

BOX ELDER CREEK RANCH  
ADAMS COUNTY, COLORADO  
FINAL P U D

PLANNING COMMISSION APPROVAL  
APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION  
THIS 23<sup>RD</sup> DAY OF AUGUST 2001

*Rawiegn*  
CHAIRMAN

BOARD OF COUNTY COMMISSIONERS APPROVAL  
APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS  
THIS 10<sup>TH</sup> DAY OF SEPT 2001

*Martin J. Hauer*  
CHAIRMAN

THIS FINAL P U D PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS  
COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO AT 2:45 P.M. ON  
THE 18<sup>TH</sup> DAY OF SEPTEMBER 2001

*Carla A. Snyder*  
COUNTY CLERK AND RECORDER

*Sandy L. Gaybell*  
BY DEPUTY

THIS PRELIMINARY P U D PLAN FOR BOX ELDER CREEK RANCH  
WAS RECORDED ON \_\_\_\_\_ FILE NO. PUD 3401  
MAP NO. \_\_\_\_\_ RECEPTION NO. C0289186

APPROVED AS TO FORM BY:  
*[Signature]*  
DIRECTOR OF PLANNING AND DEVELOPMENT

*Nichelle Bennett (Assistant CA)*  
COUNTY ATTORNEY

THE FOLLOWING ADDITIONS AND DELETIONS IN THE P U D WERE MADE BY  
THE BOARD OF COUNTY COMMISSIONERS AT THE TIME OF APPROVAL.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BOX ELDER CREEK RANCHES  
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SECTION 1 TOWNSHIP 1 SOUTH, RANGE 63 WEST OF THE 6TH  
P. M. OF ADAMS COUNTY COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF SAID SECTION 1 TO BEAR SOUTH 0 05 45° EAST WITH ALL  
BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO, BEGINNING AT THE NORTHEAST  
CORNER OF SAID SECTION 1, THENCE ALONG THE EAST LINE OF SAID SECTION 1 SOUTH  
0° 05' 45" EAST 5,298.63 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE  
ALONG THE SOUTH LINE OF SAID SECTION 1 NORTH 00° 30' 40" WEST 1,975.99 FEET;  
THENCE LEAVING SAID SOUTH LINE, NORTH 27° 36' 04" EAST, 495.54 FEET; THENCE NORTH  
35° 23' 56" WEST 430.00 FEET; THENCE NORTH 45° 20' 56" WEST, 1,241.50 FEET;  
THENCE SOUTH 76° 35' 04" WEST 1,463.00 FEET; THENCE SOUTH 33° 55' 04" WEST  
1,511.32 FEET TO A POINT ON SAID SOUTH LINE OF SECTION 1; THENCE ALONG SAID SOUTH  
LINE OF SECTION 1 NORTH 00° 30' 40" WEST 197.01 FEET TO THE SOUTHWEST CORNER OF  
SAID SECTION 1; THENCE ALONG THE WEST LINE OF SAID SECTION 1 NORTH 0° 17' 33"  
WEST 5,132.41 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1; THENCE ALONG THE  
NORTH LINE OF SAID SECTION 1 NORTH 09° 37' 54" EAST 3,500.65 FEET; THENCE LEAVING  
SAID NORTH SECTION LINE ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF  
348.49 FEET AN ARC LENGTH 115.30 FEET A CENTRAL ANGLE OF 10° 57' 21" AND A  
CHORD WITH A BEARING AND DISTANCE OF SOUTH 56° 56' 34" EAST 114.77 FEET TO A  
POINT OF TANGENCY; THENCE SOUTH 47° 27' 53" EAST 401.72 FEET TO A POINT OF  
CURVATURE; THENCE ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 94.51 FEET  
AN ARC LENGTH OF 103.54 FEET A CENTRAL ANGLE OF 62° 46' 15" AND A CHORD WITH THE  
BEARING AND DISTANCE OF SOUTH 70° 50' 51" EAST 98.44 FEET TO A POINT OF NON-  
TANGENCY; THENCE NORTH 69° 46' 12" EAST 125.22 FEET; THENCE NORTH 62° 35' 37"  
EAST 100.32 FEET; THENCE NORTH 64° 07' 11" EAST 503.76 FEET TO A POINT A  
CURVATURE; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 060.00 FEET AN ARC  
LENGTH OF 143.31 FEET A CENTRAL ANGLE OF 9° 40' 20" AND A CHORD WITH BEARING AND  
DISTANCE OF NORTH 60° 57' 21" EAST 145.14 FEET TO A POINT ON THE NORTH LINE OF SAID  
SECTION 1; THENCE ALONG SAID NORTH LINE NORTH 09° 37' 54" EAST 400.04 FEET TO THE  
POINT OF BEGINNING.

EXCEPTING THEREFROM AN IRREVOCABLE EASEMENT CONVEYED TO NURSERY ACRES LIMITED  
PARTNERSHIP AS RECORDED JULY 9, 1999 IN BOOK 5018 AT PAGES 170 -172 AND APRIL  
11 2000 AND BOOK 6093 AT PAGES 194 AND 195 IN THE RECORDS OF ADAMS COUNTY  
COLORADO.

ALSO EXCEPTING EASEMENTS OF RECORD FOR ROADWAY PURPOSES ALONG THE EAST AND  
NORTH LINES OF SAID SECTION 1 IN FAVOR OF ADAMS COUNTY COLORADO.

ALSO EXCEPTING AND RESERVING EASEMENTS FOR IRRIGATION DITCHES CROSSING THE ABOVE  
DESCRIBED PROPERTY, NAMELY THE HENRYLYN DITCH THE DENVER HUDSON CANAL AND  
THE BIG HUDSON CANAL.

ALSO EXCEPTING AND RESERVING CERTAIN OIL AND GAS LEASES AS RECORDED IN THE  
RECORDS OF ADAMS COUNTY COLORADO.

CERTIFICATE OF OWNERSHIP  
BOX ELDER RANCH PARTNERSHIP JOHN J. HORVAT  
RONALD R. BOWENS BEING THE OWNER(S) OF THE BOX ELDER  
CREEK RANCH LOCATED IN THE COUNTY OF ADAMS, STATE OF COLORADO,  
HEREBY SUBMIT THIS PRELIMINARY PLANNED UNIT DEVELOPMENT AND  
AGREE TO PERFORM UNDER THE TERMS NOTED HEREON

*Bruce A. Park* (STATE) SS  
(COUNTY) SS  
BOX ELDER RANCH PARTNERSHIP

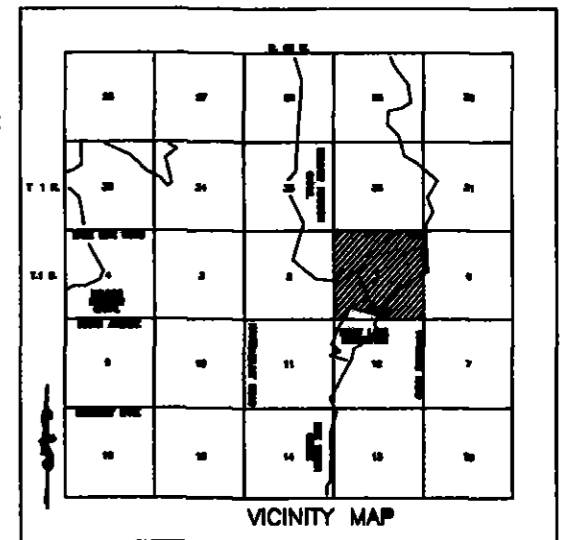
*[Signature]* (STATE) SS  
(COUNTY) SS  
JOHN J. HORVAT

*Ronald R. Bowens* (STATE) SS  
(COUNTY) SS  
RONALD R. BOWENS

THE FOREGOING OWNERSHIP CERTIFICATE WAS ACKNOWLEDGED BEFORE  
THIS 22<sup>ND</sup> DAY OF AUGUST 2001

*Alicia Anouillette*  
NOTARY PUBLIC

MY COMMISSION EXPIRES 5/24/02



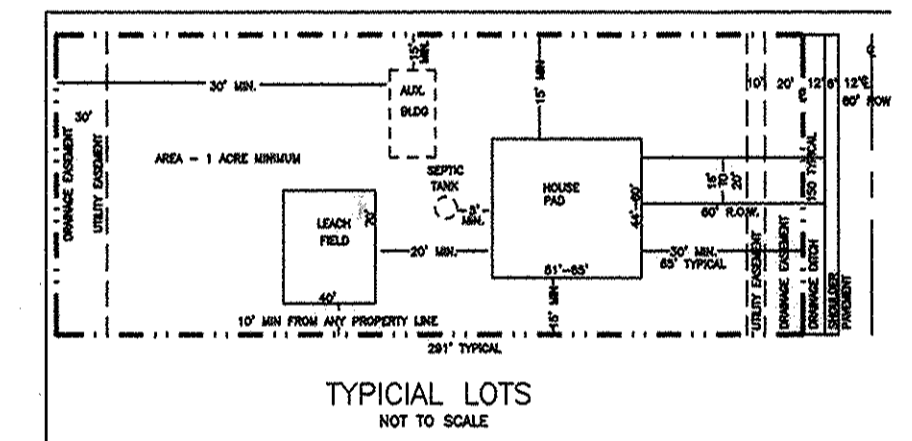
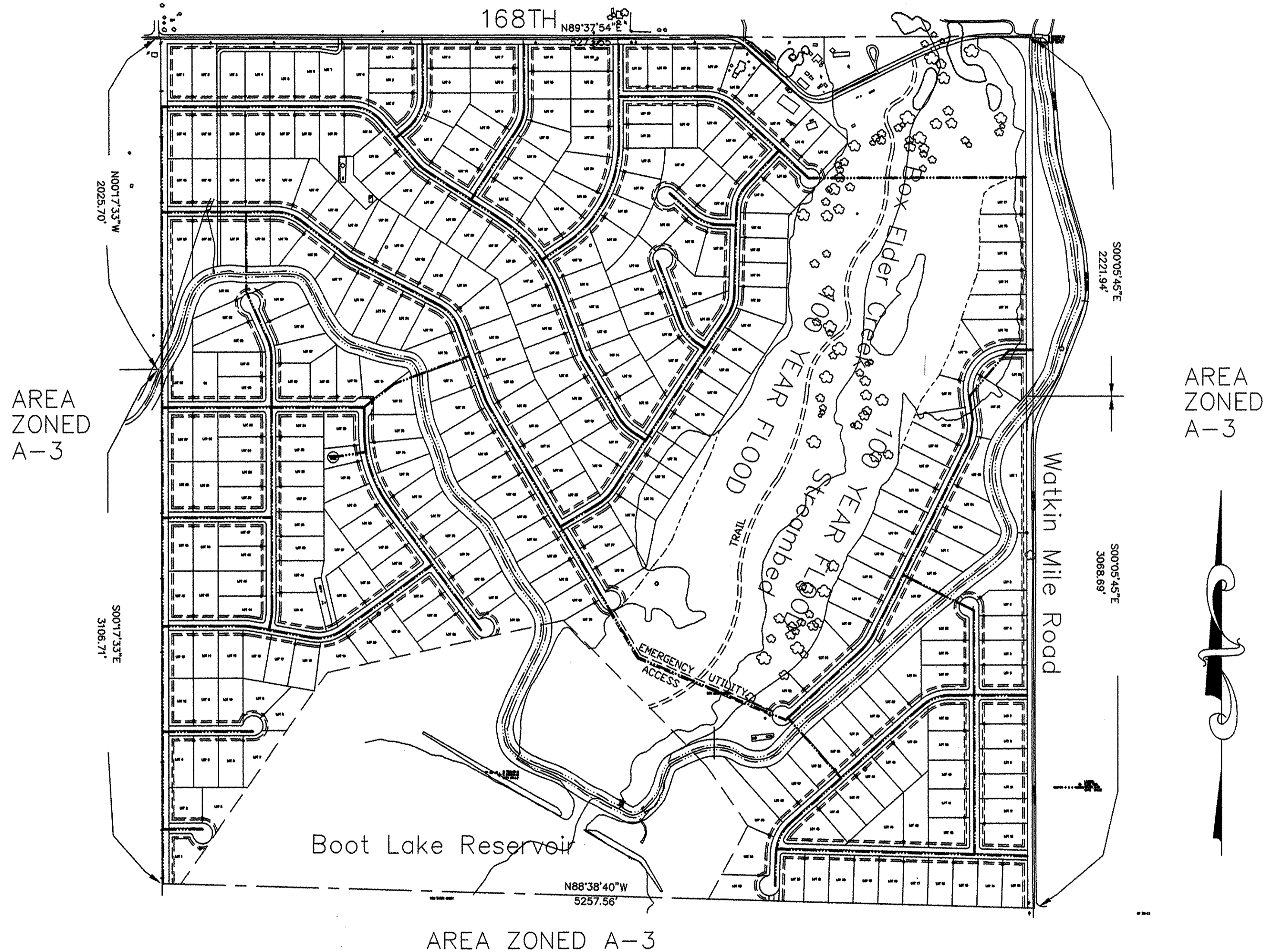
OWNER:  
BOX ELDER RANCH PARTNERSHIP  
27405 HIGHWAY 305  
WRAY CO 80758

DEVELOPER:  
BOX ELDER CREEK RANCH L.L.C.  
300 S JACKSON #578  
DENVER, CO 80209  
720-941-8055

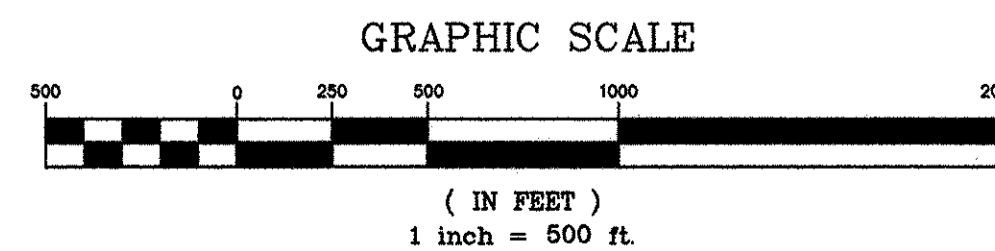
FILE NO. \_\_\_\_\_  
MAP NO. \_\_\_\_\_  
RECEPTION NO. \_\_\_\_\_

BOX ELDER CREEK RANCH  
ADAMS COUNTY, COLORADO  
FINAL P.U.D.

WELD COUNTY  
AGRICULTURAL ZONING



LAND USE SUMMARY  
519.43 ACRES  
324 LOTS  
1.63 DU / ACRES



OWNERS:  
BOX ELDER RANCH PARTNERSHIP  
27495 HIGHWAY 395  
WRAY, CO 80758

DEVELOPER:  
BOX ELDER CREEK RANCH L.L.C.  
300 S. JACKSON #570  
DENVER, CO 80209  
720-941-8855

FILE NO. \_\_\_\_\_  
PUD No. \_\_\_\_\_  
RECEPTION No. \_\_\_\_\_

PUD: 3401

BOX ELDER CREEK RANCH  
ADAMS COUNTY, COLORADO  
FINAL P.U.D.

P3-401

SHEET 3 OF 3

3/3

PROPOSED DEVELOPMENT

GENERAL REQUIREMENTS - PUD

- The primary uses allowed will be single family detached residential units. Only one unit will be allowed per lot. Accessory units such as garages, sheds, or buildings will be allowed. Ranch units must be a minimum of 1200 square feet, while two story units must be a minimum of 1500 square feet. Parking will generally be accomplished on individual lots, by means of required 2 (minimum) car garage. Additionally a minimum of 2 additional off-street parking spaces will be provided per unit by means of hard surfaced driveways.
- In the theme of larger lot, rural residential development, there will be an emphasis on native drought tolerant landscape. No horse or livestock will be allowed on each lot. Individual lots will be limited to a minimum of 6000 square feet minimum of irrigated sod. It is anticipated that landscape will occur at the projects entry's and in combination with signage.
- Minimum frontage width at building line - 150 feet with septic tanks subject to Tri-County approval and no leach field within 10 feet of property line.
- Minimum lot size for a single family principal dwelling:  
P.U.D. 1 acres
- Minimum setback for a dwelling:  
P.U.D. Front -30' (50' on state highway or arterial Street); Side - 17' one side, 5' other side (30' from street on corner lot of local street, 50' from street on State Highway or arterial street); Rear - 20'.
- Minimum setback for other detached buildings  
Front, 10' to rear of front of dwelling or 100' whichever is lesser (attached garage same as dwelling setback) When within 6' of other dwellings, the accessory building shall be constructed as an attached structure. Side -25', Rear 10'
- Maximum height of dwellings and garages - 35' other agricultural buildings - 25' if subdivided.
- Maximum total size of all accessory buildings and homes with public water 7.5% of lot area for accessory building and homes except the two floor plans for the site - Plan 2327 and Plan 3100 would have lot coverage of 7.92% and 8.24% if buyer elects for 1120 SF accessory buildings. The lot coverage will be exceeded on two lots with existing accessory building or shed.
- A maximum of one single-family dwelling is permitted on each individual lot.
- Minimum Floor Area (not including basement, garage or carport):  
One story - 1,200 square feet. Bi-level or two story - 900 square feet on 1st floor, plus 600 square feet on 2nd floor, or in a lower level with more than 30% of the perimeter of the entire structure more than 50% above grade level.
- Fencing and Retaining Walls:  
All fences and wall more than 42 inches in height require a building permit. Any retaining walls 2 feet in height shall require preparation by a professional engineer as a condition for a building permit, except where waived by the Building Inspections Section. In subdivided areas no fence of any type more than 42 inches in height shall be permitted between the front setback line and a front property line. Except as provided in above, the maximum height of any fence within The P.U.D. is 72 inches. Fencing consisting of only barbed wire is allowed in The Box Elder Creek Open Space. Traffic view obstruction requirements as outlined in Section 4.290 shall prevail in all cases.

SERVICE PROVIDER

Services will be provided as follows:

- Water - Great Rock Water and Sanitation District
- Sewer - Septic
- Gas - Xcel Energy
- Electric - United Power
- Telephone - Qwest

SINGLE FAMILY HOMES

MODEL	#BDRM	#BATH	SQ. FT.	HEIGHT FT.
101	3	2	1333	22
111	3	2	1558	23
150	3	2	1772	20
150	4	2	1981	20
250-1	3	2.5	2062	25
250-2	3	2.5	2034	25
250	4		+172	
610	3	2	1480	24
620	3	2.5	1540	24
660	4	2.75	1745	24
680	3	2.5	2117	28
710	3	2.5	1781	24
710	3	2.5	1856	24
810	4	2.5	1949	24
810	4	2.5	2024	24
1200	3	2	1558	22
1300	3	2	1501	25
1310	3	1.75	1442	26
1330	3	2	1478	24
1580	3	2	1605	22
2100	3	2.5	2174	26
2100	4	2.5	2466	26
2100	4	3	2466	26
2100	4	2.5	2523	26
2100	4	3	2523	26
2145	3	2.5	2231	26
2145	3	2.5	2384	25
2145	4	2.5	2482	25
2145	4	2.5	2635	25
2327	4	2.5	2342	24
3100	4	2.5	3230	30
3100	4	2.75	3230	30
3100	4	3	3230	30
3100	4	3	3230	30
3100	4	3.25	3230	30
3100	4	3.5	3230	30
3100	4	3.75	3230	30
6200	3	2.5	1628	25
6700	4	2.75	2039	27

ACCESSORY BUILDINGS

MODEL	SQ. FT.	HEIGHT FT.
720	440	19
1120	1120	19

STIPULATIONS - P.U.D.

- Submittal and approval of a study to determine the magnitude of the 100-year floodplain of Box Elder Creek and Hayesmount Creek. In the alternative, the applicant may wish to use the results of the study currently in progress to define and master plan the floodplain of Box Elder Creek and Hayesmount Creek. The 100-year floodplain of Box Elder Creek and Hayesmount Creek shall be delineated and identified on the final plat. All lots shall be platted outside the limits of the respective floodplains.
- The applicant shall submit a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) to be approved by FEMA. This is required since some lots will lie within the FEMA floodplain, but not within the Urban Drainage or Adams County floodplain. The difference is due to the differences in assumptions about the upstream flow of the creek.
- Submittal and approval of a Grading & Drainage Plan to include and address the concerns of the owners of the Denver-Hudson Canal and the Henry Lynn Ditch.
- Submittal and approval of a bridge sufficiency report for the two existing bridges that carry East 168th Avenue across Box Elder Creek and the Denver-Hudson Canal. It is determined that these bridges are not sufficient, the developer shall be responsible to design and construct new bridges. Letter from Weld County, Henrylyn makes final call. All existing bridges on 168th Ave. are not sufficient.
- Dedication by plat of 10 feet of right-of-way (40 feet from section line) for East 168th Avenue, Watkins Mile Road, and Hudson Mile Road with each final plat.
- The internal streets shall be platted with a right-of-way width of 60 feet and a cul-de-sac radius of 60 feet.
- Submittal and approval of Street Construction Plans, with a Pavement Design Report, to include improvements for East 168th Avenue, Watkins Mile Road, and Hudson Mile Road. East 168th Avenue shall be paved along the frontage of the property and 1/2 mile to the west to match the improvements and paving of East 168th Avenue along the frontage of Rocking Horse Subdivision. Watkins Mile Road shall be paved from East 160th Avenue to East 168th Avenue and shall follow the section line.
- The applicant shall submit a Public Land Dedication fee credit for floodplain for each filing of the Final Plat. \$393.82 per lot due and payable with each Phase - School & Park fee.
- The applicant shall execute a conservation/trail easement on the Box Elder Creek floodplain (minimum of 118 acres) to permit public access and use of the open space area. The applicant will be given credit for ten percent of the open space land towards the Regional Park portion of the Public Land Dedication fee.
- The applicant shall submit copying and recording fees and a final mylar for each filing of the Final Plat.
- All filings of the Final Plat will have logical extensions of roads to other filings and adjacent properties. Stub streets are not allowed. If a road is planned to continue, a temporary cul-de-sac will be constructed to County standards.
- If the Metropolitan District is not approved, the developer shall set up a Homeowner's Association for the maintenance and inspection of all Individual Sewage Disposal Systems (ISDS) within the subdivision. If a Homeowner's Association is not formed, the developer shall be the responsible management company for the ISDS maintenance and inspection.
- All filings of the Final Plat will include plat notes relative to ISDS as required by Tri-County Health.
- Tires that exist on the site will not be used in the streambed, or to stabilize any slopes. All tires will be removed from the site.
- The applicant shall obtain a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. In the alternative, the applicant shall obtain a letter from the U.S. Army Corps of Engineers waiving the requirement. Phase III & IV.
- The applicant shall obtain approval from the Colorado Division of Water Resources for the proposed 100-year water supply plan and annexation into the Great Rock North Water and Sanitation District.
- The two bridges on East 168th Avenue shall be inspected for structural sufficiency, to ensure that they can carry the additional loading of traffic from this subdivision and the new paving. If these bridges are determined to be insufficient, the developer shall be responsible to improve them or replace them.
- Design and construction of street improvements for East 168th Avenue and Hudson Road shall be required. Hudson Road shall be required to be paved from East 160th Avenue to East 168th Avenue. East 168th Avenue shall be required to be paved along the frontage of the subdivision and approximately one half mile west to the Rocking Horse Farms subdivision.
- All filings of the Final Plat will have logical extensions of roads to other filings and adjacent properties. Stub streets are not allowed. If a road is planned to continue a temporary cul-de-sac will be constructed to County standards.
- The developer shall set up a Homeowner's Association for the maintenance and inspection of all Individual Sewage Disposal Systems (ISDS) within the subdivision. If a Homeowner's Association is not formed, the developer shall be the responsible management company for the ISDS maintenance and inspection.
- After final grading is completed on the floodplain improvements, the applicant shall submit as-built drawings of the final grading plan, certified by a Professional Engineer, to the Department of Public Works and Urban Drainage and Flood Control District. If any lots are determined to be within the floodplain of the Hayesmount Tributary of Box Elder Creek, the applicant shall remove the lots from the floodplain by obtaining a Floodplain Use Permit, and, if necessary, by obtaining a CLOMR and LOMR from FEMA. In the alternative, no building Permit shall be issued for any lot with any portion of the lot within the floodplain or the applicant shall be required to amend the plat to remove portions of lots from the floodplain.
- New development shall not be permitted to alter or interfere with the normal operation and maintenance of the Denver-Hudson Canal and Henrylyn Ditch.

OWNERS:  
BOX ELDER RANCH PARTNERSHIP  
27495 HIGHWAY 395  
WRAY, CO 80758

DEVELOPER:  
BOX ELDER CREEK RANCH L.L.C.  
300 S. JACKSON #570  
DENVER, CO 80209  
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