LEGAL DESCRIPTION

A PORTION OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE N00°22'26"E AND ALONG THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 60.0 FEET; THENCE N89°59'40"E A DISTANCE OF 30.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°22'26"E AND ALONG A LINE 30.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 1248.82 FEET; THENCE S89°59'52"E AND ALONG A LINE 12.50 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 A DISTANCE OF 631.14 FEET TO A POINT ON THE WEST LINE OF THE EAST ONE-HALF OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER; THENCE N00°28'22"E AND ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 A DISTANCE OF 1321.28 FEET; THENCE S89°59'28"E AND ALONG A LINE 12.5 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 A DISTANCE OF 648.18 FEET; THENCE S00°30'44"W AND ALONG A LINE 12.5 FEET WEST OF AND PARALLEL WITH THE NORTH-SOUTH CENTERLINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 A DISTANCE OF 2569.88 FEET; THENCE S89°59'40"W AND ALONG A LINE 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 23 A DISTANCE OF 759.00 FEET; THENCE N00°22'26"E AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 30.0 FEET; THENCE S89°59'40"W AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 23 A DISTANCE OF 100.00 FEET; THENCE S00°22'26"W AND PARALLEL WITH THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 30.00 FEET; THENCE S89°59'40"W AND ALONG A LINE 60.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 23 A DISTANCE OF 416.40 FEET TO THE TRUE POINT OF BEGINNING, RESULTING IN A GROSS ACREAGE OF 56.181 ACRES;

EXCEPT THAT PORTION LYING WITHIN THE RIGHT-OF-WAY OF EAST PEAKVIEW AVENUE, CONTAINING 0.371 ACRES;

RESULTING IN A NET ACREAGE OF 55.810 ACRES.

DEVELOPMENT HISTORY

1. ORIGINAL APPROVAL SEPTEMBER 16, 1980 (CASE NO. Z80-24)
2. THE FIRST AMENDMENT DELETES ALL OF TRACTS C, D, E, AND F AS WELL AS A PORTION OF PART B FROM THE ORIGINAL APPROVED PRELIMINARY DEVELOPMENT PLAN Z80-24
3. THE SECOND AMENDMENT ALLOWS FOR THE CONSTRUCTION OF A BUFFER MASONRY FENCE ALONG THE PROPERTY LINE NORTH OF EAST PEAKVIEW AVENUE. THIS SETS THE MAXIMUM FENCE HEIGHT AND SHOWS PROPOSED PEAKVIEW ALIGNMENT AND ALSO INCLUDES ANY NECESSARY LANDSCAPING. THE LIMITS OF THE FENCE AND LANDSCAPING ARE SHOWN ON SHEET 2.
4. EAST PEAKVIEW AVENUE AND S. IRONTON STREET ALIGNMENTS HAVE BEEN REVISED BY OTHERS.

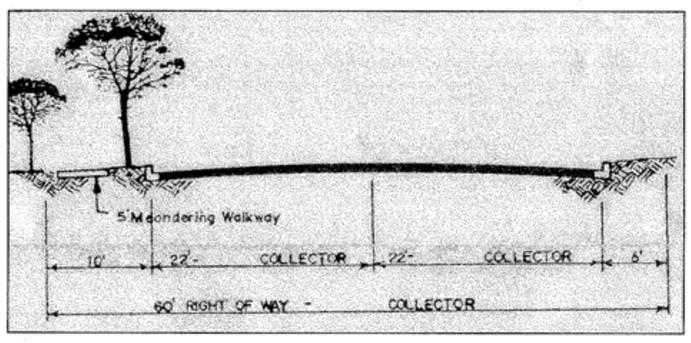
NOTES

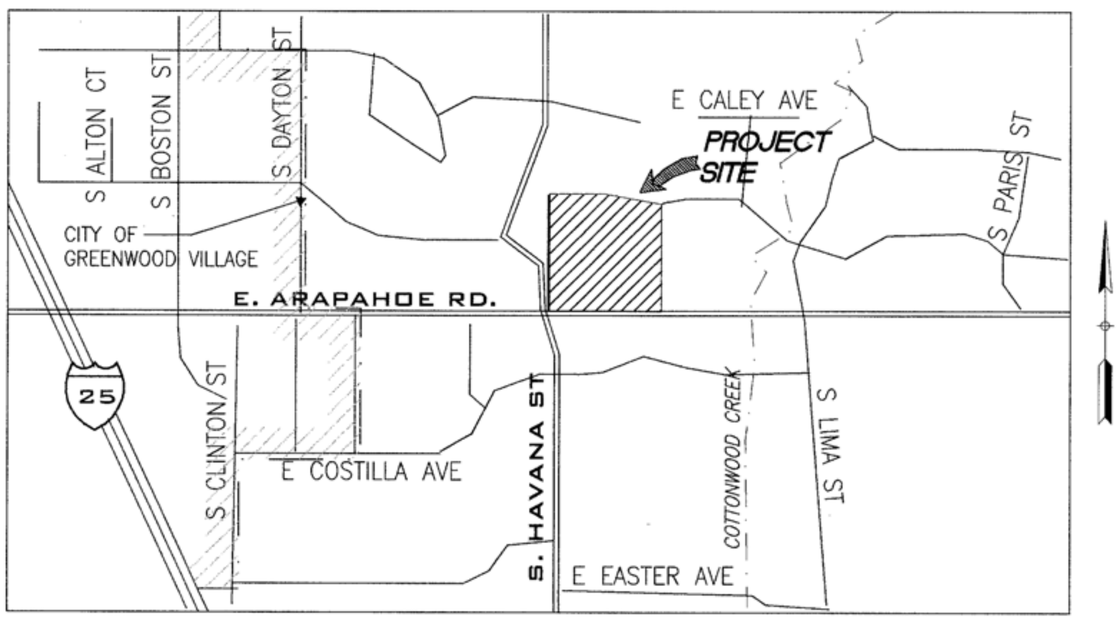
1. A FINAL DEVELOPMENT PLAN WILL BE PRESENTED TO ARAPAHOE COUNTY BY THE INDIVIDUAL LOT OWNER PRIOR TO BEGINNING OF CONSTRUCTION OF ANY STRUCTURE.
2. ADDITIONAL ROADS MAY BE REQUIRED TO BE CONSTRUCTED WITHIN EACH LAND USE AREA.
3. DEVELOPER WILL FILE RESTRICTIVE COVENANTS AND FORM ARCHITECTURAL COMMITTEE. THEY WILL APPROVE SITE PLANS, LANDSCAPING, PARKING, MAINTENANCE OF OPEN AREAS, SIGNAGE, ETC.
4. NO OUTSIDE STORAGE WILL BE ALLOWED UNLESS VISUALLY SCREENED WITH OBLIQUE FENCING, BERMING OR LANDSCAPING.
5. ALL OUTDOOR LIGHTING WILL BE DONE IN SUCH MANNER THAT IT WILL NOT ADVERSELY AFFECT ADJOINING PROPERTY OWNERS.
6. PROVIDE BUFFER MASONRY FENCE ALONG THE PROPERTY LINE NORTH OF EAST PEAKVIEW AVENUE AND SOUTH OF THE REAR PROPERTY LINE OF THE ADJACENT RESIDENCES. THE FENCE WILL HAVE A MAXIMUM HEIGHT OF 12 FEET MEASURED FROM THE AVERAGE ADJACENT GRADE. THIS FENCE WILL NOT BE ALLOWED IN EXISTING RIGHTS-OF-WAY.
7. LANDSCAPING IS TO BE PROVIDED ALONG WITH THE BUFFER FENCE TO HELP SCREEN THE ADJACENT RESIDENCES. THIS CAN INCLUDE, BUT IS NOT LIMITED TO, BERMING, TREES, SHRUBS AND GRASS. THE LANDSCAPE BUFFER IS INTENDED TO BE LOCATED ADJACENT TO THE RESIDENTIAL PROPERTIES ON THE NORTH AND ADJACENT TO EAST PEAKVIEW AVENUE ON THE SOUTH.

PLANNING DIVISION MANAGER APPROVAL

ADMINISTRATIVE AMENDMENT OF THE PRELIMINARY DEVELOPMENT PLAN AMENDING THE BUFFER FENCE AS DEPICTED HEREON PURSUANT TO SECTION 3, PART 3 OF ARAPAHOE COUNTY ZONING REGULATIONS APPROVED THIS 27 DAY OF JUNE, 2000 BY THE PLANNING DIVISION MANAGER, OR DESIGNEE, THIS AMENDMENT NO. 2 AFFECTS ONLY THE BUFFER FENCE AS DESCRIBED IN FILE NO. A00-013.

MANAGER OR DESIGNEE





VICINITY MAP
NO SCALE

SETBACKS –

BUILDING SETBACKS IN ALL TRACTS WILL BE AS FOLLOWS:

	BUILDING
FRONT YARD	25'
SIDE YARD	0'
REAR YARD	10'

BUILDING AND PARKING SETBACKS WILL BE 35' FROM EAST ARAPAHOE ROAD.

MAXIMUM BUILDING HEIGHT – 50' ON TRACTS A & B

MINIMUM DISTANCE BETWEEN STRUCTURES – 10'

OFFSTREET PARKING –
OFFICE – 1/250 SQUARE FEET GROSS
WAREHOUSE – 1/1000 SQUARE FEET GROSS
LIGHT INDUSTRIAL – 1/600 SQUARE FEET GROSS

ALL OTHER USES TO BE DETERMINED BY THE ARCHITECTURAL CONTROL COMMITTEE.

ZONING – M-U

MAXIMUM BUILDING COVERAGE PER LOT – 50% – NOT TO EXCEED ARAPAHOE COUNTY STANDARDS
MAXIMUM BUILDING SQUARE FOOTAGE NOT TO EXCEED LOT AREA.

LANDSCAPING –
EACH INDIVIDUAL LOT OWNER WILL BE REQUIRED TO LANDSCAPE A MINIMUM OF 15% ON TRACTS A & B. THE LANDSCAPE PLAN WILL BE APPROVED BY ARAPAHOE COUNTY AND THE ARCHITECTURAL CONTROL COMMITTEE.

STREETS –
RIGHT-OF-WAY WIDTH – 60'
FLOWLINE TO FLOWLINE – 44' WITH 6 – VERTICAL CURB AND GUTTER, AND SIDEWALK. THE SIDEWALK WILL BE A 5' CONCRETE MEANDERING ON ONE SIDE OF THE RIGHT-OF-WAY.

MINIMUM INDIVIDUAL SITE – 20,000 SQ. FT.

OWNER/DEVELOPER–
AutoNation, Inc.
110 SE 6 STREET, SUITE 1700
FORT LAUDERDALE, FL 33301
(954) 769-6680

ZONING CLASSIFICATION & PRINCIPAL PERMITTED USE

I-1 –
LAND USE ON ALL TRACTS WILL BE FOR ALL PRINCIPAL PERMITED USES AS SHOWN IN LIGHT-INDUSTRIAL (I-1) AND ADMINISTRATIVE / PROFESSIONAL OFFICES (B-1) ZONING REGULATIONS FOR ARAPAHOE COUNTY, DATED DECEMBER, 1973.

THE FOLLOWING LAND USE WILL ALSO BE PERMITTED IN TRACTS A & B ONLY: (A SELECTION OF PERMITTED USES IN B-3, B-4 & B-5)

- ADMINISTRATIVE AND EXECUTIVE OFFICES
- CONSULTING SERVICE OFFICES (BUSINESS AND PROFESSIONAL)
- DESIGN PROFESSIONS (ARCHITECT, PLANNER, ETC.)
- FINANCIAL INSTITUTIONS
- MEDICAL, DENTAL, PHARMACY, AND VETERINARY OFFICES
- INSURANCE AND INVESTMENT OFFICES
- NURSERY SCHOOL
- APPLIANCE STORE
- AUTO SALES OR REPAIR
- AUTO LAUNDERING OR POLISHING
- DRY GOODS STORE
- FURNITURE STORE
- THEATER, RESTAURANT, OR EATING PLACE OFFERING LIVE ENTERTAINMENT, DANCING, OR THE SALE OF BEER OR ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES
- AUTO SERVICE STATION
- GENERAL AND SPECIAL TRADE CONTRACTOR, INCLUDING BUT NOT NECESSARILY LIMITED TO: PLUMBING, HEATING, AND ELECTRICAL.
- SALES, SERVICE, SUPPLY, PARTS, AND DISTRIBUTION
- AUTO LEASING AND OTHER SIMILAR USES
- BAKERY, CREAMERY, SOFT DRINK BOTTLING PLANT, DRY CLEANING AND PLANT OR OTHER LIKE USES
- CABINET SHOP, ELECTRICAL SHOP, PLUMBING SHOP, HEATING SHOP, LITHOGRAPHIC AND/OR PRINTING SHOP, FURNITURE RE-UPHOLSTERING OR OTHER LIKE USES
- WHOLESALE BUSINESS, STORAGE OR WAREHOUSING

STANDARD NOTES

THE OWNER(S), DEVELOPERS) AND/OR SUBDIVIDERS(S) OF THE PRELIMINARY DEVELOPMENT PLAN KNOWN AS PARKMOOR PLAZA 2ND AMENDMENT, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/ OR ASSIGNS AGREE TO THE FOLLOWING NOTES:

STREET MAINTENANCE

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT THE DEDICATED ROADWAYS SHOWN ON THIS PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECTAT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENTS. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/ RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

EMERGENCY ACCESS NOTE

EMERGENCY ACCESS IS GRANTED HEREWITH OVER AND ACROSS ALL PAVED AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.

DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNERS ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E.: CROSS ACCESS EASEMENTS, DRAINAGE EASEMENTS, ETC.

LANDSCAPE MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.

SIGHT TRIANGLE MAINTENANCE

THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.

DRAINAGE MASTER PLAN NOTE

THE POLICY OF THE COUNTY REQUIRES THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT SHALL PARTICIPATE IN THE REQUIRED DRAINAGE IMPROVEMENTS AS SET FORTH BELOW:

1. DESIGN AND CONSTRUCT THE LOCAL DRAINAGE SYSTEM AS DEFINED BY THE PHASE III DRAINAGE REPORT AND PLAN.

2. DESIGN AND CONSTRUCT THE CONNECTION OF THE SUBDIVISION DRAINAGE SYSTEM TO A DRAINAGEWAY OF ESTABLISHED CONVEYANCE CAPACITY SUCH AS A MASTER PLANNED OUTFALL STORM SEWER OR MASTER PLANNED MAJOR DRAINAGEWAY THE COUNTY WILL REQUIRE THAT THE CONNECTION OF THE MINORAND MAJOR SYSTEMS PROVIDE CAPACITYTO CONVEY ONLYTHOSE FLOWS (INCLUDING OFFSITE FLOWS) LEAVING THE SPECIFIC DEVELOPMENT SITE. TO MINIMIZE OVERALL CAPITAL COSTS, THE COUNTY ENCOURAGES ADJACENT DEVELOPMENTS TO JOIN IN DESIGNING AND CONSTRUCTING CONNECTION SYSTEMS. ALSO, THE COUNTY MAY CHOOSE TO PARTICIPATE WITH A DEVELOPER IN THE DESIGN AND CONSTRUCTION OF THE CONNECTION SYSTEM.

3. EQUITABLE PARTICIPATION IN THE DESIGN AND CONSTRUCTION OF THE MAJOR DRAINAGEWAY SYSTEM THAT SERVES THE DEVELOPMENT AS DEFINED BY ADOPTED MASTER DRAINAGEWAY PLANS (SECTION 3.3.2 OF THE ARAPAHOE DRAINAGE CRITERIA MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.

SPECIFIC NOTES

AIRPORT INFLUENCE AREA NOTE
(OFF-SITE IMPROVEMENTS)

TO CARRY OUT ONE OR MORE OF THE FOLLOWING AS MAY BE REQUIRED BY THE BOARD OF COUNTY COMMISSIONERS:

1. TO INCLUDE SAID DEVELOPMENT WITHIN A SPECIAL DISTRICT FOR THE PURPOSE OF PARTICIPATION IN THE CONSTRUCTION OF NECESSARY OFF-SITE IMPROVEMENTS AT THE TIME OF APPROVAL OF FINAL DEVELOPMENT PLANS.

2. TO COOPERATE WITH OTHER OWNERS OF OTHER PARCELS AND/OR OTHER SPECIAL DISTRICTS IN OFF-SITE ROADWAY IMPROVEMENTS AS NECESSITATED BYTHE DEVELOPMENT IMPACTSAS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.

3. TO COMPLETE SUCH OTHER IMPROVEMENTS TO PUBLIC ROADWAYS BROUGHT ABOUT OR IMPACTED BY THIS DEVELOPMENT AS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.

4. TO PARTICIPATE AND COOPERATE IN ANY TRANSPORTATION MANAGEMENT PROGRAM AS SPECIFIED IN THE AIRPORT INFLUENCE AREA TRANSPORTATION STUDY, IF SUCH A PROGRAM IS APPROVED AND/OR ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS.

AIRPORT INFLUENCE AREA NOTE
(EASEMENT/HAZARD EASEMENT)

AN AVIGATION AND HAZARD EASEMENT AFFECTING ALL PROPERTY CONTAINED WITHIN THIS PRELIMINARY DEVELOPMENT PLAN HAS BEEN LEGALLY EXECUTED. SAID EASEMENT DOCUMENT CAN BE FOUND UNDER RECEPTION NO. A9060221 OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER.

THE LANDS CONTAINED WITHIN THIS PRELIMINARY DEVELOPMENT PLAN LIE WITHIN THE AIRPORT INFLUENCE AREA, AN AREA WHICH IS LIKELY TO BE AFFECTED BY AIRCRAFT OPERATIONS AND THEIR POTENTIAL NOISE AND/ORCRASH HAZARDS TO AGREATER DEGREE THAN LANDS SITUATED OUTSIDE OF THE INFLUENCE AREA.

ALL LANDS CONTAINED WITHIN THIS PRELIMINARY DEVELOPMENT PLAN COMPLY WITH F.A.R. PART 77, "HEIGHT AND OBSTRUCTIONS CRITERIA".

CERTIFICATE OF OWNERSHIP

I William H. Keller HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS PARKMORE PLAZA, 2ND AMENDMENT, CASE NO. A00-013

William H. Keller
OWNER OF RECORD OR AUTHORIZED AGENT

STATE OF Colorado }
COUNTY OF Denver } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 23 DAY OF June, 2000, BY William H. Keller AS Agent OF AutoNation USA AN AUTHORIZED SIGNATORY.

BY Janet L. Kozacek
NOTARY PUBLIC

WITNESS MY HAND AND OFFICIAL SEAL

216 16th Street Mall
ADDRESS

MY COMMISSION EXPIRES 12-3-04

Denver CO 80202
CITY STATE ZIP CODE

PRELIMINARY DEVELOPMENT PLAN

CASE NO.

A00-013

REVISIONS
1) 06/05/00
2)
3)

AMENDMENT
10/25/91
12/2/91
5/31/00

Located in a Portion of the SW 1/4, Section 23, Township 5 South, Range 67 West of the 6th Principal Meridian, County of Arapahoe State of Colorado

PARKMOOR PLAZA
2nd Amendment

Carter :: Burgess
216 16th St. Ste. 1700
Denver, CO. 80202
(303) 820-5240 Fax (303) 820-5272