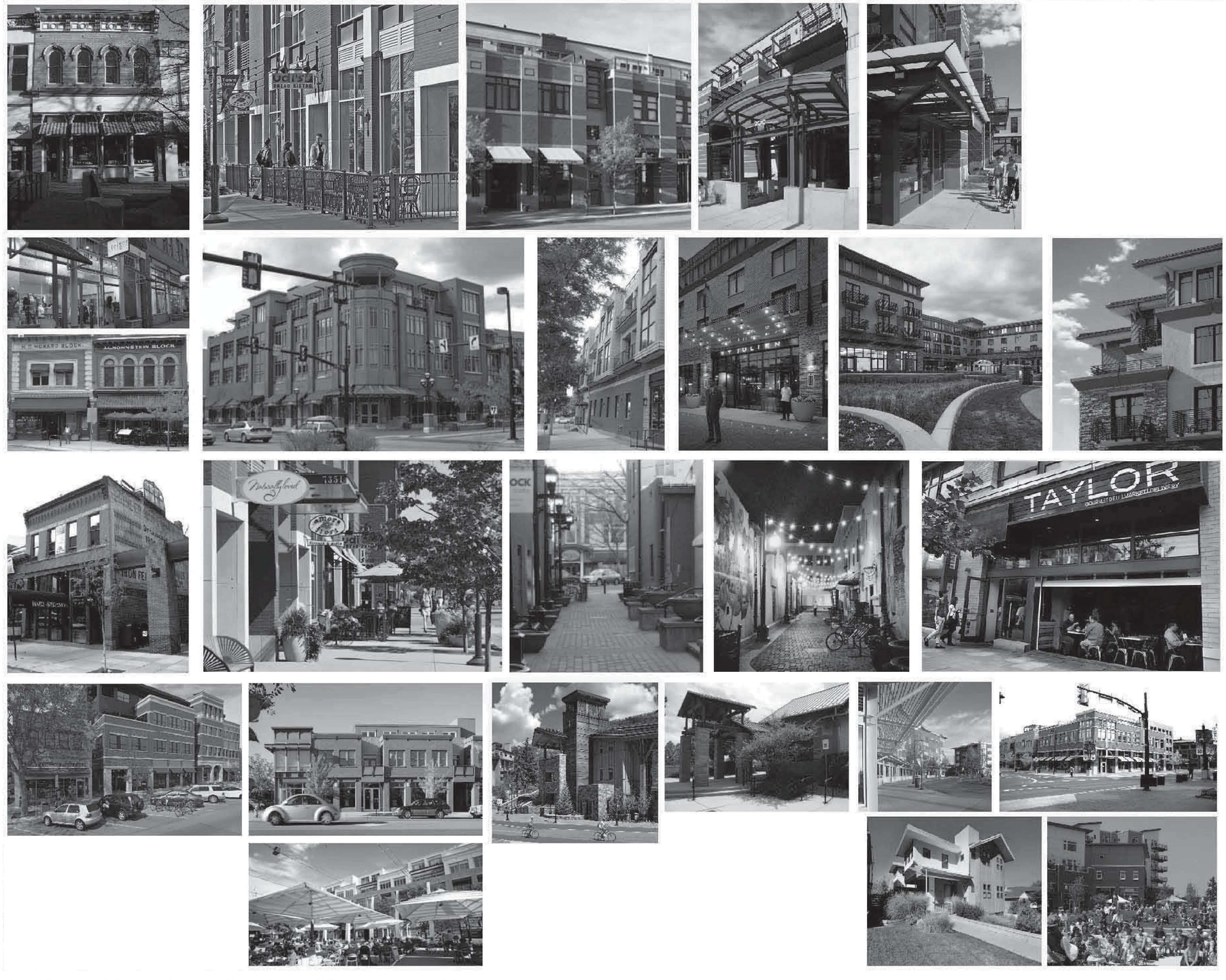

Architectural Precedents - Core Area (Planning Area 2)

RC SUPERIOR
12275 El Camino Real
Suite 100
San Diego, CA 92130

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SUPERIOR TOWN CENTER
PD AMENDMENT #3

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APPROVED:
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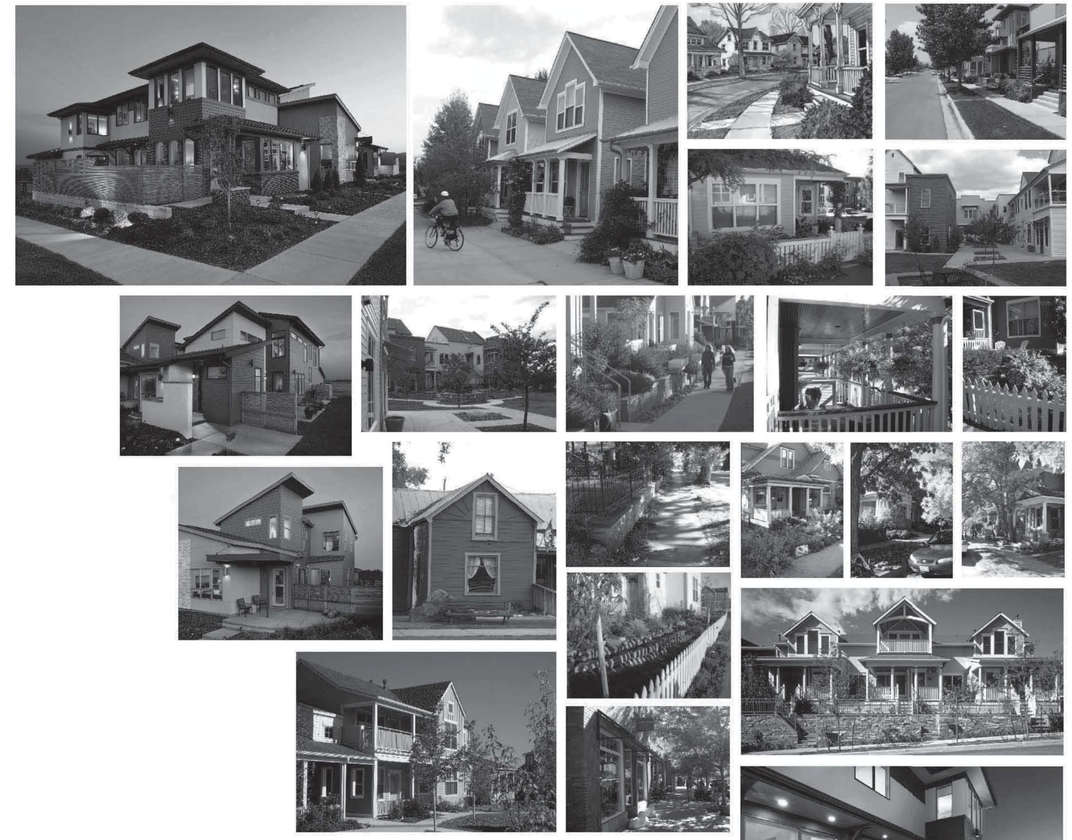
06-02-2016 STAFF REVIEW
06-13-2016 MYLARS

SHEET TITLE:
ARCHITECTURAL PRECEDENTS
(CORE AREA)

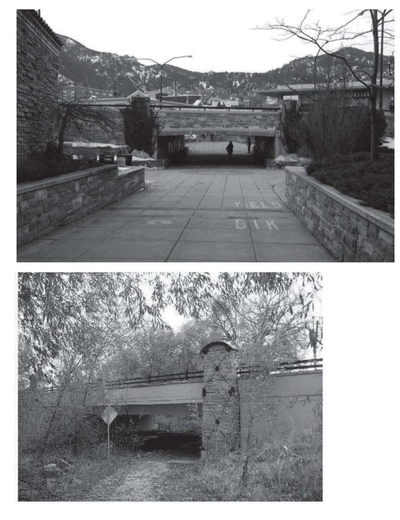
SCALE:
SHEET NUMBER
A1.1 /
FIGURE G.1

Freestanding Office Precedents

Civic Building Precedents



Residential Precedents



Underpass Precedents

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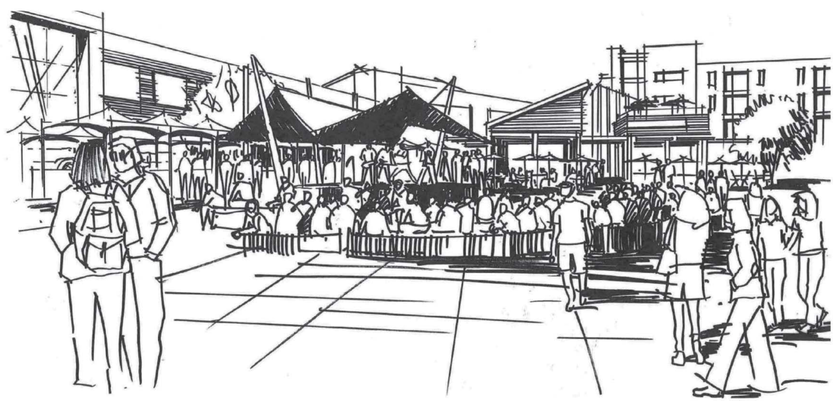
SHEET TITLE:
ARCHITECTURAL PRECEDENTS
(CORE AREA)

SCALE:
SHEET NUMBER
A1.2 / FIGURE G.2

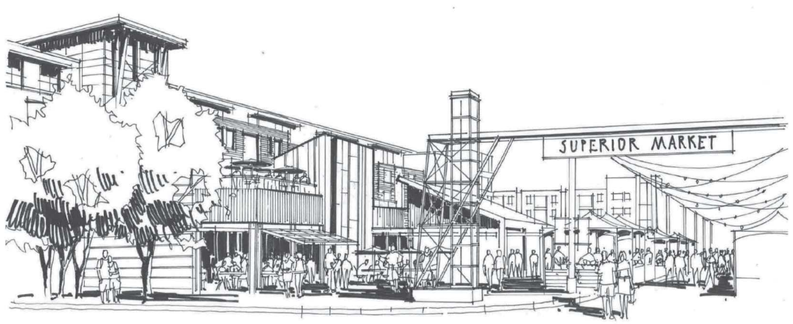
RESIDENTIAL ABOVE GROUND FLOOR "FLEX" RETAIL AT MAIN STREET

LOOKING WEST INTO TOWN SQUARE FROM MAIN STREET

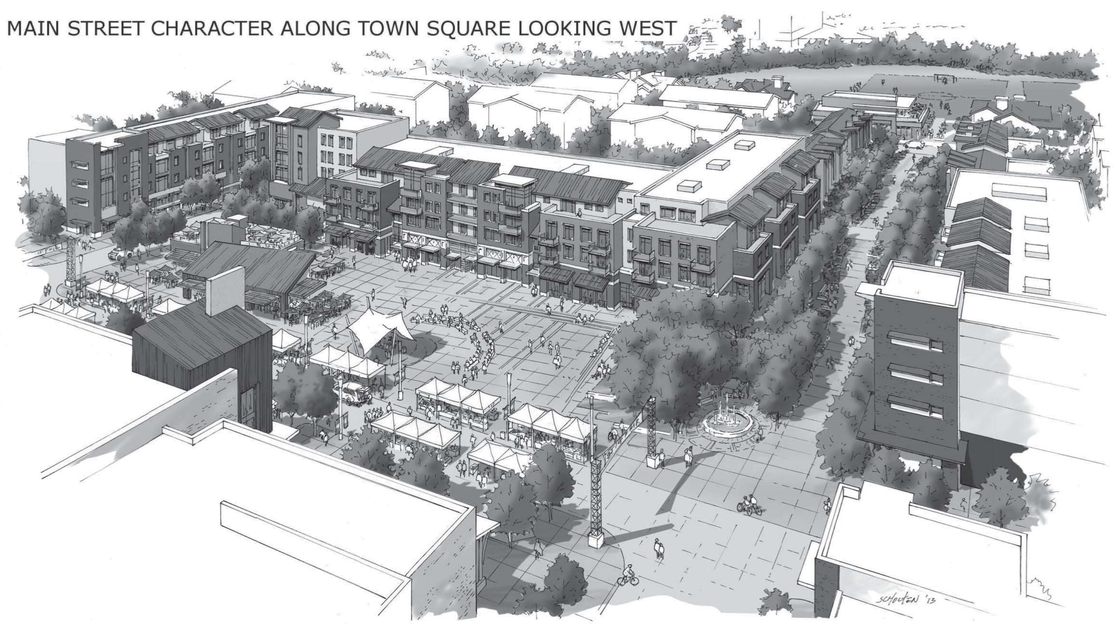


FLEXIBLE EVENT SPACE WITHIN TOWN SQUARE - SUMMER CONCERTS

MAIN STREET CHARACTER ALONG TOWN SQUARE LOOKING WEST



FLEXIBLE EVENT SPACE ALONG MAIN STREET - FARMERS MARKET



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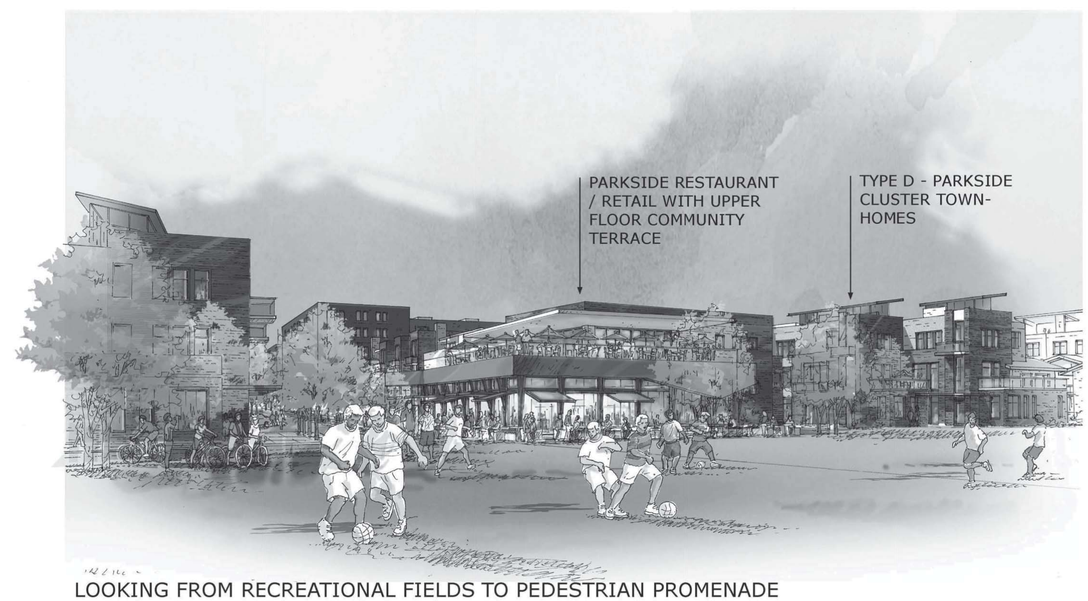
SHEET TITLE:
ARCHITECTURAL PRECEDENTS
(CORE AREA)

SCALE:
SHEET NUMBER
A1.3 /
FIGURE G.4

CIVIC / COMMUNITY BUILDING CHARACTER STUDY
PLANNING AREA 1

HOTEL CHARACTER STUDY - LOOKING EAST ALONG MARSHALL ROAD
PLANNING AREA 1

RESIDENTIAL CHARACTER STUDY - LOOKING EAST ALONG COAL CREEK DRIVE TO STREET 3



LOOKING FROM RECREATIONAL FIELDS TO PEDESTRIAN PROMENADE
PLANNING AREA 1

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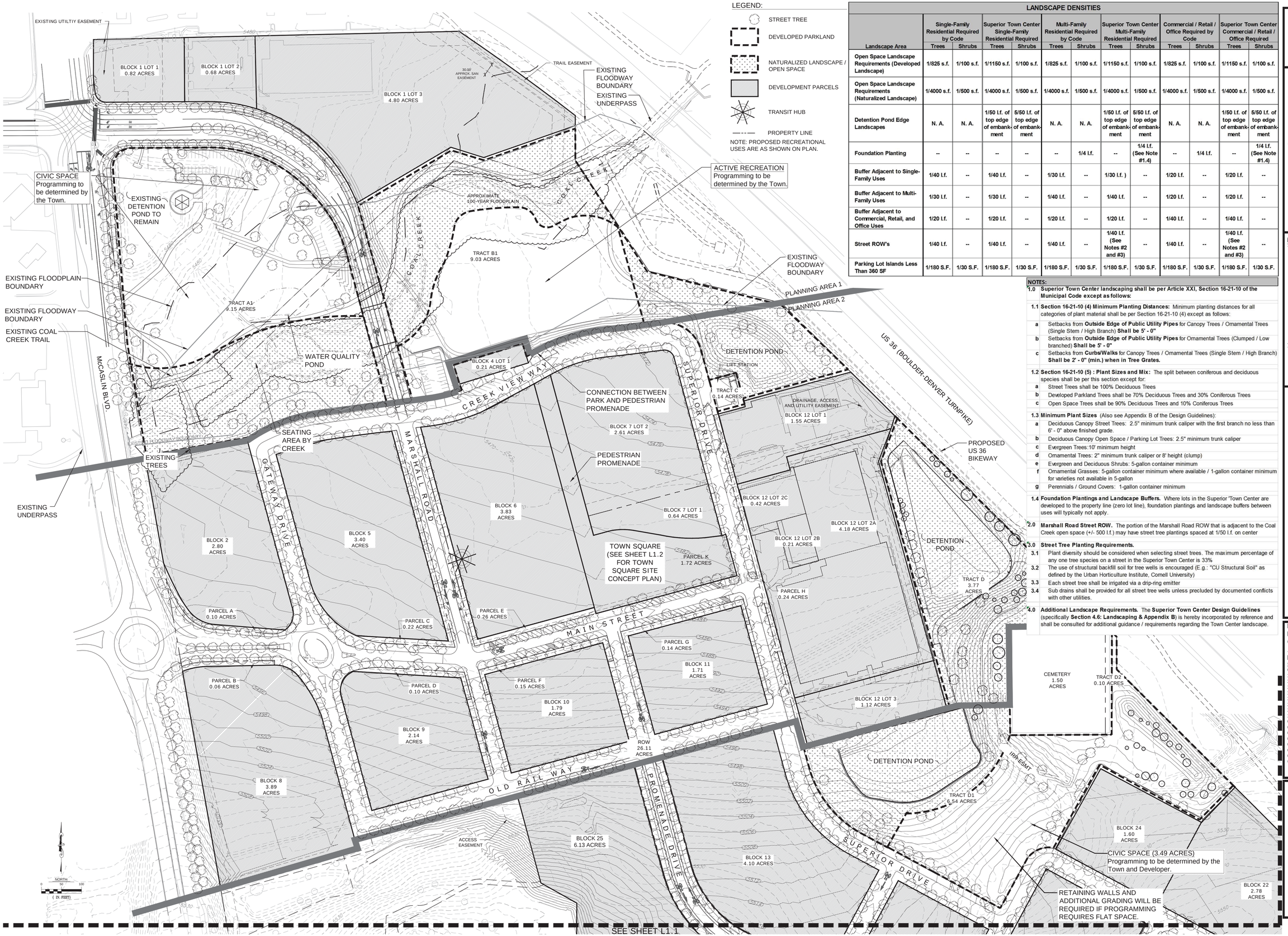
SHEET TITLE:
ARCHITECTURAL PRECEDENTS
(CORE & NORTH AREA)

SCALE:
SHEET NUMBER
A1.4 / FIGURE G.5



LEGEND:

- STREET TREE
- DEVELOPED PARKLAND
- NATURALIZED LANDSCAPE / OPEN SPACE
- DEVELOPMENT PARCELS
- TRANSIT HUB
- PROPERTY LINE

NOTE: PROPOSED RECREATIONAL USES ARE AS SHOWN ON PLAN.

LANDSCAPE DENSITIES

Landscape Area	Single-Family Residential Required by Code		Superior Town Center Single-Family Residential Required		Multi-Family Residential Required by Code		Superior Town Center Multi-Family Residential Required		Commercial / Retail / Office Required by Code		Superior Town Center Commercial / Retail / Office Required	
	Trees	Shrubs	Trees	Shrubs	Trees	Shrubs	Trees	Shrubs	Trees	Shrubs	Trees	Shrubs
Open Space Landscape Requirements (Developed Landscape)	1/825 s.f.	1/100 s.f.	1/1150 s.f.	1/100 s.f.	1/825 s.f.	1/100 s.f.	1/1150 s.f.	1/100 s.f.	1/825 s.f.	1/100 s.f.	1/1150 s.f.	1/100 s.f.
Open Space Landscape Requirements (Naturalized Landscape)	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.
Detention Pond Edge Landscapes	N. A.	N. A.	1/50 l.f. of top edge of embankment	5/50 l.f. of top edge of embankment	N. A.	N. A.	1/50 l.f. of top edge of embankment	5/50 l.f. of top edge of embankment	N. A.	N. A.	1/50 l.f. of top edge of embankment	5/50 l.f. of top edge of embankment
Foundation Planting	--	--	--	--	--	1/4 l.f.	--	1/4 l.f. (See Note #1.4)	--	1/4 l.f.	--	1/4 l.f. (See Note #1.4)
Buffer Adjacent to Single-Family Uses	1/40 l.f.	--	1/40 l.f.	--	1/30 l.f.	--	1/30 l.f.)	--	1/20 l.f.	--	1/20 l.f.	--
Buffer Adjacent to Multi-Family Uses	1/30 l.f.	--	1/30 l.f.	--	1/40 l.f.	--	1/40 l.f.	--	1/20 l.f.	--	1/20 l.f.	--
Buffer Adjacent to Commercial, Retail, and Office Uses	1/20 l.f.	--	1/20 l.f.	--	1/20 l.f.	--	1/20 l.f.	--	1/40 l.f.	--	1/40 l.f.	--
Street ROW's	1/40 l.f.	--	1/40 l.f.	--	1/40 l.f.	--	1/40 l.f. (See Notes #2 and #3)	--	1/40 l.f.	--	1/40 l.f. (See Notes #2 and #3)	--
Parking Lot Islands Less Than 360 SF	1/180 S.F.	1/30 S.F.	1/180 S.F.	1/30 S.F.	1/180 S.F.	1/30 S.F.	1/180 S.F.	1/30 S.F.	1/180 S.F.	1/30 S.F.	1/180 S.F.	1/30 S.F.

NOTES:

1.0 Superior Town Center landscaping shall be per Article XXI, Section 16-21-10 of the Municipal Code except as follows:

1.1 Section 16-21-10 (4) Minimum Planting Distances: Minimum planting distances for all categories of plant material shall be per Section 16-21-10 (4) except as follows:

- a Setbacks from **Outside Edge of Public Utility Pipes** for Canopy Trees / Ornamental Trees (Single Stem / High Branch) **Shall be 5' - 0"**
- b Setbacks from **Outside Edge of Public Utility Pipes** for Ornamental Trees (Clumped / Low branched) **Shall be 5' - 0"**
- c Setbacks from **Curbs/Walks** for Canopy Trees / Ornamental Trees (Single Stem / High Branch) **Shall be 2' - 0" (min.) when in Tree Grates.**

1.2 Section 16-21-10 (5) : Plant Sizes and Mix: The split between coniferous and deciduous species shall be per this section except for:

- a Street Trees shall be 100% Deciduous Trees
- b Developed Parkland Trees shall be 70% Deciduous Trees and 30% Coniferous Trees
- c Open Space Trees shall be 90% Deciduous Trees and 10% Coniferous Trees

1.3 Minimum Plant Sizes (Also see Appendix B of the Design Guidelines):

- a Deciduous Canopy Street Trees: 2.5" minimum trunk caliper with the first branch no less than 6' - 0" above finished grade.
- b Deciduous Canopy Open Space / Parking Lot Trees: 2.5" minimum trunk caliper
- c Evergreen Trees:10' minimum height
- d Ornamental Trees: 2" minimum trunk caliper or 8' height (clump)
- e Evergreen and Deciduous Shrubs: 5-gallon container minimum
- f Ornamental Grasses: 5-gallon container minimum where available / 1-gallon container minimum for varieties not available in 5-gallon
- g Perennials / Ground Covers: 1-gallon container minimum

1.4 Foundation Plantings and Landscape Buffers. Where lots in the Superior 'Town Center are developed to the property line (zero lot line), foundation plantings and landscape buffers between uses will typically not apply.

2.0 Marshall Road Street ROW. The portion of the Marshall Road ROW that is adjacent to the Coal Creek open space (+/- 500 l.f.) may have street tree plantings spaced at 1/50 l.f. on center

3.0 Street Tree Planting Requirements.

- 3.1 Plant diversity should be considered when selecting street trees. The maximum percentage of any one tree species on a street in the Superior Town Center is 33%
- 3.2 The use of structural backfill soil for tree wells is encouraged (E.g.: "CU Structural Soil" as defined by the Urban Horticulture Institute, Cornell University)
- 3.3 Each street tree shall be irrigated via a drip-ring emitter
- 3.4 Sub drains shall be provided for all street tree wells unless precluded by documented conflicts with other utilities.

4.0 Additional Landscape Requirements. The **Superior Town Center Design Guidelines** (specifically **Section 4.6: Landscaping & Appendix B**) is hereby incorporated by reference and shall be consulted for additional guidance / requirements regarding the Town Center landscape.

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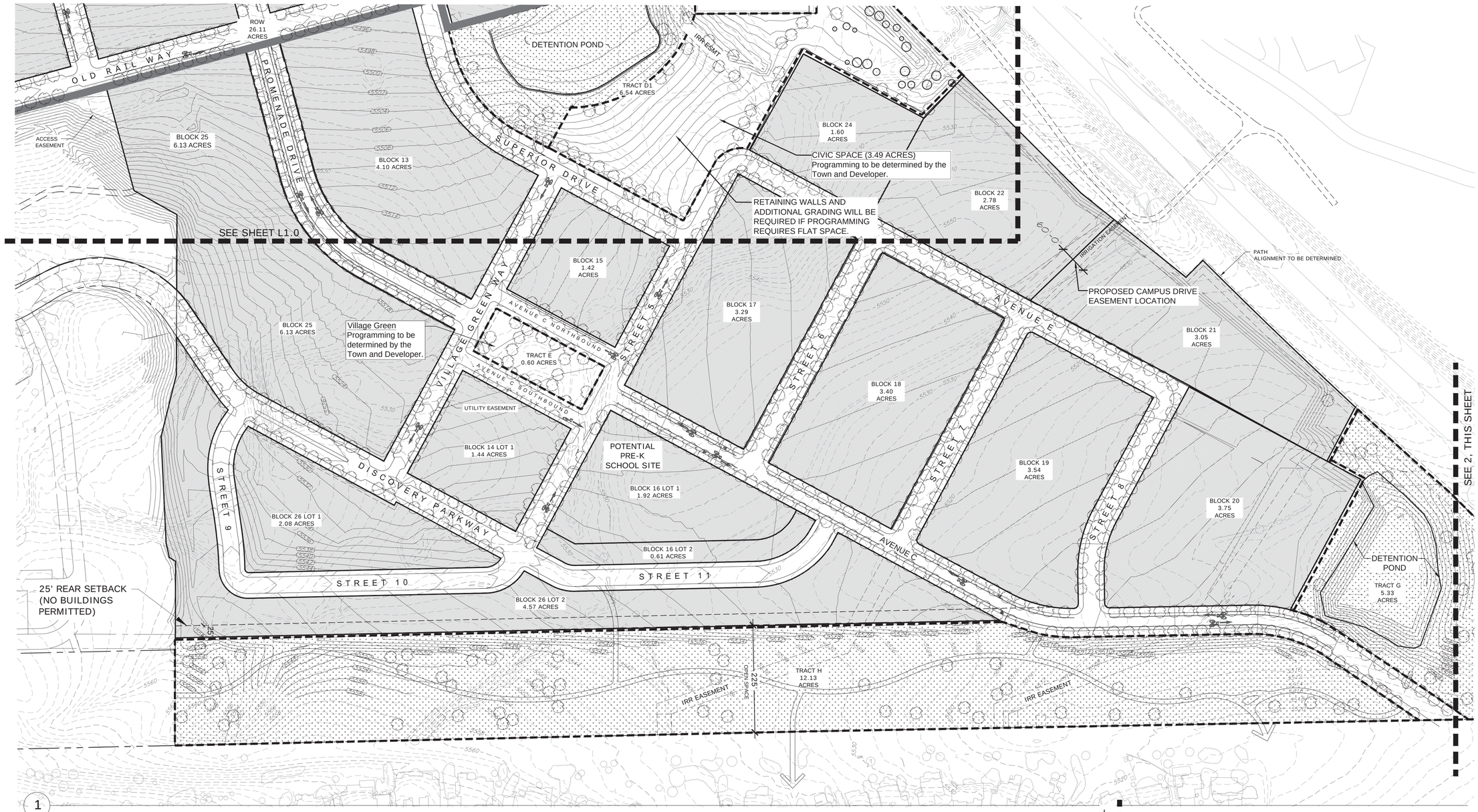
SHEET TITLE:
PRELIMINARY MASTER LANDSCAPING PLAN / OPEN SPACE & PARKS PLAN (NORTH)
SCALE: 1" = 100'-0"
SHEET NUMBER
L1.0 / FIGURE E.1

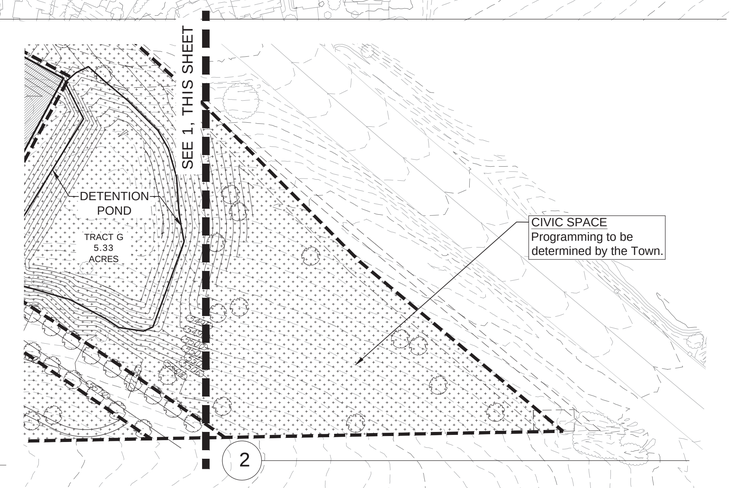


ESTIMATED OPEN SPACE IRRIGATION WATER DEMAND				
Landscape Type	Quantity	Unit	Gallons Per Unit / Year by Landscape Type	Irrigation Water Demand Per Year by Type (Gallons)
Developed Landscapes				
-- Developed Parkland	14.54	Acres	780,590	11,349,779
-- Town Square Plaza/Promenade (Assumes 15% in Irrigated Tree wells, Shrub Beds, and Planters)	1	Total Landscape	7,710	7,710
-- Street Trees in Tree Grates (Based on +/- 48 SF Tree Well)	475	EA	900	427,500
-- ROW Tree Lawns and Medians (Includes 850 Street Trees Located in Tree Lawns)	4.55	Acres	814,600	3,708,786
Naturalized Landscapes / Open Space	27.07	Acres	450,841	12,204,266
TOTAL ESTIMATED OPEN SPACE IRRIGATION WATER DEMAND				27,698,041

LEGEND:

- STREET TREE
- DEVELOPED PARKLAND
- NATURALIZED LANDSCAPE / OPEN SPACE
- DEVELOPMENT PARCELS
- PROPERTY LINE

NOTE: PROPOSED RECREATIONAL USES ARE AS SHOWN ON PLAN.



0 50 100
(IN FEET)
NORTH

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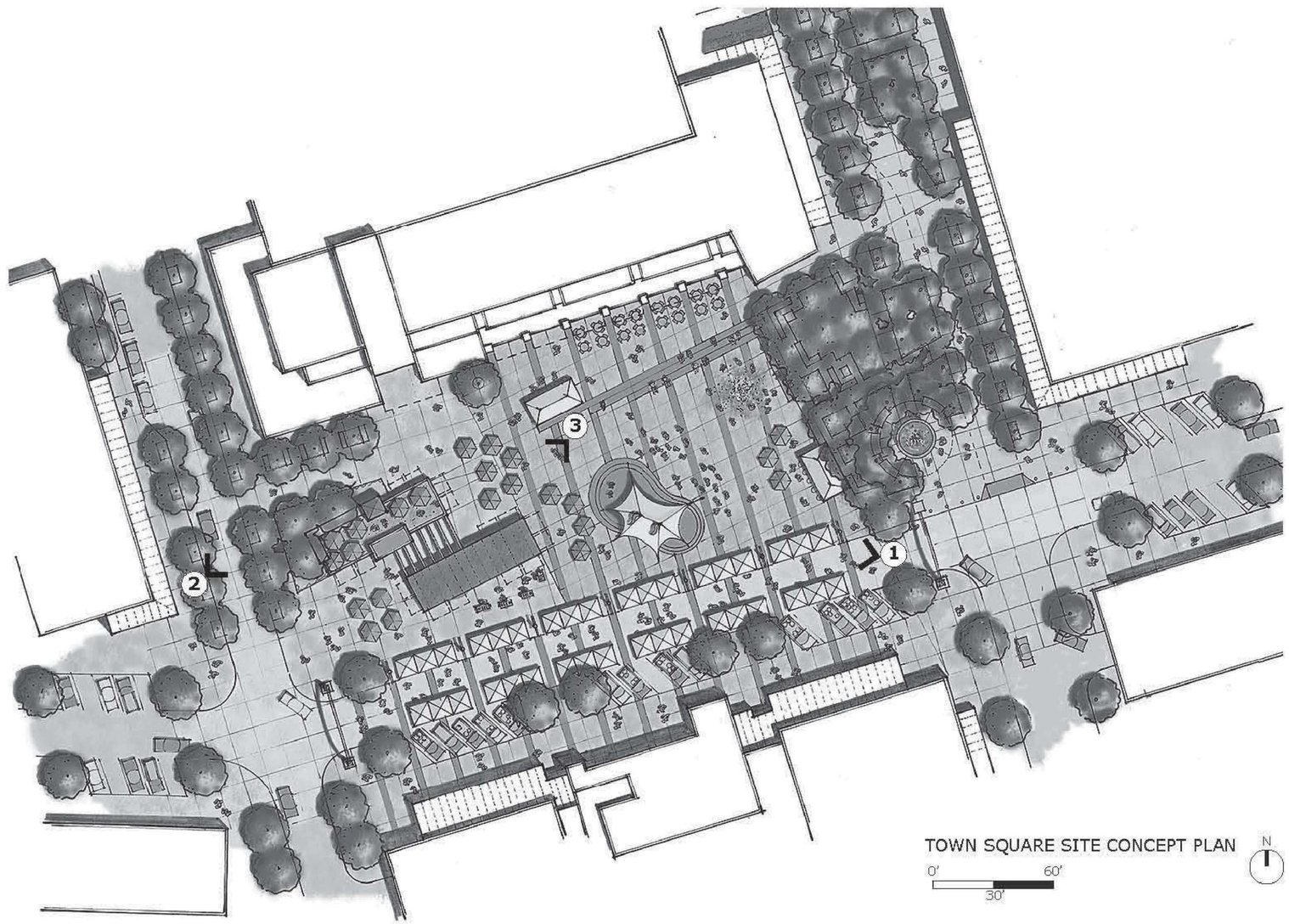
SHEET TITLE:
PRELIMINARY MASTER LANDSCAPING PLAN / OPEN SPACE & PARKS PLAN (SOUTH)
SCALE: 1" = 100'-0"
SHEET NUMBER
L1.1 / FIGURE E.2

1 - VIEW LOOKING WEST INTO TOWN SQUARE

2 - VIEW LOOKING EAST INTO TOWN SQUARE

TOWN SQUARE AERIAL LOOKING NORTHEAST

3 - VIEW LOOKING NORTH TO "PAVILION"



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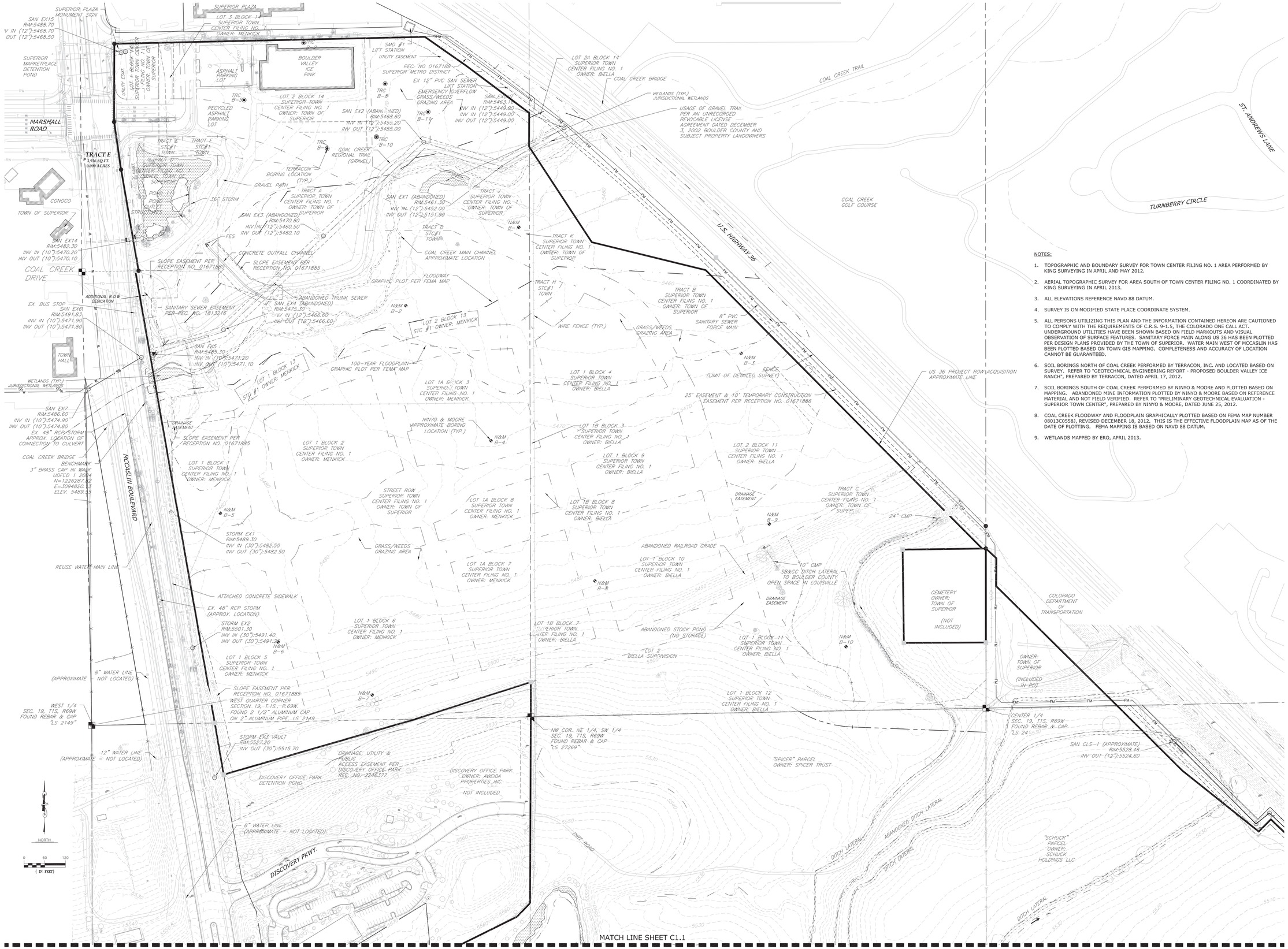
06-13-2016	MYLARS

SHEET TITLE:
ARCHITECTURAL PRECEDENTS
(CORE & NORTH AREA)

SCALE:
SHEET NUMBER
L1.2 / FIGURE D



NOTES:

1. TOPOGRAPHIC AND BOUNDARY SURVEY FOR TOWN CENTER FILING NO. 1 AREA PERFORMED BY KING SURVEYING IN APRIL AND MAY 2012.
2. AERIAL TOPOGRAPHIC SURVEY FOR AREA SOUTH OF TOWN CENTER FILING NO. 1 COORDINATED BY KING SURVEYING IN APRIL 2013.
3. ALL ELEVATIONS REFERENCE NAVD 88 DATUM.
4. SURVEY IS ON MODIFIED STATE PLACE COORDINATE SYSTEM.
5. ALL PERSONS UTILIZING THIS PLAN AND THE INFORMATION CONTAINED HEREON ARE CAUTIONED TO COMPLY WITH THE REQUIREMENTS OF C.R.S. 9-1.5, THE COLORADO ONE CALL ACT. UNDERGROUND UTILITIES HAVE BEEN SHOWN BASED ON FIELD MARKOUTS AND VISUAL OBSERVATION OF SURFACE FEATURES. SANITARY FORCE MAIN ALONG US 36 HAS BEEN PLOTTED PER DESIGN PLANS PROVIDED BY THE TOWN OF SUPERIOR. WATER MAIN WEST OF MCCASLIN HAS BEEN PLOTTED BASED ON TOWN GIS MAPPING. COMPLETENESS AND ACCURACY OF LOCATION CANNOT BE GUARANTEED.
6. SOIL BORINGS NORTH OF COAL CREEK PERFORMED BY TERRACON, INC. AND LOCATED BASED ON SURVEY. REFER TO "GEOTECHNICAL ENGINEERING REPORT - PROPOSED BOULDER VALLEY ICE RANCH", PREPARED BY TERRACON, DATED APRIL 17, 2012.
7. SOIL BORINGS SOUTH OF COAL CREEK PERFORMED BY NINYO & MOORE AND PLOTTED BASED ON MAPPING. ABANDONED MINE INFORMATION PLOTTED BY NINYO & MOORE BASED ON REFERENCE MATERIAL AND NOT FIELD VERIFIED. REFER TO "PRELIMINARY GEOTECHNICAL EVALUATION - SUPERIOR TOWN CENTER", PREPARED BY NINYO & MOORE, DATED JUNE 25, 2012.
8. COAL CREEK FLOODWAY AND FLOODPLAIN GRAPHICALLY PLOTTED BASED ON FEMA MAP NUMBER 08013C0558J, REVISED DECEMBER 18, 2012. THIS IS THE EFFECTIVE FLOODPLAIN MAP AS OF THE DATE OF PLOTTING. FEMA MAPPING IS BASED ON NAVD 88 DATUM.
9. WETLANDS MAPPED BY ERO, APRIL 2013.

RC SUPERIOR
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SUPERIOR TOWN CENTER PD AMENDMENT #3

PROJ. NO.
DRAWN:
CHECKED:
APPROVED:
DATE: JUNE 2016

SUBMITTALS:
01-11-2016 BOARD OF TRUSTEES
10-08-2015 STAFF REVIEW
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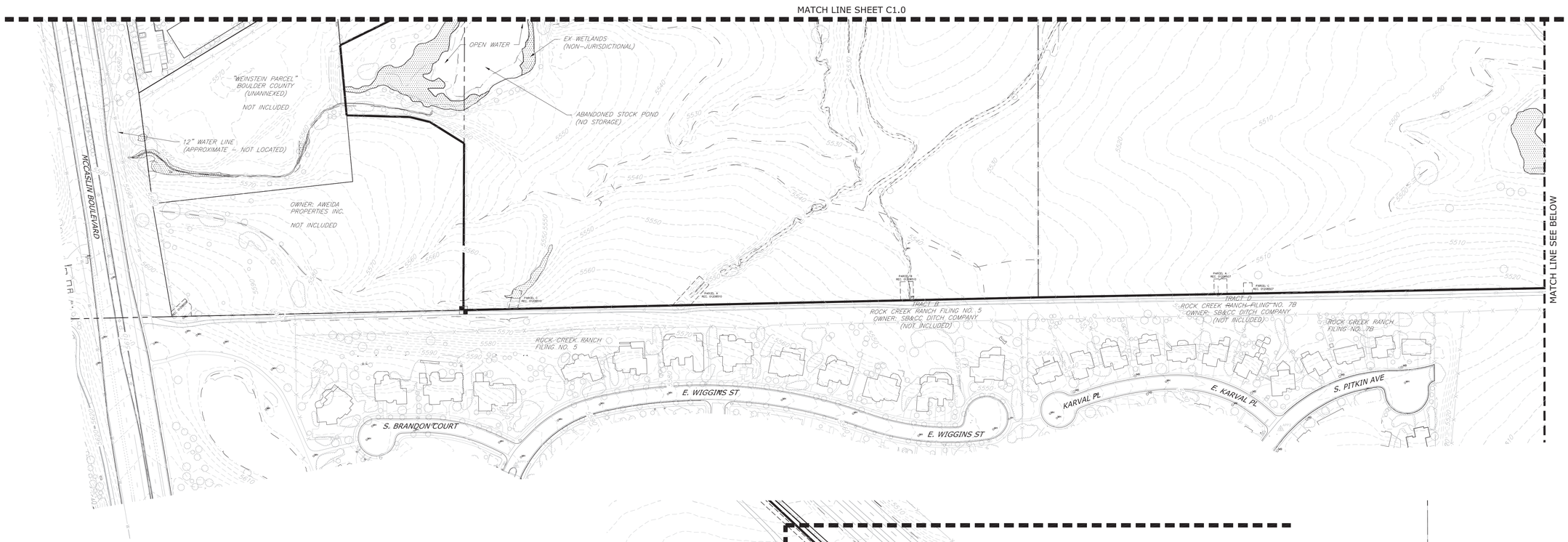
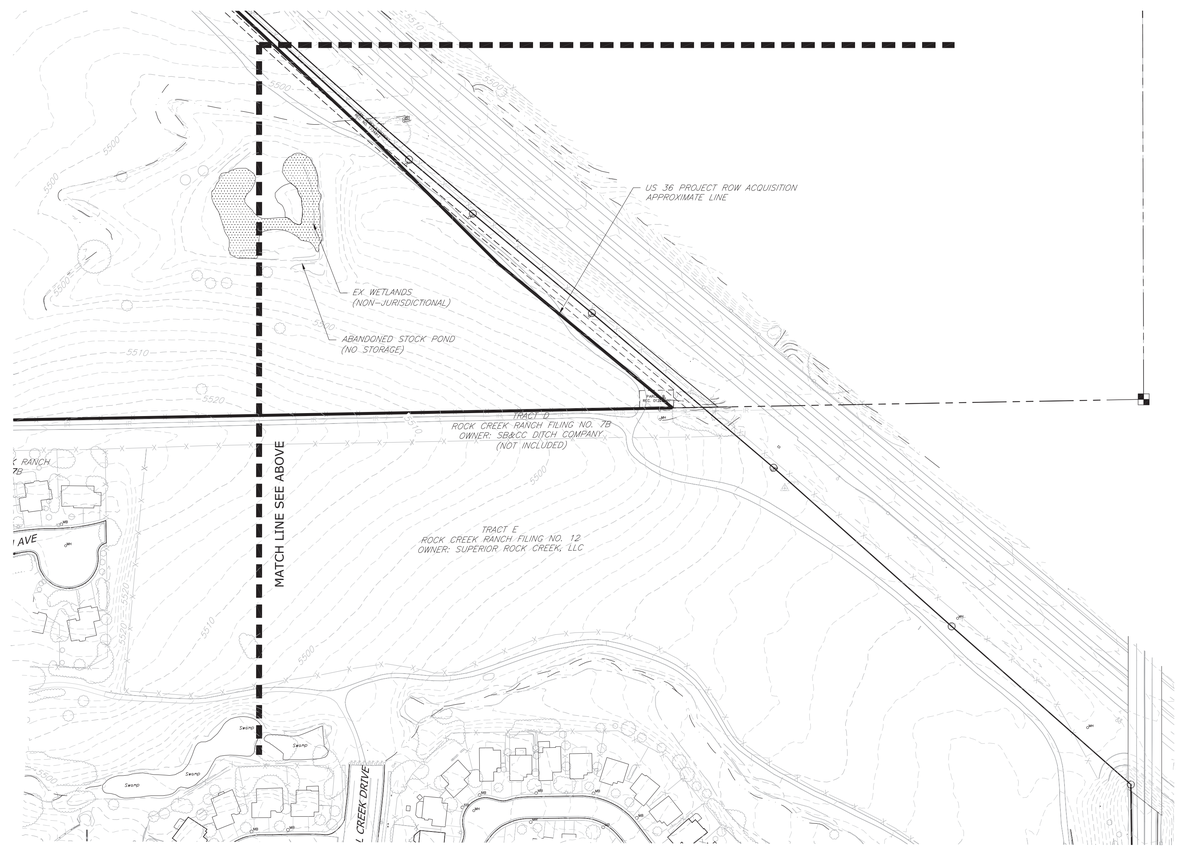
05-11-2016 STAFF REVIEW
06-02-2016 STAFF REVIEW
06-13-2016 MYLARS

SHEET TITLE:
EXISTING CONDITIONS NORTH (2013)

SCALE:
SHEET NUMBER
C1.0





NORTH

0 60 120
(IN FEET)

Know what's **below.**
Call before you dig.

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SHEET TITLE:
EXISTING CONDITIONS SOUTH (2013)

SCALE:
SHEET NUMBER
C1.1

LEGEND

- 130 (IDENTIFIER) = BASIN (FROM REFERENCE HYRDOGRAPHS)
- 130 (IDENTIFIER), 219.64 (BASIN AREA (IN ACRES)) = BASIN (FROM CUHP)
- = BASIN CENTROID
- = DRAINAGE BASIN BOUNDARY
- = PATH ALONG FLOW LENGTH
- = PROJECT LIMITS
- = FLOW ARROW
- 312 OUT = SWMM DESIGN POINT
- OVERFLOW = OVERFLOW
- = FEMA EFFECTIVE FLOODPLAIN
- = FLOODPLAIN PER US 36 CLOMR
- = FLOODWAY
- = STORMWATER POND AREA
- = PERVIOUS PAVER AREA
- = CUHP ROW SUBBASIN DIVISION FOR S2A
- 5522 = EXISTING CONTOUR
- 5522 = PROPOSED CONTOUR

NOTE:
POND VOLUMES AND RUNOFF RATES ARE APPROXIMATE AND SHALL BE DESIGNED AS PART OF INDIVIDUAL FINAL DEVELOPMENT PLANS FOR THE TRIBUTARY AREA

EXISTING CONTOURS REFLECT TOPOGRAPHIC AND BOUNDARY SURVEY FOR TOWN CENTER FILING NO. 1 AREA PERFORMED BY KING SURVEYING IN APRIL AND MAY 2012. AERIAL TOPOGRAPHIC SURVEY FOR AREA SOUTH OF TOWN CENTER FILING NO. 1 COORDINATED BY KING SURVEYING IN APRIL 2013.

PROPOSED CONTOURS REFLECT GRADING PERMIT WITHIN BLOCK 26 AND TRACT H. #GR2016.03

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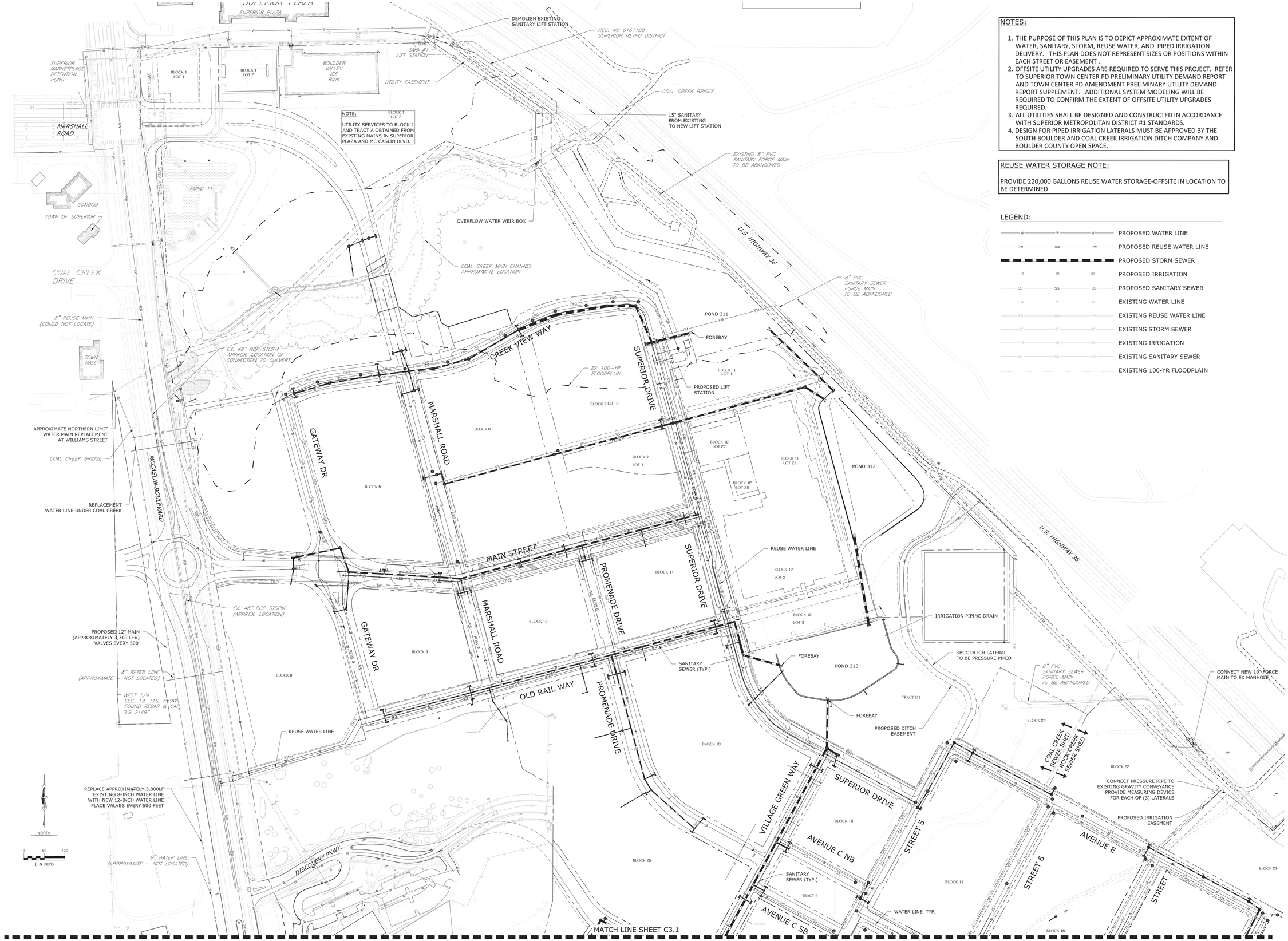
05-11-2016 STAFF REVIEW
06-02-2016 STAFF REVIEW
06-13-2016 MYLARS

SHEET TITLE:
PRELIMINARY DRAINAGE PLAN

SCALE:
SHEET NUMBER
C2.0



NOTES:

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2. OFFSITE UTILITY UPGRADES ARE REQUIRED TO SERVE THIS PROJECT. REFER TO SUPERIOR TOWN CENTER PD PRELIMINARY UTILITY DEMAND REPORT AND TOWN CENTER PD AMENDMENT PRELIMINARY UTILITY DEMAND REPORT SUPPLEMENT. ADDITIONAL SYSTEM MODELING WILL BE REQUIRED TO CONFIRM THE EXTENT OF OFFSITE UTILITY UPGRADES REQUIRED.
3. ALL UTILITIES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH SUPERIOR METROPOLITAN DISTRICT #1 STANDARDS.
4. DESIGN FOR PIPED IRRIGATION LATERALS MUST BE APPROVED BY THE SOUTH BOULDER AND COAL CREEK IRRIGATION DITCH COMPANY AND BOULDER COUNTY OPEN SPACE.

REUSE WATER STORAGE NOTE:

PROVIDE 220,000 GALLONS REUSE WATER STORAGE-OFFSITE IN LOCATION TO BE DETERMINED

LEGEND:

- PROPOSED WATER LINE
- PROPOSED REUSE WATER LINE
- PROPOSED STORM SEWER
- PROPOSED IRRIGATION
- PROPOSED SANITARY SEWER
- EXISTING WATER LINE
- EXISTING REUSE WATER LINE
- EXISTING STORM SEWER
- EXISTING IRRIGATION
- EXISTING SANITARY SEWER
- EXISTING 100-YR FLOODPLAIN

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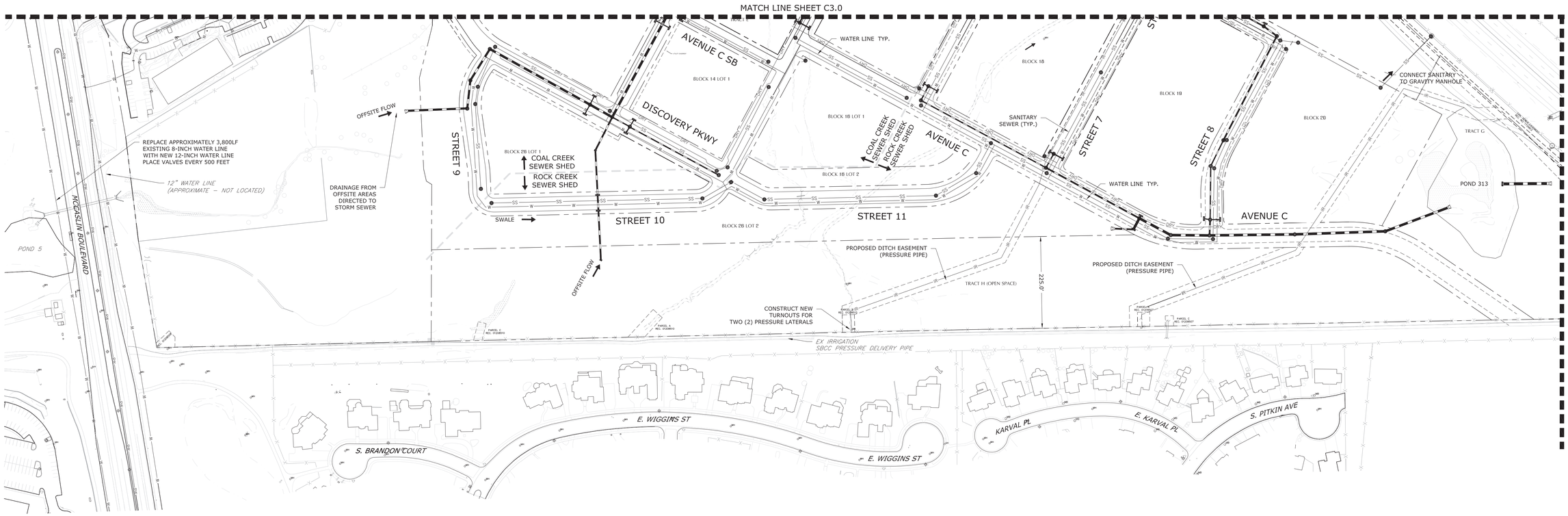
04-08-2016	BOARD OF TRUSTEES
05-11-2016	STAFF REVIEW
06-02-2016	STAFF REVIEW
06-13-2016	MYLARS

SHEET TITLE:

PRELIMINARY UTILITY PLAN NORTH

SCALE:
SHEET NUMBER

C3.0



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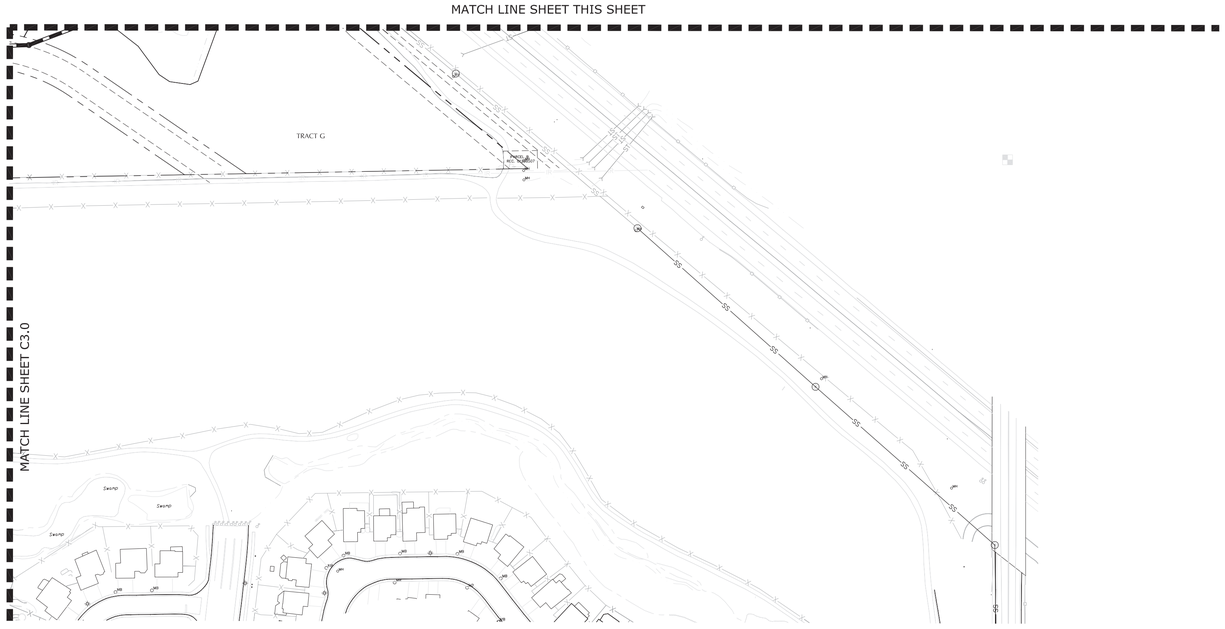
LEGEND:

—W—W—W—	PROPOSED WATER LINE
—RW—RW—RW—	PROPOSED REUSE WATER LINE
	PROPOSED STORM SEWER
—IR—IR—IR—	PROPOSED IRRIGATION
—SS—SS—SS—	PROPOSED SANITARY SEWER
—W—W—W—	EXISTING WATER LINE
—RW—RW—RW—	EXISTING REUSE WATER LINE
—ST—ST—ST—	EXISTING STORM SEWER
—IR—IR—IR—	EXISTING IRRIGATION
—SS—SS—SS—	EXISTING SANITARY SEWER
	EXISTING FLOODWAY
	EXISTING 100-YR FLOODPLAIN

NORTH

0 60 120
(IN FEET)

Know what's below. Call before you dig.



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DATE: JUNE 2016

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10-08-2015 STAFF REVIEW
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06-02-2016 STAFF REVIEW.
06-13-2016 MYLARS

SHEET TITLE:

PRELIMINARY UTILITY PLAN SOUTH

SCALE:
SHEET NUMBER

C3.1

Exhibit B
from
Town of Superior
Ordinance No. 0-6
Series 2013

EXHIBIT B

PROJECT IMPLEMENTATION – RIGHTS AND OBLIGATIONS
PD AMENDMENT sheet PI.0

1. No Oversized Facilities. Developer shall not be required to construct any oversized facilities for any property west of McCaslin Boulevard. Oversized facilities means any Public Improvement required by the Town to be larger than that required to serve the Town Center.

2. Town Approval. Any time Developer or any Successor Developer is required to submit to the Town any Public Improvements to the Town for conditional or final acceptance of such Public Improvements, the Town will administratively approve or disapprove such Public Improvements, as a ministerial act, without approval of the Planning Commission or the Town Board being required.

3. Coal Creek Drive Access. The Town established the importance of connecting the Project to the existing neighborhoods to the south and identified the general location of the connection on the southeast corner of the Property (the "Coal Creek Drive Access") for access from the Town Center to Coal Creek Drive. The Town will not impose the requirement that Developer provide access to Coal Creek Drive unless the Town acquires the Coal Creek Drive Access for such access. Developer will advance to the Town the costs incurred by the Town in acquiring the Coal Creek Drive Access. In addition to the costs of land acquisition, Developer will be responsible for the cost of the design and construction of the improvements for such access, and all such costs shall be reimbursable pursuant to a reimbursement agreement with the Town that will be funded from future development of such off-site (intervening) property.

4. Marshall Road Structure. Developer will use commercially reasonable efforts to obtain all approvals and permits for a structure to carry Marshall Road over Coal Creek in the approximate location depicted herein. The Town shall cooperate with Developer in supporting such efforts to obtain the approvals and permits as Developer may from time to time reasonably request provided that Developer shall pay all costs and expenses incurred in such approval and permitting process and the construction of the structure, which construction shall not be required until all approvals and permits are obtained and then only in connection with the approval of a future FDP. If Developer is unable to obtain all approvals and permits, Developer will cooperate with the Town in implementing alternative traffic mitigation measures if necessary to achieve acceptable levels of service on adjacent roads, but the Town will not fail to approve any FDP solely because the Developer is unable to obtain all such approvals and permits.

5. Lift Station. The Town will use commercially reasonable efforts to obtain all approvals and permits for a sanitary sewer lift station (the "Lift Station") in the approximate location of the Tract C Lift Station depicted herein. The Lift Station will be used in providing sewer service to the Project and other portions of the Town. Developer shall cooperate with the Town in supporting such efforts to obtain the approvals and permits as the Town may from time to time reasonably request provided that the Town shall pay all costs and expenses incurred in such approval and permitting process.

6. Special Districts. The Town acknowledges that Developer may form one or more Districts for the purpose of providing facilities or services to the Property, either independently or as Developer's designee or assignee under this Plan. The Districts may facilitate financing, construction, and maintenance of the public infrastructure improvements and other public facilities of the Project for which Developer are or may become obligated under the terms in this Plan, including construction of streets, parks, water lines, sanitary sewer lines, storm drainage facilities, and other utilities and Public Improvements serving the Property. The Town will not unreasonably withhold its approval of the service plan for any new such Districts or for any subsequent proceedings to consolidate the Districts. Further, the Town agrees that such Districts may exercise any and all powers and functions permitted by law in accordance with their service plans, including the provision of facilities and services to the Property.]

7. Vested Rights Created. The PD Plan constitutes a site specific development plan as defined in C.R.S. § 24-68-101, *et seq.*, and Chapter 16 of the Town Code, and shall create vested property rights for five (5) years from the effective date of approval of the PD Plan, which vested property rights may be extended pursuant to Section 8. The vested property rights include the rights identified below:

(a) The right to Develop, plan and engage in land uses within the Property in the order as set forth in the Town Center Plat and the PD Plan and the B-O Zone District for the B-O Property, if applicable, and upon approval by the Town, any Final Development Plan or rezoning, including the uses, density and intensity of use.

(b) The right to have the PD Plan and existing zoning and approved rezoning to remain valid for the term of the vested property rights established by this PD Plan.

(c) The right to apply for and, upon compliance with the terms and conditions of the PD Plan and any Final Development Plan and any terms of the Town Code or other applicable regulations adopted by the Town or Superior Metropolitan District No. 1, as amended, to receive grading permits, building permits, water taps, sewer taps, certificates of occupancy, and other permits necessary for Development, construction and occupancy of improvements within the Project.

8. Extension of Vested Property Rights. In recognition of the benefits the Town will derive from development of the Project, the size of the development contemplated under this Agreement, the substantial investment and time required to complete the development of the Project and related infrastructure and public facilities, the anticipated phased development of the Project over an extended period under current market conditions, and the possible impact of economic cycles and varying market conditions during the course of Development that might further extend the build-out period, the vested property rights contemplated by this Section 8 shall be extended for an additional fifteen (15) years if Developer completes the Public Improvements for Phase One within five (5) years from the effective date of approval of the PD Plan. Such Public Improvements shall be deemed complete when all of the Public Improvements required by the Final Development Plan for Phase One have been conditionally accepted by the Town in accordance with the terms of this PD Plan. If the Town determines that the Public Improvements for the Phase One are not complete within such 5-year period, the Town shall provide at least one hundred twenty (120) days prior written notice to Developer,

during which time Developer may complete such Public Improvements; provided that, if such Public Improvements are completed within such one hundred twenty (120) days, the extension shall be granted.

9. Final Development Plan for Phase One. The Town agrees to present the Final Development Plan ("FDP") for Phase One to the Board of Trustees within ninety (90) days of receipt of a complete FDP application, as determined by the Town under the Town Code. Should the Board of Trustees fail to act on the FDP for Phase One within ninety (90) days of the opening of the public hearing on the FDP for Phase One, upon the 91st day, the five-year period established in Section 8 hereof shall begin to be tolled, and shall continue to be tolled until the approval of the FDP for Phase One, if the FDP for Phase One is approved by the Board of Trustees.

10. Site Specific Development Plans. Each subdivision plat, Final Development Plan and application for rezoning of the Property that Developer or any Successor Developer submits to the Town subsequent to the effective date of approval of the PD Plan will be eligible for vested property rights for the remaining amount of the vested rights term established in this Plan.

11. No Obligation to Develop. Notwithstanding anything to the contrary in this PD Plan, Developer will have no obligation to Develop all or any portion of the Project and will have no liability under this Plan to the Town or to any other party for its failure to develop all or any part of the Town Center unless provided for in a Final Development Plan or any other agreement executed by the Town and Developer and then only to the extent and with respect to the applicable property that is subject to the Final Development Plan or other any other agreement.

12. Site Specific Development Plan. Pursuant to Section 16-12-80(b), on the effective date of approval of the PD Plan, this PD Plan has been approved by the Town Board and is a site specific development plan vesting property rights in Developer. By approving this PD Plan, the Town acknowledges that all of the terms and conditions for the creation of the vested property rights described in Section 7 hereof (including the requirements for all of the documents referred to in Section 16-12-50(a) of the Town Code) have been satisfied, subject to any requirements in the Town Code for publication.

13. School Impact Fees. Developer shall dedicate a parcel of land in Planning Area 3 consisting of 2.0 net acres in the general location of Block 14 (the "School Site") at such time as the Boulder Valley School District ("BVSD") provides evidence to the Town that BVSD has the funding and capability for the construction of an Early Childhood Education Center on the School Site. The dedication shall be to the Town or BVSD, as directed by the Town. If Developer makes such decision, it shall be in lieu of and in complete satisfaction of any obligation of Developer to pay any school impact fees or any other fees for schools that may otherwise be required under the Town Code. If the foregoing conditions are not satisfied by BVSD and the Town does not make the request for dedication within four (4) years of the effective date of approval of the PD Plan, then Developer shall, in lieu of such dedication of the School Site, pay to the Town a fee of Two Million Dollars ($2,000,000) in full satisfaction of any land dedication, school impact fees or any other fees or dedications for schools that may otherwise be required under the Town Code. In such event, Developer shall retain the School Site for development in accordance with the PD Plan and make the payment to the Town of the

Two Million Dollars ($2,000,000) at the time the Final Development Plan that contains the School Site is approved by the Town.

14. Intergovernmental Agreement. Section 3(b) of the First Amendment to Intergovernmental Agreement (the "First Amendment") between the Town and the City of Louisville requires a certain minimum number of square feet of retail, sales tax-generating development occur on portions of the Property before certificates of occupancy are granted for a certain number of residential dwelling units within portion of the Property. To the extent such provisions are enforceable, Developer shall be bound by such provisions of the First Amendment. The sole remedy available to the Town for noncompliance with such provisions will be withholding the issuance of certificates of occupancy for residential dwelling units until the minimum standards are satisfied in accordance with Section 3(b) of the First Amendment.

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NOTES:
1. This PDA #3 does not supersede or replace any sheets or Design Guidelines in PDA #1 and PDA #2 for Block 12. Block 12 shall be subject to the Design Guidelines adopted in PDA #1, as amended by PDA #2, and Block 12 shall be zoned as set forth in PDA #1, as amended by PDA #2.
2. In the event of a conflict between the Design Guidelines Supplement and this plan sheet, this plan sheet shall control.

SUPERIOR TOWN CENTER
PD AMENDMENT #3

PROJ. NO.
DRAWN:
CHECKED:
APPROVED:
DATE: JUNE 2016
SUBMITTALS:
01-11-2016 BOARD OF TRUSTEES
10-08-2015 STAFF REVIEW
10-27-2015 STAFF REVIEW
11-09-2015 PLANNING COMMISSION
11-17-2015 CS1.0 FOR STAFF REVIEW
12-03-2015 TECHNICAL CORRECTIONS
12-07-2015 STAFF REVIEW
12-11-2015 SP2.2 FOR STAFF REVIEW
12-22-2015 STAFF REVIEW
01-15-2016 STAFF REVIEW
01-25-2016 PLANNING COMMISSION
03-09-2016 RESIDENTIAL TYPOLOGIES
03-22-2016 STAFF REVIEW
04-08-2016 BOARD OF TRUSTEES
05-11-2016 STAFF REVIEW
06-02-2016 STAFF REVIEW
06-13-2016 MYLARS

SHEET TITLE:
PROJECT IMPLEMENTATION RIGHTS & OBLIGATIONS

SCALE:
SHEET NUMBER
PI 1.0