



AGENDA

WORK SESSION – <i>Discussion items only. No action will be taken</i>		<i>Pg</i>
5:00 PM Discussion regarding auctioned properties; 632 Deer Valley Loop, 622 Rossi Hill Drive, 652 Rossi Hill Drive, 660 Rossi Hill Drive – Presented by Roger Durst	15 min	5
ROLL CALL		
ADOPTION OF MINUTES OF OCTOBER 7, 2009		9
PUBLIC COMMUNICATIONS – <i>Items not on regular meeting schedule.</i>		
STAFF/BOARD COMMUNICATION & DISCLOSURES		
CONTINUATION – <i>Possible public hearing and continuation as noted.</i>		
5:15 PM 100 Marsac Avenue – Appeal of Design Review <i>Continue to December 2, 2009</i>	5 min	
REGULAR MEETING – <i>Discussion, public hearing, and action.</i>		
5:20 PM 1049 Park Avenue – Grant <i>Public hearing and possible action</i>	15 min	21
ADJOURN		

Times shown are approximate. Items listed on the Regular Meeting may have been continued from a previous meeting and may not have been published on the Legal Notice for this meeting.

A majority of Historic Preservation Board members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted. For further information, please call the Planning Department at (435) 615-5060.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.
Historic Preservation Board - November 4, 2009

STAFF COMMUNICATION



STAFF COMMUNICATION

HISTORIC DISTRICT DESIGN REVIEW(S)

PL-07-00191	430 Main Street *	<i>Pending</i>
PL-07-00234	313 Daly Avenue *	<i>Pending</i>
PL-08-00311	255 Main Street *	<i>Pending</i>
PL-08-00327	637 Woodside Avenue *	<i>Compliance</i>
PL-08-00329	657 Park Avenue *	<i>Pending</i>
PL-08-00365	543 Woodside Avenue *	<i>Pending</i>
PL-08-00386	176 Main Street *	<i>Pending</i>
PL-08-00387	129 Main Street *	<i>Pending</i>
PL-08-00388	160 Park Avenue *	<i>Pending</i>
PL-08-00389	108 Park Avenue *	<i>Pending</i>
PL-08-00417	1110 Woodside Avenue *	<i>Pending</i>
PL-08-00434	515 Main Street *	<i>Pending</i>
PL-08-00435	154 Marsac Avenue *	<i>Pending</i>
PL-08-00495 –	100 Marsac Avenue – Lot 1 through Lot 10 *	<i>Compliance</i>
PL-08-00504		
PL-08-00507	68 Prospect Street *	<i>Pending</i>
PL-08-00517	410 Deer Valley Loop Road *	<i>Pending</i>
PL-08-00520	412 Deer Valley Loop Road *	<i>Pending</i>
PL-08-00560	71 Daly Avenue *	<i>Pending</i>
PL-08-00571	16 Sampson Avenue *	<i>Pending</i>
PL-08-00582	201 Norfolk Avenue *	<i>Pending</i>
PL-09-00646	584 Park Avenue *	<i>Pending</i>
PL-09-00655	505 Woodside Avenue *	<i>Compliance</i>
PL-09-00685	575 Park Avenue *	<i>Approved</i>
PL-09-00690	227 McHenry Avenue *	<i>Pending</i>
PL-09-00750	919 Woodside Avenue	<i>Pre-App Complete</i>
PL-09-00751	352 Main Street	<i>Pending</i>
PL-09-00774	1059 Park Avenue	<i>Pre-App Complete</i>
PL-09-00775	352 Main Street, Dugin & Spur	<i>Pending</i>
PL-09-00793	3000 North Highway 224, McPolin Farm	<i>Approved</i>
PL-09-00800	1057 Woodside Avenue	<i>Pre-App Complete</i>

DETERMINATION OF HISTORICAL SIGNIFICANCE AND INCLUSION/EXCLUSION ON HISTORIC SITES INVENTORY

PL-09-00664	1062 Woodside Avenue – Exclusion	<i>Pending</i>
PL-09-00790	115 Woodside Avenue – Inclusion	<i>Approved</i>
PL-09-00791	205 Snow’s Lane – Inclusion	<i>Approved</i>
PL-09-00792	175 Snow’s Lane – Inclusion	<i>Approved</i>

* Applications submitted under the Historic District Guidelines published 1983.

Applied – The application has been received, no planner has been assigned and no review has taken place.
 Pending – The application has been received, a planner has been assigned, and the project is currently under review for compliance.
 Pre-App Complete – The Pre-application has been received, a planner has been assigned, and the Pre-application review has taken place. No Design Review application has been applied for.
 Compliance – The planner has found the project to be in compliance with the appropriate Historic District Guidelines.
 Approved – Final Action of approval has been taken on an application.
 Denied – Final Action of denial has been taken on an application.

GRANT(S)

PL-09-00766 1049 Park Avenue
PL-09-00767 601 Sunnyside Drive

Pending
Approved

APPEAL(S) OF STAFF'S DETERMINATION OF COMPLIANCE

PL-09-00709 100 Marsac Avenue, Lot 1 through Lot 10
PL-09-00778 505 Woodside Avenue

Pending
Pending

* Applications submitted under the Historic District Guidelines published 1983.

Applied – The application has been received, no planner has been assigned and no review has taken place.

Pending – The application has been received, a planner has been assigned, and the project is currently under review for compliance.

Pre-App Complete – The Pre-application has been received, a planner has been assigned, and the Pre-application review has taken place. No Design Review application has been applied for.

Compliance – The planner has found the project to be in compliance with the appropriate Historic District Guidelines.

Approved – Final Action of approval has been taken on an application.

Denied – Final Action of denial has been taken on an application.

MINUTES OCTOBER 7, 2009

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF OCTOBER 14, 2009

BOARD MEMBERS IN ATTENDANCE: Roger Durst – Chair; Ken Martz – Vice-Chair; Brian Guyer, Dave McFawn, Sara Werbelow, David White

EX OFFICIO: Thomas Eddington, Brooks Robinson, Kirsten Whetstone, Dina Blaes, Mark Harrington, Patricia Abdullah

ROLL CALL

Chair Durst called the meeting to order and noted that all Board Members were present except for Adam Opalek, who was excused.

MINUTES – September 2, 2009.

Board Member Werbelow stated that the Board talked about a lot of different items to tighten up and amend the grant application form. She understood that the Board would receive a copy of the new draft but nothing was included in the Staff report. She requested that the HPB been given the opportunity to discuss the draft document and revisit the issue for clarification, since some of the items discussed were vague in the minutes.

Board Member Werbelow referred to page 6 of the minutes and felt the reference that Board Member Durst made regarding the 109 historic structures was unclear.

Chair Durst recalled that 109 was the number of historic structures identified in Planner Kayla Sintz's report. Planning Director Thomas Eddington replied that it was in Planner Sintz's report. He asked if Board Member Werbelow was asking for more clarification on that information with regards to grants. Planner Werbelow recalled that the purpose of the discussion was to revise the grant form, which is vague in terms of time frames for submitting applications and articulating special circumstances. She noted that Board Member Martz had raised good points regarding potential economic hardship considerations and the primary residence consideration. Board Member Werbelow reiterated her request that the Board have the opportunity to review the revised form to make sure it addresses the issues they discussed. She stated pointed out that the comment Board Member Opalek made about landmark and significant structures was not detailed in the minutes and she believed this was is still a work in progress.

Director Eddington agreed that it is a work in progress and stated that he and Planner Sintz were working on revising the grant application language. The intent is to provide the HPB with copies for review and discussion.

Chair Durst asked if that would be available for the November 4th, meeting. Director Eddington noted that the HPB has a full agenda for the November 4th meeting, but the draft document should be completed for their review at that meeting.

MOTION: Board Member Martz moved to APPROVE the minutes of September 2, 2009. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

Chair Durst asked Dave McFawn, a new Board Member, to introduce himself and provide a brief background.

Board Member McFawn stated that he is a fourteen year resident of Park City and he has lived in Old Town, Prospector and various other locations. He currently resides in Silver Summit.

PUBLIC COMMUNICATIONS

There was no comment.

STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES

Director Eddington noted that page 17 of the Staff report included a list of the current Staff Historic District Design Review projects. He noted that some of the properties are in compliance and others are pending in the process. Director Eddington stated that the Staff will continue to provide these updates at every meeting. He noted that the HPB would hear any disputes on these projects through the appeal process.

Chair Durst requested that the Board Members have a current copy of the Historic Sites Inventory, the Land Management Code and the Historic District Design Guidelines.

Director Eddington stated that the Planning Commission currently meets twice a month on the second and fourth Wednesday. The HPB typically meets on the first and third Wednesday. He explained that the Staff is looking at consolidating some of the meetings and have asked the Planning Commission to consider one meeting a month as their regular Planning Commission meeting to discuss applications and for the second meeting to be for long range planning and General Plan discussion. Director Eddington asked if the HPB was interested in reducing their meetings to once a month, since they do not always have an agenda for two meetings. If the Board members did not object, the Staff would like to try a cycle of meeting the first Wednesday of every month. This would allow the Staff to consolidate the agenda, as opposed to meeting twice a month with only one or two items for discussion.

The Board members did not object to meeting once a month on the first Wednesday of every month. The meetings would begin at 5:00 p.m.

CONTINUATION – Public Hearing and Continue to date specified.

100 Marsac Avenue – Appeal of Staff's Determination of Compliance of a Historic District Design Review

The applicant was out of town and requested that this item be continued to November 4, 2009.

MOTION: Board Member Martz moved to CONTINUE 100 Marsac Avenue to November 4, 2009. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

REGULAR MEETING – Discussion, Public Hearing and Possible Action

175 Snow's Lane – Determination of Historical Significance

City Historic Consultant, Dina Blaes, stated that the structure at 175 Snow's Lane is the Judge Mine superintendent's house. The Staff report contained background information on the structure and noted that the HPB has the authority to designate sites to the Historic Sites Inventory. The Staff report contained analysis and discussion as to how the Staff came up with the recommendation to list this site as a significant site on the HSI. LMC Section 16-11-10, which is the Park City Historic Sites Inventory criteria for designation, was also provided to show why the structures was not designated as a landmark site, but it is considered a significant site.

Ms. Blaes stated that the criteria that was adopted by the City Council in July requires that in order for a site to be designated to the Historic Sites Inventory, it must meet all three of the criteria listed under significant sites. Ms. Blaes noted that the Staff report included information within the criteria, as well as the Staff analysis outlining why the structure did or did not meet that individual criteria. Based on that analysis, the Staff found that the site at 175 Snow's Lane meets the criteria for designation as a significant site.

The Staff recommended that the HPB make a motion to designate this building on the Historic Sites Inventory as a significant site.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

Board Member Werbelow asked if the owner has any feedback.

Ms. Blaes explained that language in the LMC states that either the owner or the Planning Department can apply to have a building designated. A courtesy notice was sent to the owner to inform him that the Planning Department was recommending this designation. The owner had the opportunity to attend this meeting and voice their objection or present additional information, but they were not in attendance or represented by anyone.

City Attorney, Mark Harrington, clarified that the owner would still have the opportunity to request their own forma hearing per the DOS provisions in the Land Management Code, regardless of the action taken this evening.

MOTION: Board Member Martz moved that the site at 175 Snow's Lane, Judge Mine superintendent's house, be included in the Historic Sites Inventory. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

205 Snow's Lane – Determination of Historical Significance and Inclusion on the Historic Sites Inventory

Ms. Blaes noted that the Staff report provided background, analysis and discussion on the historic home at 205 Snow's lane, per the criteria contained in the Land Management Codes as it pertains to the Historic Sites Inventory. Ms. Blaes stated that the structure did not meet the criteria for designation as a landmark site, but it does meet the criteria for designation as a significant site.

Board Member Marts asked about the silo structure that also sits on the site. Ms. Blaes stated that the silo structure is not old. In 2006 the City did an intensive level survey and the silo structure was found not to be significant.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

MOTION: Board member Martz moved that the site at 205 Snow's Lane be included in the Historic Sites Inventory. Board Member Guyer seconded the motion.

VOTE: The motion passed unanimously.

115 Woodside Avenue – Determination of Historical Significance and Inclusion on the Historic Sites Inventory

Ms. Blaes noted that the Staff report contained background and analysis for the structure at 115 Woodside Avenue. She stated that the property does not meet the criteria for a landmark site designation, but it does meet the criteria for designation as a significant site, based on age, integrity and significance. A detailed analysis was provided in the Staff report. Ms. Blaes pointed out that the structure has undergone significant alterations over the years. She remarked that pop-top additions are typically very disruptive to the historic integrity. However, she felt the pop-top addition on this structure was very well done and it does not obliterate the roof line.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

MOTION: Board Member Werbelow moved to include the site at 115 Woodside on the Historic Site Inventory as a significant structure. Board Member White seconded the motion.

Board Member Martz stated that he was on the old Historic District Commission in the mid-1990's when the additions were approved for this structure. He recalled that the structure was lifted and a foundation put underneath. Historic material still remains but it is not visible.

VOTE: The motion passed unanimously.

Update on Mining Relates Site

Ms. Blaes provided an update on mining related sites. She noted that most of those sites in the canyons would be coming before the HPB for inclusion on the HIS. She stated that the mining related sites were identified and made cursory inclusions in February, but additional sites have been found that need to be included. Ms. Blaes remarked that previous surveys projected the sites as a fairly scattered collection of buildings. The Staff is now presenting those more as an Alliance Mines collection, etc. She noted that the previous information was disjointed and unclear and the Staff has been trying to organize that information so the Board and the public can see how much is left of each of those mining sites.

Chair Durst asked if the Board would address those sites collectively or if they would still be considered individually. Ms. Blaes stated that they would still be considered as individual structures. Part of the LMC amendments adopted in July define the site as a collection, and it can either be one structure or several structures. The Planning Department can still address maintenance or a re-development proposed on one structure without looking at the entire site. The intent is to make sure they are understood and interpreted and that the information presented shows them as a collection of buildings that contribute to the significance. As an example, the water tank on the hill does not mean anything without knowing which mining site it was used for and the collection of buildings it relates to. Ms. Blaes stated that each individual structure would be listed on the Inventory, but it would be listed as a site and the site is a larger area than the parcel it sits on.

Chair Durst asked about the number of sites. Ms. Blaes replied that it was approximately seven sites. Chair Durst requested that the Board Members have the opportunity to review the information on those sites in advance of the November 4th meeting. Ms. Blaes stated that the Board would receive the Staff report prior to the meeting. Chair Durst noted that the Staff report is not mailed until the Friday before the meeting. He requested to receive the information a week before the meeting. Board Member Martz thought it would be helpful to receive the sites separate from the packet if anyone wanted to visit the sites before bad weather.

Ms. Blaes stated that the application requirements are fulfilled when the information is submitted on the determination of designation. She asked what format the Board would like for receiving information on the mining sites because the photographs are quite large. The Board discussed various options. The suggestion was made for a common place on the Park City website that the HPB could access. Ms. Blaes asked if the Board currently has access to the City FTP server. She could put the information on the Server for the Board to retrieve. Ms. Blaes stated that she would ask the IT Department if the HPB could have permission to access the FTP server. Another alternative was to put the information and photos on a disk for each of the Board members.

Ms. Blaes stated that the discussion on the mining related sites could be postponed to the December meeting if the Board members could not obtain the materials early enough to review it before the meeting in November.

601 Sunnyside Drive - Grant

Planner Kirsten Whetstone provided a brief background on the historic cabin structure at 601 Sunnyside, located in the RD zone. The structure is historically significant as a Landmark site and is eligible for the National Register of Historic Places.

Planner Whetstone stated that the applicant, Michael LeClerc, is the owner of the historic structure. The structure is in disrepair and has been condemned for human occupation by the Chief Building Official. With the exception of the cinder block shed addition, the structure maintains its original form. However, the wood material is in such an advanced state of decay that little, if any, material can be salvaged. The applicant was seeking a grant from the Historic Preservation Board to reconstruct the structure. Planner Whetstone noted that the HPB has not previously been asked to consider a grant for a complete reconstruction, but it is within policy to do so.

Planner Whetstone stated that in September 2008, building plans were approved for reconstruction of the historic structure, including excavation for a garage and basement beneath the house. The building plans included a contemporary house located on the site, with a minor connection. The grant request is for the reconstruction of the historic house. The applicant plans to reconstruct the structure using new materials. The work also includes removing the doors and windows by repairing or replacing them with new double hung wood windows in the same locations. The porch would be reconstructed as well.

Planner Whetstone noted that the applicant had submitted a letter identifying all the items listed for the bid. The numbers did not include adding a basement under the structure that was previously approved. Planner Whetstone clarified that foundations are appropriate for grant requests but not basements. The Staff requested input from the Board as to whether a portion of the foundation estimate in the range of \$3,500 for the cost of a slab on grade, could be eligible for a grant due to the fact that the structure currently has no foundation and the proposed plan includes a garage under the house.

Planner Whetstone stated that the eligible items for this grant request totaled \$53,900. That amount excluded the foundation cost, the excavation, grading and backfill for the basement and garage, heating and ventilation, rough plumbing and rough electrical. She noted that the program is a matching grant. Therefore, half of the total cost of the eligible items would be \$26,950. Adding in \$3,600 for a slab on grade would increase the total to \$56,000 and the matching portion to \$28,750.

The Staff recommended that the HPB consider granting the applicant one-half of the proposed cost of the eligible preservation work in the amount of \$28,750. By awarding the grant, the HPB would be contributing to the ongoing preservation of a historically significant building in Park City. Planner Whetstone noted that the funding source would be the CIP fund for historic grants. The fund currently has approximately \$30,000 available. No additional funds were granted during the recent budget approval by the City Council.

Planner Whetstone reiterated that the structure is currently listed as a landmark site and is eligible for the National Register of Historic Places. Dina Blaes pointed out that the proposed reconstruction would remove the structure from a landmark designation because reconstructed buildings do not qualify for the NRHP. After reconstruction the structure would have a significant site designation.

Planner Whetstone stated that after field visits, it was evident that the condition of the wood is such that it would take a lot of work to be able to reuse it. That was one reason why reconstruction was chosen as a preservation approach.

The applicant, Michael LeClerc stated that the Building Department would not approve reusing the majority of the wood. However, he would like to use some of it, particularly the front façade. He noted that he has a panelization permit to remove the material.

Board Member Martz asked about the design guidelines in terms of building duplication. Planner Whetstone remarked that the previous guidelines did not apply to this structure because it was outside of the historic district. The new guidelines do apply.

Board Member White asked if this proposal was a restoration or a reconstruction. Planner Whetstone replied that a reconstruction has new materials. The new materials do not lend itself to restoration. Therefore, the project has to be a reconstruction and replication. Ms. Blaes remarked that the issues is how important it is to keep this structure as a landmark site. She noted that some buildings are severely deteriorated and the Chief Building Inspector has asked for reconstruction tools. Unfortunately, landmark sites are tied to the NRHP. She reiterated that this site would still maintain a significant status if the reconstruction is done.

Mr. LeClerc explained that he originally purchased the structure to renovate and clean it up. When it was condemned, he went through the process of getting full plans approved, based on the site and what is allowed in the zone. He stated that he would like to preserve the structure as is, but no one wants to attempt that. Like everyone else, he likes the little house sitting up there on its perch.

Board Member Werbelow thanked Mr. LeClerc for looking into creative solutions. She recalled that when this first came to the HPB several months earlier it was described as a spec project. Mr. LeClerc stated that once he realized that he needed to reconstruct the cabin completely because it was condemned by the Building Department, he needed to define the box and design a newer house that would fit on the lot and within the zone requirements. Once he defined those parameters, he backtracked to design a house different from what was approved to avoid building a big house on Deer Valley Drive. Mr. LeClerc remarked that he needed to know what he could do before proceeding in this direction.

Board Member McFawn had questions on eligible items. He referred to paragraphs 2 and 3 on Page 91 of the Staff report and the items identified as being excluded. He noted that the number did not add up with the numbers on page 113 in the summary of improvements. Board Member McFawn stated that he came up with \$35,950 in eligible costs. Therefore, approximately \$17,000 would be the matching funds. Planner Whetstone asked if Board Member McFawn had added in the \$3600 for the slab on grade. Board Member McFawn answered no.

Chair Durst stated that he was not on the Board at the time of the design approval nor had he seen it. He referred to the comment that the wood was determined to be unusable due to deterioration and that Mr. LeClerc had secured approval for panelization. He could not understand how the panels would be reincorporated into the building. Mr. LeClerc stated that the way the preservation plan is worded, they would disassemble the cabin under the panelization permit and then determine what wood, if

any, could be reused. Mr. LeClerc hoped that the front façade has been protected enough from the sun that the wood could be reused. It does not show any dry rot or mold.

Regarding the portion of the design that incorporates the main house, Chair Durst understood that Mr. LeClerc was proposing to sustain the form, mass, scale, proportion, pattern, texture and color that is on the original house. Mr. LeClerc replied that the historic house would serve as a template for the style, color, etc. Chair Durst also understood that the structure would be moved up and lateral. Mr. LeClerc clarified that it would be moved two or three feet laterally to square it with the road and bring it even with the lot line. The structure would be moved less than two feet high. It could be as much as three feet on the lateral.

Board Member Martz stated that during a site visit, the HPB issued an advisory status to the Planning Department to review the project. At that time, the HPB felt that duplication was the best process to move forward. He noted that the building has unique characteristics, such as the metal strapping that was used as weather protection and he would like that uniqueness preserved or continued, even in a duplication. Board Member Martz believed the applicant had the approval to duplicate, which makes it eligible for grant possibilities. He agreed that this is a unique building in a unique location. Even with the issue of dropping from a landmark to significant designation, he could see no other alternative for preserving this structure because the condition is very deteriorated. Board Member Martz felt the grant application was appropriate and this project was an appropriate use of grant money. He remarked that restoring the structure without an addition would be a plus.

Chair Durst asked if this grant were awarded, if the other improvement approved for this project would not be necessary. Without seeing the design, he deferred to his fellow Board Members who approved it. Based on the fact that this building would be raised two feet, Chair Durst wanted to know if the gradient would increase or if a new material would be introduced. He asked if there would be a two foot foundation below the porch.

Mr. LeClerc explained that part of his preservation plan states that the front slope stays as is with the staircase coming off the road. Chair Durst wanted to know what would happen with the three foot vertical face at the porch if the gradient stays the same. Mr. LeClerc stated that currently there is an 8-inch front board on the porch itself. Code requires at board surface at least 6-8 inches above any dirt surface. He noted that the Code would require it to be raised from where it currently sits in order to keep the distance between wood and dirt. With the 8 inch front porch, which is significantly lower than the house, he thought the difference would be minimal from what currently exists.

In response to the cost question raised by Board Member McFawn, Planner Whetstone re-worked the bid numbers. The total cost was \$73,500. After excluding the costs for excavation, grading and foundation, heating, hardware, plumbing and electric, the total cost for eligible items was \$53,900. Adding in the \$3600 for partial foundation, the total eligible cost was \$57,500.

Board Member White clarified that the grant request was for foundation under the cabin but not the addition. Mr. LeClerc replied that this was correct. Board Member White asked if the HPB typically issues grants for plumbing and electrical. Planner Whetstone replied that some items related to plumbing and electrical used to be eligible. Board

Member White thought rough items may have been eligible but not finished items. Mr. LeClerc stated that he received a grant 15 years ago on another house in Old Town and he did receive money for rough plumbing and heating. Board Member White stated that footing and foundation is part of stabilization. Bathtubs and toilets should not be part of the grant.

Board Member Martz stated that there has always been some difference between a restoration and duplication. Duplications are expensive and require some cuts.

Board Member White felt a grant for the cabin portion was very appropriate. Board Member Werbelow agreed, noting that this was precisely why the grant program is available. She thought the Board should be aware that this is the last grant that could be awarded indefinitely until more funds are allocated for this area. This is a significant project on a unique property and should be preserved. Board Member Werbelow asked if the Board as agreeing to grant the slab on grade portion of the foundation. Board Member White replied that they would grant only the portion under the cabin.

Planner Whetstone pointed out that money would come from the CIP fund. Planner Robinson felt there was some confusion after Bret Howser, the Budget Director, spoke to the HPB at a previous meeting. Planner Robinson explained that the RDA funds for Main Street and Lower Park Avenue have been cut off for the grant program to allow the City to use the remaining money for other projects. However, the City Council has provided other general funds into the grant program that are not tied into geographic boundaries of the two RDAs. The money can be used for any historic property. Since the proposed project is on Deer Valley Drive and outside the RDA boundary, it is appropriate to provide money for preservation.

Board Member Guyer asked Mr. LeClerc if it was certain that he would not build the adjacent structure if he received the grant money. Mr. LeClerc replied that he was not prepared to say it would never happen but it was not his intention. If he receives financial help from the City, he plans to just use the original structure, but he could not guarantee what might happen in the future. Mr. LeClerc expressed his frustration that the City had not condemned the property before it changed ownership. His intent when he purchased the property was to preserve the cabin as is, and he was surprised when the Chief Building Official condemned it after its purchase.

Chair Durst asked if there would be enough residual property to allow a subdivision to accommodate another building lot. Mr. LeClerc stated that the property is not zoned for a subdivision. Someone would have to apply for a replat before that could happen. He noted that the Code clearly states that the minimum lot size is the exact size of the existing lot. Planner Whetstone clarified that the RD zone does not have a lot size and it could be subdivided. However, it would be a CC&R issue and it would still require a plat amendment. She noted that it would be possible but very difficult based on the CC&Rs of the subdivision.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

MOTION: Board Member Martz moved to award a grant in the amount of \$28,750 for the reconstruction project at 601 Sunnyside. Board Member Werbelow seconded the motion.

VOTE: The motion passed unanimously.

The meeting adjourned at 6:20 p.m.

Approved by _____
Ken Martz, Chair
Historic Preservation Board

REGULAR AGENDA

Historic Preservation Board Staff Report



Subject: 1049 Park Avenue
Author: Chelsea Laswell, Planning Intern
Jacquelyn Mauer, Planner
Date: October 21, 2009
Type of Item: Historic District Grant Application

Summary Recommendations

Staff recommends the Historic Preservation Board (HPB) review the request for a historic district grant and award the applicant a portion of the costs associated with the reconstruction of historic windows at 1049 Park Avenue.

Description

Applicant: Wesley Garrett
Location: 1049 Park Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
RDA: Lower Park RDA

Background

The applicant is the owner of the historic house, located at 1049 Park Avenue. The Nathaniel L. Houston House was built in 1895 and is recognized as architecturally significant and a landmark site on the Park City Historic Inventory. The building is a two-story frame hall and parlor house with a gable roof formed by having a second story added to a one-story hall and parlor house. The arrangement of openings on the façade is symmetrical. A door is centered between two broad single pane windows with leaded glass transoms on the first floor, and pairs of double hung second story window are centered over the first floor windows. The building appears to have had many additions over the course of many years. The original windows are all double-hung sash type windows.

The building is recognized as a landmark site in Park City, and was nominated to the National Register of Historic Places in 1984 as part of the *Park City Mining Boom Era Residences Thematic District*, but was not listed due to objections from the owner at the time. The two-story frame hall-parlor house remains unchanged from the description in the National Register nomination. As a result, the building meets criteria set forth by the LMC Chapter 15-11 for designation as a Landmark Site.

The windows have worn very badly and are now showing signs of rot that could potentially cause damage to the structure of the house. Currently, the windows have gaps between the frames and the glass, which allows cold air and moisture into the

home. The applicant wishes to replace 8 windows in total, 6 on the second-floor and 2 on the ground floor.

The applicant originally proposed to replace the existing historic windows with custom size windows from a mass production company. These original proposals are included in this report as exhibit C. Staff directed applicant to also get a bid for the reconstruction of the historic windows. The applicant got an estimate from American Heritage Window Rebuilders which is included in this report as exhibit B.

Analysis

Eligible improvements for historic district grants include, but are not limited to, siding, windows, foundation work, masonry repair, structural stabilization, retaining walls/steps/stairs of historic significance, exterior trim, exterior doors, cornice repair, and porch repair. The applicant is requesting that the HPB grant money for the following preservation work:

- Reconstruction of 8 degraded double-hung sash style windows

Improvements for historic district grants should be completed in compliance with *The Secretary of the Interior's Standards for Rehabilitation* which defines rehabilitation as, "The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

The Secretary of the Interior's Standards for Rehabilitation states, "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials." The applicant had an appraisal done by the American Heritage Window Restoration Company. American Heritage found most of the windows have degraded beyond the point of repair and believes building new windows in the double-hung style and using the original glass wherever possible will be the best alternative. Most of the original panes have already been replaced.

Staff finds the proposed work of rebuilding the historic windows as outlined in exhibit B to be the most appropriate option for the windows and makes the project eligible for the historic grant. This will be considered an unobtrusive modification, which does not affect the character of the building.

Staff finds that the proposed work on the building is eligible for grant money if window repair is done in the way of custom rebuild of the historic windows rather than replacing with windows from a mass production window production company. By awarding the

grant, the HPB would be contributing to the ongoing preservation of a historically significant building in Park City.

The total cost of the proposed rebuilding of the historic windows identified in exhibit D is \$9,585.00. The Board is only allowed to contribute grants up to one half of the total cost of the preservation. Therefore, staff recommends that the Board grant the applicant one half of the proposed cost of the preservation work in the amount of \$4,792.50. The Applicant, as part of the Grant Agreement, agrees to the requirement for restoration of the windows.

The source of funding is the Lower Park Avenue RDA. That fund currently has \$213,776 available. No additional funds were granted during the recent budget approval by the City Council.

Recommendation

Staff recommends the Board review the proposed grant application and consider awarding the applicant a grant of \$4,792.50 as itemized in exhibit B.

Exhibits

- Exhibit A – Historic Site Form – Historic Sites Inventory
- Exhibit B – Breakdown of estimated costs of the recommended scope of work
- Exhibit C – Breakdown of estimated costs of alternate scope of work
- Exhibit D – Photos of existing windows and elevations
- Exhibit E – Sample Grant Agreement

Estimate

Date	Estimate #
9/8/2009	joy9

Name / Address
wesleybgarrett@yahoo.com

Item	Description	Qty	Rate	Total
Storm Window Demolition	and mouldings of broken window	1	325.00	325.00
			150.00	150.00
New Window Storm Window	53.5 x 28.25 needs a rabbet to hold to brick mould		640.00	640.00
			266.00	266.00
New Window	upstairs 2/2 Double hung, on new spring pins, new interior trim and weather strip	2	838.00	1,676.00
Storm Window		2	349.50	699.00
New Window	1/1 double hung	4	737.00	2,948.00
Storm Window		4	300.00	1,200.00
Storm Window	for landing All storms include 2 glass and 1 screen insert	1	225.00	225.00
Paint		14	35.00	490.00
Installation		14	45.00	630.00
Travel			336.00	336.00
Total				\$9,585.00

Estimates will be honored for 60 days

Signature _____

Signature on estimate constitutes acceptance of contract. Balance is due on completion. Customer agrees to pay 1 1/2 % per month service charge on balance after 30 days, and all costs and fees associated with debt collection, if any.

American Heritage Windows 46 E Herbert Ave. S.L.C., UT. 84111 801-359-6639 801-323-9055 fax
e-mail philip@vintagewindows.com Visit our web site www.vintagewindows.com

Contractors Window Supply
 9875 South 500 West
 Sandy, UT 84070
 Phone: 8013049200

Exhibit C

JELD-WEN
 WINDOWS & DOORS

QUOTE BY: Tim Snyder
 SOLD TO: -

QUOTE #: JTIM00294
 SHIP TO:

PO#: TS GARRETT

PROJECT NAME: GARRETT/1049 PARK AVE

REFERENCE:

COMMENTS: WES, BIDDING CLOSEST STANDARD SIZES. CONFIRM SIZING WITH INSTALLER PRIOR TO ORDER. THESE DOUBLE HUNG SIZES DO NOT MEET CURRENT EGRESS CODES. GET O.K. FROM P.C. BUILDING DEPT. TIM

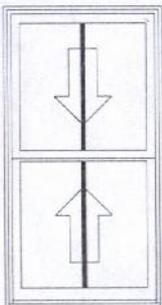
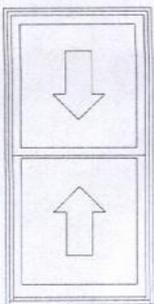
LINE NO.	LOCATION SIZE INFO	BOOK CODE DESCRIPTION	UNIT PRICE	QTY	EXTENDED PRICE
Line-1	UPPER SIDES Rough Opening: 32 1/8 X 60 3/4	EWD3160 Frame Size : 31 3/8 X 60 (Outside Casing Size: 34 X 62 3/16), Siteline EX Wood Double Hung, Primed Exterior, Natural Pine Interior, Brick Mould, Standard Sill Nosing, Standard DripCap, 4 9/16 Jamb, Tan Jambliner, Chestnut Bronze Hardware, Fiberglass Mesh Brilliant White Screen, DP 35, Insulated Low-E Annealed Glass, Preserve Film, High Altitude, 7/8" Bead SDL w/Perm Wood Primed Wood SDL, Light Bronze Shadow Bar, Colonial All Lite(s) 2 Wide 1 High Top 1 High Btm GlassThick=0.6995 PEV 2009.3.0.212/PDV 5.320 (07/17/09) NW		4	
					
	Viewed from Exterior. Scale: 1/4" = 1'				
Line-2	UPPER FRONT Rough Opening: 30 1/8 X 60 3/4	EWD2960 Frame Size : 29 3/8 X 60 (Outside Casing Size: 32 X 62 3/16), Siteline EX Wood Double Hung, Primed Exterior, Natural Pine Interior, Brick Mould, Standard Sill Nosing, Standard DripCap, 4 9/16 Jamb, Tan Jambliner, Chestnut Bronze Hardware, Fiberglass Mesh Brilliant White Screen, DP 35, Insulated Low-E Annealed Glass, Preserve Film, High Altitude, GlassThick=0.6995 PEV 2009.3.0.212/PDV 5.320 (07/17/09) NW		4	
					
	Viewed from Exterior. Scale: 1/4" = 1'				

Exhibit C

LINE NO.	LOCATION SIZE INFO	BOOK CODE DESCRIPTION	UNIT PRICE	QTY	EXTENDED PRICE
----------	-----------------------	--------------------------	---------------	-----	-------------------

Total: \$3,006.39
Sub Total: \$3,006.39
STATE (6.8 %): \$204.43
NET TOTAL: \$3,210.82
Total Units: 8

window estimate w/out
installation

SANDY 9875 S 500 W Sandy, UT 84070 PH 801-304-9200 FX 866-594-4203	PARK CITY 6440 N Business Park Loop Rd, Suite L Park City, UT 84098 PH 435-645-7747 FX 435-645-7786	 CONTRACTORS WINDOW SUPPLY	PROVO 5091 N Edgewood Dr #1109 Provo, UT 84604 PH 801-226-6901 FX 801-226-6904	EDEN 4794 E 2600 N Eden, UT 84310 PH 801-745-4400 FX 801-745-6601
---	---	--	--	--

REMODEL CWS WINDOW INSTALLATION PRICE SHEET REMODEL
ESTIMATE ONLY - NOT A PRICE QUOTE

Installation includes: Removal of old windows and installation of new windows. Vinyl caulk inside and out, shimmed and nailed with 2½" finish nails, foam insulation

Does not include: Interior or exterior casing and trim work
 Exterior stucco work
 Steel Windows

Customer	WES GARRETT
Job Name	1049 PARK AVE
Salesman	TIM SNYDER
Date	8/4/2009

Qty	Description	Total
8	Window - up to 20 s.f.	\$ 1,880.00
	Window - 21 to 30 s.f.	\$ -
	Window - 31 to 40 s.f.	\$ -
	Window - 41 to 50 s.f.	\$ -
	Sash Packs (Double Hung Windows)	\$ -
	Door - single	\$ -
	Door - double	\$ -
	Door - triple	\$ -
	Door - quad	\$ -
	Quad "Knock Down" frame assembly	\$ -
	Trip Charge: Salt Lake, Provo, Park City, Ogden	\$ 150.00
	Add interior casing materials	
	Add interior casing labor	
	Add exterior trim materials	\$ 700.00
	Add exterior labor	
TOTAL CWS WINDOW INSTALLATION PRICE		\$ 2,730.00

cost of installation w/out window estimate.

**** Contact Carl Haynie at 801-803-1423 to co-ordinate the installation ****

Notes: _____

Customer Name: _____

Customer Signature: _____

Date 2/3/2009

Loewen

77 Highway 52 West
Steinbach, MB R5G 1B2
800.563.9367

www.loewen.com

Exhibit C

Short Quote



Printed: Tue Aug 04 2009

Last Modified: 08/04/2009

Customer Information

Contact Information

Project Information

Account #	:		Contact	:		Created	:	07/02/2008	QM 5.1.1 (US)
Customer	:		Phone	:		Created by	:		
Address 1	:		Fax	:			:		
Address 2	:		Email	:			:		
City / State	:	,	Outside Sales Rep	:	TIM SNYDER		:		
Country	:	United States	Inside Sales Rep	:			:		

Project # : 000353 Job # : Tag Name : GARRETT/1049 PARK AVE Purchase Order # : TS GARRETT

Customer Shipping Information.

Shipping Terms

Shipping Information

Ship To:

Ship Via	:		Address 1	:		Contact	:	
Shipping Terms	:		Address 2	:		Phone	:	
Payment Terms	:		City / State	:	,	Fax	:	
	:		Country	:	United States	Email	:	
	:		Zip Code	:			:	

Comments:

WES, BIDDING CLOSEST STANDARD SIZES. CONFIRM SIZING WITH INSTALLER PRIOR TO ORDER. THESE DOUBLE HUNG SIZES DO NOT MEET CURRENT EGRESS CODES. GET O.K. FROM P.C. BUILDING DEPT. TIM

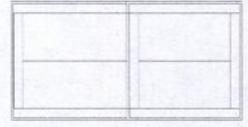
EXHIBIT C

Item : 0001
 Exterior View

Qty : 4
 Osm of Frame : 31 3/8" x 60 1/4"

Location : UPPER SIDES
 Rough Opening : 32 5/32" x 61 1/32"

Osm of Brick Mould : 33 1/32" x 61 5/8"



Osm : 797 X 1530
 Wood Species: Douglas Fir
 Double Hung - Equal Split
 Exterior : Primed Wood
 Clear Wood Interior (CLR)
 Jamb : 4 9/16" (116)
 Brick Mould : Standard 2" Brick Mould (Y)
 Non-tiltable Sash
 Heat Smart
 Clear/Clear (CLR/CLR)
 Bronze Spacer Bar 1/2" (12mm) (B12)
 Bronze Hardware (BRN)
 White Screen Frame (W/S)
 c/w Capillary Tubes
 Standard Packaging 37 cubic ft.
 (PRM HP1 SD/SDI B)

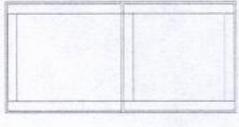
2009 DH1 2626
 2009 DH1 2626 Heat Smart, Primed Exterior
 Custom Size Cutting Charge
 c/w Wood Sill
 DH1 c/w standard wood full screen
 Bronze Camlock (1 Per Unit)
 Upper Sash - (2W1H) Colonial 3/4" SDL with Airspace Grille
 Lower Sash - (2W1H) Colonial 3/4" SDL with Airspace Grille

Item : 0002
 Exterior View

Qty : 4
 Osm of Frame : 29 3/8" x 60 1/4"

Location : UPPER FRONT
 Rough Opening : 30 5/32" x 61 1/32"

Osm of Brick Mould : 31 1/32" x 61 5/8"



2009 DH1 2426
 2009 DH1 2426 Heat Smart, Primed Exterior
 Custom Size Cutting Charge
 c/w Wood Sill
 DH1 c/w standard wood full screen
 Bronze Camlock (1 Per Unit)

Exhibit C

- Osm : 746 X 1530
- Wood Species: Douglas Fir
- Double Hung - Equal Split
- Exterior : Primed Wood
- Clear Wood Interior (CLR)
- Jamb : 4 9/16" (116)
- Brick Mould : Standard 2" Brick Mould (Y)
- Non-tiltable Sash
- Heat Smart
- Clear/Clear (CLR/CLR)
- Bronze Spacer Bar 1/2" (12mm) (B12)
- Bronze Hardware (BRN)
- White Screen Frame (W/S)
- c/w Capillary Tubes
- Standard Packaging 35 cubic ft.
- (PRM HP1)

Project Items :
 Project Adjustments :
 Drawings are for representation only. Not to scale.

Total Cubic Feet on this order :	72.00		
SUBMITTED BY :	_____		
ACCEPTED BY :	_____		
DATE :	_____		
		SubTotal :	\$ 7464.80
		6.8 % Sales STATE Tax on 7464.80 :	\$ 507.61
		Total Taxes :	\$ 507.61
GRAND TOTAL - US :			\$ 7972.41

THIS QUOTE IS VALID FOR 30 DAYS.

Pricing Quote/Medium Form



Windsor Windows and Doors
 900 South 19th Street
 West Des Moines, IA 50265
 555-5555
 Fax: 555-222-1111

Quote #: 000426
 Date: 07/02/2008
 Salesrep: TIM SNYDER

Billing Info:

Delivery Info:

Project: GARRETT/1049 PARK AVE

PO #: TSGARETT

Phone:

Terms:

Fax:

Comments:

WES, BIDDING CLOSEST STANDARD SIZES. CONFIRM SIZING WITH INSTALLER PRIOR TO ORDER. THESE DOUBLE HUNG SIZES DO NOT MEET CURRENT EGRESS CODES. GET O.K. FROM P.C. BUILDING DEPT. TIM

1450 Win-Quote Version 9.15 by Windsor Windows and Doors

Date Created: 07/02/2008

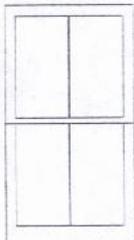
WINDSOR WINDOWS AND DOORS PROPOSES TO FURNISH PRODUCTS AS STATED BELOW

ITEM	LOCATION	PRODUCT CODE	UNIT PRICE	QTY	TOTAL PRICE
FRAME SIZE		DESCRIPTION			

0001 UPPER SIDES

2 (4)

FS = 2' 9 3/8" W x 5' 0 3/4" H
 RO = 2' 10 1/8" W x 5' 1 1/4" H
 WM 180 BRK = 3' 0" W x 5' 2 5/16" H



2826-1
 Pinnacle Series Double Hung Windows
 *** Single Standard Units ***
 Wood-Prime Exterior Finish- Setup
 Callout: 2-8 x 4-10
 LoE² IG
 Capillary Tubes
 Pine Interior
 7/8" Putty Glaze WDL w/ Inner Bar - Short
 Equal Pattern 2W1H-Top Sash
 Equal Pattern 2W1H-Bottom Sash
 WM 180 Brickmould-Standard Brickmould
 4 9/16" Jamb-Standard
 White, Standard Mesh Screen-Not Applied
 Hardware Finish: Bronze
 White Jambliner

\$ 374.01

\$ 748.02

1496.04

0002 UPPER FRONT

4

FS = 2' 5 3/8" W x 5' 0 3/4" H
 RO = 2' 6 1/8" W x 5' 1 1/4" H
 WM 180 BRK = 2' 8" W x 5' 2 5/16" H

000426

07/02/2008

1 Of 2

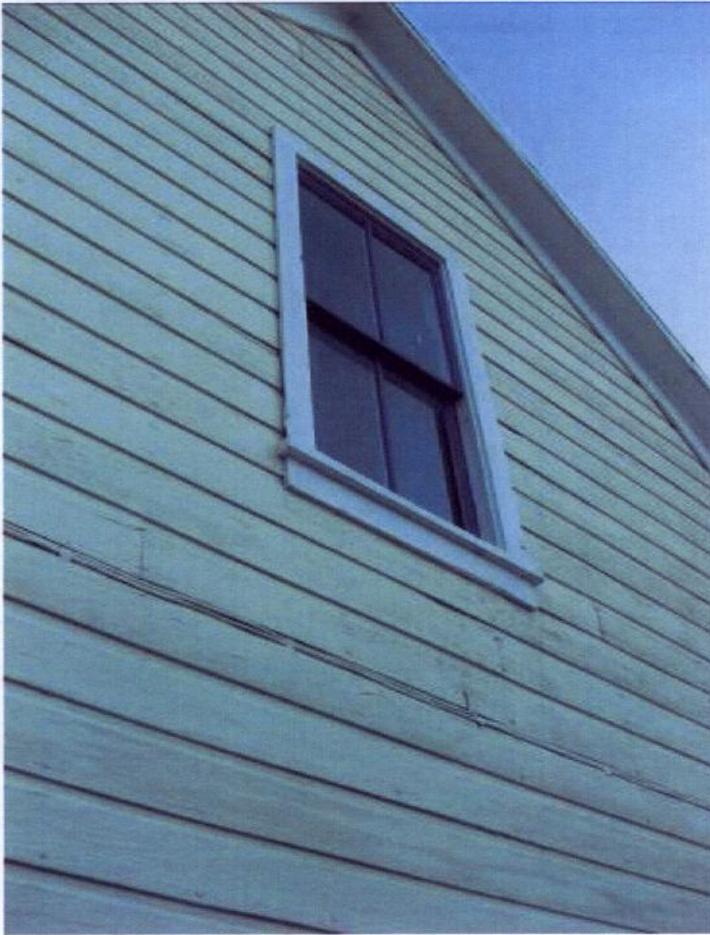




Façade of 1049 Park

Ave. from Park Ave





Side Window, Facing North



side Window facing South



weather damaged corners

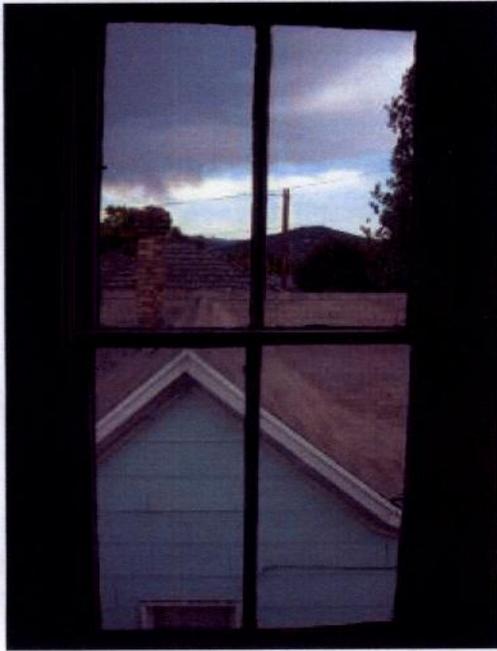


sills weathered and rotting



south

leaky window frames – facing



window facing north



9

Property: 1049 Park Avenue, Lot #13.



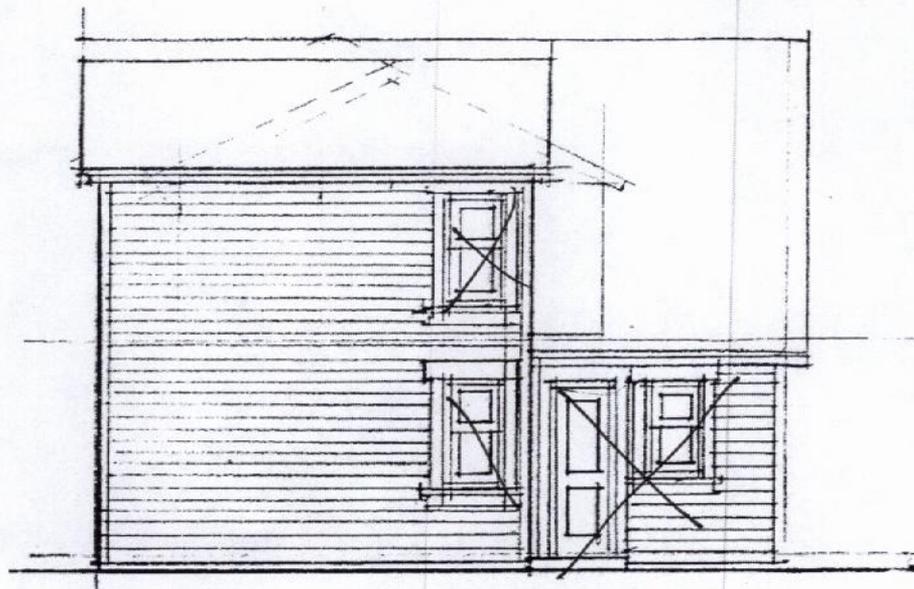
window facing north



west

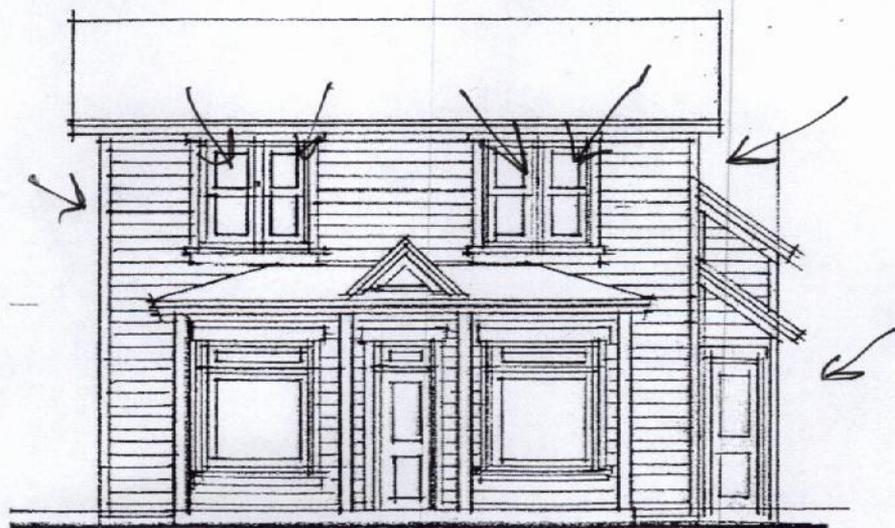
double window facing

RECEIVED
AUG 11 2009
PARK CITY
PLANNING DEPT.



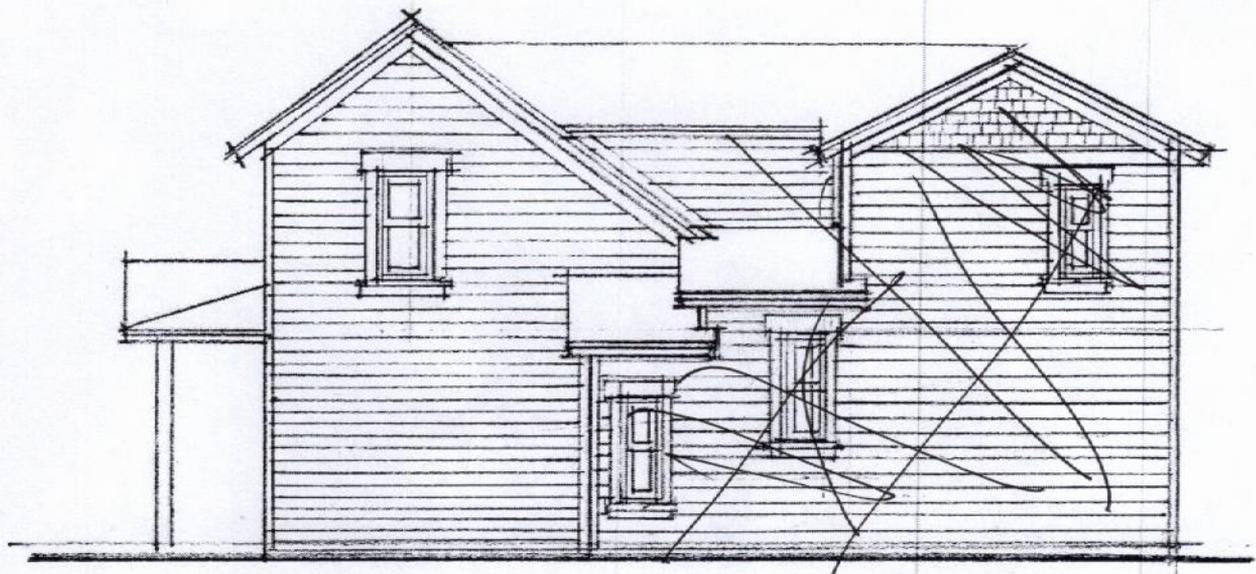
WEST ELEVATION

1/8"



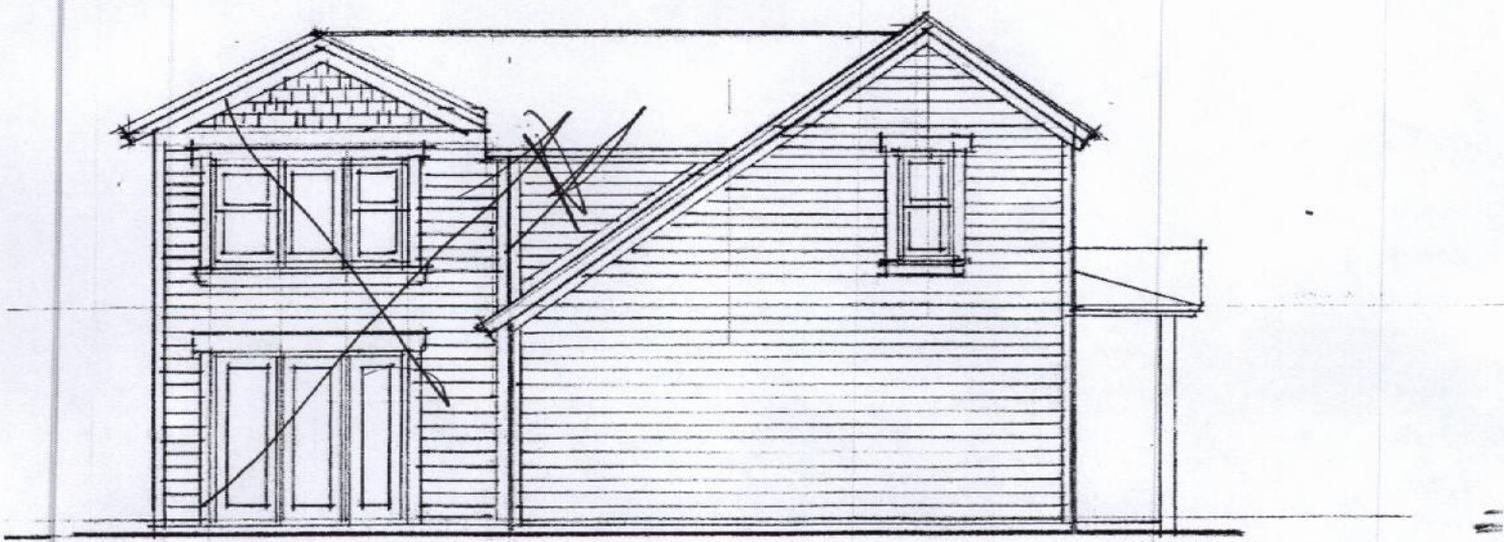
EAST ELEVATION

1/8"



NORTH ELEVATION

1/8"



SOUTH ELEVATION

1/8"

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Nathaniel L. Houston House**

Address: 1049 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-35

Current Owner Name: GARRETT WESLEY B H/W (JT)

Parent Parcel(s): SA-35

Current Owner Address: 1049 PARK AVE, PARK CITY, UT 84060

Legal Description (include acreage): SUBD: SNYDERS ADDITION BLK 4 BLOCK: 4 LOT: 13; 0.05 AC

2 STATUS/USE

Property Category

- building(s), main
 building(s), attached
 building(s), detached
 building(s), public
 building(s), accessory
 structure(s)

Evaluation*

- Landmark Site
 Significant Site
 Not Historic

Reconstruction

- Date:
Permit #:
 Full Partial

Use

- Original Use: Residential
Current Use: Residential

- *National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
 prints:
 historic: c.

Drawings and Plans

- measured floor plans
 site sketch map
 Historic American Bldg. Survey
 original plans:
 other:

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
 tax card
 original building permit
 sewer permit
 Sanborn Maps
 obituary index
 city directories/gazetteers
 census records
 biographical encyclopedias
 newspapers
- city/county histories
 personal interviews
 Utah Hist. Research Center
 USHS Preservation Files
 USHS Architects File
 LDS Family History Library
 Park City Hist. Soc/Museum
 university library(ies):
 other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Hall-parlor type

No. Stories: 1

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation Date: 12-2008

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Foundation: Tax cards indicate no foundation; not verified.

Walls: Drop siding.

Roof: Gable roof form sheathed with asphalt shingles.

Windows/Doors: Paired double-hung sash type, large rectangular casement with fixed transoms.

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The two-story frame hall-parlor house remains unchanged from the description in the National Register nomination (see Structure/Site Form, 1983). The alterations--addition of a pediment on the porch roof--is minor and does not affect the site's original design character.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting remains unchanged from early descriptions and/or photographs.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as a typical Park City mining era house are the simple methods of construction, the use of non-beveled (drop-novelty) wood siding, the plan type, the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The Hall-Parlor house form is the earliest type to be built in Park City and one of the three most common house types built in Park City during the mining era.

This site was nominated to the National Register of Historic Places in 1984 as part of the *Park City Mining Boom Era Residences Thematic District*, but was not listed because of the owner's objection. It was built within the historic period, defined as 1872 to 1929 in the district nomination. The site retains its historic integrity and would be considered eligible for the National Register as part of an updated or amended nomination. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.

5 SIGNIFICANCE

Architect: Not Known Known: (source:) Date of Construction: c. 1895¹

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

¹ National Register nomination.

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.²

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2008.

Photo No. 2: East elevation. Camera facing west, 2008.

Photo No. 3: Northeast oblique. Camera facing southwest, 2008.

Photo No. 4: East elevation. Camera facing west, 2006.

Photo No. 5: East elevation. Camera facing west, 1995.

Photo No. 6: Northeast oblique. Camera facing southwest, 1983.

Photo No. 7: East elevation. Camera facing west, tax photo.

² From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____
 Owner's Address _____
 Location _____
 Kind of Building Res Street No. _____
 Schedule 1 Class 3 Type 1-2-3-4 Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
<u>1</u>	x x		<u>752</u>	\$ -	\$ <u>1545</u>
<u>2</u>	x x		<u>364</u>	\$	\$ <u>437</u>
	x x			\$	\$

No. of Rooms 4x2-4p Condition _____

Description of Building	Add	Deduct
Foundation—Stone <u>1.15</u> Conc. None <input checked="" type="checkbox"/>		<u>143</u>
Ext. Walls <u>Siding</u>		
Insulated—Floors Walls Clgs.		
Roof—Type <u>gab</u> Mat. <u>Shg.</u>		
Dormers—Small Med. Lg.		
Bays—Small Med. Lg.		
Porches—Front <u>92' @ 1.15</u>	<u>106</u>	
Rear @		
Cellar—Basin't— $\frac{1}{4}$ $\frac{1}{8}$ $\frac{1}{2}$ $\frac{3}{4}$ full-floor <u>conc</u>	<u>25</u>	
Basement Apts.—Rooms Fin.		
Attic Rooms—Fin. Unfin.		
Plumbing— Class <u>1</u> Tub <u>1</u> Trays _____ Basin <u>1</u> Sink <u>1</u> Toilet _____ Urns _____ Ftns. Shr. _____ Dishwasher _____ Garbage Disp. _____	<u>350</u>	
Heat—Stove <u>H. A.</u> Steam S. Blr. _____ Oil _____ Gas _____ Coal _____		
Air Conditioned _____ Incinerators _____		
Radiant—Pipeless _____		
Finish— Hd. Wd. _____ Floors— Fir. <u>✓</u> Hd. Wd. _____ Conc. _____		
Cabinets <u>17</u> Mantels _____	<u>40</u>	
Tile— Walls _____ Wainscot. _____ Floors _____		
Lighting—Lamp _____ Drops <u>✓</u> Fix. _____ <u>Lubr. lined with 6 @ 25</u>	<u>150</u>	
Total Additions and Deductions	<u>531</u>	<u>293</u>
Net Additions or Deductions	<u>-293</u>	<u>1982</u>

Ave Age 45 Yrs. by Est. Owner
 Tenant
 Neighbors
 Records

REPRODUCTION VALUE \$ 2220
 Depr. 1-2-3-4-5-6 58/100 %
 Reproduction Val. Minus Depr. \$ 932

Remodeled _____ Est. Cost _____
 Garage—S 8 C _____ Depr. 2% 3% _____
 Cars _____ Walls _____
 Roof _____ Size x Age _____
 Floor _____ Cost _____ Depreciated Value Garage _____

Remarks 27yr Ave Used (1941) **Total Building Value** \$ _____

Location Block 4 N5' Lot 12 - A1113 - A1121
 Kind of Bldg. RES. St. No. 1049 Park Ave
 Class 34 Type 1 2 3 4 (4) Cost \$ X 100%

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
<u>1 1/2</u>	x x		752		\$ 1571
	x x		364		457
	x x				

Gar.—Carport x — Fr. Walls — Cl.

Description of Buildings	Additions
Foundation—Stone <u>Conc.</u> — None <input checked="" type="checkbox"/>	
Ext. Walls <u>Siding</u>	
Insulation—Floors <u>Walls</u> — Cigs.	
Roof Type <u>Flat</u> — Mtl. <u>Shg.</u>	
Dormers—Small <u>Med.</u> — Large	
Bays — Small <u>Med.</u> — Large	
Porches—Front <u>92'</u> @ <u>100</u>	<u>92</u>
Rear <u>@</u>	
Porch <u>@</u>	
Metal Awnings <u>Mtl. Rail</u>	
Basement Entr. <u>@</u>	
Planters <u>@</u>	
Cellar-Bsmt. — <u>1/4</u> <u>1/2</u> <u>3/4</u> Full — Floor <u>concr</u>	<u>50</u>
Bsmt. Apt. — Rooms Fin. — Unfin.	
Attic Rooms Fin. — Unfin.	
Plumbing	Class <u>1</u> Tub <u>1</u> Trays
	Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u>
	Wtr. Sfr. — Shr. St. — O.T.
	Dishwasher — Garbage Disp.
Built-in-Appliances	
Heat—Stove <u>H.A.</u> — Steam — Stkr. <u>Blr.</u>	
Oil <u>Gas</u> — Coal — Pipeless — Radiant	
Air Cond. <u></u>	
Finish—Fir <u>Hd. Wd.</u>	
Floor—Fir <u>Hd. Wd.</u> — Other	
Cabinets <u>1</u> Mantels <u></u>	
Tile — Walls — Wainseot — Floors	
Storm Sash— Wood D. — S. — ; Metal D. — S. —	
Total Additions	<u>492</u>

Year Built <u>1949</u>	Avg. <u>54</u>	Current Value	\$ <u>2520</u>
Age <u>14</u>		Commission Adj.	%
Inf. by <u>Owner - Tenant</u>		Bldg. Value	
<u>Neighbor - Record - Est.</u>		Depr. Col. <u>(1) 2 3 4 5 6</u>	<u>33%</u>
Remodel Year <u></u>	Est. Cost	Current Value Minus Depr.	\$ <u>832</u>
Garage — Class <u>2</u>	Depr. 2% <u>(3%)</u>	Carport — Factor	
Cars <u>1</u>	Floor <u>concr</u> Walls <u>sid</u> Roof <u>TP</u> Doors <u>1</u>		
Size— <u>12</u> x <u>21</u>	Age <u>1950</u> Cost <u>230</u>		<u>175</u>
Other			
Total Building Value			\$ <u>1332</u>

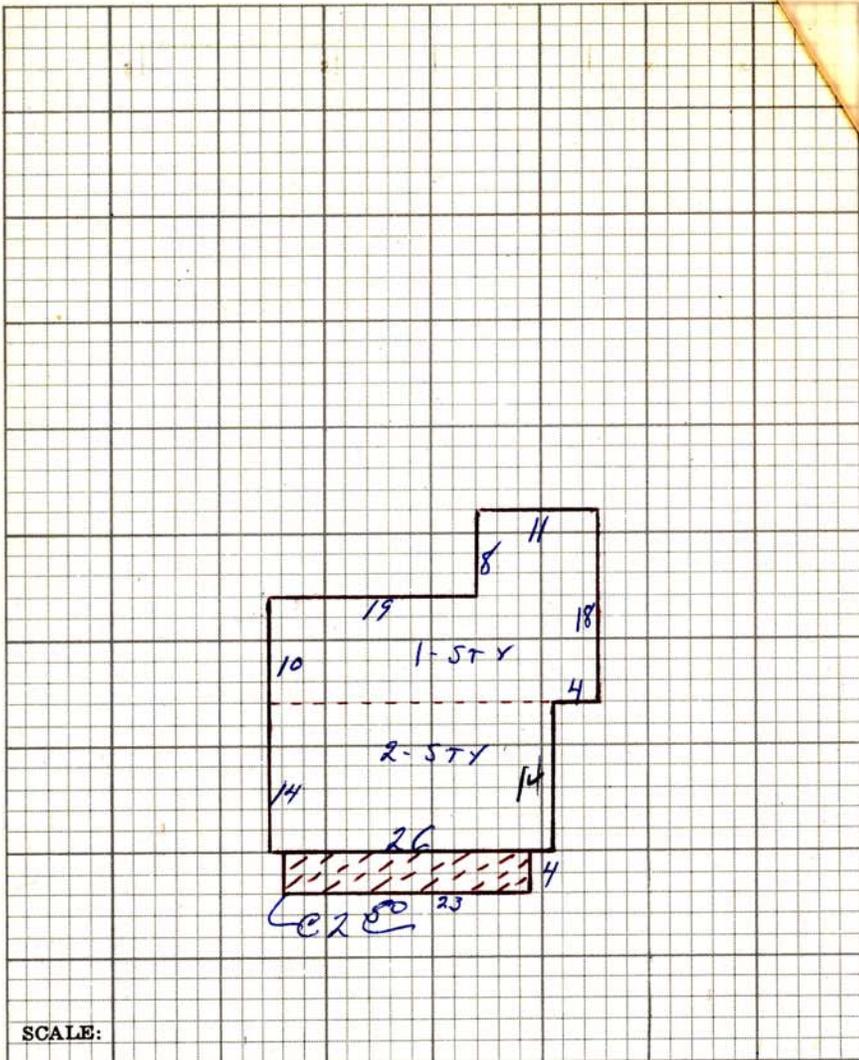
Owners Name _____
 Location PARK CITY
 Kind of Bldg. Res St. No. 1049 Park Ave
 Class 4- Type 1 2 3 4. Cost \$ 6170 X 94 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	752		\$ 5800	\$
2	x x	364			
	x x				

Att. Gar.—C.P. Flr. _____ Walls _____ Cl. _____

Description of Buildings	Additions	Additions
Foundation—Stone _____ Conc. _____ Sills <input checked="" type="checkbox"/>		
Ext. Walls <u>Frame</u>		
Roof Type <u>gable</u> Mtl. <u>Shg</u>		
Dormers—Small _____ Med. _____ Large _____		
Bays—Small _____ Med _____ Large _____		
Porches—Front <u>92° @ 250</u> <u>230</u>		
Rear _____ @ _____		
Porch _____ @ _____		
Planters _____ @ _____		
Ext. Base. Entry _____ @ _____		
Cellar-Bsmt. — ¼ ½ ¾ Full — Floor <u>FLR</u> <u>60</u>		
Bsmt. Gar. _____		
Basement-Apt. _____ Rms. _____ Fin. Rms. _____		
Attic Rooms Fin. _____ Unfin. _____		
Plumbing {	Class <u>1</u> Tub <u>1</u> Trays _____	550
	Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u>	
	Wtr. Sfr. _____ Shr. St. _____ O.T. _____	
	Dishwasher _____ Garbage Disp. _____	
Heat—Stove _____ H.A. _____ FA <input checked="" type="checkbox"/> HW _____ Stkr _____ Elec. _____	329	1-5TV
Oil _____ Gas <input checked="" type="checkbox"/> Coal _____ Pipeless _____ Radiant _____		
Air Cond. — Full _____ Zone _____		
Finish—Fir. _____ Hd. Wd. _____ Panel _____		
Floor—Fir. _____ Hd. Wd _____ Other _____		
Cabinets <input checked="" type="checkbox"/> Mantels _____		
Tile—Walls _____ Wainscot _____ Floors _____		
Storm Sash—Wood D. _____ S. _____; Metal D. _____ S. _____		
Awnings — Metal _____ Fiberglass _____		

Total Additions		1169
Year Built <u>1904</u>	Avg. 1.	Replacement Cost <u>6969</u>
	Age 2.	Obsolescence
Inf. by <u>Owner</u> Tenant- - Neighbor - Record - Est.		Adj. Bld. Value
		Conv. Factor x.47
Replacement Cost—1940 Base		
Depreciation Column <u>1</u> 2 3 4 5 6		
1940 Base Cost, Less Depreciation		
Total Value from reverse side <u>Garage + Sheds</u> <u>275</u>		
Total Building Value		\$



SCALE:

RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
<i>Shed</i>	35	7 x 15	105	501	53	3/47	25%	13
		x				.47		
<i>Shed</i>	35	6 x 17	102	509	51	3/47	25%	13
		x				.47		
		x				.47		
		x				.47		

Garage — Class 2 Depr. 2% 6%

Cars Floor Conc Walls Frame Roof RR Doors _____

Size 12 x 21 Age 1950 Cost 578 x 47%

1940 Base Cost _____ x 46 % Depr. _____

Total 266

REMARKS _____



Property Type:

Historic Preservation Research Office

Structure/Site Information Form

IDENTIFICATION 1

Street Address: 1049 Park UTM: 12 457700 4499780
 Park City, Summit County, Utah
 Name of Structure: Nathaniel L. Houston House T. R. S.
 Present Owner: Gary and Sue Boyle
 Owner Address: 2011 Blacksmith Road, Pinebrook, Park City, Utah 84060
 Year Built (Tax Record): Effective Age: Tax #: SA 35
 Legal Description: Kind of Building:
 North 5 feet of Lot 12, all of Lots 13 and 21 Block 4,
 Snyder's Addition to Park City Survey.
 Less than one acre.

STATUS/USE 2

Original Owner: Nathaniel L. Houston Construction Date: c.1895 Demolition Date:
 Original Use: Residence Present Use:
 Building Condition: Integrity: Preliminary Evaluation: Final Register Status:
 Excellent Site Unaltered Significant Not of the National Landmark District
 Good Ruins Minor Alterations Contributory Historic Period National Register Multi-Resource
 Deteriorated Major Alterations Not Contributory State Register Thematic

DOCUMENTATION 3

Photography: Date of Slides: 1983 Slide No.: Date of Photographs: 1983 Photo No.:
 Views: Front Side Rear Other Views: Front Side Rear Other

Research Sources:
 Abstract of Title Sanborn Maps Newspapers U of U Library
 Plat Records/ Map City Directories Utah State Historical Society BYU Library
 Tax Card & Photo Biographical Encyclopedias Personal Interviews USU Library
 Building Permit Obituary Index LDS Church Archives SLC Library
 Sewer Permit County & City Histories LDS Genealogical Society Other Census Records

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Boyle, Marjorie Brierly. Telephone interview, March 23, 1984, Park City, Utah.
 1900 Census Records. Summit County, Park City Precinct.
Salt Lake Tribune. November 17, 1957, p. C-11. John Brierly obituary.

Architect/Builder: unknown

Building Materials: wood

Building Type/Style: Two Story Hall and Parlor House

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This house is a two story frame hall and parlor house with a gable roof formed by having a second story added to a one story hall and parlor house. When the second story was added, the rear roof section was extended over a shed extension, so that the roof resembles a saltbox roof type. It is impossible to detect the line of juncture between the two stories, and the drop siding and openings of the second story are well matched with those elements of the original section. The arrangement of openings on the facade is symmetrical. A door is centered between two broad single pane windows with leaded glass transoms on the first floor, and pairs of double hung second story windows are centered over the first floor windows. There is a hip roof porch over the door and windows. The pediment that projects from the center of the porch roof is a recent addition, but that type of decorative feature was commonly used on late nineteenth and early twentieth century porches, and therefore is an unobtrusive alteration. There are two small shed extensions on the north side of the building, both of which are either original or are in-period additions. They complement the building both in materials and scale. In-period rear extensions are part of Park City's architectural vocabulary. Although in many cases an extension represents a major alteration of the original house, it usually contributes to the significance of a house because
(See continuation sheet)

Statement of Historical Significance:

Construction Date: c.1895

Built c. 1895, the Nathaniel L. Houston at 1049 Park is architecturally significant as one of three well preserved extant buildings which document the method of expanding a small mining town cottage by adding a full second story to an existing hall and parlor house. The addition of a shed extension to the rear of a house or a cross-wing to one end of a hall and parlor house were the preferred methods of expanding Park City's tiny houses. Because there are only three examples of houses that were expanded by the addition of a second story, it is likely that this type of expansion may have been more difficult to do, and was therefore less popular. All three houses were originally one story residences. This house is one of two that were changed to two story residences with gable roofs typical of hall and parlor houses. A flat roof second story was added to the top of the third house, giving it the appearance of a commercial building.

Nathaniel L. Houston, who bought this property in 1890, mortgaged it for \$500 in 1895, probably to finance the construction of the original one-story section of this house. Houston, a bachelor, owned other property in town and may have rented out this house. Sanborn Insurance Maps indicate that this house was built sometime between 1889 and 1900. Houston sold this house in 1896 to Albert Holindrake, who lived here for a number of years with his family. Holindrake was a native of Utah (b. 1865) and a miner.

John Brierly, who bought this house in the early 1900s, lived here for many years and the house has remained in the Brierly family to the present. John Brierly was born in England in 1884, and came to Park City at an unknown date. The property records are unclear, but John may have purchased this house soon after his 1906 marriage to Josie Crittenden. The second story of
(See continuation sheet)

1049 Park

Description continued:

it documents the most common and acceptable method of expansion of the small Park City house. This house no longer maintains its integrity as a one story hall and parlor house. It does, however, maintain its integrity as a hall and parlor house that was expanded to a two story version of the type, thereby documenting one of several solutions for expanding a small Park City house. There are only three extant examples in Park City of this method of expansion. The other two houses that were similarly altered are 125 and 150 Main.

History continued:

the house was added on sometime between 1900 and 1907, according to the Sanborn Insurance Maps, so it is possible that Brierly was responsible for that. Brierly worked for the Park City Consolidated Mines for 34 years, and served on the city's volunteer fire department.













HISTORIC PRESERVATION
2009 GRANT PROGRAM AGREEMENT

This agreement is made by and between the PARK CITY MUNICIPAL CORPORATION (“City”) and {APPLICANT} (“Grantee”), regarding the property at {ADDRESS} described as follows (legal description):

{LEGAL DESCRIPTION}

The City has made funds available for the renovation and/or rehabilitation of residences and businesses in Park City which are of historic significance. Funds are being made available on a matching basis to the owner of such structures to further the purposes of historic preservation in Park City. The program is being administered by the Historic Preservation Board.

Grantee has been selected as a recipient of a grant from the City in the maximum amount of which grant proceeds will be paid to Grantee upon completion of the approved rehabilitation work, subject to the terms below.

In consideration of the mutual promises and agreements contained herein, the sufficiency of which is hereby acknowledged, the City and Grantee agree as follows:

1. Within sixty days (60) days of Grant award, Grantee will submit to the Park City Planning Department plans and specifications describing the proposed rehabilitation work, which plans and specifications will be subject to review and approval by the Park City Planning Department for compliance with applicable development codes, including but not limited to the Park City Land Management Code and Historic District Design Guidelines.

2. Grantee will complete the approved rehabilitation work within nine (9) months from the date of building permit issuance, or a written request for an extension must be submitted to, and approved by, the Historic Preservation Board. If the work performed fails to comply with the approved plans, the City may revoke the grant or seek specific performance as enforcement of this Agreement.

3. Grantee will submit all receipts and/or lien releases for the work done pursuant to this Agreement.

4. The City will reimburse Grantee for one half the total cost of approved rehabilitation work, up to a maximum of \${AMOUNT} based upon the receipts submitted, and approval by the Planning and Building Departments of the completion of the rehabilitation work, pursuant to the approved plans and building permit(s).

5. Grantee agrees to allow the City to place a sign on Grantee’s premises during construction work and for up to one year after completion, which sign shall state that the rehabilitation work is being supported by a grant from the Park City Municipal Corporation and that the Grant Program is being administered by the Park City Historic Preservation Board.

6. For ten (10) years following the award of the Grant, the Grantee shall not apply for a demolition permit for the building or site for which the Grant is awarded, unless the building or site is structurally unsound or other substantial changes in circumstance have occurred (other than neglect by the owner), in which case the owner may apply as conditions warrant. All future modifications or additions to the building shall be subject to the review and approval of the Planning Department Staff for compliance with applicable development codes, including but not limited to the Park City Land Management Code and Historic Design Guidelines.

7. If the building is a residential building, Grantee warrants that the building use shall remain residential for at least five (5) years following completion of the rehabilitation work performed pursuant to this Agreement.

8. Grantee warrants that the building or site for which the grant is awarded shall remain in Grantee's ownership for at least five (5) years. The Grantee shall execute a promissory note and trust deed to secure repayment of the Grant amount, which security shall be subordinate to any purchase financing and/or restoration/rehabilitation financing for the property. The City shall release the note and deed of trust five years from the date of payment hereunder. If the Grantee sells the building within five years of payment hereunder, the Grantee shall pay to the City a recapture amount of the grant as specified below, plus interest of 1% per month from the date of the disbursement of the Grant:

Within the first year, 100% of the grant
Within the second year, 80% of the grant
Within the third year, 60% of the grant
Within the fourth year, 40% of the grant
Within the fifth year, 20% of the grant

9. In exchange for the City's contribution, Grantee agrees to provide the following minimum services to the community:

Maintain the architectural significance of the structure;
Retain and/or restore the historic character of the structure;
Preserve the structural integrity of the structure; and
Perform normal maintenance and repairs.

Both parties agree that the above services provided to the community and other consideration herein represent a good faith exchange of current fair market value of the City's contribution.

DATED this ____ day of _____, 2009.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, Mayor

ATTEST:

Janet M. Scott, City Recorder

APPROVED AS TO FORM:

City Attorney's Office

GRANTEE:

By: _____

Name:

Historic Address:

STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

On this _____ day of _____, 2009, before me, the undersigned notary, personally appeared personally known to me/proved to me through identification documents allowed by law, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged that he/she/they signed it voluntarily for its stated purpose.

NOTARY PUBLIC

TRUST DEED NOTE

DO NOT DESTROY THIS NOTE: When paid, this note, with Trust Deed securing same, must be surrendered to Trustee for cancellation, before re-conveyance will be made.

\$ {AMOUNT}

Park City, Utah

WHEREAS, {APPLICANT}, "Grantor" has entered into a 2009 Historic Preservation Grant Agreement ("Agreement") attached hereto as Exhibit A, with PARK CITY MUNICIPAL CORPORATION, "Grantee"; and

WHEREAS the Grantor was awarded a grant of pursuant to the Agreement; and

WHEREAS, pursuant to the Agreement, the Grantor has agreed to repay the grant if the property is sold within five years of the grant;

WHEREAS, the City desires to provide grant funds to Historic District home owners in exchange for services provided to the community equal in current fair market value to the City's contribution;

NOW, THEREFORE, the undersigned Grantor, FOR VALUE RECEIVED, promises to pay to the order of PARK CITY MUNICIPAL CORPORATION, within thirty (30) days of closing the sale of the property, the amount set forth below, plus interest, if the property is sold within five (5) years of payment of the Grant pursuant to the Agreement:

Payment of principal, plus interest of one percent (1%) per month accruing from the date of disbursement of the Grant:

- a) within one year, 100% of Grant;
- b) within the second year, 80% of Grant;
- c) within the third year, 60% of Grant;
- d) within the fourth year, 40% of the Grant;
- e) within the fifth year, 20% of the Grant

If this note is collected by an attorney after default in the payment of principal or interest, either with or without suit, the undersigned agrees to pay all costs and expenses of collection including a reasonable attorney's fee.

The makers, sureties, guarantors and endorsers hereof severally waive presentment for payment, demand and notice of dishonor and nonpayment of this note, and consent to any and all extensions of time, renewals, waivers or modifications that may be granted by the holder hereof with respect to the payment or other provisions of this note, and the release of any security, or any part thereof, with or without substitution.

This note is secured by a Trust Deed of even date herewith. Grantee shall release the Note and Trust Deed five (5) years from the date of the payment of the Grant pursuant to this Agreement.

Grantor

STATE OF UTAH)
 SS
COUNTY OF SUMMIT)

On this _____ day of _____, 2009, before me, the undersigned notary, personally appeared _____ personally known to me/proved to me through identification documents allowed by law, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged that he/she/they signed it voluntarily for its stated purpose.

Notary Public

WHEN RECORDED, MAIL TO:
Executive Department
Park City Municipal Corporation
P. O. Box 1480
Park City, Utah 84060

TRUST DEED

THIS TRUST DEED, made this ____ day of _____, 2009, between {APPLICANT}, whose mailing address is, {MAILING ADDRESS}, MARK D. HARRINGTON, ESQ., a member of the Utah State Bar, as Trustee, and PARK CITY MUNICIPAL CORPORATION, a municipal corporation of the state of Utah, as Beneficiary.

WITNESSETH: That Trustor conveys and warrants to Trustee in trust, with power of sale, {ADDRESS}, the following described property, situated in Summit County, state of Utah:

{LEGAL DESCRIPTION}

Together with all buildings, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances thereunto belonging, now or hereafter used or enjoyed with said property, or any part thereof. Subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents and profits;

For the purpose of securing (1) payments of the indebtedness evidenced by a promissory note of even date herewith, in the principal sum of {AMOUNT} made by Trustor, payable to the order of Beneficiary at the times, in the manner and with interest as therein set forth, and any extensions and/or renewals or modifications thereof; (2) the performance of each agreement of Trustor herein contained; (3) the payment of such additional loans or advances as hereafter may be made to Trustor, or on Trustor's behalf as guaranty of other loans to Trustor, or their successors or assigns, when evidenced by a promissory note or notes reciting that they are secured by this Trust Deed; and (4) the payment of all sums expended or advanced by Beneficiary under or pursuant to the terms hereof, together with interest thereon as herein provided.

TO PROTECT THE SECURITY OF THIS TRUST DEED, TRUSTOR AGREES:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon, to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon; to comply with all laws and covenants and restrictions affecting said property; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general; and, if the loan secured hereby or any part hereof is being obtained for the

purpose of financing construction of improvements on said property, Trustor further agrees:

- (a) To commence construction promptly and to pursue same with reasonable diligence to completion in accordance with plans and specifications satisfactory to Beneficiary; and
- (b) To allow Beneficiary to inspect said property at all times during construction.

Trustee, upon presentation to it of an affidavit signed by Beneficiary, setting forth showing a default by Trustor under this numbered paragraph, is authorized to accept as true and conclusive all facts and statements therein, and to act thereon hereunder.

2. To faithfully perform all obligations under a certain Trust Deed Note by and between the Trustor and Beneficiary dated of even date herewith.

3. Time is of the essence hereof. Upon default by Trustor in the payment of any indebtedness secured hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of such default, Beneficiary may execute or cause Trustee to execute a written notice of default and of election to cause said property to be sold to satisfy the obligations hereof, and Trustee shall file such notice for record in each county wherein said property or some part of parcel thereof is situated. Beneficiary also shall deposit with Trustee, the note and all documents evidencing expenditures secured hereby.

4. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell property on the date and at the time and place designated in said notice of sale, either as a whole or in separate parcels, and in such order as it may determine (but subject to any statutory right of Trustor to direct the order in which such property, if consisting of several known lots or parcels, shall be sold) at a public auction to the highest bidder, the purchase price payable in lawful money of the United States at the time of sale. The person conducting the sale may, for any cause he deems expedient, postpone the sale from time to time until it shall be completed and, in every case, notice of postponement shall be given by public declaration thereof by such person at the time and place last appointed for the sale; provided, if the sale is postponed for longer than one day beyond the day designated in the notice of sale, notice thereof shall be given in the same manner as the original notice of sale. Trustee shall execute and deliver to the purchaser its Deed conveying said property so sold, but without any covenant or warranty, express or implied. The recitals in the Deed of any matters or facts shall be conclusive proof as to the truthfulness thereof. Any person, including Beneficiary, may bid at the sale. Trustee shall apply the proceeds of the sale to payment of (1) the costs and expenses of exercising the power of sale and of the sale, including the payment of the Trustee's and attorney's fees; (2) cost of any evidence of title procured in connection with such sale and revenue stamps on Trustee's Deed; (3) all sums expended under the terms hereof, not then repaid, with accrued interest at one percent (1%) per month from date of expenditure; (4) all other sums then secured hereby; and (5) the remainder, if any, to the person or persons legally entitled thereto, or the

Trustee, in its discretion, may deposit the balance of such proceeds with the county clerk of the county in which the sale took place.

5. Upon the occurrence of any default hereunder, Beneficiary shall have the option to declare all sums secured hereby immediately due and payable and foreclose this Trust Deed in the manner provided by law for the foreclosure of mortgage on real property and Beneficiary shall be entitled to recover in such proceeding all costs and expenses incident thereto, including a reasonable attorney's fee in such amount as shall be fixed by the court.

6. Beneficiary may appoint a successor Trustee at any time by filing for record in the office of the county recorder of each county in which said property or some part thereof is situated, a Substitution of Trustee. From the time the substitution is filed for record, the new Trustee shall succeed to all the powers, duties, authority and title of the Trustee named herein or of any successor Trustee. Each such substitution shall be executed and acknowledged, and notice thereof shall be given and proof thereof made, in the manner provided by law.

7. This Trust Deed shall apply to, inure to the benefit of, and bind all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. All obligations of Trustor hereunder are joint and several. The term "Beneficiary" shall mean the owners and holders, including any pledgee, of the note secured hereby. In this Trust Deed, whenever the context requires, the masculine gender includes the feminine and/or neuter, and the singular includes the plural.

8. Trustee accepts this Trust when this Trust Deed duly executed and acknowledged is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other Trust Deed or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party, unless brought by Trustee. Upon request of Trustor, and consent of Beneficiary, Trustee is authorized to execute legal instruments subordinating this Trust Deed to subsequent security interests.

9. This Trust Deed shall be construed according to the laws of the state of Utah.

10. The undersigned Trustor requests that a copy of any notice of default and of any notice of sale hereunder be mailed to them at the address hereinbefore set forth.

TRUSTOR:

2009 Historic District Grant Program

Grant Recipient's Name:

STATE OF UTAH)
 SS
COUNTY OF SUMMIT)

On this _____ day of _____, 2009, before me, the undersigned notary,
personally appeared _____ personally known
to me/proved to me through identification documents allowed by law, to be the
person(s) whose name(s) is/are signed on the preceding or attached document, and
acknowledged that he/she/they signed it voluntarily for its stated purpose.

Notary Public