GENERAL PROVISIONS

- A. Authority. This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
- B. Applicability. The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Planning and Community Development Department Director or Board of County
- C. Adoption. The adoption of this Development Plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this Development Plan for The Retreat@TimberRidge is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan; is authorized under the provision of the El Paso County Land Development Code; and that the El Paso County Land Development Code and this Development Plan complies with the Colorado Planned Unit Development Act of 1972, as amended.
- D. Relationship to County Regulations. The provisions of this Development Plan shall prevail and govern the development of The Retreat@TimberRidge, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval or any other applicable resolutions or regulations of El Paso County, shall be applicable.
- E. Enforcement. To further the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this Development Plan, the provisions of this plan relating to the use of land and the location of common open space shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
- F. Conflict. Where there is more than one provision within the Development Plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.
- G. Maximum Level of Development. The total number of dwellings or the total commercial, business, or industrial intensity shown on the Development Plan for development within the specified planning areas is the maximum development requested for platting or construction (plus any approved density transfers). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
- H. Project Tracking. At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development Department, in order to assure maximum development limits are not exceeded.
- Overall Project Standards. The standard zoning requirements of El Paso County Land Use Code, as amended, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified in Development Guidelines.

LEGAL DESCRIPTION

RETREAT AT TIMBER RIDGE PARCEL 1

A PORTION OF SECTION 21 AND 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH. RANGE 65 WEST OF THE 6TH P.M., BEING MONUMENTED AT THE EAST END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED E 1/16 S21/28, T12S, R65W, PLS 9853 AND MONUMENTED AT THE WEST END BY A FOUND 2-1/2" ALUMINUM CAP STAMPED 1/4 S21/28, T12S, R65W, PLS 16154; ASSUMED TO BEAR S89°40'14"W WITH A DISTANCE OF 1313.49 FEET

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., SAID POINT BEING THE POINT OF BEGINNING:

THENCE N00°25'32"W ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., A DISTANCE OF 650.11 FEET;

THENCE N89°40'31"E, A DISTANCE OF 2077.12 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF VOLLMER ROAD AS DESCRIBED IN BOOK 2678 AT PAGE 430 OF THE RECORDS OF EL PASO COUNTY, COLORADO:

THENCE S21°41'10"W ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 2013.88 FEET TO INTERSECT WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28:

THENCE N00°41'17"W ON SAID EAST LINE, A DISTANCE OF 1217.12 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID

THENCE S89°40'14"W ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 1313.49 FEET TO THE POINT OF

CONTAINING A CALCULATED AREA OF 1,568,534 SQ. FEET, OR 36.009 ACRES.

A PORTION OF SECTION 21, 22, 27 AND 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY

BASIS OF BEARINGS: A LINE BETWEEN THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 27 ND THE SOUTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (NW1/4 SW1/4) OF SAID SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST, MONUMENTED AT THE NORTHERLY END BY A 3-1/4" ALUMINUM CAP STAMED "2006 ESI PLS 10376" AND MONUMENTED AT THE SOUTHERLY END BY A 3-1/4" ALUMINUM CAP STAMPED "2006 ESI PLS 10376" AND IS ASSUMED TO BEAR S00°54'30"E, A DISTANCE OF 3925,64 FEET:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH

THENCE S00°54'30"E THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SAID SECTION 27, A DISTANCE OF 3925.64 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27:

THENCE S87°35'00"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1332.78 FEET TO THE SOUTHWEST CORNER OF SAID

NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE N00°53'18"W ON THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1316.78 FEET TO THE NORTHWEST CORNER OF SAID

THENCE S89°08'28"W ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, A DISTANCE OF 1326.68 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE N21°41'10"E ON SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1450.84 FEET TO THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE AS

THENCE N00°30'49"W ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1270.77 FEET TO A POINT ON THE EASTERLY

RIGHT-OF-WAY LINE AS RECORDED IN BOOK 2678 AT PAGE 430 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

DESCRIBED IN A DEED RECORDED IN BOOK 2678 AT PAGE 431 OF SAID COUNTY RECORDS; THENCE ON THE SOUTHERLY, EASTERLY AND NORTHERLY RIGHT-OF-WAY LINES OF SAID DEED THE FOLLOWING FOUR COURSES:

1. N89°40'23"E, A DISTANCE OF 761.52 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28;

2. N00°52'58"W ON SAID EAST LINE, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 27;

3. N00°37'14"W ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 30.00 FEET;

4. S89°40'23"W, A DISTANCE OF 736.82 FEET TO THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE AS DESCRIBED IN A DEED RECORDED IN BOOK 2678 AT PAGE 431 OF SAID COUNTY RECORDS;

THENCE N21°41'10"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 113.86 FEET;

THENCE S68°26'02"E, A DISTANCE OF 147.97 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 560.00 FEET, A CENTRAL ANGLE OF 21°53'35 FOR A LENGTH OF 213.98 FEET;

THENCE N89°40'23"E, A DISTANCE OF 347.99 FEET; THENCE N88°38'56"E, A DISTANCE OF 262.99 FEET;

NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE S27°23'34"E, A DISTANCE OF 44.50 TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE N88°38'56"E ON SAID NORTH LINE, A DISTANCE OF 149.36 FEET;

THENCE N47°35'42"E, A DISTANCE OF 105.23 FEET,

THENCE N36°59'01"E, A DISTANCE OF 517.38 FEET:

THENCE N56°32'31"E, A DISTANCE OF 489.24 FEET;

THENCE N38°17'19"E, A DISTANCE OF 182.67 FEET; THENCE N89°41'56"E, A DISTANCE OF 1283.66 FEET TO A POINT THAT IS 30.00 FEET WESTERLY OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE S00°18'04"E ON A LINE THAT IS 30.00 FEET WESTERLY OF AND PARALLEL TO SAID EAST LINE, A DISTANCE OF 852.14 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22;

THENCE S88°38'37"W ON SAID SOUTH LINE A DISTANCE OF 1300.53 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 9,884,109 SQ. FEET, OR 226.908 ACRES.

LEGAL DESCRIPTION STATEMENT

I, JONATHAN W. TESSIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF IS CORRECT.

JONATHAN W. TESSIN, PROFESSIONAL LAND SURVEYOR

COLORADO PLS NO. 33196 FOR AND ON BEHALF OF EDWARD-JAMES SURVEYING, INC.

DEVELOPMENT GUIDELINES

A. Project Description

The Retreat@TimberRidge is a planned residential community located generally east of Vollmer Road between Poco Road and Arroya Lane in El Paso County, Colorado. The property consists of 262.92 acres of land. The Retreat@TimberRidge is planned as an upscale residential community focused on the Sand Creek Open Space Greenway that bisects the property from north to south.

B. Permitted Uses within The Retreat@TimberRidge PUD include Single Family Homes; open space, parks and trails.

For lots 2.5 acres or greater in size the following additional uses are permitted: Agricultural Stand Dwelling, Detached Single-Family

 Educational Institution, Public * Family Care Home Farm (Minimum Lot Size 10 Acres) Firewood Sales (Minimum Lot Size 10 Acres) *

Manufactured Home * Nursery, Wholesale Public Park and Open Space

Public Building, Way or Space Ranch (Minimum Lot Size 10 Acres) Religious Institution * Stables, Commercial (Minimum Lot Size 20 Acres) * Stables, Private

 Tree Farm * Permitted West of Vollmer Road only

For lots 2.5 acres or greater in size the following uses are permitted as use as Special Use: Bed and Breakfast Inn * Child Care Center Community Building Dwelling, Two-Family *

 Library * Educational Institution, Private * Recreation Camp (Minimum Lot Size 10 Acres) Wind/Meteorological Measuring Facilities Greenhouse, excluding medical and Greenhouse >1 Acre, excluding medical and recreational marijuana growing recreational marijuana growing

* Permitted West of Vollmer Road only

For lots 2.5 acres or greater in size, the following uses are permitted as use as Temporary Use: Yard Sales

C. Accessory Uses:

For lots less than 2.5 acres in size, accessory uses shall be limited to: Residential home occupations where no clients visit the home

• Animal keeping of up to four pets, excluding chickens and pigeons

For lots 2.5 acres or greater in size, accessory uses shall be limited to:

Agricultural Accessory Structures and Uses (Associated with an allowed use) Animal Keeping

Bed and Breakfast Home * Bee Keeping

Cemetery, Personal (Minimum Lot Size 10 Acres)

Construction Equipment Storage and Field Offices, Accessory (Minimum Lot Size 20 Acres) *

Farm/Ranch Residence (Minimum Lot Size 35 Acres) Guest House

Hobby Farm

Home Occupation, Residential Home Occupation, Rural

* Permitted West of Vollmer Road only

Mother-in-Law Apartment Personal Use Greenhouse

Residential Accessory Structures and Uses (Associated with an allowed use)

Solar Energy System Stables, Private

Storage and Repair of Vehicles and Machines *

Tower, Private (Minimum Lot Size 10 Acres)

Wildlife Rehabilitation (Minimum Lot Size 20 Acres) * Wind Powered Generator

D. Permitted Accessory Structures for lots less than 2.5 acres in size shall be limited to: Storage Shed Gazebo

 Deck (attached, detached, covered or uncovered) Hot Tub Private Greenhouse Fence, wall and hedges

 Antennas, radio facilities and satellite dishes Solar energy systems E. Signs shall be permitted to identify entryways to and within The Retreat@TimberRidge community. There are

two classes of signs: Major and Minor. The maximum size of a Major Community Entryway Sign shall be 100 square feet. The maximum size of a Minor Community Entryway Sign shall be 80 square feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.

F. Development Requirements

1. Maximum lot coverage: a. For lots less than 20,000 Sq. Ft. - 45%

b. For lots with a minimum lot size of 20,000 Sq. Ft. - 45%

c. For lots 2.5 acres and greater including Tract A - 20% 2. Maximum building height: thirty (35) feet.

3. Minimum Lot Size: 12,000 Sq. Ft.

4. Setback minimums:

a. For lots less than 20,000 square feet:

Front - 25 feet minimum Corner Lots - 10 feet for non-garage front Side - 7.5 feet minimum

Rear - 25 feet minimum

b. For lots with a minimum lot size of 20,000 square feet:

Front - 25 feet minimum Corner Lots - 15 feet for non-garage front Side - 15 feet minimum

Rear - 35 feet minimum

c. For lots 2.5 acres and greater including Tract A:

Front - 35 feet minimum Side - 25 feet minimum

Rear - 50 feet minimum, except that lots 20 - 26 shall have a rear yard setback of 100 feet minimum

5. Tract A may be subdivided into lots with an average lot size of 5 acres per lot without amendment to the PUD Development Plan. The minimum lot size shall be 2.5 acres. Development regulations in paragraph F. above shall apply. A maximum of 7 lots may be created on Tract A.

6. Accessory buildings must comply with the setbacks established above, except that the rear yard setback may be reduced to twenty (20) feet for any lots that do not abut a public street. Accessory structures shall be governed by architectural covenants regarding building colors and materials to be consistent with the primary structure of the

7. Projections into setbacks are governed by the Land Development Code in effect at the time of PUD Plan approval.

1. The PUD Development Plan establishes minimum lot sizes. No lot may be less than 12,000 Sq. Ft. in size. 2. Minor adjustments to lot configuration and layout may be made so long as the total number of lots is not

3. No subdivision of any lot will be permitted if such subdivision results in the creation of additional building lots except that Tract A may be subdivided into a maximum of 7 lots with an average density of 5 acres per lot.

Streets within The Retreat@TimberRidge Subdivision provide general vehicular circulation throughout the development. All streets shall be publicly owned and maintained. Construction will be to El Paso County Standards except for deviations and PUD Modifications described in the Letter of Intent. All Streets shall be paved unless otherwise indicated on the Development Plan.

Architectural Control Committee Review/Covenants

Covenants for The Retreat@TimberRidge have been created by separate documents. The Covenants establish rules and regulations for the property within the subdivision and establish the governance mechanism of the subdivision, including the creation of the Architectural Control Committee.

SITE DATA

OWNERS:

Arroya Investments LLC 1283 Kelly Johnson Blvd. Colorado Springs, CO 80920

> Jacob Decoto 10620 Vollmer Rd Colorado Springs, CO 80910

APPLICANT: N.E.S. Inc.

619 N Cascade Ave., Suite 200 Colorado Springs, CO 80903 TAX ID NUMBER: 5227000004; 5228000019

> 5227000003; 5227000001 5200000398: 5200000397 5222000023; 5200000393

DEVELOPMENT SCHEDULE: SITE ACREAGE: 262.92 AC **CURRENT ZONING:** RR-5 PROPOSED ZONING: PUD **CURRENT LAND USE:** Vacant

Phase A: 12 Lots

PROPOSED LAND USE: Residential: 212 Total Lots, 0.806 DU/AC

> Lots 1-12, 2.5 AC Minimum 3.1 AC Average Lot Size, Phase B: 29 Lots

Lots 13-41, 2.5 AC Minimum 2.58 AC Average Lot Size, Phase C: 19 Lots

Lots 42-52, 1 AC Minimum 1.06 AC Average Lot Size, Lots 53-58 & 204-205, 100' x 150' Minimum

19,290 SF Avg. Lot Size, Phase D: 145 Lots Lots 59-203, 80' x 150' Minimum 15,300 SF Avg. Lot Size,

2.5 AC Minimum Lot Size

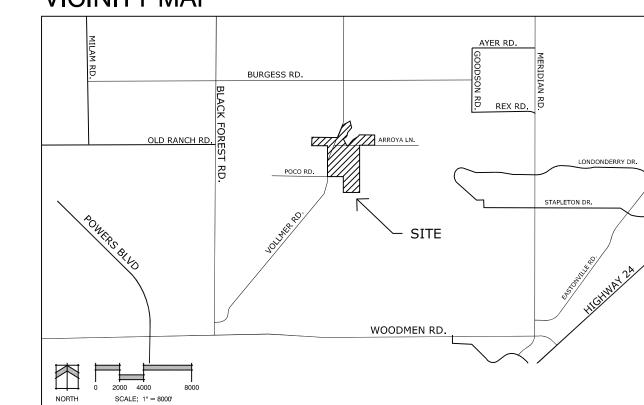
Phase E: 7 Lots Maximum

4.15 AC Average Lot Size, Open Space: 26.32 AC, 10.0% of Total site

Open Space (Sand Creek Greenway): 22.53 AC - Landscape & Trails: 1.16 AC Detention/Water Quality: 4.07 AC;

Max OS Use 10% of Required 26.3 AC:

VICINITY MAP



SHEET INDEX

Sheet 1 of 4: Cover Sheet Sheet 2 of 4:

PUD Development Plan PUD Development Plan Sheet 3 of 4: Sheet 4 of 4: Landscape Plan & Details

TRACT TABLE

TRACT	SIZE	USE	OWNERSHIP	MAINTENANCE
А	29.027 AC (1,264,419 SF)	Future Residential Lots	TimberRidge MetroDistrict	TimberRidge MetroDistrict
В	1.296 AC (56,448 SF)	Detention, Water Quality	TimberRidge MetroDistrict	TimberRidge MetroDistrict
С	0.065 AC (2,813 SF)	Signage, Landscape	TimberRidge MetroDistrict	TimberRidge MetroDistrict
D	0.251 AC (10,955 SF)	Detention, Water Quality	TimberRidge MetroDistrict	TimberRidge MetroDistrict
E	0.241 AC (10,500 SF)	Detention, Water Quality	TimberRidge MetroDistrict	TimberRidge MetroDistrict
F	17.794 AC (775,088 SF)	Regional & Local Trails, Existing Drainageway, Open Space	TimberRidge MetroDistrict	TimberRidge MetroDistrict + El Paso County Parks
G	4.731 AC (206,104 SF)	Existing Drainageway, Open Space	TimberRidge MetroDistrict	TimberRidge MetroDistrict
Н	2.279 AC (99,280 SF)	Detention, Water Quality, Local Trail	TimberRidge MetroDistrict	TimberRidge MetroDistrict
I	0.372 AC (16,224 SF)	Regional Trails, Landscape	TimberRidge MetroDistrict	TimberRidge MetroDistrict + El Paso County Parks
J	0.366 AC (15,946 SF)	Regional Trails, Landscape	TimberRidge MetroDistrict	TimberRidge MetroDistrict + El Paso County Parks
К	0.360 AC (15,685 SF)	Regional Trails, Landscape	TimberRidge MetroDistrict	TimberRidge MetroDistrict + El Paso County Parks

2.63 AC

Robert-Scott General Contractors Name of Landowner Landowner's Signature, notarized **Ownership Certification** _ a (one of the following: qualified title insurance company, title company, title attorney, or attorney at law) duly qualified, insured, or licensed by the State of Colorado, do hereby certify that I/we have examined the title of all lands depicted and described hereon and that title to such land is owner in fee simple by at the time of this application. Notarized signature OR Name of Attorney and registration number

Ownership	Certification
I/we	a (one of the following: qualified title
	pany, title company, title attorney, or attorney at law) du
	ed, or licensed by the State of Colorado, do hereby certif
•	examined the title of all lands depicted and described
•	it title to such land is owner in fee simple by
	• • •
at the time of t	ins application.

Arroya Investments LLC

El Paso County Clerk and Recorder

Clerk and Recorder Certification State of Colorado) El Paso County) I hereby certify that this Plan was filed in my office on this _____ _(month), 20___ at _____ o'clock a.m./p.m. and was recorded per Reception No. ___

Jacob Decoto Name of Landowner Landowner's Signature, notarized **Ownership Certification** _ a (one of the following: qualified title insurance company, title company, title attorney, or attorney at law) duly qualified, insured, or licensed by the State of Colorado, do hereby certify that I/we have examined the title of all lands depicted and described hereon and that title to such land is owner in fee simple by ___ at the time of this application. Notarized signature

County Certification This rezoning request to PUD has been reviewed and found to be complete and in accordance with the ____

OR Name of Attorney and registration number

(date) approving the PUD resolution or motion #) _____ and all applicable El Paso County regulations. President, Board of County Commissioners date

Director, Planning & Community Development Department date

Land Planning Landscape Architecture Urban Design

619 N. Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Fax 719.471.0267 www.nescolorado.com

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Tel. 719.471.0073

Retreat at **TimberRidge**

PUD Development Plan

EL PASO COUNTY, CO

04/07/17 PROJECT MGR: J. MAYNARD PREPARED BY: K. MARSHALL

DESCRIPTION: Per County Review 06-21-17 KMM Per County Review Minor Review Revision 09-14-17 KMM Density Revisions Per Per County Review

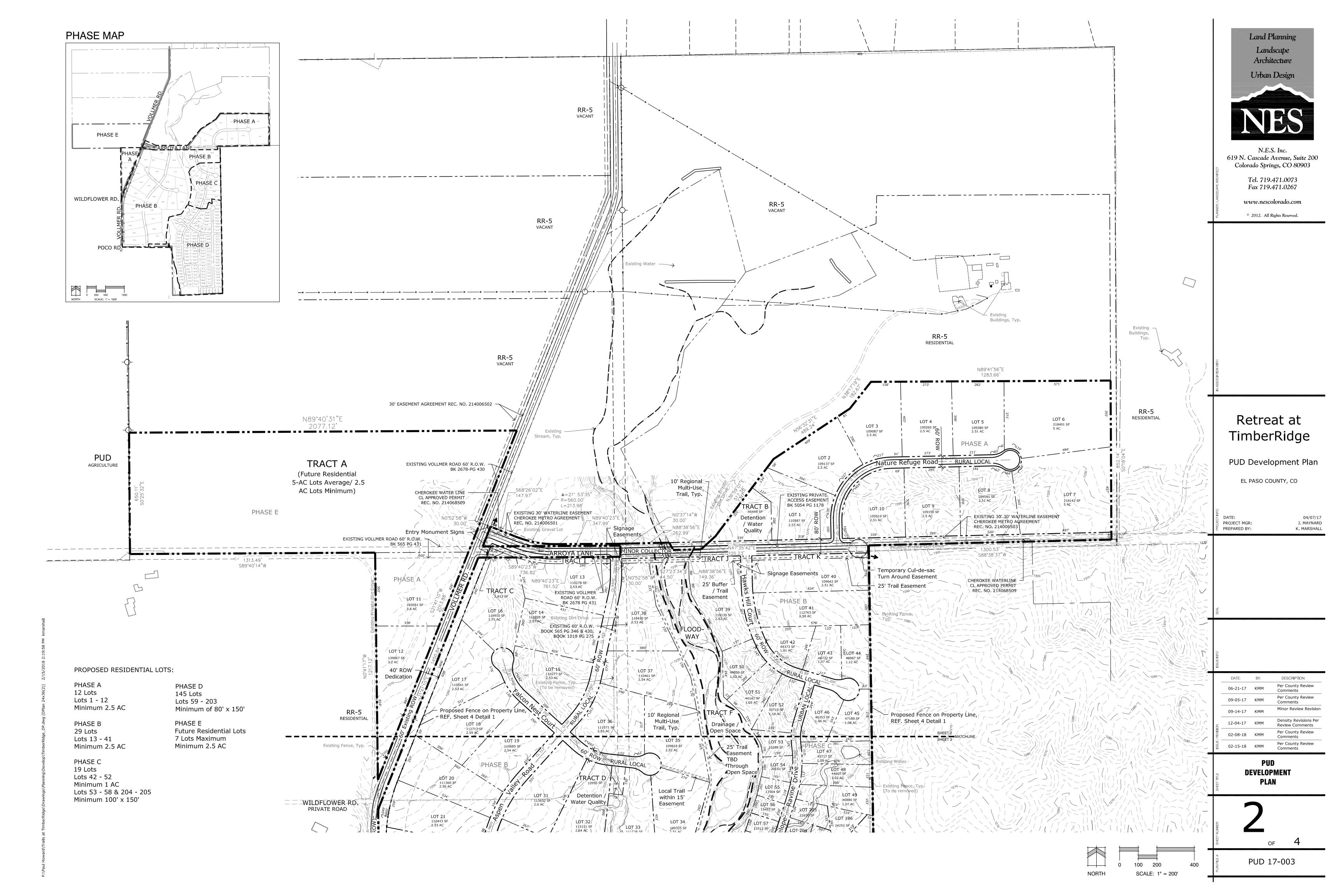
Per County Review

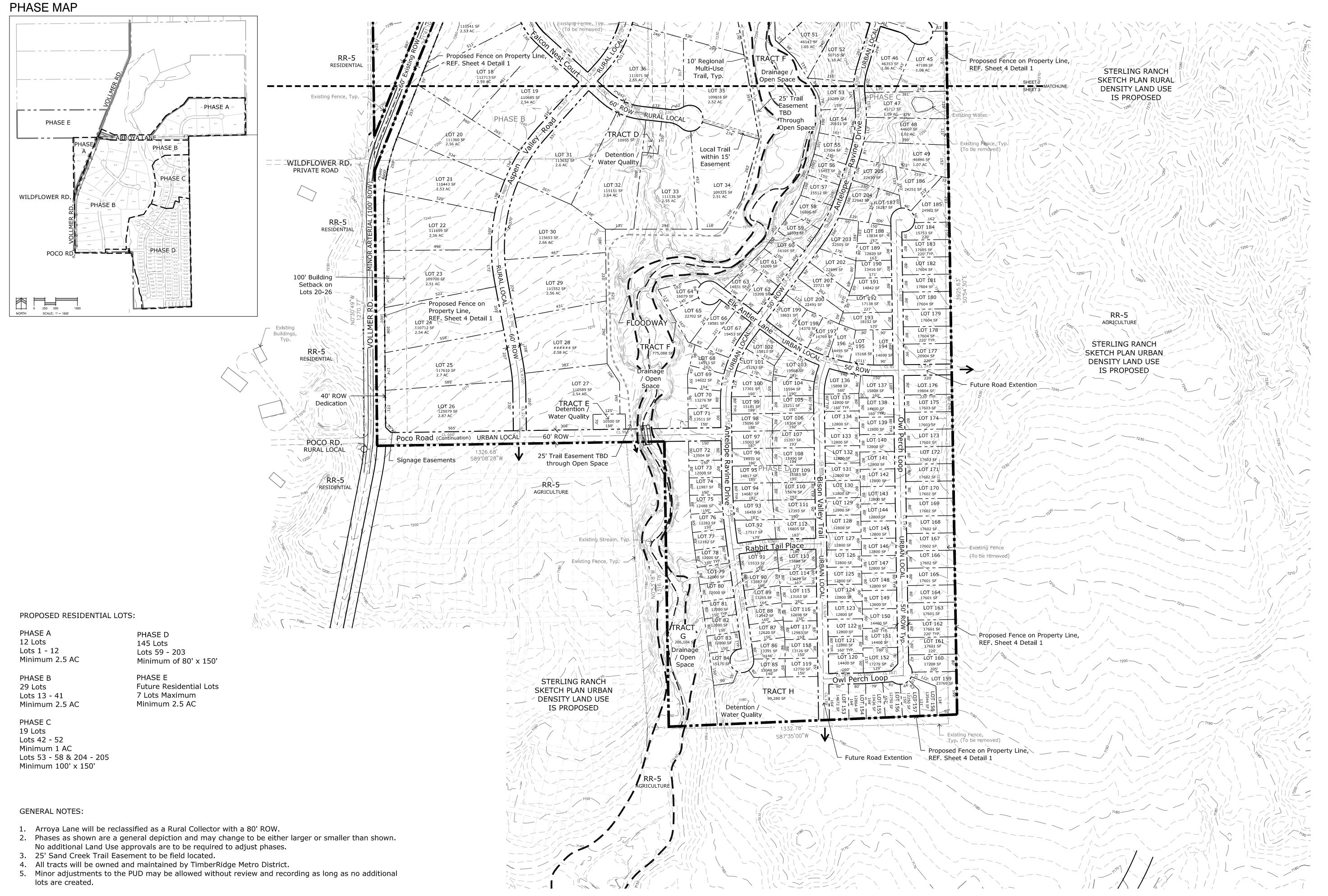
COVER SHEET

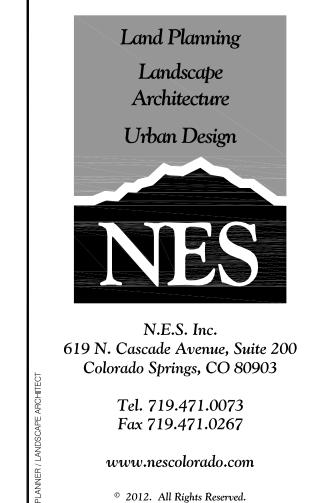
02-08-18 KMM

02-15-18 KMM

PUD 17-003







Retreat at TimberRidge

PUD Development Plan

EL PASO COUNTY, CO

l 을		
15	DATE:	04/07/17
PROJEC	PROJECT MGR:	J. MAYNARD
PR	PREPARED BY:	K. MARSHALI

DATE: BY: DESCRIPTION:

06-21-17 KMM Per County Review Comments

09-05-17 KMM Per County Review Comments

09-14-17 KMM Minor Review Revision

12-04-17 KMM Density Revisions Per Review Comments

02-08-18 KMM Per County Review Comments

02-15-18 KMM Per County Review Comments

PUD DEVELOPMENT PLAN

3

100 200

SCALE: 1" = 200'

NORTH

PUD 17-003

