State of Colorado
County of Douglas

[Signature]
Authorized Representative (Notarized Signature)

Title Insurance Company

Surveyor's Certificate

I, *Joseph E. Chumbeck*, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey and legal description represented by the Maher Ranch Preliminary PD Site Plan was made under my supervision and the monuments shown thereon actually exist and this Site Plan accurately represents that survey.

Registered Land Surveyor



Town Certification

Planning Commission Recommendation

STATEMENT OF PLANNING AND DEVELOPMENT DIRECTOR'S APPROVAL

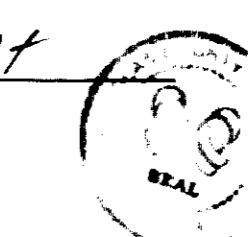
This site plan was approved by the Planning and Development Director of the Town of Castle Rock, Colorado, on the 27th day of June, 2000.

[Signature]
Director of Planning and Development

This Plat was filed for record in the office of the County Clerk and Recorder of Douglas County at 11:42 A.M. on the 26 day of October, 2000 (year), in Book N/A, Page N/A, Reception No. 00076396

Douglas County Clerk and Recorder

By *Sherif Muehlfelt*
Deputy



Maher Ranch

Phase 1

PRELIMINARY PD SITE PLAN A MINOR AMENDMENT #1 TO THE MAJOR AMENDMENT OF MAHER RANCH PHASE I PRELIMINARY PD CASTLE ROCK, COLORADO

CONSTRUCTION REQUIREMENTS FOR RED PHASE

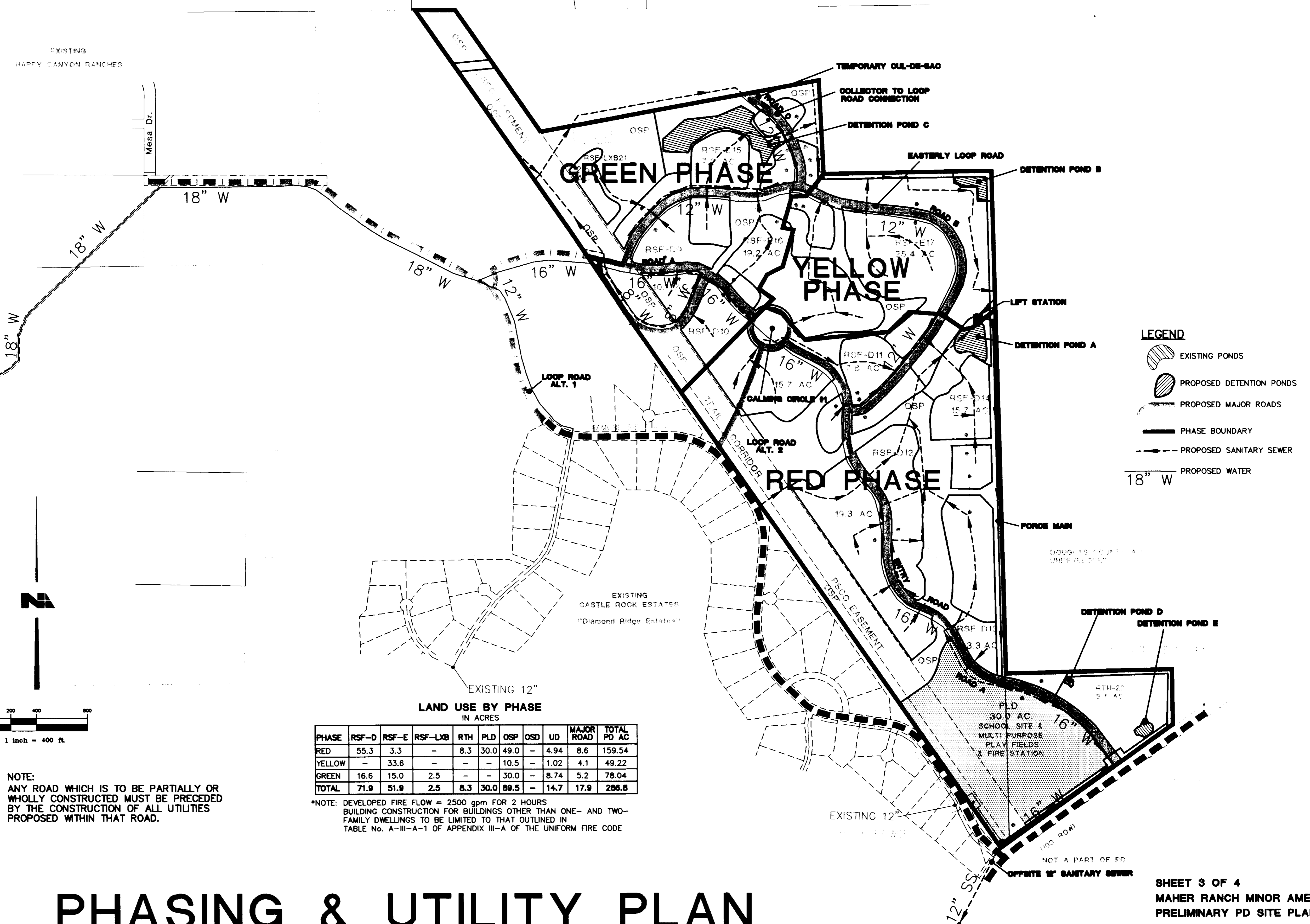
1. ROAD CONSTRUCTION
 - ALTERNATE A
 - A. CONSTRUCT ROAD A (MAIN ENTRANCE ROAD) FROM CROWFOOT VALLEY ROAD TO INTERSECTION OF DIAMOND RIDGE PKWY. & LOOP ROAD ALT. 1.
 - B. CONSTRUCT DIAMOND RIDGE PARKWAY FROM THE NORTHERLY BOUNDARY OF DIAMOND RIDGE ESTATES TO INTERSECTION OF DIAMOND RIDGE PKWY. AND LOOP ROAD ALT. 1.
 - C. CONSTRUCT ROAD B TO THE YELLOW PHASE BOUNDARY WITH TEMPORARY TURNAROUND.
 - ALTERNATE B
 - A. CONSTRUCT ROAD A (MAIN ENTRANCE ROAD) FROM CROWFOOT VALLEY ROAD TO AND INCLUDING CALMING CIRCLE NO.1.
 - B. CONSTRUCT LOOP ROAD ALT. 2 FROM DIAMOND RIDGE PARKWAY TO ROAD A (AT CALMING CIRCLE #1).
 - C. CONSTRUCT ROAD B TO THE YELLOW PHASE BOUNDARY WITH TEMPORARY TURNAROUND.
2. WATER SERVICE
 - A. INSTALL PURPLE ZONE TO RED ZONE PUMPS IN EXISTING PUMP STATION NEAR DIAMOND RIDGE ESTATES ENTRANCE.
 - B. CONSTRUCT 16" WATER MAIN FROM EXISTING PUMP STATION TO CROWFOOT VALLEY ROAD, EAST ALONG CROWFOOT VALLEY ROAD TO ROAD A, THEN NORTHERLY ALONG ROAD A TO CALMING CIRCLE, NO. 2.
 - C. CONSTRUCT 18" WATER MAIN FROM CALMING CIRCLE, NO. 2 TO THE NORTHWEST CORNER OF PROJECT, THEN IN A SOUTHWESTERLY DIRECTION TO THE RED ZONE TANK SITE.
 - D. CONSTRUCT RED ZONE TANK.
 - E. UPGRADE EXISTING YELLOW ZONE TO PURPLE ZONE PUMPS AT THE PUMP STATION NEAR KING SOOPERS SHOPPING CENTER.
 - F. CONSTRUCT 12" WATER IN DIAMOND RIDGE PARKWAY TO NORTHERLY BOUNDARY OF DIAMOND RIDGE ESTATES FROM CALMING CIRCLE, NO. 2.
 - G. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO ENSURE THAT ALL WATER MAINS ARE DESIGNED AND CONSTRUCTED TO CREATE A LOOP SYSTEM, THUS ALLOWING FOR BI-DIRECTIONAL SUPPLY OF WATER. IN THE EVENT A LOOP IS NOT CONSTRUCTED A MAXIMUM OF 12 SFE WILL BE ALLOWED TO BE SERVICED FROM THAT DEAD END LINE.
3. SANITARY SEWER
 - A. CONSTRUCT OFF-SITE 12" SEWER MAIN FROM TOP OF HILL ON CROWFOOT VALLEY ROAD TO THE CONNECTION WITH 12" SEWER MAIN IN METZLER RANCH PARCEL 15.
 - B. CONSTRUCT LIFT STATION ON EASTERLY BOUNDARY OF PROJECT ADJACENT TO DETENTION POND A WITH APPROXIMATELY 4800 LF. OF FORCE MAIN SOUTH TO OFF-SITE SEWER MAIN.
 - C. CONSTRUCT GRAVITY MAIN TO LIFT STATION.
4. STORM SEWER
 - A. CONSTRUCT DETENTION POND A.
 - B. CONSTRUCT DETENTION POND D IN CONJUNCTION WITH FIRE STATION. CONSTRUCT DETENTION POND E WHEN CONSTRUCTION IS PROPOSED IN MULTI-FAMILY AREAS. PONDS D & E MUST BE CONSTRUCTED PRIOR TO ANY OVER-LOT GRADING WITHIN THEIR TRIBUTARY BASINS, INCLUDING THE PARK/SCHOOL SITE SUCH THAT THE PONDS WILL BE UTILIZED AS TEMPORARY SEDIMENTATION EROSION CONTROL PONDS UNTIL FINAL BUILDOUT.
5. DRY UTILITIES
 - A. CONSTRUCT UTILITIES TO INDIVIDUAL ENTITIES REQUIREMENTS. CONNECT TO EXISTING FACILITIES ALONG CROWFOOT VALLEY ROAD.
6. PLAT DEDICATIONS
 - A. PLD OF 30.01 ACRES IS TO BE DEDICATED ON FIRST FILING IN THE RED PHASE IF NOT ALREADY DEDICATED IN PREVIOUS PHASES.
 - B. UTILITY AND DRAINAGE EASEMENTS AS REQUIRED TO MEET TOWN OF CASTLE ROCK STANDARDS.
 - C. PRIVATE OPEN SPACE AREA (OSP) OF 49.0 ACRES.

CONSTRUCTION REQUIREMENTS FOR YELLOW PHASE

1. ROAD CONSTRUCTION
 - A. AND B. SAME AS RED PHASE
 - C. CONSTRUCT ROAD B THROUGH THE PHASE, CONNECTING BOTH ENDS TO ROAD A.
2. WATER SERVICE
 - A. THROUGH G. SAME AS RED PHASE
 - H. CONSTRUCT 12" WATER MAIN IN ROAD B FOR ITS ENTIRE LENGTH.
3. SANITARY SEWER
 - SAME AS RED PHASE
4. STORM SEWER
 - A. CONSTRUCT DETENTION POND A.
 - B. CONSTRUCT DETENTION POND B.
5. DRY UTILITIES
 - SAME AS RED PHASE
6. PLAT DEDICATIONS
 - A. PLD OF 30.01 ACRES IS TO BE DEDICATED ON FIRST FILING IN THE YELLOW PHASE IF NOT ALREADY DEDICATED IN PREVIOUS PHASES.
 - B. UTILITY AND DRAINAGE EASEMENTS AS REQUIRED TO MEET TOWN OF CASTLE ROCK STANDARDS.
 - C. OPEN SPACE AREA OF 10.5 ACRES.

CONSTRUCTION REQUIREMENTS FOR GREEN PHASE

1. ROAD CONSTRUCTION
 - A. AND B. SAME AS RED PHASE
 - C. CONSTRUCT ROAD B THROUGH THE PHASE, CONNECTING BOTH ENDS TO ROAD A.
 - D. CONSTRUCT ROAD C. TO BOUNDARY WITH TEMPORARY CUL-DE-SAC.
2. WATER SERVICE
 - A. THROUGH G. SAME AS RED PHASE
 - H. CONSTRUCT 12" WATER MAIN IN ROAD B TO ITS ENTIRE LENGTH.
3. SANITARY SEWER
 - A. CONSTRUCT WATER LINE IN ROAD C TO THE BOUNDARY OF PHASE. IN THE EVENT A LOOP IS NOT CONSTRUCTED A MAXIMUM OF 12 SFE WILL BE ALLOWED TO BE SERVICED FROM THAT DEAD END LINE.
4. STORM SEWER
 - A. CONSTRUCT DETENTION POND C.
5. DRY UTILITIES
 - SAME AS RED PHASE
6. PLAT DEDICATIONS
 - A. PLD OF 30.01 ACRES IS TO BE DEDICATED ON FIRST FILING IN THE GREEN PHASE IF NOT ALREADY DEDICATED IN PREVIOUS PHASES.
 - B. UTILITY AND DRAINAGE EASEMENTS AS REQUIRED TO MEET TOWN OF CASTLE ROCK STANDARDS.
 - C. PRIVATE OPEN SPACE AREA (OSP) OF 30.0 ACRES.



LAND USE BY PHASE
IN ACRES

PHASE	RSF-D	RSF-E	RSF-LXB	RTH	PLD	OSP	OSD	UD	MAJOR ROAD	TOTAL PD AC
RED	55.3	3.3	-	8.3	30.0	49.0	-	4.94	8.6	159.54
YELLOW	-	33.6	-	-	-	10.5	-	1.02	4.1	49.22
GREEN	16.6	15.0	2.5	-	-	30.0	-	8.74	5.2	78.04
TOTAL	71.9	51.9	2.5	8.3	30.0	89.5	-	14.7	17.9	286.8

*NOTE: DEVELOPED FIRE FLOW = 2500 gpm FOR 2 HOURS
BUILDING CONSTRUCTION FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS TO BE LIMITED TO THAT OUTLINED IN TABLE No. A-III-A-1 OF APPENDIX III-A OF THE UNIFORM FIRE CODE

NOTE:
ANY ROAD WHICH IS TO BE PARTIALLY OR WHOLLY CONSTRUCTED MUST BE PRECEDED BY THE CONSTRUCTION OF ALL UTILITIES PROPOSED WITHIN THAT ROAD.

PHASING & UTILITY PLAN

LEGEND

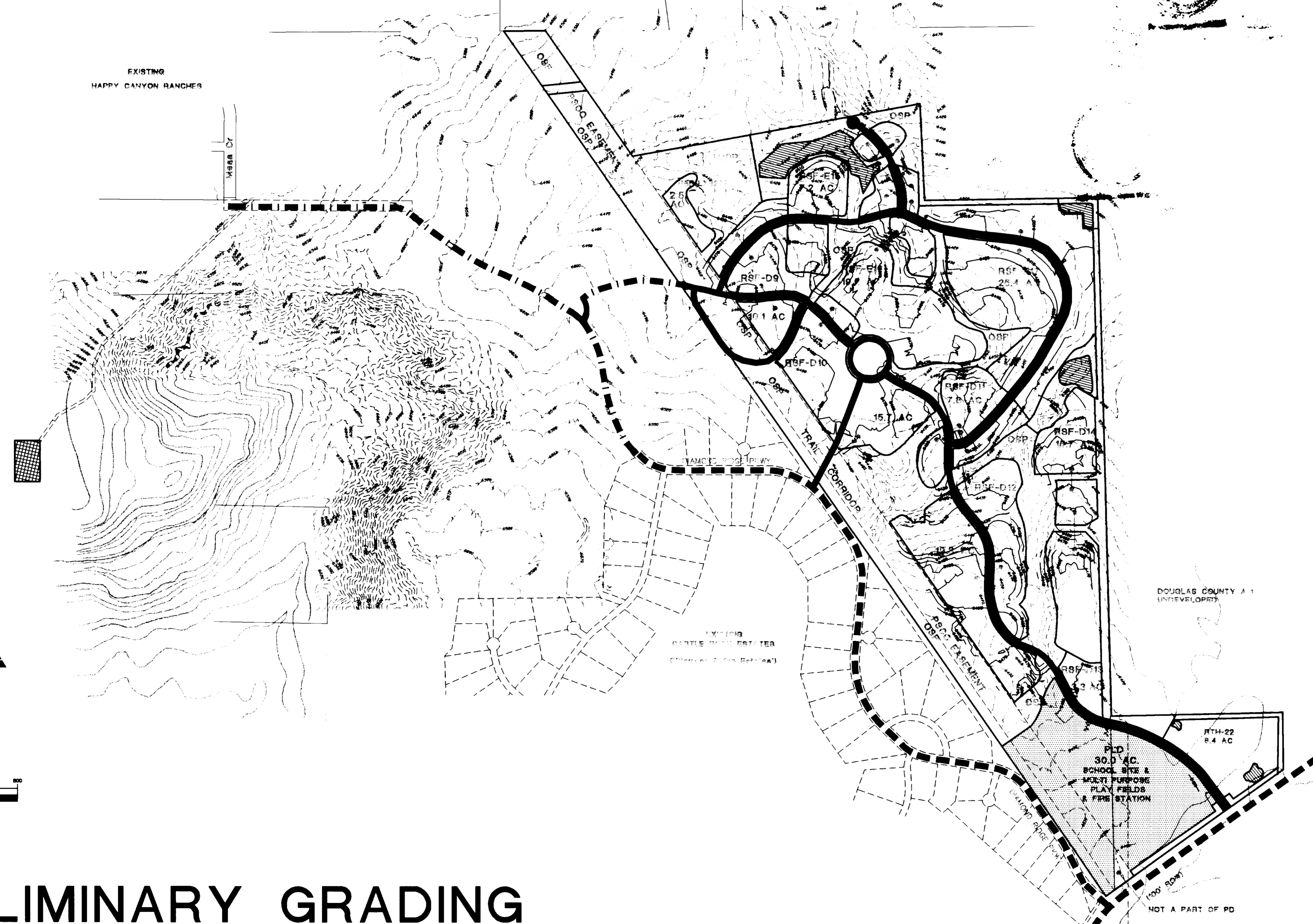
- EXISTING PONDS
- PROPOSED DETENTION PONDS
- PROPOSED MAJOR ROADS
- PHASE BOUNDARY
- PROPOSED SANITARY SEWER
- PROPOSED WATER

TITLE: MAHER RANCH
 DATE: 08/20/08
 SCALE: 1"=400'
 PLOTTER: HPGL
 SHEET: 1 OF 7

Maher Ranch

Phase 1

PRELIMINARY PD SITE PLAN A MINOR AMENDMENT #1 TO THE MAJOR AMENDMENT OF MAHER RANCH PHASE I PRELIMINARY PD CASTLE ROCK, COLORADO

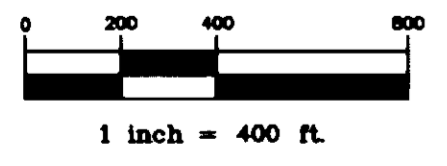


- LEGEND**
- EXISTING PONDS
 - PROPOSED DETENTION PONDS
 - PROPOSED MAJOR ROADS
 - PROPOSED CONTOURS
 - EXISTING CONTOURS

SHEET 4 OF 4
MAHER RANCH MINOR AMENDMENT
PRELIMINARY PD SITE PLAN

PRELIMINARY GRADING

TITLE: MAHER RANCH GRADING PLAN
 DATE: 08/09/00 TIME: 10:03 T.H.: JZB
 SCALE: 1"=400' DRAWN BY: JZB CHECKED BY: JZB
 PROJECT: MAHER RANCH PHASE I PRELIMINARY PD
 SHEET 4 OF 4 SHEETS JOB NO. 0007



ORDINANCE NO. 99-25

DC00052255

**AN ORDINANCE AMENDING AND EXTENDING THE TOWN'S
ZONE DISTRICT MAP BY AMENDING A PORTION OF THE
MAHER RANCH PD SITE PLAN AND APPROVING PD ZONING
FOR THE UTILITY AND ACCESS ANNEXATION PARCELS AS
THE MAHER RANCH PHASE 1 PRELIMINARY PD SITE PLAN; APPROVING THE
MAHER RANCH PHASE 1 ZONING REGULATIONS;
APPROVING THE MAHER RANCH PHASE 1 ANNEXATION AND
DEVELOPMENT AGREEMENT; AND CREATING VESTED
PROPERTY RIGHTS**

16P
80

WHEREAS, Diamond Ridge, LLC ("Owner") has requested approval of an amendment to the Maher Ranch PD Site Plan and zoning regulations for the parcel described in *Exhibit 1*; and

WHEREAS, the Town has currently approved the annexation of two parcels designated the Access Parcel and Utility Parcel, which parcels are more particularly described in the Annexation Ordinance Nos. 98-189 and 98-191 (the "Annexation Parcels"); and

WHEREAS, Owner has requested approval of the Maher Phase 1 Preliminary PD Site Plan and zoning regulations which zoning regulations are attached as *Exhibit 2* which affect the *Exhibit 1* property and the Annexation Parcels; and

WHEREAS, Owner has requested approval of the Maher Ranch Phase 1 Annexation and Development Agreement dated July 8, 1999; and

WHEREAS, public hearings on the Maher Ranch Phase 1 Preliminary PD Site Plan and zoning regulations have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code; and

WHEREAS, the Town Council has determined it is appropriate to vest property rights in the Maher Ranch Phase 1 Preliminary PD Site Plan in accordance with Chapter 15.24 of the Castle Rock Municipal Code.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Amendment. Chapter 17 of the Castle Rock Municipal Code is hereby amended by the approval of the Preliminary PD Site Plan captioned Maher Ranch Phase 1 Preliminary PD Site Plan, affecting the property described in the attached *Exhibit 3*.

Section 2. Zoning Regulation Approval. The zoning regulations as described in *Exhibit 2* and the Maher Ranch Phase 1 Preliminary PD Site Plan are approved.

Section 3. Annexation and Development Agreement Approval. The Maher Ranch Phase 1 Annexation and Development Agreement dated July 8, 1999 is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town of Castle Rock, Colorado.

Section 4. Vesting. Pursuant to 15.24 of the Castle Rock Municipal Code, the Maher Ranch Phase 1 Preliminary PD Site Plan is vested until December 31, 2007.

Section 5. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

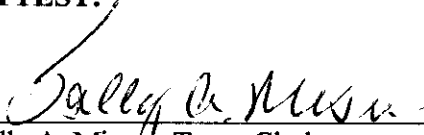
Section 6. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

SUBMITTED this 10th day of June, 1999, and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 4 for and 1 against.

PASSED, APPROVED AND ADOPTED this 8th day of July, 1999, by the Town Council of the Town of Castle Rock by a vote of 5 for and 1 against.

ATTEST:

TOWN OF CASTLE ROCK

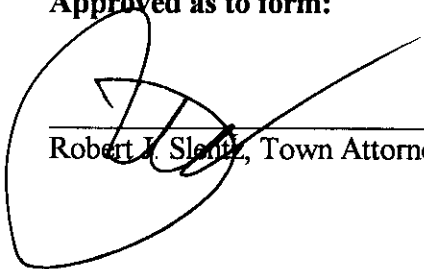


Sally A. Misate, Town Clerk



Al Parker, Mayor

Approved as to form:



Robert J. Slone, Town Attorney

EXHIBIT 1

DESCRIPTION - PARCEL C

A PARCEL OF LAND LOCATED IN PART OF SECTIONS 23, 24, AND 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 89°15'42" EAST 1320.20 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE SOUTH 1°20'54" EAST 1316.72 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE NORTH 89°04'44" EAST 1320.82 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE SOUTH 1°22'35" EAST 3964.97 FEET TO THE SOUTH ONE QUARTER CORNER OF SAID SECTION 24 (ALSO BEING THE NORTH ONE QUARTER CORNER OF SAID SECTION 25); THENCE SOUTH 1°18'34" EAST ALONG THE NORTH/SOUTH CENTERLINE OF SAID SECTION 25 A DISTANCE OF 1312.16 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF DOUGLAS COUNTY ROAD NO. 43 (CROWFOOT VALLEY ROAD); THENCE SOUTH 50°38'43" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 86.67 FEET TO A POINT ON THE WESTERLY LINE OF A 75-FOOT WIDE PUBLIC SERVICE COMPANY EASEMENT AS DESCRIBED IN BOOK 122, PAGE 111 OF THE DOUGLAS COUNTY RECORDS; THENCE NORTH 34°46'05" WEST ALONG THE WESTERLY LINE OF SAID 75-FOOT WIDE PUBLIC SERVICE COMPANY EASEMENT 4674.02 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 24; THENCE NORTH 1°17'00" WEST ALONG SAID WEST LINE 128.83 FEET TO THE WEST ONE QUARTER CORNER OF SAID SECTION 24; THENCE NORTH 1°20'16" WEST ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24 A DISTANCE OF 342.92 FEET; THENCE NORTH 34°46'05" WEST ALONG THE EASTERLY LINE OF A 260-FOOT WIDE PUBLIC SERVICE RIGHT-OF-WAY AS DESCRIBED IN BOOK 156, PAGE 409 OF THE DOUGLAS COUNTY RECORDS 2786.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23; THENCE NORTH 89°40'00" EAST ALONG THE NORTH LINE OF SAID NORTHEAST ONE QUARTER 1535.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 289.1 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24 SOUTH 01°20'54" EAST 578.18 FEET; THENCE LEAVING SAID EAST LINE SOUTH 79°59'51" WEST 2248.58 FEET TO THE EASTERLY LINE OF A 260-FOOT WIDE PUBLIC SERVICE RIGHT-OF-WAY AS DESCRIBED IN BOOK 156, PAGE 409, DOUGLAS COUNTY RECORDS; THENCE ALONG SAID EASTERLY LINE NORTH 34°24'40" WEST 1147.51 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE ALONG SAID NORTH LINE NORTH 89°40'00" EAST 1535.11 FEET TO THE NORTHEAST CORNER OF SAID SECTION 23; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24 NORTH 89°15'42" EAST 1320.20 FEET TO THE POINT OF BEGINNING

CONTAINING 45.7 ACRES, MORE OR LESS.

RESULTING IN A NET ACREAGE OF 243.4 ACRES, MORE OR LESS.

ZONING REGULATIONS

***Maher Ranch - Phase I
Planned Development***

Approved 7/8/99

TABLE OF CONTENTS

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Section IX	Severability of Provisions

**SECTION I
GENERAL PROVISIONS**

1.1 Adoption/Authorization

The Town Council has adopted the Phase I Maher Ranch Preliminary PD Site Plan and Zoning Regulations pursuant to Section 17.60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing.

1.2 Applicability

The Maher Ranch Preliminary PD Site Plan and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs, or assigns of the land as approved by the Castle Rock Town Council.

1.3 Maximum Level of Development

The total number of dwelling units approved for development within the established Use Areas is the *maximum* allowed for platting and development. The actual number of dwellings approved will be determined at the Final Plat and Final PD Site Plan stage of review based upon environmental constraints, utility and street capacity, compatibility with surrounding land uses, and other relevant factors.

1.4 Relationship to Town Regulations

The provisions of this Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the Phase I Maher Ranch PD, provided, however, that where the provisions of this Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or other applicable provisions of the Town Municipal code shall be applicable.

1.5 Phasing

The Phasing order indicated upon the Preliminary PD Site Plan is advisory in nature and is not to be construed as obligatory upon Developer.

1.6 Development Agreement

In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town of Castle Rock and the PD property owners. This agreement, entitled Maher Ranch Phase I, was adopted by the Town on the 8th day of July, 1999, by Ordinance No. 99-25.

Annexation and Development Agreement

**SECTION II
DEFINITIONS**

- 2.1 Definitions**
No special definitions are adopted herein.

**SECTION III
CONTROL PROVISIONS**

- 3.1 Use Area Boundaries**
There shall be some limited flexibility in determining the exact location of Use Area Boundaries due to the scale of the drawing and the diagrammatic depiction of Use Areas (rounded corners, separation from other areas, etc.). However, material changes or adjustments to boundaries may only be made through the PD Amendment procedure as provided in the Town Code.
- 3.2 Road Alignments**
The Preliminary PD Site Plan is intended to depict general locations of roadways. Recognizing that final road alignments are subject to engineering studies, minor road realignments of arterial and collector streets are expected, and can be accomplished by the developer through the platting process, without any amendment to these regulations or to the Plan itself. Major road alignments, as determined by the Town Community Development Director, shall follow the PD Amendment procedure as provided in the Town Code.
- 3.3 Density Standards**
The dwelling unit density permitted in any individual use Area is the average density for that individual use Area and shall not be specifically applicable to any portion thereof. However, whereas portions of a plat may vary, no individual final plat may exceed the allowable dwelling unit density. Residential Use Areas are established on the Preliminary PD Site Plan with a minimum lot size and a maximum number of units for that Use Area.
- 3.4 Underground Utility Requirements**
All electrical and communication distribution lines shall be placed underground. All electrical transmission lines may either be placed above ground or underground at the discretion of the property owner and the utility company. Public Service Company presently has overhead power transmission lines through this property. It is not the intent of the property owner or Public Service Company to place these lines underground.

**SECTION IV
USE AREAS**

- 4.1 Single-Family Detached Residential Use Areas (RSF-D, RSF-E)**
- A. Permitted Uses**
1. Single-family detached dwelling units.
 2. Public parks, playgrounds, open space, and recreation areas including structures and facilities associated with the primary use, including, but not limited to, the following: sports field and courts; trails, walkways and paths; picnic areas, tables, either covered or uncovered; swimming pools; and
-

tennis courts.

3. Local and collector roadways.
4. Private recreational and park uses, and facilities, including, but not limited to: tennis courts, swimming pools, and jogging, riding and bike trails.
5. Temporary residential sales offices; construction offices; trailers and storage areas; and model home complexes.
6. Community information center and kiosks.
7. Utilities and appurtenant facilities.
8. Signage, as provided by the Town of Castle Rock Code

B. Accessory Uses (permitted only in conjunction with a use by right)

1. Detached private garages.
2. Home occupations.
3. Open space and lakes to include storm water drainage detention areas.

C. Uses Permitted by Special Review

1. Churches and other religious institutions.
2. Day Care Centers including in-home day care.
3. Public and quasi-public facilities.
4. Any other uses that would be similar in nature and impact, and compatible with the uses permitted above, as determined by the Director of Community Development.

4.2 Single Family Cluster Residential (RSF-LXB)

A. Intent

The Single Family Cluster Residential area is intended to be developed based on creative site planning solutions developed for attached and detached product types that add diversity to the Maher Ranch Community. Single Family Cluster Residential may include a variety of unit types with building characteristics ranging from single family detached including patio and zero lot line products, single family attached including two, three, and four-plex configurations and townhomes.

The intent for Cluster Single Family is to create a unique development that is something other than small lot single family detached. Cluster residential can be served by private drives, have common walls or attached dwellings, provide increased open space, have maintenance provided by the HOA, and reduce pavement and utility lengths. Patio homes have an outdoor space focused around

a patio or deck rather than large expanses of yards. Zero lot line products will have one side of the home with set back of 0-feet.

Setbacks for this use area will be established at the time of Final PD Site Plan(s).

B. Permitted Uses

1. Attached single family dwelling units, including but not limited to such development types as townhomes, two, three, and four-plex units.
2. Single family detached cluster products including patio homes, empty nester homes, and zero lot line homes.
3. Public parks playgrounds, open space, and recreation areas including structures and facilities associated with the primary uses, including, but not limited to, the following; sports field and courts, trails, walkways and paths; picnic areas, tables, either covered or uncovered; swimming pools; and tennis courts.
4. Local and collector roadways.
5. Private recreational and park uses, and facilities, including, but not limited to; tennis courts, swimming pools, and jogging, riding and bike trails.
6. Temporary residential sales offices; construction offices; trailers and storage areas; and model home complexes
7. Community information center and kiosks.
8. Utilities and appurtenant facilities.

C. Accessory Uses(permitted only in conjunction with a use by right)

1. Attached or detached private garages.
2. Home occupations
3. Open space and lakes to include storm water drainage detention areas.

D. Uses Permitted by Special Review

1. Churches and other religious institutions.
 2. Day Care Centers including in-home day care.
 3. Public and quasi-public facilities
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4. Any other uses that would be similar in nature and impact, and compatible with the uses permitted above, as determined by the Director of Community Development.

4.3 Multi-Family - Townhomes Use Area (RTH)

A. Permitted Uses

1. Multi-Family, townhomes shall consist of one-family dwellings, whether attached or detached, along with common area and elements available for common use by the residents.
2. Local and collector roadways, either public or private.
3. Private recreational and park uses, and facilities including, but not limited to, tennis courts; swimming pools; and jogging, riding and bike trails.
4. Temporary residential sales offices; construction offices, trailers and storage areas; and model home complexes.
5. Community information center and kiosks.
6. Utilities and appurtenant facilities.
7. Signage, as provided by the Town of Castle Rock Code

B. Accessory Uses (permitted only in conjunction with a use by right)

1. Home occupations.
2. Off-street parking.
3. Open spaces and lakes, to include storm water drainage detention areas.

C. Uses Permitted by Special Review

1. Churches and other religious institutions.
2. Day Care Centers including in-home day care.
3. Public and quasi-public facilities.
4. Any other uses that would be similar in nature and impact, and compatible with the uses permitted above, as determined by the Director of Community Development.

4.4 Open Space Use Areas

A. Definitions

1. OSP: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.

2. PLD: Land proposed to be dedicated to meet the land dedication requirements of the subdivision code of the Town.
3. OSD: Land proposed to meet the Planned Development open space requirements and proposed to be dedicated to The Town.
4. UD: Utilities Dedication - Land proposed to be dedicated for utility purposes, including water, sewer, and storm water facilities.

B. Permitted Uses

1. Parks, schools and other public uses; active and passive recreation activities; preservation of land for public purposes; and including such structures and other improvements not inconsistent with the Land Dedication and the Planned Development District ordinances.

**SECTION V
DEVELOPMENT STANDARDS**

5.1 Overall Project Standards

The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes, shall apply to this PD, except as modified by the following subsections.

5.2 Residential Development Standards

	RSF-D	RSF-E	RTH Townhomes	Detached RSF-LXB	Attached RSF-LXB
Maximum Gross Density in DU/AC	2.8	3.3	11.2	4	4
Min. Lot Area	8,500 SF	7,500 SF	N/A	6,000SF	N/A
Max. Bldg. Ht.	35'	35'	35'	35'	35'
<u>Setbacks</u>					
Front to Garage	20	20	20	*	20
Front to Living Area	20	20	15	*	10
Rear	20	20	20	*	20
Side Interior Lot	5	5	0	*	0
Side to Street	15	15	15	*	15

Parking: As per current town code

*Setbacks for these areas will be established with the Final PD Site Plan.

- 5.2.1 All setbacks shall be measured in a perpendicular direction from the property line to the foundation of the building.
- 5.2.2 Garages shall be a 2 car minimum for all Single Family attached and detached and 1 car minimum for the Townhomes and shall not be converted for occupancy. Attached garages may be converted for occupancy if a minimum 2 car garage (attached or detached) is provided as an accessory use.
- 5.2.3 Overhangs may encroach into the building setback a maximum of two (2) feet. Items including, but not limited to, patios and decks, swimming pools, gazebos,

and garden equipment storage sheds at ground level are permitted in the side and rear setbacks. Also patios, decks, and similar features four (4) feet and higher above ground level must have a rear set back of twenty (20) feet.

5.3 Private Recreational Facility, Public Parks and Open Space Development Standards

- A. **Minimum Lot Size:** 40,000 sq. ft.
- B. **Maximum Building Height:** 35 feet
- C. **Minimum Setbacks**
 - 1. Minimum front setback for structures: 25 feet
 - 2. Minimum side setback for structure: 15 feet
 - 3. Minimum rear setback for structure: 20 feet
 - 4. Minimum setback for parking: 15 feet

5.4 Exterior Lighting

No exterior lights of any sort may be erected, placed, installed, or otherwise incorporated into the property, adjacent road right-of-way or adjacent property or open space wherein any glare or direct light is visible beyond the perimeter of the property. This applies to all lighting including, but not limited to, entry lights, garage lights, driveway illumination, and interior lights visible from off the property. This standard is not intended to apply to public streetlights.

5.5 Fences and Retaining Walls

- A. Retaining walls which are within three feet of a public right-of-way or public utility, drainage or other easement shall require certification by a professional engineer as to design and structural stability.
- B. The maximum height of any single retaining wall shall not exceed four feet.

**SECTION VI
TEMPORARY USES**

6.1 Temporary Uses

- A. Single family homes and/or model home complexes may be used as models and/or sales and information offices in those Use Areas where they are Permitted Use. Provided, however, that the use will cease within 120 days after all similar dwelling units have been rented, leased, or sold.
- B. Construction offices and material storage shall be permitted in all Use Areas during and for a period of 120 days after cessation of actual construction in those areas being served by such construction office or material storage area.
- C. Mobile sales and information units provided that:
 - 1. Such temporary structure is located within a final plat.
 - 2. Sales are limited to those units within the subdivision in which the temporary office is located.
 - 3. Adequate access, parking, and sanitary facilities are provided.
 - 4. No such unit shall remain more than 120 days after the last lot or unit is sold in this subdivision.

**SECTION VII
FINAL PLANNED DEVELOPMENT SITE PLANS**

7.1 Submission of Final PD Site Plans and Plats and Additional Information

Following approval of the Preliminary PD Site Plan, the property owners shall submit a Final PD Site Plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

**SECTION VIII
TRANSITIONAL USE**

- 8.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion of the property described above which has not been subject to a Final PD may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry, or hog farms be permitted.

Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final PD Site Plan for such area or areas has been approved. Provided, however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no Final PD Site Plan has been submitted if the Council determines that due to the proximity of such uses to developed areas a danger exists to the health, safety or welfare of the residents of such developed area(s).

**SECTION IX
SEVERABILITY OF PROVISIONS**

- 9.1** In the event that any provision hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

EXHIBIT 3

DESCRIPTION - PARCEL C

A PARCEL OF LAND LOCATED IN PART OF SECTIONS 23, 24, AND 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 89°15'42" EAST 1320.20 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE SOUTH 1°20'54" EAST 1316.72 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE NORTH 89°04'44" EAST 1320.82 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE SOUTH 1°22'35" EAST 3964.97 FEET TO THE SOUTH ONE QUARTER CORNER OF SAID SECTION 24 (ALSO BEING THE NORTH ONE QUARTER CORNER OF SAID SECTION 25); THENCE SOUTH 1°18'34" EAST ALONG THE NORTH/SOUTH CENTERLINE OF SAID SECTION 25 A DISTANCE OF 1312.16 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF DOUGLAS COUNTY ROAD NO. 43 (CROWFOOT VALLEY ROAD); THENCE SOUTH 50°38'43" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 86.67 FEET TO A POINT ON THE WESTERLY LINE OF A 75-FOOT WIDE PUBLIC SERVICE COMPANY EASEMENT AS DESCRIBED IN BOOK 122, PAGE 111 OF THE DOUGLAS COUNTY RECORDS; THENCE NORTH 34°46'05" WEST ALONG THE WESTERLY LINE OF SAID 75-FOOT WIDE PUBLIC SERVICE COMPANY EASEMENT 4674.02 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 24; THENCE NORTH 1°17'00" WEST ALONG SAID WEST LINE 128.83 FEET TO THE WEST ONE QUARTER CORNER OF SAID SECTION 24; THENCE NORTH 1°20'16" WEST ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24 A DISTANCE OF 342.92 FEET; THENCE NORTH 34°46'05" WEST ALONG THE EASTERLY LINE OF A 260-FOOT WIDE PUBLIC SERVICE RIGHT-OF-WAY AS DESCRIBED IN BOOK 156, PAGE 409 OF THE DOUGLAS COUNTY RECORDS 2786.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23; THENCE NORTH 89°40'00" EAST ALONG THE NORTH LINE OF SAID NORTHEAST ONE QUARTER 1535.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 289.1 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24 SOUTH 01°20'54" EAST 578.18 FEET; THENCE LEAVING SAID EAST LINE SOUTH 79°59'51" WEST 2248.58 FEET TO THE EASTERLY LINE OF A 260-FOOT WIDE PUBLIC SERVICE RIGHT-OF-WAY AS DESCRIBED IN BOOK 156, PAGE 409, DOUGLAS COUNTY RECORDS; THENCE ALONG SAID EASTERLY LINE NORTH 34°24'40" WEST 1147.51 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE ALONG SAID NORTH LINE NORTH 89°40'00" EAST 1535.11 FEET TO THE NORTHEAST CORNER OF SAID SECTION 23; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24 NORTH 89°15'42" EAST 1320.20 FEET TO THE POINT OF BEGINNING

CONTAINING 45.7 ACRES, MORE OR LESS.

RESULTING IN A NET ACREAGE OF 243.4 ACRES, MORE OR LESS.

EXHIBIT 3, continued

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST ONE QUARTER; THENCE NORTH $88^{\circ}56'07''$ EAST ALONG THE NORTH LINE OF SAID NORTHEAST ONE QUARTER A DISTANCE OF 1322.19 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF SAID NORTHEAST ONE QUARTER; THENCE SOUTH $01^{\circ}21'45''$ EAST ALONG THE EAST LINE OF SAID NORTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER, A DISTANCE OF 382.89 FEET TO THE NORTH RIGHT OF WAY LINE OF CROWFOOT VALLEY ROAD; THENCE SOUTH $54^{\circ}19'03''$ WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 1445.69 FEET TO THE EAST LINE OF THAT TRACT OF LAND DEEDED TO PUBLIC SERVICE COMPANY OF COLORADO AT BOOK 158 PAGE 490 OF THE DOUGLAS COUNTY RECORDS; THENCE NORTH $34^{\circ}49'29''$ WEST ALONG SAID EAST LINE A DISTANCE OF 234.17 FEET TO THE WEST LINE OF SAID NORTHEAST ONE QUARTER; THENCE NORTH $01^{\circ}18'33''$ WEST ALONG SAID WEST LINE A DISTANCE OF 1009.51 FEET TO THE POINT OF BEGINNING, CONTAINING 1,089,927 SQUARE FEET OR 25.0213 ACRES, MORE OR LESS.

A PART OF THE EAST ONE HALF OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23; THENCE SOUTH $89^{\circ}40'01''$ WEST ALONG THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23 A DISTANCE OF 1495.70 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE EAST LINE OF A 260 FOOT WIDE PUBLIC SERVICE COMPANY RIGHT OF WAY AS DEPICTED ON THE MAP OF THE "ANNEXATION OF THE MAHER RANCH P. U. D. TO THE TOWN OF CASTLE ROCK - PHASE 3" WHICH WAS APPROVED BY THE TOWN COUNCIL ON 1/29/87; THENCE SOUTH $34^{\circ}24'40''$ EAST ALONG THE PRESENT TOWN BOUNDARY 2740.40 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST ONE QUARTER; THENCE SOUTH $01^{\circ}20'16''$ EAST ALONG SAID EAST LINE 371.14 FEET TO THE EAST ONE QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH $01^{\circ}17'00''$ EAST ALONG THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 23 A DISTANCE OF 105.15 FEET; THENCE NORTH $34^{\circ}24'40''$ WEST ALONG THE PRESENT TOWN BOUNDARY 3315.36 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23; THENCE NORTH $89^{\circ}40'01''$ EAST ALONG SAID NORTH LINE 313.91 FEET TO THE POINT OF BEGINNING, CONTAINING 18.0732 ACRES, MORE OR LESS.