

Douglas County, CO 00085383
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CAROLE R. MURRAY Clerk & Recorder

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**PARKS AUTHORITY AGREEMENT
BETWEEN
CASTLE PINES NORTH ASSOCIATION, INC.
AND GREEN VALLEY SUBDIVISION HOMEOWNERS ASSOCIATION
a/k/a HIDDEN POINTE HOMEOWNERS ASSOCIATION**

DC00085383

THIS AGREEMENT is made and entered into as of the 14th day of December, 1999, by and between Castle Pines North Master Association ("Master Association"), Green Valley Subdivision Homeowners Association, a/k/a Hidden Pointe Homeowners Association, ("Hidden Pointe") and 216 Valley Group, L.P.

RECITALS

A. The Master Association") represents all homes in the Castle Pines North Metropolitan District boundaries and is a party to the Castle Pines Parks Authority ("Authority") which is being formed.

B. Hidden Pointe represents all homes in the Hidden Pointe development and the developer, 216 Valley Group, L.P.

C. The Master Association has committed substantial funding to the Authority when it is formed for the development of parks, trails and other recreation amenities in Castle Pines North. Among the planned parks is a proposed active park at the northeast corner of the intersection of Monarch Blvd. and Hidden Pointe Blvd. The Master Association has developed a conceptual park plan to create a larger and more useful active/passive park at this site that could encompass part of the land in the Hidden Pointe development open space (the "North park").

D. Hidden Pointe has a planned park to be built by the developer that provides a small play field, 16 parking spaces, and a small playground. The Hidden Pointe homeowners will be required to pay for all maintenance, water and associated costs for this park once the park is built.

E. The Master Association and Hidden Pointe agree that the larger park plan combining the two smaller park areas would be a more efficient use of funds and solve parking, access and maintenance problems that two smaller parks would create.

NOW THEREFORE, in order to bring Hidden Pointe into the plans of the Authority on a parity with homeowners in Castle Pines North, Hidden Pointe and the Master Association agree as follows:

1. The Hidden Pointe homeowners will become associate members of the Master Association and will pay the same annual dues as homeowners in the Master Association, including increases as permitted by the Master Association covenants, rules and regulations.
2. The Master Association and Hidden Pointe will have the same rights of access and use of the Authority parks. Except as limited by other agreements, Hidden Pointe will have all the benefits and participate in all of the community activities of the Master Association without any additional charge.
3. The Hidden Pointe developer will contribute \$215,290 in cash to the Authority for the parks development as the estimated cost of the facility it is required to build in Hidden Pointe, provided,

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however, that this contribution is approved by Douglas County as fulfilling the Hidden Pointe SIA requirement for a park. 100% of this contribution will be used in the building of the North park facility.

4. The North park facility will be built in substantial compliance with the Norris/Dullea conceptual plan dated 10/28/98. Hidden Pointe will be consulted on any major change made to this conceptual plan prior to any construction.

5. The play fields in the North park will not be lighted and will not be used for regularly scheduled league games, unless lighting and/or regularly scheduled games are expressly authorized and approved through the appropriate Douglas County Land Use Regulations, which shall include public notice by posting, publishing and mailing to property owners within 500 feet of the play fields, and include a public hearing whether required by regulations or not; and further provided that lighting and/or regularly scheduled games must be approved by the Hidden Pointe Homeowners Association and by the North Lynx Homeowners Association.

6. The parking lot for the replacement for Hidden Pointe Park will have no more than 30 parking spaces and will be buffered from view on Hidden Pointe Blvd. with landscaping.

7. In the event that a community recreation center is developed by the Authority, Hidden Pointe shall have access to it. However, if the Castle Pines North Metropolitan District is contributing funds to the Authority, then Hidden Pointe will be required to pay 125% of the admission or use fees imposed for the use of the facility by residents of Castle Pines North Metropolitan District.

CASTLE PINES NORTH ASSOCIATION, INC.



Ronald Valiga, President

GREEN VALLEY SUBDIVISION HOMEOWNERS ASSOCIATION
a/k/a HIDDEN POINTE HOMEOWNERS ASSOCIATION



Stephen F. Elken, President

216 VALLEY GROUP, L.P.
By:



Stephen F. Elken, General Partner