

PLAT IDENTIFICATION SHEET

RECEPTION #: 01035705

DATE: 4-25-01

TIME 15:59

FEE: \$ 400 (4 P)

GRANTOR: Diamond Ridge LLC
(OWNER/SIGNER)

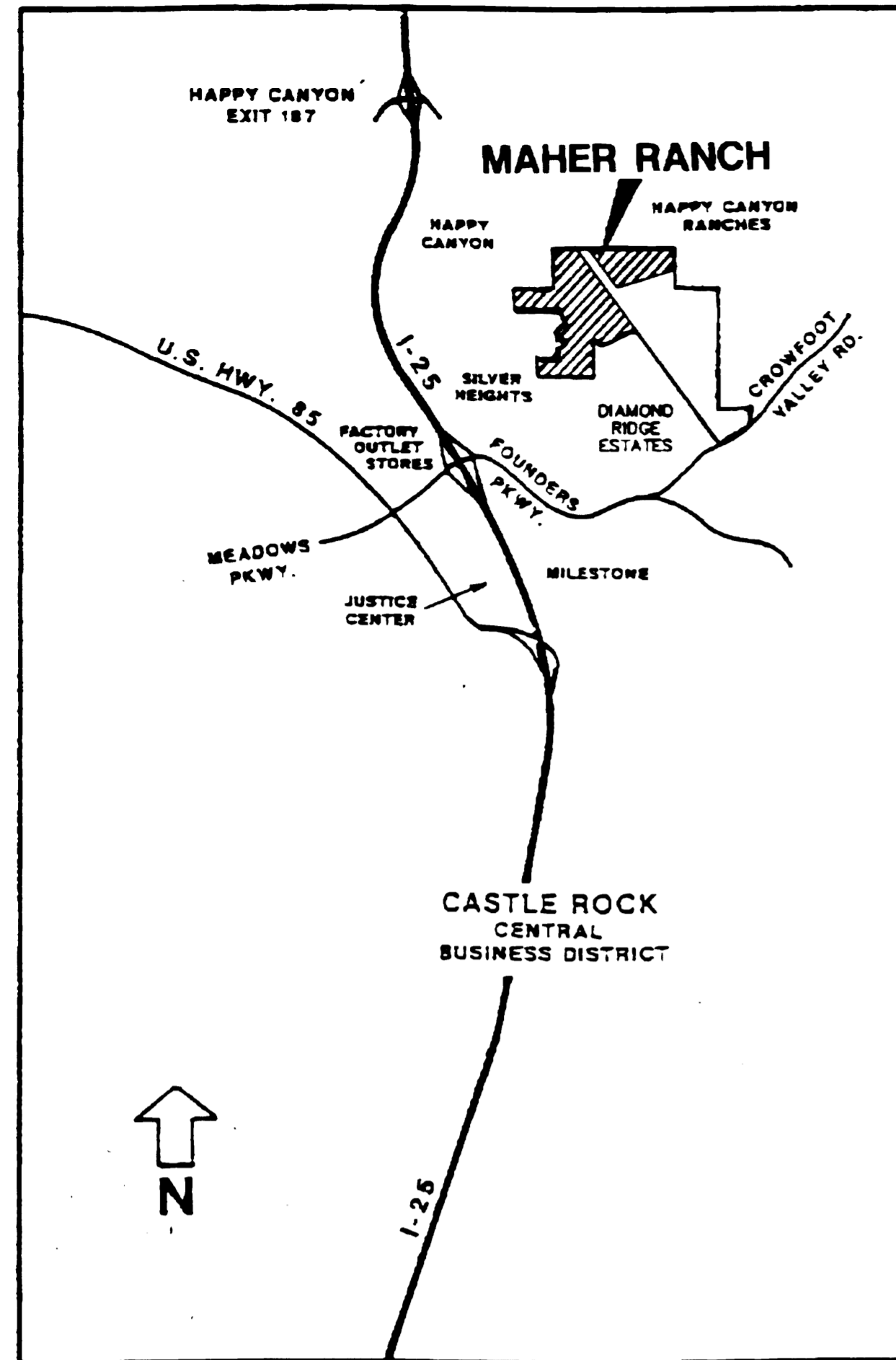
GRANTEE:
(SUBDIVISION NAME OR NAME OF PLAT)

Maker Ranch
Phase 2 - Preliminary
Site Plan

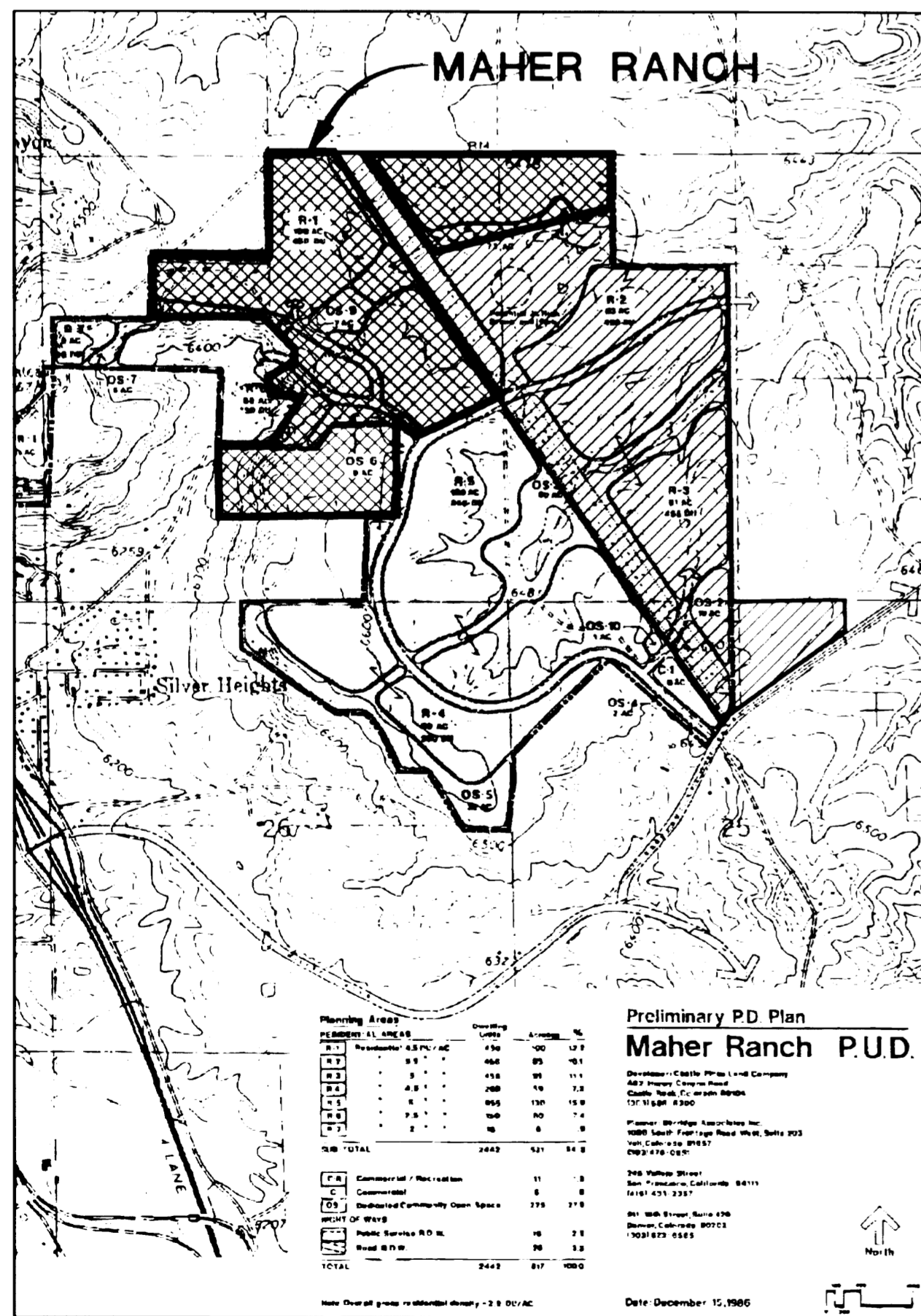
LEGAL:
(SECTION-TOWNSHIP-RANGE)

N/A

NEW SUBDIVISION ABBREV: _____



VICINITY MAP
N.T.S.



EXISTING MAHER RANCH PD SITE

PROPOSED MAHER RANCH SITE - PHASE 1

PROPOSED MAHER RANCH SITE - PHASE 2

Maher Ranch Phase 2 PRELIMINARY PD SITE PLAN A MAJOR AMENDMENT TO THE MAHER RANCH P.U.D. 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 S. 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 S. Park Terrace Ave. #22-202
Englewood, CO 80111

Engineering/Surveying Consultant

Noite 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 parcel to be annexed from Douglas County is 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 Public Land Dedication (PLD) will be cash-in-lieu. The remainder of the open space will be private (OSP).
- 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 2 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-A	101.0		97	21,780			
RSF-C	54.0		130	10,000			
RSF-LXA (Luxury)	25.0		75	3 DU/AC			
RSF-LXB (Luxury)	22.5		90	4 DU/AC			
TOTAL RSF	202.5		386*				
R-1					100.0	450.0	4.5
R-2					43.0	237.0	5.5
R-6					22.0	55.0	2.5
Major Roadway	** 14.67				7.7		
Open Space							
PLD-(Cash-in-Lieu)	-	***					
PLD-(Credit from Ph-1)	-	6.16					
OSP	40.2	40.2			25.0		
OSP-(Credit from Ph-1)	-	10.0					
OSD	-						
Subtotal (Including Credits)		56.36					
Totals	242.7	56.36	386*	1.59 DU/AC	197.7	687.0	3.5

* NOT TO EXCEED
** AREA INCLUDED IN RESIDENTIAL ACRES
*** SEE DEVELOPMENT AGREEMENT

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 and Maher Ranch Phase 1, which has been partially developed. There is also one parcel totaling 45.0 acres, annexed 6-26-00 that was zoned agriculture in Douglas County.

Ownership Certification AND MORTGAGE CERTIFICATION

The undersigned is the owner of certain lands known herein as Maher Ranch Phase 2 PD in the Town of Castle Rock. Signed this 22nd day of March, 2000. DEED OF TRUST RECORDED 12/30/97 BK. 1497 PG. 1835
Lenn M. Haffeman, Manager
Diamond Ridge LLC
Land Owner

Subscribed and sworn before me this 9th day of March, 2000
By: Lenn M. Haffeman, Manager of Diamond Ridge LLC
Witness my hand and official seal
Notary Public
My commission expires: 6-15-04 Evelyn Klei

EVELYN KLEIN
NOTARY PUBLIC
STATE OF COLORADO

Ownership Certification

The undersigned is the owner of certain lands known herein as Maher Ranch Phase 2 PD in the Town of Castle Rock. Signed this 20th day of March, 2000.
Patrick D. Maher
Patrick D. Maher
Land Owner

Subscribed and sworn before me this 20th day of March, 2000
By: Susan J. Hamblen
Witness my hand and official seal
Notary Public
My commission expires: 7-1-03

SUSAN J. HAMBLEN
NOTARY PUBLIC
STATE OF COLORADO

Title Certification

I, Erik 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, mortgages, and lienholders of the property are listed in the Certificate of Ownership and Lienholder Subordination Certificate.

Signed this 9th day of March, 2000

Authorized Representative

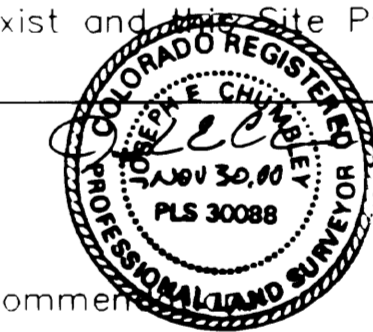
Subscribed and sworn before me this 9th day of March, 2000
By: Erik Stearns, AS TITLE OFFICER
Witness my hand and official seal
Notary Public
My commission expires: 6-15-04 Evelyn Klei

EVELYN KLEIN
NOTARY PUBLIC
STATE OF COLORADO
June 15, 2004

Title Insurance Company Surveyor's Certificate

I, Joseph E. Chumbley, 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 the Site Plan accurately represents that survey.

Registered Land Surveyor



Town Certification

Planning Commission Recommendation

The Preliminary PD Site Plan and Zoning Regulations for the Maher Ranch PD Phase 2 were recommended for approval by the Planning Commission of the Town of Castle Rock, Colorado on the 11th day of Sept, 2000.

Chairman: [Signature] Date: 4/23/01

Attest: [Signature] Date: 4/16/01
Planning Director

Town Council Approval

The Preliminary PD Site Plan and Zoning Regulations for the Maher Ranch PD Phase 2 were approved by the Town Council of the Town of Castle Rock, Colorado on the 26th day of Oct, 2000.

Mayor: [Signature] Date: 4/24/01
Attest: Sally Mason, Town Clerk 4-24-01

RECORDERS CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS)
I HEREBY CERTIFY THAT THIS DOCUMENT WAS FILED IN MY OFFICE ON THIS 25th DAY OF APRIL, 2000, AT 1:59 O'CLOCK P.M. AND WAS

RECORDED AT RECEPTION NO. 01035705
County Clerk and Recorder: [Signature]



SHEET 1 OF 4
MAHER RANCH PHASE 2
PRELIMINARY PD SITE PLAN
DATE: 10/00

Maher Ranch

Phase 2

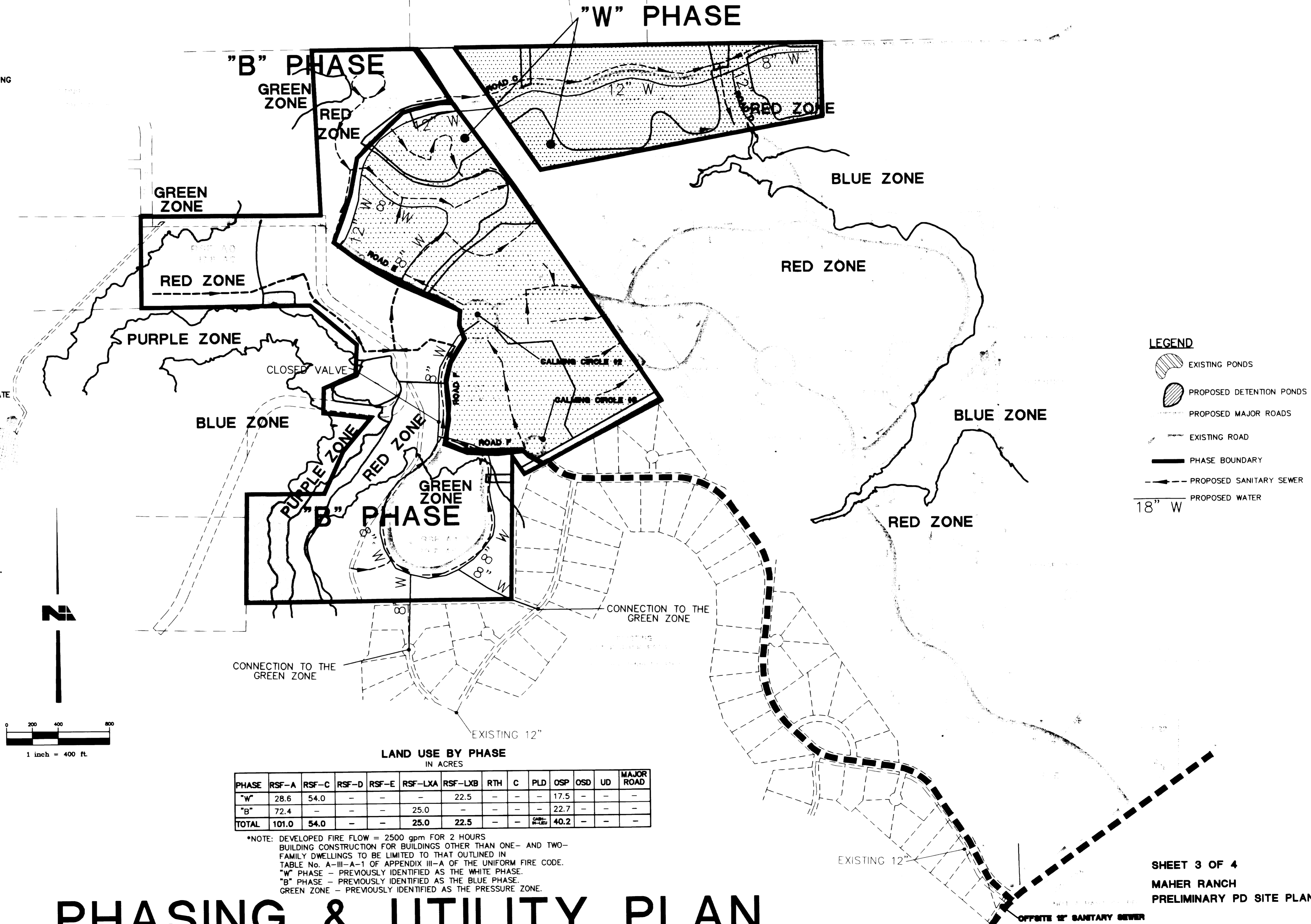
PRELIMINARY PD SITE PLAN A MAJOR AMENDMENT TO THE MAHER RANCH P.U.D. Castle Rock, Colorado

CONSTRUCTION REQUIREMENTS FOR "W" PHASE

- ROAD CONSTRUCTION**
 - CONSTRUCT ROAD A (MAIN ENTRANCE ROAD) FROM CROWFOOT VALLEY ROAD TO CALMING CIRCLE, NO. 2.
 - CONSTRUCT ROAD F FROM THE NORTHERLY BOUNDARY OF DIAMOND RIDGE ESTATES TO CALMING CIRCLE NO. 3 AND ON TO CALMING CIRCLE NO. 2.
 - CONSTRUCT ROAD C FROM ROAD E TO BOUNDARY.
 - CONSTRUCT ROAD D FROM ROAD C TO ROAD B.
 - CONSTRUCT ROAD B FROM ROAD D TO ROAD A.
 - LIMITED ACCESS GATE TO BE BUILT AT THE TIME OF IMPROVEMENTS FOR PHASE 1.
- WATER SERVICE**
 - INSTALL PURPLE ZONE TO RED ZONE PUMPS IN EXISTING PUMP STATION NEAR DIAMOND RIDGE ESTATES ENTRANCE.
 - CONSTRUCT 18" 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.
 - 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.
 - CONSTRUCT RED ZONE TANK.
 - UPGRADE EXISTING YELLOW ZONE TO PURPLE ZONE PUMPS AT THE PUMP STATION NEAR KING SOOPERS SHOPPING CENTER.
 - CONSTRUCT 12" WATER IN ROAD F TO NORTHERLY BOUNDARY OF DIAMOND RIDGE ESTATES FROM CALMING CIRCLE NO. 2 AND THROUGH CALMING CIRCLE NO. 3.
 - 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.
 - CONSTRUCT 12" WATER MAIN IN C.
 - CONSTRUCT 12" WATER ROAD D.
 - CONSTRUCT WATER MAIN IN ROAD B FROM ROAD A TO ROAD D.
- SANITARY SEWER**
 - CONSTRUCT OFF-SITE 12" SEWER MAIN FROM TOP OF HILL ON CROWFOOT VALLEY ROAD TO THE CONNECTION WITH 12" SEWER MAIN IN METZLER RANCH SUBDIVISION.
 - 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.
 - CONSTRUCT GRAVITY MAIN TO LIFT STATION.
 - 803± SFEs WILL BE SERVICED BY THE LIFT STATION.
- STORM SEWER**
 - CONSTRUCT DETENTION POND B.
- DRY UTILITIES**
 - CONSTRUCT UTILITIES TO INDIVIDUAL ENTITIES REQUIREMENTS. CONNECT TO EXISTING FACILITIES ALONG CROWFOOT VALLEY ROAD.
- PLAT DEDICATIONS**
 - CASH-IN-LIEU OF PLD WITH FIRST FINAL PLAT.
 - UTILITY AND DRAINAGE EASEMENTS AS REQUIRED TO MEET TOWN OF CASTLE ROCK STANDARDS.
 - PRIVATE OPEN SPACE AREA (OSP) OF 17.5 ACRES. - THE PROPORTIONATE SHARE OF OSP TO BE DEDICATED WITHIN EACH INDIVIDUAL FINAL PLAT. 6.16 ACRES OF OSP FROM PHASE 1 WILL BE CREDITED TO PHASE 2 AT THE TIME OF FIRST FINAL PLAT OF FILING 1.
 - TRAILS TO BE BUILT THAT ARE LOCATED WITHIN EACH FINAL PLAT.

CONSTRUCTION REQUIREMENTS FOR "B" PHASE

- ROAD CONSTRUCTION**
 - AND B. SAME AS "W" PHASE
 - CONSTRUCT ROAD E.
 - CONSTRUCT ROAD C TO THE PSCO WEST EASEMENT LINE WITH A TEMPORARY TURNAROUND.
 - LIMITED ACCESS GATE TO BE BUILT AT THE TIME OF IMPROVEMENTS FOR PHASE 1.
- WATER SERVICE**
 - THROUGH G. SAME AS "W" PHASE
 - CONNECT PORTION OF THIS PHASE IN THE PRESSURE ZONE TO THE PRESSURE ZONE IN DIAMOND RIDGE ESTATES. TWO CONNECTIONS REQUIRED.
- SANITARY SEWER**
 - SAME AS "W" PHASE
- STORM SEWER**
 - CONSTRUCT DETENTION POND B.
 - CONSTRUCT DETENTION POND C.
- DRY UTILITIES**
 - SAME AS "W" PHASE
- PLAT DEDICATIONS**
 - CASH-IN-LIEU OF PLD WITH FIRST FINAL PLAT.
 - UTILITY AND DRAINAGE EASEMENTS AS REQUIRED TO MEET TOWN OF CASTLE ROCK STANDARDS.
 - OPEN SPACE AREA OF 22.7 ACRES. - THE PROPORTIONATE SHARE OF OSP TO BE DEDICATED WITHIN EACH INDIVIDUAL FINAL PLAT. 6.16 ACRES OF OSP FROM PHASE 1 WILL BE CREDITED TO PHASE 2 AT THE TIME OF FIRST FINAL PLAT OF FILING 1.
 - TRAILS TO BE BUILT THAT ARE LOCATED WITHIN EACH FINAL PLAT.



LEGEND

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

18" W

LAND USE BY PHASE
IN ACRES

PHASE	RSF-A	RSF-C	RSF-D	RSF-E	RSF-LXA	RSF-LXB	RTH	C	PLD	OSP	OSD	UD	MAJOR ROAD
"W"	28.6	54.0	-	-	-	22.5	-	-	-	17.5	-	-	-
"B"	72.4	-	-	25.0	-	-	-	-	-	22.7	-	-	-
TOTAL	101.0	54.0	-	-	25.0	22.5	-	-	-	40.2	-	-	-

*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.
"W" PHASE - PREVIOUSLY IDENTIFIED AS THE WHITE PHASE.
"B" PHASE - PREVIOUSLY IDENTIFIED AS THE BLUE PHASE.
GREEN ZONE - PREVIOUSLY IDENTIFIED AS THE PRESSURE ZONE.

PHASING & UTILITY PLAN

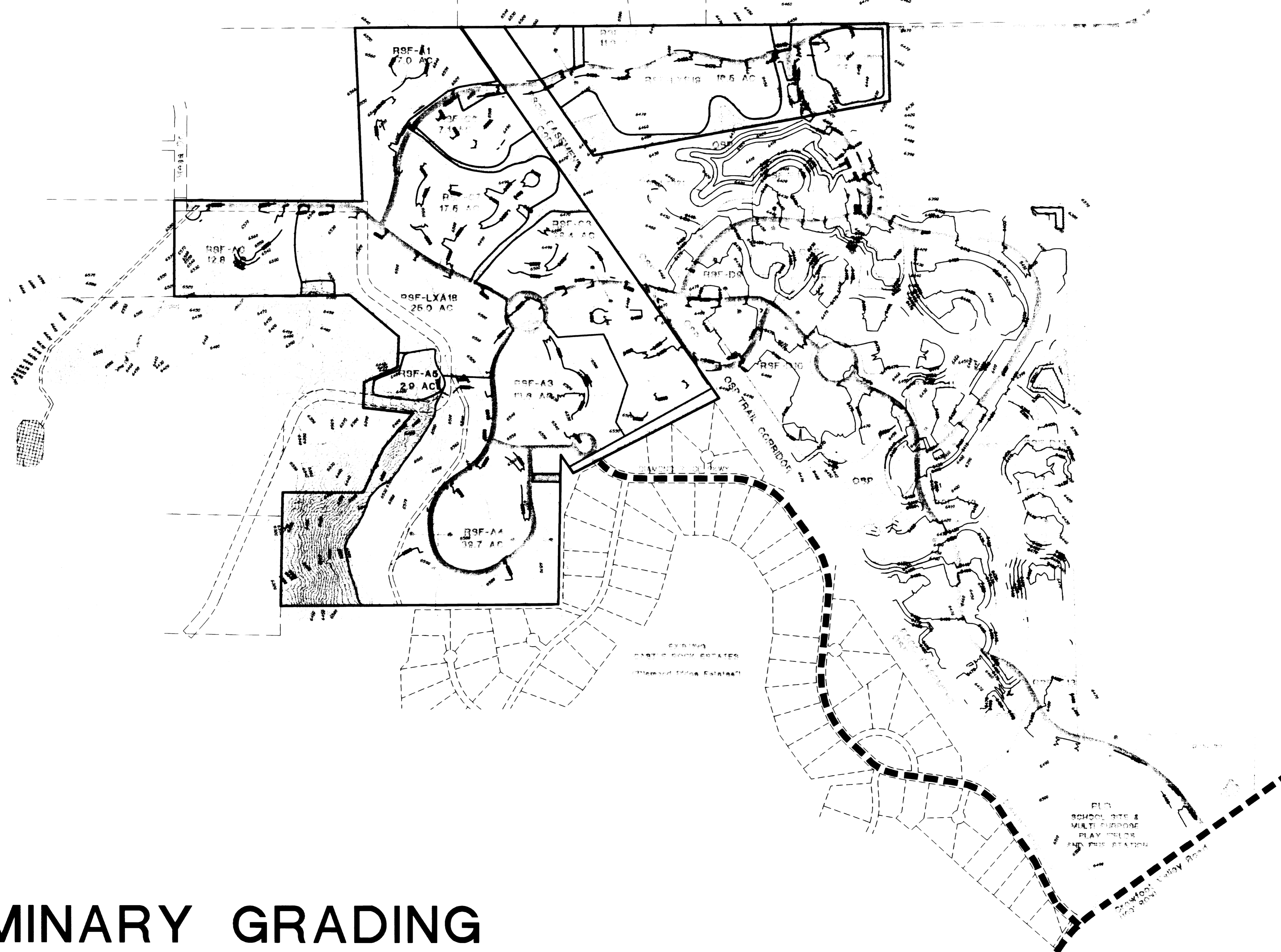
NOTE:
ANY ROAD WHICH IS TO BE PARTIALLY OR WHOLLY CONSTRUCTED MUST BE PRECEDED BY THE CONSTRUCTION OF ALL UTILITIES PROPOSED WITHIN THAT ROAD.

TITLE: MAHER RANCH
DATE: 10/24/00, TIME: 08:38, T.H.: 1733
SCALE: T.H.: 1" = 400', S.E.: SERVICE LEGAL
PLOTTER: PLOTTER, DRAWING NAME: SBB123456789
PLOTTER VIEW: ZLIB, DESIGNER: JAL, PROJ. NO.:
SHEET: 1 OF 4 SHEETS, JOB NO.: 00284

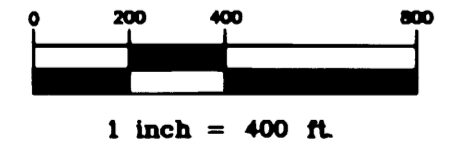
Maher Ranch

Phase 2

PRELIMINARY PD SITE PLAN A MAJOR AMENDMENT TO THE MAHER RANCH P.U.D. Castle Rock, Colorado



TITLE MAHER RANCH GRADING PLAN
DATE 10/24/00 TIME 08:39 T H 14.41
SCALE 1"=400' SERVER_DVS1 SERVICE_LOCAL
PATH\\DMS\\DMS\\DRAWING NAME GRADING
PLOTING VIEW NONE DESIGNER CAD PROJ HDR
SHEET 4 OF 4 SHEETS JOB NO. 00384



PRELIMINARY GRADING

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

SHEET 4 OF 4
MAHER RANCH
PRELIMINARY PD SITE PLAN

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING THE MAHER RANCH PHASE II PRELIMINARY P.D. SITE PLAN; AMENDING THE MAHER RANCH PD ZONING REGULATIONS; APPROVING AN AMENDMENT TO THE MAHER RANCH PD DEVELOPMENT AGREEMENT; AND VESTING A SITE SPECIFIC DEVELOPMENT PLAN

21

WHEREAS, Lenn Haffeman, Diamond Ridge, LLC ("Owner") has requested an amendment to the existing PD planned development zoning of the parcel described in *Exhibit 1* (the "Property"); and

WHEREAS, Owner has requested approval of the amended Maher Ranch Phase II PD Zoning Regulations as described in the attached *Exhibit 2* as the same affect the Property (the "Amended Zoning Regulations"); and

WHEREAS, Owner has requested approval of "The Maher Ranch Phase II Preliminary P.D. Site Plan" (the "Amended Site Plan"); and

WHEREAS, public hearings on the Amended Zoning Regulations and Amended Site Plan have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code;

WHEREAS, Owner and Town have agreed to the terms of the Maher Ranch Phase II Development Agreement; and

WHEREAS, the Town Council finds that the Amended Site Plan shall be vested as a site specific development plan for a period of five years under Chapter 15.24 of the Castle Rock Municipal Code and 24-68-101, et seq., C.R.S.

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

Section 1. Approval. The Amended Zoning Regulations and Amended Site Plan are approved for the Property.

Section 2. Development Agreement Amendment and Vesting. The Maher Ranch Phase II Development Agreement is hereby approved, which vests the PD Site Plan as a site specific development plan for a period of five (5) years from the effective date of this ordinance. The notice of vesting of the Amended Site Plan required under 15.24.100 of the Castle Rock Municipal Code shall be given within 14 days of the date of approval of this ordinance.

Section 3. 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.

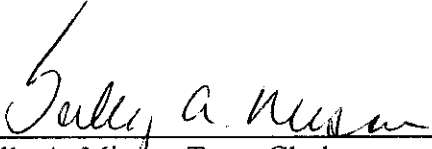
Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

SUBMITTED this 12th day of October, 2000 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 6 for and 1 against.

PASSED, APPROVED AND ADOPTED this 26TH day of OCTOBER, 2000 by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK

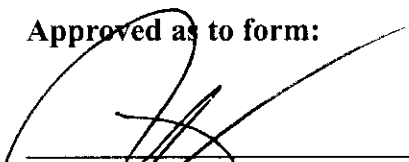


Sally A. Misare, Town Clerk



Al Parker, Mayor

Approved as to form:



Robert J. Stentz, Town Attorney

(G:/users/sgrace/steve/tcmemo00/t01026maher2ord)

EXHIBIT 1
"PROPERTY"

LEGAL DESCRIPTION

PARCEL A:

A PARCEL OF LAND LOCATED IN SECTION 23, 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 NORTH ONE QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 40 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23 A DISTANCE OF 789.30 FEET TO A POINT ON THE WESTERLY LINE OF A 260 FOOT WIDE PUBLIC SERVICE COMPANY RIGHT OF WAY AS DESCRIBED IN BOOK 156, PAGE 409 OF THE DOUGLAS COUNTY RECORDS; THENCE SOUTH 34 DEGREES 46 MINUTES 05 SECONDS EAST ALONG SAID WESTERLY LINE 3357.90 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 23; THENCE SOUTH 62 DEGREES 39 MINUTES 21 SECONDS WEST 1223.55 FEET; THENCE NORTH 34 DEGREES 00 MINUTES 00 SECONDS WEST 166.00 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 50 SECONDS WEST 728.32 FEET; THENCE ON A DEFLECTION ANGLE TO THE LEFT OF 67 DEGREES 34 MINUTES 34 SECONDS AND SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 289.78 FEET, A CENTRAL ANGLE OF 15 DEGREES 13 MINUTES 42 SECONDS AND AN ARC LENGTH OF 77.02 FEET TO A POINT OF TANGENT; THENCE SOUTH 37 DEGREES 13 MINUTES 58 SECONDS WEST ALONG SAID TANGENT 253.01 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 50 SECONDS WEST 544.98 FEET; THENCE NORTH 26 DEGREES 29 MINUTES 27 SECONDS EAST 388.55 FEET; THENCE NORTH 42 DEGREES 00 MINUTES 00 SECONDS EAST 515.17 FEET; THENCE NORTH 82 DEGREES 00 MINUTES 00 SECONDS WEST 380.80 FEET; THENCE NORTH 03 DEGREES 00 MINUTES 00 SECONDS EAST 185.65 FEET; THENCE NORTH 66 DEGREES 35 MINUTES 53 SECONDS EAST 265.28 FEET; THENCE NORTH 03 DEGREES 00 MINUTES 00 SECONDS EAST 241.74 FEET; THENCE NORTH 50 DEGREES 00 MINUTES 00 SECONDS WEST 479.79 FEET; THENCE SOUTH 89 DEGREES 02 MINUTES 29 SECONDS WEST 1302.86 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 33 SECONDS EAST 713.96 FEET TO THE SOUTHEAST CORNER OF LOT 168 OF HAPPY CANYON FILING NO. 4; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS EAST 82.72 FEET TO THE SOUTHWEST CORNER OF LOT 13, BLOCK 2 OF HAPPY CANYON RANCHES; THENCE SOUTH 89 DEGREES 48 MINUTES 51 SECONDS EAST 1312.48 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13, BLOCK 2; THENCE NORTH 2 DEGREES 23 MINUTES 21 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 13, BLOCK 2 A DISTANCE OF 1289.54 FEET TO THE POINT OF BEGINNING.

PARCEL B: (MAHER RANCH PHASE 6 ANNEXATION)

A PARCEL OF LAND LOCATED IN THE SOUTH ONE HALF OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 34 MINUTES 50 SECONDS EAST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SECTION 23 A DISTANCE OF 1952.17 FEET; THENCE NORTH 0 DEGREES 56 MINUTES 00 SECONDS EAST, 990.00 FEET TO THE SOUTHWEST CORNER OF PARCEL A AS DESCRIBED IN BOOK 309, PAGE 763 BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0 DEGREES 56 MINUTES 00 SECONDS EAST 846.06 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 50 SECONDS EAST 1144.98 FEET TO THE EAST LINE OF A 30 FOOT ACCESS EASEMENT DESCRIBED IN BOOK 309, PAGE 763 AND 767; THENCE ALONG THE EAST LINE OF SAID ACCESS EASEMENT THE FOLLOWING TWO (2) COURSES:

LEGAL DESCRIPTION

- 1) THENCE NORTH 37 DEGREES 13 MINUTES 58 SECONDS EAST 253.01 FEET TO A POINT OF CURVE;
- 2) THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 289.78 FEET, A CENTRAL ANGLE OF 15 DEGREES 13 MINUTES 42 SECONDS AND AN ARC LENGTH OF 77.02 FEET; THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 67 DEGREES 34 MINUTES 34 SECONDS AND NORTH 89 DEGREES 34 MINUTES 50 SECONDS EAST 728.32 FEET; THENCE SOUTH 0 DEGREES 56 MINUTES 00 SECONDS WEST 1112.93 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 50 SECONDS WEST 2060.00 FEET TO THE POINT OF BEGINNING.

PARCEL B1:

EASEMENTS FOR INGRESS AND EGRESS AS DESCRIBED IN BOOK 190 AT PAGE 432 AND BOOK 309 AT PAGE 767.

PARCEL C:

A PARCEL OF LAND LOCATED IN PART OF SECTIONS 23, 24 AND 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 SECTION 24; THENCE NORTH 89 DEGREES 15 MINUTES 42 SECONDS 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 DEGREES 20 MINUTES 54 SECONDS 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 DEGREES 04 MINUTES 44 SECONDS 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 DEGREES 22 MINUTES 35 SECONDS EAST 3964.97 FEET TO THE SOUTH ONE QUARTER CORNER OF SAID SECTION 24 (ALSO BEING THE NORTH NORTH QUARTER CORNER OF SAID SECTION 25); THENCE SOUTH 1 DEGREES 18 MINUTES 34 SECONDS 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 DEGREES 38 MINUTES 43 SECONDS WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 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 DEGREES 46 MINUTES 05 SECONDS 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 DEGREES 17 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 128.83 FEET TO THE WEST ONE QUARTER CORNER OF SAID SECTION 24; THENCE NORTH 1 DEGREES 20 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24 A DISTANCE OF 342.92 FEET; THENCE NORTH 34 DEGREES 46 MINUTES 05 SECONDS WEST ALONG THE EASTERLY LINE OF A 260 FOOT WIDE PUBLIC SERVICE COMPANY RIGHT OF WAY DESCRIBED IN BOOK 156, PAGE 409 OF THE DOUGLAS COUNTY RECORDS A DISTANCE OF 2786.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23; THENCE NORTH 89 DEGREES 40 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 23 A DISTANCE OF 1535.11 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

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:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 89 DEGREES 15 MINUTES 42 SECONDS EAST A DISTANCE OF 1320.20 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE SOUTH 01 DEGREES 20 MINUTES 54 SECONDS EAST A DISTANCE OF 578.18 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 20 MINUTES 54 SECONDS EAST A DISTANCE OF 738.54 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE NORTH 89 DEGREES 04 MINUTES 44 SECONDS EAST A DISTANCE OF 1320.82 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24; THENCE SOUTH 01 DEGREES 22 MINUTES 35 SECONDS EAST A DISTANCE OF 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 01 DEGREES 18 MINUTES 34 SECONDS 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 DEGREES 38 MINUTES 43 SECONDS WEST ALONG THE SAID NORTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 86.67 FEET TO A POINT ON THE WESTERLY LINE OF A 75 FOOT WIDE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT AS DESCRIBED IN BOOK 122 AT PAGE 111 OF THE DOUGLAS COUNTY RECORDS; THENCE NORTH 34 DEGREES 45 MINUTES 05 SECONDS WEST ALONG THE WESTERLY LINE OF SAID 75 FOOT WIDE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT A DISTANCE OF 4674.02 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 24; THENCE NORTH 01 DEGREES 17 MINUTES 00 SECONDS WEST ALONG THE SAID WEST LINE A DISTANCE OF 128.83 FEET TO THE WEST ONE QUARTER CORNER OF SAID SECTION 24; THENCE NORTH 01 DEGREES 20 MINUTES 18 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 24 A DISTANCE OF 342.92 FEET; THENCE NORTH 34 DEGREES 24 MINUTES 40 SECONDS WEST ALONG THE EASTERLY LINE OF A 260 FOOT WIDE PUBLIC SERVICE COMPANY OF COLORADO RIGHT OF WAY AS DESCRIBED IN BOOK 156 AT PAGE 409, DOUGLAS COUNTY RECORDS, A DISTANCE OF 1538.49 FEET TO A POINT; THENCE NORTH 79 DEGREES 59 MINUTES 51 SECONDS EAST A DISTANCE OF 2248.58 FEET TO THE POINT OF BEGINNING.

EXHIBIT 2
"AMENDED ZONING REGULATIONS"



ZONING REGULATIONS

*Maher Ranch - Phase 2
Planned Development*

by

NOLTE ASSOCIATES, Inc.
7000 S. Yosemite Street, Suite 200
Englewood, Colorado 80112
(303) 220-1001

*December 1999
Revised April 2000
Revised June 2000
Revised September 2000
Revised October 2000*




TABLE OF CONTENTS

Section I	General Provisions
Section II	Definitions
Section III	Control Provisions
Section IV	Use Areas
Section V	Development Standards
Section VI	Temporary Uses
Section VII	Final Planned Development Site Plans
Section VIII	Transitional Use
Section IX	Severability of Provisions

SECTION I
GENERAL PROVISIONS

1.1 Adoption/Authorization

The Town Council has adopted the Phase 2 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 2 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 _____, was adopted by the Town on the _____ day of _____, 2000, by Ordinance No. _____.

**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 owner 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 maximum number of dwelling units within the overall Use Area. 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-A, RSF-C)

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. Rural 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-LXA & RSF-LXB)**

A. Intent

The Single-Family Cluster Residential area is intended to be developed based on creative site planning solutions for attached and/or 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 something other than small lot single-family detached. Cluster residential may include concepts such as private drives, common walls or attached dwellings, increased open space, maintenance provided by the HOA, and reduced 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 may 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
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 areas 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 stormwater 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-A	RSF-C	Attached RSF-LXA	Detached RSF- LXA/LXB	Attached RSF-LXB
Maximum Gross Density in DU/AC	1.0	2.3	3	*	4
Min. Lot Area	21,780	10,000	N/A	6,000SF	N/A
Max. Bldg. Ht.	35'***	35'***		35'	35'
<u>Setbacks</u>					
Front to Garage	30	20	20	*	20
Front to Living Area	20	20	20	*	10
Rear	20**	20	20	*	20
Side Interior Lot	5	5	5	*	0
Side to Street	15	15	15	*	15

Parking: As per current town code

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

** Rear setbacks along the northern boundary bordering Happy Canyon Ranches shall be 75'.

*** Except as further restricted by the Town Ridgeline Ordinance.

- 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 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

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. See Final PD Site Plan for fencing requirements.

**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 owner 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.