

Exhibit B

**PLANNED UNIT DEVELOPMENT****Garfield County, Colorado**

The uses allowed within this PUD shall be those in effect for the R/L/SD/ (Residential/Limited/Suburban) density zone district at the time of approval of this PUD by Garfield County, plus the addition of one (1) Cellular Telecommunication Facility as a "use, by right" when said Facility is constructed upon the Property in accordance with the Site Plan that is attached hereto and incorporated herein by this reference. Accordingly, the following shall apply to this PUD:

**Uses, by right:** Single-family dwelling and customary accessory uses, including buildings for shelter or enclosure of animals or property accessory to use of the lot for single-family residential purposes and fences, hedges, gardens, walls and similar landscape features; park; one Cellular Telecommunication Facility when constructed in accordance with the reference Site Plan.

**Uses, conditional:** Church, community building, day nursery and school, home occupation.

**Uses, special:** Two-family dwelling, row house, studio for conduct of arts and crafts, water impoundments, utility lines, guest house. (A.81-145; 81-263; 86-09)

**Minimum Lot Area:** Twenty thousand (20,000) square feet and as further provided under Supplementary Regulations, except for one Cellular Telephone Communication Facility when constructed in accordance with the referenced Site Plan.

**Maximum Lot Coverage:** Twenty-five percent (25%), except for one Cellular Telephone Communication Facility when constructed in accordance with the referenced Site Plan.

**Minimum Setback:**

(1) Front yard: (a) arterial streets: seventy-five (75) feet from street centerline or fifty (50) feet from front lot line, whichever is greater; (b) local streets: fifty (50) feet from street centerline or twenty-five (25) feet from front lot line, whichever is greater;

(2) Rear yard: Twenty-five (25) feet from rear lot line;

(3) Side yard: Ten (10) feet from side lot line or one-half (1/2) the height of the principal building, whichever is greater.

**Maximum Height of Buildings:** Twenty-five (25) feet.

**Maximum Floor Area Ratio:** 0.100/1.0 and as further provided under Supplementary Regulations, except for one Cellular Telephone

Communication Facility when constructed in accordance with the reference Site Plan.

**Additional Requirements:** All uses, except for one Cellular Telephone Communication Facility when constructed in accordance with the reference Site Plan, shall be subject to the provisions under Section 5 (Supplementary Regulations).

## **DEFINITIONS**

### **RULES OF CONSTRUCTION**

Whenever appropriate to the context, words used in the present tense include the future tense; words used in the singular include the plural; and words used in the plural include the singular. The word "shall" is mandatory, the word "may" is permissive.

### **TERMS DEFINED**

For purposes of this PUD, the definitions shall be the same as those in effect in the Garfield County Zoning Resolution at the time of approval of this PUD by Garfield County, with the addition of the following:

a. **Cellular Radio Telephone System:** A mobile telephone communications system approved by the Federal Communications Commission and the Federal Aviation Administration, where appropriate, in which the radio frequency spectrum is divided into discrete channels for carrying telephone calls which are assigned in groups to geographic cells within a service area, and which are capable of being reused in different cells within that service area for the purpose of carrying and transferring calls.

b. **Cellular Telecommunication Facility:** An unmanned facility which consists of structures for housing and supporting equipment for the reception, switching, and transmission of cellular telephone communications, including accessory antennas and their support structure. Such facility may have elevated (either building-mounted or self-support, structure-mounted) transmitting and receiving antennas, cellular base station equipment, and interconnection equipment.

Exhibit C

**LEGAL DESCRIPTION**

A TRACT OF LAND SITUATED IN THE NW 1/4, SW 1/4, SEC. 9, T8S, R89W, 8TH P.M., GARFIELD COUNTY, COLORADO, AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SEC. 9; THENCE EAST 890.8 FEET ALONG THE NORTH LINE OF SAID NW 1/4, SW 1/4 TO THE CENTER OF RED ACRES DITCH; THENCE S 33°53' E, 334.35 FEET ALONG THE CENTER OF RED ACRES DITCH; THENCE S 20°13' E, 445.00 FEET ALONG THE CENTER OF RED ACRES DITCH; THENCE S 7°12' W, 50.00 FEET ALONG THE CENTER OF RED ACRES DITCH; THENCE S 49°12' W, 85.00 FEET ALONG THE CENTER OF RED ACRES DITCH; THENCE WEST 1160.37 FEET TO THE WEST LINE OF SAID SEC. 9; THENCE NORTH 800.3 FEET ALONG THE WEST LINE OF SAID SEC. 9 TO THE POINT OF BEGINNING, CONTAINING 19.88 ACRES MORE OR LESS. EXCEPTING THEREFROM A PARCEL OF LAND AS DESCRIBED BY DEED RECORDED IN BOOK 434 AT PAGE 363, GARFIELD COUNTY RECORDS, SAID PARCEL CONTAINING 1.04 ACRES MORE OR LESS.