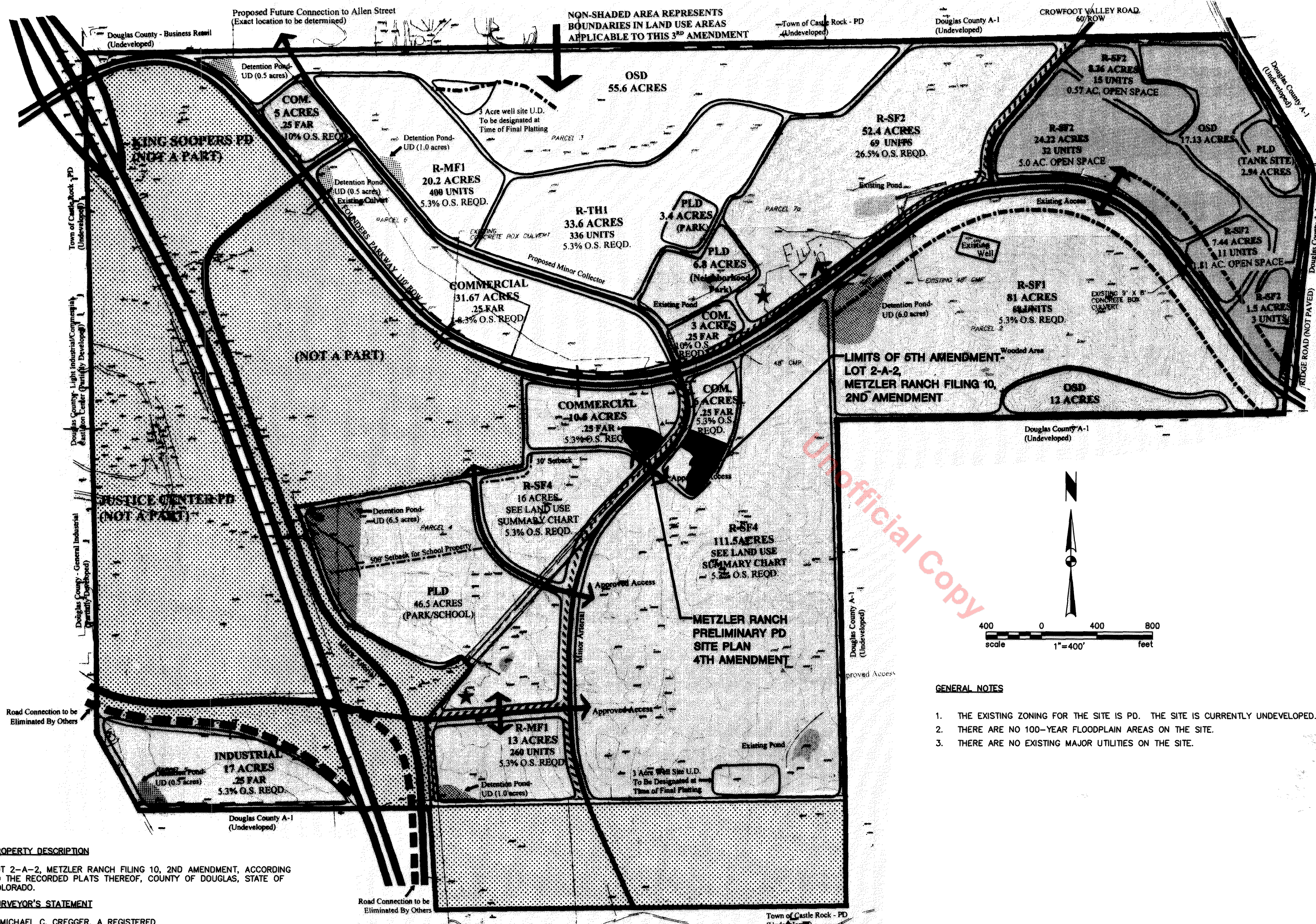
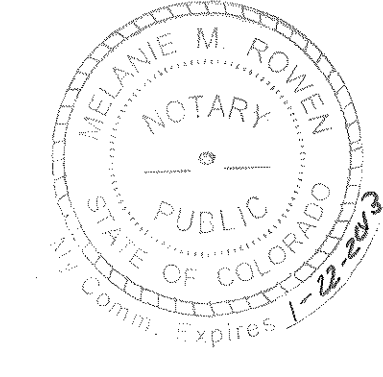


# METZLER RANCH PRELIMINARY PD SITE PLAN FIFTH AMENDMENT 2010



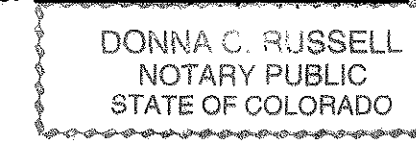
OWNER: THE POINT AT METZLER RANCH LLC, A COLORADO LIMITED LIABILITY COMPANY  
 THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS LOT 2-A-2,  
 METZLER RANCH FILING 10, 2ND AMENDMENT, IN THE TOWN OF CASTLE ROCK.

EXECUTED THIS 15<sup>TH</sup> DAY OF NOVEMBER, 20 10.  
 BY: Roger L. Bumgarner  
 TITLE: MANAGER  
 STATE OF Colorado  
 COUNTY OF Douglas  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 15<sup>TH</sup> DAY OF  
November, 20 10 BY Roger L. Bumgarner AS Manager  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 MY COMMISSION EXPIRES: 1-22-2013 Melanie M. Lower  
 NOTARY PUBLIC



**LIENHOLDER SUBORDINATION CERTIFICATE**  
 THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS KNOWN HEREIN AS LOT  
 2-A-2, METZLER RANCH FILING 10, 2ND AMENDMENT, IN THE TOWN OF CASTLE ROCK. THE UNDERSIGNED  
 BENEFICIARY OF THE LIEN CREATED BY INSTRUMENT RECORDED ON MAY 29, 2009 AT RECEPTION NUMBER  
 2009040533, DOUGLAS COUNTY, COLORADO, SUBORDINATES THE SUBJECT LIEN TO THE TERMS, CONDITIONS,  
 AND RESTRICTIONS OF THIS DOCUMENT.

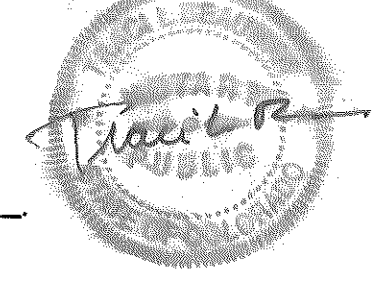
LIENHOLDER: FIRST COMMERCIAL BANK  
 EXECUTED THIS 17<sup>TH</sup> DAY OF November, 20 10  
 BY: Don Rogers AS: President/Colorado FOR  
 FIRST COMMERCIAL BANK  
 STATE OF Colorado  
 COUNTY OF Douglas  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 17<sup>TH</sup> DAY OF  
November, 20 10 BY: Don Rogers AS: PRESIDENT  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 MY COMMISSION EXPIRES: 6/6/11 Donna Russell  
 NOTARY PUBLIC



**TITLE CERTIFICATION**  
 I, Donna C. Russell, AN AUTHORIZED REPRESENTATIVE OF  
Lord Title Guarantee Company, 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.

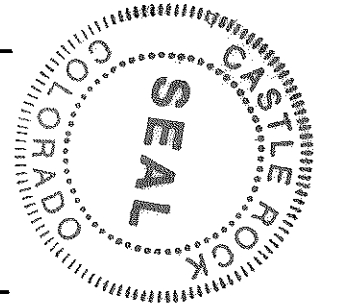
SIGNED THIS 30<sup>th</sup> DAY OF November, 20 10  
Donna C. Russell  
 AUTHORIZED REPRESENTATIVE  
Lord Title Guarantee Company  
 TITLE INSURANCE COMPANY

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30 DAY OF November, 20 10 BY  
Brenda Gay Becker  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 MY COMMISSION EXPIRES: 8-27-2011



**TOWN COUNCIL APPROVAL**  
 THE METZLER RANCH PRELIMINARY PD SITE PLAN FIFTH AMENDMENT WAS  
 APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO,  
 ON THE 12<sup>th</sup> DAY OF October, 20 10.

B. Pugh 12/21/10  
 MAYOR DATE  
Gally A. Mu 12/21/10  
 ATTEST TOWN CLERK DATE



**DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE**  
 THIS PRELIMINARY PD SITE PLAN AMENDMENT WAS FILED FOR RECORD IN THE OFFICE  
 OF THE COUNTY CLERK AND  
 RECORDER OF DOUGLAS COUNTY AT 12:00 P.M. ON THE 14<sup>th</sup> DAY OF  
JANUARY, 20 11, AT RECEPTION NO. 2011003862.

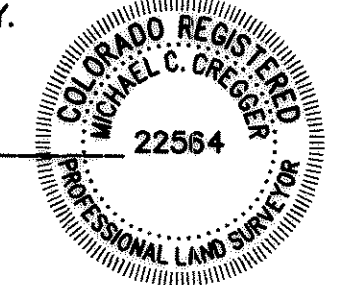
DOUGLAS COUNTY CLERK AND RECORDER  
 BY: Christine D...  
 DEPUTY



METZLER RANCH PRELIMINARY PD SITE PLAN  
 FIFTH AMENDMENT 2010

**PROPERTY DESCRIPTION**  
 LOT 2-A-2, METZLER RANCH FILING 10, 2ND AMENDMENT, ACCORDING  
 TO THE RECORDED PLATS THEREOF, COUNTY OF DOUGLAS, STATE OF  
 COLORADO.

**SURVEYOR'S STATEMENT**  
 I, MICHAEL C. CREGGER, A REGISTERED  
 PROFESSIONAL LAND SURVEYOR IN THE STATE OF  
 COLORADO, DO HEREBY CERTIFY THAT THE SURVEY  
 AND LEGAL DESCRIPTION REPRESENTED BY LOT  
 2-A-2, METZLER RANCH FILING 10, 2ND  
 AMENDMENT WAS MADE UNDER MY SUPERVISION  
 AND THE MONUMENTS SHOWN THEREON ACTUALLY  
 EXIST AND THIS PRELIMINARY SITE PLAN  
 ACCURATELY REPRESENTS THAT SURVEY.



Michael C. Cregger  
 PROFESSIONAL LAND SURVEYOR  
 COLORADO REGISTRATION NO. 22564  
 DATE 11/11/2010

**LAND USE SUMMARY:**

LAND USE	ACRES		MAX. FLOOR AREA RATIO		OPEN SPACE REQUIREMENT	
	EXISTING	AS AMENDED	EXISTING	AS AMENDED	EXISTING	AS AMENDED
COMMERCIAL	1.09	1.09	0.25	0.30	5.3%	5.3%
TOTAL	1.09	1.09			5.3%	5.3%

**OWNER**  
 THE POINT AT METZLER RANCH, LLC  
 96 CROWN POINT  
 CASTLE ROCK, CO 80104  
 TELEPHONE: (303) 520-5046

**DEVELOPER**  
 RLB CORPORATION  
 96 CROWN POINT  
 CASTLE ROCK, CO 80104  
 TELEPHONE: (303) 520-5046

**LIENHOLDER**  
 FIRST COMMERCIAL BANK  
 10457 PARK MEADOWS DRIVE  
 LONE TREE, CO 80124  
 TELEPHONE: (303) 706-1723

**ENGINEER/PLANNER/SURVEYOR**  
 TST INC. OF DENVER  
 9222 TEDDY LANE  
 LONE TREE, CO 80124  
 TELEPHONE: (303) 792-0557



ATTEST:  
[Signature]  
 DIRECTOR OF DEVELOPMENT SERVICES  
 DATE 12/7/10

- GENERAL NOTES**
1. THE EXISTING ZONING FOR THE SITE IS PD. THE SITE IS CURRENTLY UNDEVELOPED.
  2. THERE ARE NO 100-YEAR FLOODPLAIN AREAS ON THE SITE.
  3. THERE ARE NO EXISTING MAJOR UTILITIES ON THE SITE.

**ORDINANCE NO. 2010 - 29**

**AN ORDINANCE APPROVING THE FIFTH AMENDMENT TO THE METZLER RANCH PRELIMINARY PLANNED DEVELOPMENT SITE PLAN APPLICABLE TO METZLER RANCH FILING NO. 10, LOT 2A2 TO INCREASE THE FLOOR AREA RATIO**

**WHEREAS**, the Town Council adopted the Metzler Ranch Preliminary Planned Development Site Plan (Site Plan) by Ordinance No. 96-42; and

**WHEREAS**, RLB Corporation/The Point at Metzler Ranch (Applicant) has requested approval of an amendment to the Site Plan to increase the permitted floor area ratio (FAR) from .25 to .30 for Lot 2A2, Metzler Ranch Filing 10; and

**WHEREAS**, the proposed amendment to the Site Plan is consistent with the Town's Vision 2020 and the Comprehensive Master Plan; and

**WHEREAS**, public hearings on the proposed amendment to the Site Plan has been held before the Planning Commission and Town Council in accordance with the applicable provisions 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. Preliminary Planned Development Site Plan Amendment Approval.** The Fifth Amendment to the Metzler Ranch Planned Development Site Plan is hereby approved.

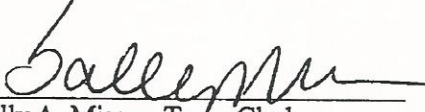
**Section 2. Severability.** If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

**Section 3. 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.

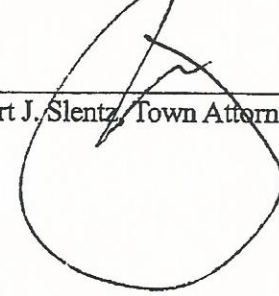
**APPROVED ON FIRST READING** this 5th day of October, 2010 by the Town Council of the Town of Castle Rock, Colorado by a vote of six (6) for and zero (0) against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of October, 2010, by a vote of the Town Council of the Town of Castle Rock, Colorado of six (6) for and zero (0) against.

**ATTEST:**

  
\_\_\_\_\_  
Sally A. Misare, Town Clerk

**Approved as to form:**

  
\_\_\_\_\_  
Robert J. Slentz, Town Attorney

**TOWN OF CASTLE ROCK**

  
\_\_\_\_\_  
Ryan Reilly, Mayor

**Approved as to content:**

  
\_\_\_\_\_  
Bill Detweiler, Development Services

220  
110<sup>00</sup>

**ORDINANCE NO. 96 - 42**

**AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY  
AMENDING A PORTION OF THE MILESTONE OFFICE CAMPUS PUD  
TO A NEW METZLER RANCH PD  
AND APPROVING THE METZLER RANCH PD ZONING REGULATIONS AND  
PRELIMINARY PD SITE PLAN**

**WHEREAS**, RMZ Corp, and Robert F. and Rosemary M. Metzler ("Owners") have requested PD planned development zoning of the parcel described in *Exhibit 1* , and

**WHEREAS**, Owners have requested approval of the Metzler Ranch zoning regulations as described on *Exhibit 2* attached hereto; and

**WHEREAS**, Owners have requested approval of the Metzler Ranch Preliminary PD Site Plan; and

**WHEREAS**, public hearings on the zoning, zoning regulations and preliminary pd plan have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code.

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

**SECTION 1. Amendment.** Chapter 17 of the Castle Rock Municipal Code is hereby amended by the amendments to the Milestone Office Campus PUD to be know as the Metzler Ranch PD as described in *Exhibit 1*.

**SECTION 2. Approval.** The zoning regulations as described in *Exhibit 2* and the Metzler Ranch Preliminary PD Site Plan are approved.

**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.

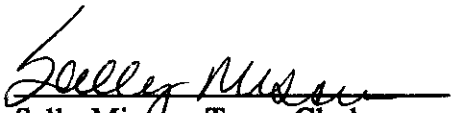
**SECTION 4. Safety Clause.** The Town Council finds and declares that this ordinance is promulgated, and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

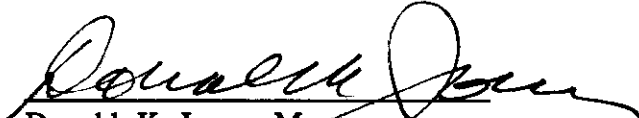
**SUBMITTED** this 10th day of October, 1996 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 6 for and 1 against.

**PASSED, APPROVED AND ADOPTED** this 24th day of October, 1995, by the Town Council of the Town of Castle Rock by a vote of 5 for and 2 against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

  
Sally Misare, Town Clerk

  
Donald K. Jones, Mayor

**APPROVED AS TO FORM:**

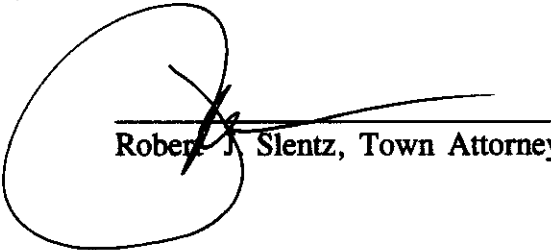
  
Robert J. Slentz, Town Attorney

EXHIBIT 1

LEGAL DESCRIPTION: (PARCEL 1)

A parcel of land situated in the Southwest one-quarter of Section 25 and in the South one-half of Section 26, Township 7 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado more particularly described as follows:

Beginning at the one-quarter corner common to Sections 25 and 26 and considering the North line of the South one-half of said Section 26 to bear South 89° 38' 29" East with all bearings contained herein relative thereto; thence South 89° 24' 11" East along the North line of the Southwest one-quarter of Section 25, a distance of 1807.96 feet; to a point on the West Right of Way line of Crowfoot Valley Road; thence South 43° 07' 24" West along said West Right of Way line, a distance of 865.31 feet to a point of curve; thence Southerly along the arc of a curve to the left and along said West Right of Way line, a distance of 231.50 feet, said curve has a radius of 280.00 feet and a central angle of 47° 22' 18" to a point of tangent; thence South 04° 14' 54" East along said West Right of Way line and along said tangent, a distance of 125.00 feet to a point of curve, being a point on the North Right of Way line of Miller Boulevard, also known as Founders Parkway, per the Final Plat of Miller Boulevard, Filing No. 2 as recorded in the office of the Douglas County Clerk and Recorder under Reception No 8603133; thence Southwesterly along the arc of a curve to the right a distance of 39.27 feet, said curve has a radius of 25.00 feet and a central angle of 90° 00' 00" to a point of tangent; thence South 85° 45' 06" West along said North Right of Way line and along said tangent, a distance of 25.00 feet to a point of curve; thence Westerly along the arc of a curve to the left and along said North Right of Way line, a distance of 278.80 feet, said curve has a radius of 1005.00 feet and a central angle of 15° 53' 41"; thence leaving said North Right of Way line North 84° 24' 12" West, a distance of 101.41 feet; thence South 76° 27' 03" West, a distance of 179.90 feet; thence South 19° 41' 38" West, a distance of 170.81 feet to a point on the North Right of Way line of aforesaid Miller Boulevard; thence Westerly along said North Right of Way line for the next twelve (12) courses:

1. thence South 54° 45' 06" West, a distance of 1185.69 feet to a point of curve;
  2. thence Westerly along the arc of a curve to the right a distance of 688.19 feet, said curve has a radius of 1967.69 feet and a central angle of 20° 02' 20" to a point of compound curve;
  3. thence Westerly along the arc of a curve to the right a distance of 39.98 feet, said curve has a radius of 25.00 feet and a central angle of 91° 36' 50" to a point of nontangency;
  4. thence South 76° 24' 46" West a distance of 60.00 feet
  5. thence Southwesterly along the arc of a curve to the right a distance of 39.98 feet, said curve has a radius of 25.00 feet and a central angle of 91° 37' 20" and a chord that bears South 32° 13' 26" West, a distance of 35.85 feet to a point of compound curve;
  6. thence Westerly along the arc of a curve to the right a distance of 2189.23 feet, said curve has a radius of 1967.69 feet, a central angle of 63° 44' 48" and a chord that bears North 70° 05' 30" West, a distance of 2078.05 feet;
  7. thence North 38° 13' 06" West along said tangent a distance of 1055.71 feet to a point of curve;
  8. thence Northerly along the arc of a Curve to the right a distance of 39.27 feet, said curve has a radius of 25.00 feet and a central angle of 90° 00' 00" to a point of nontangency;
  9. thence North 38° 13' 06" West a distance of 85.00 feet;
  10. thence Westerly along the arc of a curve to the right a distance of 39.27 feet, said curve has a radius of 25.00 feet and a central angle of 90° 00' 00", and a chord that bears North 83° 13' 06" West, a distance of 35.36 feet;
  11. thence North 38° 13' 06" West, a distance of 516.69 feet to a point of curve;
  12. thence Northwesterly along the arc of a curve to the left, a distance of 421.02 feet, said curve has a radius of 805.00 feet and a central angle of 29° 57' 58" to the North line of the South one-half of Section 26 and a point of nontangency;
- thence South 89° 38' 29" East along said North line a distance of 4541.80 feet to the point of beginning.

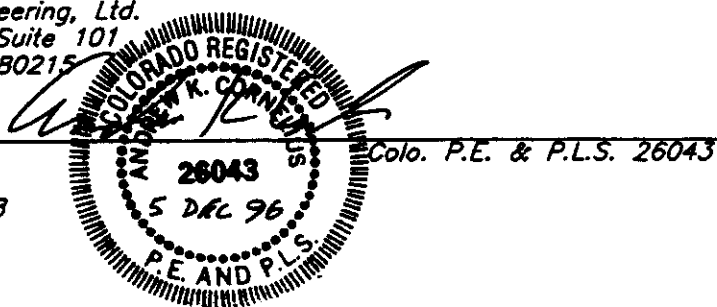
Said parcel of land contains 211.816 acres. more or less

Excluding from said parcel that portion deeded to the Town of Castle Rock in Book 893 at Page 1064 of the Records of the Douglas County Clerk and Recorder.

Prepared by:  
Inter-Mountain Engineering, Ltd.  
1420 Vance Street, Suite 101  
Lakewood, Colorado 80215

Andrew K. Cornelius

Project No. 95-0598  
December 5, 1996.



**LEGAL DESCRIPTION: (PARCEL 2)**

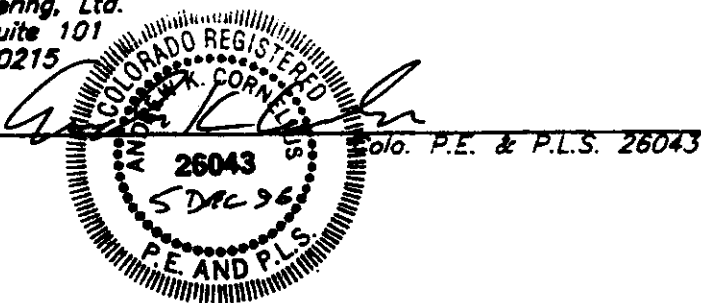
A parcel of land situated in the South one-half of Section 25, Township 7 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows:

Beginning at the center one-quarter corner of said Section 25 and considering the North line of the Southwest one-quarter of said Section 25 to bear North 89° 24' 11" West with all bearings contained herein relative thereto; thence North 89° 24' 11" West along said North line a distance of 714.19 feet to the East Right of Way line of Crowfoot Valley Road; thence South 43° 07' 24" West along said East Right of Way line a distance of 920.36 feet to a point of curve; thence Southerly along the arc of a curve to the left, a distance of 181.89 feet, said curve has a radius of 220.00 feet and a central angle of 47° 22' 18" to a point of tangent; thence South 04° 14' 54" East along said tangent and along said East Right of Way line, a distance of 125.00 feet to a point of curve, also being on the North Right of Way line of Miller Boulevard, also known as Founders Parkway, per the Final Plat of Miller Boulevard, Filing No. 2 as recorded in the office of the Douglas County Clerk and Recorder under Reception No 8603133; thence Southeasterly along the arc of a curve to the left, along said North Right of way line, a distance of 39.27 feet, said curve has a radius of 25.00 feet and a central angle of 90° 00' 00" to a point of tangent; thence North 85° 45' 06" East along said tangent and along said North Right of Way line, a distance of 322.83 feet to a point of curve; thence Southeasterly along the arc of a curve to the right and along said North Right of Way line, a distance of 1052.43 feet, said curve has a radius of 1005.00 feet and a central angle of 60° 00' 00" to a point of tangent; thence South 34° 14' 54" East along said North Right of Way line along said tangent, a distance of 1039.10 feet to a point of curve; thence Southeasterly along said North Right of Way line along the arc of a curve to the left, a distance of 297.82 feet, said curve has a radius of 895.00 feet and a central angle of 19° 03' 59"; thence North 06° 35' 49" East, a distance of 748.61 feet; thence North 09° 05' 49" East, a distance of 720.00 feet; thence North 28° 54' 11" West, a distance of 1150.00 feet to the North line of the Southeast one-quarter of Section 25; thence North 89° 24' 11" West along said North line, a distance of 295.00 feet to the point of beginning.

Said parcel of land contains 61.400 acres, more or less.

Excluding from said parcel the Right-of-Way for Ridge Road as it encroaches on the parcel.

Prepared by:  
Inter-Mountain Engineering, Ltd.  
1420 Vance Street, Suite 101  
Lakewood, Colorado 80215



Andrew K. Cornelius

Colo. P.E. & P.L.S. 26043

Project No. 95-0598  
December 5, 1996.

9672130 - 12/24/96 11:34 - RETA A CRAIN DOUGLAS CO. COLO. CLERK & RECORDER  
B1396 - P1658 - \$110.00 - 4/ 22

**LEGAL DESCRIPTION: (PARCEL 3)**

A parcel of land situated in the South one-half of Section 25 and the Southeast one-quarter of Section 26, and in the North one-half of Section 35, Township 7 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows:

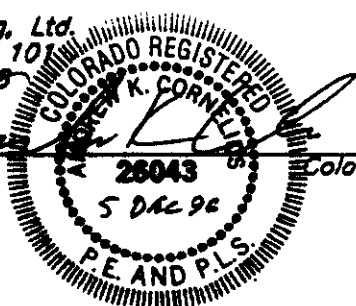
Beginning at the Northeast corner of the North one-half of said Section 35 and considering the East line of said North one-half to bear South 00° 24' 12" West with all bearings contained herein relative thereto; thence South 00° 24' 12" West along the East line of said North one-half, a distance of 2679.50 feet to the Southeast corner of said North one-half; thence North 89° 09' 06" West along the South line of said North one-half, a distance of 2942.26 feet to the East Right of Way line of Interstate Highway No. 25; thence North 03° 20' 56" West along said East Right of Way line, a distance of 558.44 feet; thence North 39° 09' 34" East along said East Right of Way line, a distance of 231.80 feet; thence North 44° 08' 04" East along said East Right of Way line, a distance of 282.00 feet; thence North 45° 51' 56" West along said East Right of Way line, a distance 50.00 feet; thence North 44° 11' 15" East, a distance of 2183.06 feet to a point of curve; thence Northerly along the arc of a curve to the left, a distance of 322.67 feet, said curve has a radius of 320.00 feet and a central angle of 57° 46' 29" to a point of tangent; thence North 13° 35' 14" West along said tangent, a distance of 75.70 feet to the South line of Miller Boulevard, also known as Founders Parkway, per the Final Plat of Miller Boulevard, Filing No. 2 as recorded in the Office of the Douglas County Clerk and Recorder under Reception No. 8603133; thence Easterly along said South Right of Way line for the next thirteen (13) courses:

1. thence North 76° 24' 46" East, a distance of 42.50 feet to a point of nontangency;
  2. thence Northeasterly along the arc of a curve to the right a distance of 38.47 feet, said curve has radius of 25.00 feet, a central angle of 88° 09' 37", and a chord that bears North 30° 29' 36" East, a distance of 34.78 feet to a point of reverse curve;
  3. thence Northeasterly along the arc of a curve to the left, a distance of 718.78 feet, said curve has radius of 2077.69 feet and a central angle of 19° 49' 18" to a point of tangent;
  4. thence North 54° 45' 06" East along said tangent, a distance of 1307.48 feet to a point of curve;
  5. thence Northeasterly along the arc of a curve to the right, a distance of 484.24 feet, said curve has radius of 895.00 feet and a central angle of 31° 00' 00" to a point of tangent;
  6. thence North 85° 45' 06" East along said tangent, a distance of 25.00 feet to a point of curve;
  7. thence Southeasterly along the arc of a curve to the right, a distance of 39.27 feet, said curve has radius of 25.00 feet and a central angle of 90° 00' 00", to a point of nontangency;
  8. thence North 85° 45' 06" East a distance of 60.00 feet, to a point of nontangency;
  9. thence Northeasterly along the arc of a curve to the right a distance of 39.27 feet, said curve has radius of 25.00 feet, a central angle of 90° 00' 00", and a chord that bears North 40° 45' 06" East, a distance of 35.36 feet to a point of tangent;
  10. thence North 85° 45' 06" East along said tangent, a distance of 322.83 feet to a point of curve;
  11. thence Southeasterly along the arc of a curve to the right, a distance of 937.24 feet, said curve has a radius of 895.00 feet and a central angle of 60° 00' 00" to a point of tangent;
  12. thence South 34° 14' 54" East along said tangent a distance of 1039.10 feet to a point of curve;
  13. thence Southeasterly along the arc of a curve to the left, a distance of 397.08 feet, said curve has radius of 1005.00 feet and a central angle of 22° 38' 16";
- thence South 06° 35' 49" West, a distance of 97.61 feet to the South line of Section 25;  
thence North 89° 18' 35" West, a distance of 3239.81 feet to the point of beginning;

Said parcel of land contains 241.872 acres, more or less.

Excluding from said parcel the Right-of-Way for Crowfoot Valley Road as it encroaches on the parcel.

Prepared by:  
Inter-Mountain Engineering, Ltd.  
1420 Vance Street, Suite 101  
Lakewood, Colorado 80218



Andrew K. Cornelius Colo. P.E. & P.L.S. 26043

Project No. 95-0598  
December 5, 1996.

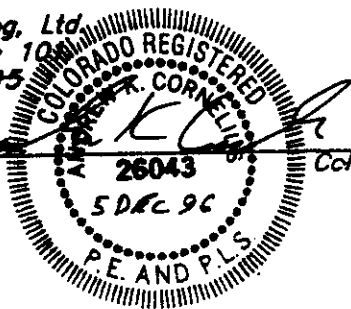
**LEGAL DESCRIPTION: (PARCEL 4)**

A parcel of land situated in the Northwest one-quarter of Section 35, Township 7 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows:

Commencing at the Southwest corner of said Northwest one-quarter and considering the South line of said Northwest one-quarter to bear South 89° 09' 06" East with all bearings contained herein relative thereto; thence South 89° 09' 06" East along said South line, a distance of 275.67 feet to the East Right of Way line of old U.S. Highway No. 85 as described in the records of the Douglas County Clerk and Recorder, in Book 79 at page 402, also being the Point of Beginning; thence continuing South 89° 09' 06" East along said South line, a distance of 1533.13 feet to the West Right of Way line of U.S. Highway No. 85; thence Northwesterly along the arc of a curve to the left being the West Right of Way line of U.S. Highway No. 85, a distance of 843.26 feet, said curve has a radius of 1061.00 feet, a central angle of 45° 32' 15" and a chord that bears North 55° 23' 27" West, a distance of 821.24 feet to a point of compound curvature; thence Westerly along the arc of a curve to the left, continuing along the West Right of Way line of U.S. Highway No. 85, a distance of 125.93 feet, said curve has a radius of 1443.10 feet, a central angle of 05° 00' 00" and a chord that bears North 80° 39' 56" West, a distance of 125.90 feet; thence North 83° 09' 56" West, continuing along the West Right of Way line of U.S. Highway No. 85, a distance of 608.60 feet; thence North 79° 24' 56" West, continuing along the West Right of Way line of U.S. Highway No. 85, a distance of 177.70 feet; thence Westerly along the arc of a curve to the right, continuing along the West Right of Way line of U.S. Highway No. 85, a distance of 238.20 feet, said curve has a radius of 1040.00 feet, a central angle of 13° 07' 23" and a chord that bears North 69° 05' 08" West, a distance of 237.68 feet to the West line of Northwest one-quarter; thence South 00° 39' 25" West, along said West line, a distance of 149.48 feet to the East Right of Way line of said old U.S. Highway No. 85; thence South 28° 08' 38" East along said East Right of Way line, a distance of 572.19 feet to the point of beginning.

Said parcel of land contains 16.722 acres, more or less.

Prepared by:  
Inter-Mountain Engineering, Ltd.  
1420 Vance Street, Suite 1000  
Lakewood, Colorado 80215



Andrew K. Cornelius

Colo. P.E. & P.L.S. 26043

Project No. 95-0598  
December 5, 1996.

**LEGAL DESCRIPTION: (PARCEL 5)**

A parcel of land situated in the South one-half of Section 26 and in the North one-half of Section 35, Township 7 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows:

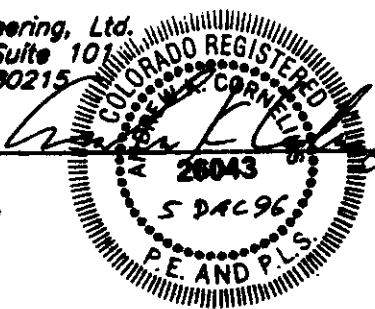
Commencing at the Northeast corner of the North of one-half of said Section 35 and considering the East line of said North one-half to bear South 00° 24' 12" West with all bearings contained herein relative thereto; thence South 00° 24' 12" West along the East line of said North one-half, a distance of 2679.50 feet to the Southeast corner of said North one-half; thence North 89° 09' 06" West along the South line of said North one-half, a distance of 2942.26 feet to the East Right of Way line of Interstate Highway No. 25; thence North 03° 20' 56" West along said East Right of Way line, a distance of 568.44 feet; thence North 39° 09' 34" East along said East Right of Way line, a distance of 231.80 feet; thence North 44° 08' 04" East along said East Right of Way line, a distance of 282.00 feet; thence North 45° 51' 56" West along said East Right of Way line, a distance 50.00 feet, said point being South 58° 25' 11" West, a distance of 3153.96 feet from the point of commencement, and being the Point of Beginning; thence Northerly continuing along said East Right of Way line the following seven (7) courses:

1. thence North 45° 51' 56" West, a distance of 50.00 feet;
  2. thence Westerly along the arc of a nontangent curve to the right, a distance of 309.14 feet, said curve has a radius of 236.50 feet, a central angle of 74° 53' 42" and a chord that bears South 81° 35' 04" West, a distance of 287.60 feet;
  3. thence North 60° 57' 56" West, a distance of 572.30 feet;
  4. thence North 82° 39' 26" West, a distance of 50.50 feet, to a point of nontangent curve;
  5. thence Northerly along the arc of a curve to the right, a distance of 229.92 feet, said curve has a radius of 905.00 feet, a central angle of 14° 33' 22" and a chord that bears North 30° 26' 41" West, a distance of 229.30 feet, to a point of nontangency ;
  6. thence North 20° 08' 41" West, a distance of 146.00 feet;
  7. thence North 18° 39' 56" West, a distance of 552.00 feet;
- thence North 81° 21' 28" East, a distance of 1670.03 feet; thence North 00° 00' 00" East, a distance of 622.52 feet to the South line of Miller Boulevard, also known as Founders Parkway, per the Final Plat of Miller Boulevard, Filing No. 2 as recorded in the Office of the Douglas County Clerk and Recorder under Reception No. 8603133; thence Southeasterly along the arc of a nontangent curve to the left, along said South Right of way line, a distance of 1091.96 feet, said curve has a radius of 2077.69 feet, a central angle of 30° 06' 46" and a chord that bears South 86° 41' 28" East, a distance of 1079.44 feet, to a point of reverse curvature; thence Southeasterly along the arc of a curve to the right, continuing along said South Right of way line, a distance of 38.47 feet, said curve has a radius of 25.00 feet, a central angle of 88° 09' 37" and a chord that bears South 57° 40' 02" East, a distance of 34.78 feet, to a point of nontangency; thence North 76° 24' 46" East, continuing along said South Right of way line, a distance of 42.50 feet; thence South 13° 35' 14" East, a distance of 75.70 feet, to a point of curve; thence Southerly along the arc of a curve to the right, a distance of 322.67 feet, said curve has a radius of 320.00 feet, and a central angle of 57° 46' 29", to a point of tangency; thence South 44° 11' 15" West, a distance of 2183.06 feet to the point of beginning.

Said parcel of land contains 62.93 acres, more or less.

Excluding from said parcel the Right-of-Way for Crowfoot Valley Road as it encroaches on the parcel.

Prepared by:  
Inter-Mountain Engineering, Ltd.  
1420 Vance Street, Suite 101  
Lakewood, Colorado 80215



Andrew K. Cornelius Colo. P.E. & P.L.S. 26043

Project No. 95-0598  
December 5, 1996.

EXHIBIT 2

**METZLER RANCH**  
**Preliminary PD Site Plan**  
**ZONING REGULATIONS**

**Prepared For:**  
**RMZ Corporation**  
**Box 85**  
**Castle Rock, Colorado 80104**  
**(303) 567-2785**

**Prepared By:**  
**King & Associates, Inc.**  
**1540 Race Street**  
**Denver, Colorado 80206**  
**(303) 333-3834**

**February 29, 1996**  
**Revised June 27, 1996**  
**Revised August 9, 1996**  
**Revised September 4, 1996**  
**Revised September 12, 1996**  
**Revised October 2, 1996**  
**Revised October 15, 1996**

**ZONING REGULATIONS  
FOR  
METZLER RANCH PLANNED DEVELOPMENT**

**TABLE OF CONTENTS:**

Section 1	General Provisions
Section 2	Definitions
Section 3	Land Use
Section 4	Accessory Uses
Section 5	Temporary Uses
Section 6	Development Standards
Section 7	Control Provisions
Section 8	Final Planned Development Site Plans
Section 9	Transitional Uses
Section 10	Severability of Provisions

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SECTION 1: GENERAL PROVISIONS

1.1 Adoption/Authorization. The Town Council has adopted the Metzler 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 Metzler 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.

These zoning regulations do not pertain to the use areas designated as IB, IB-B, and DUA. These three use areas are regulated by Town of Castle Rock Ordinance Number 87-36.

1.3 Maximum Level of Development. The total number of dwelling units or total commercial, industrial or other non-residential floor area approved for development within the established Use Areas is the maximum allowed for platting and development. The actual number of dwellings or floor area 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 Metzler 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 any other applicable provisions of the Town Municipal Code shall be applicable.

1.5 Phasing. The Phasing order indicated on the Phasing Plan shown in Appendix A is advisory in nature and is not construed as obligatory upon the 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 Metzler Ranch Development October, was adopted by the Town on the 2<sup>nd</sup> day of October, 1996, by Ordinance No. 96-42 Agreement

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SECTION 2: DEFINITIONS

2.1 Definitions. No special definitions are adopted.

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SECTION 3: LAND USE

3.1 Residential Use Areas.

- A. Description: R-SF1 through R-SF4: single family detached residential.  
R-TH1: single family attached residential and multi-family residential.  
R-MF1: single family attached residential and multi-family residential.
- B. Principal Permitted Uses:
1. Residence-principal - single family detached dwellings (including garage), single family attached dwellings and multi-family dwellings.
  2. Open Space / Trails
  3. Park / Playground
  4. Recreation Facility, Site Plan Required
  5. School - Public Or Private, Site Plan Required
  6. Transportation R.O.W.
  7. Home occupations.
  8. Mother-in-law or nanny unit: defined as a dwelling associated with the main dwelling that is integrated in the overall design of the structure but may have a separate entry and kitchen facility. The unit must be attached to the main home or detached garage. Separate addressing or utility taps are not permitted. One additional parking space must be provided on the lot for the nanny unit. The design of the structure must accommodate a fire wall between the main home and nanny unit if a separate entry is proposed. Occupants of these units must be related to the family residing in the main residence by blood or marriage, or be full time employees of the family residing in the main residence.
- C. Uses By Special Review:
1. Churches, synagogues and other religious institutions
  2. Day Care Centers
  3. Public and quasi-public facilities
  4. Public utilities and related facilities
  5. Boarding House
  6. Group/Commercial Home
  7. Club/Private Recreational Use (Country Club)
  8. Golf Course
  9. Cultural Facility
  10. Higher Education Facility

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11. Hospital
12. Fire Station

### 3.2 COMMERCIAL USE AREAS

Refer to Town of Castle Rock Zoning Ordinance Chapter 17.44 "B-2 General Business"

### 3.3 LIGHT INDUSTRIAL USE AREAS

Refer to Town of Castle Rock Zoning Ordinance Chapter 17.52 "I-1 Light Industrial"

### 3.4 OPEN SPACE USE AREAS, OSD, OSP, AND PLD

- A. OSD: Land proposed to meet portions of the PD open space requirement of 20% for the entire parcel. OSD is maintained by the Town of Castle Rock.
- OSP: Land proposed to meet portions the PD open space requirement of 20% for the entire parcel. OSP is maintained by private Homeowner's Associations, or other private ownership.

PLD: Land proposed to meet the PD public land dedication requirement of 10% for the entire parcel.

#### B. Permitted Uses

1. PLD: Parks, schools and other public uses, active and passive recreation activities, golf course, preservation of land for public purposes, railroad rights of way, roadway rights of way and including such structures and other improvements not inconsistent with the Land Dedication and the Planned Development District ordinances.
2. OSD: Common open space which may include, but not be limited to, landscaped areas, swimming pools, tennis courts, play areas, walkways and bikeways, but excluding driving and parking areas.
3. OSP: Common open space which may include, but not be limited to, landscaped areas, swimming pools, tennis courts, play areas, walkways and bikeways, but excluding driving and parking areas.

- C. The boundaries and/or location of open space use areas depicted on the plan may be changed or adjusted, and shall be considered a minor amendment to the PD

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Plan, as long as the total combined OSD and PLD acreage is not reduced and vital open space corridors and linkages are not eliminated.

- D. Three OSD areas are indicated on the PD Plan. In addition to these areas, some individual parcels must provide a percentage of OSP at the time of Final Site Plan preparation. These OSP requirements vary for individual parcels, as indicated on the site plan and discussed in the development agreement.

3.5 UTILITIES DEDICATION USE AREA - UD

A. Permitted Uses

- 1. All Town owned and operated utilities and drainage areas.
- 2. Other Public and/or Private utilities as authorized on a Final PD Site Plan.
- 3. All uses permitted in the PLD Use Areas.

3.6 IB; IB-B; DUA

The IB, IB-B, and DUA use areas are from Town of Castle Rock Ordinance Number 87-36, Metzler Ranch P.U.D.. Permitted uses and densities are as defined in Ordinance 87-36.

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**SECTION 4: ACCESSORY USES PERMITTED IN ALL USE AREAS**

1. **Underground utility and communications distribution lines.**
2. **Roadways, bike paths, pedestrian and equestrian trails.**
3. **Parking areas.**
4. **Open spaces and lakes, to include storm water drainage detention areas.**
5. **Well sites.**

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**SECTION 5: TEMPORARY USES**

1. Home/Builder sales and information offices/facilities provided that:
  - (a) Such temporary structure is located within a final platted subdivision.
  - (b) Sales are limited to those units within the Metzler Ranch PD Area.
  - (c) Adequate access, parking, sanitary facilities, and landscaping are provided.
2. Construction office and/or trailer.
3. Dwelling units to be used as models and/or sales and information offices; provided the unit so utilized is a permitted use in the use area where it is located.

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**SECTION 6: DEVELOPMENT STANDARDS**

**6.1 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:

METZLER RANCH PD- DEVELOPMENT STANDARDS						
STANDARD	USE AREAS					
	R-SF1	R-SF2	R-SF3	R-SF4	R-TH1	R-MF1
Minimum Lot Area (square feet)	43,560	21,780	7,000	See Note (4) Below.	N/A	N/A
Minimum Setbacks:						
Front to Garage	18'	18'	18'	18'	18'	18'
Front (residence)	20'	20'	20'	20'	20'	20'
Rear	30'	20 <sup>(1)</sup>	20 <sup>(1)</sup>	20 <sup>(1)</sup>	20 <sup>(2)</sup>	20'
Side Interior Lot	15'	5'	5'	5'	5'	5'
Side to Street	30'	15'	15'	15'	15'	15'
Max. Building Height	35'	35'	35'	35'	40 <sup>(3)</sup>	40 <sup>(3)</sup>
Max. Bldg. Lot Coverage	N/A	N/A	N/A	N/A	40%	40%

**NOTES:**

- (1) Raised decks will be allowed a 15' rear set back when lot backs onto public or private open space with a depth of at least 20 feet.
- (2) All attached dwelling units are allowed a 0' (zero) side yard setback where attached.
- (3) Not to exceed three stories of occupied floor area.
- (4) 15% of the total R-SF4 acreage shall be allowed to have a minimum lot size ranging from 5,000 to 5,500 square feet; no less than an additional 15% of the total R-SF4 acreage shall have a minimum lot size ranging from 8,000 to 10,000 square feet.

**6.2 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 property.

**6.3 Utilities.** All public utility distribution lines must be placed underground.

**6.4 Trails.** The trail system as shown on the Preliminary PD Site Plan is conceptual, showing general trail locations only. The exact location of each trail, whether it shall be located on the street or adjacent to the street, and the construction materials shall be determined during the Final PD Site Plan submittal process.

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## SECTION 7: CONTROL PROVISIONS

- A. 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 somewhat diagrammatic depiction of Use areas (rounded corners, separation from other areas, etc.) However, changes or adjustments to boundaries may only be made through the PD Amendment procedure as provided in the Town Code, which states; "Use Area Boundaries may be administratively adjusted when no more than 10% of the acreage of any one planning area is affected, where density is not increased, where open space is not reduced, and where such does not involve an inclusion or exclusion of land from the overall Preliminary or Final PD."
- 
- B. Road Alignments. The Preliminary PD Plan is intended to depict general locations of roadways, and access points. Recognizing that final road alignments are subject to engineering studies, minor arterial and collector road realignments are expected, and can be accomplished by the developer through the platting process, without any amendment to this ordinance or to the Plan itself. Major road alignments, as determined by the Town Planning Director, shall follow the PD Amendment procedure as provided in the Town Code.
- 
- C. Preservation Area/No Build Area. The delineation of this area shall serve as a building setback line for the individual lots on which it applies. No dwelling shall be constructed within this area. In addition, the removal of trees for reasons other than fire prevention or disease control is prohibited. Tree removal due to utility crossings shall be minimized and all trees removed shall be replaced on a one for one basis.
- D. Transitional Areas. Transitional areas are located along the boundaries of use areas of differing densities, and along peripheral site boundaries. In these areas, care shall be given to reducing the impact of differing densities through the use of buffers and the strategic location of appropriately sized lots. For example, in areas where a larger lot area is adjacent to a smaller lot area, consideration shall be given to placing lots adjacent to the boundary that will minimize the size discrepancy.

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**SECTION 8: FINAL PD SITE PLANS**

- 8.1 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.

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**SECTION 9: TRANSITIONAL USE**

After approval of the Preliminary Site Plan incorporated as part of this amendment to the Town of Castle Rock Zoning District Map, any portion of the Metzler Ranch PD which does not have an approved final site plan may be used for agricultural purposes. These uses may continue until a final site plan for such property, is approved or until such a time that the board of Trustees determines that the proximity of these uses to developed areas provides a negative impact to the health, safety or welfare of residents / owners of such developed areas.

Permitted Agricultural Uses include farming, ranching, gardening, and buildings accessory to these uses. In no event commercial feed yards, poultry or hog farms be permitted.

The existing residence located northwest of the intersection of Founder's Parkway and Crowfoot Valley Road shall be a transitional use.

Transitional Use Areas shall be closed to vehicular traffic and off-road recreational motor biking excepting agricultural vehicles and implements, emergency vehicles, vehicles associated with the existing residence, vehicles engaged in utility and maintenance work, and designers of the developer and / or Town.

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).

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SECTION 10: SEVERABILITY OF PROVISIONS

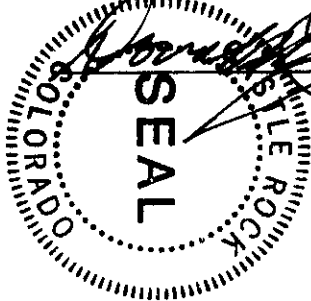
In the event that any provision hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remain provisions shall remain in full force and effect.

Passed and adopted this 24<sup>th</sup> day of October, 1996, by a vote of the Board of Trustees of the Town of Castle Rock, Colorado, 5 For and 2 Against.

ATTEST:

Sally A. Mum TOWN CLERK

[Signature] MAYOR, TOWN OF CASTLE ROCK



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APPENDIX A:

Phasing Plan

**PHASING PLAN NOT INCLUDED HERE.  
PHASING PLAN IS AN EXHIBIT TO THE  
DEVELOPMENT AGREEMENT WITH COPIES  
IN PLANNING AND IN ENGINEERING FILES**