

**SADDLEBACK MOUNTAIN SUBDIVISION FINAL PLAT
CASE #SUB-1-98**

WHEREAS, C.R.S. 29-20-104 et seq. authorizes boards of county commissioners to plan for and regulate the use of land including a recommendation by the county planning commission and proper public notice; and

WHEREAS, an application for final plat to subdivide land in Sections 3, 4, and 10 of Township 4 South, Range 72 West, also known as the Saddleback Mountain Subdivision, was filed with the County pursuant to the Clear Creek County Subdivision Regulations as adopted 2 February 1989, as amended; and

WHEREAS, the County Planning Commission, during a public hearing on 16 March 2000, recommended approval of the final plat application for Saddleback Mountain Subdivision, pursuant to PC-00-03; and

WHEREAS, the Clear Creek Board of County Commissioners, pursuant to public notice published 29 March 2000, held public hearings on 18 April and 27 April 2000 to consider the final plat application for Saddleback Mountain Subdivision.

NOW, THEREFORE BE IT RESOLVED that the Clear Creek Board of County Commissioners hereby approves the final plat application for Saddleback Mountain Subdivision, pursuant to the following findings of fact and stipulations and conditions:

FINDINGS OF FACT

1. Referral agencies responses were received from:
 - A. Army Corp. of Engineers - response dated 19 January 1999
 - (i) If any work associated with this project requires the placement of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent, in streams or wetlands at this location, a Department of the Army permit(s) or changes in permit are required pursuant to Section 404 of the Clean Water Act.
 - B. Kenneth W. Knox, Assistant State Engineer, Office of the State Engineer, Division of Water Resources - response dated 26 January 1999
 - (i) The water supply is to be from individual on-lot wells operating under a plan for augmentation decreed in Division 1 Water Court Case No. W-9483-78.
 - C. R. L. Jones, Upper Clear Creek Watershed Association - response dated 24 February 1999
 - (i) After review of the submittal documents, I find that the requirements placed on the final plat previously still exist and are as we requested. The only additional request we make is that they be enforced as stated. This is especially true of the monitoring requirements prior to construction.
 - D. Jack Russalesi, City Administrator, City of Idaho Springs - response dated 22 March 1999
 - (i) Concern about the availability of water and fire protection.
 - E. Dennis M. Williams, District Manager, IREA - response dated 13 July 1999
 - (i) Have reviewed the proposal and have no comments.
 - F. Bev Evans, Planner, Jefferson County - response dated 15 July 1999
 - (i) If any portion of the project is determined to be in Jefferson County, then additional processes may be required.
 - G. Vaughn Jones, Wildfire Mitigation Forester, Colorado State Forest Service - response dated 3 August 1999
 - (i) Follow the mitigation requirements outlined in the plat and Pre-Attack Plan, specifically creation of defensible space around homesites and creation of fuelbreaks along all main roads.
 - (ii) Follow all water supply requirements made in the Pre-Attack Plan and by fire department.
 - (iii) Require all roads and driveways to meet county and fire department requirements.
 - (iv) Recommend forming a subdivision committee that meets periodically to discuss wildfire planning and mitigation.
 - (v) Ensure prior signage at all residences.
 - (vi) Develop a long-term forest management plan for all open space and conservation areas.

- H. Richard Woods, Vice President, EMERGE - response dated 6 August 1999
- (i) Residential Parking - does not believe that on-street parking should be allowed.
 - (ii) Sentinel Way - environmentally offensive, excess of 20' grades, very obtrusive to the view from the valley (recommends deletion of Sentinel Drive and its associated lots).
- I. A joint response was received by Kenrick Pocius, Engineering Consultant; Jim Cannady, Road and Bridge Supervisor; and Tim Allen, Development Site Inspector dated 3 February 2000
- (i) The final plat proposal submitted by the applicant has addressed the issues, as outlined in previous memorandums, to their satisfaction.
- J. Bill Snyder, Environmental Health Specialist, Clear Creek Environmental Health Department - response dated 10 February 2000
- (i) The final plat submittal has incorporated all of his original comments.
- K. Ron Oehlkers, Division Wildlife Manager III, Division of Wildlife - response dated 14 February 2000
- (i) The Compensatory Mitigation and Wildlife Enhancement Plan needs to be developed and agreed upon prior to issuance of any County building permit.
 - (ii) The Compensatory Mitigation and Wildlife Enhancement Plan needs to specifically identify the impacts on wildlife habitat from the development. Such impacts shall be the basis for the habitat work to be conducted.
 - (iii) When driveways cannot be constructed within the buildable envelopes, they must be approved by the Planning Director in conjunction with the DOW to ensure that their location will minimize habitat and vegetation disturbance.
 - (iv) Each property owner of a household pet shall be financially liable for any damages to person, personal property, pets, or wildlife.
 - (v) Response dated 20 March 2000: Verbal response to the Planning Commission's recommendations.
- L. Craig Abrahamson, Clear Creek Fire Authority - response dated 17 February 2000
- (i) Section 9.d.(vii) of the Subdivision Improvements Agreement - ISO Ratings language to be modified.
 - (ii) Section 9.d.(viii) of the Subdivision Improvements Agreement - Emergency Egress language to be modified.
 - (iii) Response dated 21 March 2000: Verbal response to the Planning Commission's recommendations.
- M. Nabil Haddad, Colorado Department of Transportation - response dated 24 February 2000
- (i) CDOT will require the developer to reapply for a new Access Permit to access the south side of I-70 r-o-w and US 40, at the Floyd Hill Interchange.
 - (ii) CDOT will require Permittee to construct a left turn deceleration lane from west bound US 40, approaching exist 247 and the I-70 overpass spur road.
- N. Don Middleton, Superintendent, Clear Creek School District RE-1 - response dated 25 February 2000
- (i) Has reviewed the proposal and has no comments.
- O. Jeffrey L. Hynes, Senior Engineering Geologist, Colorado Geological Survey - response dated 28 February 2000
- (i) Plat note 23 addresses their concerns with respect to the geological constraints of the site.
 - (ii) The text uses the phrase "geotechnical engineer" and the actual note on the plat uses the phrase "geological engineer". Both references should be for a "geotechnical engineer".
 - (iii) Response dated 20 March 2000: Verbal response to the Planning Commission's recommendations.
- P. Don Krueger, Sheriff, Clear Creek Sheriff's Office - response dated 2 March 2000
- (i) Have reviewed the proposal and has no comments.
- Q. Louis Smith, President Board of Supervisors, Jefferson Soil Conservation District - responses dated 3 March 2000 and undated
- (i) North facing bedrock cut slopes could day-light joints and fractures along metamorphic rock foliation potentially causing failures. A Rock Slope Stability Analysis can be performed prior to construction.
 - (ii) Replacement of stockpiled topsoil on the proposed cut and fill slopes of 1-1/2:1 will be a futile gesture. The applied material will just slide down the slopes.
 - (iii) Question the plan allowing for seeding up until permanent ground freeze.
 - (iv) The use of a co-polymer or other similar additive would greatly enhance the life span of the mulch.

- (v) The application rate of Menefee Granular Humate still appears too high at 1500 lbs/acre. A distributor of the product recommends a rate of 500 lbs/acre on slopes of 2:1 or less, increasing that amount to 750 lbs/acre for a 1.5:1 slope. This may be an area to reduce cost and upgrade the tackifier to include a co-polymer.
- (vi) Concerned with drainage from the switchbacks on Sentinel Way. Concentrated runoff from the culvert outlets will travel downslope to the next switchback.

2. Homeowners associations' responses were received from:

- A. Saddleback Ridge Estates Homeowners' Association
 - (i) George "Sandy" Lowe, President - response dated 28 February 2000: Concerns focused on: (1) the proposed expansion would have a dramatic impact on the traffic flow; (2) impact on Santa Fe Mountain Road; (3) "letter of credit" vs. "Performance and payment bonds"; and (4) disparity between the developer's and the county's estimates for public improvements.
 - (ii) George "Sandy" Lowe, President - response dated 3 March 2000 stating that Ron Klusman and Greg Vallin will represent the Saddleback Ridge Estates Homeowners Association at the hearings. They will also be working with representatives of the Floyd Hill Area Property Owners Association and the Beaver Brook Homeowners Association as a group on this project.
 - (iii) Ronald W. Klusman - response dated 19 February 2000: Concerns focus on: (1) water quantity and quality; (2) geologic hazards and geotechnical engineering; (3) roads; (4) forest and wildlife; (5) phases and scheduling; and (6) general comments.
 - (iv) Greg Vallin - response dated 25 February 1999: Concerns focus on: (1) phases; (2) water quality and quantity; (3) revegetation; (4) CDOT application; (5) wildlife mitigation plan; (6) wildfire mitigation plan; (7) road construction and design; and (8) letter of credit.
- B. Beaver Brook Canyon Property Owners
 - (i) Catherine Wright, President - response dated 3 March 2000: Biggest concern remains the use of Beaver Brook Canyon Road as an alternate route for any reason.

3. Adjacent property owners' responses, in support of the proposed subdivision, were received from:

- A. Frank Hart
- B. Michael and Cayli Utter
- C. Howard Commander
- D. David K. Cantley
- E. Phillip C. Gans
- F. S. Robert August

4. Adjacent property owners' responses, outlining concerns of the proposed subdivision, were received from:

- A. Stephen Smith - response dated 21 January 1999: Concerns focus on: (1) Santa Fe Mountain Road; (2) guard rails; (3) dust control; and (4) water rights/availability.
- B. Ron Gotlin - response dated 21 January 1999: Concerns focus on: (1) water; (2) sewer; and (3) roads/access.
- C. John and Shirley Weidler - response dated 22 January 1999: Concerns focus on: (1) Saddleback Drive; (2) traffic; (3) maintenance; (4) run-off drainage; (5) construction; (6) wildlife habitat; (7) over-building/crowding; and (8) increase in thief/burglaries.
- D. Robert and Rebecca Treat - response dated 31 January 1999: Strongly opposed to this development. Concerned over the lack of water and upkeep of roads.
- E. Stefan and Miriam Coca - response dated 14 February 1999: Concerns focus on: (1) Santa Fe Mountain Road; (2) water; and (3) loss of real estate value.
- F. Mark Gilbert - response dated 15 February 1999: Main concern focuses on Beaver Brook Canyon Road.
- G. Rick Sirotiak - response received 17 February 1999: Concerns focus on: (1) off-site road improvements; (2) air quality; (3) road grades; (4) road construction; (5) access; and (6) CDOT requirements.

- H. Charles W. Law Jr. - response dated 13 July 1999: Concerns focus on: (1) improvements to Saddleback and Santa Fe Mountain Roads; (2) dust control; (3) enforcement of speed limits; and (4) impacts on existing wells.
 - I. Lars and Mary von Hellens - response dated 4 August 1999: Concern focuses on: (1) Beaver Brook Canyon road.
 - J. Steve Glueck, City of Golden Planning Director - response dated 1 February 1999: Concern focused on wildlife maps.
 - K. Douglas J. Lootens - response dated 13 February 2000: Concerns focus on: (1) the poor condition of Aspen Drive and Saddleridge Road just east of the entrance to the proposed subdivision; (2) the high traffic danger of the hairpin turn on Aspen Drive below the intersection with Saddleridge; (3) the greatly increased traffic volume on Saddleridge at Forest Drive; and (4) the absolute imperative that the County consider planned developments in the eastern part of the County in a regional context, rather than as individual, isolated development projects. Also included is Mr. Lootens' 17 February 2000 response which he references in his 13 February 2000 letter.
 - L. Joseph and Diane Aldridge - response dated 14 February 1999: Concerns focus on: (1) housing density is too high; (2) Beaver Brook Canyon Road; (3) lifestyle issues; and (4) run-off and erosion damage.
 - M. Mike and Laurie Baird - response dated 14 February 1999: Concerns focus on: (1) water; and (2) road congestion.
 - N. Charles and Jean Tindall - response dated 15 February 2000: Concerns focus on: (1) well water; and (2) erosion.
 - O. Paul and Patricia Thomas - response dated 19 February 2000: Concerns focus on: (1) the 1.3 miles of road from the Forest Drive intersection to the end of Saddle Ridge Drive; and (2) road names.
 - P. Harvey and Gladys Bransky - response dated 23 February 2000: Concerns focus on: (1) water quantity and quality; (2) road conditions/increased traffic; and (3) sanitation.
 - Q. Keenan and Santa Mucklow - responses dated 8 February 1999 and 25 February 2000: Concerns focus on: (1) new access road; (2) construction equipment; (3) speed limits; (4) water; (5) sanitation; (6) will not provide drainage easement deed to the subdivider.
 - R. Gary Knecht - response dated 28 February 2000: Concerns focus on: (1) roads; (2) increased traffic; and (3) water.
 - S. Hayden and E. Sue Morris - response dated 29 February 2000: Concerns focus on: (1) impact on Santa Fe Mountain Road; (2) water quantity and quality; and (3) impacts to wildlife and forest.
 - T. Catherine Wright - response dated 3 March 2000: Against the use of Beaver Brook Canyon Road for any reason.
 - U. James & Arlene Harper - response dated 3 March 2000: Concerns focus on: (1) off-site drainage easement; and (2) water supply.
- 5. The Board of County Commissioners and the Planning Commission acknowledge that the final plat, as submitted by the Subdivider with modifications as specified in the Stipulations and Conditions outlined below, is in compliance with the requirements as set forth in the *County Subdivision Regulations* dated 2 February 1989, as amended.
 - 6. The Board of County Commissioners and the Planning Commission acknowledge that the application for final plat is in compliance with all applicable statutory provisions and state and federal regulations.
 - 7. The Board of County Commissioners and the Planning Commission acknowledge that the comments provided by referral agencies, homeowners associations, and adjacent property owners have been sufficiently addressed.

STIPULATIONS AND CONDITIONS

1. **Recordation.** Following approval of the final plat by the Board of County Commissioners, the Subdivider shall record with the Clerk and Recorders Office the following documents:
 - A. BOCC Resolution approving the final plat
 - B. Approved final plat and platting conditions
 - C. Subdivision Improvements Agreement (including Exhibit A: Listing of Public Improvements and Exhibit B: Resolution R-95-86: A Resolution Approving with Conditions the Creation of the Saddleback Metropolitan District)
 - D. Final Roadway Design and Construction Drawings
 - E. Final Grading and Drainage Drawings
 - F. Augmentation decreed in Division 1 Water Court (Case No. W-9483-78)
 - G. Order and Decree Creating the Saddleback Metropolitan District (Case No. 96CV79), dated 25 April 1997
 - H. Saddleback Metropolitan District Service Plan, prepared by Water Resources Engineering Company, dated November 1995, as revised
 - I. Road Easement Deed for the Tonn Parcel - Saddleback Drive
 - J. Quit Claim Deed for Santa Fe Mountain Road
 - K. Drainage Easement Deeds for culverts 7 and 11
 - L. Declaration of Covenants: Saddleback Mountain Subdivision
 - M. Resolution R-99-54: Variance from the Uniform Building Code Regarding Residential Driveways for the Saddleback Mountain Subdivision
 - N. Wildfire Pre-Attack Plan, prepared by the Colorado State Forest Service dated Spring 1995
 - O. Revegetation Plan and drawings, prepared by David R. Chenoweth dated 10 June 1999
2. **Modify Section 3.b. of the Subdivision Improvements Agreement as follows:**

"Letter of Credit. Subdivider shall post a letter of credit from an accredited financial institution in favor of the County as collateral, which letter of credit shall always be in an amount of at least equivalent to phase in progress on said public improvements, and at 1.635 times the amounts set forth in Exhibit "A" hereto. Said letter of credit for phase in progress shall not be released in part or in whole until the determination of phase completion or incremental completion is made by the County in accordance with paragraph 5 hereof. In the event of default by the Subdivider in completion of the public improvements set forth in Exhibit "A" hereto, and in the event that the County would call upon the letter of credit, as set forth in paragraph 5 hereof said letter of credit funds shall be applied to the items not completed as set forth in Exhibit "A" with the County being entitled to an additional ten (10) percent administration fee, of the amount of the items not completed, provided, however, the County reserves the option not to complete the items of default as set forth in Exhibit "A" whereupon the County would release the letter of credit less a ten (10) percent administration fee of the amount of the items not completed."
3. **Modify Section 9.d.(vii) of the Subdivision Improvements Agreement to read as follows:**

ISO Ratings
"Subdivider has provided evidence that fire insurance will be available; however, prior to conveying any portion of a lot, the Metro District shall provide a notice, acceptable to the Fire Authority, to all future land owners that they should expect: (a) an ISO rating of 9 or 10; (b) that fire insurance may be very expensive to obtain; and (c) emergency response time may be extended."
4. **Emergency Egress - Beaver Brook Canyon Road** should not be noted as an emergency egress route; thus leaving note #9.d.(viii) as presented by the Subdivider.
5. **Modify Section 9.f.(iv) of the Subdivision Improvements Agreement to read as follows:**

"A Colorado licensed Professional Engineer who specializes in geotechnical engineering with a minimum of five (5) years geological experience/background shall be on-site during all phases of the road construction to insure proper construction techniques are performed to insure stability of the road and the cut and fills."
6. **Modify Section 9.f.(v) of the Subdivision Improvements Agreement to read as follows:**

"A stamped, written statement, from the Colorado licensed Professional Engineer who specializes in geotechnical engineering with a minimum of five (5) years geological experience/background verifying that the roads have been constructed per his/her recommendations must be provided prior to issuance of any County Building Permit, for any lot or parcel accessed by such roads, and prior to any release of financial guarantees."

7. Modify Section 9.f.(vi) of the Subdivision Improvements Agreement to read as follows:

"A stamped, written statement, from the Colorado licensed Professional Engineer verifying that the road has been constructed per the approved design, prior to issuance of any County Building Permit, for any lot or parcel accessed by such roads and prior to any release of financial guarantees."

8. Modify Section 9.f.(vii)(3) of the Subdivision Improvements Agreement to read as follows:

"Impact Fees. A total of \$126,400 in impact fees shall be paid by the Subdivider by Phase to cover the total cost of County adopted impact fees for the Subdivision. The Subdivider shall pay \$1,470 (\$126,400/86) times the number of lots in each phase to be submitted with the first building permit for that phase. In consideration for the aforesaid impact fees, the County shall be the responsible party to timely complete offsite road improvements for the following segments:

Saddleback Drive from Elk Valley Drive Intersection to Santa Fe Mountain Road.

Sloughed off portion of Saddleback Drive east of Elk Valley Drive towards the sales office."

9. Modify Section 9.f.(viii)(2) of the Subdivision Improvements Agreement to read as follows:

Soils Report

"A County Pioneering Permit shall be issued for the sole purpose of soil sampling and the submission of a soils report. The report shall be submitted to the County Planning Department for review and approval prior to the issuance of any County Road Construction Permit. The report. . . ."

10. Add the following sentence to the end of the "residential driveways" subsection of Section 9.g.(i) of the Subdivision Improvements Agreement to read as follows:

"In this case, structures served by the driveway must have 300 points of wildfire mitigation."

11. Add a new section to the Subdivision Improvements Agreement as follows:

"Phasing. After completion of each phase, the County Planning Director and the Development Site Inspector shall review and confirm that the construction and performance is in compliance with the stipulations and conditions as outlined in the recorded documentation, which are detailed below, prior to commencement of the subsequent phase. Any noncompliance with such stipulations and conditions must be addressed to the satisfaction of the County Planning Director and the Development Site Inspector prior to beginning of the next phase.

1. Public improvements as outlined in Exhibit A of the Subdivision Improvements Agreement and detailed in the construction and drainage drawings.
2. Identification and removal of beetle infested trees which occur in open tracts.
3. Fuelbreaks, in accordance with the Wildfire Pre-Attack Plan, simultaneous with road construction.
4. Thinning for open tracts, in accordance with the Wildfire Pre-Attack Plan.
5. Installation of cisterns for emergency service water storage.
6. Best Management Practices (BMPs), in accordance with the Revegetation Plan.
7. Compliance with the County Noxious Weed Management Plan.
8. Implementation of the Compensatory Mitigation and Wildlife Habitat Enhancement Plan concurrent with the time line and work to be performed in the Wildfire Hazard Mitigation Plan."

12. Add new subsections to the end of Plat Note #13 of the Platting Conditions as follows:

- A. "The Saddleback Metropolitan District shall ensure compliance with the Clear Creek County Noxious Weed Management Plan, as adopted by resolution R-99-60 and amended by R-99-108, for all open space tracts, unless a variance is granted by the County Road and Bridge Supervisor."

- B. "The Saddleback Metropolitan District shall comply with the Colorado Pest Control Act, (35-4 C.R.S.) for the control and prevention of beetle infestations which occur in all open tracts. To ensure compliance with this Act, the Subdivider shall, at its own expense, retain a specialist in the field of pest control and management who shall identify and tag trees which are infested. Prior to removal of said infested trees, the Colorado State Forest Service shall be requested, at the expense of the Subdivider, to visit the site and verify tagged trees. The County Development Site Inspector will verify that said infested trees have been removed. Such control measures shall be completed during the phase in progress. Following initial compliance with this Act, the Saddleback Metropolitan District shall ensure on-going maintenance."
13. Modify the first sentence of Plat Note #18 of the Platting Conditions to read as follows:
- "Monitoring wells be provided on Sawmill and Johnson gulches just above their confluence with Clear Creek and on the south side of I-70 and shall be installed prior to issuance of a County Road Construction Permit."
14. Modify Plat Note #19 of the Platting Conditions as follows:
- Change "1MG/LITER" to "1 milligram/liter".
15. Modify Plat Note #20 of the Platting Conditions as follows:
- Change "2MG/LITER" to "2 milligrams/liter".
16. Modify Plat Note #24 of the Platting Conditions as follows:
- "Physical access to water for individual residences will be from household use only wells. Water quality and quantity is subject to the site-specific geology related to each individual lot."
17. Modify Plat Note #25 of the Platting Conditions as follows:
- "Each household water well shall be sampled at the time of installation and once a year with the samples to be analyzed by a state certified water laboratory for nitrates, bacteria, and production flow. If the bacteria test is positive, then the sample shall also be analyzed for fecal coliform. Static water levels for each household water well shall be sampled at the time of installation and quarterly. The results of the sample analyzes shall be furnished to the County Environmental Specialist and the Upper Clear Creek Watershed Association within thirty (30) days of the sampling. The Saddleback Metropolitan District shall be responsible for ensuring that the sampling is conducted and that water consumption is in compliance with the augmentation plan."
18. Modify the first sentence of Plat Note #27 of the Platting Conditions to read as follows:
- "A Colorado licensed Professional Engineer who specializes in geotechnical engineering with a minimum of five (5) years geological experience/background, with overview authority by the County Development Site Inspector, shall review all earth moving construction to insure the following. Such qualified specialist shall be hired at the expense of the Subdivider with final County approval of the individual retained. Reports and updates shall be provided concurrently to the Subdivider, County Development Site Inspector, and the Upper Clear Creek Watershed Association."
19. Modify Plat Note #27(12) of the Platting Conditions to read as follows:
- "To address the potential problems associated with Talus slopes, a detailed site-specific engineering geologic and foundation analysis shall be performed on lots 17, 62, 74, and 75 to insure the stability of the dwellings. A building permit shall not be issued until the site-specific analysis has been reviewed and approved by the Colorado Geological Survey. When these lots are developed, following approval by the Colorado Geological Survey, the Subdivider shall record a notice which states: "This lot has been specifically engineered to insure the stability of the dwelling from potential problems associated with geologic hazards connected with Talus slopes". The notice shall specifically reference all properties by lot and block, or other subdivision description, so that the notice will be noted on all future title commitments."
20. Add the following sentence to Plat Note #28(2) of the Platting Conditions to read as follows:
- "The Compensatory Mitigation and Wildlife Habitat Enhancement Plan shall be developed and agreed upon by the Subdivider, Division of Wildlife, and the U.S. Forest Service prior to issuance of any County building permit."

BE IT EVEN FURTHER RESOLVED that, prior to issuance of any County Road Construction Permit, the following action item is to be completed in accordance with the Subdivider's legal responsibilities:

1. Monitoring wells be provided on Sawmill and Johnson gulches just above their confluence with Clear Creek and on the south side of I-70 and shall be installed prior to issuance of a County Road Construction Permit.
2. A soils report shall be submitted to the County Planning Department for review and approval prior to the issuance of any County Road Construction Permit.

BE IT EVEN FURTHER RESOLVED that, prior to issuance of any County Building Permit, the following action items are to be completed in accordance with the Subdivider's legal responsibilities:

1. The Compensatory Mitigation and Wildlife Habitat Enhancement Plan shall be developed and agreed upon by the Subdivider, Division of Wildlife, and the U.S. Forest Service.
2. \$1,046.51 per lot for each of the 86 lots shall be paid by the Subdivider to the Fire Authority at the time of the building permit issuance to the Subdivider or designee, or closing on any respective lot by the Subdivider to a third party, whichever first occurs.
3. For lots 17, 62, 74, and 75 a site-specific analysis shall be reviewed and approved by the Colorado Geological Survey prior to issuance of a building permit for each of these lots.
4. A stamped, written statement, from the on-site Colorado licensed Professional Engineer who specializes in geotechnical engineering with a minimum of five (5) years geological experience/background, verifying the following must be provided prior to issuance of any building permit:
 - A. the roads have been constructed per the approved design; and
 - B. the roads have been constructed per his/her recommendations.
5. Prior to the first building permit in Phase 1, the following off-site road improvements shall be completed by the Subdivider and verified by the County Development Site Inspector:
 - A. Saddle Ridge Road from Forest Drive to the property line where the road terminates at Packsaddle Trail per Tim Allen's report entitled "Adoption of Saddle Ridge Drive to Full Maintenance Status" dated 17 February 1999.
 - B. Saddleback Drive from Santa Fe Mountain Road to the intersection with Saddle Ridge Road shall be brought up to County standards.
6. \$1,470 per lot for each of the 86 lots shall be paid by the Subdivider for County imposed Impact Fees.
7. All cisterns within the applicable development phase shall be properly installed, operative, and approved by the Fire Authority prior to issuance of the first building permit.
8. "As Builts", including the limits of the road cut and fill slopes, both within and without the Metro District road easement, shall be provided prior to obtaining any building permit.

BE IT EVEN FURTHER RESOLVED that, prior to issuance of any County Certificate of Occupancy, the following action items are to be completed in accordance with the Subdivider's legal responsibilities:

1. \$1,395.35 per lot for each of the 86 lots shall be paid by the Subdivider to the School District.
2. As a stipulation of the CDOT Access Permit, the Subdivider shall, at its own expense, construct a left turn deceleration lane from westbound U.S. 40, approaching exit 247 and the I-70 overpass spur road. Such deceleration lane shall be approved by the CDOT and completed prior to issuance of the first Certificate of Occupancy.

ADOPTED this 27th day of April 2000 at a special meeting of the Clear Creek Board of County Commissioners.


Robert J. Poirot, Chairman

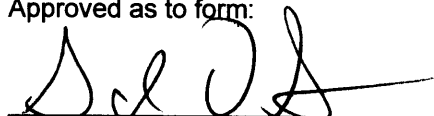

Jo Ann Sorensen, Commissioner


Fabyan Watrous, Commissioner

Attest:


Beth Luther, Deputy Clerk and Recorder

Approved as to form:


Gayla Daniels, County Attorney

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SUBDIVISION IMPROVEMENTS AGREEMENT

THIS AGREEMENT ("Agreement"), made and entered into this 27th day of April, 2000, between SADDLEBACK MOUNTAIN DEVELOPMENT CORPORATION, a Colorado corporation, hereinafter called the "Subdivider" or "Developer"; and the BOARD OF COUNTY COMMISSIONERS of Clear Creek County, CO hereinafter called the "County".

WITNESSETH:

WHEREAS, the Subdivider, as a condition of approval of the final plat of the SADDLEBACK MOUNTAIN SUBDIVISION, Clear Creek County, Colorado wishes to enter into a Subdivision Improvements Agreement as provided for by Section 30-28-137, C.R.S., as amended, and the Clear Creek County Subdivision Regulations; and

WHEREAS, pursuant to the same authority, the Subdivider is obligated to provide security or collateral sufficient in the judgment of the Board of County Commissioners to make reasonable provision for completion of certain public improvements set forth on Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the Subdivider wishes to provide collateral to guarantee performance of this Agreement, including construction of the above-referenced public improvements, by means of a plat restriction on the plat and a letter of credit.

NOW THEREFORE, in consideration of the following mutual covenants and agreements, the Subdivider and the County agree as follows:

1. The Subdivider agrees to construct and install at its sole expense all of those public improvements as set forth on Exhibit "A" attached hereto.

2. The Subdivider agrees that all of those certain public improvements to be completed as identified on Exhibit "A" shall be constructed in compliance with the following:

a. All final plat documents submitted prior to or at the time of final plat approval.

b. All laws of the United States, State of Colorado, Clear Creek County, and its various agencies, affected special districts and/or servicing authorities.

c. Such other designs, drawings, maps, specifications, sketches and other matters submitted to and approved by any of the above-stated governmental entities.

3. Security. To secure and guarantee performance of its obligations as set forth herein, the Subdivider agrees to provide security and collateral in the form of:

a. A covenant and plat restriction on sale, conveyance or transfer which reads as follows:

"As a condition of approval of this plat by the Board of County Commissioners of Clear Creek County and to meet the requirements of Section 30-28-137, C.R.S., as amended, no conveyance, sale, or transfer of title of this entire subdivision, or of any lot, lots, tract or tracts of land identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by the County of Clear Creek until a CERTIFICATE OF COMPLIANCE has been granted by Clear Creek County, State of Colorado, duly recorded by the Clerk and Recorder of said same County, certifying that:

(i) Those public improvements as set forth in Exhibit "A" of this Subdivision Improvements Agreement, as recorded in the records of the Clear Creek County Clerk and Recorder, or that portion of said improvements as shall be necessary to totally serve specific lot(s) or



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tract(s) covered by a particular Certificate of Compliance, have been properly designed, engineered, constructed and accepted as meeting the standards of the County of Clear Creek, applicable special district, and applicable servicing authorities, or, that a substituted security or collateral authorized pursuant to Section 30-28-101, C.R.S., as amended, pursuant to subsection (b) hereof, has been submitted to and accepted by Clear Creek County, which is sufficient in the judgment of the County to assure completion of all public improvements as set forth in Exhibit "A" of this Subdivision Improvements Agreement as recorded or any portion thereof necessary to serve the specific lot(s) or tract(s) to be covered by a particular Certificate of Compliance and to assure said improvements are completed in accordance with reasonable design and time specifications, and,

(ii) The applicable special district or servicing authority has certified in writing to Clear Creek County that all necessary water taps needed to serve the specific lot(s) or tract(s) to be covered by a particular Certificate of Compliance have or will in fact be issued by such district or authority.

These restrictions on conveyance, sale or transfer of title of this entire subdivision or any lot, lots, tract or tracts of land identified hereon shall run with the land and shall extend to and be binding upon the heirs, executors, legal representatives and assigns of the Subdivider and shall be enforceable pursuant to the provisions of Section 30-28-137, C.R.S., as amended."

b. Letter of Credit. Subdivider shall post a letter of credit from an accredited financial institution in favor of the County as collateral, which letter of credit shall always be in an amount of at least equivalent to phase in progress on said public improvements, and at 1.635 times the amounts set forth in Exhibit "A" hereto. Said letter of credit for phase in progress shall not be released in part or in whole until the determination of phase completion or incremental completion is made by the County in accordance with paragraph 5 hereof. In the event of default by the Subdivider in completion of the public improvements set forth in Exhibit "A" hereto,

and in the event that the County would call upon the letter of credit, as set forth in paragraph 5 hereof said letter of credit funds shall be applied to the items not completed as set forth in Exhibit "A" with the County being entitled to an additional ten (10) percent administration fee, of the amount of the items not completed, provided, however, the County reserves the option not to complete the items of default as set forth in Exhibit "A" whereupon the County would release the letter of credit less a ten (10) percent administration fee of the amount of the items not completed.

4. It is mutually agreed, pursuant to the provisions of Section 30-28-137(3), C.R.S., as amended, that the County or any purchaser of any lot, lots, tract or tracts of land subject to a plat restriction which is the security portion of this Subdivision Improvements Agreement, shall have the authority to bring an action in any District Court to compel the enforcement of this Subdivision Improvements Agreement on the sale, conveyance or transfer of any such lot, lots, tract or tracts of land or of any provision of part 1 of article 28 of title 30, C.R.S., as amended. Such authority shall include the right to compel rescission of any sale, conveyance or transfer of any lot, lots, tract or tracts of land contrary to the provisions of any such restrictions set forth on the plat or in any separate recorded instrument, but any such action shall be commenced prior to the issuance of a building permit by the County where so required or otherwise prior to commencement of construction on any such lot, lots, tract or tracts of land.

5. It is further mutually agreed that, pursuant to the provisions of Section 30-28-137(2), C.R.S., as amended, as improvements are completed, the Subdivider may apply to the County for a release of part or all of the collateral deposited with the County. Upon inspection and approval, the Board shall release said collateral. If the County determines that any of such improvements are not constructed in substantial compliance with specifications, it shall furnish the Subdivider a list of specific deficiencies and shall be entitled to withhold collateral sufficient to ensure such substantial compliance. If the County determines that the Subdivider will not construct any or all of the improvements in accordance with all of the specifications, the County may withdraw and employ from the deposit of collateral such funds as may be necessary to construct the improvements in accordance with the specifications.

6. The Subdivider agrees to provide the County with a title insurance commitment at time of final platting evidencing that fee simple title of all lands in the subdivision is vested totally with Uphill Limited Liability Company and/or the Subdivider free of any and all liens and encumbrances.

7. In consideration of approval of the plat, Subdivider hereby consents and authorizes employees and agents of Clear Creek County, and the Saddleback Metropolitan District ("Saddleback District" or "District"), including but not limited to employees or agents of a landscaping or other appropriate construction firm, to enter onto the property contained within the plat referenced herein to install, maintain and/or replace landscaping pursuant to the approved landscape plan and the landscaping of Exhibit "A", and/or to construct, maintain and/or replace public improvements required



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by the plat or this Agreement as shown on Exhibit "A". Clear Creek County agrees to give reasonable notice of entry during normal business hours. Subdivider hereby unconditionally waives and releases Clear Creek County, and the Saddleback District, and any employee or agent of Clear Creek County, and the Saddleback District from any claims or other legal liability, whether arising from contract, or negligence, that arise out of or are attributable to installing, maintaining and/or replacing the landscaping and/or public improvements set forth above. This consent shall run with the land and be binding on all assigns, successors in interest, heirs, personal representatives and any other subsequent owners of the subdivided property. This consent applies to all agents and employees of Clear Creek County, and the Saddleback District their predecessors, successors, assignees, heirs, attorneys, divisions, affiliates, and officials.

8. The County agrees to approval of the final plat of SADDLEBACK MOUNTAIN SUBDIVISION subject to the terms and conditions of this Agreement.

9. Additional Provisions: The Subdivider will comply with the following additional provisions:

- a. **Saddleback Metropolitan District ("District").** The District shall provide those services:
 - (i) as set forth in the District Service Plan approved by the Clear Creek Board of County Commissioners in Resolution R-95-86 attached hereto as Exhibit B;
 - (ii) as set forth in this Agreement and on the Final Plat;
 - (iii) insure that measuring devices are existing and operational on all wells within the Subdivision;



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- (iv) insure that water consumption is in compliance with the augmentation plan; and
- (v) appoint a subdivision committee that meets periodically to discuss wildfire planning and mitigation.

b. Schools.

- (i) The Subdivider shall provide fees in lieu of land dedication in the amount of \$150,000 to the Clear Creek School District as follows:
 - (1) The Subdivider shall provide the Clear Creek School District \$30,000 within sixty (60) days of the Final Plat approval and recording.
 - (2) The Subdivider shall provide the Clear Creek School District with the balance of \$120,000 at an amount of \$1,395.35 per lot for each of the 86 lots. Said payment shall occur at the time that the Certificate of Occupancy is issued by Clear Creek County for each lot.
- (ii) Seven (7) school bus turnarounds, as requested by the Clear Creek School District shall be provided by the Subdivider as shown on the Final Plat.

- c. **Recreation District.** No land dedications or fees in lieu thereof will be provided by the Subdivider to the Clear Creek Metropolitan Recreation District as the Saddleback Mountain Subdivision provides for approximately 30% of the property being dedicated to open space public use and with public access thereto, the public access of which will be maintained and governed by the Saddleback Metropolitan District.

d. Clear Creek Fire Authority.

- (i) Fees in Lieu/Land Dedication.

The Subdivider shall provide fees in lieu of land dedication of \$120,000 to the Clear Creek Fire Authority as follows:



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- (1) \$30,000 to the Clear Creek Fire Authority ("Fire Authority") within sixty (60) days of the Final Plat approval and recording.
- (2) The Subdivider will pay a balance of \$90,000.00 in Fire District fees to the Clear Creek Fire Authority at an amount of \$1046.51 per lot for each of the 86 lots within the Saddleback Mountain Subdivision, said payment to occur at the time of the building permit issuance to the Subdivider or designee, or closing on any respective lot by the Subdivider to a third party, whichever first occurs.
- (3) The Fire Authority shall expend the aforesaid fees for a new fire station and equipment to serve the Saddleback Mountain Subdivision and the greater Floyd Hill area.

(ii) Cisterns.

- (1) Eleven (11) cisterns with a total of 258,000 gallons of emergency service water storage for suppression of isolated structural fires in the development shall be provided by the Subdivider as shown on the Final Plat. No cistern shall hold less than 3,000 gallons. The Fire Authority shall review and approve final location of the cisterns. The water for the cisterns shall be brought in from off-site and not filled from on-site wells.
- (2) The Fire Authority shall review and approve final cisterns designs to ensure compatibility with existing equipment and standards.
- (3) Cisterns shall be installed at the Subdivider's expense and maintained by the Metro District pursuant to applicable Uniform Fire Code Standards.
- (4) All cisterns within the applicable development phase shall be properly installed, operative, and approved by the Fire Authority prior to issuance of the first County building permit.

- (5) The Fire Authority reserves the right to inspect the cisterns for compliance. Should the Fire Authority determine that the cisterns are not properly maintained, the Metro District shall be provided written notice to comply within thirty (30) days. If the Metro District does not comply within the allotted time, the Fire Authority shall maintain the cisterns and bill the Metro District for time and equipment.
- (6) Easements to the cisterns shall be provided to the Metro District and the Fire Authority for maintenance and access purposes.
- (7) The Metro District, in accordance with the Uniform Fire Code standards, shall be responsible for ensuring that cisterns are clearly identified in a manner to prevent obstruction by parking and other obstructions. The Fire Authority shall review and approve the cistern signage.

(iii) Emergency Vehicle Pullouts.

- (1) The Subdivider shall provide for emergency vehicle pullouts at intervals of 600 feet along those roads where the right-of-way width is less than sixty (60) feet. Such pullouts shall be field located and approved by the Fire Authority.
- (2) The Subdivider shall ensure that the pullouts are adequately posted and used only by emergency vehicles and not utilized for off-street parking.
- (3) Pullouts shall be installed at the Subdivider's expense and maintained by the Metro District.

(iv) Emergency Helicopter Evacuation Pads.

- (1) The seven (7) cul-de-sac, as shown on the Final Plat, shall also be used as helicopter evacuation pads.
- (2) Helicopter evacuation pads shall be stabilized by the Subdivider and maintained by the Metro District. Such stabilization material shall be magnesium



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chloride or another treatment acceptable to the County Road and Bridge Supervisor. For safety reasons, no overhead obstructions, such as power lines, shall exist.

(v) Road Signage.

- (1) The Subdivider shall be responsible for ensuring that each road within the development is identified at every intersection with signage that meets Model Uniform Traffic Code standards. Such signage shall be field located and approved by the Fire Authority.
- (2) The Metro District shall be responsible for maintenance of road signage.

(vi) Residential Address Signage.

- (1) The Subdivider shall be responsible for ensuring that address numbers or address markers are placed on all residential dwellings in such a position as to be plainly visible and legible from the road fronting the lot.
- (2) The Metro District shall be responsible for ensuring that such signage is properly maintained by the owner.

(vii) ISO Ratings.

Subdivider has provided evidence that fire insurance will be available, however, prior to conveying any portion of a lot, the Metro District shall provide a notice, acceptable to the Fire Authority, to all future land owners that they should expect; (a) an ISO rating of 9 or 10; (b) that fire insurance may be very expensive to obtain; and (c) emergency response time may be extended.

(viii) Emergency Egress.

Pursuant to Commissioners' Resolution R97-13, Emergency Egress is being provided via the loop road that serves the



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property which is deemed more than adequate as an emergency egress route.

(ix) **Progress.**

The Subdivider shall provide regular updates to the Fire Authority with regard to major milestones and any activities that may obstruct access to completed areas of the development.

e. **Colorado Division of Transportation Access Permit.**

- (i) The Subdivider shall, at its own expense, act as the permittee and apply for a new Access Permit to access the south side of I-70 Right-Of-Way and U.S. 40, at the Floyd Hill Interchange from the Colorado Division of Transportation.
- (ii) As a stipulation of the Access Permit, the Subdivider shall, at its own expense, construct a left turn deceleration lane from westbound U.S. 40, approaching exit 247 and the I-70 overpass spur road. Such deceleration lane shall be approved by the Colorado Division of Transportation and completed prior to issuance of the first Certificate of Occupancy is issued by Clear Creek County.

f. **Roads.**

- (i) Estimation of the quantities to complete all road construction is set forth in Exhibit A hereto.
- (ii) All earth-disturbing activities must comply with the County's adopted Best Management Practices (BMPs) and must obtain a County BMP Permit, prior to issuance of any County Driveway Permit.
- (iii) The surveyed road centerline will be located, prior to issuance of any County permit.
- (iv) A Colorado licensed Professional Engineer who specializes in geotechnical engineering with a minimum of five (5) years geological experience/background shall be on-site during all phases of the road construction to insure proper



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construction techniques are performed to insure stability of the road and the cut and fills.

- (v) A stamped, written statement, from the Colorado licensed Professional Engineer who specialized in geotechnical engineering with a minimum of five (5) years geological experience/background verifying that the roads have been constructed per his/her recommendations must be provided prior to issuance of any County Building Permit, for any lot or parcel accessed by such roads, and prior to any release of financial guarantees.
- (vi) A stamped, written statement, from the Colorado licensed Professional Engineer verifying that the road has been constructed per the approved design, prior to issuance of any County Building Permit, for any lot or parcel accessed by such roads and prior to any release of financial guarantees.
- (vii) Off-site road improvements shall be provided by the Subdivider as follows:
 - (1) **Saddle Ridge Road from Forest Drive to the property line where the road terminates at Packsaddle trail.** The Subdivider shall be fully responsible for the cost and labor to bring this section of road up to County standards as specified in Tim Allen's report entitled "Adoption of Saddle Ridge Drive to Full Maintenance Status" dated 17 February 1999 (Section 3.4) and as outlined below:

Engineering. Engineer approved plans will be submitted to the Development Site Department, indicating all necessary information, prior to permitting.

Horizontal Alignment. Saddle Ridge Drive is required to provide a 24 foot driving surface. This is in conformance with Typical Cross Section "C" for roads designed for 30 mph or less and ADT between 60 and 180. Switchbacks shall have a minimum centerline radius of 35 feet with a minimum of 20 feet of road surface in accordance with the road



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design standards set out in Section 5 of the Clear Creek County Subdivision Regulations.

Stabilization. A minimum aggregate base course thickness of 9 inches is required (as required in Section 5.A.4.d of the Clear Creek County Subdivision Regulations, a 6 inch base course over the highest protrusion is required).

This surfacing material must be of the same type and classification as the base course material used by the County Road and Bridge Department on adjacent roads as required in the road design standards set out in Section 5 of the Clear Creek County Subdivision Regulations.

Cut and Fill Slopes. Cut slopes will need to be as flat as possible. A cut slope cannot be steeper than a 1 1/2:1 slope without providing bank retention (1 1/2'; 1 slope' vertical). Fill slopes will be as flat as possible and will not be constructed steeper than 1 1/2:1 slope (as required in the road design standards set out in the Section 5 of the Clear Creek County Subdivision Regulations). New slopes will be seeded and approved erosion control devices will be installed to promote revegetation and to restrict erosion and sedimentation of nearby waterways [as required by the County adopted Best Management Practices (BMPs)].

Drainage. A 24 inch cross road culvert is to be installed in the area between addresses 977 and 1003 Saddle Ridge Drive. This will mitigate the long drainage run currently existing. Another 24 inch cross road culvert needs to be installed on the lower portion of Saddle Ridge Drive and drain into the natural drainage toward the north (as required in road design standards set out in the Section 5 of the Clear Creek County Subdivision Regulations).

Signs. All signing, both construction and final, shall be in accordance with the Manual of Uniform Traffic Control Devices. Signs shall meet at least the

minimums, including mounting devices and design standards (as required in Part VI of the Manual of Uniform Traffic Control Devices).

Completion. Said offsite road improvements shall be completed prior to the first building permit for Phase I.

The Subdivider has included the cost for this Item 1 in Exhibit A, as Item B in the Phase I construction.

- (2) **Saddleback Drive from Santa Fe Mountain Road to the intersection with Saddle Ridge Road.** The Subdivider will improve this road section to County standards at 100% cost to the Subdivider.

Completion. Said offsite road improvements shall be completed prior to the first building permit for Phase I.

The Subdivider has included the cost for this Item 2 in Exhibit A, as a part of Item A Private Roads, 60' Right-Of-Way, in Phase construction.

- (3) Impact Fees. A total of \$126,400 in impact fees shall be paid by the Subdivider by Phase to cover the total cost of County adopted impact fees for the Subdivision. The Subdivider shall pay \$1470 (\$126,400/86) times the number of lots in each phase to be submitted with the first building permit for that phase. In consideration for the aforesaid impact fees, the County shall be the responsible party to timely complete offsite road improvements for the following segments::

- **Saddleback Drive from Elk Valley Drive Intersection to Santa Fe Mountain Road.**
- **Sloughed off portion of Saddleback Drive east of Elk Valley Drive towards the sales office.**

- (viii) A Geotechnical Site Analysis and Report prepared by a professional engineer registered in Colorado, whose expertise is soils engineering shall be provided:
- (1) Soil Sampling. Soil samples shall be taken at the proposed subgrade elevation and shall represent the soil of the subgrade. All boring depths shall extend a minimum of three (3) feet below the proposed subgrade elevation. The boring locations shall not exceed a distance of five hundred (500) feet between borings, with a minimum of two (2) borings per roadway. If more than one (1) soil type is encountered in the boring, they shall be logged and tested separately. All design shall be based on the worst soil encountered from the standpoint of subgrade support. The soils report must demonstrate the adequateness of the structural section.
 - (2) Soils Report. A County Pioneering Permit shall be issued for the sole purpose of soil sampling and the submission of a soils report. The report shall be submitted to the County Planning Department for review and approval prior to issuance of any County Road Construction Permit. The report shall minimally include: a description of site soil types, locations, and characteristics with supporting soil maps, soil logs and other information needed to determine soil suitability for proposed development; constraints on development based on the findings; slope stability analysis to include fracture and joint sets; and analysis and evaluation of such information with recommendations regarding structural constraints, erosion control, and a determination of the adequacy of the structural characteristics of the soil as they relate to the proposed development.
- (ix) As Builts. As Builts, including the limits of the road cut and fill slopes, both within and without the District road easement, shall be provided prior to obtaining any building permits.
- g. **Residential Driveways will meet the following requirements, as approved in resolution R-99-54 through a variance:**



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- (i) Residential Driveways. Residential driveways shall be constructed to the specifications of the County adopted Amendment to Chapter 14 of the Uniform Building Code for wildfire mitigation. Driveway standards prohibit grades in excess of ten (10) percent. Driveways between eight (8) to ten (10) percent shall not exceed 150 feet in length. Grades of eight (8) percent or less have no length requirement. The minimum inside turning radius at any point of any driveway shall be thirty (30) feet. The surface width shall be a minimum of twelve (12) foot driving surface not including drainage. All residential driveways shall also comply with this Agreement and must obtain a County Driveway Permit and may be required to obtain a County Best Management Practices (BMPs) Permit. The Subdivider or the Saddleback Metropolitan District shall be responsible for providing the lot owner with this information. The construction of residential driveways shall be the responsibility of the lot owner. Every attempt will be made to maintain design standards as outlined in this section; however, when design standards cannot be met, a driveway will nevertheless be provided. In this case, structures served by the driveway must have 300 points of wildfire mitigation. In this case, structures served by the driveway must have 300 points of wildfire mitigation.

Residential Parking: Residential parking areas along the roads with the subdivision shall be provided where private residential driveways cannot be constructed to the County adopted amendment to Chapter 14 of the Uniform Building Code (UBC) for wildfire hazard mitigation. When the UBC standard cannot be provided, two (2) on-site residential parking areas shall be designated and located off the road easement. Where such off road easement parking areas are required, "as built" drawings will have to be submitted showing the location of such. The Subdivider or the Saddleback Metropolitan District shall be responsible for providing the lot owner with this information. The construction of residential parking areas shall be the responsibility of the lot owner.

- (ii) All earth-disturbing activities must comply with the county's adopted Best Management Practices (BMPs) and must



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- obtain a County BMP Permit, prior to issuance of any driveway permit.
- (iii) **Stability of driveways crossing a 1.5:1 slope and the proposed driveway's associated cut and fill slopes which will be steeper than 1.5:1 as required in section 5.A.4.e of the County Subdivision Regulations will be addressed.**
 - (iv) **Prior to application for any County Building Permit, for any lot or parcel, applicable State, Federal, and County permits must be obtained.**
- h. **Road Vacation.** A complete application for a Road Vacation shall be submitted for the portion of road from Station 26 + 52 on Steeldust Lane to Station 17 + 44 on Saddleback Drive within ten (10) days of the approved Final Plat.
 - i. **Wildfire Mitigation.** The Subdivider, at its expense, shall ensure that the Wildfire Pre-Attack Plan, prepared by the Colorado State Forest Service dated Spring 1995, shall be fully implemented.
 - j. **Revegetation Plan.** The Subdivider shall provide the Revegetation Plan at its cost as set forth in the Final Plat Development Report, Revegetation Plan (item II-9) and Exhibit "A" hereto, to include weed management during the first 2 years of maintenance thereof.
 - k. **Culverts 7 and 11.** Easements for culverts 7 and 11 shall be obtained by the Saddleback Metropolitan District prior to the execution of the final subdivision plat by the County.
 - l. **Santa Fe Mountain Road.** Uphill Limited Liability Company shall execute and deliver to the County the quitclaim deed regarding Santa Fe Mountain Road traversing open space on the plat, per Subdivider submitted item M-1, prior to the execution of the final subdivision plat by the County.
 - m. **Phasing.** After completion of each phase, the County Planning Director and the Development Site Inspector shall review and confirm that the construction and performance is in compliance with the stipulations and conditions as outlined in the recorded documentation, which are detailed below, prior to commencement of the subsequent phase. Any noncompliance with such stipulations and conditions must be addressed to the satisfaction



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of the County Planning Director and the Development Site Inspector prior to beginning of the next phase.

- (i) Public improvements as outlined in Exhibit "A" of the Subdivision Improvements Agreement and detailed in the construction and drainage drawings.
- (ii) Identification and removal of beetle infested trees which occur in open tracts.
- (iii) Fuelbreaks, in accordance with the Wildfire Pre-Attack Plan, simultaneous with road construction.
- (iv) Thinning for open tracts, in accordance with the Wildfire Pre-Attack Plan.
- (v) Installation of cisterns for emergency service water storage.
- (vi) Best Management Practices (BMPs), in accordance with the Revegetation Plan.
- (vii) Compliance with the County Noxious Weed Management Plan.
- (viii) Implementation of the Compensatory Mitigation and Wildlife Habitat Enhancement Plan concurrent with the time line and work to be performed in the Wildfire Hazard Mitigation Plan.

10. The parties hereto mutually agree that this Agreement may be amended from time to time, provided that such amendment is in writing and signed by all parties hereto.

11. The parties hereby stipulate and represent that all procedures necessary to authorize the execution of this Agreement have been performed, and that the persons signing for each of the parties has been authorized to do so.



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IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the
 day and year first written above.

(SEAL)
 ATTEST

By: [Signature]
 Deputy Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
 OF CLEAR CREEK COUNTY

By: [Signature]
Robert J. Perrot, Chairman

SADDLEBACK MOUNTAIN DEVELOPMENT
 CORPORATION, a Colorado corporation

By: [Signature]
James E. Hosch, President

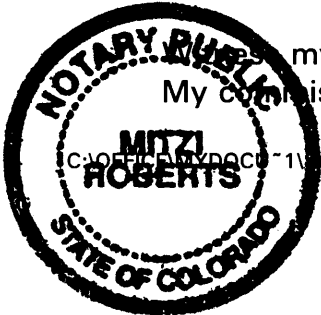
STATE OF COLORADO)
) ss
 COUNTY OF Jefferson)

Subscribed and sworn to before me this 19th day of July, 2000,
 by James E. Hosch, on behalf of Saddleback Mountain Development
 Corporation.

Witness my hand and official seal.

My commission expires: 5/11/2004

[Signature]
 Notary Public



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EXHIBIT A

SADDLEBACK MOUNTAIN DEVELOPMENT

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QUANTITIES AND COST ESTIMATE

ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE	AMOUNT
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1 PHASE I, (LOTS 1-20)

A. PRIVATE ROADS

60' Right-Of-Way (SADDLEBACK DRIVE FROM SANTA FE MOUNTAIN ROAD TO SADDLE RIDGE DRIVE & PACKSADDLE TRAIL TO OUTPOST LANE) (8,140 LF) (32' ABC Surface)

1	ABC (6" Aggregate Base Course)	28950 S.Y. @	\$3.60	\$	104,220.00
2	Cut/Fill and Grading	105440 C.Y. @	\$4.00		421,760.00
3	Culverts and Rip-Rap				
	18" CMP	290 L.F. @	\$23.00		6,670.00
	24" CMP	70 L.F. @	\$27.00		1,890.00
	30" CMP	150 L.F. @	\$32.00		4,800.00
	36" CMP	135 L.F. @	\$38.00		5,130.00
	Flared End Sections	22 Ea. @	\$350.00		7,700.00
	Type "L" (9") rip-rap	60 C.Y. @	\$24.00		1,440.00
	Type "M" (12") rip-rap	80 C.Y. @	\$28.00		2,240.00
4	Type R1-1 30" x 30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/ 8' perforated U-post	1 Ea. @	\$150.00		150.00
Estimated Construction Cost					\$ 556,000.00
10%± Contingency					55,600.00
ESTIMATED PROJECT COST					\$ 611,600.00

40' Right-Of-Way (0 LF) (24' ABC Surface)

30' Right-Of-Way HALTER WAY &
OUTPOST LANE (1,625 LF) (20' ABC Surface)

1	ABC (6" Aggregate Base Course)	5380 S.Y. @	\$3.60	\$	19,368.00
2	Cut/Fill and Grading	7800 C.Y. @	\$4.00		31,200.00
3	Culverts and Rip-Rap				
	24" CMP	35 L.F. @	\$27.00		945.00
	36" CMP	35 L.F. @	\$38.00		1,330.00
	Flared End Sections	4 Ea. @	\$350.00		1,400.00
	Type "L" (9") rip-rap	10 C.Y. @	\$24.00		240.00
	Type "M" (12") rip-rap	20 C.Y. @	\$28.00		560.00
4	Type R1-1 30" x 30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/ 8' perforated U-post	2 Ea. @	\$150.00		300.00
Estimated Construction Cost					\$ 55,343.00
10%± Contingency					5,535.00
ESTIMATED PROJECT COST					\$ 60,878.00

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ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE		AMOUNT
B.	<u>UPGRADE 0.8 MILES (4250') OF SADDLE RIDGE ROAD FROM FOREST DRIVE</u>			
1	Blade, shape & widen to 20' surface	9500 S.Y. @	\$5.00	\$ 47,500.00
2	ABC (4" Aggregate Base Course) (Add to existing)	9500 S.Y. @	\$3.25	30,875.00
3	Culverts			
	18" & 24" CMP	360 L.F. @	\$25.00	9,000.00
	Flared End Sections	12 Ea. @	\$350.00	4,200.00
	Estimated Construction Cost		\$	91,575.00
	10%± Contingency			9,158.00
	ESTIMATED PROJECT COST		\$	100,733.00
C.	<u>EROSION CONTROL AND REVEGETATION</u>			
1	Straw bale protection	55 BALES	\$5.00	\$ 275.00
2	Silt Fences	9000 L.F. @	\$2.50	22,500.00
3	Hydro-mulch seeding: (Road cuts and fills)	8.6 AC. @	\$2,725.00	23,435.00
	Estimated Construction Cost		\$	46,210.00
	10%± Contingency			4,621.00
	ESTIMATED PROJECT COST		\$	50,831.00
D.	<u>WILDFIRE PROTECTION</u>			
1	Water Storage	85000 GAL	\$1.00	\$ 85,000.00
2	Fuel break thinning along roads	23.6 AC @	\$800.00	18,880.00
3	Defensible space & wildlife habitat	100.5 AC @	\$500.00	50,250.00
	Estimated Construction Cost		\$	154,130.00
	10%± Contingency			15,413.00
	ESTIMATED PROJECT COST		\$	169,543.00
E.	<u>PHASE 1 SUMMARY</u>			
	PRIVATE ROADS			
	60' R.O.W.		\$	611,600.00
	40' R.O.W.			0
	30' R.O.W.			60,878.00
	UPGRADE SADDLE RIDGE ROAD			100,733.00
	EROSION CONTROL AND REVEGETATON			50,831.00
	WILDFIRE PROTECTION			169,543.00
	PHASE 1 TOTAL COST ESTIMATE		\$	993,585.00



ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE	AMOUNT
2	PHASE 2, LOTS 21 - 42		
A.	PRIVATE ROADS		
	<u>60' Right-Of-Way PACKSADDLE TRAIL</u> <u>(PACKSADDLE TRAIL TO W. BDY LOT 42) (2,000 LF) (32' ABC Surface)</u>		
1	ABC (6" Aggregate Base Course)	7120 S.Y. @ \$3.60	\$ 25,632.00
2	Cut/Fill and Grading	13195 C.Y. @ \$4.00	52,780.00
3	Culverts and Rip-Rap		
	18" CMP	120 L.F. @ \$23.00	2,760.00
	30" CMP	70 L.F. @ \$32.00	2,240.00
	42" CMP	80 L.F. @ \$50.00	4,000.00
	Flared End Sections	6 Ea. @ \$350.00	2,100.00
	Type "L" (9") rip-rap	20 C.Y. @ \$24.00	480.00
	Type "M" (12") rip-rap	20 C.Y. @ \$28.00	560.00
	Estimated Construction Cost		\$ 90,552.00
	10%± Contingency		9,056.00
	ESTIMATED PROJECT COST		\$ 99,608.00
	<u>40' Right-Of-Way SENTINEL WAY (5,750 LF) (24' ABC Surface)</u>		
1	ABC (6" Aggregate Base Course)	16220 S.Y. @ \$3.60	\$ 58,392.00
2	Cut/Fill and Grading	57000 C.Y. @ \$4.00	228,000.00
3	Culverts and Rip-Rap		
	18" CMP	260 L.F. @ \$23.00	5,980.00
	24" CMP	140 C.Y. @ \$27.00	3,780.00
	30" CMP	140 C.Y. @ \$32.00	4,480.00
	Flared End Sections	18 Ea. @ \$350.00	6,300.00
	Type "L" (9") rip-rap	60 C.Y. @ \$24.00	1,440.00
	Type "M" (12") rip-rap	40 C.Y. @ \$28.00	1,120.00
4	Type R1-1 30" x 30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/ 8' perforated U-post	1 Ea. @ \$150.00	150.00
	Estimated Construction Cost		\$ 309,642.00
	10%± Contingency		30,965.00
	ESTIMATED PROJECT COST		\$ 340,607.00
	<u>30' Right-Of-Way (0 LF) (20' ABC Surface)</u>		



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ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE		AMOUNT
B.	<u>EROSION CONTROL AND REVEGETATION</u>			
1	Straw bale protection	50 BALES	\$5.00	\$ 250.00
2	Silt Fences	7700 L.F. @	\$2.50	19,250.00
3	Hydro-mulch seeding: (Road cuts and fills)	5.5 AC. @	\$2,725.00	<u>14,987.50</u>
	Estimated Construction Cost		\$	34,487.50
	10%± Contingency			<u>3,449.50</u>
	ESTIMATED PROJECT COST		\$	37,937.00
C.	<u>WILDFIRE PROTECTION</u>			
1	Water Storage	45000 GAL.	\$1.00	\$ 45,000.00
2	Fuel break thinning along roads	25.1 AC @	\$800.00	20,080.00
3	Denfensible space & wildlife habitat	17.8 AC @	\$500.00	<u>8,900.00</u>
	Estimated Construction Cost		\$	73,980.00
	10%± Contingency			<u>7,398.00</u>
	ESTIMATED PROJECT COST		\$	81,378.00
D.	<u>PHASE 2 SUMMARY</u>			
	PRIVATE ROADS			
	60' R.O.W.		\$	99,608.00
	40' R.O.W.			340,607.00
	30' R.O.W.			0
	EROSION CONTROL AND REVEGETATON			37,937.00
	WILDFIRE PROTECTION			<u>81,378.00</u>
	PHASE 2 TOTAL COST ESTIMATE		\$	559,530.00

3 PHASE 3 (LOTS 43 - 63)**A. PRIVATE ROADS**

60' Right-Of-Way PACKSADDLE TRAIL(W. BDY LOT 42 TO N. BDY PLAT)(4,150LF)
 BRIDLE TRAIL (PACKSADDLE TRAIL TO STA. 11+00)(1,100 LF) (32' ABC Surface)

1	ABC (6" Aggregate Base Course)	18680 S.Y. @	\$3.60	\$ 67,248.00
2	Cut/Fill and Grading	41720 C.Y. @	\$4.00	166,880.00
3	Culverts and Rip-Rap			
	18" CMP	300 L.F. @	\$23.00	6,900.00
	24" CMP	210 L.F. @	\$27.00	5,670.00
	30" CMP	210 L.F. @	\$32.00	6,720.00
	36" CMP	140 L.F. @	\$38.00	5,320.00
	Flared End Sections	28 Ea. @	\$350.00	9,800.00



ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE		AMOUNT
	Type "L" (9") rip-rap	80 C.Y. @	\$24.00	1,920.00
	Type "M" (12") rip-rap	100 C.Y. @	\$28.00	2,800.00
4	Type R1-1 30"x30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/8' perforated U-post	1 Ea.	\$150.00	150.00
Estimated Construction Cost				\$ 273,408.00
10%± Contingency				27,341.00
ESTIMATED PROJECT COST				\$ 300,749.00

40' Right-Of-Way OUTBACK TRAIL (BRIDLE TRAIL TO W. BDY. LOT 55)(2,150 LF)
(24' ABC Surface)

1	ABC (6" Aggregate Base Course)	5730 S.Y. @	\$3.60	\$ 20,628.00
2	Cut/Fill and Grading	27090 C.Y. @	\$4.00	108,360.00
3	Culverts and Rip-Rap			
	18" CMP	200 L.F. @	\$23.00	4,600.00
	24" CMP	70 L.F. @	\$27.00	1,890.00
	Flared End Sections	10 Ea. @	\$350.00	3,500.00
	Type "L" (9") rip-rap	35 CY @	\$24.00	840.00
4	Type R1-1 30" x 30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/ 8' perforated U-post	1 Ea. @	\$150.00	150.00
Estimated Construction Cost				\$ 139,968.00
10%± Contingency				13,997.00
ESTIMATED PROJECT COST				\$ 153,965.00

30' Right-Of-Way BRIDLE TRAIL (OUTBACK TRAIL TO TERMINUS)
AND POMMEL TRAIL(2,450 LF) (20' ABC Surface)

1	ABC (6" Aggregate Base Course)	7210 S.Y. @	\$3.60	\$ 25,956.00
2	Cut/Fill and Grading	19050 C.Y. @	\$4.00	76,200.00
3	Culverts and Rip-Rap			
	18" CMP	100 L.F. @	\$23.00	2,300.00
	24" CMP	280 L.F. @	\$27.00	7,560.00
	30" CMP	70 L.F. @	\$32.00	2,240.00
	Flared End Sections	10 Ea. @	\$350.00	3,500.00
	Type "L" (9") rip-rap	55 CY @	\$24.00	1,320.00
	Type "M" (12") rip-rap	20 CY @	\$28.00	560.00



ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE	AMOUNT
4	Type R1-1 30" x 30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/ 8' perforated U-post	1 Ea. @ \$150.00	150.00
	Estimated Construction Cost	\$	119,786.00
	10%± Contingency		11,979.00
	ESTIMATED PROJECT COST	\$	131,765.00
B.	<u>EROSION CONTROL AND REVEGETATION</u>		
1	Straw bale protection	100 BALES \$5.00	\$ 500.00
2	Silt Fences	10030 L.F. @ \$2.50	25,075.00
3	Hydro-mulch seeding: (Road cuts and fills)	13.5 AC. @ \$2,725.00	36,787.50
	Estimated Construction Cost	\$	62,362.50
	10%± Contingency		6,237.50
	ESTIMATED PROJECT COST	\$	68,600.00
C.	<u>WILDFIRE PROTECTION</u>		
1	Water Storage	53000 GAL. \$1.00	\$ 53,000.00
2	Fuel break thinning along roads	27.1 AC @ \$800.00	21,680.00
3	Denfensible space & wildlife habitat	64.5 AC @ \$500.00	32,250.00
	Estimated Construction Cost	\$	106,930.00
	10%± Contingency		10,693.00
	ESTIMATED PROJECT COST	\$	117,623.00
D.	<u>PHASE 3 SUMMARY</u>		
	PRIVATE ROADS		
	60' R.O.W.		\$ 300,749.00
	40' R.O.W.		153,965.00
	30' R.O.W.		131,765.00
	EROSION CONTROL AND REVEGETATON		68,600.00
	WILDFIRE PROTECTION		117,623.00
	PHASE 3 TOTAL COST ESTIMATE	\$	772,702.00



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ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE		AMOUNT
4	PHASE 4 (LOTS 64 - 86)			
A.	PRIVATE ROADS			
	<u>60' Right-Of-Way (0 LF) (32' ABC Surface)</u>			
	<u>40' Right-Of-Way OUTBACK TRAIL (W. BDY LOT 55 TO TERMINUS)</u> <u>(3,950 LF) (24'ABC Surface)</u>			
1	ABC (6" Aggregate Base Course)	11420 S.Y. @	\$3.60	\$ 41,112.00
2	Cut/Fill and Grading	26320 C.Y. @	\$4.00	105,280.00
3	Culverts and Rip-Rap			
	18" CMP	160 L.F. @	\$23.00	3,680.00
	24" CMP	210 L.F. @	\$27.00	5,670.00
	30" CMP	140 L.F. @	\$32.00	4,480.00
	Flared End Sections	18 Ea. @	\$350.00	6,300.00
	Type "L" (9") rip-rap	60 C.Y. @	\$24.00	1,440.00
	Type "M" (12") rip-rap	40 C.Y. @	\$28.00	1,120.00
Estimated Construction Cost				\$ 169,082.00
10%± Contingency				16,909.00
ESTIMATED PROJECT COST				\$ 185,991.00
	<u>30' Right-Of-Way STIRRUP WAY (700 LF) (20' ABC Surface)</u>			
1	ABC (6" Aggregate Base Course)	2440 S.Y. @	\$3.60	\$ 8,784.00
2	Cut/Fill and Grading	4440 C.Y. @	\$4.00	17,760.00
3	Culverts and Rip-Rap			
	18" CMP	60 L.F. @	\$23.00	1,380.00
	24" CMP	70 L.F. @	\$27.00	1,890.00
	Flared End Sections	4 Ea. @	\$350.00	1,400.00
	Type "L" (9") rip-rap	20 C.Y. @	\$24.00	480.00
4	Type R1-1 30" x 30" stop sign, M.U.T.C.D. Specifications using 3M Hi-Intensity grade sign face w/ 8' perforated U-post	1 Ea. @	\$150.00	150.00
Estimated Construction Cost				\$ 31,844.00
10%± Contingency				3,185.00
ESTIMATED PROJECT COST				\$ 35,029.00



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ITEM	WORK OR MATERIAL	QUANTITY/UNIT PRICE	AMOUNT
B. <u>EROSION CONTROL AND REVEGETATION</u>			
1	Straw bale protection	45 BALES \$5.00	\$ 225.00
2	Silt Fences	4700 L.F. @ \$2.50	11,750.00
3	Hydro-mulch seeding: (Road cuts and fills)	6.21 AC. @ \$2,725.00	<u>16,922.25</u>
	Estimated Construction Cost		\$ 28,897.25
	10%± Contingency		<u>2,889.75</u>
	ESTIMATED PROJECT COST		\$ 31,787.00
C. <u>WILDFIRE PROTECTION</u>			
1	Water Storage	75000 GAL. \$1.00	\$ 75,000.00
2	Fuel break thinning along roads	19.7 AC @ \$800.00	15,760.00
3	Defensible space & wildlife habitat	12.3 AC @ \$500.00	<u>6,150.00</u>
	Estimated Construction Cost		\$ 96,910.00
	10%± Contingency		<u>9,691.00</u>
	ESTIMATED PROJECT COST		\$ 106,601.00
D. <u>PHASE 4 SUMMARY</u>			
	PRIVATE ROADS		
	60' R.O.W.		\$ 0
	40' R.O.W.		185,991.00
	30' R.O.W.		35,029.00
	EROSION CONTROL AND REVEGETATION		31,787.00
	WILDFIRE PROTECTION		<u>106,601.00</u>
	PHASE 4 TOTAL COST ESTIMATE		\$ 359,408.00
5 <u>SUMMARY BY PHASE</u>			
	PHASE	LOTS	COST
	1	20	\$ 993,585.00
	2	22	559,530.00
	3	21	772,702.00
	4	23	<u>359,408.00</u>
	TOTAL ALL PHASES		\$ 2,685,225.00



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PREPARED BY:

REA, CASSENS AND ASSOCIATES, INC.

Richard H. Cassens

Richard H. Cassens, President P.E. 10863



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EXHIBIT B

R-95-86

A RESOLUTION APPROVING WITH CONDITIONS THE CREATION OF THE SADDLEBACK METROPOLITAN DISTRICT

WHEREAS, an application to form the Saddleback Metropolitan District was filed with the county pursuant to C.R.S. §32-1-203; and,

WHEREAS, planning commission held a public hearing pursuant to C.R.S. §32-1-204(3) and made a recommendation to the Board of County Commissioners to approve the application; and,

WHEREAS, the Board of County Commissioners held many public hearings pursuant to C.R.S. §32-1-204.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY (BOCC) that they adopt the following findings of fact in support of the creation of the Saddleback Metropolitan District pursuant to C.R.S. §32-1-203(2):

1. To meet the literal wording of C.R.S. §32-1-204(a) would require the construction of housing that no one could occupy to demonstrate that need exists before an application for a service district can be approved. We presume that in passing this act the legislature intends a just and reasonable result not one that is absurd or illogical. *Higgins v. People*, 863 P.2d 371 (Colo. 1994).
2. There are sufficient existing and projected need for water service to be provided by this district. Division I of the Colorado Water Court in decree W-9483-78, as amended, require the creation of a special district to provide augmentation water before any wells may be drilled to provide for domestic use. Although there are no existing homes in the proposed district that require service at this time, there is a concurrent subdivision application pending before this board. The projected need, based upon the concurrent subdivision application, for water service is sufficient to meet this requirement of the statute.
3. There are sufficient existing and projected need for sewer service to be provided by this district. A further condition of the water court's decree was the use of non-evapotranspiration sewage units such as a septic tank or similar waste disposal system. The commitment of the District to adopt the Individual Sewage Disposal System standards of Clear Creek County (which are more stringent than those of the State of Colorado), to require aerobic and anaerobic treatment systems, to provide controls over the uniformity of equipment and installation of that equipment, and to further require the monitoring and testing of effluent are all superior management techniques that go beyond the law and current county regulations to provide protection of the waters of the area. This requirement is pursuant to the agreement between the applicant and the Upper Clear Creek Watershed Association (UCCWA) and necessitated by an agreement between UCCWA and the Standley Lake Users Group (SLUG).
4. There are sufficient existing and projected need for safety protection and street improvements to be provided by this district. This service does not exist in the area for any need, current or projected, because of a consistent position by the Board of County Commissioners stating that no new roads will be accepted for county maintenance except under very special circumstances. Based on information in the record, the current Board of County Commissioners has expressed no desire to extend county Road & Bridge services into the district. The formation of the district will ensure road safety and maintenance well above any possible if the proposed development was instead broken into 35 acre parcels with private trails to the home sites.
5. There are sufficient existing and projected need for parks to be provided by this district. The open space is land too rough for development could be considered as park land. A related example might be Rocky Mountain National Park, The Tetons, Jeffco Open Space, etc. This is an amenity consistent with a rural, mountain lifestyle.

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6. The existing water and sewer service in the area to be served by the proposed district is inadequate for present and projected needs. Division I of the Colorado Water Court in decree W-9483-78, as amended, requires the formation of a water and sanitation district to monitor water usage and is necessary to meet the conditions of the agreement between the applicant and UCCWA.

7. The existing roads in the area to be served by the proposed district are inadequate for present and projected needs. This service does not exist in the area for any need, current or projected, because of a consistent position by the BOCC stating that no new roads will be accepted for county maintenance except under very special circumstances. Based on information in the record, the current BOCC has expressed no desire to extend county Road & Bridge services into area covered by the proposed district.

8. No special attention or considerations for management of open lands are available through the county (other than rezoning) and no opportunity exists for such special treatment to provide land management of the open space areas. Therefore, the existing service is inadequate for the present and projected needs of the area to be served by the proposed special district.

9. The economic analysis presented in the service plan indicates that the income from service charges, development fees and available taxes (at 10 mills) provides more than adequate revenue to offset those costs associated with the maintenance and operation of the services to be provided by the District. The proposed special district is capable of providing economical and sufficient service to the area within its proposed boundaries.

10. Adequate water and sewer service is not, or will not be, available to the area through the county, other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis. Neither delivery of water nor finding an adequate water source is a power given to county governments in Colorado. No existing municipalities, water districts, or other sources exist anywhere close to the area to provide such a service. Current State and County regulations provide the mechanism for ensuring that sewerage treatment systems are adequate to protect the waters of the State. However, neither the State nor Clear Creek County government provides the actual service of sewer treatment. No existing municipalities, sewer treatment districts, or other sources exist anywhere close to the area to provide such a service.

11. Other than the initiative provided by the private property owners, safety protection and street improvements do not exist in the area for any need, current or projected, because of a consistent position by the BOCC stating that no new roads will be accepted for county maintenance except under very special circumstances. Based on information in the record, the current BOCC has expressed no desire to extend county Road & Bridge services into the district. Other satisfactory sources do not exist, particularly in light of stated policies by the BOCC.

12. Other satisfactory sources do not exist for the management of the open lands proposed for this district.

13. Evidence was presented that the facilities and service standards for water and sewer service are compatible with the standards of Clear Creek County and of the City of Idaho Springs, the only interested parties recognized by statute.

14. All roads in the proposed district are to be constructed to the standards adopted by Clear Creek County.

15. Evidence was presented that the facilities and service standards for providing open space and forest management are compatible with the standards of Clear Creek County.



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16. The current, official master plan for Clear Creek County is the county zoning maps that exist for every region of the county. While Clear Creek County does not have a single document titled "County Master Plan," numerous planning documents, the county's Comprehensive Plan, records of decisions concerning highest and best use of site specific and regional areas of the county, neighborhood and community stakeholder plans, officially adopted zoning maps--- in reality, all are master plans because of the guidance, their purpose and intent, and the influence they have upon all land use decisions made in Clear Creek County.

17. All private lands adjacent to the area to be served by the District are zoned MR-1 for residential use, allowing one to two acre development sites. All lands to be served by the District are zoned MR-1 for residential use. All services proposed to be provided by the District are necessary for the proper development and use of those lands for a residential purposes and meet the requirements of C.R.S. §32-1-202(2.5)(c).

18. The proposed district is adopting rules more stringent than those required by the State of Colorado and by Clear Creek County, and by becoming a member of the Upper Clear Creek Water Basin Authority, and by being deemed to be in compliance with the area's 208 plan, sufficient evidence was presented that the District would comply with all long-range water quality management plans.

19. In light of the foregoing findings of fact, the creation of the proposed special district will be in the best interests of the area proposed to be served.

BET FURTHER RESOLVED, that the service plan is approved if the following changes are made:

II. Statement of Need

Page 2, Paragraph 4

Strike the word "proposed" in the first sentence and add as a last sentence: "The District will operate in compliance with all Clear Creek County regulations and agreements with regard to point and non-point source discharges into the Clear Creek watershed.

Page 2, Paragraph 8

Strike "proposes to" in the second sentence and replace with "will".

Page 2, Paragraph 10

Strike "may" in the second sentence and replace with "shall".

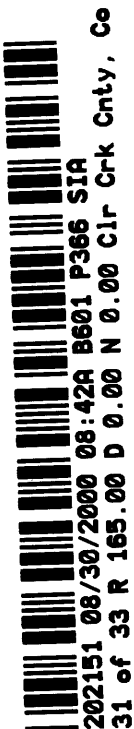
Page 3, Paragraph 2

In line #5 of paragraph #2, strike "and the District", and in line #7 of paragraph #2, strike "It is planned that" and begin the sentence "The District will...".

IV. Service Area

Page 4, Paragraph 2

At the end of the second paragraph, add "of the District".



V. Description of Proposed Services

Page 6, Item #1 (cont. from page 5), Paragraph 5

At the end of paragraph five, add "as requested by the Emergency Services District."

Page 6, Item #2, Paragraph 2

First sentence reads "All individual homes shall have compound aerobic and anaerobic treatment systems with effluent disposal through individual absorption fields in order to reduce the release of nitrates."

Page 6, Item #2, Paragraph 2

In the second sentence, strike "Should" and add "If", strike "it is anticipated that".

Page 6, Item #2, Last Paragraph

Paragraph will read "The District shall perform testing of the effluent from all installed individual or group sewage treatment systems four times per year to insure.....through absorption fields. The District will operate in compliance with all Clear Creek County regulations and agreements with regard to point and non-point source discharges into the Clear Creek watershed."

Page 7, Paragraph 1

Add "and emergency" after the word "periodic".

Page 7, #4

Add a second sentence to read "The District will also be responsible for road maintenance, replacement, snow plowing and drainage for the non-county maintained portions of Saddle Ridge Drive and Saddleback Drive leading into the District."

Page 7, #5

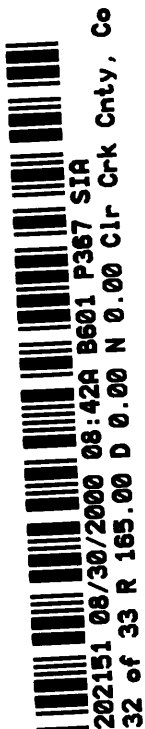
At the end of the sentence, add "in accordance with the recommendations by the office of the Colorado State Forester."

VI. Valuation and Population Projections

Page 8, Paragraph 2

At the end of the first sentence add "site characteristics permitting". In the second sentence, change "would" to "could".

VII. Proposed Improvements



Page 9. B. Sewage Collection & Treatment System

Sentence to read "Private individual home compound aerobic and anaerobic treatment systems with subsurface effluent disposal through absorption systems to reduce the release of nitrates.

THIS RESOLUTION IS ADOPTED this 14th day of November 1995, *nunc pro tunc*, November 9, 1995, at a regular meeting of the Clear Creek Board of County Commissioners at the County Courthouse in Georgetown, Colorado

Robert J. Poirot

Robert J. Poirot, Chairman

Nelson Fugate

Nelson Fugate, Commissioner

Ed. G. Rapp

Edward G. Rapp, Commissioner

ATTEST:

Debbie Hawkes

Deputy Clerk and Recorder

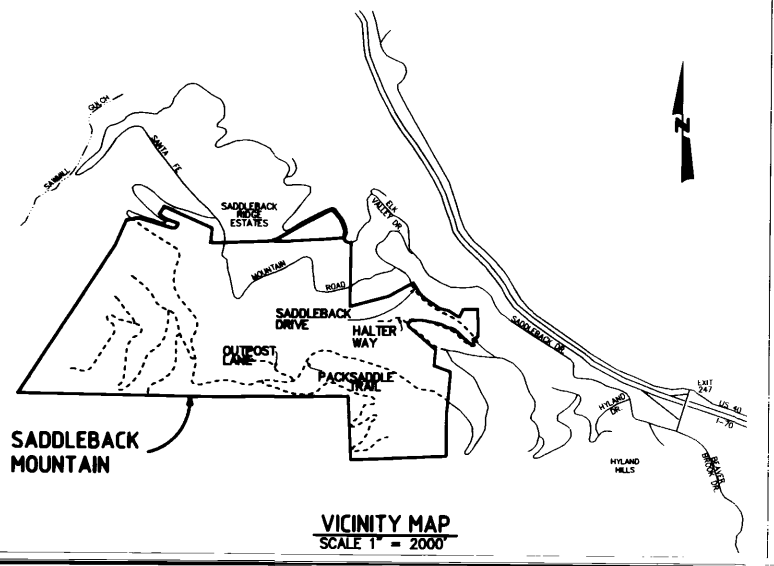
Approved as to Form:

Bruce D. Bailey

County Attorney



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33 of 33 R 165.00 D 0.00 N 0.00 Clr Crk Cnty, Co



DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, BEING THE OWNER AND HOLDER OF DEED OF TRUST OF THOSE LANDS DESCRIBED BELOW, HAVE LAID OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS, TRACTS AND EASEMENTS, AS SHOWN HEREON UNDER THE NAME AND STYLE OF SADDLEBACK MOUNTAIN, AND DO, BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY, WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, GRANT AND CONVEY TO THE SADDLEBACK METROPOLITAN DISTRICT ALL EASEMENTS SHOWN HEREON FOR DISTRICT ROADS, DRAINAGE, UTILITIES, BUS TURNAROUNDS, FIRE CISTERNS AND FIRE TRUCK PULLOUTS, AND GRANT AND CONVEY TO THE COUNTY OF CLEAR CREEK AN EASEMENT OVER ANY DISTRICT ROADS FOR THE PURPOSE OF PASSAGE OF SERVICE AND EMERGENCY VEHICLES AND PASSAGE OF ALL VEHICLES AND PEDESTRIANS DURING AN EMERGENCY SITUATION. IT IS EXPRESSLY UNDERSTOOD THAT THE ACCEPTANCE OF THE DEDICATION OF THIS EASEMENT IS NOT TO BE CONSTRUED AS AN ACCEPTANCE BY THE COUNTY OF SAID DISTRICT ROADS FOR ANY OTHER PURPOSE INCLUDING MAINTENANCE PURPOSES.

DESCRIPTION:

A TRACT OF LAND LOCATED WITHIN SECTIONS 3, 4, AND 10, TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CLEAR CREEK COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH BEARINGS AND DISTANCES SHOWN IN PARENTHESES () BEING RECORDED INFORMATION:

COMMENCING AT A FOUND IN PLACE 1-1/2" ALUMINUM CAP ON A NO. 5 REBAR, L.S. 2568, BEING ACCEPTED AS THE COMMON CORNER TO SAID SECTIONS 3, 4, 9 AND 10, TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BY THE LAND SURVEY PLAT FILED UNDER CASE NO. 2-91-EX OF SAID COUNTY RECORDS, FROM WHENCE A FOUND IN PLACE 16"x9"x8" STONE BEARS S 47°49'34" E, 477.61 FEET; THENCE N 89°10'17" W (N 89°38'01" W), 4062.70 FEET ALONG THE COMMON LINE OF SAID SECTIONS 4 AND 9, AS SHOWN ON SAID LAND SURVEY PLAT, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 33°00'02" E, 3604.71 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 3, SADDLEBACK RIDGE ESTATES FILING NO. 4 AMENDED, AS FILED IN SAID COUNTY RECORDS; THENCE ALONG A COMMON LINE WITH SAID SUBDIVISION PLAT THE FOLLOWING TWO (2) COURSES:

1. N 23°37'19" E, 563.29 FEET;
2. THENCE N 77°07'02" E, 226.36 FEET TO A POINT ALONG THE RIGHT OF WAY OF SQUAW MOUNTAIN DRIVE AS SHOWN ON SAID SUBDIVISION PLAT;

THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES:

1. THENCE S 73°11'04" E, 726.78 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 161.86 FEET, HAVING A RADIUS OF 106.92 FEET, A CENTRAL ANGLE OF 86°44'08", AND WHICH CHORD BEARS N 63°26'52" E, 146.84 FEET;
3. THENCE N 20°04'48" E, 30.00 FEET;
4. THENCE N 69°55'12" W, 239.47 FEET;
5. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 203.05 FEET, HAVING A RADIUS OF 376.24 FEET, A CENTRAL ANGLE OF 30°55'15", AND WHICH CHORD BEARS N 54°27'36" W, 200.59 FEET TO THE SOUTHERNMOST CORNER OF LOT 2, BLOCK 5, SADDLEBACK RIDGE ESTATES FILING NO. 4, AS FILED IN SAID COUNTY RECORDS;

THENCE ALONG A COMMON LINE WITH SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES:

1. N 32°08'18" E (N 32°14'41" E), 176.71 (177.10) FEET;
2. THENCE S 65°51'41" E (S 65°52'31" E), 1081.66 (1081.63) FEET;
3. THENCE S 06°26'25" W (S 06°29'33" W), 300.41 (300.00) FEET TO A FOUND IN PLACE 3 1/4" DIAMETER ALUMINUM CAP L.S. 20680, REPLACING A 1 1/4" PLASTIC CAP ON A NO. 4 REBAR L.S. 2690, AND BEING THE WEST ONE QUARTER TO SAID SECTION 3, AS SHOWN ON SAID SUBDIVISION PLAT;

THENCE CONTINUING ALONG SAID COMMON LINE AND A COMMON LINE WITH SADDLEBACK RIDGE ESTATES FILING NO. 3 AS FILED IN SAID COUNTY RECORDS, BEING ALSO THE EAST-WEST CENTERLINE OF SAID SECTION 3 AS SHOWN ON SAID SUBDIVISION PLATS, N 87°57'47" E (N 87°52'04" E), 2735.19 (2735.30) FEET; THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF SADDLEBACK DRIVE AS SHOWN ON SAID SUBDIVISION PLAT, THE FOLLOWING TWO (2) COURSES:

1. ALONG THE ARC OF A CURVE TO THE LEFT 129.78 (130.10) FEET, HAVING A RADIUS OF 105.00 FEET, A CENTRAL ANGLE OF 70°49'07" (70°59'32") AND WHICH CHORD BEARS S 61°14'02" E (S 61°12'42" E), 121.68 (121.94) FEET;
2. THENCE N 83°21'25" E (N 83°17'32" E), 34.80 (34.14) FEET TO A POINT ALONG THE EAST LINE OF SAID SECTION 3 AS SHOWN ON THE SUBDIVISION PLAT OF SADDLEBACK RIDGE ESTATES FILING NO. 2, AS FILED IN SAID COUNTY RECORDS;

THENCE ALONG THE EAST LINE OF SAID SECTION, AS SHOWN ON SAID SUBDIVISION PLAT, S 00°43'13" W (S 00°41'10" W), 1304.23 (1304.61) FEET; THENCE ALONG A COMMON LINE WITH SAID SUBDIVISION PLAT THE FOLLOWING TWO COURSES:

1. N 75°04'42" E (N 75°00'00" E), 821.76 (822.00) FEET;
2. THENCE N 60°50'45" E (N 60°55'59" E), 561.46 (561.53) FEET TO A POINT ALONG A COMMON LINE WITH SADDLEBACK RIDGE ESTATES FILING NO. 1 AS FILED IN SAID COUNTY RECORDS;

THENCE ALONG A COMMON LINE WITH SAID SUBDIVISION, THE FOLLOWING FOURTEEN (14) COURSES:

1. ALONG THE ARC OF A CURVE TO THE RIGHT 126.78 FEET, HAVING A RADIUS OF 985.00 FEET, A CENTRAL ANGLE OF 70°22'29", AND WHICH CHORD BEARS S 33°12'03" E, 126.69 FEET;
2. THENCE S 29°30'48" E (S 29°25'34" E), 55.38 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 276.45 FEET, HAVING A RADIUS OF 543.00 FEET, A CENTRAL ANGLE OF 29°10'13", AND WHICH CHORD BEARS S 44°05'58" E, 273.47 FEET;
4. THENCE S 58°41'01" E (S 58°35'47" E), 140.33 FEET;
5. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 21.35 FEET, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 05°19'07", AND WHICH CHORD BEARS S 56°01'28" E, 21.34 FEET;
6. THENCE S 53°21'54" E (S 53°16'40" E), 103.26 FEET;
7. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 70.38 FEET, HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 23°43'11", AND WHICH CHORD BEARS S 65°13'30" E, 69.88 FEET;
8. THENCE S 77°05'05" E (S 76°59'51" E), 124.04 FEET;
9. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 83.79 FEET, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 20°52'23" AND WHICH CHORD BEARS S 66°38'54" E, 83.33 FEET;
10. THENCE S 56°12'42" E (S 56°07'28" E), 128.59 FEET;
11. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 44.11 FEET, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 09°21'34", AND WHICH CHORD BEARS S 60°53'29" E, 44.06 FEET;
12. THENCE S 65°34'16" E (S 65°29'02" E), 40.06 (40.18) FEET;
13. THENCE N 24°24'44" E (N 24°30'58" E), 174.54 (174.50) FEET;
14. THENCE N 68°12'12" E (N 68°16'54" E), 298.64 (300.00) FEET TO A POINT ALONG THE EASTERLY LINE OF SAID SECTION 3;

THENCE ALONG SAID EASTERLY LINE S 01°43'06" E, 556.66 FEET TO A POINT ALONG THE NORTH LINE OF SADDLEBACK HEIGHTS, AS FILED IN SAID COUNTY RECORDS; THENCE ALONG A COMMON LINE WITH SAID SUBDIVISION S 59°16'02" W (S 59°09'13" W), 125.74 (126.44) FEET TO A POINT ALONG THE RIGHT OF WAY OF BEAVER BROOK DRIVE AS SHOWN ON SAID SUBDIVISION PLAT; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING FIFTEEN (15) COURSES:

1. ALONG THE ARC OF A CURVE TO THE RIGHT 112.23 FEET, HAVING A RADIUS OF 118.61 FEET, A CENTRAL ANGLE OF 54°12'43", AND WHICH CHORD BEARS S 03°45'21" E, 108.09 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 45.78 FEET, HAVING A RADIUS OF 24.01 FEET, A CENTRAL ANGLE OF 109°15'03", AND WHICH CHORD BEARS S 77°58'32" W, 39.15 FEET;
3. THENCE N 47°23'59" W (N 47°23'01" W), 429.77 FEET;
4. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 137.27 (136.99) FEET, HAVING A RADIUS OF 201.60 FEET, A CENTRAL ANGLE OF 39°00'49", AND WHICH CHORD BEARS N 66°54'21" W, 134.64 FEET;
5. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 104.22 FEET, HAVING A RADIUS OF 210.40 FEET, A CENTRAL ANGLE OF 28°22'52" (28°22'54"), AND WHICH CHORD BEARS N 72°13'00" W, 103.16 FEET;
6. THENCE N 58°01'34" W (N 58°00'56" W), 7.56 FEET;
7. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 159.32 FEET, HAVING A RADIUS OF 434.23 FEET, A CENTRAL ANGLE OF 21°01'19" (21°01'21"), AND WHICH CHORD BEARS N 68°32'14" W, 158.43 FEET;
8. THENCE N 79°02'55" W (N 79°02'17" W), 272.68 FEET;
9. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 156.45 FEET, HAVING A RADIUS OF 655.20 FEET, A CENTRAL ANGLE OF 13°40'52" (13°40'53"), AND WHICH CHORD BEARS N 85°53'21" W, 156.08 FEET;
10. THENCE S 87°16'12" W (S 87°16'50" W), 99.86 FEET;
11. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 192.95 FEET, HAVING A RADIUS OF 80.28 FEET, A CENTRAL ANGLE OF 137°42'30" (137°42'28"), AND WHICH CHORD BEARS S 18°24'57" W, 149.75 FEET;
12. THENCE S 50°26'16" E (S 50°25'38" E), 219.14 FEET;
13. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 198.25 FEET, HAVING A RADIUS OF 3498.00 FEET, A CENTRAL ANGLE OF 03°14'50", AND WHICH CHORD BEARS S 48°48'51" E, 198.22 FEET;
14. THENCE S 47°11'26" E (S 47°10'48" E), 119.28 FEET;
15. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 162.09 FEET, HAVING A RADIUS OF 876.14 FEET, A CENTRAL ANGLE OF 10°36'00", AND WHICH CHORD BEARS S 52°29'26" E, 161.86 FEET TO A POINT ALONG THE WESTERLY LINE OF SAID SADDLEBACK HEIGHTS;

THENCE ALONG A COMMON LINE WITH SAID SUBDIVISION THE FOLLOWING FOUR (4) COURSES:

1. S 04°59'22" W (S 05°00'00" W), 333.52 FEET;
2. THENCE S 70°04'38" E (S 70°04'00" E), 358.65 FEET;
3. THENCE S 04°59'22" W (S 05°00'00" W), 831.98 FEET;
4. THENCE S 00°04'27" E (S 00°03'49" E), 890.00 FEET;

THENCE S 87°34'57" W, 1955.19 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 495, PAGE 19 OF SAID COUNTY RECORDS; THENCE ALONG A COMMON LINE WITH SAID TRACT N 02°42'41" W (N 02°59'16" W), 1295.92 FEET TO A POINT ALONG THE COMMON LINE OF SAID SECTIONS 3 AND 10; THENCE ALONG SAID COMMON SECTION LINE S 89°07'59" W, 2678.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 583.44 ACRES MORE OR LESS.

SADDLEBACK MOUNTAIN

A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO

COVENANT AND PLAT RESTRICTION ON SALE, CONVEYANCE OR TRANSFER:

AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY AND TO MEET THE REQUIREMENTS OF SECTION 30-28-137, C.R.S., AS AMENDED, NO CONVEYANCE, SALE, OR TRANSFER OF TITLE OF THIS ENTIRE SUBDIVISION, OR OF ANY LOT, LOTS, TRACT OR TRACTS OF LAND IDENTIFIED HEREON, SHALL BE MADE, NOR ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED BY THE COUNTY OF CLEAR CREEK UNTIL A CERTIFICATE OF COMPLIANCE HAS BEEN GRANTED BY CLEAR CREEK COUNTY, STATE OF COLORADO, DULY RECORDED BY THE CLERK AND RECORDER OF SAID SAME COUNTY, CERTIFYING THAT:

- (a) THOSE PUBLIC IMPROVEMENTS AS SET FORTH IN EXHIBIT "A" OF THE SUBDIVISION IMPROVEMENTS AGREEMENT, AS RECORDED IN THE RECORDS OF THE CLEAR CREEK COUNTY CLERK AND RECORDER, OR THAT PORTION OF SAID IMPROVEMENTS AS SHALL BE NECESSARY TO TOTALLY SERVE SPECIFIC LOT(S) OR TRACT(S) COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE, HAVE BEEN PROPERLY DESIGNED, ENGINEERED, CONSTRUCTED AND ACCEPTED AS MEETING THE STANDARDS OF THE COUNTY OF CLEAR CREEK, APPLICABLE SPECIAL DISTRICT, AND APPLICABLE SERVING AUTHORITIES, OR, THAT A SUBSTITUTED SECURITY OR COLLATERAL AUTHORIZED PURSUANT TO SECTION 30-28-101, C.R.S., AS AMENDED PURSUANT TO SUBSECTION (b) HEREOF, HAS BEEN SUBMITTED TO AND ACCEPTED BY CLEAR CREEK COUNTY, WHICH IS SUFFICIENT IN THE JUDGMENT OF THE COUNTY TO ASSURE COMPLETION OF ALL PUBLIC IMPROVEMENTS AS SET FORTH IN EXHIBIT "A" OF SAID SUBDIVISION IMPROVEMENTS AGREEMENT AS RECORDED OR ANY PORTION THEREOF NECESSARY TO SERVE THE SPECIFIC LOT(S) OR TRACT(S) TO BE COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE AND TO ASSURE SAID IMPROVEMENTS ARE COMPLETED IN ACCORDANCE WITH REASONABLE DESIGN AND THE TIME SPECIFICATIONS, AND,
- (b) THE APPLICABLE SPECIAL DISTRICT OR SERVING AUTHORITY HAS CERTIFIED IN WRITING TO CLEAR CREEK COUNTY THAT ALL NECESSARY WATER TAPS NEEDED TO SERVE THE SPECIFIC LOT(S) OR TRACT(S) TO BE COVERED BY A PARTICULAR CERTIFICATE OF COMPLIANCE HAVE OR WILL IN FACT BE ISSUED BY SUCH DISTRICT OR AUTHORITY.

THESE RESTRICTIONS ON CONVEYANCE, SALE OR TRANSFER OF TITLE OF THIS ENTIRE SUBDIVISION OR ANY LOT, LOTS, TRACT OR TRACTS OF LAND IDENTIFIED HEREON SHALL RUN WITH THE LAND AND SHALL EXTEND TO AND BE BINDING UPON THE HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS OF THE SUBDIVIDER AND SHALL BE ENFORCEABLE PURSUANT TO THE PROVISIONS OF SECTION 30-28-137, C.R.S., AS AMENDED.

APPROVED, COVENANTED AND AGREED TO AS CONSIDERATION FOR FINAL PLAT APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS THIS 27th DAY OF APRIL, 2000.

OWNER:

UPHILL LIMITED LIABILITY COMPANY
A COLORADO LIMITED LIABILITY COMPANY

Stephen A. Hellerstein, Trustee/Manager
STEPHEN A. HELLERSTEIN, TRUSTEE/MANAGER

COUNTY OF Denver }
STATE OF COLORADO }

THE FOREGOING DEDICATION AND THE FOREGOING COVENANT AND PLAT RESTRICTION ON SALE, CONVEYANCE, OR TRANSFER WERE ACKNOWLEDGED BEFORE ME THIS 15th DAY OF August, A.D. 2000, BY STEPHEN A. HELLERSTEIN, TRUSTEE, AS MANAGER OF UPHILL LIMITED LIABILITY COMPANY, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND SEAL

MARY D. TOAL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires: Dec. 31, 2004

James E. Hosch
JAMES E. HOSCH, PRESIDENT

MY COMMISSION EXPIRES: 1-24-04

SUBDIVIDER:

SADDLEBACK MOUNTAIN DEVELOPMENT CORPORATION
A COLORADO CORPORATION

BY EXECUTING THIS PLAT, THE SUBDIVIDER, SADDLEBACK MOUNTAIN DEVELOPMENT CORPORATION A COLORADO CORPORATION, CONSENTS AND AGREES TO PERFORM AND COMPLY WITH THE OBLIGATIONS AND DUTIES OF THE SUBDIVIDER CONTAINED IN THE PLAT, FOR ITSELF, ITS SUCCESSORS AND ASSIGNS.

James E. Hosch
JAMES HOSCH, PRESIDENT

Mary Jane Hosch
MARY JANE HOSCH, SECRETARY

COUNTY OF Jefferson }
STATE OF COLORADO }

THE FOREGOING CONSENT AND AGREEMENT WAS ACKNOWLEDGED BEFORE ME THIS 14 DAY OF August, A.D., 2000, BY JAMES HOSCH, AS PRESIDENT AND MARY JANE HOSCH, AS SECRETARY OF SADDLEBACK MOUNTAIN DEVELOPMENT CORPORATION, A COLORADO CORPORATION.

WITNESS MY HAND AND SEAL

Sharon G. Kead
NOTARY PUBLIC
1200 S. Washington Blvd.
ADDRESS

Sharon G. Kead
MY COMMISSION EXPIRES: 3/6/2004

SURVEYOR'S CERTIFICATE:

I, NOEL L. POTTER, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF SADDLEBACK MOUNTAIN SUBDIVISION WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 15th DAY OF August, 2000, AND THAT THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND THE SURVEY THEREOF AND THAT THE PLAT CONFORMS TO THE CLEAR CREEK COUNTY SUBDIVISION REGULATIONS AND ALL APPLICABLE STATE LAWS AND THAT THE MONUMENTS DESCRIBED HEREIN HAVE BEEN PLACED AS DESCRIBED.

August 23, 00
DATE

Noel L. Potter
C.C.S. CONSULTANTS, INC.
NOEL L. POTTER
LAND SURVEYOR NO. 26296

ATTORNEY'S CERTIFICATE:

I, Russell J. Smith, AN ATTORNEY AT LAW DULY LICENSED TO PRACTICE BEFORE COURTS OF RECORD OF THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE OF LANDS HEREIN DEDICATED AND SHOWN UPON THE WITHIN PLAT AS PUBLIC LANDS, PUBLIC WAYS AND EASEMENTS, AND THE TITLE OF SUCH LANDS IS IN THE DEDICATOR(S), FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES.

Russell J. Smith
ATTORNEY AT LAW
REGISTRATION NUMBER 3177

NOTES:

1. BEARINGS ARE BASED UPON THE SOUTH LINE OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR N 89°10'17" W, BETWEEN THE MONUMENTS SHOWN HEREON.
2. 1/2" REBAR WITH 1-1/4" PLASTIC CAP L.S. NUMBER 26296, SET AT ALL LOT AND BOUNDARY CORNERS, ANGLE POINTS, P.C. AND P.T. ALONG DEDICATED RIGHTS-OF-WAY EXCEPT AS NOTED. LOT CORNERS THAT FALL WITHIN DISTRICT ROADS SHALL BE MONUMENTED ON THE LOT LINE OFFSET AT THE BOUNDARY OF THE DISTRICT ROAD EASEMENT BOUNDARY.
3. ONLY ONE (1) RESIDENTIAL DWELLING STRUCTURE MAY BE PERMITTED TO BE CONSTRUCTED ON ANY LOT.
4. THE SADDLEBACK METROPOLITAN DISTRICT, AS IDENTIFIED HEREIN WAS FORMED BY THE "ORDER AND DECREE CREATING DISTRICT" ENTERED ON APRIL 25, 1997 AND RECORDED ON APRIL 30, 1997 AT BOOK 549, PAGES 622-628 INCLUSIVE, CLEAR CREEK COUNTY, COLORADO.
5. ALL DRAINAGE EASEMENTS SHOWN HEREON ARE DEDICATED TO THE SADDLEBACK METROPOLITAN DISTRICT AND EXCEPT FOR APPROVED DRAINAGE FACILITIES, NO OTHER STRUCTURES SHALL BE ALLOWED IN DRAINAGE EASEMENTS AS SHOWN HEREON. NO ALTERATIONS OR MODIFICATIONS TO SUCH DRAINAGE FACILITIES AND APPURTENANCES SHALL BE MADE WITHOUT PRIOR APPROVAL BY CLEAR CREEK COUNTY. THE DRAINAGE FACILITIES AND ASSOCIATED APPURTENANCES SHALL BE MAINTAINED BY THE SADDLEBACK METROPOLITAN DISTRICT.
6. BENCH MARK: SOUTH 1/4 CORNER, SECTION 3, T4S, R72W, MONUMENT U.S.G.S. 9170.50.
7. THE NATURAL DRAINAGE WAYS ARE CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. EASEMENTS FOR ACCESS, OWNERSHIP AND MAINTENANCE OF THE DRAINAGE FACILITIES SHALL BE GRANTED TO THE SADDLEBACK METROPOLITAN DISTRICT. EXCEPT FOR ROUTINE AND REGULAR MAINTENANCE BY THE SADDLEBACK METROPOLITAN DISTRICT, NO MODIFICATIONS WITHIN THESE EASEMENTS ARE PERMITTED WITHOUT PRIOR APPROVAL BY CLEAR CREEK COUNTY.
8. UTILITY AND DRAINAGE EASEMENTS ARE PROVIDED ON EACH LOT. SAID EASEMENTS SHALL BE 7.5 FEET WIDE ON EACH SIDE OF ALL COMMON SIDE AND REAR LOT LINES. SAID EASEMENT SHALL BE 15.0 FEET WIDE ON ALL SIDE AND REAR LOT LINES NOT COMMON TO ANOTHER LOT AND ARE DEDICATED TO THE SADDLEBACK METROPOLITAN DISTRICT.

(PLAT NOTES CONTINUED ON SHEET 4 OF 8)

ACCEPTANCE CERTIFICATE:

THE FOREGOING PLAT IS APPROVED FOR FILING; AND CONVEYANCE OF THE EASEMENTS IS ACCEPTED BY CLEAR CREEK COUNTY, STATE OF COLORADO, THIS 29 DAY OF August, 2000.

Robert J. Smith
COUNTY CLERK

Robert J. Smith
BOARD OF COUNTY COMMISSIONERS
CHAIRMAN

CLERK AND RECORDER'S CERTIFICATE:

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF CLEAR CREEK COUNTY AT GEORGETOWN, COLORADO, THIS 30th DAY OF August, 2000, AT BOOK 601, PAGES 328, RECEPTION NO. 200130.

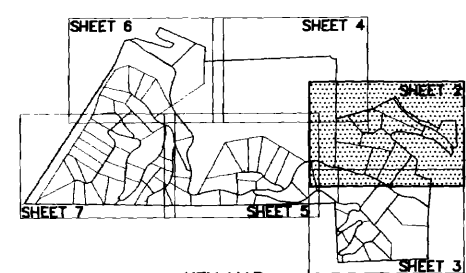
Paul R. Papp
CLERK AND RECORDER
Paul R. Papp
BY: DEPUTY CLERK

BCA GROUP

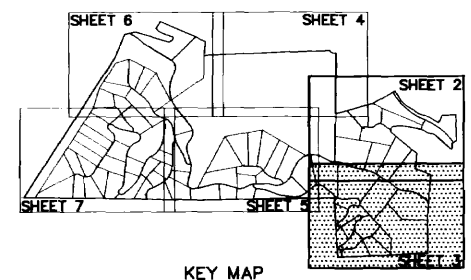
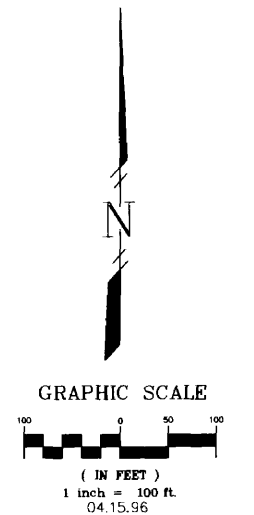
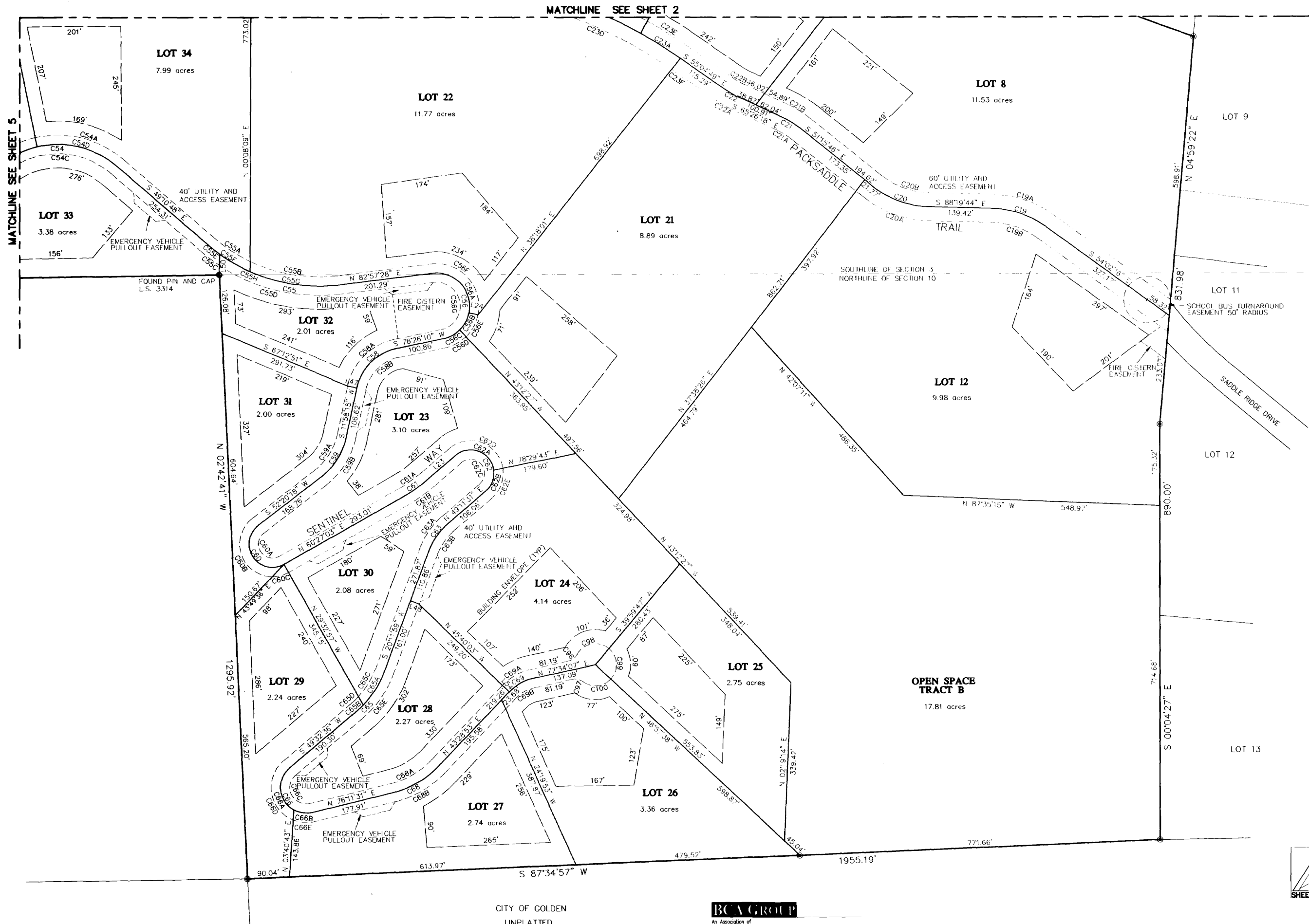
An Association of
C.C.S. Consultants, Inc. and Beal Engineering Corporation
11443 West 10 Frontage Road North, Suite 102
West Ridge, Colorado 80033
Phone: 303-404-4106 FAX: 303-403-0800

282150 08/30/2000 08:39 8661 P328 LSP
1 of 8 R 80.00 D 0.00 N 0.00 Ctr Crk Cnty, Co

**A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO**



SADDLEBACK MOUNTAIN
A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO



SADDLEBACK MOUNTAIN
A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO

9. DISTRICT ROADS WILL BE MAINTAINED BY THE SUBDIVIDER, ITS SUCCESSORS OR AGENTS UNTIL SUCH TIME AS MAINTENANCE OF THE DISTRICT ROADS IS ASSUMED BY THE SADDLEBACK METROPOLITAN DISTRICT. THE DISTRICT ROADS SHALL NOT BE ACCEPTED FOR OWNERSHIP NOR MAINTENANCE BY CLEAR CREEK COUNTY IN THE FUTURE. A HIGH-EXCLUSIVE MAINTENANCE AND DRAINAGE EASEMENT IS DEDICATED TO THE SADDLEBACK METROPOLITAN DISTRICT INCLUDING THE AREA TEN FEET BEYOND THE TIE OF A FULL SECTION OR CREST OF A CUT SECTION, BOTH WITHIN AND WITHOUT THE DISTRICT ROAD EASEMENTS SHOWN ON THE HEREIN PLAT, FOR THE MAINTENANCE OF ROAD FILLS AND CUTS, DEPOSIT OF SNOW AND MAINTENANCE OF DRAINAGE FACILITIES. ALL ROADS WITHIN THE BOUNDARY OF THIS PLAT ARE DISTRICT ROADS. EXCEPT FOR SANTA FE MOUNTAIN ROAD, WITHIN TRACT C, WHICH IS A CLEAR CREEK COUNTY ROAD.

10. ALL DIMENSIONS SHOWN HEREON ARE IN FEET. ALL BEARINGS SHOWN HEREON ARE IN DEGREES-MINUTES-SECONDS.

11. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMBATS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

12. TITLE TO EACH LOT INCLUDES A NON-EXCLUSIVE PERPETUAL ACCESS EASEMENT OVER, THROUGH AND ACROSS THE DISTRICT ROADS.

13. TRACT "A", "B", "C" AND "D" ARE FOR PRIVATE OPEN SPACE AND SHALL BE OWNED AND MAINTAINED BY THE SADDLEBACK METROPOLITAN DISTRICT. TRACTS "A", "B", "C" AND "D" WILL BE MAINTAINED BY THE SUBDIVIDER, ITS SUCCESSORS OR ASSIGNS, UNTIL SUCH TIME AS THE TRACTS ARE CONVEYED TO THE SADDLEBACK METROPOLITAN DISTRICT.

A. THE SADDLEBACK METROPOLITAN DISTRICT SHALL ENSURE COMPLIANCE WITH THE CLEAR CREEK COUNTY NOXIOUS WEED MANAGEMENT PLAN, AS ADOPTED BY RESOLUTION R-99-60 AND AMENDED BY R-99-108, FOR ALL OPEN SPACE TRACTS, UNLESS A VARIANCE IS GRANTED BY THE COUNTY ROAD AND BRIDGE SUPERVISOR.

B. THE SADDLEBACK METROPOLITAN DISTRICT SHALL COMPLY WITH THE COLORADO PEST CONTROL ACT, (35-4 C.R.S.) FOR THE CONTROL AND PREVENTION OF BEETLE INFESTATIONS WHICH OCCUR IN ALL OPEN SPACE TRACTS. TO ENSURE COMPLIANCE WITH THIS ACT, THE SUBDIVIDER SHALL, AT ITS OWN EXPENSE, RETAIN A SPECIALIST IN THE FIELD OF PEST CONTROL AND MANAGEMENT WHO SHALL IDENTIFY AND TAG TREES WHICH ARE INFESTED. PRIOR TO REMOVAL OF SAID INFESTED TREES, THE COLORADO STATE FOREST SERVICE SHALL BE REQUESTED, AT THE EXPENSE OF THE SUBDIVIDER, TO VISIT THE SITE AND VERIFY TAGGED TREES. THE COUNTY DEVELOPMENT SITE INSPECTOR WILL VERIFY THAT SAID INFESTED TREES HAVE BEEN REMOVED. SUCH CONTROL MEASURES SHALL BE COMPLETED DURING THE PHASE IN PROGRESS. FOLLOWING INITIAL COMPLIANCE WITH THIS ACT, THE SADDLEBACK METROPOLITAN DISTRICT SHALL ENSURE ONGOING MAINTENANCE.

14. PEDESTRIAN ACCESS TO SURVEY MONUMENTS SHALL BE ALLOWED, AS NECESSARY, ACROSS ALL OPEN SPACE TRACTS.

15. PRIVATE OPEN SPACE TRACTS MAY BE USED FOR UTILITY, DRAINAGE, PEDESTRIAN TRAILS AND SIGNS APPROVED BY THE COUNTY. RECREATIONAL FACILITIES AND PRIVATE DRIVES, OTHER THAN INDICATED ON THE APPROVED FINAL PLAT, ARE PROHIBITED IN OPEN SPACE TRACTS.

16. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

17. EACH RESIDENCE WILL HAVE:

A. ITS OWN MECHANICALLY AERATED SEWAGE TREATMENT SYSTEM PRECEDING A SPECIFICALLY DESIGNED LEACH FIELD FOR THAT INDIVIDUAL RESIDENCE OR AREA CONSIDERING THE SOIL CONDITIONS OF THAT AREA.

B. A MONITORING WELL AT THE OUTPUT OF EACH LEACH FIELD TO BE SAMPLED AT THE TIME OF INSTALLATION AND AT LEAST EVERY SIX (6) MONTHS WITH THE SAMPLES TO BE ANALYZED BY A STATE CERTIFIED WATER LABORATORY FOR THE ITEMS LISTED BELOW:

TOTAL COLIFORMS
BOD
TOTAL SUSPENDED SOLIDS
TOTAL AMMONIA AS N
TEMPERATURE
PH
NITRATE AS N
PHOSPHATE

RESULTS OF THE SAMPLE ANALYSIS SHALL BE FURNISHED TO THE COUNTY ENVIRONMENTAL SPECIALIST AND THE UPPER CLEAR CREEK WATERSHED ASSOCIATION (UCCWA) WITHIN THIRTY (30) DAYS OF SAMPLING.

THE SADDLEBACK METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR ENSURING THAT THE MONITORING WELLS ARE INSTALLED AND SAMPLED.

18. MONITORING WELLS BE PROVIDED ON SAWMILL AND JOHNSON GULCHES, JUST ABOVE THEIR CONFLUENCE WITH CLEAR CREEK AND ON THE SOUTH SIDE OF 1-70 AND SHALL BE INSTALLED PRIOR TO ISSUANCE OF A COUNTY ROAD CONSTRUCTION PERMIT. THESE WELLS TO BE SAMPLED AT THE TIME OF INSTALLATION AND AT LEAST EVERY SIX (6) MONTHS FOR THE SAME ITEMS AS IN 17 ABOVE AND THE RESULTS PROVIDED TO THE COUNTY ENVIRONMENTAL SPECIALIST AND THE UPPER CLEAR CREEK WATERSHED ASSOCIATION WITHIN THIRTY (30) DAYS OF SAMPLING. THESE WELLS TO BE INSTALLED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS TO PROVIDE BACKGROUND DATA. A DETAILED MAP SHOWING LOCATION, DIAMETER AND DEPTHS OF THESE WELLS SHALL BE PROVIDED TO THE COUNTY ENVIRONMENTAL SPECIALIST AND THE UPPER CLEAR CREEK WATERSHED ASSOCIATION WITHIN (30) DAYS OF INSTALLATION. THE SADDLEBACK METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR ENSURING THAT THE MONITORING WELLS ARE INSTALLED AND SAMPLED.

19. THE SADDLEBACK METROPOLITAN DISTRICT SHALL HAVE MECHANICALLY AERATED SEWAGE TREATMENT SYSTEM VENDORS PROVIDE TEST DATA ON THE CAPABILITY OF THEIR EQUIPMENT TO REMOVE NUTRIENTS (TOTAL PHOSPHORUS AND TOTAL NITROGEN) AND PROVIDE THIS DATA TO THE COUNTY ENVIRONMENTAL SPECIALIST AND THE UPPER CLEAR CREEK WATERSHED ASSOCIATION. VENDORS WILL BE GIVEN A GOAL OF 1 MILLIGRAM/LITER PHOSPHORUS AND THE DESIGN CRITERION TO BASE THE NUTRIENT MODIFICATIONS ON. THE TEST DATA SHALL BE PROVIDED PRIOR TO ISSUANCE OF ANY BUILDING OR ISDS PERMIT FOR A RESIDENTIAL DWELLING IN THE SUBDIVISION.

20. IF ANY INDIVIDUAL MECHANICALLY AERATED SEWAGE TREATMENT SYSTEM TESTS MORE THAN 2 MILLIGRAMS/LITER OF PHOSPHORUS THE SADDLEBACK METROPOLITAN DISTRICT WILL IMPLEMENT, ON THAT SYSTEM, NUTRIENT REMOVAL TECHNIQUES TO LOWER THE EFFLUENT TO LOWER THAN 1MG/LITER OF PHOSPHORUS OR BEST POSSIBLE TECHNOLOGY AS SHOWN BY THE VENDORS. ALL EXCURSIONS OF THIS TYPE WILL BE REPORTED TO THE COUNTY ENVIRONMENTAL SPECIALIST AND THE UPPER CLEAR CREEK WATERSHED ASSOCIATION ALONG WITH THE SOLUTIONS TO THE EXCURSION WITHIN THIRTY (30) DAYS OF THE SAMPLING.

21. EACH MECHANICALLY AERATED SEWAGE TREATMENT SYSTEM AND LEACH FIELD SHALL BE IN ACCORDANCE WITH CLEAR CREEK COUNTY INDIVIDUAL SEWAGE DISPOSAL SYSTEM REGULATIONS.

22. THE SUBDIVISION WILL INCLUDE IN ITS COVENANTS A BAN ON THE USE OF OTHER THAN LOW PHOSPHORUS DETERGENTS.

23. LEGAL WATER RIGHTS WAS PROVIDED FOR IN A WATER AUGMENTATION PLAN THAT WAS APPROVED BY DIVISION 1 OF THE COLORADO WATER COURT IN DECREE W-94 83-78, AS AMENDED. THE SADDLEBACK METROPOLITAN DISTRICT WAS ESTABLISHED TO BE THE RESPONSIBLE ENTITY TO ASSURE FUTURE PROPERTY OWNERS THE LEGAL RIGHT TO WATER.

24. PHYSICAL ACCESS TO WATER FOR INDIVIDUAL RESIDENCES WILL BE FROM HOUSEHOLD USE ONLY WELLS. WATER QUALITY AND QUANTITY IS SUBJECT TO THE SITE - SPECIFIC GEOLOGY RELATED TO EACH INDIVIDUAL LOT.

25. EACH HOUSEHOLD WATER WELL SHALL BE SAMPLED AT THE TIME OF INSTALLATION AND ONCE A YEAR WITH THE SAMPLES TO BE ANALYZED BY A STATE CERTIFIED WATER LABORATORY FOR NITRATES, BACTERIA, AND PRODUCTION FLOW. IF THE BACTERIA TEST IS POSITIVE, THEN THE SAMPLE SHALL ALSO BE ANALYZED FOR FECAL COLIFORM. STATIC WATER LEVELS FOR EACH HOUSEHOLD WATER WELL SHALL BE SAMPLED AT THE TIME OF INSTALLATION AND QUARTERLY. THE RESULTS OF THE SAMPLE ANALYSIS SHALL BE FURNISHED TO THE COUNTY ENVIRONMENTAL SPECIALIST AND THE UPPER CLEAR CREEK WATERSHED ASSOCIATION WITHIN THIRTY (30) DAYS OF THE SAMPLING. THE SADDLEBACK METROPOLITAN DISTRICT SHALL BE RESPONSIBLE FOR ENSURING THAT THE SAMPLING IS CONDUCTED AND THAT WATER CONSUMPTION IS IN COMPLIANCE WITH THE AUGMENTATION PLAN.

26. BUS TURNAROUND AND FIRE CISTERN EASEMENTS ARE SHOWN ON THE FINAL PLAT AND FINAL ROADWAY DESIGN AND CONSTRUCTION DRAWINGS. SAID EASEMENTS ARE DEDICATED TO THE SADDLEBACK METROPOLITAN DISTRICT.

PLAT NOTES CONTINUED ON SHEET 8 OF 8

SADDLEBACK RIDGE ESTATES
FILING NO. 3

OPEN SPACE
TRACT C
152.03 acres

60' ROAD EASEMENT
FOR SANTA FE MOUNTAIN ROAD
BOOK 377, PAGES 619-626

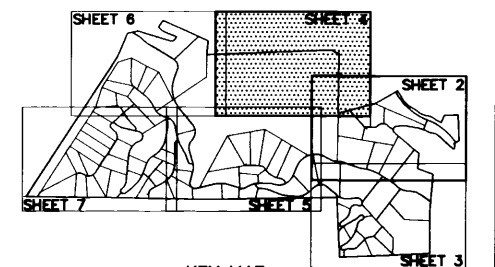
GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft
04.15.96

LEGEND

○ FOUND AS NOTED
● PIN AND CAP P.L.S. 26296

SADDLEBACK RIDGE ESTATES
FILING NO. 2



KEY MAP

SHEET 4 OF 8

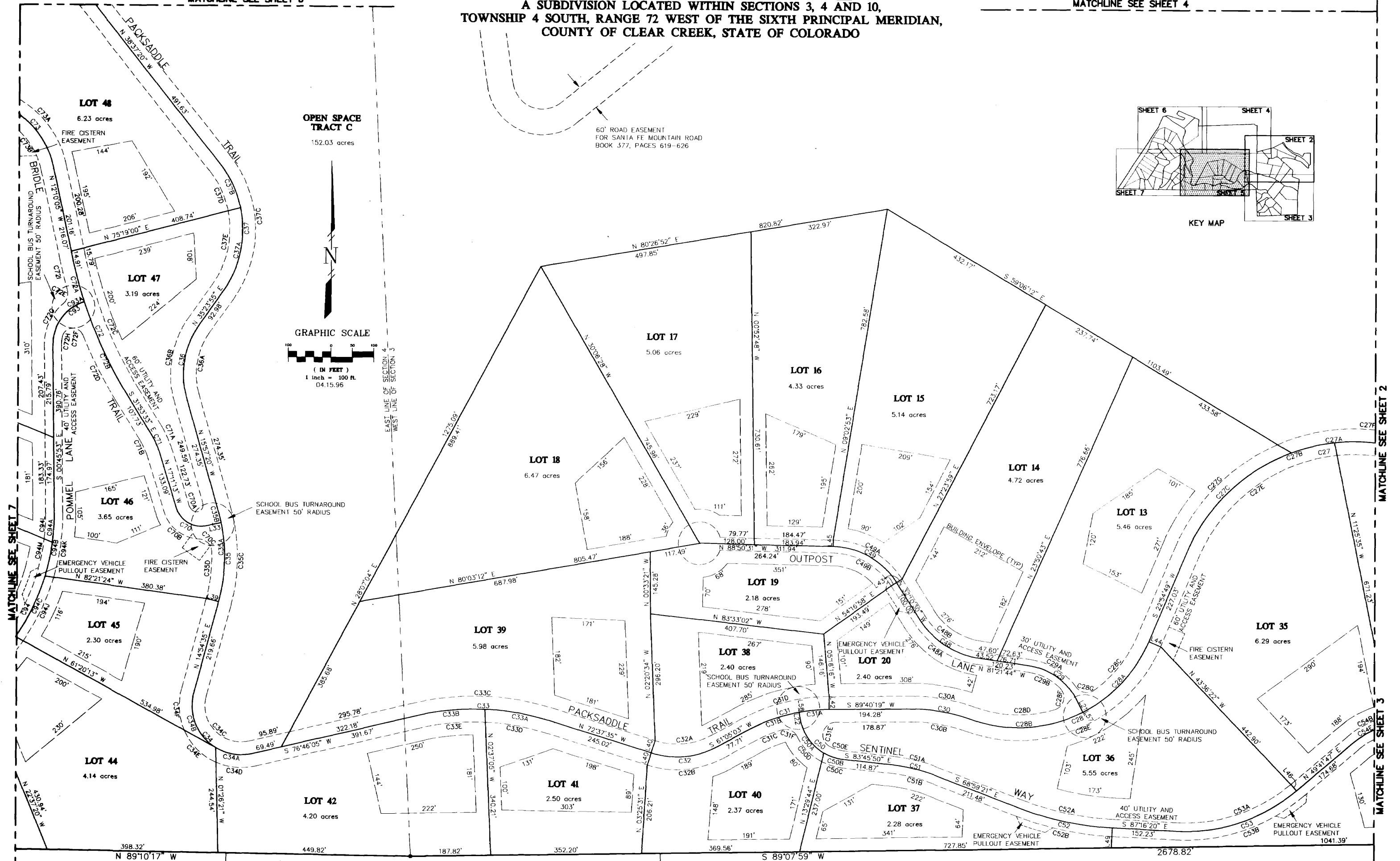
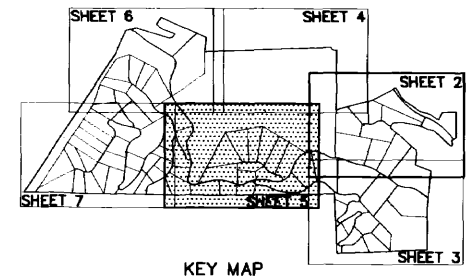
SADDLEBACK MOUNTAIN
A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO

MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 4

**OPEN SPACE
TRACT C**
152.03 acres

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft
0 4.15 9.6



BCA GROUP
An Association of
C.C.S. Consultants, Inc. and Blandin Engineering Corporation
11445 West I-70 Frontage Road North, Suite 102
West Ridge, Colorado 80033
Phone 303-403-4706 FAX 303-403-0800

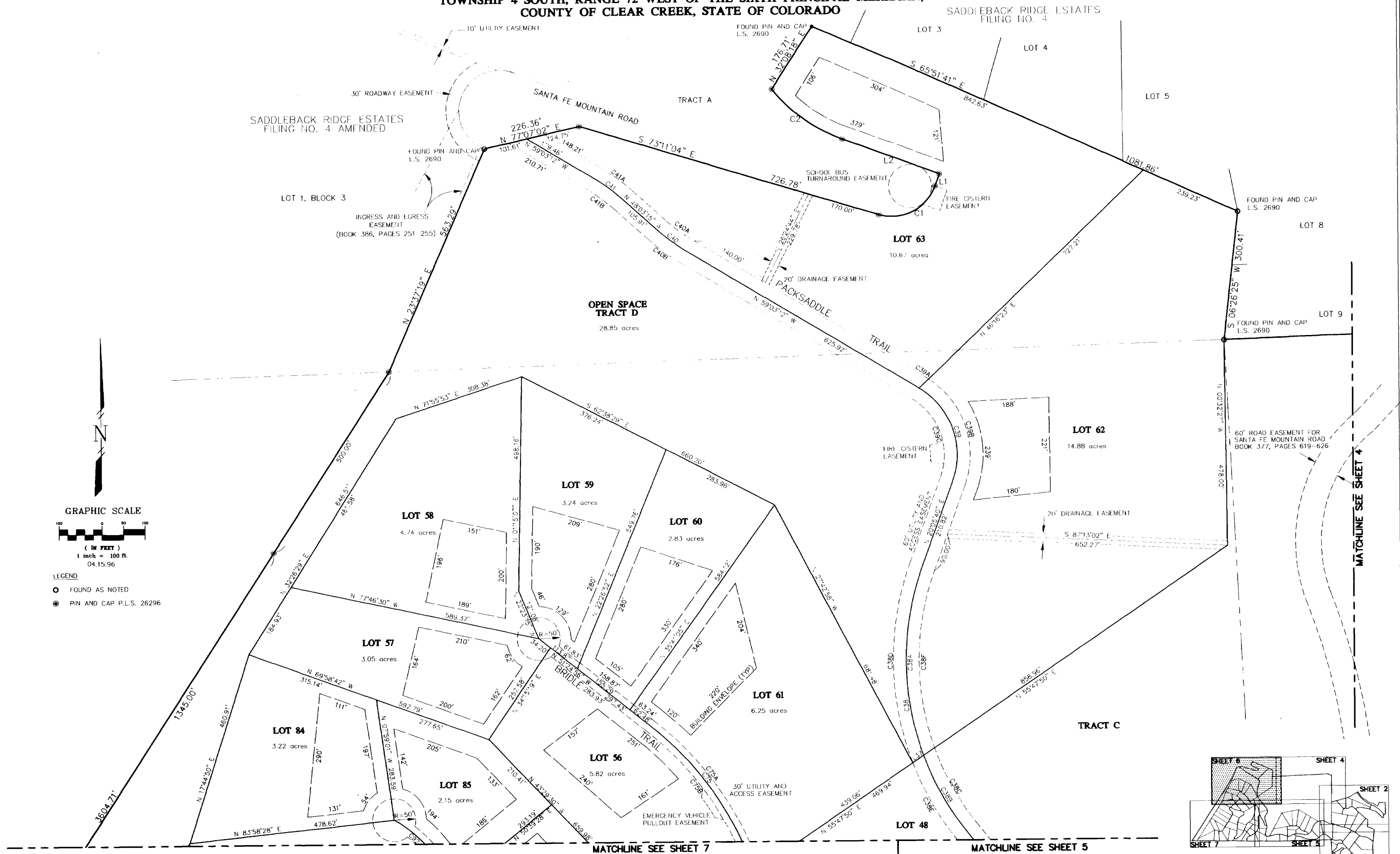
PARCEL K-2

PARCEL K-1

PARCEL L

202150 08/30/2000 08:39R 0601 P332 LSP
5 of 8 R 80.00 D 0.00 N 0.00 Clr Crk Cnty, Co

SADDLEBACK MOUNTAIN
A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO



SHEET 6 OF 8

SADDLEBACK MOUNTAIN
A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO

MATCHLINE SEE SHEET 6

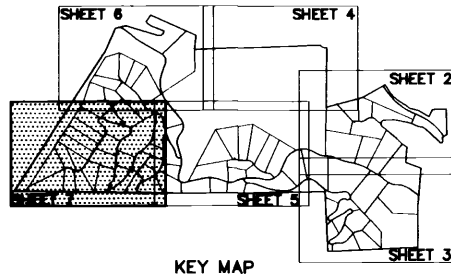
GRAPHIC SCALE



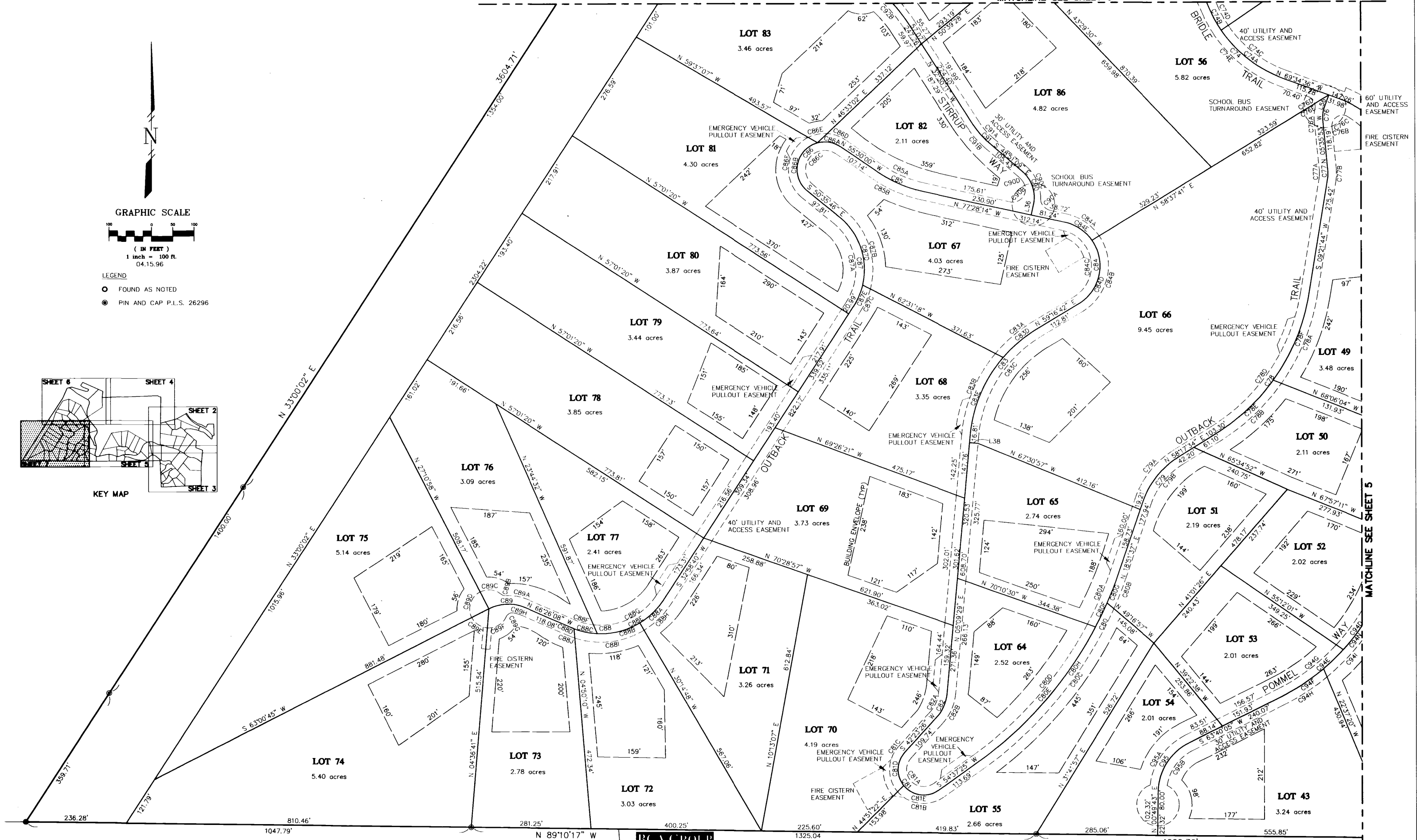
(IN FEET)
1 inch = 100 ft.
04.15.96

LEGEND

- FOUND AS NOTED
- PIN AND CAP P.L.S. 26296



KEY MAP



MATCHLINE SEE SHEET 5

BCA GROUP

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PARCEL J

PARCEL K-2

SHEET 7 OF 8

202150 08/30/2000 08:35:00 B661 P334 LSP
7 of 8 R 00.00 D 0.00 N 0.00 Clr Crk Cnty, Co

SADDLEBACK MOUNTAIN
A SUBDIVISION LOCATED WITHIN SECTIONS 3, 4 AND 10,
TOWNSHIP 4 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF CLEAR CREEK, STATE OF COLORADO

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	106.92	161.86	146.84	N 63°26'52" E	86°44'08"
C2	376.24	203.05	200.59	S 54°27'36" E	50°55'15"
C3	105.00	129.78	121.88	S 61°14'02" E	70°49'07"
C4	95.00	126.00	126.00	N 33°20'31" W	07°22'29"
C5	543.00	276.45	273.47	S 44°05'55" E	29°10'13"
C6	230.00	21.35	21.34	N 56°01'28" W	05°19'07"
C7	170.00	70.38	69.88	S 65°13'30" E	23°43'11"
C8	230.00	83.79	83.33	N 66°38'54" W	20°52'23"
C9	270.00	44.11	44.06	S 60°53'29" E	09°21'34"
C10	118.61	112.23	108.09	N 03°45'21" W	54°12'43"
C11	24.01	45.78	38.15	N 77°58'32" E	108°15'03"
C12	201.60	137.27	134.64	N 66°54'21" W	39°00'49"
C13	210.40	104.22	103.16	S 72°13'00" W	28°22'52"
C14	434.23	159.32	158.43	N 68°32'14" W	21°01'19"
C14A	434.23	95.32	95.13	N 64°18'53" W	12°34'37"
C15	434.23	74.00	63.95	N 74°49'32" W	08°26'42"
C16	655.20	156.45	156.08	N 85°53'21" W	13°40'52"
C16A	80.28	192.95	149.75	S 18°24'57" W	13°42'30"
C16B	80.28	106.45	98.82	S 49°17'05" W	75°58'14"
C16B	80.28	86.50	82.38	S 19°34'10" E	61°44'16"
C17	3498.00	198.25	198.22	N 48°48'51" W	03°14'50"
C18	876.14	162.09	161.86	S 82°29'28" W	10°36'00"
C18A	876.14	127.45	127.34	S 53°37'23" E	08°20'06"
C18B	876.14	34.64	34.63	S 48°19'23" E	02°15'54"
C19	200.00	119.70	117.92	N 71°11'00" W	34°17'28"
C19A	230.00	137.65	135.61	N 71°11'00" W	34°17'28"
C20	170.00	101.74	100.23	N 71°11'00" W	34°17'28"
C20A	200.00	129.39	127.14	S 69°47'45" E	37°03'58"
C20B	230.00	148.70	146.21	S 69°47'45" E	37°03'58"
C20B	170.00	109.98	108.07	S 69°47'45" E	37°03'58"
C21	200.00	49.48	49.36	N 58°21'02" W	14°10'33"
C21A	170.00	42.06	41.95	N 58°21'02" W	14°10'33"
C21B	230.00	56.91	56.76	N 58°21'02" W	14°10'33"
C22	200.00	36.16	36.11	S 62°29'28" W	10°36'00"
C22A	230.00	41.58	41.52	S 60°15'34" E	10°21'30"
C22B	170.00	30.73	30.69	S 60°15'34" E	10°21'30"
C23	1012.28	463.38	459.35	N 68°11'39" W	26°13'40"
C23A	1012.28	289.99	289.00	N 68°11'39" W	26°13'40"
C23B	1012.28	73.21	73.19	N 79°14'00" W	04°08'37"
C23C	982.28	449.65	445.74	N 68°11'39" W	26°13'40"
C23D	1042.28	104.12	104.07	S 75°56'31" W	04°43'25"
C23E	1042.28	295.32	294.34	N 68°55'15" W	16°14'03"
C23F	1042.28	77.68	77.66	S 73°28'40" E	15°39'38"
C24	600.00	164.08	163.49	S 73°28'40" E	15°39'38"
C24A	570.00	155.80	155.31	S 73°28'40" E	15°39'38"
C24B	630.00	172.20	171.66	S 73°28'40" E	15°39'38"
C25	215.00	90.87	90.20	N 77°45'21" W	24°13'00"
C25A	185.00	78.19	77.61	S 77°45'21" W	24°13'00"
C25B	245.00	103.55	102.78	S 75°43'14" E	28°17'14"
C26	200.00	98.74	97.74	S 75°43'14" E	28°17'14"
C26A	170.00	83.93	83.08	S 75°43'14" E	28°17'14"
C26B	230.00	113.55	112.40	S 75°43'14" E	28°17'14"
C27	425.00	258.78	254.81	S 70°15'15" W	34°53'16"
C27A	425.00	103.79	103.54	S 76°32'20" W	13°59'34"
C27B	425.00	345.88	336.41	S 46°13'41" W	46°37'44"
C27C	395.00	237.91	234.33	N 78°49'55" W	34°30'35"
C27E	395.00	420.53	400.95	S 53°24'48" E	60°59'58"
C27F	395.00	111.68	107.78	S 53°24'48" E	60°59'58"
C27G	455.00	346.78	338.45	S 44°44'52" W	43°40'05"
C28	330.00	499.77	453.36	N 66°17'59" E	86°46'19"
C28A	330.00	230.30	225.66	N 42°54'23" E	39°59'08"
C28B	330.00	269.47	262.05	N 86°17'33" E	46°47'11"
C28C	300.00	162.29	160.31	N 38°24'39" E	30°59'39"
C28D	300.00	188.21	185.14	S 68°17'15" E	55°24'14"
C28E	360.00	545.20	494.57	N 66°17'59" E	86°46'19"
C28F	30.00	62.74	51.91	N 13°49'51" E	119°49'12"
C28G	30.00	46.74	42.15	S 81°27'42" E	89°15'38"
C29	150.00	142.22	136.95	N 54°12'04" W	54°19'20"
C29A	165.00	129.05	125.79	N 58°57'22" W	44°48'48"
C29B	150.00	141.13	136.71	S 62°12'15" E	55°24'14"
C29C	430.00	139.72	139.01	N 80°19'16" W	20°00'49"
C30A	430.00	150.20	149.44	N 80°19'16" W	20°00'49"
C30B	370.00	129.24	128.59	N 80°19'16" W	20°00'49"
C31	400.00	199.58	197.52	S 75°22'41" W	28°35'16"
C31A	400.00	70.67	70.58	S 84°36'38" W	10°07'23"
C31B	300.00	188.21	185.14	S 68°17'15" E	55°24'14"
C31C	370.00	71.81	71.70	S 68°38'38" W	11°07'11"
C31D	430.00	214.55	212.33	S 75°22'41" W	28°35'16"
C31E	30.00	79.62	58.23	S 13°38'27" W	152°03'44"
C31F	30.00	42.50	38.03	N 67°12'42" W	81°10'09"
C32	200.00	161.58	157.22	N 84°13'44" E	46°17'22"
C32A	170.00	149.47	149.29	S 84°13'44" E	46°17'22"
C32B	230.00	185.82	180.80	N 84°13'44" E	46°17'22"
C33	600.00	320.50	316.70	N 87°55'45" W	30°36'19"
C33A	600.00	157.91	157.46	N 80°09'59" W	15°04'46"
C33B	600.00	162.59	162.09	S 84°31'52" W	15°31'33"
C33C	630.00	336.52	332.54	N 87°55'45" W	30°36'19"
C33D	570.00	147.44	147.03	N 80°02'12" W	14°49'13"
C33E	570.00	157.04	156.54	S 84°39'38" W	15°47'06"
C34	115.00	237.13	197.29	S 44°09'40" E	118°08'29"
C34A	115.00	88.77	86.58	S 81°07'08" E	44°13'34"
C34B	115.00	148.36	138.28	S 22°02'53" E	73°54'55"
C34C	85.00	175.27	145.83	S 44°09'40" E	118°08'29"
C34D	145.00	93.55	91.94	S 84°44'58" E	36°57'58"
C34E	145.00	107.59	105.14	S 45°00'32" E	42°30'51"
C34F	145.00	97.84	96.00	S 04°25'16" E	38°39'41"
C35	400.00	215.48	212.88	N 00°31'23" W	30°51'55"
C35A	400.00	187.20	185.50	N 01°30'09" E	26°48'52"
C35B	400.00	28.28	28.27	N 13°55'49" W	04°03'03"
C35C	430.00	231.64	228.85	S 45°12'15" W	55°24'14"
C35D	370.00	122.40	121.85	N 05°25'56" E	18°57'17"
C36	200.00	179.26	173.32	S 09°43'17" W	51°21'15"
C36A	170.00	152.37	147.32	S 09°43'17" W	51°21'15"
C36B	230.00	206.15	199.32	S 09°43'17" W	51°21'15"
C37	250.00	322.98	300.98	N 01°36'43" W	74°01'15"
C37A	250.00	206.71	200.87	N 11°42'41" E	47°22'29"
C37B	250.00	116.27	115.22	N 25°17'56" E	26°38'48"
C37C	280.00	361.73	337.10	N 01°36'43" W	74°01'15"
C37D	220.00	104.83	103.84	N 24°58'17" W	27°18'07"
C37E	220.00	179.39	174.46	N 12°02'21" E	46°43'08"
C38	640.00	655.87	627.55	S 09°15'50" E	58°30'07"
C38A	640.00	449.47	449.29	S 09°15'50" E	58°30'07"
C38B	640.00	206.40	205.50	S 29°23'00" W	18°28'40"
C38C	610.00	204.25	203.29	S 29°01'48" E	19°11'04"
C38D	670.00	478.05	467.97	S 00°20'45" E	40°52'50"
C38E	670.00	208.57	207.73	S 29°42'15" E	17°50'10"
C38F	610.00	420.88	412.58	S 00°19'42" E	39°31'56"
C39	180.00	248.65	229.35	N 19°28'46" E	79°08'52"
C39A	110.00	8.18	8.18	N 57°56'14" W	02°13'55"
C39B	210.00	281.91	261.21	N 18°21'49" W	76°54'57"
C39C	150.00	207.21	191.12	N 19°28'46" W	79°08'52"

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C40	450.00	86.39	86.25	S 53°33'13" E	10°59'57"
C40A	420.00	80.63	80.50	S 53°33'13" E	10°59'57"
C40B	480.00	92.15	92.00	S 53°33'13" E	10°59'57"
C41	450.00	86.39	86.25	N 53°33'13" W	10°59'57"
C41A	480.00	92.15	92.00	N 53°33'13" W	10°59'57"
C41B	420.00	80.63	80.50	N 53°33'13" W	10°59'57"
C42	1320.00	795.84	783.84	N 51°54'08" W	34°32'40"
C42A	1350.00	794.95	783.52	N 51°54'08" W	33°44'20"
C42B	1290.00	751.01	743.32	N 02°01'37" W	33°29'22"
C43	975.00	668.06	655.06	S 49°08'33" E	39°15'30"
C43A	945.00	647.50	634.91	S 49°08'33" E	39°15'30"
C43B	1005.00	688.61	675.22	S 49°08'33" E	39°15'30"
C44	150.00	120.29	117.09	S 55°43'36" E	45°56'51"
C44A	135.00	108.26	105.38	S 55°43'36" E	45°56'51"
C44B	165.00	132.32	128.80	S 55°43'36" E	45°56'51"
C45	130.00	206.12	185.20	N 78°10'29" W	9°05'36"
C45A	130.00	121.28	116.93	N 59°28'49" W	53°27'16"
C45B	130.00	84.83	83.34	S 75°05'53" W	37°23'20"
C45D	171.97	147.66	143.16	S 71°07'59" W	49°11'50"
C45E	171.97	140.58	136.70	N 60°50'57" W	46°50'20"
C45F	141.97	237.95	211.06	N 82°58'51" W	96°02'09"
C46	100.00	87.45	84.69	N 81°27'21" E	5°06'15"
C46A	85.00	74.33	71.98	N 81°27'21" E	5°06'14"
C46B	115.00	100.57	97.39	N 81°27'21" E	5°06'14"
C47	300.00	111.34	110.71	N 84°07'30" W	21°05'55"
C47A	300.00	34.97	34.95	N 76°49'54" W	06°40'43"
C47B	300.00	76.38	76.17	N 87°27'51" W	14°35'12"
C47C	285.00	105.78	105.17	N 84°07'30" W	21°05'55"
C47D	315.00	77.45	77.26	N 87°42'49" W	14°05'17"
C47E	315.00	39.46	39.43	N 77°04'51" W	07°10'38"
C48	200.00	171.70	166.47	S 56°46'07" E	49°11'15"
C48A	215.00	184.57	178.96	S 56°46'07" E	49°11'15"
C48B	185.00	158.82	153.99	S 56°46'07" E	49°11'15"
C48C	355.00	387.30	374.63	S 57°40'53" E	51°00'46"
C49	180.00	178.02	170.86	N 60°30'30" W	56°40'01"
C49A	195.00	192.86	185.10	N 60°30'30" W	56°40'01"
C49B	165.00	163.19	156.62	N 60°30'30" W	56°40'01"
C50	115.00	147.15	137.31	S 47°06'27" E	73°18'46"
C50A	115.00	98.99	95.96	S 35°08'40" E	43°19'12"
C50B	115.00	48.16	47.81	N 71°46'03" E	23°59'34"
C50C	105.00	50.56	50.26	S 73°02'07" E	24°27'25"
C50D	135.00	84.07	82.72	S 44°28'01" E	35°40'48"
C50E	95.00	48.05	47.54	S 76°52'47" E	28°58'44"
C51	400.00	103.15	102.86	N 76°22'35" W	14°46'29"
C51A	420.00	108.30	108.00	N 76°22'35" W	14°46'29"
C51B	380.00	97.99	97.72	N 76°22'35" W	14°46'29"
C52	700.00	223.37	222.42	S 78°07'50" E	18°16'59"
C52A	680.00	216.99	216.07	S 78°07'50" E	18°16'59"
C52B	720.00	229.75	228.78	S 78°07'50" E	18°16'59"
C53	400.00	300.41	293.40	N 71°12'44" E	43°01'52"
C53A	380.00	285.39	278.73	N 71°12'44" E	43°01'52"
C53B	420.00	315.44	308.07	N 71°12'44" E	43°01'52"
C54	200.00	283.17	260.11	N 89°44'30" W	8°107'25"
C54A	220.00	204.71	197.41	N 75°50'14" W	53°18'53"
C54B	220.00	106.78	105.73	S 63°36'03" W	27°48'32"
C54C	180.00	254.86	234.10	N 89°44'30" W	8°107'25"
C54D	200.00	186.48	179.72	N 89°44'30" W	8°107'25"
C54E	200.00	96.70	95.76	S 63°32'51" W	27°42'07"
C55	360.00	300.73	292.06	S 73°06'40" E	47°51'44"
C55A	340.00	91.59	91.31	S 56°53'49" E	15°26'02"
C55B	340.00	192.43	189.88	S 80°49'41" E	32°25'42"
C55C	380.00	46.32	46.29	S 52°40'18" E	06°59'01"
C55D	380.00	271.12	265.40	S 40°42'12" E	40°43'02"
C55E	360.00	90.69	90.68	S 51°37'19" E	04°33'02"
C55F	360.00	106.35	105.96	S 57°38'35" E	16°55'34"
C55G	360.00	194.38	192.02	S 81°34'27" E	30°56'10"
C55H	360.00	270.04	263.75	S 75°33'11" E	42°58'42"
C56	71.50	218.98	142.89	N 09°81'11" W	17°528'41"
C56A	71.50	135.87	116.33	N 29°18'43" W	10°86'42'22"
C56B	71.50	42.00	41.39	N 29°18'43" W	10°86'42'22"
C56C	71.50	41.12	40.55	N 61°57'44" W	32°56'53"
C56D	91.50	52.16	51.46	N 62°06'17" W	32°39'45"
C56E	91.50	54.20	53.41	N 28°48'16" E	33°56'16"
C56F	91.50	173.88	148.87	N 42°36'12" E	10°832'40"
C57	65.00	150.67	119.13	S 45°12'12" W	66°27'55"
C57A	65.00	79.70	75.82	S 85°10'16" E	53°43'35"
C57B	85.00	117.33	108.23	N 77°18'09" E	7°90'51"16"
C57C	45.00	104.31	82.48	S 50°26'22" E	132°48'51"
C57D	65.00	57.76	55.88	N 09°29'16" E	55°40'40"
C57E	65.00	92.92	85.20	N 75°53'42" E	81°54"11"
C58	110.00	127.60	120.57	S 45°12'12" W	66°27'55"
C58A	110.00	150.08	115.49	S 45°12'12" W	66°27'55"
C58B	90.00	104.40	98.65	S 45°12'12" W	66°27'55"
C59	150.00	105.68	103.51	N 32°09'16" E	40°22'03"
C59A	130.00	91.59	89.71	N 32°09'16" E	40°22'03"
C59B	170.00	119.77	117.31	N 32°09'16" E	40°22'03"
C60	90.00	150.00	99.75	S 33°36'19" E	17°153'14"
C60A	90.00	80.90	59.85	S 33°36'19" E	17°153'14"
C60B	70.00	173.12	132.25	N 18°30'47" E	44°102'09"
C60C	70.00	36.88	36.45	N 75°32'36" E	301°106"
C61	330.00	64.85	64.74	N 54°49'17" E	11°15'33"
C61A	300.00	60.92	60.82	N 54°49'17" E	11°15'33"
C61B	350.00	68.78	68.67	N 54°49'17" E	11°15'33"
C62	50.00	157.08	100.29	N 69°07'42" W	18°00'29"
C62A	50.00	107.65	88.03	N 20°52'18" E	13°21'35"
C62B	50.00	49.43	47.44	N 40°48'29" W	56°38'25"
C62C	30.00	94.25	60.00	N 40°48'29" W	18°00'00"
C62D	70.00	122.56	88.03	N 69°42'30" W	122°11'58"
C62E	70.00	70.62	67.66	N 207°30'37" E	57°48'02"
C63	150.00	75.90	75.09	S 34°41'45" W	28°59'32"
C63A	170.00	86.02	85.11	S 34°41'45" W	28°59'32"
C63B	130.00	65.78	65.08	S 34°41'45" W	28°59'32"
C64	400.00	107.84	107.51	N 15°24'52" E	15°26'48"
C64A	380.00	102.45	102.14	N 15°24'52" E	15°26'48"
C64B	420.00	113.23	112.89	N 15°24'52" E	15°26'48"
C65	200.00	127.43	101.31	S 34°41'45" W	28°59'32"
C65A	200.00	84.64	84.01	S 31°29'26" E	24°14'25"
C65B	200.00	107.78	17.78	N 46°59'45" E	05°05'42"
C65C	180.00	70.42	69.97	N 31°24'24" E	22°24'51"
C65D	180.00	21.77	21.76	N 46°04'43" E	06°55'47"
C65E	220.00	112.67	111.44	N 34°52'17" E	29°20'38"
C66	55.00	147.21	107.04	N 27°05'56" E	153°21'05"
C66A	55.00	106.29	105.69	S 05°49'11" E	11°01'34"
C66B	55.00	40.92	39.98	S 82°29'43" E	42°37'31"
C66C	55.00	93.68	68.12	N 27°05'56" E	153°21'05"
C66D	75.00	154.09	128.38	N 09°18'48" E	11°42'49"
C66E	75.00	46.65	45.90	N 85°59'20" E	35°38'16"
C67	200.00	131.86	129.49	S 81°14'16" W	37°46'32"
C67A	130.00	145.05	142.43	S 81°14'16" W	37°46'32"
C67B	180.00	118.68	116.54	S 81°14'16" W	37°46'32"