

## Section 8 - Final Plat

(orig. 7-12-05; am. 12-21-10)

### A. Intent and Purpose

The Final Plat Process was adopted at the inception of the Land Development Regulation to comply with State Statute requirements related to subdivisions of land. The process is the final step in the subdivision process and follows the approval of the Preliminary Plat. The process includes a review of final detailed documents with the goal of approval by the Board of County Commissioners. The Final Plat process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for hearing before the Board of County Commissioners. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (am. 7-12-05; am. 5-20-08; am. 12-21-10)

### B. Application

1. The Final Plat process shall apply to all subdivisions of land, except those that have been exempted from the subdivision process. The applicant may choose to go through the Preliminary and Final Plat process in lieu of the separate Preliminary Plat process and Final Plat process. (orig. 5-20-08)
2. The Final Plat application, or the first phase of the Final Plat, shall be made within 24 months of the Preliminary Plat approval by the Planning Commission, or approval of an appeal by the Board of County Commissioners. If the Final Plat is submitted in phases of the Preliminary Plat, the approval of Preliminary Plat is extended for 24 months from the date of the formal application of the previous phase. If the Final Plat is not submitted within 24 months, then the approval of the Preliminary Plat is considered rescinded. The applicant will be required to submit a new Preliminary Plat application, with the required fee, and all support documentation as specified in this Regulation. The Director of Planning and Zoning may extend this 24-month deadline for an additional 12-month period if, in his/her opinion, the delay is for good cause. (am. 7-12-05; am. 5-20-08; am. 12-21-10)
3. The Final Plat shall be in substantial conformance with the approved Preliminary Plat and any conditions placed on Preliminary Plat approval by the Planning Commission.
4. Concurrent processing of the Preliminary Plat and the Final Plat is permitted at the applicant's option; however, the Board of County Commissioners shall not hear, or take any action on the Final Plat prior to the Preliminary Plat approval by the Planning Commission, or approval of an appeal by the Board of County Commissioners. (am. 7-12-05; am. 5-20-08)
5. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
6. Notification is required in accordance with the Notification Section. (orig. 10-13-09)
7. The following procedure and requirements shall apply to Final Plat applications. (orig. 7-12-05)

### C. Procedure

The following is an example of the typical processing steps and timeframes for the development application. If the applicant complies with all given time frames, submits a complete application, and complies with all requirements of this Regulation, the estimated time to reach the public hearing phase of the process is 106 calendar days from the date of the 1<sup>st</sup> referral. (am. 7-12-05; am. 5-20-08; am. 10-13-09; am. 7-17-18)

Process Steps	Processing Time Frames
Optional Meeting with Staff	Prior to Process
<b>Steps prior to 1<sup>st</sup> Referral</b>	
Sufficiency Review and Referral Distribution or deficiency response	7 calendar days
Resubmittal Sufficiency Review (if necessary)	5 calendar days
<b>Process from 1<sup>st</sup> Referral to Public Hearing</b>	

1 <sup>st</sup> Referral and Staff Response	28 calendar days (21-day referral, 7 days for Staff response)	106 Days to tentatively scheduled hearing if processing time frames are met.
Applicants Response to 1 <sup>st</sup> Referral	Varies, 21 calendar days used as example in timeframe	
Sufficiency Review and Referral Distribution	5 calendar days	
2 <sup>nd</sup> Referral and Staff Response	21 calendar days (14-day referral, 7 days for Staff response)	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	
<b>Public Hearing and Post Hearing Review</b>		
Board of County Commissioners Hearing	Time varies based on BCC actions; and applicant meeting approval conditions	
Post Hearing Review		

Prior to submitting a development application, it is recommended that the applicant set up a meeting with Staff to discuss the proposal. The meeting with Staff will help identify the key issues that will need to be addressed during the platting process and will help to establish the specific submittal requirements. (am. 5-20-08; am. 10-13-09; am 7-17-18)

If an applicant is going to request relief from a standard, to avoid processing delays, it is recommended that the request for relief be submitted early in the development process. Requests for relief of a standard are subject to different specific processing timeframes, which may add to the length to the processing of the development application. (orig. 7-17-18)

Notification is required at the time of the 1<sup>st</sup> Referral in accordance with the notification provisions of this Regulation. (orig. 7-17-18)

**Steps Prior to 1<sup>st</sup> Referral**

1. Sufficiency Review and Referral Distribution (1<sup>st</sup> Referral):

The applicant shall electronically submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (am. 5-20-08; am. 10-13-09; am. 7-17-18)

The Case Manager shall have 7 calendar days to review the submittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents (including the appropriate referral fees). A submittal that is not complete in terms of the type of documents required will not be sent out on referral. (orig. 7-17-18)

Resubmittal Sufficiency Review (if required): The Case Manager shall have 5 calendar days to review the resubmittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. (orig. 7-17-18)

2. Formal Application:

The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (am. 5-20-08; am. 10-13-09)

The Case Manager shall have 5 calendar days to refer the application and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08; am. 7-17-18)

**Process from 1<sup>st</sup> Referral to Public Hearing**

3. 1<sup>st</sup> Referral and Staff Response:

The referral agencies shall have 21 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (am. 7-12-05; am. 5-20-08)

The Case Manager shall have 7 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to the Hearing Documents phase or if revised documents should be submitted for a subsequent referral process. (orig. 7-17-18)

If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to the documents are required, the application may proceed directly to the Hearing Documents phase of the process. Under this circumstance, the application will be scheduled for a hearing date earlier than that tentatively scheduled at the time of the 1<sup>st</sup> referral. (am. 5-20-08; am. 7-17-18)

4. Applicant's Response to 1<sup>st</sup> Referral:

For the application to be processed in accordance with the example timeframe in the table above, the applicant shall have 21 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2<sup>nd</sup> referral. The applicant will be deemed to have consented to a later hearing date, than the tentatively scheduled hearing date, if the resubmittal is not received within the 21-calendar day period. (am. 5-20-08; am. 7-17-18)

Regardless of the example timeframe, the applicant shall have a maximum of 180 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Director of Planning and Zoning may extend this 180-calendar day maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10; am. 7-17-18)

5. Sufficiency Review and Referral Distribution (2<sup>nd</sup> Referral):

The Case Manager shall have 5 calendar days to review the submittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. A submittal that is not complete in terms of the type of documents required will not be sent out on referral. All resubmittal documents shall be submitted as a complete package and not sent in a fragmentary manner. (orig. 7-17-18)

Resubmittal Sufficiency Review (if required): The Case Manager shall have 5 calendar days to review the resubmittal and either send the application out on referral or respond to the applicant explaining any deficiencies in the submittal documents. (orig. 7-17-18)

6. 2<sup>nd</sup> Referral and Staff Response:

The referral agencies shall have 14 calendar days to respond in writing to the 2<sup>nd</sup> referral. An extension of no more than 30 calendar days may be agreed to by the applicant. (am. 5-20-08; am. 7-17-18)

The Case Manager shall have 7 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to

the Hearing Documents phase or if revised documents should be submitted for a subsequent referral process. (orig. 7-17-18)

If the applicant has not consented to a later hearing date based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled hearing, the applicant shall submit the hearing documents as requested by the Case Manager in accordance with the Hearing Documents phase of the process. (am. 5-20-08)

7. Applicant's Response to 2<sup>nd</sup> Referral Comments:

The applicant shall have a maximum of 180 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 180-calendar day

maximum response deadline for additional 180 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10; am. 7-17-18)

8. Additional Referrals and Responses:

For the 3<sup>rd</sup> referral, and for any subsequent referrals thereafter, the processing of the application shall follow the same steps identified above in the Sufficiency Review and Referral Distribution (2<sup>nd</sup> Referral) process, the 2<sup>nd</sup> Referral and Staff Response process and the Applicant's Response to 2<sup>nd</sup> Referral process. The only exception shall be that for the 3<sup>rd</sup> Referral, and for any subsequent referrals thereafter, the referral agencies shall have 14 calendar days to respond in writing to the referral. (am. 5-20-08; am. 7-17-18)

The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08; am. 7-17-18)

9. Submittal of Hearing Documents:

The applicant shall electronically submit the Hearing Documents as identified in the Case Manager response to the last referral. (am. 5-20-08; am. 7-17-18)

If the applicant has not consented to a later hearing date based on the time constraints of this process, the applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the hearing documents for the tentatively scheduled hearing. The applicant will be deemed to have consented to a later hearing date if the hearing documents are not received within the 10-calendar day period. (am. 5-20-08; am. 7-17-18)

The applicant shall have a maximum of 180 calendar days to respond to the referral comments or to submit the hearing documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Director of Planning and Zoning may extend this 180-calendar day maximum response deadline for an additional 180 calendar days if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10; am. 7-17-18)

10. Hearing Scheduled:

If the applicant has consented to a later hearing date based on the time frames of this Regulation, the Board of County Commissioners hearing is typically scheduled for the first available hearing date after 21 calendar days from the submittal of the Hearing Documents; however, Staff may choose an alternative hearing date to accommodate case processing and scheduling needs. (am. 5-20-08; am. 7-17-18)

11. Hearing Preparation:

a. Revisions to Documents Prior to Hearing: To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to a Staff request, or those specifically requested by the Board of County Commissioners, may be made to any application or supporting documents within 21 days prior to any hearing. (am. 5-20-08)

b. Notification: Notification of the scheduled hearing is required in accordance with the Notification Section. (am. 5-20-08; am. 10-13-09)

**Public Hearing and Post Hearing Review**

12. Board of County Commissioners Hearing:

The Board of County Commissioners shall review the application, the Staff report and the Planning Commission approval conditions (if any), receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Board of County Commissioners may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request shall be to a date certain. (am. 5-20-08; 12-21-10)

13. Post Hearing Review:

The applicant shall comply with all conditions of approval within 1-year from the approval date by the Board of County Commissioners. If the applicant does not comply with the conditions within this timeframe, the approval shall be automatically rescinded. The Director of Planning and Zoning may extend this 1-year recordation deadline for up to 3 additional 1-year periods if, in his/her opinion, the delay is for good cause. After the 3-year time period has elapsed the applicant will have to go back to the Board of County Commissioners for approval. (orig. 5-20-08; am. 12-21-10; am. 7-17-18)

The Case Manager shall have 7 calendar days to review all documents submitted by the applicant for compliance with the approval conditions. If the revisions have been made in accordance with the approval conditions, the Case Manager will authorize the preparation of the plat mylar and final documents. If additional revisions are required to meet the approval conditions, the Case Manager will return a letter to the applicant identifying the revisions that must be made to comply with the approval conditions. (orig. 5-20-08)

When the applicant complies with the approval conditions, submits the executed plat mylar and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the plat mylar and final documents, and have the documents recorded, as appropriate. (am. 5-20-08)

**D. Survey Document Requirements**

1. Intent and Purpose: To provide consistent format and monumentation requirements for all survey documents involved in a county process. (orig. 7-17-18)
2. Format: Refer to the appropriate process guide for the format of the survey document. (orig. 7-17-18)
3. Standards: The survey document shall comply with the following:
  - a. The dimensions of each sheet of the Final Plat shall be 24x36 inches. A margin line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch on top, 2 inches on the left, and 1/2 inch on all other sides. The minimum scale of the maps shall be 1 inch to 100 feet or larger. Enough sheets shall be used to accomplish this end. Acceptable larger scales are 1 inch to 20 feet, 30 feet, 40 feet, 50 feet or 60 feet. 1 inch to 200 may be allowed by Planning and Zoning for survey documents with large lots and tracts if it is legible. (reloc. 7-12-05; am. 7-17-18)
  - b. The sheet number and the relation of each adjoining sheet clearly shown by a small key map on each sheet as required by Planning and Zoning. (am. 7-12-05; am. 7-17-18)c. The date of the survey, north arrow, and written and graphic scale on each sheet. (am. 7-12-05; am. 7-17-18)
  - d. The case number shall be placed in the upper right-hand corner of each sheet. (am. 7-12-05; am. 7-17-18)
  - e. A vicinity map on the first page of the survey document showing the general location of the subdivision in relation to nearby primary streets/roads and section lines. The vicinity map shall include: The streets/roads leading to and within the subdivision; and the outline of the subdivision shown by a heavy discernable line and labeled with the name of said subdivision. (orig. 7-12-05; am. 7-17-18)
  - f. The approved title of the project located at the top of each sheet. The title shall be the approved name of the project. A subtitle in smaller lettering shall indicate the quarter-section(s), section(s), township(s) and range(s) in which the subdivision is located and/or a statement that the subdivision is a resubdivision or further subdivision of a previously approved subdivision or reconfiguration of previously platted lots. The subtitle text shall also indicate if there is any vacated Right(s)-of-Way, court decree, rural cluster, minor adjustment, and/or exemption from platting. (am. 7-12-05; am. 7-17-18)
  - g. The exterior boundary of the subdivision shall be clearly indicated by a heavy continuous line. (am. 7-12-05; am. 7-17-18)

- h. Text size and line weights shall be in accordance with the Jefferson County survey drafting guide. (orig. 7-17-18)
- i. Tracts designated by letter and disposition thereof shall be indicated in the note section. All lots shall be numbered systematically. Areas of all lots and tracts shall be shown to the nearest 0.01 of an acre. If the lots are less than 0.5 of an acre in size, the area may be designated in square feet. The area size may be shown within the lot or tract. (am. 7-12-05; am. 7-17-18)
- j. The Right-of-Way width and centerline of each existing and proposed street/road shall be shown. Existing streets/roads shall bear notations of dedication or conveyance, as applicable, by recordation information. Private streets/roads shall be shown and labeled as "Utility, Drainage and Emergency Access Easement." (am. 7-12-05; am. 7-17-18)
  - (1) Jefferson County shall assign all street/road names. (reloc. 7-12-05; am. 7-17-18)
  - (2) Private streets/roads exterior to the subdivision shall be conveyed as a separate deed and labeled as a "Utility, Drainage and Emergency Access Easement recorded at reception number \_\_\_\_\_". (orig. 7-17-18)
  - (3) Right-of-Way exterior to the subdivision shall be conveyed as a separate deed and labeled as "Conveyed by separate deed recorded under Reception No. \_\_\_\_\_". (orig. 7-17-18)
  - (4) County Right-of-Way interior to the subdivision shall be dedicated on the survey document. (orig. 7-17-18)
  - (5) CDOT access control boundaries shall be shown. (orig. 5-21-19)
- k. Property boundaries adjoining the development shall be delineated and shown by long thin dashed lines. Any area enclosed by the subdivision, but not a part thereof, shall be labeled "Not a Part of This Development." (am. 7-12-05; am. 7-17-18)
- l. All easements clearly labeled, identified, dimensioned and tied to reference points within the subdivision and shown by fine short dashed lines. Overlapping or crossing easements shall vary the dash length slightly to improve readability. Existing easements shall bear notation of dedication of conveyance by recordation information. If existing easement bearings are rotated due to a change in basis of bearing, a note shall be added to the survey indicating such. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof and its recorded reference shall be placed in the note section. Easements shall be designated, and the disposition thereof indicated in the note section. (am. 7-12-05; am. 7-17-18)
- m. Non-buildable areas, if any, shall be based on the requirements in this regulation. Non-buildable areas shall be delineated on the survey document and shall be fully dimensioned and tied to reference points and be shown by a fine, continuous line. (am. 7-12-05; am. 12-21-10; am. 7-17-18)
- n. Non-Disturbance Areas, if any, shall be based on the requirements of the applicable zoning. Non-Disturbance Areas shall be delineated as required by this regulation and shall be fully dimensioned and tied to reference points and shown by a fine continuous line. (orig. 7-17-18)
- o. On survey documents, existing improvements including building structures, fences, above-ground utilities, well, and septic systems shall be shown. Building structures shall not be shown on the Preliminary and Final Plat and Final Plat. (orig. 7-17-18)

## **E. Survey and Monumentation**

1. The exterior boundaries shall be monumented pursuant to Title 38, Articles 50 – 53, C.R.S. and the Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors (AES Board). The bearings and distance of the as-measured data must go to the accepted monument or set monument on the exterior boundary (refer to AES Board Rule for Documenting New and Existing Monuments). (am. 7-12-05; am. 7-17-18)

The following information is required:

- a. Distances and bearings. (reloc. 7-12-05; reloc. 7-17-18)
  - b. The point of beginning and point of commencement as applicable. (reloc. 7-12-05; reloc. 7-17-18)
  - c. Note(s) or legend identifying the monument(s) set (length of pin is required for set monuments) or found. (reloc. 7-12-05; reloc. 07-17-18)
  - d. Basis of bearings statement with method of determination. (orig. 7-17-18)
  - e. Show the area in acres to the nearest 0.01 acre. (orig. 7-17-18)
  - f. A boundary closure sheet with bearings and distances, area, precision and closure. (reloc. 7-12-05; reloc. 7-17-18)
2. Where the exterior boundary lines show bearings and distances which vary from those recorded in adjoining plats, deeds, or surveys, a notation shall be included, and a note placed on the survey document indicating the source (plats, deeds, or surveys), stating the recorded bearing and distance and the recordation information. The differing bearing and/or distance shall be placed in parenthesis along with the as-measured distance and bearing on the survey. (reloc. 7-12-05; reloc. 7-17-18)
  3. The exterior boundary(ies) shall be tied to 2 or more section and/or quarter section corners, unless otherwise approved by Planning and Zoning. (reloc. 7-12-05; am. 7-17-18)
  4. A traverse of boundaries when computed from field measurements on the ground must have a minimum unadjusted ratio of closure of 1(one) part in 15,000 or shall not exceed a maximum positional tolerance per point, between adjusted and unadjusted positions, of plus or minus 0.15 of a foot. (reloc. 7-12-05)
  5. Whenever a public land survey section corner, quarter section or one-sixteenth corner falls within the boundary(ies) of the development, the following is required: (reloc. 7-12-05; am. 7-17-18)
    - a. A complete description of the land corner monument as found or set. Including all markings on the cap in addition to the PLS number (e.g., firm, date, etc.) (reloc. 7-12-05; reloc. 7-17-18; am. 7-17-18)
    - b. The corner(s) shall be located, when possible, within street/road Rights-of-Way to minimize potential destruction and facilitate surveyor access. (reloc. 7-12-05; am. 7-17-18)
    - c. The corner shall be tied to 2 or more adjoining lot or boundary corners. (reloc. 7-12-05)
    - d. Where it is impractical to locate a corner within street or road Rights-of-Way, a reasonable non-buildable area shall be established around the monument and a note placed in the note section stating no fencing, structures or other obstructions are allowed within this area. (reloc. 7-12-05; reloc. 7-17-18)
  6. When the current PLS monument record on file with the Clerk and Recorder or the AES Board does not substantially match the monument in the field a new monument record shall be submitted in accordance with CRS 38-53-104. (orig. 7-17-18)
  7. Reference Monuments or Witness Corners shall be set in accordance with CRS 38 51-104. (orig. 7-17-18)

## **F. Certificates**

### **1. Survey Document Certificates**

The following certificates, acknowledgments, restrictions and notes shall be placed, when applicable, and appropriately signed and sealed when applicable, in the Improvements Agreement. With the approval of the Attorney's Office, the language of these certificates, restrictions and notes may be modified based on unique situations provided such modification protects the interests of Jefferson

County. (am. 7-12-05; am. 7-17-18)

2. Dedication Certificate: The dedication of streets, roads and tracts of land to be utilized for public use shall be in accordance with the following dedication certificates. (reloc. 7-12-05; am. 5-20-08; am. 7-17-18)

General Dedication (in the following order, as applicable): (am. 7-17-18)

KNOW ALL MEN BY THESE PRESENTS: THAT (WE), the undersigned, being the owner(s) (and the holder(s) of deed of trust (if applicable) of those lands described hereon, (have) (has) laid out, the same into lots, tracts, blocks, streets/roads, easements, no build areas, and non-disturbance areas, as shown hereon under the name and style of \_\_\_(Name)\_\_\_, and (do) (does), by these presents, of (our) (my) (its) own free will and voluntarily, without coercion, threat or business compulsion,

- a. Public Street/Roads: (Add to General Dedication for Public Street/Road Dedication only) (orig. 7-17-18)

grant, dedicate and convey to the County of Jefferson, State of Colorado, in fee simple, tract(s) \_\_\_\_\_, (and) all streets/roads \_\_\_\_\_ together with all appurtenances thereto for public use.

- b. County easements: (Add to General Dedication for County Easements not related to a private street/road) (orig. 7-17-18)

and grant and convey to the County of Jefferson, (State of Colorado)\* all easements, except those of prior record, as shown hereon and/or as described in note(s) \_\_\_\_\_ and \_\_\_\_\_.

- c. Temporary Cul-de-Sac Dedication: (Add to General Dedication in case of temporary cul-de-sac). (reloc. 7-12-05)

Parcels \_\_\_\_\_ and \_\_\_\_\_ are dedicated and conveyed to Jefferson County, in fee simple, until such time that the respective street/road is extended beyond the point shown on the plat as the temporary end thereof and such extension is constructed, dedicated to and accepted by the Jefferson County, at which time title to said parcels \_\_\_\_\_ and \_\_\_\_\_ will automatically vest in fee simple in the respective lot owners.

- d. Private Street/Road Dedication: (Add to General Dedication in case of private street/road system.) (reloc. 7-12-05; am. 7-17-18)

....and grant and convey to the County of Jefferson all easements as shown hereon, and grant and convey to the County of Jefferson an easement over any and all private streets/roads and Rights-of-Way for the purpose of passage of service 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 private streets/roads and Rights-of-Way for any other purpose including maintenance purposes.

3. Legal Description of Property: The boundary survey shall be an accurate reflection of the legal description. The method of description shall be by use of metes and bounds, except that in resubdivision, the subdivision, block, tract, and/or lot shall also be described. The legal description shall be in the following form. (reloc. 7-12-05)

- a. Metes and Bounds description caption: (am. 7-17-18)

DESCRIPTION: A parcel of land in the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ Township \_\_\_\_\_ South, Range \_\_\_\_\_ West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

By metes and bounds, incorporating a complete closed traverse meeting the conditions and accuracy as specified in the Final Plat Survey and Monumentation provisions. (reloc. 7-12-05; am. 7-17-18)

- b. Aliquot description caption: (orig. 7-17-18)



DESCRIPTION: The \_\_\_\_\_ 1/2 of the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ , Township \_\_\_\_\_ South, Range \_\_\_\_\_ West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

- c. Lots, Parcels, and Tracts description as approved though a previous County process: (orig. 7-17-18)

DESCRIPTION: LOT X, BLOCK X, XXXXX SUBDIVISION/ADJUSTMENT/EXEMPTION, RECORDED AT RECEPTION NUMBER \_\_\_\_\_, (also PLAT BOOK \_\_, PAGE\_\_ for older plats) Located in the \_\_\_\_\_ 1/2 of the \_\_\_\_\_ 1/4 of Section \_\_\_\_\_ , Township \_\_\_\_\_ South, Range \_\_\_\_\_ West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, CONTAINING \_\_\_\_\_ ACRES MORE OR LESS.

4. After the description, all owners and holders of Deeds of Trust, mortgages, liens, etc., shall sign the plat or rural cluster as follows: (reloc. 7-12-05; am. 7-17-18)
- a. All individuals shall sign their names as shown on the Deed of Ownership, or as shown on Deeds of Trust, mortgages, liens, etc. (reloc. 7-12-05)
  - b. Corporation ownership or interest shall be shown by the official signatures of the necessary officers of the Corporation. The full name of the Corporation shall be shown above their signatures and the seal affixed. (reloc. 7-12-05)
5. Acknowledgment required for all Plats and Exemptions and other recorded document(s): The acknowledgment form shall read as follows, with the Notary Seal affixed as near as practicable to the acknowledgment. (reloc. 7-12-05; am. 7-17-18)

COUNTY OF \_\_\_\_\_ ) ss:  
STATE OF \_\_\_\_\_ )  
  
*The dedication(s), conditions, and restrictions set forth herein were acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_\*(name-printed)\_\_\_\_\_.*  
  
*WITNESS my hand and official*  
*seal.*  
SEAL  
\_\_\_\_\_  
*NOTARY PUBLIC*  
  
*My Commission expires: 20 \_\_\_\_\_*

- \* Officers signing for Corporation shall be acknowledged as follows: (reloc. 7-12-05; am. 7-17-18)

(name-printed) \_\_\_\_\_, as President (or Vice-President)

- \* Partners signing for a general partnership shall be acknowledged as follows (note that all partners must sign plat unless the partnership agreement authorizes otherwise): (reloc. 7-12-05)

(name-printed) \_\_\_\_\_, as partner and (name-printed) \_\_\_\_\_, as partner of (name of partnership) \_\_\_\_\_, a (name of state) partnership.

- \* General partners signing for a limited partnership shall be acknowledged as follows (note that all general partners must sign the plat unless the limited partnership agreement authorizes otherwise): (reloc. 7-12-05)

(name-printed) \_\_\_\_\_, as general partner and (name-printed) \_\_\_\_\_, as general partner of (name of general partnership) \_\_\_\_\_, a (name of state) general partnership.

- \* Members signing for a limited liability company shall be acknowledged as follows (note that all members or managers must sign the plat unless the operating agreement or other signature authority document and recorded statement of authority authorizes otherwise): (reloc. 7-12-05; am. 7-17-18)

(name-printed) , as a member and (name-printed) , as a member of (name of limited liability company) , a (name of state) limited liability company.

\* Joint venturers signing for a joint venture shall be acknowledged as follows (note that all joint venturers must sign the plat unless the document that established the joint venture authorizes otherwise): (reloc. 7-12-05)

(name-printed) , as a joint venturer and (name-printed) , as a joint venturer of (name of joint venture) , a (name of state) joint venture.

6. Attorney's Certificate and Title Company Certificate: Either the Attorney's Certificate or the Title Company Certificate shall be placed on the first sheet of the Final Plat: (reloc. 7-12-05; am. 5-20-08)

<p>ATTORNEY'S CERTIFICATE:          I, (name-printed), 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.</p> <p>_____          Attorney at Law          _____          Registration Number</p>	
<p>TITLE COMPANY CERTIFICATE:          I, (name-printed), as authorized agent of the undersigned tile company, 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, except as shown in Title Commitment No. _____, issued by _____ Title Company, with an effective date of _____.</p> <p>_____ as authorized agent of          _____          Title Company</p>	

7. Surveyor's Certificate: The Surveyor's Certificate shall read as follows: (reloc. 7-12-05; am. 11-24-15)

<p>(name-printed), a Professional Land Surveyor licensed to practice land surveying in the State of Colorado, do hereby certify that the survey of (plat name here) was made by me or directly under my supervision on or about the _____ day of _____, 20 _____, and that the survey is based upon my knowledge, information and belief, it has been prepared in accordance with applicable standards of practice, the survey is not a guaranty or warranty, either expressed or implied, and the accompanying plat accurately and properly shows said (subdivision / exemption from platting / minor adjustment) and the survey thereof.</p> <p>SEAL _____          Licensed Colorado Land Surveyor          License Number_____</p>	
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The surveyor seal shall be affixed as near as practical to the surveyor's signature, and on every sheet of the survey document with their signature and date through the seal. (orig. 11-24-15; am. 7-17-18)

8. Review Certificate: The Review Certificate shall read as follows: (reloc. 7-12-05; am. 10-13-09)

<p>Reviewed by Public Health this _____ day of _____, 20 _____</p> <p>_____          Public Health</p> <p>Reviewed by the Planning Commission this _____ day of _____, 20 _____.</p> <p>_____          Chairman</p>
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9. Vacation Certificate (for any applicable survey document): The Vacation Certificate, if applicable, shall read as follows: (reloc. 7-12-05; am. 7-17-18)

Streets/Roads, Lots, Tracts, Parcels and Easements (delete any that are not applicable) as superseded by this instrument and as originally dedicated with \_\_\_\_\_ (development name) , recorded in Jefferson County records at Reception Number \_\_\_\_\_, are hereby vacated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
 \_\_\_\_\_ Chairman, Board of County Commissioners  
 \_\_\_\_\_ Clerk

10. Acceptance Certificate (for Plats, Exemptions from Platting and Rural Clusters): The Acceptance Certificate shall read as follows: (reloc. 7-12-05; am. 7-17-18)

The foregoing instrument is approved for filing; and conveyance of the streets/roads, tracts, parcels and easements (delete any that are not applicable) is accepted by the County of Jefferson, State of Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. The County shall undertake maintenance of any such streets/roads and public ways only after construction thereof has been satisfactorily completed by the developer and accepted by the County.  
 \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Chairman, Board of County Commissioners

11. Clerk and Recorder's Certificate: The Clerk and Recorder's Certificate shall read as follows: (reloc. 7-12-05)

Accepted for filing in the Office of the County Clerk and Recorder of Jefferson County at Golden, Colorado, this \_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
 \_\_\_\_\_  
 County Clerk and Recorder  
 \_\_\_\_\_  
 Deputy Clerk

**G. Notes**

1. Notes as listed below or addressing the following shall be placed in the note section as applicable: (reloc. 7-12-05; am. 7-17-18)
- a. The total number of lots and/or dwelling units in the proposed development. (reloc. 7-12-05; am. 7-17-18)
  - b. The recordation information of the approved and recorded Official Development Plan. (reloc. 7-12-05; reloc. 7-17-18; am. 7-17-18)
  - c. A note limiting or prohibiting ingress and egress for the survey document having lots bordering a collector or larger street/road (if applicable) such as "no direct vehicle access is permitted from lots \_\_\_\_\_ onto (*Street/Road name*)\_\_\_\_\_".(am. 7-12-05; reloc. 7-17-18; am. 7-17-18)
  - d. A note describing the purpose of the Minor Adjustment. "The purpose of this Minor Adjustment is to \_\_\_\_\_". (orig. 7-17-18)
  - e. Distances are expressed in US survey feet and decimals thereof. A US survey foot is defined as exactly 1200/3937 meters. (orig. 7-17-18)
  - f. All general notes, dedications and restrictions as shown on the (*fill in previous plat, exemption, or rural cluster name*) as recorded at (*fill in reception number of previous survey document*) shall apply unless specifically amended and superseded hereby. (orig. 7-17-18)
  - g. For surveys that have property located within the adopted 100-year floodplain: (orig. 7-17-18)

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations is not permitted within the 100-year floodplain unless a floodplain development permit is first obtained pursuant to Floodplain Section of the Jefferson County Zoning Resolution. (orig. 7-17-18)

- h. Existing and proposed 100-year storm flooding limits must be shown and labeled by a fine, continuous line. Where no such body of water or water course exists, the following note shall be used: "This development is located entirely outside of the FEMA 100-year floodplain" (am. 7-12-05; reloc. 7-17-18; am. 7-17-18)
- i. This note shall be used for all Utility, Drainage and Emergency Access Easement dedication(s): (reloc. 7-12-05; reloc. 7-17-18; am. 7-17-18)

All emergency access easements are for the purpose of passage of service 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 private access drives and Rights-of-Way for any other purpose including maintenance purposes.

- j. This note shall be used for regional drainage easements: (orig. 7-17-18)

The drainage easement within Tract \_\_\_\_\_ is reserved for (a Regional Drainage Channel, Other\_\_\_\_\_) no grading, filling, retaining walls, fences, building(s) or structure(s), or any development activity that could interfere with the approved drainage patterns is allowed without prior approval from Planning and Zoning. (orig. 7-17-18)

- k. This note shall be used when newly constructed county street/roads are proposed or if there are existing county non-maintained Street/Roads. (orig. 5-21-19)

The subdivider its successor(s) or assigns shall notify Colorado 811 and be responsible for all utility locates required within County Right-of-Way until such time that the County accepts the street(s)/road(s) for maintenance in accordance with the requirements set forth in the Land Development Regulation. (orig. 5-21-19)

- l. When ditches will be provided along streets. (reloc. 7-12-05; am 5-20-08; reloc. 7-17-18)

Roadside ditch surface treatments other than grass are prohibited. No portion of a landscape irrigation system shall be located within the street Right-of-Way without prior license agreement with the County. Ditches along the streets shall be constructed by the developer in accordance with the approved street construction plans on file with Planning and Zoning. Except for driveway construction and for routine and regular maintenance activities by the adjoining lot owner, no other alteration or modification to any such ditches shall be made without prior approval by Planning and Zoning. Property owners are to construct driveways per the standard detail provided with the approved street construction plans on file with Planning and Zoning. Only 1 (one) driveway may be permitted to access each lot unless otherwise approved by Planning and Zoning.

- m. When Right-of-Way width will be 30 or 36 feet. (reloc. 7-12-05)

Front, rear and side setback lines shall be measured from the easement line.

- n. When subsurface groundwater collection systems exist or are proposed, a note which specifies the entity responsible for maintenance of collection systems and the reception number for the maintenance plans which are recorded with the Clerk and Recorder. The note shall be in a form acceptable to the Case Manager. (am. 7-12-05)

- o. Where arterial streets are adjoining or within a development, the following statements shall be placed in the note section. (reloc. 7-12-05; am. 7-17-18)

(1) Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am 5-20-08)

- (2) Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05; am. 11-24-15)
- p. When detached sidewalks will be provided along collector streets, the areas between the back of curb and adjoining lot line shall be shown as tracts which comply with the requirements of D.8 of this section. Ownership and maintenance responsibility for said tract(s) shall be identified in the note section. Additionally, the following statements shall be provided in the note section. (am. 7-12-05)
- (1) Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
  - (2) Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05; am. 11-24-15)
- q. When detached sidewalks will be provided along local streets, the following statements shall be placed in the note section. (reloc. 7-12-05)
- (1) Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
  - (2) Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05; am.11-24-15)

**H. Restrictions**

- 1. Public Improvements: The following restriction shall be placed on the first sheet of land development documents, as applicable. This applies to new development (creation of new lots) or redevelopment (reconfiguration of lots for infill). (reloc. 7-12-05; reloc. 7-17-18; am. 7-17-18)

**COVENANT AND RESTRICTION ON CONVEYANCE, SALE OR TRANSFER**  
 As a condition of approval by the Board of County Commissioners of Jefferson 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 development, or of any lot, lots, tract, or tracts of land identified hereon, shall be made, nor shall any building permit or certificate of occupancy be issued until a CERTIFICATE OF COMPLIANCE has been granted by the County of Jefferson, 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 Improvements Agreement, recorded under Reception Number \_\_\_\_\_ of the records of the Jefferson 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 Jefferson, applicable special districts, and applicable servicing authorities, or, that a substituted security or collateral authorized pursuant to Section 30-28-101, C.R.S., as amended, has been submitted to and accepted by the County of Jefferson, which is sufficient in the judgment of the County to assure completion of all public improvements as set forth in Exhibit "A" of said Improvements Agreement recorded under Reception

Number \_\_\_\_\_ or any portion thereof necessary to serve the specific lot(s) or tracts(s) to be covered by a particular Certificate of Compliance and to assure said improvements are completed in accordance with reasonable design and time specification; and

Provided, however that a conveyance, sale, or transfer of a specific lot(s) or tract(s) of land identified hereon may be made prior to compliance with the above provisions where the Owner/Subdivider(s) and the proposed transferee, who must also qualify as a "Subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101 (9), C.R.S., and the Board of County Commissioners of Jefferson County have executed an amendment to the Improvements Agreement whereby the transferee Owner/Subdivider agrees to comply with the same requirements and restrictions of this COVENANT AND RESTRICTION ON CONVEYANCE, SALE OR TRANSFER.

These restrictions on conveyance, sale or transfer of title of this entire development or any lot(s) or tract(s) 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.

(a) Approved, covenanted, and agreed to as consideration for approval by the Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

2. The following restriction shall be placed on the first sheet of the survey document whenever any alterations to the floodplain boundaries, flood elevations or flood depths as shown on the Flood Insurance Rate Maps or in the Flood Insurance Study are proposed. (reloc. 7-12-05; am. 7-17-18)

As a condition of approval by the Board of County Commissioners of Jefferson County, no conveyance, sale or transfer of title of lots (insert lot numbers) or tracts (insert tract names) identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by the County of Jefferson, State of Colorado, until such time as the following has been accomplished.

1. A letter of map revision from the Federal Emergency Management Agency has been submitted to Jefferson County.
2. A Certificate of Compliance has been issued by the County of Jefferson, signifying that the letter of map revision is consistent with the floodplain report as approved by the Board of County Commissioners.

A conveyance, sale or transfer of a specific lot or lots or tract or tracts of land identified hereon may be made prior to compliance with the provisions of this paragraph where the subdividers and the proposed transferee, who must also qualify as a "subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101(9), C.R.S., have been granted an exemption from platting from the Board of County Commissioners of Jefferson County, expressly conditioned upon execution of an Exemption Agreement between the Board and the subdividers whereby the transferee subdivider agrees in writing to compliance with the same requirements and restrictions of this paragraph and all pertinent provisions related thereto.

3. The following restriction shall be placed on the first sheet of the survey document where the presence of steep and potentially unstable sites has been identified. These sites typically include buildable areas with slopes of 30% or greater, but may also include areas where slope stability concerns are prevalent due to the underlying geologic conditions that are identified during the County review process. This applies to new development (creation of new lots) or redevelopment (reconfiguration of lots for infill). (reloc. 7-12-05; am. 10-13-09; am. 7-17-18)

**STEEP SITE RESTRICTION**

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall certify to the County the following:

1. That a geotechnical study, including a test boring or excavation within the proposed building footprint has been conducted on the specific lot to which the building permit references. A formal slope stability analysis, evaluating the impacts of the proposed site grading and physical improvements, has been performed as part of the

geotechnical study. A determination has been made as to the design criteria for structure foundations, retaining walls, site grading, and subsurface drainage necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.

2. That the proposed site grading, building envelope and location of individual sewage disposal system components are configured such that adequate long-term slope stability is provided.
3. That the plans submitted to Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.

Before the county performs a final inspection pursuant to the County Building Code, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

4. The following restriction shall be placed on the first sheet of the survey document where the presence of expansive soils has been identified in site specific soils reports or in publications from the United States Geological Survey or Colorado Geological Survey. This applies to new development (creation of new lots) or redevelopment (reconfiguration of lots for infill). (reloc. 7-12-05; am. 5-20-08; am. 7-17-18)

#### EXPANSIVE SOILS RESTRICTION

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in design and construction of structures on expansive soils, shall certify to the County the following.

1. That a subsurface soils investigation, including a test boring, has been conducted on the specific lot to which the building permit references and that a determination has been made as to the design criteria necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
2. That proper subsurface drainage has been designed for the specific lot to which the building permit references and that a determination has been made as to the design criteria necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
3. That the plans submitted to Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.

Before the County performs a final inspection pursuant to the Jefferson County Building Code, an engineer, licensed in the State of Colorado and experienced in the field of design and construction of structures on expansive soils, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

5. The following restriction shall be placed on the first sheet of the survey document when structures are proposed on slopes less than 30% in the Mountains, unless Planning and Zoning substitutes this restriction with the Steep Site Plat Restriction. This applies to new development (creation of new lots) or redevelopment (reconfiguration of lots for infill). (orig. 5-20-08; am. 10-13-09; am. 7-17-18)

#### MOUNTAINOUS TERRAIN RESTRICTION

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in design and construction in mountainous terrain, shall certify to the County the following:

1. That a geotechnical study, including a test boring or excavation has been conducted on the specific lot to which the building permit references. A determination has been made as to the design criteria for structure foundations, retaining walls, site grading, and subsurface drainage necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
2. That the proposed site grading, building footprint and location of individual sewage disposal system components are configured such that adequate long-term slope stability is provided.

3. That the plans submitted to the Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.

Before the County performs a final inspection pursuant to the County Building Code, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

6. Public Improvements: The following restriction shall be placed on the first sheet of land development documents, as applicable. This applies to new development (creation of new lots) or redevelopment (reconfiguration of lots for infill). (reloc. 7-12-05; am. 7-17-18)
7. Show Homes: For any development that includes show homes within a water district or equivalent entity providing water to the public, the following plat restriction shall be placed on the first sheet of the survey document to allow for the issuance of a building permit(s) prior to issuance of a Certificate of Compliance for show homes: (reloc. 7-12-05; am. 11-24-15; am. 7-17-18)

A Building Permit may be issued for up to 6 homes to be designated as "Show Homes" without completing public improvements or obtaining the necessary water taps provided neither the Owner/Subdivider, any Holders of Deeds of Trust nor any other person shall be permitted to sell, offer to sell, lease, rent, convey, transfer, or assign any such home(s), lot(s), or tract(s) or to occupy as a dwelling or a permanent office any portion of such home(s) prior to the granting by the County of a Certificate of Compliance for such lot(s) or tract(s). The Owner/Subdivider shall provide a compaction report and obtain approval from the appropriate fire protection district for water and access prior to issuance of a Building Permit. Building Safety shall conduct final inspections prior to the use of the show homes. The Owner/Subdivider and Holders of Deeds of Trust agree and promise to forever release, hold harmless, and indemnify the County of Jefferson, State of Colorado, its elected officials, employees and agents, from any suit, claim, damages or other legal liability, including costs and attorneys' fees, arising either directly or indirectly out of, the construction of any such home(s) or the use of any such home(s). The Owner/Subdivider hereby acknowledges and agrees that a document will be recorded in Jefferson County upon issuance of a Building Permit for a Show Home(s) that will contain the restrictions set forth herein.

8. Landscape Maintenance: The following restriction shall be placed on the first sheet of the survey document whenever a landscape plan is approved as part of the development: (reloc. 7-12-05; am. 7-17-18)

#### LANDSCAPE MAINTENANCE

- a. Maintenance of required landscaping, including irrigation systems, fences, walls, sidewalks, and other landscape structures where they exist, is the ongoing responsibility of the landowner.
- b. Plant materials required as part of a County-approved landscape plan shall be continuously maintained in a healthy, growing, and orderly condition. This shall include proper pruning, mowing of turf areas, fertilization, the regular application of appropriate quantities of water, and the regular treatment and repair of all diseased or insect ridden materials. All unhealthy, damaged, destroyed, irreparable, removed, or dead plant materials shall be replaced within one (1) growing season (where a growing season is defined as the days between April 15 and October 15) with plant materials of similar variety and size. In all cases, the replacement plant material shall preserve the intent and purpose of the original plant material and the County-approved landscape plan.
- c. Structures required as part of the County-approved landscape plan, such as irrigation systems, fences, walls, sidewalks, and other landscape elements, shall be continuously maintained in a structurally sound, and orderly condition. All damaged, destroyed, irreparable, or removed landscape structures shall be replaced within one (1) year with similar structures. In all cases, the replacement structure shall preserve the intent and purpose of the original structure and the County-approved landscape plan.
- d. Required landscape areas, as delineated in the County-approved landscape plan,



shall be kept free of trash, litter, weeds, pests, and other such elements not part of the County-approved landscape plan.

- e. Entrance onto the property and periodic inspections of landscaping by personnel from the County shall be allowed by the landowner.
- f. Any deviation from the provisions and terms of the County-approved landscape plan is prohibited without the approval of the Board of County Commissioners or staff approval pursuant to the provisions of the Land Development Regulation and Zoning Resolution.

9. Dipping Bedrock: The following note shall be placed on the first sheet of the survey document when the property is wholly or partially within the Designated Dipping Bedrock Areas as defined by the Zoning Resolution. This applies to new development (creation of new lots and/or construction) or redevelopment (reconfiguration of lots for infill and/or construction). (reloc. 7-12-05; am. 7-17-18)

**DIPPING BEDROCK**  
Public notice is hereby given that a portion or all of this site is located within the Dipping Bedrock Overlay District as defined in the Jefferson County Zoning Resolution. This district contains an unusual geologic hazard with the potential for severe differential heaving of bedrock that can result in foundation, buried utility and concrete flatwork movement. This site was platted in accordance with the regulations contained in the Jefferson County Zoning Resolution and Land Development Regulation in effect at the time of development.

10. Underdrain Connection Restriction: The following restriction shall be placed on the first sheet of the survey document when a connection to an underground drain system is required prior to building permit issuance: (orig. 5-20-08; am. 7-17-18)

**UNDERDRAIN RESTRICTION**  
Prior to the rough framing inspection, a completed Form Letter U is required to verify a physical connection between the perimeter drain and main subsurface groundwater collection system.