

DEVELOPMENT PLAN ARAPAHOE RIDGE FILING NO. 4

A REPLAT OF LOT 9, ARAPAHOE RIDGE FILING NO.3, OUTLOT D AND OUTLOT C,
ARAPAHOE RIDGE FILING NO.2, AMENDMENT NO.1,
A PORTION OF THE SE 1/4 OF SECTION 27, TOWNSHIP 1 NORTH,
RANGE 69 WEST OF THE 6TH P.M.

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 2

1. GENERAL PROVISIONS

AUTHORITY

THIS DEVELOPMENT PLAN IS AUTHORIZED BY CHAPTER 5 - PLANNED DEVELOPMENT DISTRICT OF THE TOWN OF ERIE ZONING ORDINANCE ADOPTED PURSUANT TO THE COLORADO PLANNED UNIT DEVELOPMENT ACT OF 1972.

APPLICABILITY

THE PROVISIONS OF THE DEVELOPMENT PLAN SHALL RUN WITH THE LAND. THE LANDOWNERS, THEIR SUCCESSORS, HEIRS, OR ASSIGNS SHALL BE BOUND BY THIS DEVELOPMENT PLAN, AS AMENDED AND APPROVED BY THE DIRECTOR OR TOWN BOARD OF TRUSTEES.

ADOPTION

THE ADOPTION OF THIS DEVELOPMENT PLAN SHALL EVIDENCE THE FINDINGS AND DECISION OF THE TOWN OF ERIE TOWN BOARD OF TRUSTEES THAT THIS DEVELOPMENT PLAN FOR ARAPAHOE RIDGE FILING NO. 4 IS IN GENERAL CONFORMITY WITH THE TOWN OF ERIE COMPREHENSIVE PLAN; IS AUTHORIZED BY THE PROVISIONS OF CHAPTER 5 OF THE TOWN OF ERIE ZONING ORDINANCE; AND THAT SUCH CHAPTER 5 AND THIS DEVELOPMENT PLAN COMPLY WITH THE COLORADO PLANNED UNIT DEVELOPMENT ACT OF 1972, AS AMENDED.

RELATIONSHIP TO TOWN REGULATIONS

THE PROVISIONS OF THIS DEVELOPMENT PLAN SHALL PREVAIL AND GOVERN THE DEVELOPMENT OF ARAPAHOE RIDGE FILING NO. 4, PROVIDED, HOWEVER, THAT WHERE THE PROVISIONS OF THIS DEVELOPMENT PLAN DO NOT ADDRESS A PARTICULAR SUBJECT, THE RELEVANT PROVISIONS OF THE TOWN OF ERIE ZONING ORDINANCE, AS AMENDED, OR ANY OTHER APPLICABLE ORDINANCE OR REGULATIONS OF THE TOWN OF ERIE, SHALL BE APPLICABLE.

ENFORCEMENT

TO FURTHER THE MUTUAL INTEREST OF THE RESIDENTS, OCCUPANTS, AND OWNERS OF THE PLANNED DEVELOPMENT AND OF THE PUBLIC IN THE PRESERVATION OF THE INTEGRITY OF THE PLAN, THE PROVISIONS OF THIS PLAN RELATING TO THE USE OF LAND AND THE LOCATION OF COMMON OPEN SPACE SHALL RUN IN FAVOR OF THE TOWN OF ERIE AND SHALL BE ENFORCEABLE AT LAW OR IN EQUITY BY THE TOWN WITHOUT LIMITATION ON ANY POWER OR REGULATION.

CONFLICT

WHERE THERE IS MORE THAN ONE PROVISION WITHIN THE DEVELOPMENT PLAN THAT COVERS THE SAME SUBJECT MATTER, THE PROVISION WHICH IS MOST RESTRICTIVE OR COMPOSES HIGHER STANDARDS OR REQUIREMENTS SHALL GOVERN UNLESS DETERMINED OTHERWISE BY THE DIRECTOR.

MAXIMUM LEVEL OF DEVELOPMENT

THE TOTAL NUMBER OF DWELLINGS OR THE TOTAL COMMERCIAL, BUSINESS, OR INDUSTRIAL INTENSITY APPROVED FOR THE WITHIN THE PLANNING AREAS IS THE MAXIMUM DEVELOPMENT REQUESTED FOR PLATTING OR CONSTRUCTION (PLUS APPROVED DENSITY TRANSFERS, IF ANY). THE ACTUAL NUMBER OF DWELLINGS OR LEVEL OF DEVELOPMENT FOR COMMERCIAL, BUSINESS, OR INDUSTRIAL PROPERTIES MAY BE LESS DUE TO SUBDIVISION OR SITE IMPROVEMENT PLAN REQUIREMENTS OR OTHER REQUIREMENTS OF THE TOWN BOARD OF TRUSTEES.

PROJECT TRACKING

AT THE TIME OF SUBDIVISION FINAL PLAT, THE APPLICANT SHALL PROVIDE A SUMMARY OF THE DEVELOPMENT, TO DATE, ALONG WITH THE FINAL PLAT SUBMITTAL TO ENSURE MAXIMUM DEVELOPMENT LIMITS ARE NOT EXCEEDED.

2. STATEMENT OF COMMITMENTS

THE OWNERS OF THE HEREON DESCRIBED PARCEL OF LAND, THEIR HEIRS, SUCCESSORS, OR ASSIGNS, DO HEREBY COMMIT TO THE FOLLOWING. DEDICATION OF PARCELS WILL OCCUR AT TIME OF FINAL PLATTING. CONSTRUCTION OF OFF-SITE IMPROVEMENTS OR PAYMENT OF FEES IN LIEU THEREOF WILL OCCUR IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN THE OWNERS AND THE TOWN OF ERIE.

A. DEDICATION

UPON APPROVAL AND RECORDATION OF THE FINAL PLAT OF ARAPAHOE RIDGE FILING NO. 4, THE ABOVE PARTIES IN INTEREST WILL HAVE CAUSED PARCEL OF LAND TO BE PLATTED INTO LOTS, STREETS, TRACTS, AND EASEMENTS AS SHOWN ON SAID PLAT. THE UNDERSIGNED WILL THEREBY GRANT INTO THE TOWN OF ERIE, AND EASEMENTS AS SHOWN ON SAID PLAT. THE UNDERSIGNED WILL THEREBY RESTRICT THE USE OF ALL EASEMENTS TO THE TOWN OF ERIE AND/OR ITS ASSIGNS PROVIDED, HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUIT CLAIM ALL OR ANY SUCH EASEMENT SHALL REMAIN EXCLUSIVELY VESTED IN THE TOWN OF ERIE. ALL PUBLIC STREETS WILL THEREBY BE DEDICATED TO THE TOWN OF ERIE FOR PUBLIC USE. TRACTS A, B, C, D, AND E, WILL THEREBY BE DEDICATED TO THE TOWN OF ERIE, AS OPEN SPACE, LANDSCAPE, AND UTILITY TRACTS. THIS PARCEL OF LAND AS HEREIN DESCRIBED, SHALL BE PLATTED AND SHALL BE KNOWN AS "ARAPAHOE RIDGE FILING NO. 4", TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

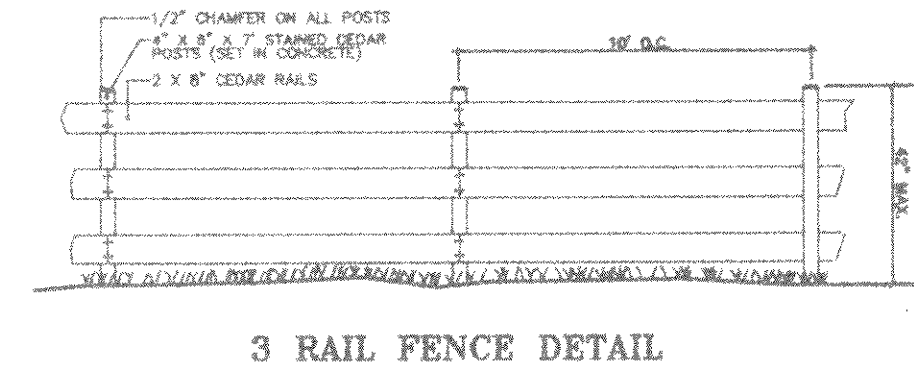
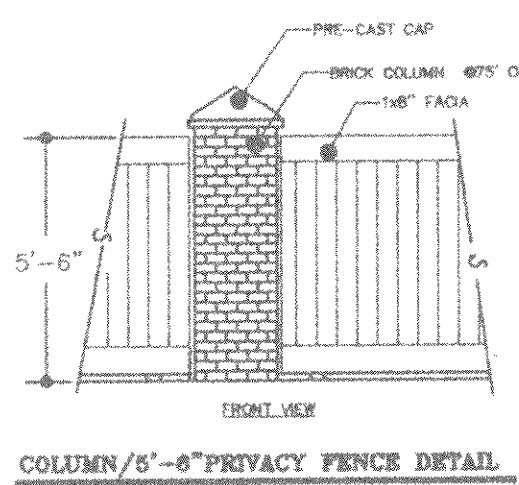
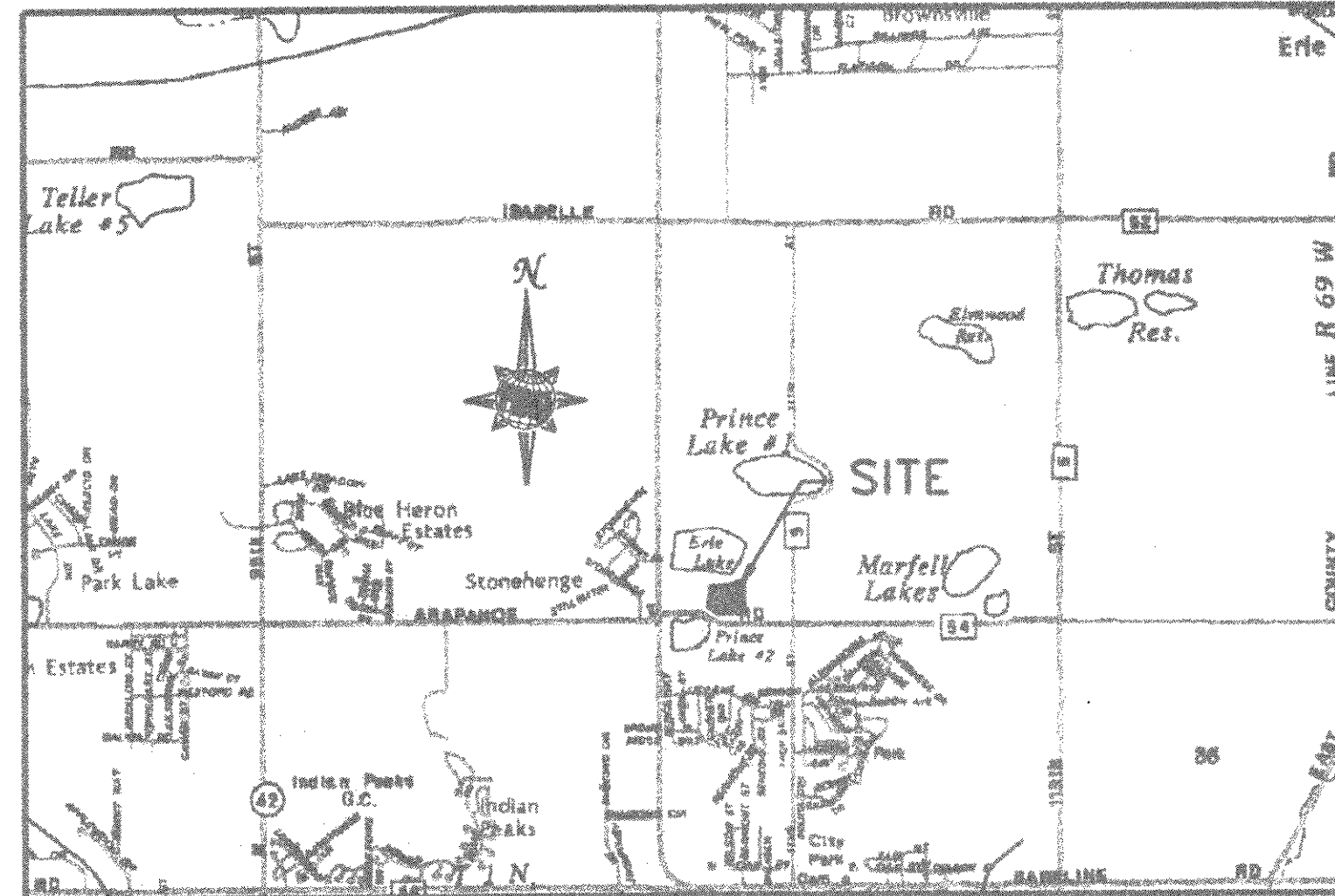
B. OFF-SITE IMPROVEMENTS

OFF SITE IMPROVEMENTS SHALL CONSIST OF THE FOLLOWING:

- IMPROVEMENTS TO ARAPAHOE ROAD INCLUDING CONCRETE CURB AND GUTTER, SIDEWALK, TWO THROUGH LANES, AND ACCEL/DECEL LANES.
- IMPROVEMENTS TO TRACT A, INCLUDING TRAIL CONSTRUCTION, LANDSCAPING, STORM WATER PIPING, AND EXTENSION OF WATER AND SANITARY SEWER UTILITIES TO THE WEST SIDE OF TRACT A.
- IMPROVEMENTS TO PORTIONS OF OUTLOT C, INCLUDING CONSTRUCTION OF A "TOT LOT" FACILITY, LANDSCAPING, STORM WATER PIPING, AND TRAIL CONSTRUCTION.
- IMPROVEMENTS TO PORTIONS OF OUTLOT C, INCLUDING GRADING, LANDSCAPING, AND TRAIL CONSTRUCTION.
- ENHANCEMENT TO THE LANDSCAPING BUFFER BETWEEN THE COMMERCIAL DEVELOPMENT AND THE WEST SIDE OF THIS DEVELOPMENT.
- STREET LIGHTS AND SIGNAGE.

C. PAYMENT OF TAXES ON LAND TO BE DEDICATED FOR PUBLIC USE

LAND TO BE DEDICATED TO THE PUBLIC SHALL BE FREE OF ALL ENCUMBRANCES.



- NOTE:
- ONLY THREE RAIL CEDAR FENCING WILL BE ALLOWED ADJACENT TO TOT LOTS, TRAILS, AND OPEN SPACE.
 - MESH IS ALLOWED ON THE INTERIOR OF THESE FENCES.

INTERIOR FENCING GUIDE LINES:

APPROVED INTERIOR FENCE MATERIALS SHALL CONSIST OF WOOD. FENCE STYLES MUST BE CONSISTENT WITH STYLES PROPOSED ALONG THE PERIMETER OF THE PROPERTY. MAXIMUM HEIGHT OF ALL INTERIOR FENCING IS 5 FEET. CHAIN LINK FENCING WILL NOT BE ALLOWED. ALL FENCING SHALL MEET TOWN OF ERIE FENCING STANDARDS AND A PERMIT SHALL BE OBTAINED PRIOR TO INSTALLATION.

INDIVIDUAL LOT PATIO/DECK GUIDE LINES:

THE DEVELOPER WILL ENSURE THAT EACH DWELLING UNIT HAS DIRECT ACCESS TO AN OUTDOOR SPACE USEABLE AS A PATIO OR DECK WITH A MINIMUM AREA OF 80 SQUARE FEET. SUCH SPACE SHALL NOT ENCROACH ON ANY EASEMENT.

* Table Does Not Include Outlot C.

SITE DATA	Acreage	Sq Ft.	% of Total
Total Site Area	16.32	710,845	100%
Area of Landscaping and Parks	1.39	60,633	8.5%
Area of Internal Street Dedication	4.19	182,485	26%
Area Dedicated for Arapahoe Road	0.74	32,446	4.6%
Number of Units	93 Dwelling Units		
Gross Density	5.69 DU/Ac.		
Net Density (Total Acreage less Arap.)	5.97 DU/Ac.		
Off-Street Parking	372 Spaces Total	186 Spaces Covered	
Minimum Lot Area	4,000 s.f.		
Minimum Setback *	Front 20 ft. to Garage	15 ft. to Residence	
	Side 5 ft.		
	Side At Corner 15 ft.		
	Rear 8 ft.		
	Rear On Lots 4 Thru 12, Block 1	20 ft.	
Permitted Uses	Single Family Residential		
	Open Space		
	Park		
NO ACCESSORY BUILDINGS OR ACCESSORY DWELLING UNITS PERMITTED			
Min. Distance between Structures	10 ft.		
Max. Lot Coverage	45 percent (%)		
Max. Building Height	35 ft.		

* Front set backs are measured from the right-of-way.

3. OWNERSHIP CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT W L HOMES LLC AND THE TOWN OF ERIE BEING THE OWNERS OF CERTAIN LANDS IN THE TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

LOT 9 ARAPAHOE RIDGE FILING NO.3 AND OUTLOT D AND OUTLOT C OF ARAPAHOE RIDGE FILING NO. 2, AMENDMENT NO. 1, A PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27;
THENCE N00°08'42"W A DISTANCE OF 30.35 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 27;
THENCE N90°00'00"W, A DISTANCE OF 50.00 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT BEING ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF ARAPAHOE ROAD;
THENCE N90°00'00"W, A DISTANCE OF 1539.30 FEET ALONG SAID NORTH RIGHT-OF-WAY;
THENCE N51°00'00"W, A DISTANCE OF 340.72 FEET ALONG SAID NORTH LINE TO AN ANGLE POINT ON THE WEST LINE OF SAID LOT 9;
THENCE S87°34'00"W, A DISTANCE OF 25.99 FEET ALONG SAID NORTH RIGHT-OF-WAY TO A POINT ON THE WEST LINE OF SAID LOT 9;
THENCE LEAVING SAID NORTH RIGHT-OF-WAY N00°00'00"E, A DISTANCE OF 820.24 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF THE ERIE RESERVOIR PROPERTY AS RECORDED IN BOOK 155 AT PAGE 203 OF THE BOULDER COUNTY RECORDS;
THENCE EASTERLY ALONG SAID LINE S84°47'12"E A DISTANCE OF 320.90 FEET;
THENCE S16°06'36"W A DISTANCE OF 50.92 FEET TO THE NORTH LINE OF SAID OUTLOT D;
THENCE S84°47'12"E, A DISTANCE OF 370.72 FEET ALONG SAID NORTH LINE OF SAID OUTLOT D TO THE NORTH LINE OF SAID OUTLOT D;
THENCE N78°36'22"E, A DISTANCE OF 244.40 FEET ALONG SAID NORTH LINE OF OUTLOT D TO THE NORTHEAST CORNER THEREOF;
THENCE S08°25'03"W, A DISTANCE OF 707.83 FEET ALONG THE EAST LINE OF SAID OUTLOT D TO THE CORNER COMMON WITH OUTLOT C AND D;
THENCE ALONG THE NORTH LINE OF SAID OUTLOT C THE FOLLOWING 8 COURSES:
S40°47'28"E, A DISTANCE OF 186.62 FEET;
THENCE S55°23'44"E, A DISTANCE OF 68.68 FEET;
THENCE N90°00'00"E, A DISTANCE OF 356.02 FEET;
THENCE N72°24'18"E, A DISTANCE OF 334.16 FEET;
THENCE N35°11'17"E, A DISTANCE OF 184.22 FEET;
THENCE N00°13'55"W, A DISTANCE OF 176.78 FEET TO A POINT ON THE SOUTH LINE OF MORRIS DRIVE;
THENCE N89°51'18"E, A DISTANCE OF 23.78 FEET TO A POINT OF CURVATURE;
THENCE 46.44 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 88°41'14", A CHORD LENGTH OF 42.43 FEET WHICH BEARS S45°08'42"E, TO THE WEST ROW LINE OF 111TH STREET;
THENCE ALONG SAID WEST ROW LINE OF 111TH STREET, S00°08'42"E, A DISTANCE OF 498.48 FEET TO THE TRUE POINT OF BEGINNING.

THIS TRACT CONTAINS 959,324 SQUARE FEET OR 22.0231 ACRES MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND BLOCKS, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF ARAPAHOE RIDGE FILING NO.4 AND DO HEREBY DEDICATE TO THE PUBLIC ALL WAYS AND OTHER PUBLIC RIGHTS-OF-WAY AND EASEMENTS AND TRACTS A, B, C, D, AND E, FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS 30th DAY OF June A.D. 1999

OWNERS:

WL HOMES LLC:

By: M. JERRY KLIMENT, DIVISION PRESIDENT

TOWN OF ERIE, A MUNICIPAL CORPORATION:

By: VICTOR F. SMITH, MAYOR
Attest: LINDA SALAS, CITY CLERK

HOLDERS OF DEED OF TRUST:

BANK UNITED:

By: THOMAS S. GRIFFIN, V.P./MANAGER

STATE OF COLORADO }
COUNTY OF Arapahoe } SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF June A.D., 1999
BY M. JERRY KLIMENT AS DIVISION PRESIDENT OF WL HOMES LLC

WITNESS MY HAND AND OFFICIAL SEAL
Notary Public

MY COMMISSION EXPIRES Sept 25, 2000

STATE OF CALIFORNIA }
COUNTY OF San Diego } SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF June A.D., 1999
BY THOMAS S. GRIFFIN AS V.P./MANAGER OF BANK UNITED.

WITNESS MY HAND AND OFFICIAL SEAL
Notary Public

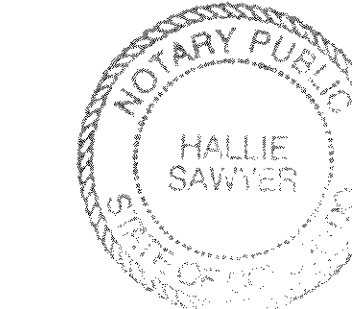
MY COMMISSION EXPIRES June 8, 2002

STATE OF COLORADO }
COUNTY OF Boulder } SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 30 DAY OF June A.D., 1999
BY VICTOR F. SMITH AS MAYOR AND LINDA SALAS AS CITY CLERK OF THE TOWN OF ERIE.

WITNESS MY HAND AND OFFICIAL SEAL
Notary Public

MY COMMISSION EXPIRES January 3, 2003



PREPARED FOR
LAING HOMES

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PREPARED BY
PBS&J

ENGINEERING PLANNING *SURVEYING* CONSTRUCTION SERVICES
JANUARY 1999 - SHEET 1 OF 2

