Ordinance No. 95-65

AN ORDINANCE AMENDING CHAPTERS 1, 2, 7, 8 AND 13 OF THE LAND MANAGEMENT CODE RELATING TO BUILDING HEIGHT, SNOW SHEDDING, SETBACKS, GARAGES/PARKING, NOTIFICATION TO ADJACENT PROPERTY OWNERS, AND FLOOR AREA RATIOS IN THE HISTORIC RESIDENTIAL (HR-1) AND HISTORIC RESIDENTIAL DEVELOPMENT LOW-DENSITY (HRL) DISTRICTS IN PARK CITY, UTAH

WHEREAS, protecting the health and safety and preserving the historic integrity in residential areas of the Historic District are values of the community and identified goals of the City Council; and

WHEREAS, the City Council enacted amendments to the Land Management Code dealing with height and floor area ratios in February 1995, but further directed staff, the Historic District Commission, and Planning Commission to explore solutions to mitigate the mass and scale of new development in the Historic District and to develop regulations to ensure compatibility with existing historic structures; and

WHEREAS, consistent with Council direction, public meetings were held with local architects, the Historic District Commission, and the Planning Commission. After several months of public meetings, on October 16, 1995, the Historic District rendered a positive recommendation to the City Council. Following public meetings, and a duly advertised public hearing held on October 25, 1995, the Planning Commission also rendered a positive recommendation to Council; and

WHEREAS, the City Council held public hearings at its regularly scheduled meetings on November 9, 1995 and December 7, 1995 and in consideration of the recommendations of the Historic District Commission, the Planning Commission and public testimony, finds it in the best interest of the residents of Park City, Utah to amend the Land Management Code with regulations that maintain the essence of the Historic District while safeguarding quality of life for its residents;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah that:

SECTION 1. AMENDMENT TO CHAPTERS 1 OF THE LAND MANAGEMENT CODE. With regard to historic district design review and notification, Chapter 1 is hereby amended as follows:

HISTORIC DISTRICT DESIGN REVIEW AND NOTIFICATION:

Section 1.11--General Provisions/Procedures: Permitted Use Review Process

Permitted Use Review Process: On any proposal to construct a building or other improvement to property which is defined by this Code as a permitted use in the zone in which the building is proposed, the Community Development Department shall review the submission to determine whether the proposal (a.) is a permitted use within the zone for which it is proposed, (b.) complies with the requirements of that zone for building height, setback, front, side, and rear yards, and lot coverage; (c.) that the applicable parking requirements have been satisfied; and (d.) the plan conforms to the Park City Architectural Design Guidelines, the Historic District Design Guidelines, and architectural review process established for that zone. Upon finding that the proposal complies with the applicable zoning requirements, and can be adequately serviced by roads, existing utility systems or lines, the plans shall be reviewed for Building Code compliance and permit issuance procedures . If the submission does not comply with the requirements of the zone, the Community Development Department shall so notify the owner of the project or his agent, if any, stating specifically what requirements of the zone have not been satisfied, and also stating whether the project could be reviewed as submitted as a conditional use for that zone.

SECTION 2. AMENDMENTS TO CHAPTER 2 OF THE LAND MANAGEMENT CODE. With regard to the definition of height, Chapter 2 is hereby amended as follows:

BUILDING HEIGHT:

Chapter 2: Definitions

Height: The vertical distance from natural undisturbed grade to the highest point of a flat roof or to the deck line of a mansard roof or to a point midway between the lowest part of the eaves or cornice and ridge of a hip roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line or maximum zone height, whichever is lower. Roofs not fitting clearly any of the above three classifications shall be classified by the ~~Planning~~ Community Development Department in accordance with the roof it most clearly resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration.

In the HR-1 and HR-L zones, height shall be defined as the vertical distance from natural undisturbed grade or final grade (which ever yields the smaller\shorter building) at a point measured three feet out from the foundation wall to the highest point of a flat roof or to the deck line of a mansard roof or to the highest ridge of a hip or gable roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line. Roofs not clearly fitting any of the above three classifications shall be classified by the Community Development Department in accordance with the roof classification it most

clearly resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration. See Section 8.17.

SECTION 3. AMENDMENTS TO CHAPTER 7 OF THE LAND MANAGEMENT CODE. With regard to building height, snow shedding, setbacks, garages/parking, and floor area ratios, Chapter 7 is hereby amended as follows:

A. BUILDING HEIGHT

Chapter 7: Historic Residential (HR-1) District

Section 7.1.5--Building Height

a. Structures shall be erected to a height no greater than ~~28~~ 27 feet, as defined in Section 8.17. *(See Historic District Design Guidelines for additional design criteria.)* ~~No volume or area above this 28 foot height may be used for facade variation open space~~.

~~b. Downhill facades may not exceed 28 feet from natural or final grade (whichever is more restrictive) to the peak of the roof. The design of the structure must incorporate a significant facade shift after the 28 foot limit to break up the mass of the structure as viewed from public rights-of-way or properties below. The length of the facade shift should be in proportion to the building mass and may be roughly equal to the difference between natural and final grade at the base of the downhill facade. However, in order to avoid dictating design, no absolute standard for the size of the shift is specified. Rather the Historic District Commission shall review the facade shift during normal design review and may approve lesser or require greater shifts based upon neighborhood compatibility, visibility from public rights-of-way, and other design considerations.~~

Section 7. 14: Historic Residential Development Low-Density

Section 7. 14. 3.g--Building Height

(1) Buildings shall not exceed a maximum height of ~~28~~ 27 feet, ~~except as provided in the supplemental regulations~~ as defined in Section 8.17. *(See Historic District Design Guidelines for additional design criteria.)* ~~No volume or area above this 28 foot height may be used for facade variation open space~~.

~~(2) Downhill facades may not exceed 28 feet from natural or final grade (whichever is more restrictive) to the peak of the roof. The design of the structure must incorporate a significant facade shift after the 28 foot limit to break up the mass of the structure as viewed from public rights-of-way or properties below. The length of the facade~~

~~shift should be in proportion to the building mass and may be roughly equal to the difference between natural and final grade at the base of the downhill facade. However, in order to avoid dictating design, no absolute standard for the size of the shift is specified. Rather the Historic District Commission shall review the facade shift during normal design review and may approve lesser or require greater shifts based upon neighborhood compatibility, visibility from public rights-of-way, and other design considerations.~~

B. SIDE-YARD SETBACKS/SNOW-SHEDDING

Chapter 7: Districts and Regulations

Section 7.1.3.c: Historic Residential (HR-1) District - Side Yard

Side Yard: The minimum side yard for a single family structure shall be three feet. The minimum side yard for any structure of two or more units shall be five feet.

For structures on lots from 25 to 50 feet in total width, the sum of the side yard setbacks must ~~total~~ be a minimum of ten feet. For structures on parcels from 51 to 75 feet in width, the ~~total~~ sum of the side yard setbacks must be a minimum of 15 feet with a minimum of five feet on one side. For structures on parcels greater than 76 feet total width, the side setbacks must be a minimum of ten feet each.

1. A side yard shall not be required between structures designed with a common wall on a lot line. The longest dimension of buildings thus joined shall not exceed 50 feet.

2. For side yards of less than five feet, the special side yard exceptions as provided in Section 8.14 shall not apply, except for projections of less than four inches as specified in Section 8.14(a) and for the allowance for a driveway as specified in Section 8.14 (h).

3. On corner lots, any yard which faces on a street for both main and accessory buildings shall not be less than 10 feet.

4. Site plans and building designs shall resolve snow release issues to the satisfaction of the Chief Building Official to minimize the impacts of snow shedding on adjacent properties and/or improvements.

Section 7.14.3 (d): Historic Residential Development Low-Density - Side Yard

Side Yard: The minimum depth of side yard setbacks shall be based on the size of the parcel. For structures on parcels 50 feet wide or less at the front property line, the side yard setbacks must be five feet each. For structures on parcels from 51 to 75 feet wide at the front property

line, the total yard side setbacks must be a minimum of 15 feet with a minimum of five feet on one side. For structures on parcels greater than 76 feet wide at the front property line, the side yard setbacks must be a minimum of ten feet each. Site plans and building designs shall resolve snow release issues to the satisfaction of the Chief Building Official to minimize the impacts of snow shedding on adjacent properties and/or improvements.

C. FRONT/REAR YARD SETBACKS

Section 7.1.3 (d)-- Historic Residential (HR-1) District: Rear Yard

Front and Rear Yards: ~~The minimum depth of the rear yard for all main buildings shall be based upon the size of the parcel. On parcels 100 feet deep or less and 75 feet wide or less, the rear setback must be ten feet. On parcels between 75 feet and 100 feet deep and of than 75 feet width, the front and rear setbacks must total 25 feet with a minimum of ten feet. On parcels deeper than 100 feet, the front and rear setbacks must total 30 feet, with a minimum of ten feet.~~ Front and rear yard setbacks must total a minimum of 30 feet, each with a minimum of ten feet. Parcels with depths of 50 feet or less shall maintain a minimum front and rear yard setback totaling 20 feet, each with a minimum of ten feet.

Section 7.14.3 (e)--Historic Residential Development Low-Density: Front and Rear Yards

Front and Rear Yards: ~~The minimum depth of the front and rear yards for all main buildings shall be based upon the size of the parcel. For structures on parcels 100 feet deep or less, the front setback shall be 15 feet and the rear 10 feet. For structures on parcels deeper than 100 feet, the total front and rear setbacks must be 30 feet, each with a minimum of 15 feet front and rear.~~ The minimum front yard setback is 15 feet and the minimum rear yard setback is 15 feet, for a total minimum setback of 30 feet.

Section 7.1.8--Historic Residential (HR-1) District: Architectural Review

Architectural Review: Prior to the issuance of a building permits for any conditional or permitted uses within this zone, the Community Development Department shall review the proposed plans for compliance with ~~the architectural design guidelines prepared by the~~ Historic District ~~Commission~~ Design Guidelines. When the proposed plans for new residential construction and/or exterior remodeling (excluding decks or stairs) are determined by the Community Development Department to comply with the Historic District Design Guidelines, the subject property shall be posted by the Community Development Department and written notice shall be sent to property owners immediately adjacent to the property *(properties directly abutting and across public streets and/or rights-of-way)* by the Community Development Department. The notice shall state that the Community Development Department staff has made a preliminary determination that the proposed plans are in compliance with the Historic District Design Guidelines. The property posting and

written notice shall include, but are not limited to, the location and description of the proposed project and will establish a ten (10) day period in which the staff's preliminary determination of compliance may be appealed. Appeals by the applicant or public of departmental actions on architectural compliance ~~are~~ shall be heard by the Historic District Commission. Appeals shall be by letter or petition and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project or subject property, reason for requesting the review, and must be received by the Community Development Department within ten days from the date of the notice. The appeal shall be limited to the specific provisions of this Code that are violated by the action taken.

Property within this zone may be subject to subdivision regulations and covenants that regulate design, materials, yard and height more strictly than this Code. This Code does not supersede more restrictive provisions in private covenants.

In addition, no structure within the zone may be painted or repainted without review and approval of the exterior color scheme by the Community Development Department.

Section 7.14.4--Historic Residential Development Low-Density: Architectural Review

Architectural Review: Prior to the issuance of a building permits for any conditional or permitted uses within this zone, the Community Development Department shall review the proposed plans for compliance with ~~the architectural design guidelines prepared by the~~ Historic District ~~Commission~~ Design Guidelines and adopted by resolution of the City Council as a supplement to this ordinance. When the proposed plans for new residential construction and/or exterior remodeling (excluding decks or stairs) are determined by the Community Development Department to comply with the Historic District Design Guidelines, the subject property shall be posted by the Community Development Department and written notice shall be sent to property owners immediately adjacent to the property *(properties directly abutting and across public streets and/or rights-of-way)* by the Community Development Department. The notice shall state that the Community Development Department staff has made a preliminary determination that the proposed plans are in compliance with the Historic District Design Guidelines. The property posting and written notice shall include, but are not limited to, the location and description of the proposed project and will establish a ten (10) day period in which the staff's preliminary determination of compliance may be appealed. Appeals by the applicant or public of departmental actions on architectural compliance ~~are~~ shall be heard by the Historic District Commission. Appeals shall be by letter or petition and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project or subject property, and reason for requesting the review and must be received by the Community Development Department within ten calendar days from the date of the notice. The appeal shall be limited to the specific provisions of this Code that are violated by the action taken.

Property within this zone may be subject to subdivision regulations and covenants that regulate design, materials, yard and height more strictly than this Code. This Code does not supersede more restrictive provisions in private covenants.

In addition, no structure within the zone may be painted or repainted without review and approval of the exterior color scheme by the Community Development Department.

D. GARAGES/PARKING

7.1.4. SPECIAL PARKING REGULATIONS.

(a) Tandem parking is permitted for single family and duplex dwellings in the Historic District.

(b) To encourage the location of parking in the rear, common driveways may be permitted along shared side yard property lines where those drives provide access to parking in the rear of the main building. Restrictions on the deeds to both properties must provide for the preservation of such a shared drive.

(c) Common parking facilities may be permitted, upon approval of the Planning Department, where such a grouping may facilitate the development of individual buildings that more closely conform to the scale of historic structures in the district as defined in the design guidelines. Parking structures may be permitted, provided that the structure maintains all yard setbacks above grade, but may occupy below grade side yard areas between participating developments.

~~(d) In order to minimize the amount of hard-surfaced paving in front yards, the following limits on the widths of paved areas for driveways and exposed parking that are visible from the street shall apply:~~

~~1. For a single family dwelling on a 25-foot wide lot, the total area of hard surface for drive and parking shall not exceed 12 feet in width. The balance of any parking area or drive area shall be made of porous paving material. Drives shared with adjoining properties shall not exceed 35 feet in total width, regardless of placement on the lots involved.~~

~~2. For all other buildings, the total drive area shall not exceed 27 feet in width for hard surfaced drive and parking area, with additional parking and drive area provided with porous paving material. This hard surfaced width may be divided into separate drives, or in a single drive.~~

~~3. Garage door openings in single family structures on 25 foot lots shall not exceed 10 feet in width. On single lots that are more than 25 feet, but less than 37.5 feet in frontage width, the garage door openings shall not exceed 16 feet in width. Duplex~~

~~structures on 50 foot or wider lots may have one garage door opening (or combination of openings) totaling 18 feet in width for each unit of the duplex, or a total of 36 feet in width for the structure. Triplex structures, which are required to have a common underground parking area, shall have only one garage door opening, which shall not exceed 18 feet. Where garage door openings appear on a facade that does not face a street, so the garage is accessed from a common drive between adjoining properties, the Community Development Department may waive the maximum door width if necessary to make the common drive arrangement function.~~

(e) It is the City's policy to consider allowing a portion of the length of a code required parking stall to be placed within the City right-of-way, subject to the City Engineer's approval. The City Engineer shall consider the likelihood of future roadway changes, utilities, and any other health/safety considerations which may render parking in the right-of-way unacceptable.

E. FLOOR AREA RATIOS (FAR)

Section 7.1.3(b)-- Floor Area Ratio

(b) ~~Floor Area Ratio. The floor area of all new structures constructed within the HR-1 District shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots up to 1875 square feet, the maximum FAR shall be .9. For parcels of 1876 square feet or larger, the floor area ratio is equivalent to the maximum floor area for the first 1875 square feet (1687 square feet), plus 30% of additional lot square footage.~~

Floor Area Ratio. For lots 1,874 sq. ft. feet and smaller, the maximum floor area shall be no greater than 1,687 square feet within the HR-1 Zone. The floor area of all new structures constructed within the HR-1 District on lots greater than 1,875 square feet shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots greater than 1,875 sq. ft., the floor area ratio shall be .9 for the first 1,875 sq. ft., plus 30% of the additional lot square footage. The maximum square footage is calculated by the following formula:

MAXIMUM FLOOR AREA = 1687 + (.30 X (Parcel Size - 1875))

Section 7.14.3(b)

(b) ~~Floor Area Ratio. The floor area of all new structures constructed within the HRL District shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots up to 1875 square feet, the maximum FAR shall be .9. For parcels of 1876 square feet or larger, the floor area ratio is equivalent to the maximum floor area for the first 1875 square feet (1687 square feet), plus 30% of additional lot square footage.~~

Floor Area Ratio. For lots 25 feet x 75 feet and smaller, the maximum floor area shall be no greater than 1,687 square feet within the HRL Zone. The floor area of all new structures constructed within the HRL Zone on lots greater than 25 feet x 75 feet (1,875 square feet) shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots greater than 25 feet x 75 feet (1875 sq. ft.), the floor area ratio shall be .9 for the first 1875 sq. ft., plus 30% of the additional lot square footage. The maximum square footage is calculated by the following formula:

MAXIMUM FLOOR AREA = 1687 + (.30 X (Parcel Size - 1875))

SECTION 4. AMENDMENTS TO CHAPTER 8 OF THE LAND MANAGEMENT CODE. With regard to measuring height, Chapter 8 is hereby amended as follows:

BUILDING HEIGHT:

Chapter 8. Supplementary Regulations

Section 8.17--Height Provisions

The total height of the building shall be measured as the vertical distance from natural grade or final grade (whichever yields the smaller\shorter building) at a point three feet out from the foundation wall, as defined in this Code, to the highest point of a flat roof or to the deck line of a mansard roof or to ~~a point midway between the lowest part of the eaves or cornice and~~ the highest ridge of a hip or gable roof. In no case shall a mansard roof or the parapet wall of a flat roof extend more than 18" above the deck line ~~or maximum zone height, whichever is lower~~. Roofs not clearly fitting ~~clearly~~ any of the above three classifications shall be classified by the ~~Planning Director~~ Community Development Department in accordance with the roof classification it most ~~clearly~~ resembles. Roofs which drain to the center shall be considered as flat or mansard depending on their configuration. To allow for roof pitches and provide usable space within the Structure, the following exceptions apply:

~~a. The ridge of a gable, hip, gambrel or similarly pitched roof may extend up to five feet above the specifies maximum height limit for the zone.~~

~~b.~~ a. Antennas, chimneys, flues, vents, or similar structures may extend up to five feet above the specified maximum height limit for the zone.

~~c.~~ b. Water towers and mechanical equipment may extend up to five feet above the specified maximum height limit.

~~d.~~ c. Church spires, bell towers, ~~and like architectural features, as well as flag poles~~ flag poles, and like architectural features as permitted under the Historic District Guidelines, may extend over the specified maximum height limit by up to 50% of the height limit, but shall not contain any habitable spaces above the maximum zone height stated.

d. In order to accommodate a one-story element and pitched roof with a ridge design running perpendicular to the street, the Community Development Department may permit a building height increase, not to exceed 18 feet to the ridge line when measured from the midpoint of the front/street-side property line. Additional building height, pursuant to this exception, shall not be permitted for portions of the structure further back than 34 feet from the street-front property line. Prior to granting any additional building height, the Community Department shall find that the proposal complies with all requisite policies in the Historic District Design Guidelines and results in a better overall architectural design and neighborhood compatibility.

e. In order to accommodate a pitched roof running with a ridge design running perpendicular to the street, the Community Development Department may grant additional building height provided that no more than 20% of the ridge line exceeds the height requirements. Prior to granting any additional building height, pursuant to this exception, the Community Department shall find that the proposal complies with all requisite policies in the Historic District Design Guidelines, results in a better overall architectural design, and does not substantially interfere with sight lines of adjacent properties. *(This is intended to promote more historic roof forms and to prevent the proliferation of non-historic, long-sloping roof forms that run parallel to the slope.)*

SECTION 5. AMENDMENTS TO CHAPTER 13 OF THE LAND MANAGEMENT CODE. With regard to parking/garages, Chapter 13 is hereby amended as follows:

PARKING/GARAGES:

13.3. SPECIFIC REQUIREMENT FOR EACH LAND USE.

(a) ~~Required off-street~~ Off-street parking shall be provided for each land use as listed in this section. Multi-family structure uses are shown on the Multi-Family Parking Requirement Table. When applying the table, the parking requirements stated for each use, or combination of uses applies to each dwelling unit within the structure within the zone as shown. In some zones, the parking requirement may vary depending on the size of the project and its proximity to major destinations within the City, where experience has shown a greater or

lesser demand for parking. Other specific uses, and the parking requirement that applies are shown below:

Accessory apartments	One space per bedroom (see Chapter 8.19)
Lock-out unit (HR-1 and HRL Zones)	One space per bedroom
Single family dwelling:	Two spaces
Duplex:	Two spaces per unit (4)
Triplex:	Two spaces per unit (6)
Multi-Family structures larger than triplex structures	See table
Dormitory:	One space per 200 square feet of area devoted to accommodations

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective upon adoption and shall apply to all Historic District Design Review applications received on or after December 1, 1995.

PASSED AND ADOPTED this 7th day of December, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assist City Attorney

PARK CITY SUMMIT COUNTY, UTAH
CORPORATE
Seal
MARCH 1, 1884

WHEN RECORDED, MAIL TO:

CITY RECORDER
PARK CITY MUNICIPAL CORPORATION
P. O. BOX 1480
PARK CITY, UTAH 84060-1480

Ordinance 95-64

AN ORDINANCE VACATING AND REPLATTING THAT PORTION OF 7TH STREET EAST OF EXTENDED MAIN STREET

WHEREAS, all the property owners adjacent to the proposed vacation petitioned the City Council to vacate the street; and

WHEREAS, the necessity of that portion of the street to be vacated was removed when the need for access to the Avise parcel was removed; and

WHEREAS, the public interest in the street will be preserved by pedestrian, fire lane and utility easements;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION I. FINDINGS. The City Council hereby finds that there is good cause for the plat amendment and neither the public nor any person will be materially harmed by the proposed amendment.

SECTION II. VACATION/PLAT AMENDMENT. 7th Street east of Main Street, more particularly described in Attachment A, is hereby vacated, reserving any access to and from any land-locked parcel that has a right of access via the right-of-way to such land-locked parcel, if any. The amended plat is approved and the Mayor is hereby authorized to execute the amended plat substantially as shown in Attachment B.

SECTION III. AUTHORIZATION TO EXECUTE NECESSARY DEEDS. The Mayor is hereby authorized to execute the necessary quit claim deed(s) to complete the vacation. The deed(s) shall be in a form approved by the City Attorney and shall reserve all necessary pedestrian, fire/emergency access and utilities easements as determined necessary by the City Engineer. The deed(s) shall also reserve access to and from any land-locked parcel that has a right of access via the right-of-way to such land-locked parcel, if any.

SECTION IV. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 30th day of November, 1995.

00475072 Bk01033 Pg00544-00547
3-25 cw
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1997 MAR 19 11:42 AM FEE $16.00 BY CJW
REQUEST: COALITION TITLE

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attestation by:

Anita Sheldon, City Recorder

Approved as to Form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

00475072 Bk01033 Pg00545

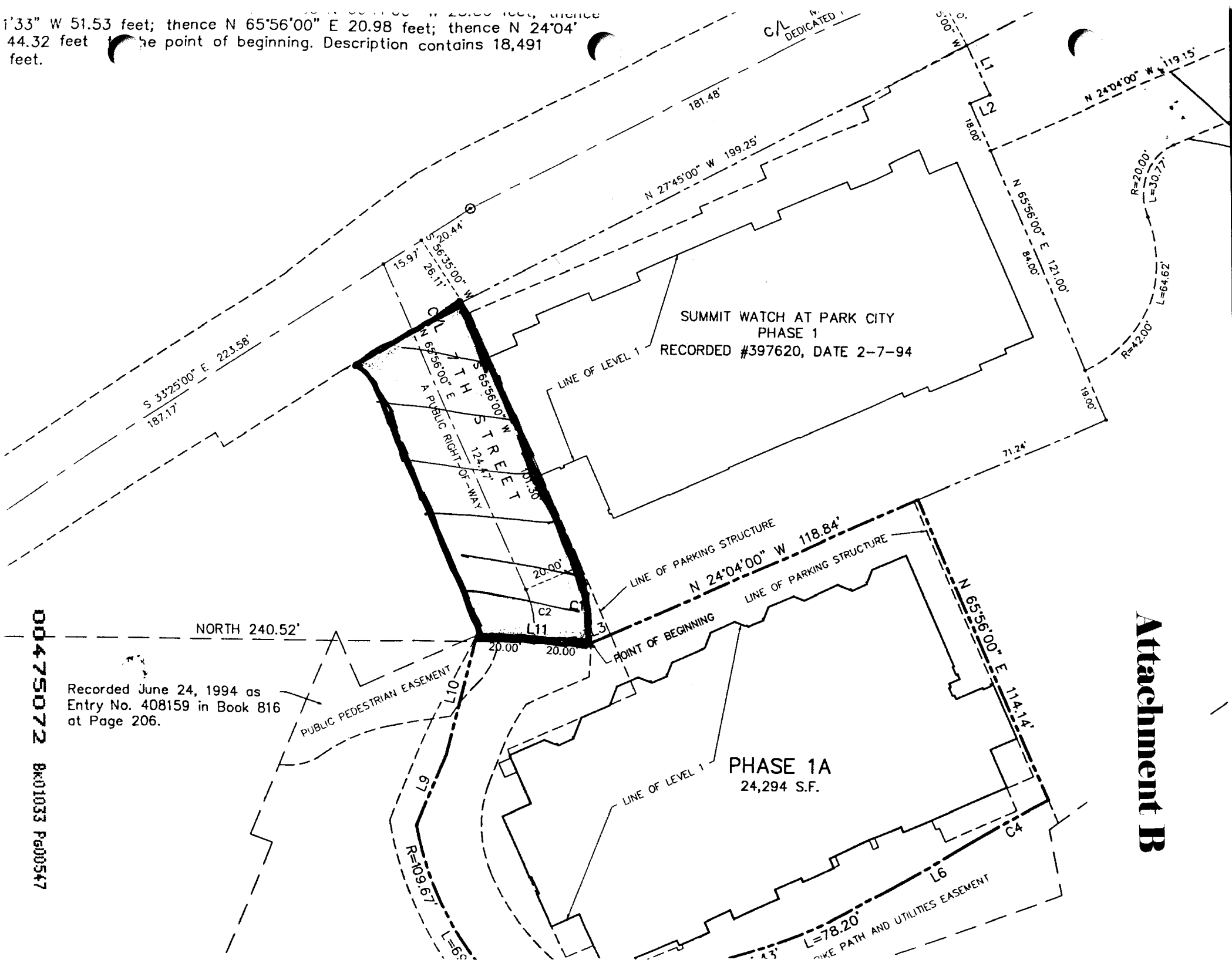
Attachment A

LEGAL DESCRIPTION
7TH STREET RIGHT-OF-WAY AS DEDICATED
OCTOBER 20, 1995

BEGINNING at a point that is North 200.58 feet and West 129.40 feet from the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said point being the Northeast corner of Lot A-1 of THE TOWN LIFT SITE, PHASE A , Subdivision, according to the official plat of record and on file in the office of the Summit County Recorder; Entry NO. 380364; and running thence N 03°08'10" E 40.00 feet to a point on a 57.50 foot radius curve to the left, whose radius point bears S 3°08'10" W, thence southwesterly along the arc of said curve 27.30 feet thru a central angle of 27°12'10" to a point of tangency; thence S 65°56'00" W 101.30 feet to a point on the easterly Right-Of-Way Line of Main Street, said point also being the Southwest corner of Lot A-2 of the afore mentioned Town Lift Site, Phase A Subdivision: thence S 30°21'55" E 49.01 feet along said easterly Right-Of-Way line to a point on a 7.50 foot radius curve to the right, whose radius point bears N 56°35'00" E; thence northwesterly along the arc of said curve 13.00 feet thru a central angle of 99°21'00" to a point of tangency; thence N 65°56'00" E 88.52 feet to a point on a 17.50 foot radius curve to the right, whose radius point bears S 24°04'00" E; thence easterly along the arc of said curve 8.31 feet thru a central angle of 27°12'10" to the point of beginning.

Y:\TL\7THABND.WPD

1'33" W 51.53 feet; thence N 65°56'00" E 20.98 feet; thence N 24°04' 44.32 feet to the point of beginning. Description contains 18,491 feet.



Recorded June 24, 1994 as Entry No. 408159 in Book 816 at Page 206.

00475072 Bk01033 Pg00547

Attachment B

Ordinance No. 95-63

AN ORDINANCE APPROVING THE FINAL SUBDIVISION PLAT LOCATED AT BLOCK 27, PARK CITY SURVEY, 605-655 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of property known as Block 27, Lots 1 through 17, and Lots 29 and 30, petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed subdivision on November 15, 1995; and

WHEREAS, on November 15, 1995, the Planing Commission approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat; and

WHEREAS, there is good cause for the revision as the reconfiguration will result in compliance with state law and will not create parcels that are incompatible in the Historic District; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City Utah as follows:

SECTION 1. FINAL PLAT APPROVAL. The final plat is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat for compliance with the Land Management Code and these final conditions of approval.

2. All Standard Project Conditions shall apply.

3. A note shall be placed upon the plat stating that Parcel 5 and Parcel 8 shall have access from Woodside Avenue, through Parcel 4 and Parcel 7 only.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 30th day of November, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

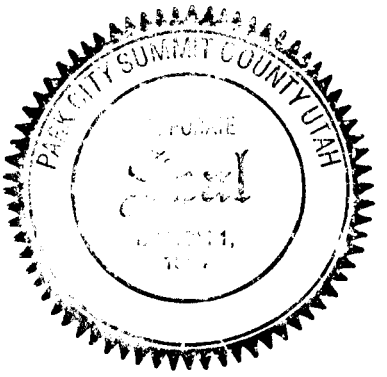
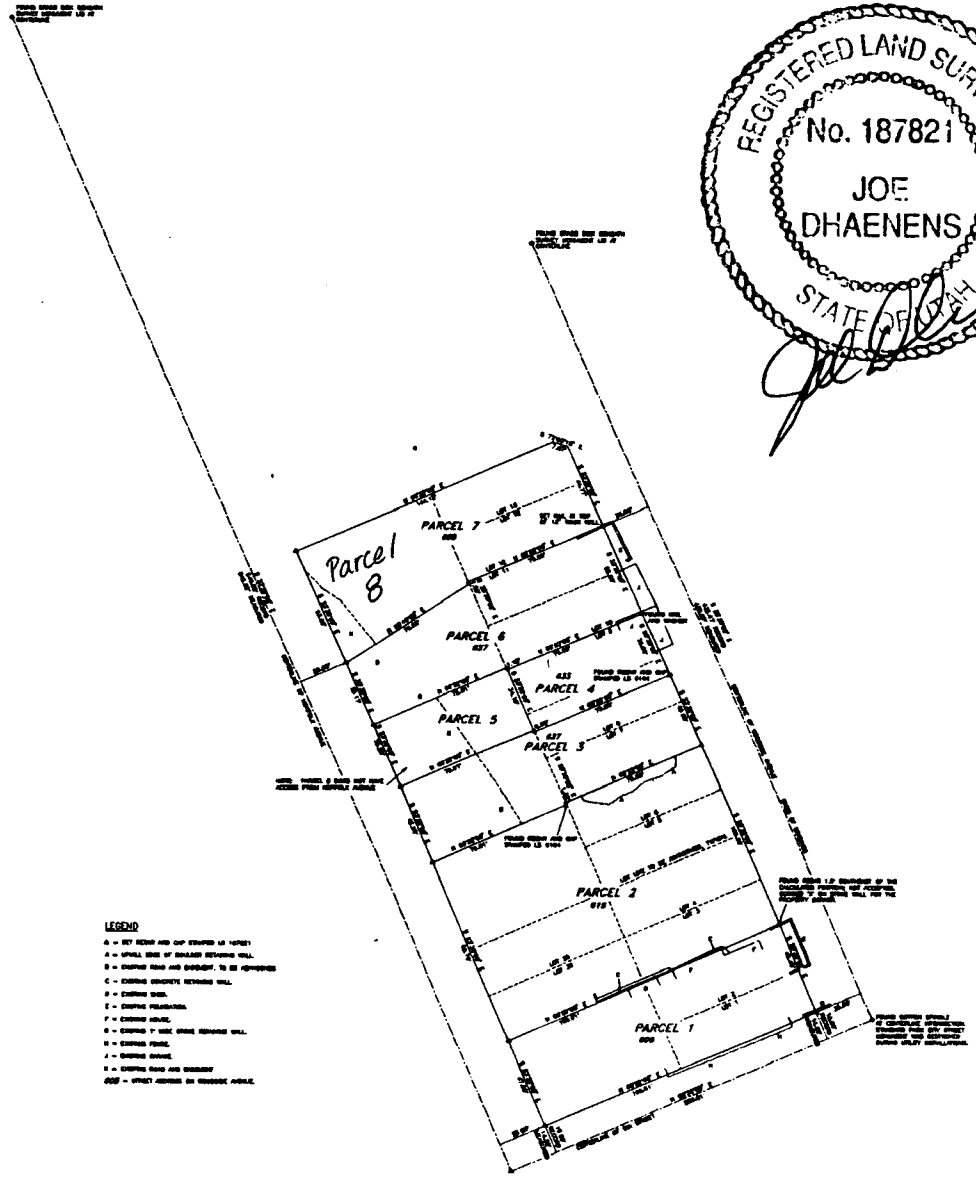


EXHIBIT A - PLAT MAP

BLOCK 27 PARK CITY
PLAT AMENDMENT AND RECORD OF SURVEY

REGISTERED LAND SURVEYOR
No. 187821
JOE
DHAENENS
STATE OF UTAH

DUPLIC



DESCRIPTIONS OF PARCELS SURVEYED

SURVEYOR'S CERTIFICATE

NOTES

PARCEL AREAS

LEGEND

OWNER'S CONSENT TO RECORD

OWNER'S CONSENT TO RECORD

ACKNOWLEDGEMENT

OWNER'S CONSENT TO RECORD

OWNER'S CONSENT TO RECORD

ACKNOWLEDGEMENT

OWNER'S CONSENT TO RECORD

ACKNOWLEDGEMENT

11-7-95

CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SEWER DISTRICT APPROVAL	RECORDED	
						SURVEYED BY ON THE MAP LAND SURVEYING

1" = 30'

reduced from 24" x 36"

Ordinance No. 95-62

AN ORDINANCE APPROVING THE AMENDMENT TO THE ASPEN SPRINGS SUBDIVISION PHASE II PLAT, FOR RANCH LOT 4, LOCATED AT 2680 ASPEN SPRINGS DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Ranch Lot 4 of the Aspen Springs Subdivision Phase II, have petitioned the City Council for approval of an amendment to be known as the Plat Amendment for Ranch Lot 4, Aspen Springs Subdivision II; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on November 30, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Aspen Springs Subdivision Phase II, Ranch Lot 4, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat for compliance with the Land Management Code and conditions of approval.

2. All Standard Project Conditions shall apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 30th day of November, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

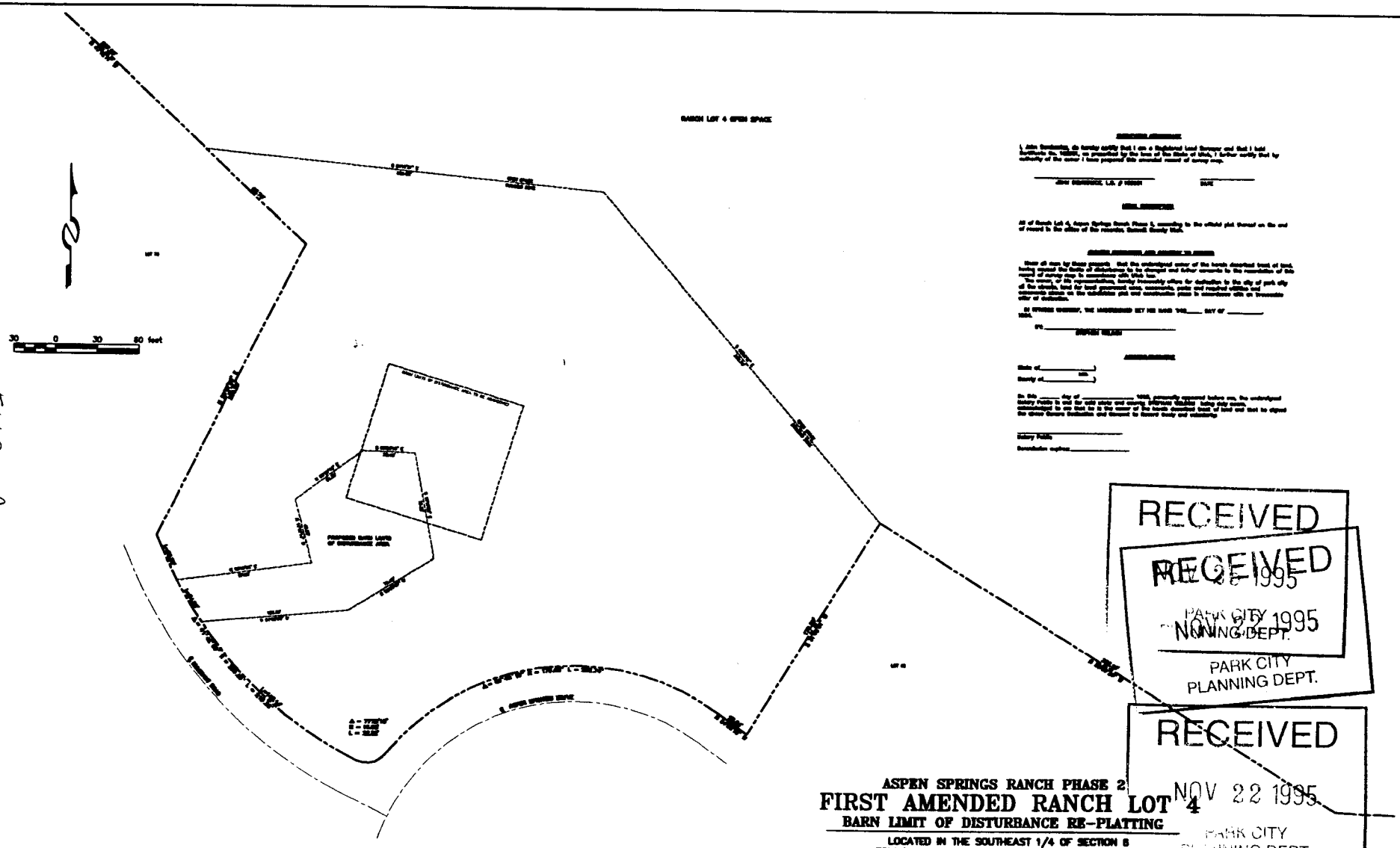
Janet M. Scott

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

EXHIBIT A
2680 ASPEN SPRINGS DRIVE PLAT AMENDMENT



RECEIVED
NOV 22 1995
PARK CITY
PLANNING DEPT.

RECEIVED
NOV 22 1995
PARK CITY
PLANNING DEPT.

RECEIVED
NOV 22 1995
PARK CITY
PLANNING DEPT.

ASPEN SPRINGS RANCH PHASE 2

FIRST AMENDED RANCH LOT 4

BARN LIMIT OF DISTURBANCE RE-PLATTING

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 6
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ _____ FEE _____ RECORDER

JOB NO. 15-11-95 FILE Y:\PLATS\ASR\RL4-LLA

Ordinance No. 95-61

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK CITY SURVEY, LOTS 15 AND 16, BLOCK 13, LOCATED AT 160 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 15 and 16, Block 13 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey plat to be known as the Amended Plat for 160 Park Avenue; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on November 30, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, Lots 15 and 16, Block 13, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat for compliance with the Land Management Code and conditions of approval.

2. All Standard Project Conditions shall apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 30th day of November, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

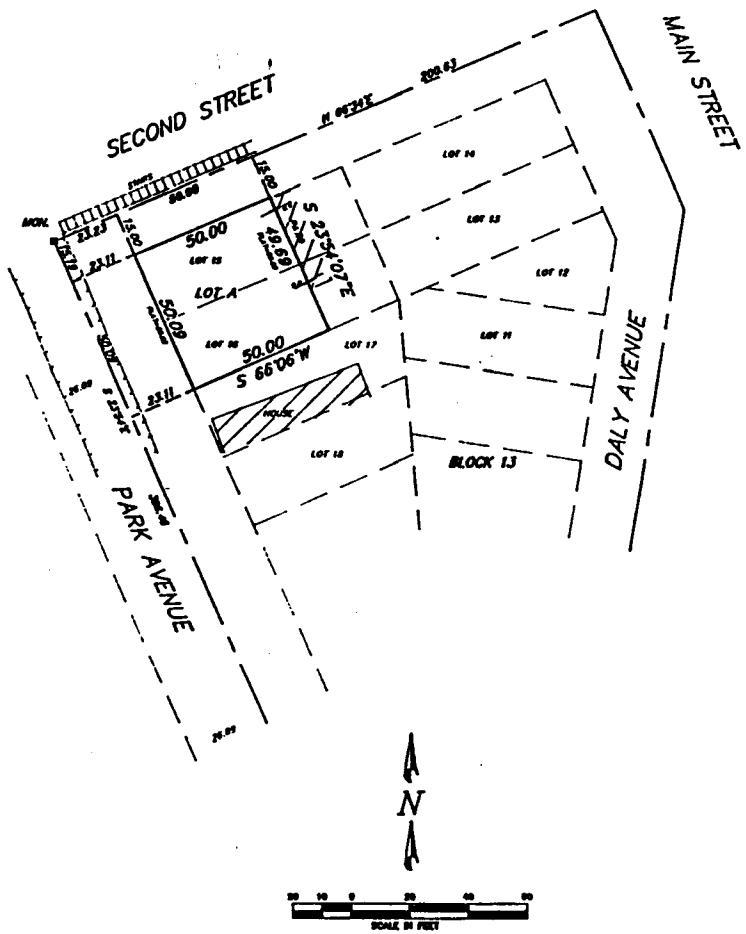
Mark D. Harrington, Assistant City Attorney

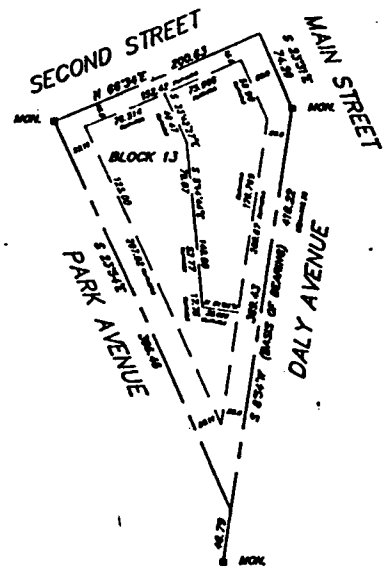
RECEIVED
AUG 23 1995
PARK CITY
PLANNING DEPT.

EXHIBIT A (ORDINANCE)

26

AMENDED PLAT PARK CITY SURVEY
AMENDING LOTS 15 AND 16, BLOCK 13, PARK CITY SURVEY





SURVEYOR'S CERTIFICATE

I, _____ do hereby certify that I am a registered Land Surveyor, and that I hold certificate No. _____, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets hereafter to be known as

AMENDED PLAT PARK CITY SURVEY

and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

THE WESTERLY 30 FEET OF LOTS 15 AND 16, BLOCK 13, PARK CITY SURVEY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N.W. INTERSECTION OF THE SOUTHERLY LINE OF SECOND STREET AND THE EASTERLY LINE OF PARK AVENUE, SAID POINT BEING S 23°54'E ALONG SAID PARK AVENUE CENTERLINE 58.70 FEET AND N 66°06'E 23.11 FEET FROM A PARK CITY MONUMENT AT THE INTERSECTION OF SAID SECOND STREET AND PARK AVENUE; THENCE N 66°34'E ALONG SAID SOUTHERLY LINE OF SECOND STREET 58.00 FEET; THENCE S 23°54'07"E 43.69 FEET; THENCE S 66°06'W 58.00 FEET TO SAID EASTERLY LINE OF PARK AVENUE; THENCE N 23°54'W ALONG SAID EASTERLY LINE 58.09 FEET TO THE POINT OF BEGINNING CONTAINING 2494.4 SQ.FT.

9-15-95
DATE

DAVID OLSON — 5092 — STATE OF UTAH

OWNER'S DEDICATION

Know all men by these presents that ___, the ___undersigned owners ( ) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as

AMENDED PLAT PARK CITY SURVEY

do hereby dedicate for perpetual use of the public all parcels of land shown in this plat as intended for public use.

In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D., 19___

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
County of }

On the ___day of _____ A.D., 19___ personally appeared before me, the undersigned Notary Public, in and for said County of _____ in said state of Utah, the signer( ) of the above Owner's dedication, ___in number, who duly acknowledged to me that ___ signed it freely and voluntarily and for the uses and purposes therein mentioned.

My commission expires: _____

_____ NOTARY PUBLIC
residing in _____ COUNTY

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF _____ }

ON THE ___ DAY OF _____, 19___ PERSONALLY APPEARED BEFORE ME _____

WHO BEING BY ME DULY SWORN OF AFFIRMED, DID SAY THAT ___ IS/ARE THE _____ OF _____ AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID _____ BY AUTHORITY OF _____ AND THE SAID _____ ACKNOWLEDGED TO ME THAT SAID _____ EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____ RESIDING IN _____

AMENDED PLAT PARK CITY SURVEY
AMENDING LOTS 15 AND 16, BLOCK 13 PARK CITY SURVEY
SALT LAKE BASE & MERIDIAN

MOUNTAIN STATES SURVEYS 140 WEST 8100 SOUTH, SUITE 110 SALT LAKE CITY, UTAH 84110 PH. 801-566-8631	SEWER DISTRICT APPROVAL REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMP. DISTRICT STANDARDS THIS ___ DAY OF ___ A.D. 19___ _____ S.B.S.I.D.	CITY COUNCIL APPROVAL PRESENTED TO THE BOARD OF THE PARK CITY CITY COUNCIL THIS ___ DAY OF A.D., 19___ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED. _____ MAYOR _____ CITY RECORDER	CITY ENGINEER I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE. _____ DATE _____ CITY ENGINEER	APPROVAL AS TO FORM APPROVED THIS _____ DAY OF _____ A.D., 19___ _____ CITY ATTORNEY	CITY PLANNING COMMISSION PRESENTED TO THE BOARD OF PARK CITY PLANNING COMMISSION THIS ___ DAY OF ___ A.D., 19___ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. _____ CHAIRMAN	RECORDED # STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF DATE _____ TIME _____ BOOK _____ PAGE _____ FEE $ _____ SUMMIT COUNTY RECORDER

ORDINANCE NO. 95-60

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY LOTS 18 AND 19 AND 20, BLOCK 32, LOCATED AT 156 AND 160 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 18 and 19 and 20, Block 32 have petitioned the City Council for approval of the amendment to final plat; and

WHEREAS, proper notice was sent and the City Council held a public hearing to receive input on the proposed amendment on November 9, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat amendment,

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Park City, Utah as follows:

SECTION 1. PLAT AMENDMENT. The amendment of the final plat of The Park City Survey, Lots 18, 19 and 20, Block 32, is approved as shown on the attached Exhibit A with the following condition:

1. Prior to plat recordation, the City Attorney, and City Engineer shall have reviewed and approved the final plat.
2. The plat must be recorded prior to issuance of any building permits.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 9th day of November, 1995.

PARK CITY MUNICIPAL CORPORATION

BRADLEY A. OLCH, MAYOR

ATTEST:

Janet M. Scott, Deputy City Recorder

APPROVED AS TO FORM:

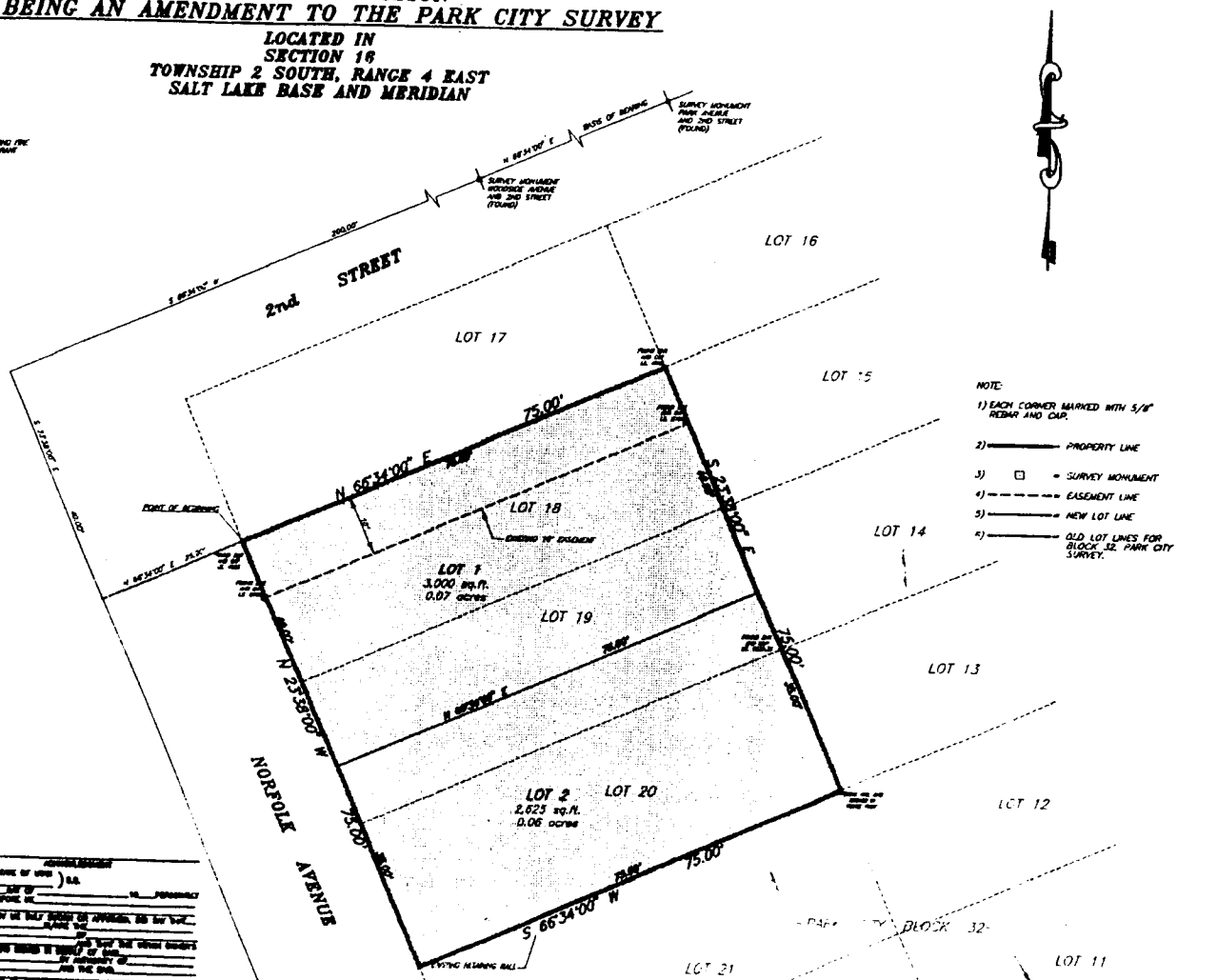
Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

10. Steve Call
m: Kohler Architecture

EXHIBIT A
Proposed Plat

ROSS SUBDIVISION
BEING AN AMENDMENT TO THE PARK CITY SURVEY
LOCATED IN
SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN



SURVEYOR'S CERTIFICATE

I, JEFFERY S. KEAPL, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 175631 as prescribed under laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as ROSS SUBDIVISION BEING AN AMENDMENT TO THE PARK CITY SURVEY and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

ALL OF LOTS 18, 19, AND 20 BLOCK 32 OF THE PARK CITY SURVEY ON FILE IN SUMMIT COUNTY.

SAID PROPERTY ALSO BEING DESCRIBED AS: BEGINNING AT THE SOUTH WEST CORNER OF LOT 17 BLOCK 32 OF THE PARK CITY SURVEY, ON FILE IN SUMMIT COUNTY, THENCE NORTH 66°34'00" EAST 75.00 FEET; THENCE SOUTH 23°23'38" EAST 75.00 FEET; THENCE SOUTH 66°34'00" WEST 75.00 FEET; THENCE NORTH 23°38'00" WEST 75.00 FEET TO THE POINT OF BEGINNING. CONTAINS 5,625 sq.ft., 0.13 ACRES

DATE

JEFFERY S. KEAPL
LICENSE No. 175631

OWNER'S DEDICATION

Know all men by these presents that____, the____ undersigned owner ( ) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as the

ROSS SUBDIVISION
BEING AN AMENDMENT TO THE PARK CITY SURVEY

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereof____ have hereunto set____ this____ day of____ A.D., 19____

ACKNOWLEDGEMENT

STATE OF UTAH)
County of Salt Lake) S.S.

On the ___ day of ____ A.D., 19____, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer( ) of the above Owner's dedication____ in number, who duly acknowledged to me that ____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES ____ NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

ROSS SUBDIVISION
BEING AN AMENDMENT TO THE PARK CITY SURVEY
LOCATED IN
SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN

SURVEY TECHNOLOGIES LAND SURVEYING 3568 SOUTH 500 WEST SUITE 100 MIDVALE, UTAH 84047 PHONE (801) 566-5601	FLOOD CONTROL DEPT. APPROVED AND ACCEPTED BY S.B.S.I.D. ON THIS____ DAY OF ____ 1998. AUTHORIZED AGENT FOR S.B.S.I.D.	CITY ENGINEER I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. DATE CITY ENGINEER	CITY COUNCIL APPROVAL APPROVED CITY COUNCIL ON THIS____ DAY OF____ A.D., 19____ MAYOR CITY RECORDER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS____ DAY OF____ A.D., 19____ CITY ATTORNEY	RECORDED #____ STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF ____ DATE____ TIME____ BOOK____ PAGE____ FEE $____ SUMMIT COUNTY RECORDER

DRAWN BY Steve McKinney

When recorded mail to:
Park City Recorder
Park City Municipal Corporation
P. O. Box 1480
Park City, Utah 84060

00442391 Bk00924 Pg00242-00247
1-229
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 NOV 15 09:49 AM FEE $.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

Fee Exempt per Utah Code Annotated 1953 21-7-2

Ordinance No. 95-59

AN ORDINANCE APPROVING THE VACATION OF RIGHT-OF-WAY AND DEDICATION OF A RIGHT-OF-WAY PLAT FOR A PORTION OF DEER VALLEY DRIVE EAST PARK CITY, UTAH

WHEREAS, the owners of the property known as Deer Valley Resort Company have petitioned the Planning Commission for vacation of a certain right-of-way and approval of a final plat for dedication of a certain right-of-way; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on October 11, 1995 the Planning Commission held a public hearing and recommended approval of the vacation and substitute dedication plat, attached hereto as Exhibit A; and

WHEREAS, the City Council of Park City, Utah held a public hearing and considered the vacation and substitute dedication plat at a regularly scheduled meeting on November 9, 1995;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT

1. The Planning Commission, on March 22, 1995, approved a Conditional Use Permit and revision to the Deer Valley MPD for the project known as the Snow Park Lodge at Deer Valley. One of the conditions of approval attached to the CUP approval required that the applicant, Deer Valley Resort, was required to vacate a portion of Deer Valley Drive, and dedicate a substitute portion of right-of-way to the City.

2 The owner of property on either side of the vacated right-of-way is solely the Deer Valley Resort.

3. The owner of property of the property proposed for dedication is solely the Deer Valley Resort.

4. The proposed vacation and dedication right-of-way segments are consistent with the approved Conditional Use Permit plans and requirements.

5. Easements remaining within the vacated portion of -right-of-way shall remain intact unless specifically abandoned or relocated with approval of the easement beneficiary.

6. The applicants have not requested any variances and all Park City Municipal Standard Construction Requirements shall apply.

7. The security for public improvements and fee payments need to be made prior to recordation.

8. The Final Plat requires submittal to the Community Development Department for review and approval by the City Engineer and City Attorneys office prior to recordation.

9. The "Amended and Restated Encroachment Permit Deer Valley Skier Bridges and Tunnels" agreement requires execution by the Owner and the City.

10. The vacated right-of-way is described as attached: EXHIBIT "B"

11. The dedicated right-of-way is described as attached: EXHIBIT "C"

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for vacation of right-of-way and dedication of a substitute portion of right-of-way and that neither the public nor any person will be materially injured by the proposed plat. The dedication plat is in conformance with the previously issued Conditional Use Permit and the Land Management Code.

SECTION 3. PLAT APPROVAL. The Deer Valley Drive Street Vacation and Dedication plat, is approved as shown on the attached Exhibit "A" with the following conditions:

1. **A financial security shall be posted and fee payments made to cover the costs of public improvements prior to recordation.**

2. **Prior to plat recordation, the City Engineer and City Attorneys office shall review and approve the plat.**

3. **All Park City Municipal Corporation Standard Project Review Requirements shall apply.**

4. **The "Amended and Restated Encroachment Permit Deer Valley Skier Bridges and Tunnels" shall be executed by both the owner and the City prior to skier use of the tunnel under the newly dedicated Deer Valley Drive.**

5. **Any easements within the vacated portion of right-of-way shall remain unless specifically abandoned or relocated with the easement beneficiary.**

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 9th day of November, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

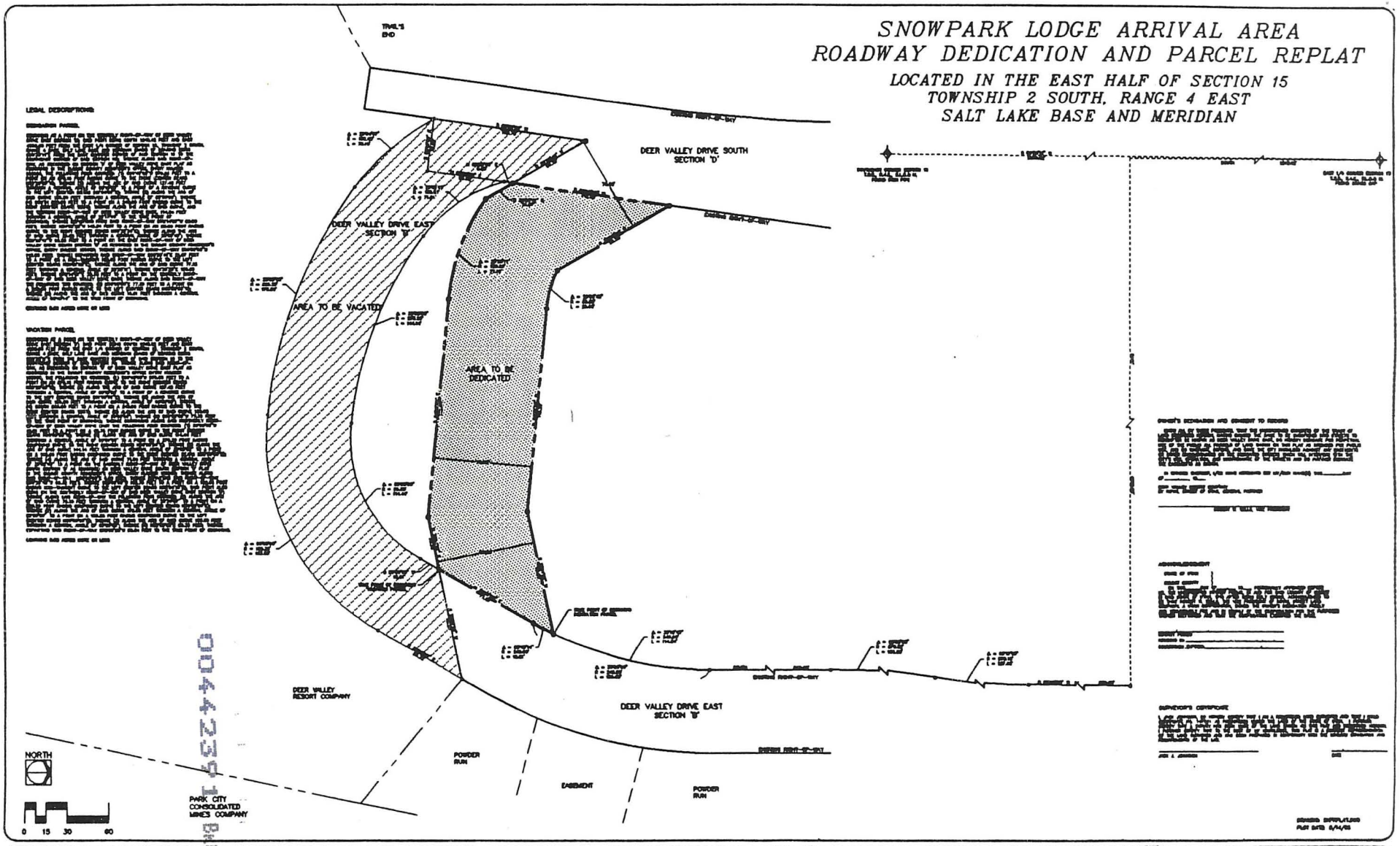
Approved as to form:

Mark D. Harrington, Assistant City Attorney

00442391 Bk00924 Pg00244

SNOWPARK LODGE ARRIVAL AREA
ROADWAY DEDICATION AND PARCEL REPLAT

LOCATED IN THE EAST HALF OF SECTION 15
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN



LEGAL DESCRIPTIONS

[redacted]

OWNER'S DEDICATION AND CONSENT TO RECORD

[redacted]

ACKNOWLEDGEMENT

[redacted]

SURVEYOR'S CERTIFICATE

[redacted]

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS _____ DAY OF _____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 19__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS _____ DAY OF _____ A.D. _____	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	Nº. _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF:
MAYOR	CITY ENGINEER	CHAIRMAN	S.B.S.I.D.	CITY ATTORNEY	COUNTY RECORDER
CITY RECORDER					

THE JACK JOHNSON COMPANY
1910 Prospector Avenue • Park City, Utah 84060
(801) 649-8000 • fax (801) 649-1129

00442354 Bk00727 Pg00245

EXHIBIT "A"

EXHIBIT "B"

VACATION PARCEL

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY OF DEER VALLEY DRIVE EAST SECTION 'B'; SAID POINT BEING SOUTH 1248.12 FEET AND EAST 4008.65 FEET FROM THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING S00°30'11"E FROM THE EAST QUARTER CORNER OF SAID SECTION 16 TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE ALONG SAID RIGHT-OF-WAY, AS DESCRIBED ON SECTION 'B' OF DEER VALLEY DRIVE EAST PLAT AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE ENTRY NUMBER 188988, THE FOLLOWING SIX COURSES: (1) S00°40'00"W 579.06 FEET TO A POINT ON AN 878.16 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N89°20'00"W); THENCE (2) ALONG THE ARC OF SAID CURVE 127.48 FEET THROUGH A CENTRAL ANGLE OF 08°19'03" TO A POINT OF A REVERSE CURVE TO THE LEFT (CENTER BEARS S81°00'57"E); THENCE (3) ALONG THE ARC OF SAID CURVE 136.50 FEET THROUGH A CENTRAL ANGLE OF 08°59'03"; THENCE (4) SOUTH 800.00 FEET TO A POINT ON A 249.90 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS WEST); THENCE (5) ALONG THE ARC OF SAID CURVE 130.85 FEET THROUGH A CENTRAL ANGLE OF 30°00'00"; THENCE (6) S30°00'00"W 77.39 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY OF DEER VALLEY DRIVE EAST THE FOLLOWING FOUR COURSES: (1) 30°00'00"W 15.61 FEET TO A POINT ON A 99.35 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N60°00'00"W); THENCE (2) ALONG THE ARC OF SAID CURVE 114.44 FEET THROUGH A CENTRAL ANGLE OF 66°00'00" TO A POINT ON A 275.29 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CENTER BEARS N05°59'54"E); THENCE (3) ALONG THE ARC OF SAID CURVE 144.14 FEET THROUGH A CENTRAL ANGLE OF 30°00'00" TO A POINT ON A 102.06 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CENTER BEARS N35°59'53"E); THENCE (4) ALONG THE ARC OF SAID CURVE 71.04 FEET THROUGH A CENTRAL ANGLE OF 39°52'49" TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF DEER VALLEY DRIVE SOUTH SECTION 'D' AS RECORDED ON DEER VALLEY DRIVE SOUTH SECTION 'D' PLAT IN THE SUMMIT COUNTY RECORDER'S OFFICE, ENTRY NUMBER 188987; THENCE ALONG SAID RIGHT-OF-WAY N08°00'00"E 6.00 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY N30°26'43"W 60.32 FEET; THENCE S08°00'00"W 108.75 FEET TO A POINT ON A 162.06 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CENTER BEARS N62°34'13"E), SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY OF SAID DEER VALLEY DRIVE EAST SECTION 'B'; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR COURSES: (1) ALONG THE ARC OF SAID CURVE 75.15 FEET THROUGH A CENTRAL ANGLE OF 26°34'07" TO A POINT ON A 335.29 FOOT RADIUS COMPOUND CURVE TO THE LEFT (CENTER BEARS N36°00'04"E); THENCE (2) ALONG THE ARC OF SAID CURVE 175.56 FEET THROUGH A CENTRAL ANGLE OF 30°00'00" TO A POINT ON A 159.35 FOOT RADIUS COMPOUND CURVE TO THE LEFT (CENTER BEARS N06°00'03"E); THENCE (3) ALONG THE ARC OF SAID CURVE 183.56 FEET THROUGH A CENTRAL ANGLE OF 66°00'00"; THENCE (4) N30°00'00"E 69.33 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY S78°09'28"W 80.54 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 0.63 ACRES MORE OR LESS

EXHIBIT "C"

DEDICATION PARCEL

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY OF DEER VALLEY DRIVE EAST SECTION 'B'; SAID POINT BEING SOUTH 1248.12 FEET AND EAST 4008.65 FEET FROM THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING S00°30'11"E FROM THE EAST QUARTER CORNER OF SAID SECTION 16 TO THE SOUTHEAST CORNER OF SAID SECTION 16); THENCE ALONG SAID RIGHT-OF-WAY, AS DESCRIBED ON SECTION 'B' OF DEER VALLEY DRIVE EAST PLAT AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE, ENTRY NUMBER 188988, THE FOLLOWING FOUR COURSES: (1) S00°40'00"W 579.06 FEET TO A POINT ON AN 878.16 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N89°20'00"W); THENCE (2) ALONG THE ARC OF SAID CURVE 127.48 FEET THROUGH A CENTRAL ANGLE OF 08°19'03" TO A POINT OF A REVERSE CURVE TO THE LEFT (CENTER BEARS S81°00'57"E); THENCE (3) ALONG THE ARC OF SAID CURVE 136.50 FEET THROUGH A CENTRAL ANGLE OF 08°59'03"; THENCE (4) SOUTH 800.00 FEET TO A POINT ON A 249.90 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS WEST); THENCE ALONG THE ARC OF SAID CURVE, AND THE WESTERN RIGHT-OF-WAY OF DEER VALLEY DRIVE EAST, 114.84 FEET THROUGH A CENTRAL ANGLE OF 26°19'46" TO THE TRUE POINT OF BEGINNING; THENCE DEPARTING FROM SAID RIGHT-OF-WAY S78°14'07"W 89.60 FEET; THENCE N84°36'26"W 145.24 FEET TO A POINT ON AN 80.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS N05°23'34"E); THENCE ALONG THE ARC OF SAID CURVE 28.08 FEET THROUGH A CENTRAL ANGLE OF 20°06'46"; THENCE N30°26'41"W 92.28 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF DEER VALLEY DRIVE SOUTH SECTION 'D' AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE, ENTRY NUMBER 188987; THENCE ALONG SAID RIGHT-OF-WAY S08°00'00"W 112.58 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY S30°26'41"E 21.97 FEET TO A POINT ON A NON-TANGENT 150.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS N34°51'45"E); THENCE ALONG THE ARC OF SAID CURVE 77.15 FEET THROUGH A CENTRAL ANGLE OF 29°28'11"; THENCE S84°36'26"E 155.80 FEET; THENCE N78°14'07"E 38.33 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SAID DEER VALLEY DRIVE EAST; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES: (1) N30°00'00"E 77.39 FEET TO A POINT ON A 249.90 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS N60°00'00"W); THENCE (2) ALONG THE ARC OF SAID CURVE 16.01 FEET THROUGH A CENTRAL ANGLE OF 03°40'14" TO THE TRUE POINT OF BEGINNING.

CONTAINS 0.52 ACRES MORE OR LESS

Ordinance No. 95-58

AN ORDINANCE APPROVING THE "IN THE TREES AT DEER VALLEY " FINAL SUBDIVISION PLAT PARK CITY, UTAH

WHEREAS, the owners of the property known as In The Trees At Deer Valley have petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on October 11, 1995 the Planning Commission held a public hearing and approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat, known as the In The Trees At Deer Valley Subdivision Plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the subdivision plat and that neither the public nor any person will be materially injured by the proposed plat. The subdivision plat is in conformance with the Land Management Code.

SECTION 2. PLAT APPROVAL. The In The Trees At Deer Valley Subdivision plat, is approved as shown on the attached Exhibit A with the following conditions:

1. **The plat shall provide clear notation that Potter Lane is not a public road and snowplowing and full maintenance of the road is the responsibility of the Homeowners Association.**

2. **All Park City Municipal Corporation Standard Project Review Requirements shall apply.**

3. **Prior to plat recordation, the City Attorney and City Engineer shall review and approve the plat and Conditions, Covenants and Restrictions.**

4. **The Conditions, Covenants and Restrictions, and/or Party Wall Agreement, in a form approved by the City Attorney, shall address the maintenance of the common walls.**

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 26th day of October, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

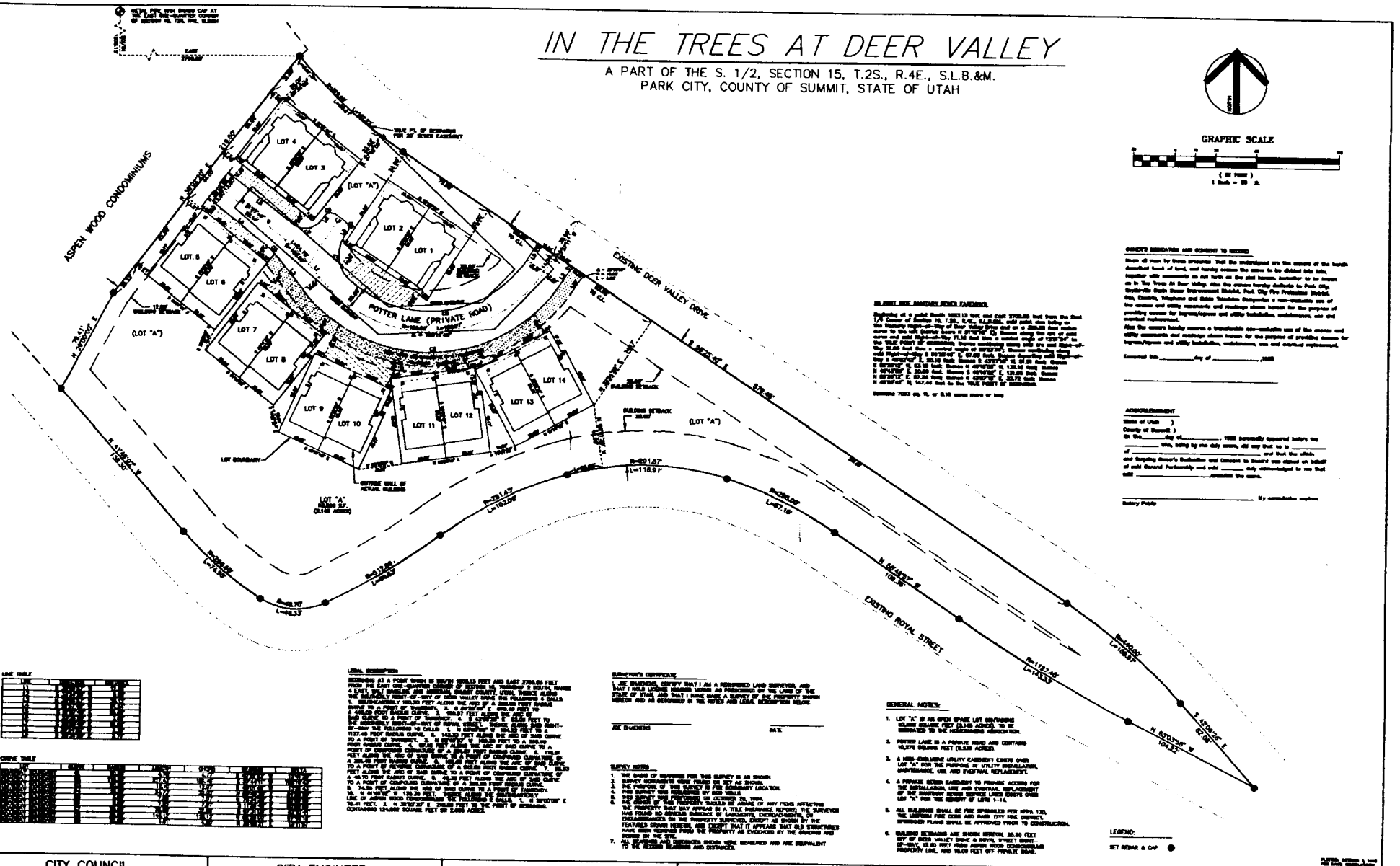
Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

IN THE TREES AT DEER VALLEY

A PART OF THE S. 1/2, SECTION 15, T.2S., R.4E., S.L.B.&M.
PARK CITY, COUNTY OF SUMMIT, STATE OF UTAH



CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	RECORDED
APPROVED BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, 1995. MAYOR CITY RECORDER	APPROVED BY THE PARK CITY ENGINEER ON THIS _____ DAY OF _____, 1995. CITY ENGINEER	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 1995. CHAIRMAN	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS _____ DAY OF _____, 1995. CITY ATTORNEY	APPROVED AND ACCEPTED BY S.B.S.I.D. ON THIS _____ DAY OF _____, 1995. AUTHORIZED AGENT FOR S.B.S.I.D.	NUMBER _____ DATE _____ STATE OF UTAH TIME _____ COUNTY OF SUMMIT FEE _____ RECORDED AND FILED AT THE REQUEST OF _____ COUNTY RECORDER

EXHIBIT A

Ordinance No. 95-57

AN ORDINANCE APPROVING THE DEER LAKE VILLAGE - PHASE III FINAL SUBDIVISION PLAT PARK CITY, UTAH

WHEREAS, the owners of the property known as Deer Lake Village Planned Unit Development have petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on September 27, 1995 the Planning Commission held a public hearing and approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat, known as the Deer Lake Village - Phase III Subdivision plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the subdivision plat and that neither the public nor any person will be materially injured by the proposed plat. The subdivision plat is in conformance with the Land Management Code.

SECTION 2. PLAT APPROVAL. The Deer Lake Village - Phase III Subdivision plat, is approved as shown on the attached Exhibit A with the following conditions:

1. **A financial security shall remain posted to cover the costs of public improvements and landscaping.**

2. **To the extent possible, the developer shall prevent construction traffic from passing through existing subdivisions.**

3. **Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water and road construction plans.**

4. **The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans.**

5. **The plat shall provide clear notation that:**

   (a) **The roads are not public roads and full maintenance of the roads and lake are the responsibility of the Homeowners Association.**

   (b) **No basements shall be allowed due to high ground water.**

6. **All Park City Municipal Corporation Standard Project Review Requirements shall apply.**

7. **The building height of all structures shall conform to the 28 ft. limits as per the RD zone.**

8. **All structures shall be constructed of the same materials and designs as the Phase 1 units, and should the applicant wish to make changes of any exterior materials or conditions, there shall be approval by the Community Development Department prior to construction application of such materials.**

9. **Prior to, or concurrent with, plat recordation, evidence of filing of the Conditions, Covenants and Restrictions for this phase shall be provided to the City Attorney.**

10. **Prior to plat recording, the City Attorney and City Engineer shall review and approve the plat.**

11. **No building permit for any residence shall be issued for any Phase III unit until project trails are completed and all landscaping around the lake along with the pumping and irrigation systems around the lake are completed. Determination of substantial compliance with this condition shall rest with the Community Development Department.**

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 19th day of October, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

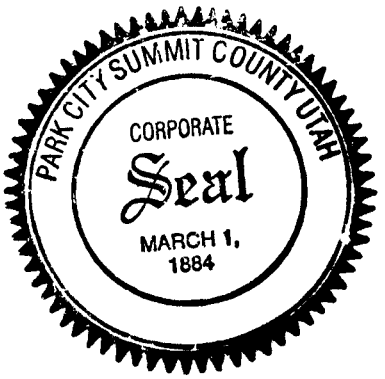
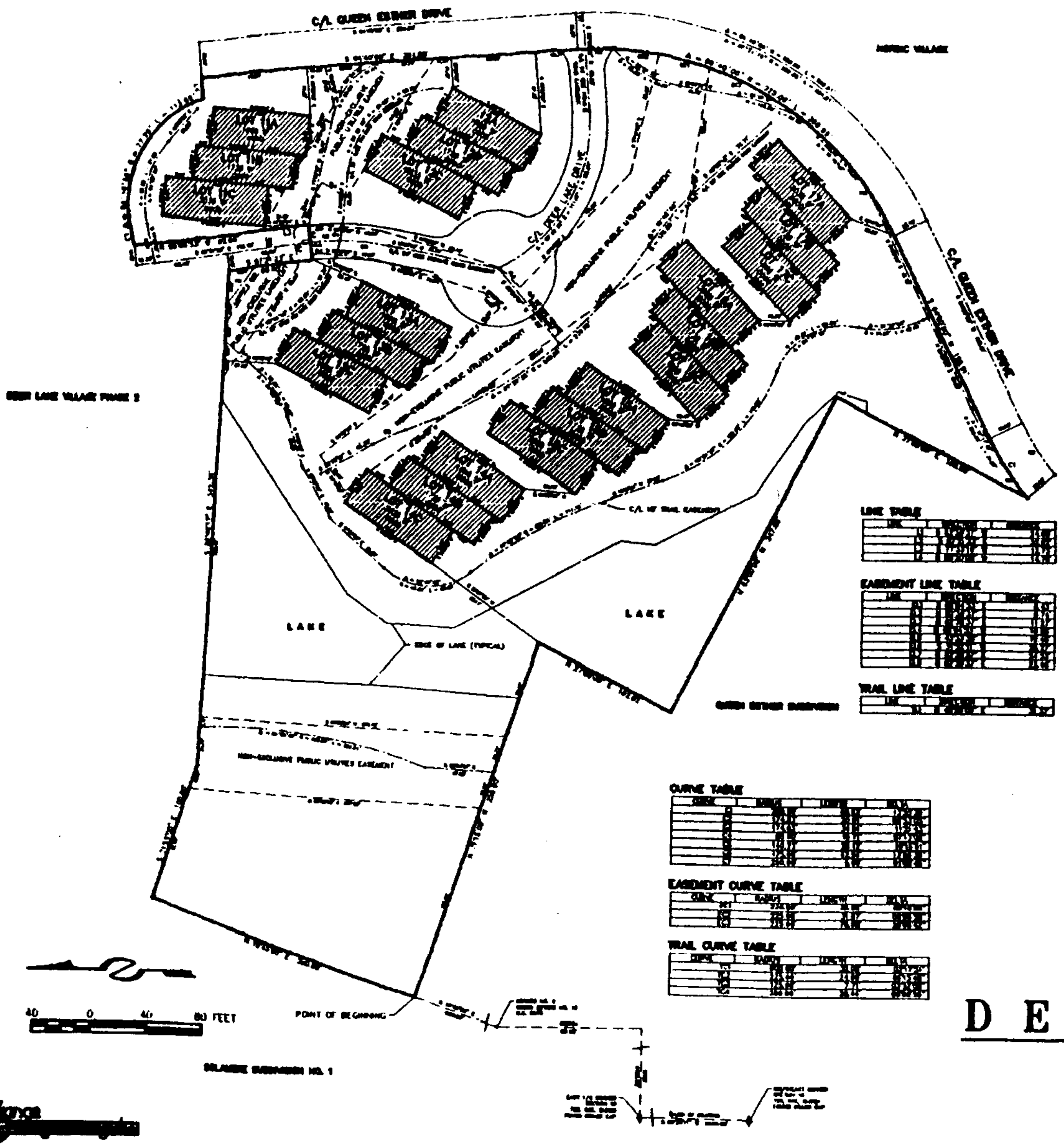


EXHIBIT A



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned owner of of the tract of land described in this Plat having caused the same to be subdivided into Lots and Common Elements, including private roads, to be hereafter known as Deer Lake Village Phase 3, An Expandable Planned Unit Development Subdivision, does hereby irrevocably offer for dedication to the city of Park City a portion of the land for local government uses, easements, parks, and required utilities and easements as shown on this plat and construction plans in accordance with an irrevocable offer of dedication. The undersigned further transfers ownership to the lot owners, but not to the use of the general public, an Common Elements, including private roads, shown on this Plat, in accordance with the terms and conditions of dedication of said Common Elements as more fully provided in the Declaration of Covenants, Conditions, and Restrictions of Deer Lake Village Phase 3, An Expandable Planned Unit Development Subdivision dated ______________ and recorded concurrently with this Plat. Reference is made to said Declaration for details concerning the rights and obligations of persons having or acquiring an interest in the property described in this Plat. For good and valuable consideration received, the undersigned owner hereby conveys to Park City Municipal Corporation, and applicable utility companies, easements over, on, under and across the Common Elements, including private roadways, for the installation and maintenance of public utilities, drainage, and snow storage.

Executed this ________ day of ______________, 1995.

Deer Lake Development, L.L.C.

By ______________________
F. Lynn Padan, Manager

ACKNOWLEDGEMENT

STATE OF UTAH)
: SS
COUNTY OF SUMMIT)

On this ______ day of ____________, 1995, personally appeared before me, the undersigned Notary Public, in and for said State and County, F. Lynn Padan, who after being duly sworn, acknowledged to me that he is the Manager of Deer Lake Development, L.L.C., a Limited Liability Company, that he signed the foregoing Owner's Consent to Record on behalf of said Limited Liability Company.

____
Notary Public
Residing at:

My Commission Expires

____

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163031 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described hereon and subdivided tract of land into Lots and Common Elements, including private streets, hereafter to be known as Deer Lake Village Phase 3, An Expandable Planned Unit Development Subdivision and that the same has been correctly surveyed and staked on the ground as shown on the Plat.

______________ DATE: ______________ JOHN DEMKOWICZ

LEGAL DESCRIPTION

A portion of Lot C of the Hanover – Queen Esther Subdivision, according to the plat on file in the Summit County Recorder's office as Entry #213082 (4-17-85), and described as follows:

COMMENCING AT corner No. 2 of the Queen Esther No. 10, M.S. [illegible] ... Description contains 3.23 Acres.

GENERAL NOTES

[illegible]

COMMON ELEMENTS

PRIVATE

2463 INDICATES STREET ADDRESS ON DEER LAKE DRIVE

○ INDICATES PROPERTY CORNERS TO BE STAKED

PHASE THREE

DEER LAKE VILLAGE

AN EXPANDABLE PLANNED UNIT DEVELOPMENT SUBDIVISION

LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Recorded concurrently herewith is a Declaration of Covenants, Conditions, and Restrictions of Deer Lake Village Phase 3, An Expandable Planned Unit Development Subdivision.

DEER LAKE DRIVE IS A PRIVATE ROAD AND IS INTENDED ALWAYS TO REMAIN A PRIVATE ROAD. MAINTENANCE COST WILL BE BORNE BY THE DEER LAKE VILLAGE OWNERS ASSOCIATION.

JOB NO. 11-4-94 FILE DLV\PH3\PLTPH3

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF ________, 1995 A.D. BY ________ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ________, 1995 A.D. BY ________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ________, 1995 A.D. BY ________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ________, 1995 A.D. BY ________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ________, 1995 A.D. BY ________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ________, 1995 A.D. BY ________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ________ DATE ____ TIME ____ BOOK ____ PAGE ____ FEE ____ RECORDER

28

Ordinance No. 95-56

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS AT TOWN LIFT SUBDIVISION, PARK CITY, UTAH

WHEREAS, Town Lift Subdivision was approved by the Park City Council on October 1, 1992; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including the public streets known as Main Street, 7th Street, and 9th Street;

WHEREAS, Park City has adopted Ordinance 87-13 on October 22, 1987, which provides for the City Council to accept (by Ordinance) [ref. LMC Sec. 15.3.1(g)] those public improvements which are dedicated and built in accordance with Ordinance 87-13; and

WHEREAS, the public improvements within Town Lift Subdivision were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer; and

NOW THEREFORE BE IT ORDAINED by Park City, Utah as follows that:

SECTION 1. PUBLIC IMPROVEMENTS The City hereby accepts from the developer all public improvements at Town Lift Subdivision which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance;

SECTION 2. SIDEWALK MAINTENANCE. It is Park City's intent to allow the adjacent property owners to maintain the sidewalks, as in all areas of Park City;

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 28th day of September, 1995.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attest:

Janet M. Scott, DeputyCity Recorder

Approved as to form:

Mark Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

ORDINANCE NO. 95-55

AN ORDINANCE AMENDING TITLE 7 OF THE MUNICIPAL CODE
OF PARK CITY, UTAH AND
ADOPTING THE SUMMIT COUNTY
AMENDED ORDINANCE 113-F PROVIDING FOR
ANIMAL CONTROL

WHEREAS, Summit County provides animal control services for the Park City area; and

WHEREAS, the Park City Council desires to support the County in its efforts at providing animal control; and

WHEREAS, Summit County recently amended its animal control ordinance and repealed its previous ordinance which had been adopted by Park City as Ordinance 92-2 and incorporated into the Municipal Code of Park City, Utah, as Title 7,

NOW THEREFORE, BE IT ORDAINED by the City Council of the city of Park City, Utah, as follows:

SECTION 1: Title 7 of the Municipal Code of Park City, Utah, is hereby amended as follows:

CHAPTER 1 - IN GENERAL

7- 1- 1. DEFINITIONS.

(A) **ANIMAL BOARDING ESTABLISHMENT.** Any establishment that takes in animals for boarding for profit.

(B) **ANIMAL GROOMING PARLOR.** Any establishment maintained for the purpose of offering cosmetological services for animals for profit.

(C) **ANIMAL SHELTER.** A facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state of Utah under Section 76-9-302, UCA, 1953, as amended, and used for the care and custody of seized, stray, homeless, quarantined, abandoned, or unwanted dogs, cats or other small domestic animals.

(D) **ANIMAL AT LARGE.** Any domesticated animal, whether or not licensed, not under restraint as defined below.

(E) **ANIMAL UNDER RESTRAINT.** Any animal under the control of its owner or person having charge, care, custody or control. A dog shall be considered under control of the owner when on a leash or lead, confined within a vehicle, or within the real property limits of the owner.

(F) **BITE.** An actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

(G) **CATS.** Any age feline of the domesticated types.

(H) **CATTERY**. An establishment for boarding, breeding, buying, grooming or selling cats for profit.

(I) **DOG.** A canis familiaris over four months of age. Any canis familiaris under four months of age is a puppy.

(J) **DOMESTICATED ANIMALS.** Animals accustomed to live in or about the habitation of man, including but not limited to cats, dogs, fowl, horses, swine, goats, and cattle.

(K) **STRAY.** Any animal at large as defined herein.

(L) **GUARD DOG.** A working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public.

(M) **HOLDING FACILITY.** Any pet shop, kennel, cattery, groomery, animal shelter, humane establishment, or any other such facility used for holding animals.

(N) **KENNEL**. An establishment having four or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, selling, or agricultural use such as stock herding and guarding.

(~~O~~N) **LEASH OR LEAD.** Any chain, rope or device used to restrain an animal.

(P) **NEUTER**. A surgical procedure performed on male animals in which its testicles are removed.

(~~Q~~O) **PET.** A domesticated animal kept for pleasure rather than utility, including, but not limited to birds, cats, dogs, fish, hamsters, mice, and other animals associated with man's environment.

(~~R~~P) **PET SHOP.** Any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds, or other pets for sale are kept or displayed.

(~~S~~Q) **QUARANTINE.** The isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or unauthorized persons.

(T) **SPAY**. A surgical procedure performed on a female animal in which its ovaries and uterus are removed.

(~~U~~R) **VICIOUS ANIMAL.** Any animal which is dangerous, aggressive, including, but not limited to any animal which has bitten or in any other manner attacked any person or animal.

(V) **VICIOUS DOG**. (1) Any dog which, in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places; (2) Any dog with a known propensity, tendency, or disposition to attack, to cause injury or to otherwise endanger the safety of

human beings or animals; or (3) Any dog which bites, inflicts injury, assaults, or otherwise attacks a human being or domestic animal on public or private property.

7- 1- 2. DEPARTMENT OF ANIMAL CONTROL. Summit County has created a Department of Animal Control.

7- 1- 3. POWERS OF ANIMAL CONTROL OFFICIALS. The Summit County Animal Control Director or any person employed by the Summit County Department of Animal Control as an Animal Control Officer shall take the oath of office and shall be vested with the power and authority to enforce this Chapter.

The Summit County Animal Control Director, [hereinafter "Director"] his deputies, assistants and Animal Control Officers are hereby authorized and empowered to apprehend and take with them and impound any animal found in violation of this Title and including licensable dogs for which no license has been procured in accordance with this Chapter, or any licensed or unlicensed dogs for any other violations thereof.

In the enforcement of this Chapter, any peace officer or the Summit County Director of Animal Control, or his assistants are authorized to enter onto the open premises of any person to take possession of any dog in violation of this Chapter.

7- 1- 4. DUTIES OF ANIMAL CONTROL OFFICIALS.

(A) **Animal Control Director.** The Director shall enforce this Title and perform other responsibilities pursuant thereto, supervise the animal shelter(s) under his jurisdiction, keep adequate records of all animals impounded and all monies collected, see that all animals and animal holding facilities in his jurisdiction are licensed, controlled and permitted in accordance with any applicable ordinance and/or regulations, establish, in cooperation with the Summit County Health Department and other interested governmental agencies, adequate measures for rabies immunization and control.

(B) **Animal Control Officers.** The animal control officers shall enforce this Title in all respects pertaining to animal control within the jurisdiction including the care and impounding of animals and prevention of cruelty to animals and carry out all duties prescribed or delegated by the Director.

CHAPTER 2 - LICENSING

7- 2- 1. DOG LICENSING. All dogs must be licensed each year, except as otherwise provided herein, to a person of the age of 18 or older. Any person owning, possessing or harboring any dog within Summit County shall obtain a license for such animal within 30 days after the dog reaches the age of four (4) ~~six (6)~~ months, within ten (10) days of the acquisition of such dog or presence of such dog within Summit County. For a dog under the age of six months, the Department of Animal Control may accept certification from a licensed veterinarian that the owner has deposited funds for spaying or neutering, then the dog may be licensed at the reduced fee. Said initial license shall be effective for one year from the date of purchase and must be renewed annually thereafter.

License renewal applications must be submitted annually to the Summit County Department of Animal Control, utilizing a standard form which requests name, address and telephone number of the applicant and the breed, sex, color and age of the animal; the form also asks for pertinent information regarding rabies vaccinations. The application shall be accompanied by the prescribed license fee and by a current rabies vaccination certificate. Rabies vaccinations and certificates therefor, must be obtained every two (2) years, from either a licensed veterinarian or an authorized Animal Control Officer.

Dog licenses will be issued in accordance with the following fee schedule:

Female dog	$ 18.00
Male dog	18.00
Late Fee (in addition to Reg Fee)	15.00
Spayed or neutered dog	6.00

No dog shall be licensed as spayed or neutered without satisfactory proof that such surgery was performed on said dog.

The license shall be effective one (1) year from the date of purchase after which a late fee may be imposed. Licenses for the following year may be purchased within 30 days prior to the expiration date.

No person or persons at any one residence within the jurisdiction shall at any one time own or license more than three (3) dogs in any combination except as otherwise provided herein.

7- 2- 2. LICENSE TAG. Upon payment of the license fee, the Summit County Department of Animal Control shall issue to the owner a certificate and tag for each dog licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the certificate. The owner shall attach the tag to the collar or harness of the animal and see that the collar and the tag are constantly worn. Failure to attach the tag as provided shall be in violation of this Chapter, except in that dogs which are kept for show purposes are exempt from wearing the collar and tag.

Dog tags are not transferable from one dog to another. No refunds shall be made on any dog license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of the required fee to the Summit County Department of Animal Control.

Any person removing or causing to be removed, the collar, harness, or tag from any licensed dog without the consent of the owner or keeper thereof, except a licensed veterinarian or Animal Control Officer who removes such for medical and other reasons, shall be in violation of this Chapter.

7- 2- 3. LICENSING EXCEPTIONS.

(A) The provisions of Sections 7-2-1 and 7-2-2 herein shall not apply to:

(1) Licensed dogs whose owners are non-residents temporarily (up to 30 days) within the jurisdiction; licensed dogs whose owners remain within the jurisdiction longer than 30 days may transfer to the local license upon payment of the required fee and proof of current rabies vaccination.

(2) Individual dogs within a properly licensed dog kennel or other such establishment when such dogs are held for resale or agricultural use.

(B) The fee provisions of Section 7-2-2 shall not apply to:

(1) Seeing-eye dogs properly trained to assist blind persons if such dogs are actually being used by blind persons to assist them in moving from place to place.

(2) Hearing dogs properly trained to assist deaf persons if such dogs are actually used by deaf persons to aid them in responding to sounds.

(3) Dogs especially trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

(C) Nothing in this section shall be construed so as to exempt any dog from having a current rabies vaccination.

CHAPTER 3 - VIOLATIONS

7- 3- 1. UNLAWFUL TO HARBOR STRAY DOGS. It shall be unlawful for any person, except an animal welfare society incorporated within the state of Utah under section 76-9-302, UCA, 1953, as amended, to harbor or keep any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the Summit County Animal Control Department within 24 hours, and the Department shall impound the dog as herein provided.

7- 3- 2. DOGS RUNNING AT LARGE. It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog at any time to run at large. The owner or person charged with responsibility for a dog found running at large shall be strictly liable for a violation of this section regardless of the precautions taken to prevent the escape of the dog and regardless of whether or not he knows that the dog is running at large. Deemed "at large" unless personally controlled by leash or lead in condo common areas, public parks, parking lots open to public, ski areas, golf courses and shopping centers.

7- 3- 3. DOGS ON UNENCLOSED PREMISES. It shall be unlawful for any person to chain, stake out, or tether any dog on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

7- 3- 4. FEMALE DOGS IN HEAT. Any owner or person having charge, care, custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, cause such dog to be constantly confined in a building or secure enclosure so as to prevent it from attracting by scent or coming into contact with other dogs and creating a nuisance, except for planned breeding.

7- 3- 5. PLACES PROHIBITED TO DOGS. It shall be unlawful for any person to take or permit any dogs, whether loose or on a leash or in arms, in or about any establishment or place of business where food or food products are sold or displayed, including, but not limited to restaurants, grocery stores, meat markets, and fruit or vegetable stores. It shall be unlawful for any person keeping, harboring or having

charge or control of any dog to allow said dog to be within any watershed area so designated by ordinance or otherwise legally appointed, either now existing or to be defined in the future, or on any construction site of a building, building improvement, road, utility, or other construction site during any time when actual construction or excavation activity is taking place. This section shall not apply to dogs provided for in Section 7-2-3(b).

7- 3- 6. DOGS ATTACKING PERSONS AND ANIMALS.

(A) **Attacking Dogs.** It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog to attack, chase or worry any person, any domestic animal having a commercial value, or any species of hoofed protected wildlife, or to attack domestic fowl. "Worry" as used in this section shall mean to harass by tearing, biting or shaking with the teeth, or without provocation to chase or approach any person in an apparent attitude of attack when such person is in a place where he/she has a right to be..

(B) **Owner Liability.** The owner in violation of (a) above shall be strictly liable for violation of this section. In addition to being subject to prosecution under (a) above, the owner of such dog shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed thereby.

(C) **Defenses.** The following shall be considered in mitigating the penalties or damages or in dismissing the charge.

(1) That the dog was properly confined on the premises.

(2) That the dog was deliberately or maliciously provoked.

(D) **Dogs may be Killed.** Any person may kill a dog while it is committing any of the acts specified in (a) above or while such dog is being pursued thereafter.

7- 3- 7. FIERCE, DANGEROUS OR VICIOUS ANIMALS. It shall be unlawful for the owner of any fierce, dangerous or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property. Every animal so vicious and dangerous that it cannot be controlled by reasonable restraints, and every dangerous and vicious animal not effectively controlled by its owner or person having charge, care or control of such animal so that it shall not injure any person or property is a hazard to public safety, and the Director of Animal Control shall seek a court order for destruction of or muzzling of the animal.

7- 3- 8. NUISANCE. Any owner or person having charge, care, custody or control of an animal or animals causing a nuisance as defined below shall be in violation of this Title and subject to the penalties provided herein. The following shall be deemed a nuisance:

(A) causes damages to the property of anyone other than its owner;

(B) is a vicious animal as defined herein and kept contrary to Section 7-3-7 above;

(C) causes unreasonable fouling of the air by odors;

(D) causes unsanitary conditions in enclosures or surroundings;

(E) defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property, unless the person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such defecation to a proper trash receptacle;

(F) barks, whines or howls or makes other disturbing noises in an excessive, continuous or untimely fashion;

(G) attacks other domestic animals;

(H) is determined by the Summit County Department of Animal Control or the City-County Health Department to be offensive or dangerous to public health, safety or welfare.

(I) any animals which, by virtue of the number maintained, are determined by the Summit County Department of Animal Control or the City-County Health Department to be offensive or dangerous to the public health, welfare or safety.

7- 3- 9. REVOCATION OF DOG LICENSE. If the owner of any dog(s) is found to be in violation of this Title on three or more different occasions during any twelve-month period, the Director of Animal Control may seek a court order revoking for a period of one year any dog license(s) such person may possess and providing for the Animal Control Department to pick up and impound any dog(s) kept by the person under such order. Any dog impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals except that the person under the order of revocation shall not be allowed to redeem the dog under any circumstances.

7- 3-10. BITES, DUTY TO REPORT.

(A) Any person having knowledge of any individual or animal having been bitten by an animal of a species subject to rabies shall report the incident immediately to the Summit County Department of Animal Control.

(B) The owner of an animal that bites a person and any person bitten by an animal shall report the bite to the Summit County Department of Animal Control or the Health Department within 24 hours of the bite, regardless of whether or not the biting animal is of a species subject to rabies.

(C) A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report the fact that he has rendered professional treatment to the Summit County Department of Animal Control of the City-County Health Department within 24 hours of his first professional attendance. He shall report the name, sex and address of the person bitten as well as the type and location of the bite. If known, he shall give the name and address of the owner of the animal that inflicted the bite, and any other facts that may assist the Summit County Department of Animal Control in ascertaining the immunization status of the animal.

(D) Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the Summit County Department of Animal Control. The report shall contain the name and address of the owner of the wounded, injured or bitten animal, the name and address of the owner, a description of the animal which caused the injury, and the location of the incident.

(E) Any person not conforming to the requirements of this section shall be in violation of this Chapter.

CHAPTER 4 - CONTROL OF RABIES AND RABID ANIMALS

7- 4- 1. RABIES VACCINATION REQUIRED FOR DOGS. The owner or person having the charge, care, custody and control of a dog or cat four months ~~six months~~ of age or over shall have said animal vaccinated within 30 days after it reaches said age. Any person permitting any such animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for said vaccination. Unvaccinated dogs over four ~~six~~ months of age acquired by the owner or moved into the jurisdiction must be vaccinated thereafter every 24 months with a modified virus rabies vaccine approved by the Summit County Health Department. Cats shall be vaccinated every 24 months. This provision shall not apply to veterinarian or kennel operators temporarily maintaining on their premises animals owned by others.

7- 4- 2. DUTIES OF VETERINARIANS AND TAG REQUIREMENTS. It shall be the duty of each veterinarian when vaccinating any animal for rabies to complete a certificate of rabies vaccination (in duplicate) which includes the following information:

(A) owner's name and address;

(B) description of animal (breed, sex, markings, age, name);

(C) date of vaccination;

(D) rabies vaccination tag number;

(E) type of rabies vaccine administered;

(F) manufacturer's serial number of vaccine

A copy of the certificate shall be distributed to the owner and original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the interval between vaccinations specified in this section. Additionally a numbered serialized metal or durable plastic rabies vaccination tag shall be securely attached to the collar or harness of all dogs. A dog not wearing such tag shall be deemed to be unvaccinated and may be impounded and dealt with pursuant to this Chapter.

7- 4- 3. TRANSIENT ANIMAL EXCEPTION. The provisions of this section with respect to vaccination shall not apply to any animal owned by a person temporarily remaining in the jurisdictions for less than 30 days. Such animals shall be kept under strict supervision of the owner. It shall be unlawful to bring any animal into the jurisdiction which does not comply with animal health laws and import regulations.

7- 4- 4. IMPOUNDMENT OF ANIMAL WITHOUT VALID RABIES VACCINATION TAG.

(A) Any vaccinated animal impounded because of a lack of rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.

(B) Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees and by obtaining a rabies vaccination within 72 hours of release.

(C) Any dog not reclaimed prior to the period shall be disposed of pursuant to provision of Section 7- 5- 3.

7- 4- 5. REPORTING OF RABID ANIMALS. Any person having knowledge of the whereabouts of an animal known to have been exposed to, or suspected of having rabies; or of an animal or person bitten by such a suspect animal, shall notify the Summit County Department of Animal Control, the Summit County Health Department or the State Division of Health.

7- 4- 6. QUARANTINING AND DISPOSITION OF BITING OR RABID ANIMALS.

(A) An animal that has rabies or shows signs of having rabies, and every animal infected with rabies or that has been exposed to rabies shall be reported by the owner as is set forth above and shall immediately be confined in a secure place by the owner.

(B) The owner of any animal of a species subject to rabies which has bitten shall surrender the animal to an authorized official upon demand. Any person authorized to enforce this Title may enter upon private property to seize the animal; if the owner refuses to surrender the animal, the officer shall immediately obtain a search warrant authorizing seizure and impoundment of the animal.

(C) Any animal of a species subject to rabies that bites a person or animal or is suspected of having rabies may be seized and quarantined for observation for a period of not less than ten days by the Summit County Department of Animal Control and/or the Health Department. The owner of the Animal shall bear the cost of confinement. The animal shelter shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the Director of Animal Control and/or the Director of Health if the animal had a current rabies vaccination at the time the bite was inflicted or if there are other special circumstances justifying an exception. A person who has custody of an animal under quarantine shall immediately notify the Summit County Department of Animal Control if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes confinement. It shall be unlawful for any person who has custody of a quarantined animal to fail or to refuse to allow a Health or Animal Control Officer to make an inspection or examination during the period of quarantine. If the animal dies within ten days from the date of the bite, the person having custody shall immediately notify the Department or immediately remove and deliver the head to the State Health laboratory to be examined for rabies. If, at the end of the ten-day period, the Director of Animal Control examines the animal and finds no sign of rabies, the animal may be released to the owner or in the case of a stray, it shall be disposed of as provided in Section 7-5-3.

7- 4- 7. DISPOSITION AND IMPOUNDING OF BITTEN ANIMALS.

(A) **Unvaccinated bitten animals**. In the case of an unvaccinated animal species subject to rabies which is known to have been bitten by a known rabid animal, said bitten or exposed animal should be immediately destroyed. If the owner is unwilling to destroy the bitten or exposed animal, the animal shall be immediately isolated and quarantined for six months under veterinary supervision, the cost of such confinement to be paid in advance by the owner. The animal shall be destroyed if the owner does not comply herewith.

(B) **Vaccinated bitten animals**. If the bitten or exposed animal has been vaccinated, the animal shall be revaccinated within 24 hours and quarantined for a period of 45 ~~30~~ days following revaccination; or if the animal is not revaccinated within 24 hours, the animal shall be isolated and quarantined under veterinary supervision for six months. The animal shall be destroyed if the owner does not comply with this subsection.

7- 4- 8. REMOVAL OF QUARANTINED ANIMAL. It shall be unlawful for any person to remove any such animal from the place of quarantine without written permission of the Summit County Summit County Department of Animal Control. It is unlawful for any person to permit, or suffer to escape, any such animal from its place of quarantine or impoundment.

7- 4- 9. TWO ATTACKS DEEMED A VICIOUS ANIMAL. If any animal bites or attacks a person or animal two times or more in a 12 month period, such animal may be immediately impounded by the Summit County Department of Animal Control without court order and held at owner expense pending court action. Any such animal shall be deemed a vicious animal, and the Director of Animal Control may seek a court order as provided in Section 7- 3- 7 for destruction of the animal. Parties owning such animal shall, if possible, be notified immediately of the animal's location by the Animal Control.

CHAPTER 5 - IMPOUNDING

7- 5- 1. ANIMALS TO BE IMPOUNDED. The Director shall place all animals which he takes into custody in a designated animal impound facility. The following animals may be taken into custody by the Director and impounded without filing a complaint:

(A) Any animal being kept or maintained contrary to the provisions of this Title;

(B) Any animal running at large contrary to the provisions of this Title;

(C) Any animal which is by this Title required to be licensed and is not licensed. An animal not wearing a tag shall be presumed to be unlicensed for purposes of this section.

(D) Sick or injured animals whose owner cannot be located;

(E) Any abandoned animal;

(F) Animals which are not vaccinated for rabies in accordance with the requirements of this Chapter;

(G) Any animal to be held for quarantine;

(H) Any vicious animal not properly confined as required by Section 7-3-7 herein.

7- 5- 2. IMPOUNDING, RECORDS TO BE KEPT. Complete records shall be kept for all impounded animals and shall include the following information:.

(A) description of the animal, including tag number.

(B) The manner and date of impound.

C) The location of the pickup and name of the officer picking up the animal.

(D) The manner and date of disposal.

(E) The name and address of the redeemer or purchaser.

(F) The name and address of any person relinquishing an animal to the impound facility.

(G) All fees received.

(H) All expenses accruing during impoundment.

7- 5- 3. IMPOUNDING: DISPOSITION OF ANIMALS.

(A) Licensed Animals shall be impounded for a minimum of five (5) working days before further disposition, except as otherwise provided herein. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily relinquished to the Summit County Animal Control facility by the owner therefor for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided.

(B) No dog or cat shall be released for adoption until such dog or cat is spayed or neutered unless payment for such spaying or neutering is deposited with Animal Control and the person to whom the dog or cat is released agrees, in writing, to cause such dog or cat to be spayed or neutered. Such agreement shall provide that the purchaser will have the dog or cat spayed or neutered within 120 days of the date of purchase. Failure to spay or neuter such dog or cat shall be deemed a breach of the adoption contract and shall result in its termination, return of the dog or cat, and forfeiture of all amounts paid to Animal Control. All adoptions are conditional until the animal is spayed or neutered.

(~~C~~B) All dogs, except for those quarantined or confined by court order, held longer than the minimum impound period, and all dogs voluntarily relinquished to the impound facility may be destroyed or sold as the Director shall direct. Any healthy dog may be sold to any person desiring to purchase such animal for a price to be determined by the Director but not to exceed the fee set by the County, plus license, ~~and~~ rabies vaccination, and/or spaying or neutering fees, if required.

(~~D~~C) Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, in the discretion of the Director, be released to the care of a veterinarian with the consent of the owner.

(~~E~~D) When, in the judgment of the Director, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established herein, and without court order.

7- 5- 4. IMPOUNDING; REDEMPTION. The owner of any impounded animal or his authorized representative may redeem such animal before disposition provided he pays:

(A) The impound fee;

(B) The daily board charge;

(C) Veterinary costs incurred during the impound period, including rabies vaccination;

(D) License Fee, if required.

No impound fee will be charged to the reporting owners of suspected rabid animals if they comply with Section 7-4-6. herein.

7- 5- 4. IMPOUND FEES FOR VOLUNTARY RELINQUISHMENT BY OWNER. Whenever any dog or cat is voluntarily relinquished by the owner thereof to the animal control facility for destruction or other disposition as provided by Section 7-5-4 of this Title, a fee shall be paid by such owner of $10.00 for each dog and/or for each litter of dogs and $5.00 for each cat and/or for each litter of cats so relinquished.

7- 5- 5. ANIMAL SHELTER. The governing authority shall provide suitable premises and facilities to be used as an animal shelter where impounded small animals can be adequately kept. they shall purchase and supply food and supply humane care for impounded animals. The governing authority shall provide for the painless and humane destruction of dogs and other animals required to be destroyed by this Title or by the laws of the state of Utah. The governing authority may furnish, when necessary, medical treatment for such animals as may be impounded pursuant to this Title.

CHAPTER 6 - CRUELTY TO ANIMALS PROHIBITED

7- 6- 1. PHYSICAL ABUSE. It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, beat with a stick, chain, club or other object, mutilate, burn or scald, overdrive or otherwise cruelly set upon any animal. Each offense shall constitute a separate violation.

7- 6- 2. HOBBLING ANIMALS. It is unlawful for any person to carry or confine any animal in or upon any vehicle in a cruel or inhumane manner, including but not limited to, carrying or confining such animal without adequate ventilation or for an unusual length of time.

7- 6- 3. CARE AND MAINTENANCE. It shall be the duty of any person to provide any animal in his charge or custody, as owner or otherwise, with adequate food, drink, care (which shall include veterinary care) and shelter.

7- 6- 4. ANIMAL POISONING. It shall be unlawful for any person by any means to make accessible to any animal, with intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in the furtherance of the public health when applied in such a manner as to reasonably prohibit access to other animals.

7- 6- 5. INJURY TO ANIMALS BY MOTORISTS.

(A) Every operator of a motor or other self-propelled vehicle upon the streets of the jurisdiction shall immediately upon injuring, striking, maiming or running down any domestic animal give such aid as can reasonably be rendered. In the absence of the owner, he shall immediately notify the Animal Control Department, furnishing requested facts relative to such injury.

(B) It shall be the duty of such operator to remain at or near the scene until such time as the appropriate authorities arrive, and upon the arrival of such authorities, the operator shall immediately identify himself to such authorities. Alternatively, in the absence of the owner, a person may give aid by taking the animal to the Animal Control Facility or other appropriate facility and notifying the Animal Control Department. Such animal may be taken in by the Animal Control facility and dealt with as deemed appropriate under the circumstances.

(C) Emergency vehicles are exempted from the requirements of this provision.

7- 6- 6. ANIMALS FOR FIGHTING.

(A) It shall be unlawful for any person, firm, or corporation to raise, keep or use any animal, fowl or bird for the purpose of fighting or baiting; and for any person to be a party to or be present as spectator at any such fighting or baiting of any animal or fowl; and for any person, firm or corporation to knowingly rent any building, shed, room, yard, ground or premises for any such purposes as aforesaid, or to knowingly suffer or permit the use of his buildings, sheds, rooms, yards, grounds or premises for the purposes aforesaid.

(B) Law enforcement officers or Animal Control Department officials may enter any building or place where there is an exhibition of fighting or baiting of a live animal, or where preparations are being made for such an exhibition, and the law enforcement officers may arrest persons there present and take possession of all animals engaged in fighting, along with all implements or applications used in such exhibition. This provision shall not be interpreted to authorize a search or arrest without a warrant when such is required by law.

7- 6- 7. MALICIOUS IMPOUNDING. It shall be unlawful for any person maliciously to secrete or impound the animal of another.

CHAPTER 7 - KENNELS, PET SHOPS ETC., AND THE REGULATION THEREOF

7- 7- 1. KENNEL PERMITS.

(A) Any person wishing to operate or maintain a kennel, cattery, pet shop or groomery must first obtain a kennel license from the Summit County Department of Animal Control. Said kennel license shall be issued upon payment of the fee and a statement from the Summit County Planning Department or appropriate city official that a kennel is a permitted use under the zoning regulations in effect for the area of the proposed kennel.

(B) A valid kennel license shall be posted in a conspicuous place in each establishment and said license shall be considered as appurtenant to the premises and not transferable to another location. The licensee shall notify the Summit County Department of Animal Control within thirty (30) days of any change in his establishment or operation which may effect the status of his license. In the event of a change in ownership of the establishment, the licensee shall notify the Summit County Department of Animal Control immediately. Licenses shall not be transferable from one owner to another.

(C) Any license issued pursuant to this section shall automatically expire on December 31st, immediately following date of issue. During the first three (3) months of each year the licensee shall apply for a renewal of the license and pay the required fee. Any application made after March 31, except an application for a new establishment opening subsequent to that date, shall be accompanied by a late application fee in addition to the regular permit fee.

7- 7- 2. STANDARDS FOR PERMITTED ESTABLISHMENT. The Summit County Department of Animal Control shall promulgate rules and regulations governing the operation of kennels, catteries, groomeries, pet shops~~, riding stables, and veterinary clinics or hospitals~~. Such rules and regulations shall provide for the type of structures, buildings, pens, cages, runways or yards required for the animal sought to be kept, harbored or confined on such premises; the manner which food, water and sanitation facilities will be provided to such animals; measures relating to the health of said animals, the control of noise and odors, and the protection of person or property adjacent premises; and other such matters as the Director shall deem necessary. Such rules and regulations shall have the effect of law, and violation of such rules and regulations shall be deemed a violation of this Title and grounds for revocation of a permit issued by the Summit County Department of Animal Control

7- 7- 3. SUSPENSION OR REVOCATION OF PERMIT.

(A) **Grounds**. A permit may be suspended or revoked or a permit application rejected on any one or more of the following grounds:

(1) Falsification of facts in a permit application;

(2) Violation of any of the provisions of this Title or any other law or regulation governing the establishment including noise.

(3) Conviction on a charge of cruelty to animals.

(B) **Procedure**. If an inspection of kennels, catteries, groomeries, pet shops, reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation by means of an inspection report form or other written notice. The notification shall:

(1) set forth the specific violation(s) found;

(2) establish a specific and reasonable period of time for the correction of the violations found;

(3) state that failure to comply with any notice issued in accordance with the provisions of this Title may result in immediate suspension of the permit.

7- 7- 4. EMERGENCY SUSPENSION.

(A) Notwithstanding the other provisions of this Title, when the inspecting officer finds unsanitary or other conditions in the operation of kennels, catteries, groomeries, pet shops, or a similar establishment, which in his judgment, constitute a substantial hazard to public health, he may, without warning or hearing, issue a written notice to the permit holder or operator citing such condition specifying the corrective action to be taken. Such order may state that the permit is immediately suspended and all operations are to be discontinued. Any person to whom such an order is issued shall comply immediately therewith. Any animals at such a facility may be confiscated by the Animal Control Department and impounded or otherwise provided for according to the provisions of this Title.

(B) Notice provided for under this section shall be deemed to have been properly served when the original of law inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the records of the Summit County Department of Animal Control.

7- 7- 5. INTERFERENCE WITH OFFICERS PROHIBITED. It is unlawful for any person to do any act which hinders, delays, interferes with or obstructs an Animal Control Officer while engaging in the discharge of their duties, including furnishing false information to such.

CHAPTER 8 - DOMESTICATED ANIMALS

7- 8- 1. DOMESTICATED ANIMALS. It is unlawful for the owner or person having charge, care, or custody of any domesticated animal to allow such to be at large. Domestic animals include horses, cattle, sheep, pigs, goats, etc.

CHAPTER 9 - PENALTIES AND SEVERABILITY

7- 9- 1. PENALTIES. Any person violating the provisions of this Title either by failing to do those acts required herein or by doing any act prohibited herein, shall be subject to fine in an amount not to exceed $750.00 ~~as established by statute~~, or imprisoned in the County jail not to exceed 90 days ~~six months~~, or both such fine and imprisonment or such further fines and imprisonments provided for Class "~~C~~B" misdemeanors pursuant to UCA 76-3-101, et seq. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

DATED this 21st day of September, 1995.

PARK CITY MUNICIPAL CORPORATION

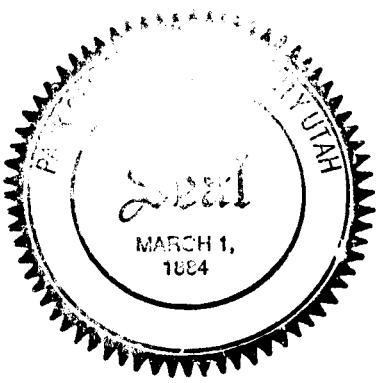
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney



ORDINANCE NO. 95-54

AN ORDINANCE AMENDING TITLE 4
OF THE MUNICIPAL CODE OF PARK CITY, UTAH, TO REFLECT
PARK CITY MUNICIPAL CORPORATION'S REORGANIZATION
OF VARIOUS DEPARTMENTS

WHEREAS, Park City Municipal Corporation has undergone a reorganization, eliminating the position of Finance Director and adding a position entitled "Administrative Services Director; and

WHEREAS, various sections of the Municipal Code of Park City, Utah, refer to the position of Finance Director for decision-making and other responsibilities; and

WHEREAS, the new position of Administrative Services Director is now responsible for those duties previously administered by the Finance Director,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. Section 4-1-1(N) of the Municipal Code of Park City, Utah, is hereby amended as follows:

(N) **DIRECTOR**. The Administrative Services Director ~~Finance Director~~ of Park City.

SECTION 3. Section 4-2-4. "License Application" is hereby amended to read as follows:

4- 2- 4. LICENSE APPLICATION. Applications for business licenses shall be made in writing to the Director or his or her designed. Each application shall state the name of the applicant, the location of the business, if any, the fee and tax to be paid, the name and address of the business agent residing in Park City who is authorized to receive service of process and any communication regarding applicant's license, state sales tax reporting number, state contractor's license number, if applicable, and state real estate broker's license number, if applicable, and shall contain such additional information as may be needed for the purpose of guidance of the Director in issuing the license. Any change in the above information furnished by the applicant shall be forwarded in writing, within ten (10) days of the change, to the Director or his or her designee. License application forms shall be prepared and kept on file by the Director.

SECTION 4. Section 4-2-7 "Investigation" is hereby amended to read as follows:

4- 2- 7. INVESTIGATION. Within five (5) days after receipt by the Director of a license application, the Director or his or her designee has the discretion to refer the application for investigation to the Police Department

SECTION 5. Section 4-2-8 "Inspections for Code compliance/Notice of Infraction/License Revocation/Complaint filed by City Attorney" is hereby amended to read as follows:

4- 2- 8. INSPECTIONS FOR CODE COMPLIANCE/NOTICE OF INFRACTION/ LICENSE REVOCATION/COMPLAINT FILED BY CITY ATTORNEY. Prior to the issuance of a license to engage in a new business not previously licensed at that location, or an existing business with a change of location, the applicant shall be required to permit inspections to be made of the prospective place of business of the applicant by the appropriate departments of the City or other governmental agency to ensure compliance with building, fire, and health codes. No license shall be granted unless any required inspections reveal that the prospective place of business is in substantial compliance with the building, fire, and health codes. In addition to the business license fees, all new businesses or business locations shall pay an inspection fee as set forth in the rate tables in effect at the time of application.

Existing places of business licensed within the City may be inspected periodically by departments of the City for compliance with building, fire, and health codes. Written notice shall be given by the Director, or his or her designee, to a licensee upon the finding of any code infractions which notice shall provide for a reasonable period not to exceed sixty (60) days in which to correct such infractions, the failure of which shall result in the revocation of the license by the Director, or his or her designee, .

The Director, or his or her designee, may request the City Attorney to file a complaint against any applicant or any licensee who continues to conduct business beyond the time limits provided in this section for non-compliance with the required standards

SECTION 6. Section 4-2-9 "License Denial" is hereby amended to read as follows:

4- 2- 9. LICENSE DENIAL. The Director, or his or her designee, may deny a license if the applicant:

(A) Has been convicted of a fraud or felony by any state or federal court within the past five (5) years or now has criminal proceedings pending against him in any state or federal court for fraud or a felony;

(B) Has obtained a license by fraud or deceit;

(C) Has failed to pay personal property taxes or other required taxes or fees imposed by the City; or

(D) Has violated the laws of the State of Utah, the United States Government, or the ordinances of Park City governing operation of the business for which the applicant is applying for the license.

SECTION 7. Section 4-2-10, "License Issuance or Denial" is here amended to read as follows:

4- 2-10. LICENSE ISSUANCE OR DENIAL. Upon receipt by the Director, or his or her designee, of a completed license application and full payment of the fees, the City will not prosecute under Section 4-2-1 of this chapter for doing business without a license during the review and inspection process. The Director, or his or her designee, shall notify the applicant of 1) the denial of a license and the reason for such denial; or 2) the issuance of the license. Any applicant doing business during the review period proceeds at their own risk and no legal or equitable rights exist prior to the issuance of the actual license certificate.

SECTION 8. Section 4-2-11 "Appeals of License Denial" is hereby amended to read as follows:

4- 2-11. APPEALS OF LICENSE DENIAL. A license denial by the Director, or his or her designee, may be appealed within ten (10) days to the Park City Council by written notice of appeal. The request is to be filed with the Recorder. The Park City Council shall hear the appeal within thirty (30) days of notice of appeal.

SECTION 9. Section 4-2-12 "Issuance of License Certificate is hereby amended to read as follows:

4- 2-12. ISSUANCE OF LICENSE CERTIFICATE. All license certificates shall be signed by the Director, or his or her designee, under the seal of the City (signature may be placed mechanically), and contain the following information:

(A) The name of the person to whom such certificate has been issued;

(B) The name of the business, if applicable;

(C) The type of license; and

(D) The term of the license with commencement and expiration dates.

SECTION 10. Section 4-2-19 "Special Assessment by Director" is hereby amended to read as follwos:

4- 2-19. SPECIAL ASSESSMENT BY DIRECTOR. Any other business not listed in the foregoing sections shall be assessed at the rate and on the same basis as the business determined by the Director, or his or her designee, to be most similar to the business to be licensed. If the applicant and Director, or his or her designee, are not able to agree on a rate and method of assessment, the application shall be referred to the City Council for license issuance. The rate and method of assessment determined by the Council may be applied on a case by case basis, or, if it appears to be of general application or importance, may take the form of an amendment to the Code to cover that license and similar applications in the future.

SECTION 11. Section 4-2-23 "Fee and Tax Payments, Renewals and Penalty" is hereby amended to read as follows:

4-2-23. FEE AND TAX PAYMENTS, RENEWALS AND PENALTY. The annual business revenue license tax provided in this Title shall be due and payable to the City on or before the first day of January of each year for renewals of licenses for businesses which were licensed the previous year. Business licenses for previously unlicensed businesses shall be issued for the unexpired portion of the calendar year in which issued unless issued between October 1 and December 31, in which case the license shall be valid until December 31 of the year following the issuance of the license, upon payment of 125% of the annual license fee, as set forth in Section 4-2-13 above.

If the renewal license fee is not paid on or before January 15 of the year in which the renewal license is due, there shall be a business license enforcement fee imposed of twenty-five percent (25%) of the license fee imposed by this Chapter or Twenty-Five Dollars ($25.00) whichever is greater.

If the renewal license fee is not paid in full on or before February 15th of the year in which the renewal fee is due, the business license enforcement fee shall be increased to fifty percent (50%) of the license fee imposed by this Chapter or Twenty-Five Dollars ($25) whichever is greater.

If the renewal license fee is not paid on or before March 1st of the year in which the renewal fee is due, the business license enforcement fee shall be increased to one-hundred percent (100%) of the license fee imposed by this Chapter.

Upon a proper showing that the business is of such a seasonal nature that business has not been conducted to date, the Director, or his or her designee, may waive the business license enforcement fee of said renewals.

Upon a showing of hardship acceptable to the Director, or his or her designee, the licensed business may be allowed to pay the business license fees due over a period of time not to exceed three (3) months from the due date, with interest on the unpaid balance at the rate of 18% per annum

Any previously licensed business cited for engaging in business in violation of this Title shall have five days from the date of citation to come into compliance with this Title. Failure of the licensee to reach compliance within five days of the date of citation will subject the business to closure and the licensee to all applicable civil and criminal penalties.

If a licensed business enlarges its place of business or increases its capacity for conducting business (i. e., adding square footage, increasing number of vending machines, number of employees, bid limits, or increasing hourly user capacity), an additional revenue license tax shall

be due and payable to the City and shall be prorated on the basis of one-twelfth (1/12th) of the total annual tax on the enlargement or increase for each month remaining in the unexpired portion of the calendar year, including the month in which such increase is accomplished. The additional revenue license tax for adding square footage shall be due and payable on the date the City issues the occupancy permit.

SECTION 12. Section 4-2-27 "Revenue Tax Adjustment to Avoid Burdening Interstate Commerce" is hereby amended to read as follows:

4- 2-27. REVENUE TAX ADJUSTMENT TO AVOID BURDENING INTERSTATE COMMERCE. The business revenue license tax imposed by this Title shall not be applied so as to place an undue burden on interstate commerce. In any case, where the revenue license tax is believed by a licensee or applicant for a license to place an undue burden upon interstate commerce, such licensee or applicant may apply to the Director, or his or her designee, for an adjustment of the fee so as to relieve such burden. The licensee or applicant shall, by supporting other information as the Director, or his or her designee, may deem necessary in order to determine the extent, if any, of such undue burden. The Director, or his or her designee, shall then conduct an investigation, comparing the subject business with other businesses of like nature and shall make findings of fact from which he shall determine whether the revenue license tax is discriminatory, unreasonable or unfair as to the licensee or applicant from the standpoint of its impact on interstate commerce and shall recommend to the City Council an appropriate revenue license tax under the circumstances and the City Council shall fix the revenue license tax in such amount. If the regular revenue license tax has already been paid, the City Council shall order a refund of any amount over and above the amount of the revenue license tax fixed, if any. In fixing the tax to be charged, the Director, or his or her designee, may use any method which will assure that the tax assessed shall be uniform with that assessed on business of like nature; provided, however, that the amount assessed shall in no event exceed the regular tax prescribed in this Title.

Applications for new beer or liquor licenses shall be made in writing to the City Council or its designee upon a form furnished by the Director to be filed with the Director, or his or her designee. Each application shall state the name, address (street address and post office box number, if applicable), age and citizenship of the applicant, the location of the business, whether he has complied with requirements specified in the Utah Liquor Control act, whether the applicant meets the licensee qualifications set out in Section 4-4-3 below, the location of any other beer or liquor licenses held by the applicant, and any other reasonably pertinent information required by the Director or City Council, or their designees. If the applicant is a partnership, association or corporation, the same information shall be included for each officer or director thereof. The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true.

SECTION 13. Section 4-3-17 "Relation to Business License Chapter" is hereby amended as follows:

4-3-17. RELATION TO BUSINESS LICENSE CHAPTER. This Chapter is intended to supplement Chapter 2 of this Title to provide for greater flexibility in the manner of doing business. In the event that a conflict exists between the provision of this Chapter and that, so that it is unclear which category of license is required, the Director or his or her designee ~~Finance Director~~ shall determine the proper class of license or licenses to be issued, subject to review by the City Manager and appeal to the Council.

SECTION 14. Section 4-4-12 "City Renewal Procedure" is hereby amended to read as follows:

4-4-12. CITY RENEWAL PROCEDURE. On or before December 1 of each year, the City shall send notice to each beer, restaurant liquor or private club liquor licensee within the City that the regulatory license fee required by Section 4-4-2 is due by December 31st. Upon receipt of the regulatory license fee and finding that renewal is proper, the City Council or its designee shall issue a license certificate valid through December 31st of the next licensing year.

Upon notification by the Police Department, the licensee must close the licensed premises on the expiration date of the license and keep the premises closed for the consumption or storage of beer or liquor until the date his renewal license is issued by the City Council or its designee or pending a hearing before the City Council. In the absence of such notice, pending action on license renewals, the license is deemed extended provided a renewal application was filed on or before December 31 of the year in which the prior license was issued. The Director and Chief of Police shall prepare a list or lists of all licenses to be renewed, and the City Council or its designee may approve all renewals on that list or lists ~~by a single motion~~.

Licenses shall be renewed unless the Council or its designee shall find that:

(A) The licensee has attempted to transfer or assign the license to others in violation of this Title;

(B) The licensee no longer holds the qualifications required of licensee under the provisions of Section 4-4-3 of this Title;

(C) The premises have been remodeled or changed in a manner that eliminates required exits, creates closed booths or stalls; or

(D) The licensee or his employees or agents have been convicted of or plead guilty to more than five (5) violations of this Title or state liquor control statutes relative to the conduct of the licensed premises in a single calendar year preceding the renewal, not including violation by patrons.

(E) Licensee does not hold a current valid Park City business license or has NOT been exempted therefrom under Chapter 2 of this Title.

In the event the Council or its designee finds any of the foregoing conditions (A) through (E) to exist with respect to a license renewal application, the Council or its designee may waive the violations and grant a renewal license, grant a probationary renewal for a fixed period of time less than one year, or deny the application for renewal. When deemed appropriate, the Council may hold hearings on specific license renewal applications prior to granting the renewal license.

SECTION 14. Section 4-6-3 "Restaurant Liquor License" is hereby amended to read as follows:

4- 6- 3. RESTAURANT LIQUOR LICENSE. A restaurant liquor license shall only be issued to persons licensed by the State Liquor Commission under § 32A-4-101, et seq, of the Utah Code Annotated. A "restaurant" liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premise. Only bona fide restaurants shall be entitled to a restaurant liquor license. Patrons must intend to order food which is prepared, sold, and served on the premises, in accordance with the Alcoholic Beverage Control Act and Utah Liquor Commission Rules and Regulations and the ordinances of Park City. Liquor is to be provided only in conjunction with a meal, and it shall be unlawful to serve or sell liquor except with a meal. No person under the age of twenty-one years shall serve or sell liquor under this license. All liquor must be purchased in the restaurant from a server designated and trained by the licensee. Any alcoholic beverages under this license must be consumed at the patron or guest's table. A restaurant liquor license shall not entitle the storage of liquor on the licensed premises, except as designated on the application.

Beginning July 1, 1991, a restaurant liquor license holder may not sell or provide any primary liquor except in one ounce quantities dispensed through a calibrated metered dispensing system approved by the Commission.

All holders of restaurant liquor licenses shall maintain records which shall disclose the gross sales of liquor and the gross sales of food served and any other items sold for consumption on or off the premises. Such sales shall be shown separately. Each licensee shall retain all invoices, vouchers, sales slips, receipts, and other records of beer and other commodity purchases from all suppliers. Such records shall be available for inspection and audit by the Director, or his or her designee, at any time following the close of the semi-annual period and for one year thereafter, or as required by State regulations. Failure to properly maintain such records for such inspection and audit shall be cause for revocation of the restaurant liquor license.

If any audit or inspection discloses that the sales of food on the licensed premises are below 70% (seventy percent) of the gross dollar volume of business for any semi-annual period, the restaurant liquor license shall immediately be suspended and shall not be reinstated until the licensee is able to prove to the satisfaction of the City Council or its designee that in the future,

the sales of food on the licensed premises will not fall below seventy percent of the gross dollar volume of business.

All licensees holding a restaurant liquor license as of the date of this Ordinance may continue to operate under said license unless revoked or suspended under one of the provisions herein until December 31, 1990. All Park City issued restaurant liquor licenses shall expire on December 31st of each year thereafter. All State-issued restaurant liquor licenses expire on October 31 of each year. All licensees must notify the City immediately if the State liquor license is denied, suspended or revoked for any reason. Restaurant liquor license applicants must provide the City with proof of State licensure by December 1 of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder. All renewal applications must attach a copy of a valid State license.

PASSED AND ADOPTED this 21st day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

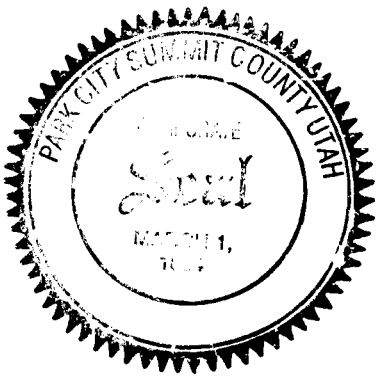
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney



Ordinance No. 95-53

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO TRAIL'S END AT DEER VALLEY RECORD OF SURVEY LOCATED AT DEER VALEY DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Trail's End at Deer Valley petitioned the City Councl for approval of a revision to the final plat; and

WHEREAS, proper notice was sent and the City Council held a public hearing to receive input on the proposed conversion on September 21, 1995; and

WHEREAS, there is good cause for the revision as the reconfiguration does not affect the intent or final conditions or approval under the master planned development for the project; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the city of Park City, Utah as follows:

SECTION 1. PLAT AMENDMENT. The first amendment to the Trail's End at Deer Valley Record of Survey is approved as shown on the attached Exhibit A with the following conditions:

1. All prior master planned development approvals, dated April 11, 1994 and April 5, 1991 are in full force and effect.

2. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final record of survey.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 21st dayof September, 1995.

PARK CITY MUNICIPAL CORPORATION

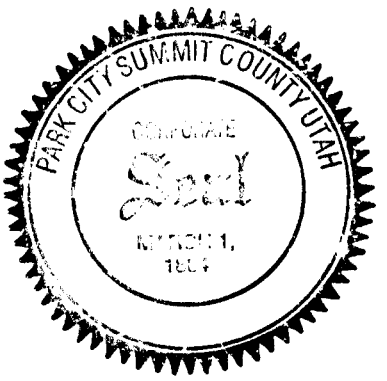
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

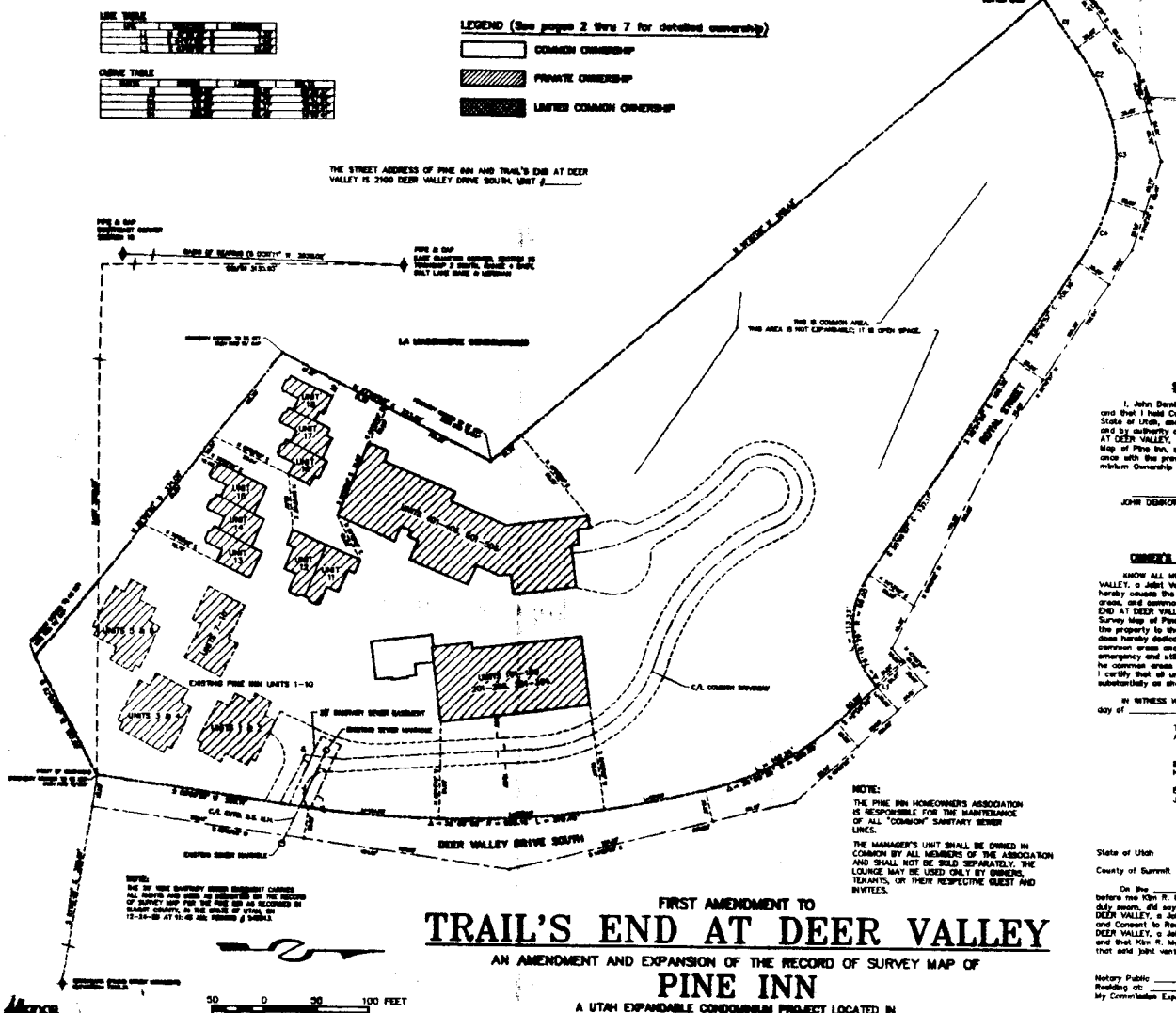
Approved as to form:

Mark D. Harrington, Asst. City Attorney



TRAIL'S END AT DEER VALLEY
Exhibit A - Proposed plat

RECEIVED
SEP 11 1995
PARK CITY
PLANNING DEPT



NOTE:
UNITS 1-10 INCLUSIVE OF EXISTING PINE INN SHALL CONTINUE TO BE KNOWN AS PINE INN UNITS AND THE FLOOR PLANS AND ELEVATIONS OF UNITS 1-10 AS RECORDED AS ENTRY NO. 243913 ARE UNCHANGED BY THIS RECORD OF SURVEY MAP.

UNITS 11-18 AND 101-108 INCLUSIVE SHALL BE KNOWN AS TRAIL'S END AT DEER VALLEY.

NOTE:
THE PINE INN HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR THE MAINTENANCE OF ALL "COMMON" SANITARY SEWER LINES.

THE MANAGER'S UNIT SHALL BE OWNED IN COMMON BY ALL MEMBERS OF THE ASSOCIATION AND SHALL NOT BE SOLD SEPARATELY. THE LOUNGE MAY BE USED ONLY BY OWNERS, TENANTS, OR THEIR RESPECTIVE GUEST AND INVITEES.

FIRST AMENDMENT TO

TRAIL'S END AT DEER VALLEY

AN AMENDMENT AND EXPANSION OF THE RECORD OF SURVEY MAP OF

PINE INN

A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN SECTION 15 & 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH

ADD NO. 2-2-91 FILE T:\PI\PI2\PLT2P1

LEGAL DESCRIPTION

Beginning at a point which is 3130.93 feet South and 3990.91 feet East from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian. (Basis of Bearing: South 00°30'11" West from said East Quarter corner of the Southeast corner of said Section 16), said point also being on the South and West Right-of-Way lines of Deer Valley Drive South, Section "D", as recorded and running thence South 62°09'09" West 127.00 feet; thence North 31°26'00" West 374.00 feet; thence North 27°00'00" East 223.00 feet; thence North 40°36'00" West 883.43 feet to a point on the Southerly Right-of-Way line of Royal Street (formerly Lake Flat Road, as dedicated), said point being on a non-tangent 582.68 foot radius curve, concave Northwesterly, the radius point bears North 31°04'53" West 582.68 feet of which the central angle is 5°35'37", and following said Southerly Right-of-Way line of Royal Street, the next nine courses: thence 1) Northeasterly along said curve an arc distance of 56.91 feet to the point of reverse curvature of a 211.45 foot radius curve to the right, the radius point bears South 36°40'39" East 211.45 feet of which the central angle is 20°47'01"; thence 2) Northeasterly along said curve an arc distance of 76.70 feet to the point of compound curvature of a 131.87 foot radius curve to the right, the radius point bears South 15°53'29" East 131.87 feet of which the central angle is 33°10'51"; thence 3) Easterly along the arc of said curve 76.37 feet to the point of a compound curvature of a 225.00 foot radius curve to the right, the radius point bears South 17°17'22" West 225.00 feet, of which the central angle is 19°56'41"; thence 4) Southeasterly along said curve an arc distance of 68.48 feet; thence 5) South 36°46'57" East 109.38 feet; thence 6) South 58°24'09" East 108.38 feet; thence 7) South 88°46'37" East 137.11 feet to the point of curvature of a 65.00 foot radius curve to the left, the radius point bears North 34°13'03" East 65.00 feet of which the central angle is 78°18'29"; thence 8) Easterly along said curve an arc distance of 113.23 feet; thence 9) North 4°75'54" East 3.23 feet to a point on the Westerly Right-of-Way line of Deer Valley Drive South Section "D", as recorded, and following as said Westerly Right-of-Way line the next four courses: 1) thence South 42°08'28" East 50.98 to the point of curvature of a 265.00 foot radius curve to the right, the radius point bears South 47°51'04" West 290.00 feet of which the central angle is 22°08'29"; thence 2) Southwesterly along the curve an arc distance of 142.26 feet to the point of compound curvature of a 888.10 foot radius curve to the right, the radius point bears South 70°00'00" West 888.10 feet of which the central angle is 22°00'00"; thence 3) Southerly along said curve an arc distance of 379.40 feet; thence 4) South 08°00'00" West 286.11 feet to the point of beginning.

Contain 8.52 Acres or 371,198 Square Feet.

Less and excepting units 1-10 of the Pine Inn Condominiums.

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163831 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by authority of the owner(s), this First Amendment to TRAIL'S END AT DEER VALLEY, an Amendment and Expansion of the Record of Survey Map of Pine Inn, a Utah Expandable Condominium Project, in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act.

JOHN DEMKOWICZ L.S. NO. 163831 DATE

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That TRAIL'S END AT DEER VALLEY, a Joint Venture, the owner of the herein described tract of land, hereby causes the same to be divided into private units, limited common areas, and common areas, as set forth in this First Amendment to TRAIL'S END AT DEER VALLEY, an Amendment and Expansion of the Record of Survey Map of Pine Inn, A Utah Expandable Condominium Project, submitting the property to the provisions of the Utah Condominium Ownership Act, does hereby dedicate for the perpetual use of Pine Inn Association all common areas and private roads and does further dedicate for the use by emergency and utility service vehicles an ingress and egress easement over all common areas and private roads located within the Pine Inn project. I certify that all units and all limited common areas will be built substantially as shown.

IN WITNESS WHEREOF, the undersigned sets his hand this _____ day of _____, 1995, through his duly authorized partner.

TRAIL'S END AT DEER VALLEY
A Joint Venture

By: _____
Kim R. McGuire, General Partner

By: _____
John C. Kilnner, III, General Partner

ACKNOWLEDGMENT

State of Utah }
County of Summit } ss.

On the _____ day of _____, 1995, personally appeared before me Kim R. McGuire and John C. Kilnner, III, who being by me duly sworn, did say that they are general partners of TRAIL'S END AT DEER VALLEY, a Joint Venture, and that the above Owner's Dedication and Consent to Record was signed in behalf of said TRAIL'S END AT DEER VALLEY, a Joint Venture, by authority of its partnership agreement, and that Kim R. McGuire and John C. Kilnner, III acknowledged to me that said joint venture executed the same.

Notary Public _____
Residing at: _____
My Commission Expires: _____

HOMEOWNERS ASSOCIATION CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That pursuant to authority of ARTICLE VII of the Declaration for Pine Inn, a Utah Expandable Condominium, recorded on December 24, 1985 as Entry No. 243914 in Book 367, beginning at Page 94, in the official records of the Summit County Recorder, the undersigned Pine Inn Association at Deer Valley, a Non-Profit Utah Corporation, do hereby consent to the recording of this First Amendment to TRAIL'S END AT DEER VALLEY, an Amendment and Expansion of the Record of Survey Map of Pine Inn, a Utah Expandable Condominium Project. The undersigned further acknowledge that this Record of Survey Map amends and expands the Record of Survey Map of Pine Inn, a Utah Expandable Condominium Project recorded on December 24, 1985 as Entry No. 243913 in the official records of the Summit County Recorder, and the undersigned, pursuant to the authority referenced herein, does hereby consents to such amendments and modifications.

IN WITNESS WHEREOF, the undersigned sets its hand this _____ day of _____, 1995.

PINE INN ASSOCIATION AT DEER VALLEY, a Utah Non-Profit Corporation

By: _____
Arnold F. Stolorf, President

ACKNOWLEDGMENT

State of Utah }
County of Salt Lake) } ss.

On the _____ day of _____, 1995, before me, Arnold F. Stolorf, who did acknowledge to me that he executed the foregoing as President of the PINE INN ASSOCIATION AT DEER VALLEY, A UTAH NON-PROFIT CORPORATION, who further acknowledged to me that he executed the foregoing document, for and on behalf of the aforementioned corporation by express authority of its bylaws.

Notary Public _____
Residing at: _____
My Commission Expires: _____

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 1995 A.D. BY _____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 1995 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

34

ORDINANCE NO. 95-52

AN ORDINANCE APPROVING THE FINAL PLAT FOR THE EAGLE POINTE SUBDIVISION, PHASE I LOCATED IN THE QUARRY MOUNTAIN MPD, PARK CITY, UTAH

WHEREAS, the owners of the property known as Eagle Pointe Subdivision (aka Quarry Mountain South Slope) have applied for a final plat for the first phase; and

WHEREAS, a properly noticed public hearing was held before the Planning Commission on August 30, 1995 and forwarded a positive recommendation to the City Council; and

WHEREAS, it is in the best interest of the City to approve the requested Final Plat; and

WHEREAS, the final plat is consistent with the Quarry Mountain MPD and Preliminary Plat approval;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Park City, Utah as follows:

SECTION 1. PLAT APPROVAL. The final plat for Eagle Point Phase I is approved as shown on the attached Exhibit A with the following conditions:

1. The house size limitations shall be noted on the plat and shall be consistent with the Preliminary Plat approval as follows:

   3900 sq.ft. for lots under and including 14520 sq.ft.
   4500 sq.ft. for lots larger than 14520 to 21,780 sq.ft.
   6000 sq.ft. for lots larger than 21,780 to 1 acre
   7000 sq.ft. for lots larger than 1 acre

The note shall consist of a chart which lists each parcel number, total square footage and permitted maximum house size.

2. A note shall be added to the plat which shall require that limits of disturbance be required for each lot upon building permit application. Limits of disturbance (zone of no construction, excavation or vegetation removal) will be required on all site plans with areas of disturbance restricted to 15 feet on side yards, 20 feet on rear yards and 25 feet on front yards. The limits of disturbance can encroach into the setback area to the

property line, if the building zone is within 15 feet of the property lines. Some exceptions to this standard may be considered if it is necessary due to unique characteristics of the site and does not result in more disturbed area than would otherwise be allowed. The Park City Community Development Department will be required to review and approve all such exceptions.

3. The applicant shall be responsible for upgrading the pump station to accommodate additional irrigation demands on the site. The pump station will be upgraded to a standard approved by the Public Works Director and City Engineer. The maximum area on each lot which can be irrigated will be 10,000 sq. ft. and a note shall be placed on the plat which so indicates. Within that 10,000 sq.ft. of irrigated area, a maximum of 7,000 sq.ft. of sod will be allowed.

4. The plat shall be required to show trail easements consistent with the Planning Commission Preliminary Plat approval. A 4 foot wide, concrete sidewalk shall be provided along Meadows Drive and a 25 foot wide trail easement for a soft surface trail to the north of the parcels which will connect to Golden Eagle Court. The applicant will be responsible for constructing the trails. The entire soft surface trail will be required concurrent with phase I and the sidewalk associated with the improvements of Meadows Drive. The construction drawings shall reflect the trails.

5. Site specific analysis shall occur for lots 20, 21 and 22 prior to building permit issuance. This analysis shall involve the averaging of grade to allow a structure to be built consistent with adjacent structures. Grade for purposes of determining building heights which contain piles of rock shall be measured as if the piles were not there.

6. The City Engineer shall review and approve construction drawings prior to plat recordation. The applicant will be required to post a security for all public improvements prior to plat recordation. A 15 foot non-exclusive utility easement shall be dedicated to Park City along the entire frontage of both sides of Meadows Drive.

7. The City Engineer, City Attorney and Community Development Staff shall review and approve the final plat, CC&R's and Design Guidelines prior to plat recordation.

8. Access to the Mountain Top subdivision shall be maintained through this subdivision, including during construction.

9. All homes shall have external fire sprinklers and will be required to be fire sprinkled with a modified 13-D type interior sprinkler system. If the next phase of Eagle Point does not progress within 6 months of completion (or as soon after as weather permits) of the appurtenant section of Meadows Drive, the applicant shall be required to construct a turn around for emergency vehicles. The security for public improvements shall include this cost.

10. The name of Golden Eagle Court shall be changed because its similarity to Golden Eagle Drive. The new name is subject to the approval of the Fire Marshall.

11. The parcel of "future development" indicated between lot 24 and the Ridgeview Subdivision contains a future density range of 0 to 2 lots.

12. Lot A is to be dedicated to the City concurrent with plat recordation.

13. The reconstruction of the intersection of American Saddler and Meadows Drive shall be completed with the first phase improvements.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect immediately.

PASSED AND ADOPTED this 21st day of September, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Approved as to form:

Mark Harrington, Assistant City Attorney

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C2	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C3	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C4	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C5	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C6	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C7	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C8	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C9	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C10	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C11	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C12	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C13	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C14	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C15	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C16	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C17	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C18	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C19	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C20	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C21	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C22	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C23	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C24	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C25	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C26	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C27	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C28	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C29	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C30	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C31	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C32	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C33	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C34	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C35	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C36	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C37	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C38	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C39	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C40	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C41	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C42	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C43	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C44	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C45	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C46	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C47	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C48	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C49	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C50	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C51	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C52	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C53	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C54	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C55	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C56	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C57	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C58	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C59	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C60	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C61	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C62	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C63	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C64	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C65	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C66	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C67	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C68	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C69	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C70	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C71	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C72	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C73	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C74	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C75	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C76	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C77	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C78	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C79	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C80	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C81	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C82	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C83	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C84	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C85	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C86	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C87	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C88	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C89	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C90	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C91	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C92	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C93	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C94	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C95	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C96	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E
C97	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"E
C98	90°00'00"	15.00'	23.56'	21.21'	S45°00'00"W
C99	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"W
C100	90°00'00"	15.00'	23.56'	21.21'	N45°00'00"E

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N00°00'00"E	100.00'
L2	S00°00'00"W	100.00'
L3	N90°00'00"E	100.00'
L4	S90°00'00"W	100.00'
L5	N00°00'00"E	100.00'
L6	S00°00'00"W	100.00'
L7	N90°00'00"E	100.00'
L8	S90°00'00"W	100.00'
L9	N00°00'00"E	100.00'
L10	S00°00'00"W	100.00'
L11	N90°00'00"E	100.00'
L12	S90°00'00"W	100.00'
L13	N00°00'00"E	100.00'
L14	S00°00'00"W	100.00'
L15	N90°00'00"E	100.00'
L16	S90°00'00"W	100.00'
L17	N00°00'00"E	100.00'
L18	S00°00'00"W	100.00'
L19	N90°00'00"E	100.00'
L20	S90°00'00"W	100.00'
L21	N00°00'00"E	100.00'
L22	S00°00'00"W	100.00'
L23	N90°00'00"E	100.00'
L24	S90°00'00"W	100.00'
L25	N00°00'00"E	100.00'
L26	S00°00'00"W	100.00'
L27	N90°00'00"E	100.00'
L28	S90°00'00"W	100.00'
L29	N00°00'00"E	100.00'
L30	S00°00'00"W	100.00'
L31	N90°00'00"E	100.00'
L32	S90°00'00"W	100.00'
L33	N00°00'00"E	100.00'
L34	S00°00'00"W	100.00'
L35	N90°00'00"E	100.00'
L36	S90°00'00"W	100.00'
L37	N00°00'00"E	100.00'
L38	S00°00'00"W	100.00'
L39	N90°00'00"E	100.00'
L40	S90°00'00"W	100.00'
L41	N00°00'00"E	100.00'
L42	S00°00'00"W	100.00'
L43	N90°00'00"E	100.00'
L44	S90°00'00"W	100.00'
L45	N00°00'00"E	100.00'
L46	S00°00'00"W	100.00'
L47	N90°00'00"E	100.00'
L48	S90°00'00"W	100.00'
L49	N00°00'00"E	100.00'
L50	S00°00'00"W	100.00'
L51	N90°00'00"E	100.00'
L52	S90°00'00"W	100.00'
L53	N00°00'00"E	100.00'
L54	S00°00'00"W	100.00'
L55	N90°00'00"E	100.00'
L56	S90°00'00"W	100.00'
L57	N00°00'00"E	100.00'
L58	S00°00'00"W	100.00'
L59	N90°00'00"E	100.00'
L60	S90°00'00"W	100.00'
L61	N00°00'00"E	100.00'
L62	S00°00'00"W	100.00'
L63	N90°00'00"E	100.00'
L64	S90°00'00"W	100.00'
L65	N00°00'00"E	100.00'
L66	S00°00'00"W	100.00'
L67	N90°00'00"E	100.00'
L68	S90°00'00"W	100.00'
L69	N00°00'00"E	100.00'
L70	S00°00'00"W	100.00'
L71	N90°00'00"E	100.00'
L72	S90°00'00"W	100.00'
L73	N00°00'00"E	100.00'
L74	S00°00'00"W	100.00'
L75	N90°00'00"E	100.00'
L76	S90°00'00"W	100.00'
L77	N00°00'00"E	100.00'
L78	S00°00'00"W	100.00'
L79	N90°00'00"E	100.00'
L80	S90°00'00"W	100.00'
L81	N00°00'00"E	100.00'
L82	S00°00'00"W	100.00'
L83	N90°00'00"E	100.00'
L84	S90°00'00"W	100.00'
L85	N00°00'00"E	100.00'
L86	S00°00'00"W	100.00'
L87	N90°00'00"E	100.00'
L88	S90°00'00"W	100.00'
L89	N00°00'00"E	100.00'
L90	S00°00'00"W	100.00'
L91	N90°00'00"E	100.00'
L92	S90°00'00"W	100.00'
L93	N00°00'00"E	100.00'
L94	S00°00'00"W	100.00'
L95	N90°00'00"E	100.00'
L96	S90°00'00"W	100.00'
L97	N00°00'00"E	100.00'
L98	S00°00'00"W	100.00'
L99	N90°00'00"E	100.00'
L100	S90°00'00"W	100.00'

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That Kearns-Tribune Corporation, a Utah Corporation, the owner of the herein described tract of land hereby causes the same to be divided into lots and public streets, as set forth in the above plat, hereinafter to be known as the Eagle Pointe Subdivision - Phase I, subject to the reservations, agreements, conditions and restrictions, and dedication of easements for the Eagle Pointe Subdivision - Phase I, which will be recorded in the offices of the County Recorder of Summit County, Utah, concurrently with the recording of this plat.

The owner hereby dedicates Lot A to Park City Municipal Corporation as park land. The owner also dedicates to Park City Municipal Corporation the trail easements as shown on the above plat together with the city streets as shown thereon. The city streets and trail easements are dedicated for the use of the public. The owner also dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County, a perpetual nonexclusive easement over streets, driveways and utility easements shown on this plat for the installation of permanent access for utility installation, maintenance and emergency enforcement and to provide emergency services to said Eagle Pointe Subdivision - Phase I.

EXECUTED this _____ day of _____, 1995.

KEARNS-TRIBUNE CORPORATION, a Utah Corporation

_____

Ronald A. Wood, President

ACKNOWLEDGEMENT

State of)
County of)

On the ____ day of _____, 1995 personally appeared before me Ronald A. Wood whose being by me duly sworn, did say that he is President of Kearns-Tribune Corporation, a Utah Corporation and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Kearns-Tribune Corporation and said Ronald A. Wood duly acknowledged to me that said Corporation executed the same.

_____ My commission expires _____

Notary Public

SURVEYOR'S CERTIFICATE

I, JACK JOHNSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 22-157787-2201 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON; I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

_____
JACK JOHNSON

_____
DATE

MOUNTAIN TOP SUBDIVISION
ROGER DELL JR
CHRISTIAN & LETNER ROOFING CO.
FUTURE DEVELOPMENT
FUTURE DEVELOPMENT
FUTURE DEVELOPMENT
FUTURE DEVELOPMENT
NORTHWEST CORNER SECTION 4 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN (FOUND LOOSE STONE)
MEADOWS DRIVE
POINT OF BEGINNING
RIDGEVIEW SUBDIVISION
RISNER RIDGE SUBDIVISION
MOUNTAIN RIDGE SUBDIVISION
WEST QUARTER CORNER SECTION 4 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN (FOUND STONE)
SOUTHWEST CORNER SECTION 4 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN (FOUND MONUMENT)
NORTH 1862.82'
BASIS OF BEARING NORTH 1862.82' (BETWEEN FOUND MONUMENTS)

VICINITY MAP
NOT TO SCALE
PARK CITY
PARK MEADOWS
HOLIDAY RANCH
PROSPECTOR SQUARE
PARK CITY SKI AREA

LEGAL DESCRIPTION

A parcel of land located in the Northeast Quarter of Section 5 and the Northwest Quarter of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located North 00°08'43" East 1862.82 feet from the West Quarter Corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the Section line common to Sections 4 and 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence along the Northerly most boundary of the Ridgeview Subdivision, North 89°48'04" West 863.06 feet; thence North 00°01'56" East 73.87 feet to a point on a 376.00 foot radius curve to the left (center bears N48°03'41"E); thence along the arc of said curve 310.75 feet through a central angle of 47°21'27"; thence South 89°17'32" West 122.14 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter of said Section 4, said point also being on the Northerly most boundary of the Mountain Ridge Subdivision; thence North 89°17'32" West 178.01 feet along the Northerly most boundary of the Mountain Ridge Subdivision; thence North 03°53'10" East 1.36.46 feet; thence North 14°51'49" East 254.08 feet; thence North 07°33'13" West 182.81 feet; thence North 25°53'06" West 76.04 feet; thence North 37°34'44" West 138.97 feet; thence North 28°33'56" East 136.32 feet to a point on a 425.00 foot radius curve to the right (center bears S29°13'39"E); thence along the arc of said curve 110.58 feet thru a central angle of 14°54'36" to the beginning of a 15.00 foot radius reverse curve to the left (center bears N44°28'27"E); thence along the arc of said curve 22.20 feet thru a central angle of 84°47'03"; thence North 49°41'18" East 27.88 feet to the beginning of a 200.00 foot radius curve to the right (center bears S40°18'42"E); thence along the arc of said curve 117.74 feet thru a central angle of 33°43'48"; thence North 83°25'03" East 93.88 feet to the beginning of a 56.00 foot radius curve to the right (center bears S06°34'57"E); thence along the arc of said curve 88.73 feet thru a central angle of 87°29'21"; thence North 86°53'26" East 222.61 feet; thence North 03°03'56" East 93.52 feet; thence North 00°08'23" East 423.89 feet to a point on the North line of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°30'37" East 336.86 feet to the North Section Corner common to Sections 4 and 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 78°31'25" East 70.00 feet; thence South 26°13'22" East 347.07 feet; thence South 08°26'41" West 282.52 feet to a point on a 883.00 foot radius curve to the right (center bears N09°30'41"E); thence along the arc of said curve 14.86 feet thru a central angle of 00°58'24"; thence South 09°19'04" West 184.25 feet to a point on the Northerly most boundary of the Planer Ridge Subdivision; thence South 89°00'00" West 252.98 feet along said Northerly boundary to the point of beginning.

Containing 949,421 sq. ft. or 21.80 ac. more or less.

NOTES

1) A NON-EXCLUSIVE 5 FOOT UTILITY, SLOPE, AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG ALL LOT LINES, UNLESS OTHERWISE NOTED.

2) PARK CITY WILL ONLY ASSUME RESPONSIBILITY FOR SNOW PLOWING UPON COMPLETION OF, AND LEGAL OCCUPATION OF STRUCTURES ON AT LEAST 50% OF THE LOTS. SUBSTANTIAL INTERIM SNOW REMOVAL COSTS WILL OCCUR TO LOT OWNERS.

3) A MODIFIED 13-D TYPE INTERIOR FIRE SPRINKLING SYSTEM IS REQUIRED IN ALL RESIDENCES CONSTRUCTED IN EAGLE POINTE SUBDIVISION.

4) A NON-EXCLUSIVE SANITARY SEWER, STORM DRAINAGE, WATER, TRAIL AND PUBLIC UTILITY EASEMENT EXISTS OVER LOT "A" AS SHOWN.

5) THE MAXIMUM HOUSE SIZE ALLOWED SHALL BE 3600 SQ. FT. FOR LOTS LESS THAN 0.333 ACRES IN SIZE, 4500 SQ. FT. FOR LOTS 0.333 TO 0.5 ACRES IN SIZE, 8000 SQ. FT. FOR LOTS 0.5 TO 1.0 ACRES IN SIZE, AND 7,000 SQ. FT. FOR LOTS EXCEEDING 1.0 ACRES IN SIZE. THE MAXIMUM UNFINISHED GARAGE SIZE IS 800 SQ. FT.; GARAGE SQUARE FOOTAGE OVER 800 SQ. FT. SHALL BE DEDUCTED FROM THE MAXIMUM HOUSE SQUARE FOOTAGE TO DETERMINE THE MAXIMUM HOUSE SIZE FOR THAT HOUSE.

6) THE SANITARY SEWER DESIGN FOR THIS DEVELOPMENT MAY NOT ALLOW GRAVITY SEWER SERVICE TO BASEMENTS ON ALL LOTS. EJECTOR PUMP SYSTEMS FOR SANITARY SEWER SERVICE MAY BE REQUIRED IF BELOW NATURAL GRADE FLOORS ARE PROPOSED.

7) INDIVIDUAL PRIVATELY OWNED EJECTOR PUMP SYSTEMS WILL BE REQUIRED FOR SANITARY SEWER SERVICE FOR RESIDENCES ON LOTS 19, 20, 21, 22, AND 24. EJECTOR PUMP SYSTEMS MAY BE REQUIRED FOR LOTS 21 AND 23 DEPENDING ON PROPOSED BUILDING PAD PLACEMENT AND ARCHITECTURAL DESIGN.

8) EACH LOT IS TO BE PROVIDED WITH A MINIMUM OF 40 PSI AT THE METER FOR WATER PRESSURE IN ACCORDANCE WITH MUNICIPAL SPECIFICATIONS FOR PARK CITY. DEVELOPER RECOMMENDS INSTALLATION OF A SYSTEM TO AUGMENT WATER PRESSURE BY INSTALLATION OF A BOOSTER PUMP AT HOMEOWNERS OPTION.

9) LIMITS OF DISTURBANCE (ZONE OF NO CONSTRUCTION, EXCAVATION OR VEGETATION REMOVAL) WILL BE REQUIRED ON ALL SITE PLANS WITH AREAS OF DISTURBANCE RESTRICTED TO 15 FEET AROUND THE PROPOSED BUILDING. LIMITS OF DISTURBANCE MAY BE DIRECTLY ON THE PROPERTY LINES IF BUILDING ZONE IS WITHIN 15 FEET OF THE PROPERTY LINES.

10) SITE SPECIFIC ANALYSIS SHALL OCCUR FOR LOTS 20, 21, AND 22 EAGLE POINTE SUBDIVISION - PHASE I PRIOR TO BUILDING PERMIT ISSUANCE. THAT ANALYSIS SHALL INVOLVE THE AVERAGING OF GRADE TO ALLOW A STRUCTURE TO BE BUILT CONSISTENT WITH ADJACENT STRUCTURES.

11) GRADE FOR PURPOSES OF DETERMINING BUILDING HEIGHTS IN THE QUARRY PORTION OF THE EAGLE POINTE SUBDIVISION - PHASE I AREA WHICH CONTAIN PILES OF ROCK SHALL BE MEASURED AS IF THE PILES WERE NOT THERE.

LEGEND
◆ - DENOTES SURVEY MONUMENT
▬ - DENOTES LOT ADDRESS

NORTH

SCALE: 1"=100'

EXHIBIT A

EAGLE POINTE SUBDIVISION PHASE I

LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH

RECEIVED
AUG 24 1995
PARK CITY
PLANNING DEPT.

PLOT DATE: 08/24/95
EPPLAT.DWG

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS _____ DAY OF _____ A.D. 19__. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 19__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS _____ DAY OF _____ A.D. _____	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	N°. _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF.
MAYOR	CITY ENGINEER	CHAIRMAN		CITY ATTORNEY	COUNTY RECORDER
CITY RECORDER					

THE JACK JOHNSON COMPANY
1910 Pr[illegible]venue • Park City, Utah 84060
(80[illegible]000 • fax (801) 649-1620

Ordinance No. 95-51

AN ORDINANCE APPROVING THE FINAL PLAT OF SNOW CREEK CROSSING, LOCATED AT HIGHWAY 224 AND HIGHWAY 248, PARK CITY, UTAH

WHEREAS, the owners of property known as Snow Creek Crossing petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on August 30, 1995; and

WHEREAS, on August 30, 1995, the Planning Commission approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat; and

WHEREAS, there is good cause for the subdivision as it will dedicate approximately 24 acres of open space and will create pedestrian trails and preserve wetlands; and

WHEREAS, neither the public or any person will be materially injured by the proposed plat revision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. PLAT APPROVAL The Snow Creek Crossing final plat is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the plat, CC&Rs and open space deed restrictions shall be reviewed and approved by the City Engineer and City Attorney.

2. The applicant shall comply with all Standard City Conditions of Approval and all final conditions of approval as agreed to on October 11, 1994.

3. Prior to plat recordation, a security in the amount of $399,771.25 must be posted to adequately guarantee the public improvements for this project.

SECTION 2. EFFECTIVE DATE This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 7th day of September, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

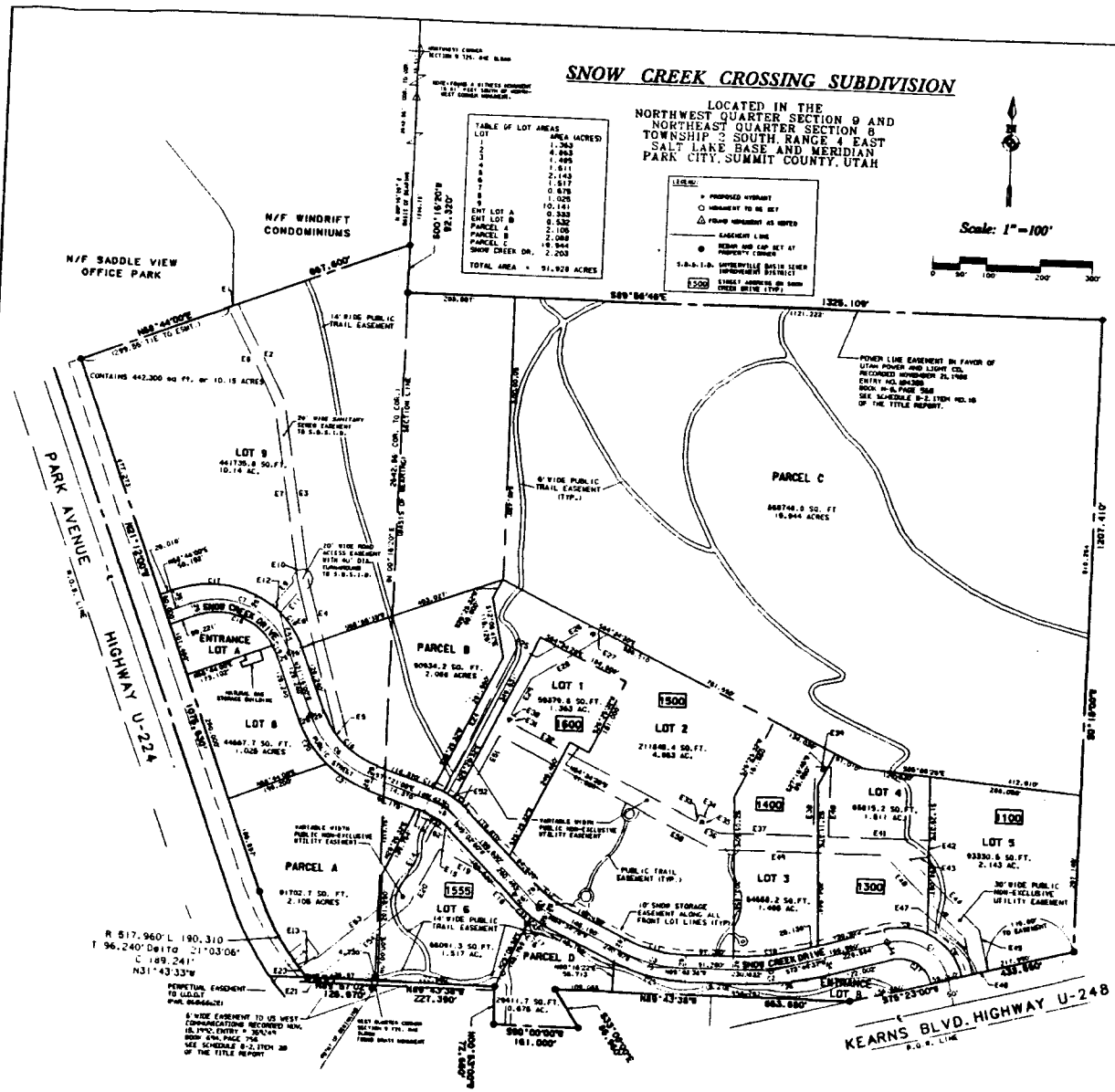
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

SNOW CREEK CROSSING
Exhibit A - Proposed Subdivision Plat

Ew2K



SNOW CREEK CROSSING SUBDIVISION

LOCATED IN THE
NORTHWEST QUARTER SECTION 9 AND
NORTHEAST QUARTER SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NORTHWEST CORNER SECTION 9 T2S, R4E SLB&M

NOTE: FOUND A WITNESS MONUMENT 19.61 FEET SOUTH OF NORTHWEST CORNER MONUMENT.

TABLE OF LOT AREAS

LOT	AREA (ACRES)
1	1.363
2	4.863
3	1.485
4	1.611
5	2.143
6	1.517
7	0.675
8	1.028
9	10.141
ENT LOT A	0.333
ENT LOT B	0.532
PARCEL A	2.108
PARCEL B	2.088
PARCEL C	19.944
SNOW CREEK DR.	2.203
TOTAL AREA =	91.928 ACRES

LEGEND:

- ▸ PROPOSED HYDRANT
- ○ MONUMENT TO BE SET
- △ FOUND MONUMENT AS NOTED
- ─── EASEMENT LINE
- ● REBAR AND CAP SET AT PROPERTY CORNER
- S.B.S.I.D. SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
- 1500 STREET ADDRESS ON SNOW CREEK DRIVE (TYP)

GENERAL NOTES:

1) ENTRANCE LOTS "A" & "B" ARE NON-BUILDABLE LOTS EXCEPT FOR LANDSCAPING, UTILITIES, AND SIGNAGE. BOTH LOTS ARE NON-EXCLUSIVE PUBLIC UTILITY EASEMENTS.

2) PROPERTY OWNERS ARE RESPONSIBLE FOR FUTURE SANITARY SEWER MANHOLE ADJUSTMENTS AND MANHOLE COLLAR REPAIRS FOR THE SEWER MANHOLES LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY, AND NOT COVERED BY A BACKLOT SEWER MAINTENANCE AGREEMENT.

3) PARCELS A, B & C ARE NON-DEVELOPABLE OPEN SPACE PARCELS TO BE DEDICATED, BY DEED CONVEYANCE, TO PARK CITY CORPORATION.

4) DEVELOPABLE LOTS 5, 6, 7 & 8 WILL BE REQUIRED TO OBTAIN INDIVIDUAL SANITARY SEWER LINE EXTENSION AGREEMENTS FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT PRIOR TO ISSUANCE OF BUILDING PERMITS.

5) SNOW CREEK DRIVE IS TO BE DEDICATED TO PARK CITY CORPORATION AS A PUBLIC ROAD.

6) THE TITLE REPORT REFERRED TO ON THIS MAP WAS PREPARED BY ASSOCIATED TITLE COMPANY ON JULY 26, 1995, HAVING POLICY NUMBER P202:8-4-3.

7) NO STRUCTURES ARE ALLOWED WITHIN 10 FEET OF THE NATURAL GAS STORAGE BUILDING IN LOT 8.

8) PARCEL D IS A NON-BUILDABLE LOT, EXCEPT FOR LANDSCAPING, UTILITIES AND SIGNAGE, UNLESS A REVISED MPD APPROVAL AND CONDITIONAL USE PERMIT (FRONTAGE PROTECTION ZONE) ARE OBTAINED.

9) A DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR LOTS 1 THROUGH 9 HAS BEEN RECORDED SIMULTANEOUSLY HEREWITH.

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	E TAN.
C1	91°30'21"	94.115	150.328	96.647
C2	16°31'45"	499.985	144.240	72.624
C3	25°09'09"	300.004	131.700	66.928
C4	19°31'39"	149.992	51.120	25.810
C5	26°18'10"	150.008	68.870	35.053
C6	50°09'08"	199.998	174.830	93.443
C7	90°00'00"	150.000	235.619	150.000
C8	51°31'23"	119.115	107.114	———
C9	40°06'59"	119.115	83.400	———
C10	16°31'45"	474.985	137.028	———
C11	25°09'09"	275.004	120.725	———
C12	19°31'39"	124.992	42.600	———
C13	11°44'35"	175.008	35.868	———
C14	14°33'43"	175.008	44.478	———
C15	50°09'08"	174.998	152.976	———
C16	45°00'00"	175.000	137.445	———
C17	45°00'00"	209.142	164.259	———
C18	79°08'43"	125.000	172.668	———
C19	10°51'17"	125.000	23.682	———
C20	25°52'59"	224.998	101.642	———
C21	24°12'08"	224.998	95.042	———
C22	26°18'18"	125.008	57.392	———
C23	8°58'28"	174.992	27.410	———
C24	10°33'07"	174.992	32.220	———
C25	25°09'09"	325.004	142.675	———
C26	16°31'46"	550.000	158.671	———
C27	91°38'20"	60.115	96.148	———

EASEMENT TABLE

COURSE	DATA	
E1	N 88°44'00" E	20.18'
E2	S 28°27'08" E	204.48'
E3	S 10°02'59" E	344.83'
E4	S 16°18'32" E	330.95'
E5	Δ=15°42'07"	R=175.00' L=41.85'
E6	N 16°18'32" W	304.39'
E7	N 10°02'59" W	342.18'
E8	N 28°27'08" W	203.72'
E9	N 38°22'58" E	58.88'
E10	Δ=300°00'00"	R=20.00' L=104.72'
E11	S 38°22'58" W	60.88'
E12	Δ=6°33'08"	R=175.00' L=20.01'
E13	N 87°20'17" E	41.58'
E14	N 28°30'28" E	161.30'
E15	Δ=12°40'23"	R=125.00' L=27.65'
E16	Δ=9°47'34"	R=175.00' L=29.88'
E17	S 35°14'38" W	12.31'
E18	N 45°02'50" W	130.00'
E19	N 83°20'08" W	89.98'
E20	S 28°30'43" W	120.38'
E21	S 87°20'17" W	36.78'
E23	Δ=3°28'12"	R=517.98' L=31.82'
E24	N 24°16'17" E	310.42'
E25	S 65°43'43" E	42.72'
E26	N 57°50'48" E	119.41'
E27	S 84°34'28" E	36.84'
E28	S 57°50'48" W	167.18'
E29	S 28°30'48" W	79.78'
E30	S 64°19'16" E	10.84'
E31	S 25°40'44" W	13.84'
E32	S 64°19'16" E	397.88'
E33	N 25°40'44" E	14.78'
E34	S 64°19'16" E	20.00'
E35	S 25°40'44" W	14.75'
E36	S 64°19'16" E	29.38'
E37	N 88°48'10" E	180.28'
E38	N 0°11'44" W	131.93'
E39	N 88°48'14" E	30.00'
E40	S 0°11'44" E	131.93'
E41	N 88°48'10" E	189.71'
E42	[illegible] 1°20'37" E	32.01'
E43	[illegible] 81°32'02" W	34.77'
E44	[illegible] 48°11'48" E	177.20'
E45	[illegible] 13°17'33" E	67.76'
E46	S 75°23'00" W	30.00'
E47	N 13°17'33" W	78.60'
E48	N 48°[illegible]'48" W	208.01'
E49	S 88°48'[illegible]" W	328.24'
E50	N 64°19'16" W	468.18'
E51	S 28°30'43" W	150.13'
E52	Δ=13°36'08"	R=176.00' L=41.84'
E53	N 48°09'07" E	190.88'
E54	S 48°59'50" W	201.09'
E55	N 15°54'04" W	17.38

450 SUBASE2

SURVEYOR'S CERTIFICATE

I, JEFFREY E. EARL, A REGISTERED LAND SURVEYOR, HOLD CERTIFICATE NO. 170631, AS PRESCRIBED BY THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREWITH, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS SNOW CREEK CROSSING SUBDIVISION, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

Boundary Description

Beginning at the East Quarter Corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, the Basis of Bearing being North 0°16'20" East 2642.86 feet between the said East Quarter Corner and the Northeast Quarter Corner of said Section 8, and running

thence North 89°57'02" West 126.870 feet along the quarter section line to the east Right-of-Way line of Highway U-224;

thence along said east Right-of-Way line, 190.310 feet along a 517.960 foot radius curve to the right, said curve having a chord of North 31°43'33" East 189.241 feet;

thence, continuing along said east Right-of-Way line, North 21°12'00" East 1075.630 feet;

thence, leaving said east Right-of-Way line, North 88°44'00" East, 667.800 feet to the above foresaid section line;

thence, along said section line, South 00°16'20" East 92.320 feet;

thence, leaving said section line, South 89°56'46" East 1326.109 feet;

thence South 0°15'00" East 1207.410 feet, to the north Right-of-Way line of State Highway U-248;

thence, along said north Right-of-Way line, South 75°23'00" West, 433.860 feet to the quarter section line;

thence, along said quarter section line, North 89°43'38" West, 563.880 feet;

thence, leaving said quarter section line, South 33°00'00" East, 85.960 feet;

thence West, 161.00 feet;

thence North 0°53'00" West, 72.660 feet to the said quarter section line;

thence, along said quarter section line, North 89°43'38" West, 227.390 feet to the point of beginning. Contains [illegible] square feet, or 91.928 acres.

_______________ Date

_______________ Jeffrey E. Earl
License No. 170631

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER AND [illegible] HOLDER OF THE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS THE SNOW CREEK CROSSING SUBDIVISION, DO HEREBY IRREVOCABLY OFFER FOR DEDICATION ALL THE STREET IDENTIFIED ON THIS PLAT AS "SNOW CREEK DRIVE" AND THE PUBLIC TRAIL EASEMENTS SHOWN ON THIS PLAT, TO THE CITY OF PARK CITY, AND ALL THE EASEMENTS SHOWN ON THIS PLAT, FOR THE USE OF ALL SUPPLIERS OF UTILITIES INCLUDING PARK CITY AND THE SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT, IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION. IN WITNESS THEREOF, WE HAVE HEREUNTO SET OUR NAMES THIS _______ DAY OF _______ 1995.

_______________ SNOW CREEK CROSSING L.C. _______________

_______________ [illegible] FIRST NATIONAL BANK, N.A. _______________

_______________ _______________

ACKNOWLEDGMENT

State of Utah)
County of Summit)
On the _____ day of _______ 1995 personally appeared before me _______ who, being by me duly sworn, did say that _______ is/are the _______ of _______ and that the within and foregoing Owner's Dedication and Consent to Record was signed in behalf of said _______ by authority _______ and the _______ duly acknowledged to me that _______ executed the same.

_______ Notary Public _______ My commission expires _______ Res.

ACKNOWLEDGMENT

State of Utah)
County of Summit)
On the _____ day of _______ 1995 personally appeared before me _______ who, being by me duly sworn, did say that _______ is/are the _______ of _______ and that the within and foregoing Owner's Dedication and Consent to Record was signed in behalf of said _______ by authority _______ and the _______ duly acknowledged to me that _______ executed the same.

_______ Notary Public _______ My commission expires _______ Res.

ACKNOWLEDGMENT

State of Utah)
County of Summit)
On the _____ day of _______ 1995 personally appeared before me _______ who, being by me duly sworn, did say that _______ is/are the _______ of _______ and that the within and foregoing Owner's Dedication and Consent to Record was signed in behalf of said _______ by authority _______ and the _______ duly acknowledged to me that _______ executed the same.

_______ Notary Public _______ My commission expires _______ Res.

SNOW CREEK CROSSING SUBDIVISION
LOCATED IN THE
NORTHWEST QUARTER SECTION 9 AND
NORTHEAST QUARTER SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

THE SEAR-BROWN GROUP

SEWER DISTRICT APPROVAL
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS _______ DAY OF _______ 1995.
S.B.S.I.D. _______

CITY COUNCIL APPROVAL
PRESENTED TO THE PARK CITY COUNCIL ON THIS ___ DAY OF _______ A.D. 19___ AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED.
MAYOR _______
ATTEST CITY RECORDER _______

CITY ENGINEER
APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS ___ DAY OF _______ A.D. 19___
____
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ___ DAY OF _______ A.D. 19___
____
CHAIRMAN

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS ___ DAY OF _______ A.D. 19___
____
CITY ATTORNEY

RECORDED # _______
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF _______
DATE _______ TIME _______ BOOK _______ PAGE _______
FEE $ _______ _______ SUMMIT COUNTY RECORDER

Ordinance No. 95-50

AN ORDINANCE APPROVING THE FINAL PLAT OF TREASURE HILL SUBDIVISION LOCATED AT 200 AND 220 KING ROAD AND 375 AND 425 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, MPE Inc., petitioned the City Council for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on August 30, 1995 and the City Council conducted a public hearing on September 7, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on August 30, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding building size, public utility, fire protection, trails, the Infrastructure Review Ordinance, and setbacks; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The Treasure Hill Subdivision is approved as shown on Attachment A with the following conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective immediately.

PASSED AND ADOPTED this 7th day of September, 1995

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

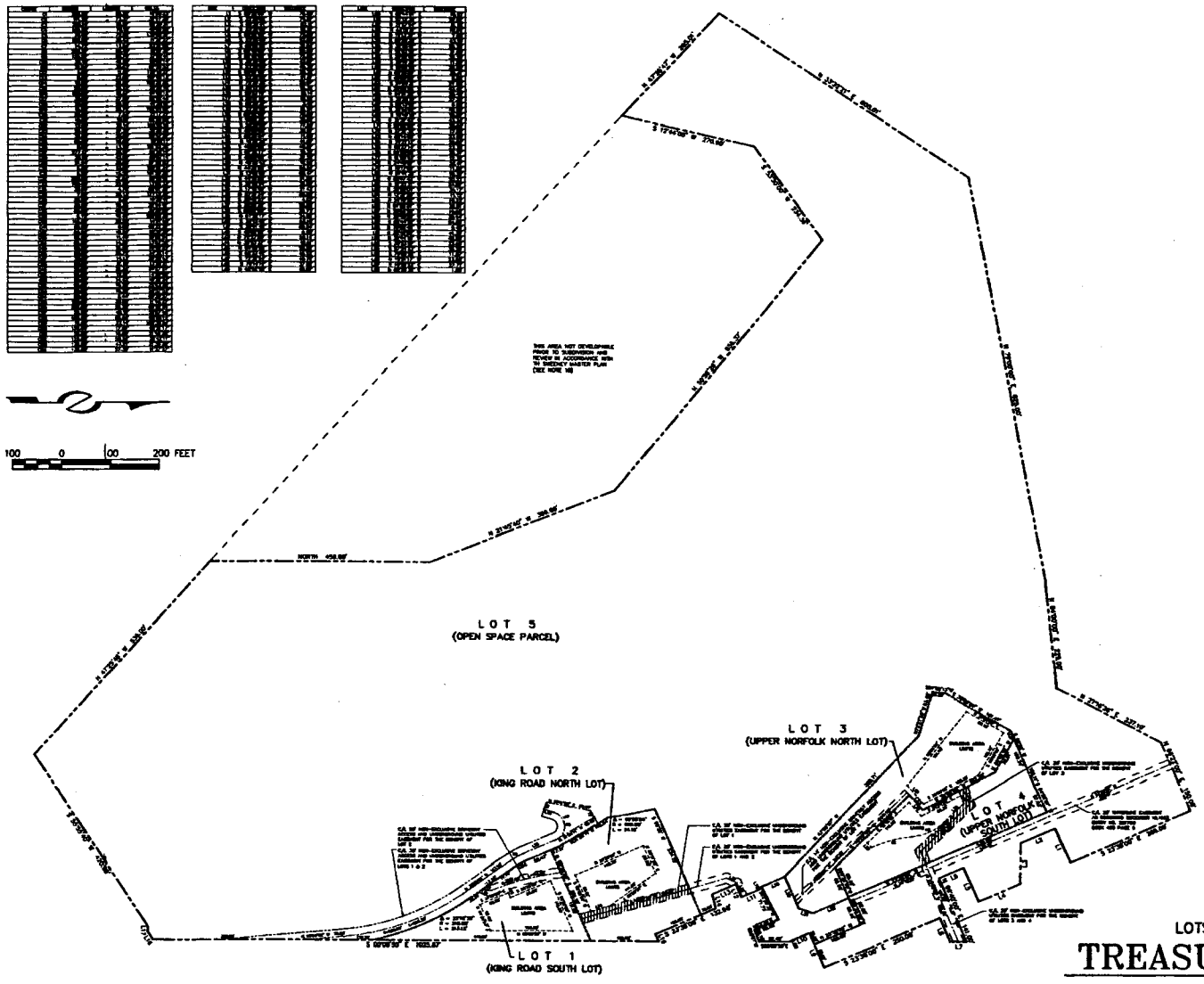
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884



SURVEYOR'S CERTIFICATE

I, JAMES L. STEVENS, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5659, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction of the parcel described below.

James L. Stevens, L.S. No. 5659 — Date

PROPERTY DESCRIPTION

Beginning at a point which is South 66°22'West, 75.00 feet and South 23°38'East, 58.91 feet from the Northeast corner of Block 29, Park City Survey, Amended Plat, said point also being South 66°40'West, 300.00 feet and North 23°36'East, 535.46 feet, more or less, from a Park City Monument at the intersection of Park Avenue and 4th Street;

and running thence South 23°38'East, 284.08 feet; thence South 66°22'West, 75.00 feet; thence South 23°38'East, 74.67 feet, more or less, to the East-west 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°36'41"East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'East, 141.00 feet, more or less, to a North-south 40 Acre line and the West line of Park City Townsite said point being South 66°40'00"West, 240.50 feet and North 0°08'30"West, 16.32 feet, more or less, from a Park City Monument at the intersection of Park Avenue and 4th Street; thence South 0°08'30"East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'West, 52.98 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'East, 250.00 feet to the Northeast corner of Lot 72, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'West, 75.00 feet; thence South 23°38'East, 42.87 feet; thence North 62°20'38"East, 1.08 feet; thence South 0°08'30"East, 82.49 feet; thence South 66°07'West, 28.18 feet; thence North 23°38'West, 52.92 feet; thence South 62°20'38"West, 71.73 feet; thence South 23°38'East, 40.70 feet; thence South 66°07'West, 28.75 feet; thence South 23°38'East, 59.81 feet; thence North 79°38'39"East, 29.97 feet; thence South 23°38'East, 132.68 feet; thence North 66°12'East, 18.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'30"East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53"West, 583.56 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°37'19"West, 19.14 feet along said Alice Lode; thence South 88°31'10"West, 10.52 feet; thence South 55°25'40"West, 420.90 feet; thence North 47°25'46"West, 535.00 feet; thence North, 450.00 feet; thence North 21°45'40"West, 399.88 feet; thence North 50°56'28"West, 656.37 feet; thence South 53°30'West, 234.38 feet; thence South 12°44'20"West, 270.00 feet; thence North 47°25'47"West, 285.08 feet; thence North 33°32'21"East, 600.01 feet; thence North 79°00'East, 825.00 feet; thence North 84°00'East, 225.00 feet; thence North 27°16'26"East, 237.10 feet; thence North 66°22'East, 150.00 feet to the point of beginning.

Containing 47.350 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00"East)

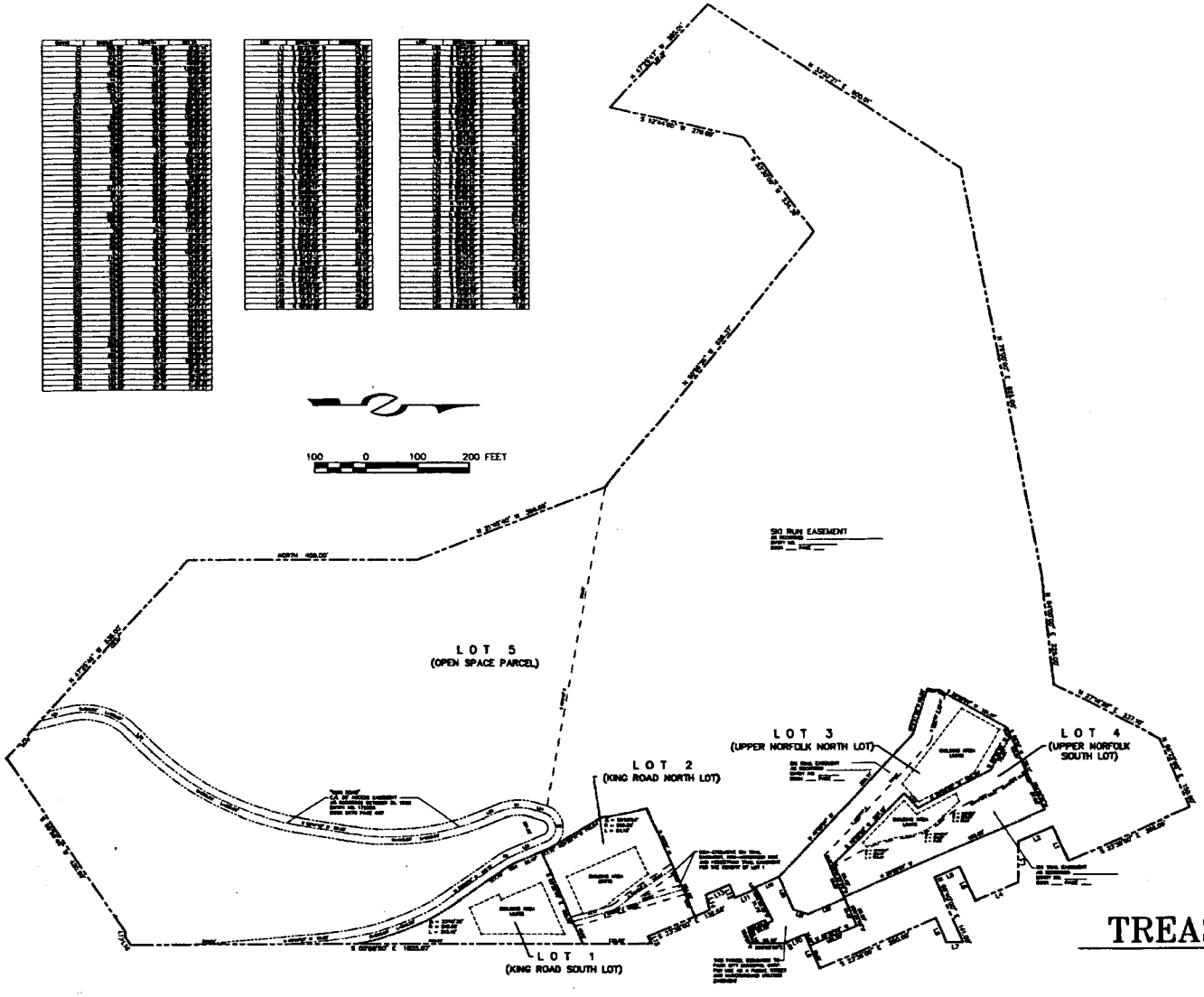
PHASE 1

LOTS, UTILITY EASEMENTS AND ACCESS EASMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF _____, 1995 A.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 1995 A.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D.	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D.	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D.	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
BY _____ S.B.S.I.D.	BY _____ CHAIRMAN	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ PARK CITY RECORDER	BY _____ MAYOR	FEE _____ RECORDER



OWNER S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this _____day of _____ 1995

_____
EDMUND J. BEAULIEU

_____
CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership

By _____
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____ 1994, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

_____

ACKNOWLEDGEMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____ 1994, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

_____

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On the _____ day of _____ 1994, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

_____

PHASE 1
SKI TRAIL EASEMENTS

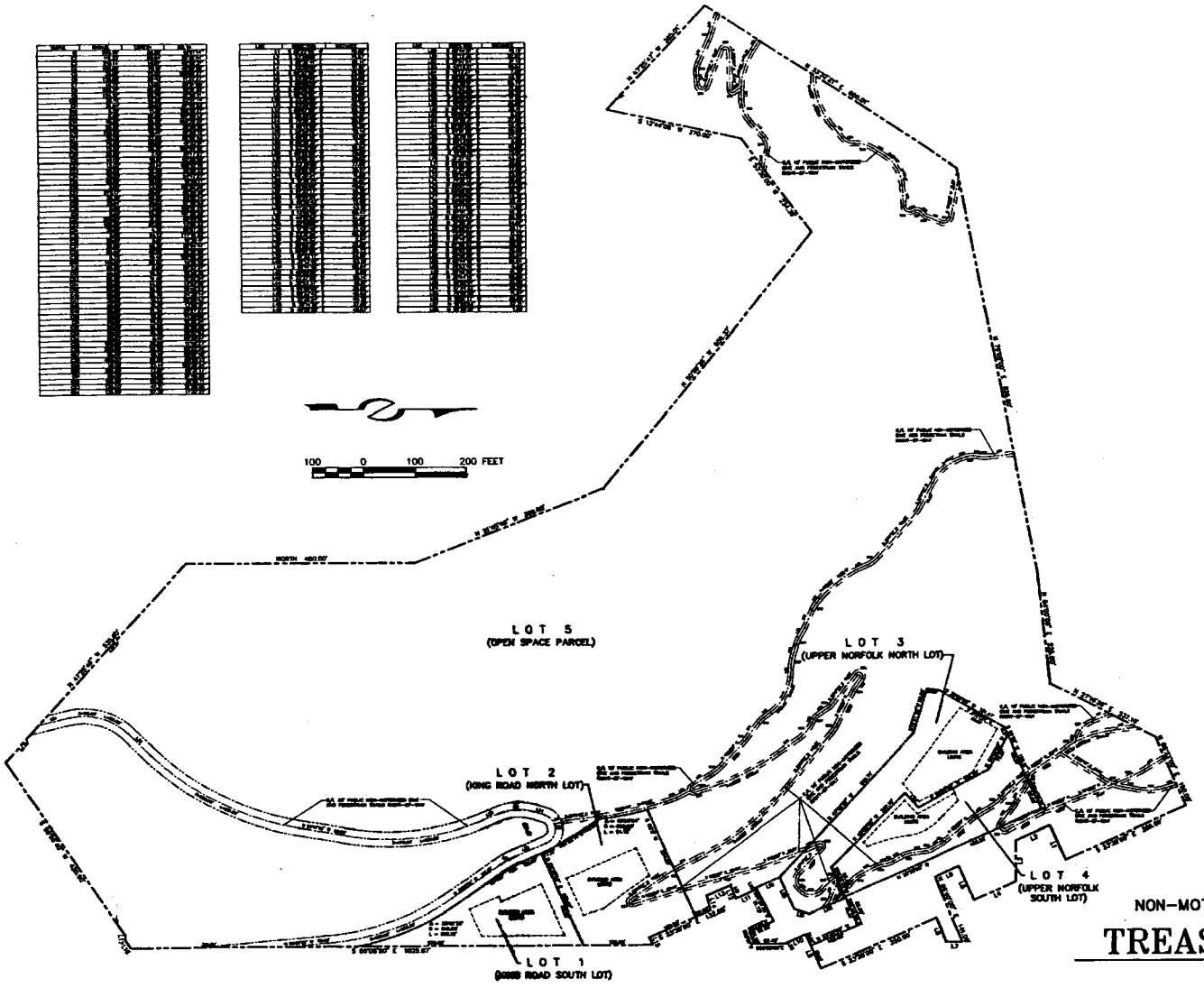
TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ _____
FEE RECORDER



SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON:

1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:
   (a) Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
   (b) Exterior walkways;
   (c) Exterior stairs;
   (d) Driveways.

2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk, turnaround, King Road turnaround, ski bridge and utility plans) shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the foregoing, that areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

3. CONSTRUCTION DISTURBANCE. Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20) feet beyond the Building Area Limits or to adjoining lot property lines which ever is closer. Such disturbed area shall be revegetated with native landscaping.

[redacted]

5. HEIGHT. The building height shall be measured from existing grade to the top of flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating access, i.e. stairwells and/or elevators, bathroom floor levels.

6. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

7. MASSING. House designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3500 square foot footprint referenced in Note 1 above, shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks.

8. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

9. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.

10. PRECEDENCE. The above special restrictions are consistent with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 16, 1986 and as subsequently amended on October 14, 1987 and December 30, 1992. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAILS RIGHT-OF-WAY

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

Ordinance No. 95-49

AN ORDINANCE APPROVING THE AMENDMENT TO THE MILLSITE RESERVATION TO THE PARK CITY SURVEY FOR 123, 129, 135 AND 201 RIDGE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, Patrick J. Sweeney, Sweeney Land Company, Donald R. Simon and Katheleen J. Simon, petitioned the City Council for approval of the amendment to the Millsite Reservation to the Park City Survey Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on August 30, 1995 and the City Council conducted a public hearing on September 7, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on August 30, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding building size, public utility, fire protection, trails, the Infrastructure Review Ordinance, and setbacks; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment to Millsite Reservation to the Park City Survey Plat, 123, 129, 135 and 201 Ridge Avenue is approved as shown on Attachment A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

2. All Standard Project Conditions shall apply.

3. The maximum sizes for residential structures on the lots shall be:
   Lot 1 - 2900 square feet
   Lot 2 - 2500 square feet

Lot 3 - 3000 square feet
Lot 4 - 3000 square feet
An additional 400 square feet may be added to the total floor area for a garage for each lot.

4. A 30 foot non-exclusive public utility and trail access easement shall be provided along Lots 2 and 3.

5. Street frontage on both Lots 3 (1528 sf) and 4 (1711 sf) shall be dedicated to the City for public right-of-way.

6. A note shall be required on the plat indicating that a modified 13-D sprinkler system shall be required for all new construction and wood roofs are prohibited.

7. A trail easement shall be dedicated on the south corner of Lot 1.

8. Minor adjustments to the plat shall be made, if necessary, to remedy any discrepancy between less restrictive setbacks shown on the plat and current requirements.

9. Cross easements shall be provided to Lots 1 and 2 for access to the common driveway.

10. A note shall be required on the plat which indicates Lot 4 shall be reviewed in accordance with the Infrastructure Review Ordinance due to the apparent slope in excess of 25%.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective immediately.

PASSED AND ADOPTED this 7th day of September, 1995

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

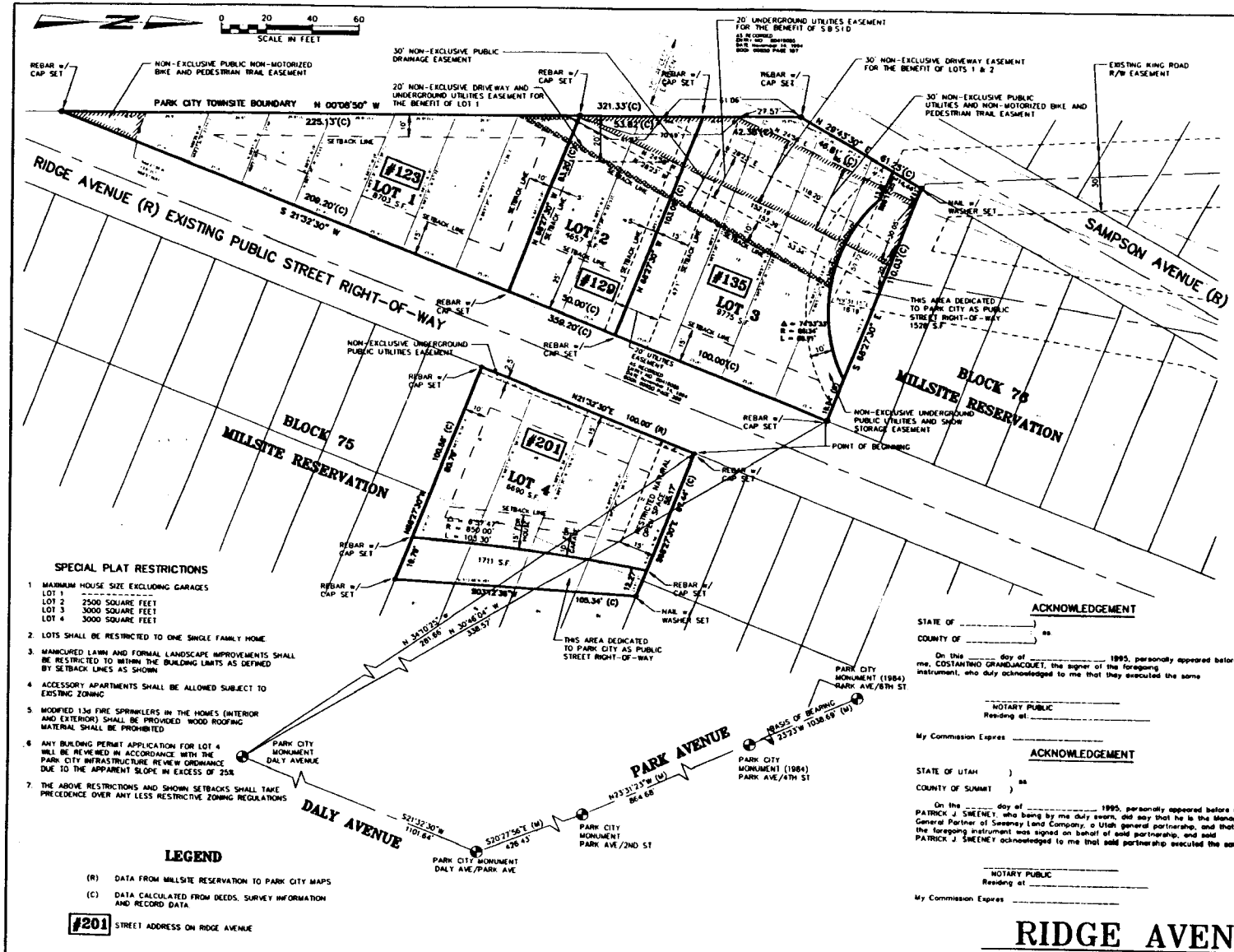
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

RAMSPLAT.DWG 7-30-95



SPECIAL PLAT RESTRICTIONS

1. MAXIMUM HOUSE SIZE EXCLUDING GARAGES
   LOT 1 ----------
   LOT 2 2500 SQUARE FEET
   LOT 3 3000 SQUARE FEET
   LOT 4 3000 SQUARE FEET
2. LOTS SHALL BE RESTRICTED TO ONE SINGLE FAMILY HOME
3. MANICURED LAWN AND FORMAL LANDSCAPE IMPROVEMENTS SHALL BE RESTRICTED TO WITHIN THE BUILDING LIMITS AS DEFINED BY SETBACK LINES AS SHOWN
4. ACCESSORY APARTMENTS SHALL BE ALLOWED SUBJECT TO EXISTING ZONING
5. MODIFIED 13d FIRE SPRINKLERS IN THE HOMES (INTERIOR AND EXTERIOR) SHALL BE PROVIDED WOOD ROOFING MATERIAL SHALL BE PROHIBITED
6. ANY BUILDING PERMIT APPLICATION FOR LOT 4 WILL BE REVIEWED IN ACCORDANCE WITH THE PARK CITY INFRASTRUCTURE REVIEW ORDINANCE DUE TO THE APPARENT SLOPE IN EXCESS OF 25%
7. THE ABOVE RESTRICTIONS AND SHOWN SETBACKS SHALL TAKE PRECEDENCE OVER ANY LESS RESTRICTIVE ZONING REGULATIONS

LEGEND

(R) DATA FROM MILLSITE RESERVATION TO PARK CITY MAPS

(C) DATA CALCULATED FROM DEEDS, SURVEY INFORMATION AND RECORD DATA

#201 STREET ADDRESS ON RIDGE AVENUE

SURVEYOR'S CERTIFICATE

I, James L. Stevens, do hereby certify that I am a Registered Land Surveyor and that I hold License No. 5458 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction, a survey of the described property. I further certify that the accompanying plat shows in accordance with acceptable professional standards, the dimensions of the property surveyed

Registered Land Surveyor ____ Date

BOUNDARY DESCRIPTION

Beginning at the Northeasterly Corner of Lot 14, Block 76, MILLSITE RESERVATION to PARK CITY said point being North 30°46'04"West, 338.57 Feet, more or less, from a Park City Monument located on Daly Avenue,
and running thence South 21°32'30"West, 359.20 feet to the South corner of Lot 1, said Block 76, thence North 0°08'50"West, 321.33 feet to thesterly corner of Lot 12, said Block 76, thence North 29°43'30"East, 61.25 feet to the Northeasterly corner of said Lot 14, thence South 68°27'30"East, 110.03 feet to the point of beginning

Containing 0.57 Acres, more or less

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity

Also Beginning at the North Corner of Lot 22, Block 75, MILLSITE RESERVATION to PARK CITY said point being North 34°10'25"West, 281.86 Feet, more or less, from a Park City monument located on Daly Avenue,
and running thence South 68°27'30"East, 67.44 feet to a point on the northerly line of Lot 84, said Block 75, thence South 21°32'36"West, 52.67 feet to a point on the southerly line of Lot 85, said Block 75, thence South 21°32'36"West, 52.67 feet to the southerly line of Lot 87, said Block 75, thence North 68°27'30"West, 100.58 feet to the West Corner of Lot 18, said Block 75, thence North 21°32'30"East, 100.00 Feet to the point of beginning
Containing 0.193 Acres(8400 S.F), more or less

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity

(Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'East)

OWNER'S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned sets their hands this ____day of ____ 1995

DONALD R SIMON

KATHLEEN J SIMON

Patrick J Sweeney as an individual

SWEENEY LAND COMPANY, a Utah general partnership

By ____ Patrick J Sweeney, Managing Partner

COSTANTINO GRANDJACQUET

ACKNOWLEDGEMENT

STATE OF ____)
COUNTY OF ____) ss

On the ____ day of ____ 1995, personally appeared before me, COSTANTINO GRANDJACQUET, the signer of the foregoing instrument, who duly acknowledged to me that they executed the same

NOTARY PUBLIC
Residing at: ____

My Commission Expires ____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT) ss

On the ____ day of ____ 1995, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same

NOTARY PUBLIC
Residing at ____

My Commission Expires ____

ACKNOWLEDGEMENT

STATE OF ____)
COUNTY OF ____) ss

On the ____ day of ____ 1995, personally appeared before me, DONALD R SIMON AND KATHLEEN J SIMON, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same

NOTARY PUBLIC
Residing at ____

My Commission Expires ____

ACKNOWLEDGEMENT

STATE OF ____)
COUNTY OF ____) ss

On the ____ day of ____ 1995, personally appeared before me, PATRICK J SWEENEY, an individual, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same

NOTARY PUBLIC
Residing at ____

My Commission Expires ____

RIDGE AVENUE SUBDIVISION

A SUBDIVISION LOCATED IN SECTIONS 16 , TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PREPARED BY:	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
JAMES L STEVENS 10510 SOUTH STATE SANDY, UT 84070 (801) 484-9884	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF ____, 1995 A.D. BY ____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ____, 1995 A.D. BY ____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ____, 1995 A.D. BY ____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ____, 1995 A.D. BY ____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ____ 1995 A.D. BY ____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ____ 1995 A.D. BY ____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ____ DATE ____ TIME ____ BOOK ____ PAGE ____ RECORDED

Attachment A

RECEIVED
AUG - 1 1995

When recorded mail to:
Park City Recorder
Park City Municipal Corporation
P. O. Box 1480
Park City, Utah 84060

Fee Exempt per Utah Code Annotated 1953 21-7-2

11-13

Ordinance No. 95-48

AN ORDINANCE APPROVING THE FRANDSEN SUBDIVISION; BEING A REPLAT OF A PORTION OF LOT 8 AND LOTS 9, 10, 11 AND 12, BLOCK 21; AND A PORTION OF LOTS 7A AND 8, BLOCK 22 OF THE SNYDER'S ADDITION OF THE PARK CITY SURVEY; AND INCLUDING A PARCEL KNOWN AS SA-222, LOCATED AT 1445 WOODSIDE AVENUE; AND INCLUDING THE WOODSIDE AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO THESE PARCELS FROM 1437 TO 1439 WOODSIDE AVENUE

WHEREAS, the owner of the property known as the Frandsen Subdivision has petitioned the Planning Commission and City Council for vacation of certain right-of-way and for approval of a final subdivision plat, including such a right-of-way; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on July 26, 1995 the Planning Commission held a public hearing and approved the final plat attached hereto as Exhibit A; and

WHEREAS, the City Council held a public hearing and considered the vacation and subdivision plat at a regularly scheduled meeting on August 31, 1995; and

WHEREAS, it is in the best interest of Park City, Utah to vacate the right-of-way and to approve the final plat, known as the Frandsen plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS OF FACT.

1. The subdivision proposal is consistent with the Park City Land Management Code and State Statutes relating to vacation of public right-of-way.

2. The proposed lot configuration meets requirements of the RC Zoning District.

3. The proposed lot configuration will reduce the density from portions of seven or more lots with RC development potential, to three lots with limited single family or duplex development potential.

4. The proposed subdivision, with conditions, would preserve the "Old Town" residential character of this section of Woodside Avenue.

5. Historic buildings are valuable assets which contribute to the distinct character of the community. It is therefore desirable to encourage new construction of residential structures which are compatible with the mass and scale of the historic context. The applicant has agreed to dedicate a facade easement for the historic structure and limit the size and mass of any additions.

6. Large trees are valuable to the community for the beauty and shade they offer. The applicant has agreed to dedicate tree preservation easements for the large conifer and maple trees on the property. The owner has agreed to submit a landscape plan and show limits of disturbance prior to building permit issuance, to preserve other significant vegetation, including the boxelder trees on the west and south property lines.

7. The owner has agreed to dedicate a 10 foot snow storage easement across the front of these lots at the request of the City Engineer.

8. The owner has agreed to dedicate a 5 foot strip of land across the front of these lots as right-of-way for street widening or sidewalks if deemed necessary in the future.

9. The existing right-of-way adjacent to lots 9 - 12 does not continue to the north in front of 1445 Woodside Avenue, because the Snyder's Addition Subdivision Plat ends between 1439 and 1445 Woodside Avenue.

10. The paved Woodside Avenue is located entirely to the east of the platted Woodside in this location and the portion of platted Woodside that is to be vacated is not adjacent to existing right-of-way to the north, east, or west and is adjacent to only a remaining sliver of right-of-way to the south.

11. The applicant has agreed to limit construction on the 9363 sq. ft. Lot B to a single family or duplex house not to exceed 2,400 sq. ft. (current zoning would allow approximately 4,000 sq. ft.).

12. Parking will be provided in accordance with the City's Land Management Code.

13. The applicant has requested in writing the vacation of unimproved Woodside Avenue right-of-way, between Lots 9 - 12, Block 21 and Lots 7 and 8, Block 22 of the Snyder's Addition Subdivision plat.

14. Proper procedure for vacation of right-of-way was followed and proper notice given to all owners within the Snyder's Addition Subdivision.

15. A public hearing was held on July 26, 1995 by the Planning Commission and on August 31, 1995 by the City Council, to receive public input.

16. The applicant, Alan Frandsen, has agreed to the conditions of approval as listed in the following Section 3.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for vacation of the right-of-way and for the subdivision plat and that neither the public nor any person will be materially injured by the vacation or the proposed plat. The subdivision plat is in conformance with the Land Management Code.

SECTION 3. PLAT APPROVAL. The Frandsen Subdivision plat for 1437, 1439 and 1445 Woodside Avenue, being Lots A, B, and C is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the plat for conformance with the Land Management Code and this Ordinance.

2. Prior to plat recordation, the cinder block garage at 1439 Woodside Avenue shall be removed and the resulting disturbed area smoothly graded. All debris shall be removed.

3. All standard project conditions apply.

4. There shall be a note on the plat limiting the maximum house size for Lot B to 2,400 square feet, with an additional 600 square feet allowed for a garage.

5. There shall be a note on the plat, and a grant of easement submitted, granting a facade easement to Park City for historic preservation of 1439 Woodside Avenue.

6. There shall be a note on the plat granting a tree preservation easement to Park City, for the evergreen and maple trees at 1437 and 1439 Woodside Avenue. There shall be a note on the plat stating that prior to building permit issuance for 1437 Woodside Avenue, a landscape plan shall be submitted to the Planning Department. The landscape plan shall preserve as much of the significant and healthy vegetation as possible, especially the boxelder trees along the west and south property lines. Limits of disturbance shall be identified on both the landscape plan and site plan prior to building permit issuance.

7. There shall be a note on the plat dedicating to Park City a ten foot snow storage easement across the frontage of Lots A, B and C.

8. There shall be a note on the plat dedicating a five foot strip of public right-of-way adjacent to the front property lines for Lots A, B and C.

9. Prior to recording the subdivision plat, the applicant shall add a note to the plat specifying that no additional subdivision of the property shall occur.

10. There shall be a note on the plat stating that prior to demolition of the small shed on Lot B, the owner or applicant shall submit an application for and obtain a Certificate of Appropriateness for Demolition, according to Sections 4.14 - 4.17 of the Land Management Code.

SECTION 4. VACATION OF RIGHT-OF-WAY. Those portions of dedicated Woodside Avenue contained within the following parcel:

Beginning at a point which is East 1398.00 feet along the Section line from the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 55°30'00" East 122.00 feet; thence South 34°30'00" East 55.50 feet; thence South 35°59'00" East 82.90 feet to an intersection with the projected North property line of the Wildwood Condominium recorded; thence following the said North line the following five courses: (1) South 55°57'59" West 62.246 feet; (2) North 35°59'00" West 10.10 feet; (3) South 54°01'00" West 8.50 feet; (4) North 35°59'00" West 9.90 feet; (5) South 54°01'00" West 61.50 feet along the North line of Lot 8, Block 21, Snyders Addition to Park City, Park City, Utah to a point 5.00 feet East of the corners common to Lots 8, 9, 18 and 19 of said Block 21; thence North 35°59'00" West 127.91 feet to a point on said Section line; thence East 14.443 feet to the point of beginning.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 31st day of August, 1995.

NOTE:
PER CITY ATTORNEY,
NOT EFFECTIVE UNTIL
PLAT IS RECORDED
C.L. 4/97

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Jodi Fatland Hoffman, City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
1884

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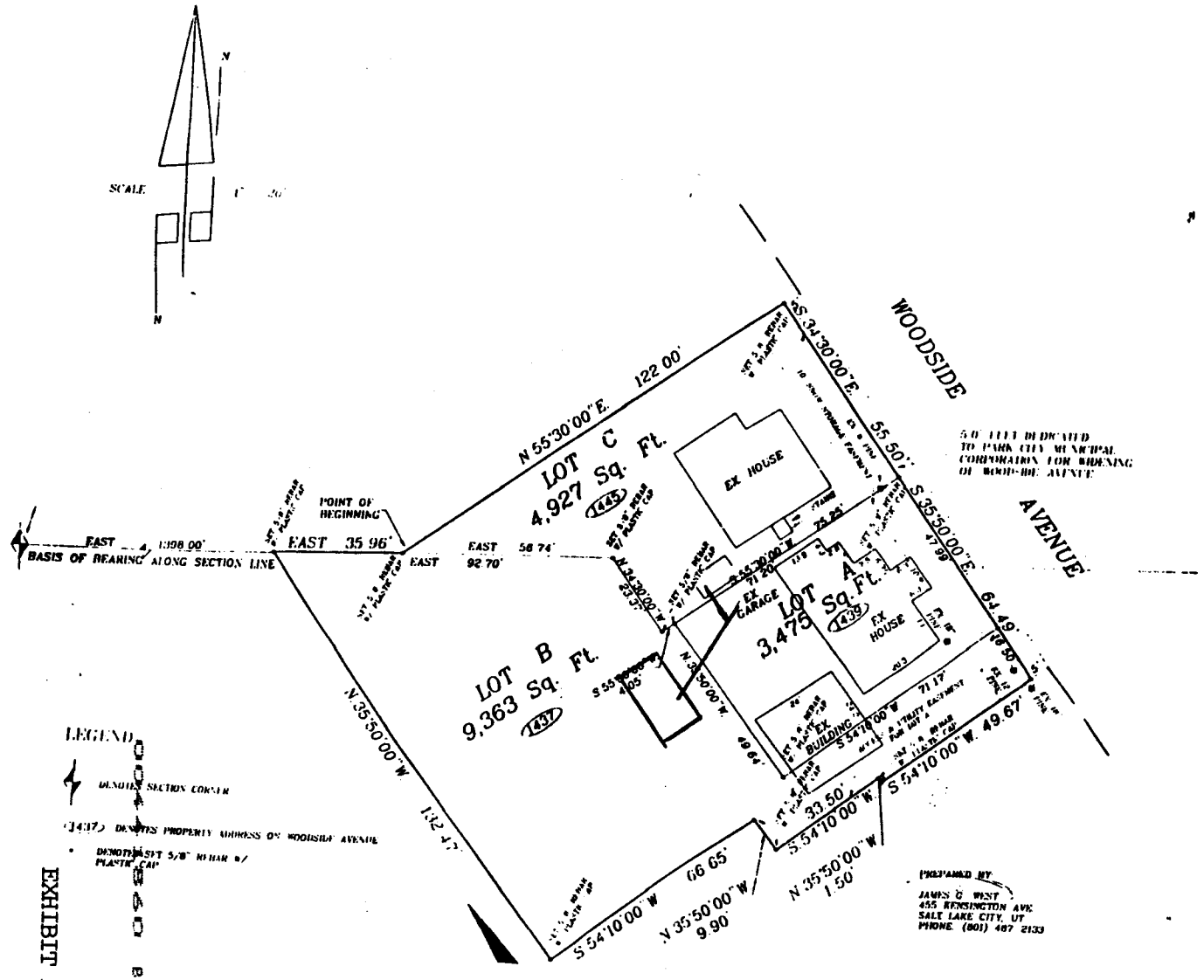


EXHIBIT A

BK00922 PG00123

SURVEYOR'S CERTIFICATE

I, JAMES G. WEST, do hereby certify that I am a registered Civil Engineer and or Land Surveyor, and that I hold certificate No. 3082, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets hereafter to be known as FRANDSEN SUBDIVISION and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS EAST 1398.00 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 55°30'00" EAST 122.00 FEET; THENCE SOUTH 34°30'00" EAST 55.50 FEET; THENCE SOUTH 35°50'00" EAST 64.49±FEET; THENCE SOUTH 54°10'00" WEST 49.67 FEET; THENCE NORTH 35°50'00" WEST 1.50 FEET; THENCE SOUTH 54°10'00" WEST 33.50 FEET; THENCE NORTH 35°50'00" WEST 9.90 FEET; THENCE SOUTH 54°10'00" WEST 66.65 FEET; THENCE NORTH 35°50'00" WEST 132.47 FEET TO A POINT ON SAID SECTION LINE; THENCE EAST 35.96 FEET TO THE POINT OF BEGINNING.

CONTAINS 17,765 SQUARE FEET
OR 3 LOTS

WE FURTHER CERTIFY ALL LOTS MEET THE AREA, WIDTH AND FRONTAGE REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

3/23/95
DATE

James G. West

OWNER'S DEDICATION

Known all men by these presents that the undersigned, owner( ) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

FRANDSEN SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereof have hereunto set _____ day of _____ A.D. 19__.

ACKNOWLEDGEMENT

STATE OF UTAH : S.S.
County of Summit :

On the _____ day of _____ A.D. 19__, personally appeared before me, the undersigned Notary Public, in and for said County of Summit in said State of Utah, the signer( ) of the above Owner's dedication _____ in number, who duly acknowledged to me that _____ signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC
RESIDING IN SUMMIT COUNTY

FRANDSEN SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9 AND THE NORTHWEST QUARTER OF SECTION 16, T 2S., R 4E., S.L.B.&M.

PLANNING COMMISSION	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PARK CITY ENGINEERING	APPROVAL AS TO FORM	PARK CITY COUNCIL	RECORDED #
APPROVED THIS _____ DAY OF _____ A.D. 19__ BY THE PARK CITY PLANNING COMMISSION	APPROVED THIS _____ DAY OF _____ A.D. 19__	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION OF FILE IN THIS OFFICE	APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 19__	PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____ 19__ A.D. AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED	STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF
CHAIRMAN, PARK CITY PLANNING COMMISSION	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	DATE _____ PARK CITY ENGINEER	PARK CITY ATTORNEY	ATTEST: CITY RECORDER _____ MAYOR	DATE _____ TIME _____ BOOK _____ PAGE _____
					FEE $ _____ SUMMIT COUNTY RECORDER

Ordinance No. 95-47

AN ORDINANCE REPEALING RESOLUTION NO. 12-90, FIXING THE RATE OF COMPENSATION FOR ELECTED AND APPOINTED OFFICIALS AND SETTING FORTH EXPENSE AND TRAVEL GUIDELINES

WHEREAS, the City Council recognizes and appreciates the many contributions made by individuals willing to serve the community in an official capacity; and

WHEREAS, the City Council finds it desirable to foster diversity of membership on all boards and commissions, including the City Council; and

WHEREAS, the City Council finds it in the best interest of the community to review stipends for public service, from time to time; and

WHEREAS, rates of compensation for elected and appointed officials must be adopted by ordinance according to state law, and accordingly a public hearing was held on this matter on August 24, 1995 at the City Council's regularly scheduled meeting;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah that:

SECTION 1. COMPENSATION FOR MAYOR AND COUNCILMEMBERS. Resolution No. 12-90 is hereby repealed. Compensation for services rendered in an official capacity will be provided as follows.

Increases in compensation will be consistent with the average percentage of increase in the ranges of salaries of the Park City Municipal Corporation Pay Plan set forth by resolution for municipal employees. Increases beyond the Pay Plan guideline will be established by amendment to this Ordinance.

Mayor	$16,352.64 per year plus $100 per month car allowance
Councilmembers	$ 9,632.84 per year

In addition to a stipend, the City will provide its group single health insurance to the member as a part of the compensation package. As an option to group coverage, the City will pay a portion of the premium for private insurance coverage equal to the cost of City single health insurance coverage if arrangements can be made with the private carrier. If arrangements cannot be

made, compensation will be increased by the amount of City single health insurance coverage

SECTION 2. COMPENSATION FOR APPOINTEES OF BOARDS AND COMMISSIONS. Compensation for services rendered in an official capacity will be provided as follows:

Compensation indicated below represents 25%, 15% and 5%, respectively, of Council compensation (amounts rounded for convenience) as of the date of this Ordinance. Increases in compensation will be consistent with the average percentage of increase in the ranges of salaries of the Park City Municipal Corporation Pay Plan set forth by resolution for municipal employees. Increases beyond Pay Plan guidelines will be established by amendment to this Ordinance:

Planning Commission	$100 per meeting
Historic District Commission	$ 60 per meeting
Board of Adjustment	$ 40 per meeting

SECTION 3. PROFESSIONAL DEVELOPMENT. Allowances for City officials will be budgeted for costs of professional development and educational conferences designed to improve understanding of and proficiency in municipal affairs.

SECTION 4. CITY BUSINESS AND MILEAGE. The compensation specified in Section 1 is intended to cover the usual costs incurred in the conduct of official City business for City officials. It is reasonable for the City to reimburse mileage costs for travel beyond Summit County and the Wasatch Front; mileage reimbursement will be consistent with the standard set by the Internal Revenue Service.

SECTION 5. TRAVEL GUIDELINES. When official business requires air travel or overnight stays, it will be the responsibility of the attendee to find cost effective travel and lodging. The individual will be reimbursed for tickets, meals, lodging, and other reasonable costs incurred in the conduct of such official business, consistent with the Business Travel Policy adopted by Park City Municipal Corporation.

When a City official is attending a conference where said individual's spouse is expected to attend, funds may be authorized to sufficiently cover the cost of a double room. However, all other expenses related to the participation of a spouse will be paid by the City official. It will not be the responsibility of the City to reimburse costs for recreational activities.

SECTION 6. EFFECTIVE DATE. This Ordinance will take effect upon publication.

PASSED AND ADOPTED this 31st day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

Ordinance No. 95-46

AN ORDINANCE AMENDING CHAPTER 2 AND SECTION 15.1 OF THE LAND MANAGEMENT CODE TO CREATE A NEW LOT LINE ADJUSTMENT PROCESS.

WHEREAS, the Planning Commission, after giving proper notice and holding public hearings on March 8, May 24, June 28, and July 12, 1995, did pass a positive recommendation of the ordinance to the City Council on July 12, 1995; and

WHEREAS, the City Council, after proper notice, did hold a public meeting on the ordinance on August 17, 1995; and

WHEREAS, the City Council has determined it is in the best interests of the residents of Park City to provide a streamlined, inexpensive administrative process to make minor lot line adjustments between lots within subdivisions; and

WHEREAS, protection of neighborhood integrity, mass, rhythm and scale in the historic neighborhoods is essential to the well being of the City; and

WHEREAS, the amendments proposed herein will preserve historical integrity within City neighborhoods while providing an opportunity for creative restructuring of historic lots; and

WHEREAS, the adoption of the ordinance is in the best interests of the residents of Park City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION 1. AMENDMENT. A new definition is hereby added to Chapter 2 of the Park City Land Management Code as follows:

Lot line adjustment. The relocation of the property boundary line between two adjoining lots with the consent of the owners of record.

SECTION 2. AMENDMENT. Section 15.1 of the Park City Land Management Code is amended to read as follows:

15.1.2. POLICY.

(a) It is hereby declared to be the policy of Park City to consider the subdivision of land and the subsequent development, or amendment of the subdivided plat, or the adjustment of lot lines therein, as subject to the control of Park City pursuant to the official Comprehensive Plan of Park City for

the orderly, planned, efficient, and economical development of Park City.

(b) Land to be subdivided or resubdivided, or lot lines that shall be adjusted therein, shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, landslide, mine subsidence, geologic hazards, or other menace, and land shall not be subdivided, resubdivided, or adjusted until available public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvements.

15.1.3. PURPOSES. These regulations are adopted for the following purposes:

(h) To establish reasonable standards of design and procedures for subdivisions, ~~and~~ resubdivisions, and lot line adjustments, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.

(i) To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision, resubdivision, or lot line adjustment.

15.1.4. AUTHORITY.

(a) By authority of ordinance of the City Council of Park City (hereinafter referred to as "City Council") adopted pursuant to the powers and jurisdictions vested through ~~Chapter 5, Title 57 and~~ Chapter 9, Title 10 of the Utah Code, Annotated (1953, as amended) and other applicable laws, statutes, ordinances, and regulations of the State of Utah, the City Council hereby exercise the power and authority to review, approve, and disapprove plats for subdivision land within the corporate limits of Park City which show lots, blocks, or sites with or without new streets or highways.

(b) By the same authority, the City Council does hereby exercise the power and authority to pass and approve development in subdivisions, resubdivisions, or lot line adjustments of land already recorded in the office of the County Recorder if such are entirely or partially undeveloped.

(c) The plat, subdivision, resubdivision, or lot line adjustment shall be considered to be entirely or partially undeveloped if:

1. the~~said~~ plat, subdivision~~plat~~, ~~or re~~subdivision, or lot line adjustment has been recorded with the County Recorder's office without a prior approval by the City Council, or in the case of a lot line adjustment, its designated responsible official, or

2. the~~said~~ plat, subdivision, ~~or re~~subdivision, or lot line adjustment has been approved by the City Council where the approval has been granted more than three (3) years prior to granting a building permit, on the partially or entirely undeveloped land and the zoning regulations, either bulk or use, for the district in which the subdivision is located, have been changed subsequent to the

original final plat, subdivision, resubdivision, or lot line adjustment approval.

15.1.5. JURISDICTION.

(a) These subdivision regulations shall apply to all subdivisions or resubdivisions of land and to lot line adjustments, as defined herein, located within the corporate limits of Park City.

(b) No land shall be subdivided within the corporate limits of Park City until:

1. the subdivider or his/her agent shall submit a sketch plat of the parcel to the Planning Commission through the Park City Planning Department;

2. obtain approval of the sketch plat and preliminary and final approval of the plat itself by the Planning Commission and City Council; and

3. the approved plat is filed with the County Recorder.

(c) The Community Development Department may approve a lot line adjustment between two lots without a plat amendment, within the corporate limits of Park City, if:

1. the owners of both lots demonstrate, to the satisfaction of the Community Development Director that:

(I) no new developable lot or unit results from the lot line adjustment;
all owners of property contiguous to the adjusted lot(s) or to lots owned by the applicant(s) which are contiguous to the adjusted lot(s), (including those separated by a public right of way) consent to the lot line adjustment;
(III) the lot line adjustment does not result in remnant land;
the lot line adjustment, and resulting lots comply with LMC Section 15.4 and are compatible with existing lot sizes in the immediate neighborhood;
(V) the lot line adjustment does not result in violation of applicable zoning requirements;
(VI) neither of the original lots were previously adjusted under this section; and
(VII) written notice was mailed to all owners of property within 300 feet and neither any person nor the public will be materially harmed by the adjustment; and

2. The Community Development Director authorizes the execution and recording of an appropriate deed and sketch plat, with City stamp affixed thereto, to reflect that the City has approved the lot line adjustment.

If, based upon non-compliance with subsection (1), the Community Development Director denies the lot line adjustment, the Director shall inform the applicant(s) in writing of the reasons for denial, of the right to appeal the decision to the Planning Commission, and of the right to file a formal plat amendment application.

(dc) No building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision, resubdivision, plat amendment, deed, survey, or lot line adjustment after the effective date of, and not in conformity with, the provisions of these ~~subdivision~~ regulations or approved under prior subdivision ordinance, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with the applicable city regulations.

15.1.6. ENACTMENT. In order that land may be subdivided, resubdivided, or lot lines adjusted in accordance with these purposes and policy, these ~~subdivision~~ regulations are hereby adopted.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 31st day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Ordinance No. 95-45

AN ORDINANCE AMENDING THE FINAL PLAT OF HIDDEN MEADOWS LOCATED AT SOLAMERE DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Hidden Meadows petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the staff supports the final subdivision plat for Hidden Meadows as it is in compliance with the Annexation Plat and Agreement recorded on March 5, 1995 and the Master Planned Development Final Conditions of Approval, December 15, 1993; and

WHEREAS, the City Council held a public hearing on this matter on August 31, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

WHEREAS, there is good cause for the approval of the final subdivision plat; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

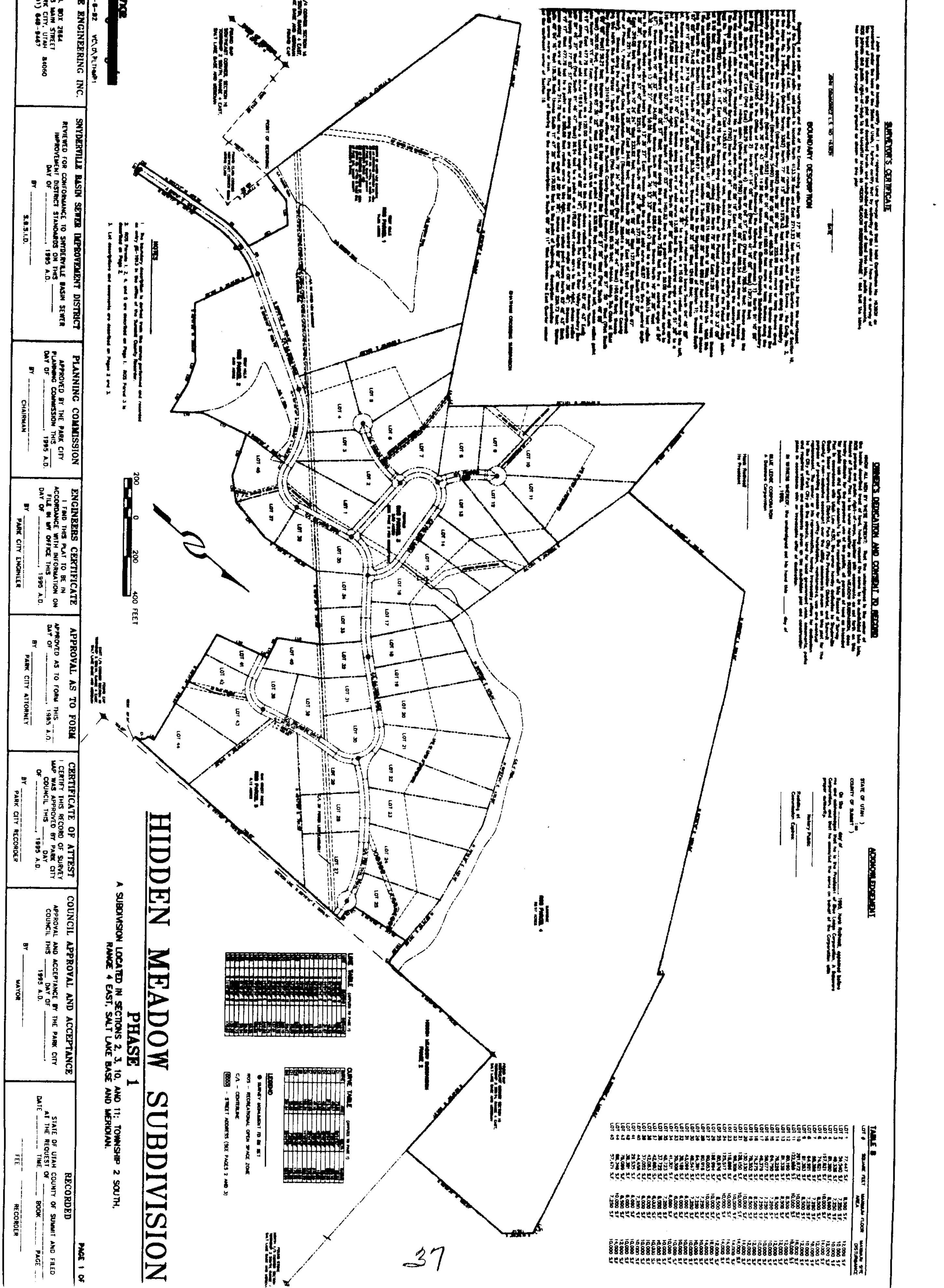
SECTION 1. PLAT APPROVAL. The Hidden Meadows final plat is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the final plat shall be reviewed and approved by the City Engineer and City Attorney. The final plat shall also incorporate all the final conditions of approval as ratified on December 15, 1993 and the Hidden Meadows Annexation Agreement approved on March 5, 1995 and all prior plat subdivision plat approvals dated May 11, 1995.

2. The 4.39 acres of open space removed from ROS Parcel 4 shall be included and dedicated to the City by warranty deed prior to Phase II of this development.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect immediately.

HIDDEN MEADOWS
Exhibit A - Proposed Revised Final Plat



37

Ordinance No. 95-44

AN ORDINANCE APPROVING AMENDMENTS TO LOT 6 WILLOW RANCH SUBDIVISION AND LOT 10 MCLEOD CREEK SUBDIVISION LOCATED AT 2647 MEADOW CREEK DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known Lot 10 McLeod Creek Subdivision, Park City, Utah, have petitioned the City Council for approval of amendments to both Lot 6, Willow Ranch Subdivision and Lot 10, McLeod Creek Subdivision; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on August 31, 1995 to receive input on the proposed amendments; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat, known as the Plat Amendment of Lot 6 Willow Ranch Subdivision and Lot 10 McLeod Creek Subdivision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendments and that neither the public nor any person will be materially injured by the proposed plat amendments.

SECTION 2. PLAT APPROVAL. The amendments to Lot 10, McLeod Creek Subdivision and Lot 6, Willow Creek Subdivision, Park City, Utah, are approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.
2. All Standard Conditions of Approval apply.
3. All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect.
4. A note shall be added to the plat, prior to recordation, stating that the area added to Lot 10 from the Willow Ranch Subdivision shall be a non-build yard area with such uses allowed as were previously allowed as part of Lot 6 Willow Ranch Subdivision.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 31st day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

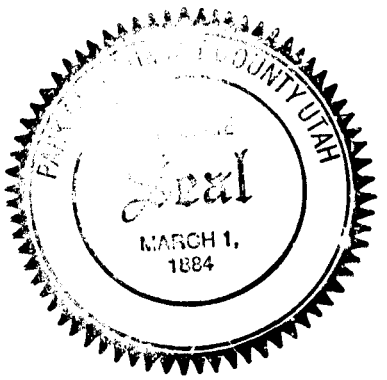
Mayor Bradley A. Olch

Attest:

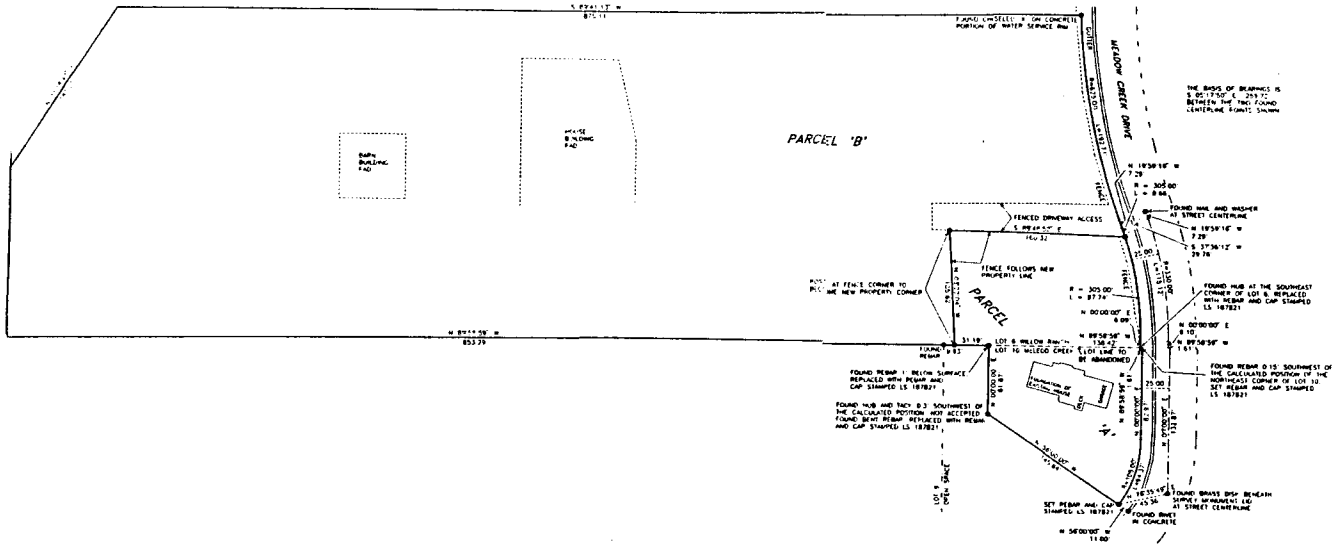
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney



PLAT AMENDMENT OF LOT 6 WILLOW RANCH SUBDIVISION AND LOT 10 McLEOD CREEK SUBDIVISION
and RECORD OF SURVEY



CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	RECORDED
APPROVED BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____ 1995	APPROVED BY THE PARK CITY ENGINEER ON THIS _____ DAY OF _____ 1995	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 1995	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS _____ DAY OF _____ 1995	APPROVED AND ACCEPTED BY S.B.S.I.D. ON THIS _____ DAY OF _____ 1995	NUMBER _____ DATE _____ STATE OF UTAH TIME _____ COUNTY OF SUMMIT FEE _____ RECORDED AND FILED AT THE REQUEST OF _____

LAND SURVEYING
P.O. BOX 1844
PARK CITY, UT. 84060
647-8826

SURVEYOR'S CERTIFICATE

I, JOE MATHEWS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW.

NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS AS SHOWN
2. SURVEY MONUMENTS WERE FOUND OR SET AS SHOWN
3. THE PURPOSE OF THIS SURVEY IS FOR BOUNDARY LOCATION AND PLAT AMENDMENT
4. THIS SURVEY WAS REQUESTED BY PHILO SMITH
5. THIS SURVEY WAS PERFORMED ON MAY 10, 1995
6. THE OWNER OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR ON A TITLE INSURANCE REPORT. THE SURVEYOR WAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS OR ENCUMBRANCES ON THE PROPERTY SURVEYED EXCEPT AS SHOWN OR NOTED HEREON
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT WHERE OTHERWISE SHOWN
8. THE PURPOSE OF THIS PLAT AMENDMENT IS TO ADD PART OF LOT 6 TO LOT 10
9. OTHER LOT LINES IN McLEOD CREEK AND WILLOW RANCH SUBDIVISIONS WILL NOT BE AFFECTED

LEGAL DESCRIPTIONS

PARCEL A
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 10 OF McLEOD CREEK SUBDIVISION, TOGETHER WITH A PART OF LOT 6 OF WILLOW RANCH SUBDIVISION, SAID PART OF LOT 6 BEING THE FOLLOWING: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE N 89°58'58" W 169.81 FEET;
THENCE N 02°22'04" W 105.62 FEET;
THENCE S 88°48'52" E 160.31 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THENCE 87.74 FEET ON A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE WHOSE CHORD BEARS S 08°10'50" E 87.32 FEET;
THENCE S 00°00'00" E 8.09 FEET TO THE POINT OF BEGINNING.
PARCEL A CONTAINS 0.74 ACRES

PARCEL B
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 6 OF WILLOW RANCH SUBDIVISION, EXCEPTING THEREFROM A PART OF LOT 6 OF WILLOW RANCH SUBDIVISION, SAID PART OF LOT 6 BEING THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6; THENCE N 89°58'58" W 169.81 FEET;
THENCE N 02°22'04" W 105.62 FEET;
THENCE S 88°48'52" E 160.31 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THENCE 87.74 FEET ON A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE WHOSE CHORD BEARS S 08°10'50" E 87.32 FEET;
THENCE S 00°00'00" E 8.09 FEET TO THE POINT OF BEGINNING.
PARCEL B CONTAINS 0.66 ACRES

DUPLICATE

JOE MATHEWS

5-21-95

30

EXHIBIT A

Ordinance No. 95-43

AN ORDINANCE APPROVING AN AMENDMENT TO THE AMENDED PARK CITY SURVEY, LOTS 8, 9, AND 10, BLOCK 24 LOCATED AT 540 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 8, 9, and 10, Block 24 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on August 31, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, Lots 8, 9, and 10, Block 24, is approved as shown on the attached Exhibit A with the following condition:

Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat to the City.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 31st day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

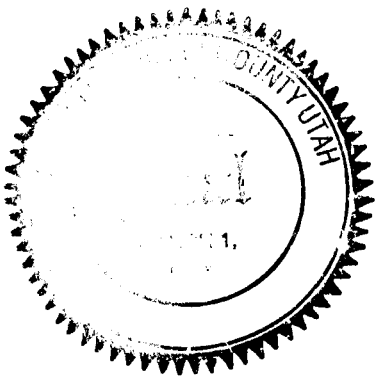
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney



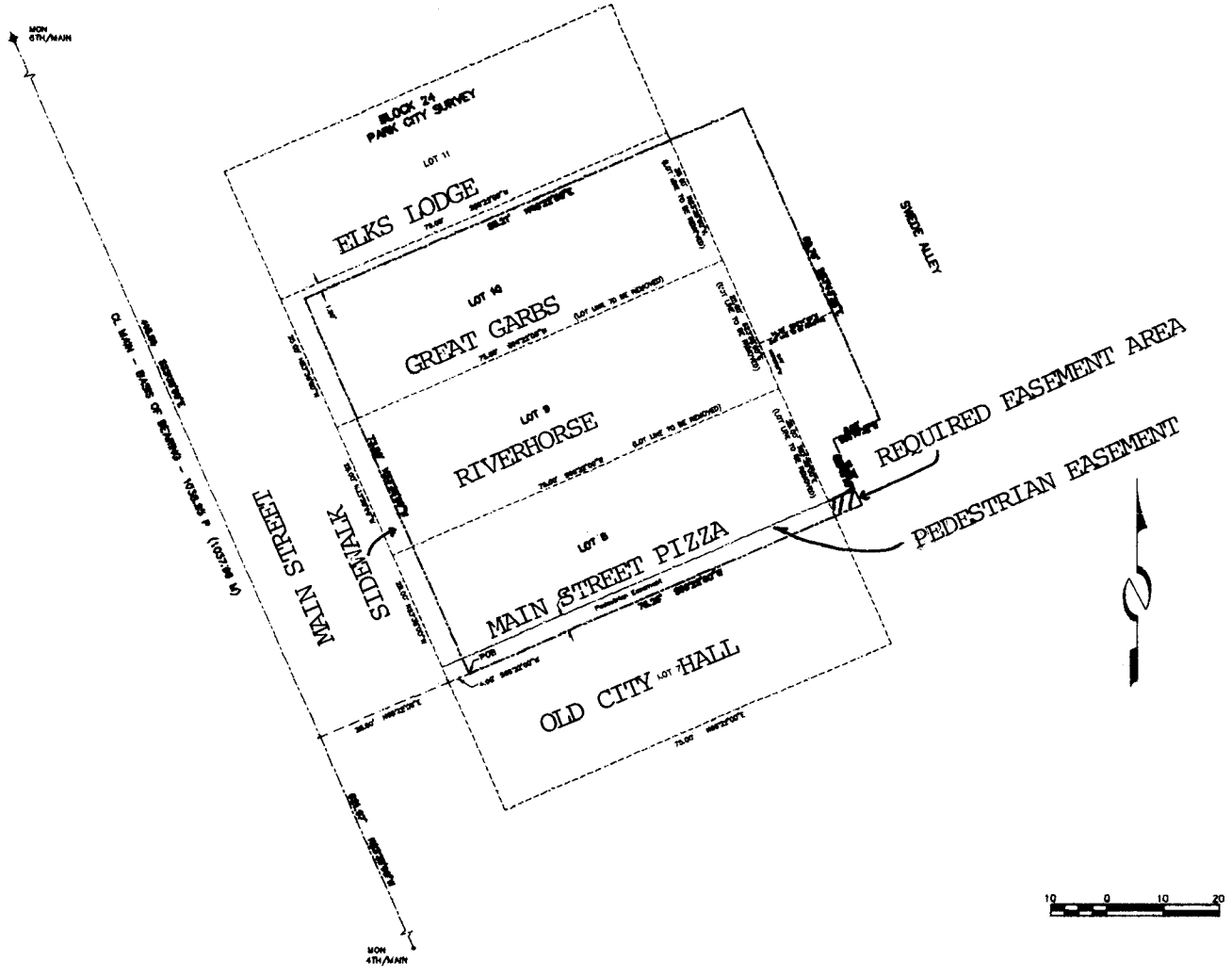


EXHIBIT "A"

RECEIVED
AUG 11 1995
PARK CITY
PLANNING DEPT.

PAGE 1 OF 1

JOB NO. 15-1-94 FILE Y:\PCS\01\150194

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2864 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____ 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

Ordinance No. 95-42

AN ORDINANCE APPROVING THE SILVER LAKE EAST SUBDIVISION PLAT AMENDMENT PARK CITY, UTAH

WHEREAS, the owners of the property known as The Silver Lake East Subdivision have petitioned the Planning Commission for approval of a plat amendment; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on July 12, 1995 the Planning Commission held a public hearing and approved the plat amendment attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment, known as The Silver Lake East Subdivision Plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the plat amendment and that neither the public nor any person will be materially inured by the proposed plat amendment. The plat amendment is in conformance with the Land Management Code.

SECTION 2. PLAT APPROVAL. The Silver Lake East Plat Subdivision amendment is approved as shown on the attached Exhibit A with the following conditions:

1. A financial security shall be posted prior to plat recordation to cover the costs of public improvements.

2. Prior to plat recordation, evidence of filing of the Conditions, Covenants and Restrictions of this project shall be provided to the City Attorney.

3. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the plat.

4. All Park City Municipal Corporation standard project review requirements shall apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 24th day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

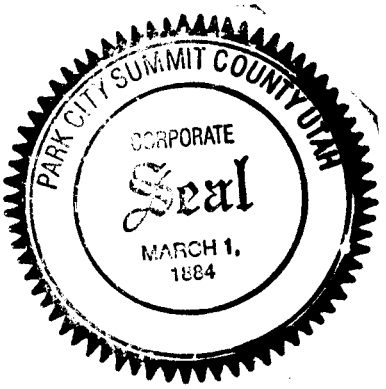
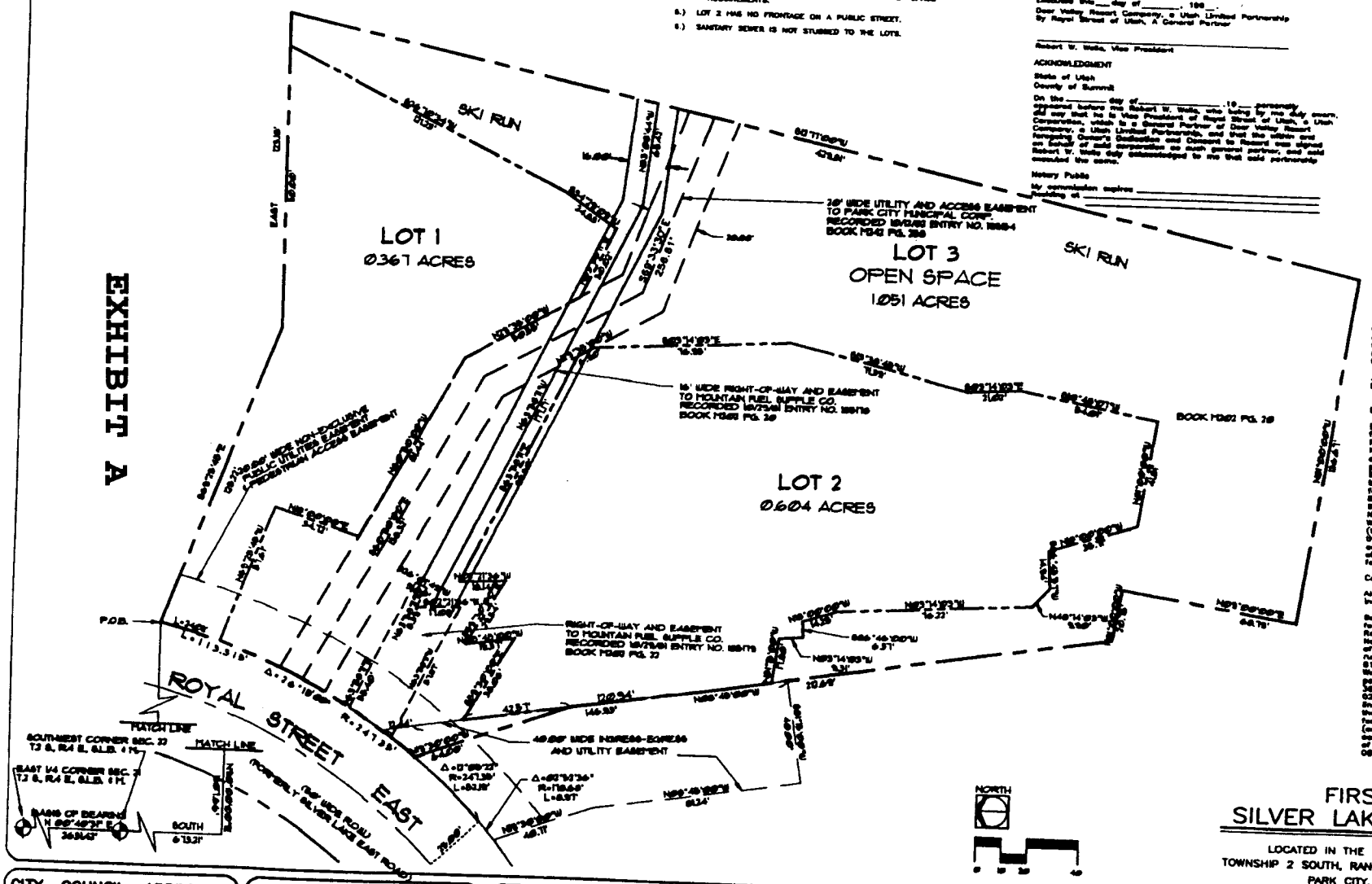


EXHIBIT A



NOTES:

1.) DENSITY FOR LOT 1 IS 5 UNITS.
DENSITY FOR LOT 2 IS 14 UNITS.

2.) DEVELOPMENT OF DENSITY ON THE SITE IS SUBJECT TO SITE SPECIFIC APPROVAL BY THE PARK CITY PLANNING COMMISSION.

3.) PLANNING COMMISSION MAY REQUIRE THAT THE UNITS ON EACH LOT BE DEVELOPED PURSUANT TO THE UNIT EQUIVALENT FORMULA IN CHAPTER 15 OF THE LAND MANAGEMENT CODE.

4.) LOT 1 IS GRANTED AN ALLOCATION OF 0.319 ACRES AND LOT 2 IS GRANTED AN ALLOCATION OF 0.736 ACRES OF OPEN SPACE ADJOINING THE LOTS FOR THE PURPOSE OF MEETING THE LAND MANAGEMENT CODE'S OPEN SPACE REQUIREMENTS.

5.) LOT 2 HAS NO FRONTAGE ON A PUBLIC STREET.

6.) SANITARY SEWER IS NOT STUBBED TO THE LOTS.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with streets and easements as shown on the attached plat, hereafter to be known as Silver Lake East Subdivision.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, and Summit County a non-exclusive easement over the streets/private roads as shown hereon for the purpose of providing emergency services and utility installation, maintenance, use and eventual replacement.

Executed this ___ day of _____, 199__.

Deer Valley Resort Company, a Utah Limited Partnership
By Royal Street of Utah, A General Partner

Robert W. Wells, Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit

On the ___ day of _____, 199__, personally appeared before me Robert W. Wells, who being by me duly sworn, did say that he is Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing instrument was signed on behalf of said Corporation by authority of a Resolution of its Board of Directors, and said Robert W. Wells duly acknowledged to me that said partnership executed the same.

Notary Public
My commission expires _____
Residing at _____

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with streets and easements as shown on the attached plat, hereafter to be known as Silver Lake East Subdivision.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, and Summit County a non-exclusive easement over the streets/private roads as shown hereon for the purpose of providing emergency services and utility installation, maintenance, use and eventual replacement.

Executed this ___ day of _____, 199__.

Redmond Realty Corporation, a Delaware Corporation

Michael J. Shelby, President

ACKNOWLEDGMENT

State of
County of

On the ___ day of _____, 19__, personally appeared before me Michael J. Shelby, who being by me duly sworn, did say that he is President of Redmond Realty Corporation, a Delaware Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing instrument was signed on behalf of said Corporation by authority of a Resolution of its Board of Directors, and said Michael J. Shelby duly acknowledged to me that said partnership executed the same.

Notary Public
My commission expires _____
Residing at _____

SURVEYOR'S CERTIFICATE

I, Josh J. Johnson, do hereby certify that I am a registered land surveyor and that I hold Certificate No. 22-147681-2201 as prescribed by the laws of the State of Utah. I further certify that by the authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Silver Lake East Subdivision and that same has been correctly surveyed and staked on the ground as shown on this plat.

Date _____
Josh J. Johnson
Utah License No. 22-147681-2201

DESCRIPTION

Beginning at a point which is South 573.21 feet and East 1307.66 feet from the Northwest corner of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 0°40'31" East 263.1.62 feet; thence South 89°49'27" West 136.23 feet; thence South 17°17'00" West 439.88 feet; thence South 89°30'00" East 134.67 feet; thence South 81°00'00" East 86.79 feet; thence North 81°00'00" East 205.00 feet; thence South 8°45'00" East 218.00 feet; thence North 19°30'00" East 64.00 feet to a point on a 247.39 foot radius curve to the left, (radius bears North 43°30'00" West 247.39 feet); thence Northeasterly along said curve through a central angle of 36°10'00" an arc distance of 156.16 feet to a point on the southerly right-of-way line of Royal Street East; thence along said right-of-way line North 89°49'27" East 113.34 feet to the POINT OF BEGINNING.

Contains 2.02 acres, more or less.

Also together with the following described 40 foot wide private ingress-egress and utility easement:

Beginning at a point which is South 773.178 feet and East 1275.18 feet from the Northwest Corner of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 0°40'31" East 263.1.62 feet; thence South 89°49'27" West 136.23 feet; thence South 17°17'00" West 439.88 feet; thence South 89°30'00" East 134.67 feet; thence South 81°00'00" East 86.79 feet; thence North 81°00'00" East 205.00 feet; thence South 8°45'00" East 218.00 feet; thence North 19°30'00" East 64.00 feet to a point on a 247.39 foot radius curve to the left, (radius bears North 43°30'00" West 247.39 feet); thence Northeasterly along said curve through a central angle of 36°10'00" an arc distance of 156.16 feet to a point on the southerly right-of-way line of Royal Street East; thence along said right-of-way line North 89°49'27" East 113.34 feet to the POINT OF BEGINNING.

Contains 2.02 acres, more or less.

Also together with the following described 40 foot wide private ingress-egress and utility easement:

Beginning at a point which is South 773.178 feet and East 1275.18 feet from the Northwest Corner of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 0°40'31" East 263.1.62 feet; thence South 89°49'27" West 136.23 feet; thence South 17°17'00" West 439.88 feet; thence South 89°30'00" East 134.67 feet; thence South 81°00'00" East 86.79 feet; thence North 81°00'00" East 205.00 feet; thence South 8°45'00" East 218.00 feet; thence North 19°30'00" East 64.00 feet to a point on a 247.39 foot radius curve to the left, (radius bears North 43°30'00" West 247.39 feet); thence Northeasterly along said curve through a central angle of 36°10'00" an arc distance of 156.16 feet to a point on the southerly right-of-way line of Royal Street East; thence along said right-of-way line North 89°49'27" East 113.34 feet to the POINT OF BEGINNING.

FIRST AMMENDED SILVER LAKE EAST SUBDIVISION

LOCATED IN THE NORTHWEST 1/4 OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS ____ DAY OF _____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 19__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS ____ DAY OF _____ A.D. _____	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	N°. _____ STATE OF _____. COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF:
MAYOR	CITY ENGINEER	CHAIRMAN	S.B.S.I.D.	CITY ATTORNEY	COUNTY RECORDER
CITY RECORDER					

THE JACK JOHNSON COMPANY
1910 Prospector Avenue • Park City, Utah 84060
(801) 649-9009 • fax (801) 649-1630

Ordinance No. 95-41

AN ORDINANCE APPROVING THE FINAL CONDOMINIUM PLAT OF SUMMIT WATCH LOCATED AT 780 AND 840 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owners of the property known as Summit Watch petitioned the Planning Commission for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed conversion on April 26, 1995; and

WHEREAS, on April 26, 1995, the Planning Commission approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. PLAT APPROVED. The Summit Watch final condominium plat is approved as shown on the attached Exhibit A with the following conditions:

Findings of Fact:

1. The plat is a second supplement record of survey for the Summit Watch Project which condominiumizes the Lobby Building and Building A4.

2. The plat is consistent with the Planning Commission approval.

3. The project contains some plaza area of common ownership which has not been approved for outdoor uses.

4. The Planning Commission held a public hearing on the request and forwarded a positive recommendation to the City Council on August 9, 1995.

Conclusions of Law:

1. The plat is consistent with the Park City Land Management Code.

2. The approval of the plat does not aversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Engineer and City Attorney shall review and approve the plat and Conditions, Covenants and Restrictions, prior to recordation.

2. Any uses on the plaza will require a separate conditional use permit.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 24th day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

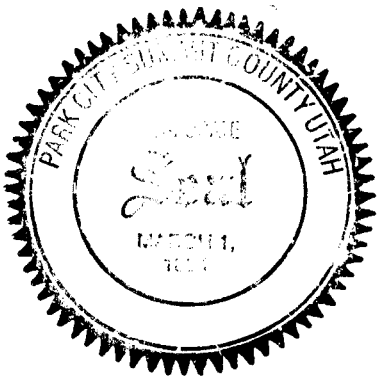
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney



EXPANDABLE AREA 1

BEGINNING at a point North 527.92 feet and West 621.83 feet from the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said point being on the East right-of-way line of Main Street, a public right-of-way and running thence N 2°45'00" W along said East right-of-way line 128.46 feet to a point on a 97.00 foot radius curve to the right, whose radius point bears N 62°15'00" E; thence along the arc of said curve and said East right-of-way line 71.81 feet thru a central angle of 42°24'54"; thence N 75°38'06" E 38.00 feet; thence N 4°53'48" E 23.44 feet; thence S 36°00'03" E 90.38 feet; thence N 75°29'28" E 27.33 feet; thence N 53°40'35" E 224.73 feet to a point on a 1750.00 foot radius curve to the left, whose radius point bears S 36°19'25" E; thence along the arc of said curve and along the westerly right-of-way line of state road 224 241.62 feet thru a central angle of 07°54'15"; thence along the westerly right-of-way line of state road 224 S 89°30'12" E 153.98 feet; thence S 38° 11'01" E 84.25 feet to a point on a 1487.82 foot radius curve to the right, whose radius point bears S 44°61'00" W; thence along the arc of said curve and along the westerly right-of-way line of state road 224 171.34 feet thru a central angle of 08°56'23"; thence along the westerly right-of-way line of state road 224 S 36°16'57" E 302.88 feet to a point on a 87.67 foot radius curve to the left, whose radius point bears S 13°38'14" W; thence leaving said westerly right-of-way line along the arc of said curve 43.39 feet thru a central angle of 16°00'26"; thence N 65°56'48" W 23.53 feet; thence N 24°04'00" W 9.82 feet; thence S 62° 15'00" W 198.77 feet to the point of beginning.
Description contains 64,222 square feet.

EXPANDABLE AREA 2

BEGINNING at a point that is North 200.56 feet and West 129.40 feet from the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said point being the Northeast corner of Lot A-1 of THE TOWN LIFT SITE, PHASE A, Subdivision, according to the official plat of record and on file in the office of the Summit County Recorder; Entry NO. 380364 and running thence E 78° 17'14" E 62.72 feet; thence S 68°46'30" E 27.04 feet to a 108.87 foot radius curve to the left, whose radius point bears N 10°13'30" E; thence northeasterly along the arc of said curve 68.33 feet thru a central angle of 36°13' 20"; thence N 89°01'08" E 19.69 feet to a point on a 30.00 foot radius curve to the right, whose radius point bears S 24°11'52" E; thence along the arc of said curve 48.63 feet thru a central angle of 77°24'00"; thence S 36°47'08" E 69.79 feet; thence S 82°47'00" E 84.81 feet; thence N 68°46'30" W 186.90 feet; thence S 19°49'00" W 8.33 feet; thence N 68°11'00" W 25.80 feet; thence N 89°11'33" W 84.53 feet; thence N 65°56'08" E 38.98 feet; thence N 24°04' 00" W 64.38 feet to the point of beginning. Description contains 18,401 square feet.

EXPANDABLE AREA 3

BEGINNING at a point North 402.32 feet and West 74.62 feet from the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian; said point being the Northeast corner of PHASE 1A SUMMIT WATCH AT PARK CITY an Expandable Utah Condominium Project according to the official plat thereof on file in the office of the Summit County Recorder, said point also being on a 548.01 foot radius curve to the right, whose radius point bears N 82°08'33" E; thence northeasterly along the arc of said curve 68.08 feet thru a central angle of 4°42'52" to a point on the westerly right-of-way line of State Road U-224 thence along said westerly right-of-way line S 36°16'57" E 49.88 feet; thence along the westerly right-of-way line of state road 224 N 79°37'31" E 23.33 feet; thence S 20°57'14" E 118.73 feet; thence S 09°13'52" E 61.49 feet; to a point on a 300.00 foot radius curve to the right, whose radius point bears N 65°16'16" E; thence along the arc of said curve 42.79 feet thru a central angle of 12°15.35" to a point on a 241.43 foot radius reverse curve to the left, whose radius point bears S 77°31'53" W; thence along the arc of said curve 76.20 feet thru a central angle of 18°33'30" to a point of tangency; thence N 39°58'37" W 33.81 feet to a point on a 548.01 foot radius curve to the right, whose radius point bears N 88°02'23" E; thence along the arc of said curve 30.00 feet thru a central angle of 3°08'10" to the point of beginning. Description contains 3,807 square feet.

CURVE TABLE

CURVE	Δ	RADIUS	LENGTH	CHORD
C1		97.00'	71.81'	S 53°46'06" E 70.18'
C2		1750.00'	241.62'	S 43°46'12" E 241.43'
C3		1487.82'	171.34'	S 33°08'45" E 171.24'
C4		87.67'	43.39'	S 44°26'48" E 42.93'
C5		30.00'	48.63'	S 51°24'52" E 43.63'
C6		87.67'	69.79'	S 19°19'08" E 67.99'
C7		30.00'	48.63'	S 51°24'52" E 43.63'

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 89°30'12" E	153.98'
L2	S 38° 11'01" E	84.25'
L3	S 36°16'57" E	302.88'
L4	S 13°38'14" W	87.67'
L5	S 62° 15'00" W	198.77'
L6	S 24°04'00" E	9.82'
L7	S 65°56'48" E	23.53'
L8	S 24°04'00" E	64.38'
L9	S 89°11'33" E	84.53'
L10	S 68°11'00" E	25.80'
L11	S 19°49'00" W	8.33'
L12	S 68°46'30" E	186.90'
L13	S 82°47'00" E	84.81'
L14	S 10°13'30" W	108.87'
L15	S 62°15'00" W	129.40'
L16	N 2°45'00" W	128.46'
L17	N 75°38'06" E	38.00'
L18	N 4°53'48" E	23.44'
L19	N 36°00'03" W	90.38'
L20	N 75°29'28" W	27.33'
L21	N 53°40'35" E	224.73'
L22	N 36°19'25" W	10.00'
L23	N 53°40'35" E	224.73'
L24	S 36°19'25" E	10.00'
L25	N 36°16'57" W	302.88'
L26	N 38° 11'01" W	84.25'
L27	N 89°30'12" W	153.98'
L28	N 36°16'57" W	49.88'
L29	S 79°37'31" W	23.33'
L30	N 20°57'14" W	118.73'
L31	N 09°13'52" W	61.49'
L32	S 65°16'16" W	42.79'
L33	N 39°58'37" W	33.81'
L34	N 82°08'33" W	68.08'
L35	N 36°16'57" W	49.88'

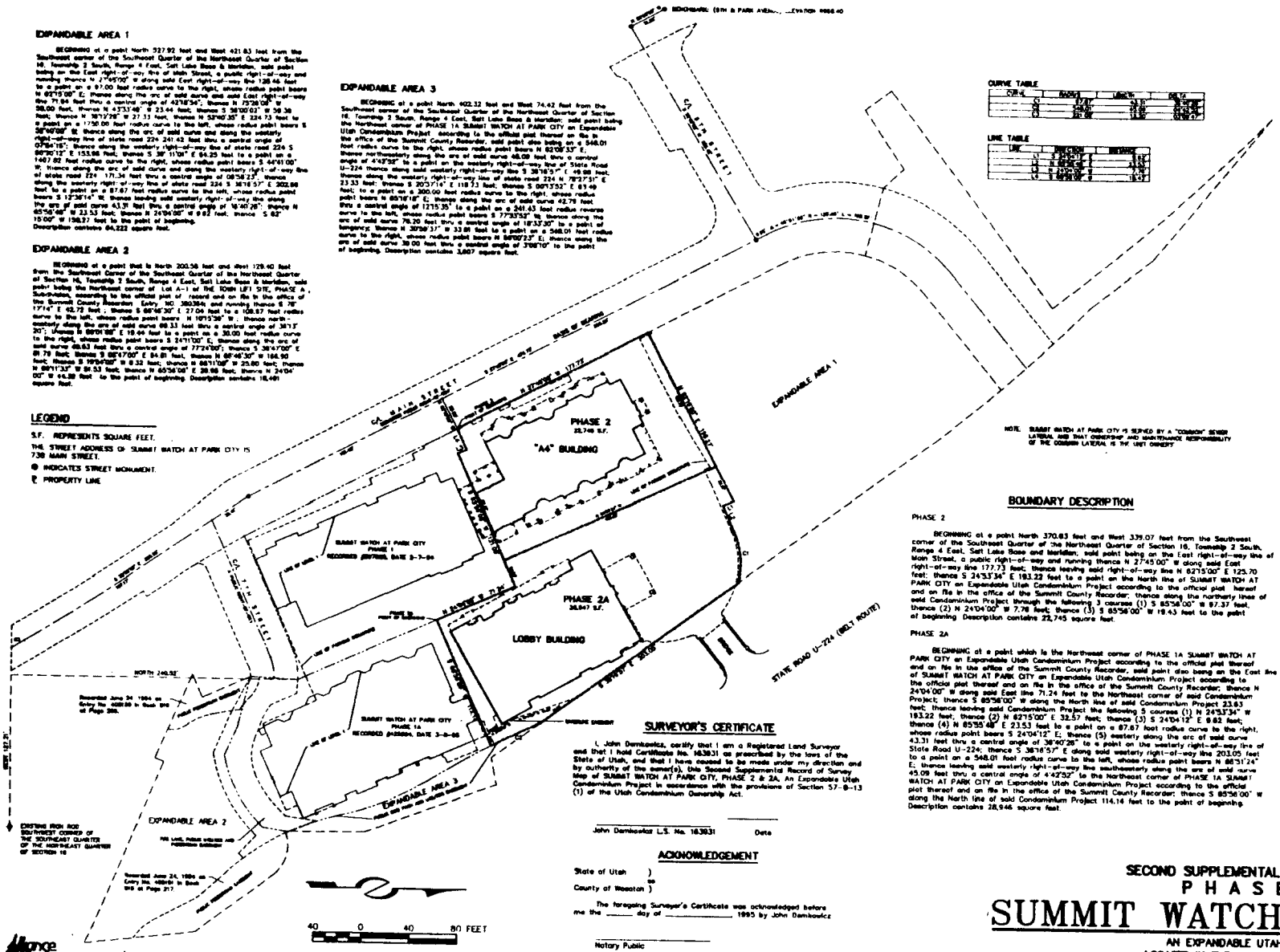
LEGEND

S.F. REPRESENTS SQUARE FEET.

THE STREET ADDRESS OF SUMMIT WATCH AT PARK CITY IS 738 MAIN STREET.

● INDICATES STREET MONUMENT.

℄ PROPERTY LINE



NOTE: SUMMIT WATCH AT PARK CITY IS SERVED BY A "COMMON" SEWER LATERAL AND THAT OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE COMMON LATERAL IS THE UNIT OWNERS'

BOUNDARY DESCRIPTION

PHASE 2

BEGINNING at a point North 370.83 feet and West 339.07 feet from the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the East right-of-way line of Main Street, a public right-of-way and running thence N 2°45'00" W along said East right-of-way line 177.73 feet; thence leaving said right-of-way line N 62°15'00" E 125.70 feet; thence S 24°53'34" E 183.22 feet to a point on the North line of SUMMIT WATCH AT PARK CITY an Expandable Utah Condominium Project according to the official plat hereof and on file in the office of the Summit County Recorder; thence along the northerly lines of said Condominium Project through the following 3 courses (1) S 65°56'00" W 87.37 feet, thence (2) N 24°04'00" W 7.78 feet; thence (3) S 65°56'00" W 19.43 feet to the point of beginning Description contains 23,745 square feet.

PHASE 2A

BEGINNING at a point which is the Northwest corner of PHASE 1A SUMMIT WATCH AT PARK CITY an Expandable Utah Condominium Project according to the official plat thereof and on file in the office of the Summit County Recorder, said point also being on the East line of SUMMIT WATCH AT PARK CITY an Expandable Utah Condominium Project according to the official plat thereof and on file in the office of the Summit County Recorder; thence N 24°04'00" W along said East line 71.24 feet to the Northeast corner of said Condominium Project; thence S 65°56'00" W along the North line of said Condominium Project 23.83 feet; thence leaving said Condominium Project the following 5 courses (1) N 24°53'34" W 183.22 feet; thence (2) N 62°15'00" E 32.57 feet; thence (3) S 24°04'12" E 8.82 feet; thence (4) N 85°55'48" E 23.53 feet to a point on a 87.67 foot radius curve to the right, whose radius point bears S 24°04'12" E; thence (5) easterly along the arc of said curve 43.31 feet thru a central angle of 38°40'28" to a point on the westerly right-of-way line of State Road U-224; thence S 36°16'57" E along said westerly right-of-way line 203.05 feet to a point on a 548.01 foot radius curve to the left, whose radius point bears N 88°31'24" E, thence leaving said westerly right-of-way line southeasterly along the arc of said curve 45.09 feet thru a central angle of 4°42'52" to the Northeast corner of PHASE 1A SUMMIT WATCH AT PARK CITY an Expandable Utah Condominium Project according to the official plat thereof and on file in the office of the Summit County Recorder; thence S 85°56'00" W along the North line of said Condominium Project 114.14 feet to the point of beginning. Description contains 28,946 square feet.

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163831 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by authority of the owner(s), this Second Supplemental Record of Survey Map of SUMMIT WATCH AT PARK CITY, PHASE 2 & 2A, An Expandable Utah Condominium Project in accordance with the provisions of Section 57-8-13 (1) of the Utah Condominium Ownership Act.

John Demkowicz L.S. No. 163831 Date

ACKNOWLEDGEMENT

State of Utah)
) ss
County of Wasatch)

The foregoing Surveyor's Certificate was acknowledged before me the _____ day of _____, 1995 by John Demkowicz

Notary Public

Residing at:

My commission expires:

DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the undersigned, Mantoon MB, Ltd., a Utah Limited Partnership, holds a trust deed on a portion of the herein described tract of land and in such capacity hereby consents to the recordation of this Second Supplemental Record of Survey Map in accordance with Utah Code Annotated 57-8-13. In its capacity as a contract purchaser, the undersigned also consents to the dedication to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County, any non-exclusive utility easements shown on this Record of Survey Map for the purpose of providing utility service to the property and the installation, use, maintenance, and eventual replacement of utilities.

Executed this _____ day of _____, 1995.

Mantoon MB, Ltd.
A Utah Limited Partnership

Harry F. Reed
Its General Partner

ACKNOWLEDGEMENT

State of _____)
) ss
County of _____)

On the _____ day of _____, 1995, personally appeared before me Harry F. Reed, who, being by me duly sworn, did say that he is a general partner in Mantoon MB, Ltd., A Utah Limited Partnership, and that the within and foregoing Dedication and Consent to Record was signed on behalf of said partnership, and said Harry F. Reed duly acknowledged to me that he executed the same on behalf of the partnership with proper authority.

Notary Public
My Commission Expires:
Residing at:

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the undersigned, Marriott Ownership Resorts, Inc., a Delaware Corporation, is the fee simple owner of the herein described tract of land and consents to the recordation of this Second Supplemental Record of Survey Map in accordance with Utah Code Annotated 57-8-13, subdividing the land into condominium ownership, and creating units, common areas, limited common areas, convertible spaces, and easements, all as set forth herein, to be known as SUMMIT WATCH AT PARK CITY, PHASE 2 & 2A. Also the undersigned dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County, any non-exclusive utility easements shown on this Second Supplemental Record of Survey Map for the purpose of providing utility service to the property and the installation, use, maintenance, and eventual replacement of utilities. The undersigned further certifies that the building will be built as shown

Executed this _____ day of _____, 1995.

Marriott Ownership Resorts, Inc.
A Delaware Corporation

By
Its

ACKNOWLEDGEMENT

State of _____)
) ss
County of _____)

On the _____ day of _____, 1995, personally appeared before me _____, who, being by me duly sworn, did say that he is the _____ of Marriott Ownership Resorts, Inc., A Delaware Corporation, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Corporation, and said _____ duly acknowledged to me that said Corporation executed the same

Notary Public
My Commission Expires:
Residing at:

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP
PHASE 2 & 2A
SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

4-4-95 Y:\TL\PZ\P-PH2P1

ALLIANCE ENGINEERING INC.
P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF _____, 1995 A.D.
BY _____
S.B.S.I.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 1995 A.D.
BY _____
CHAIRMAN

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D.
BY _____
PARK CITY ENGINEER

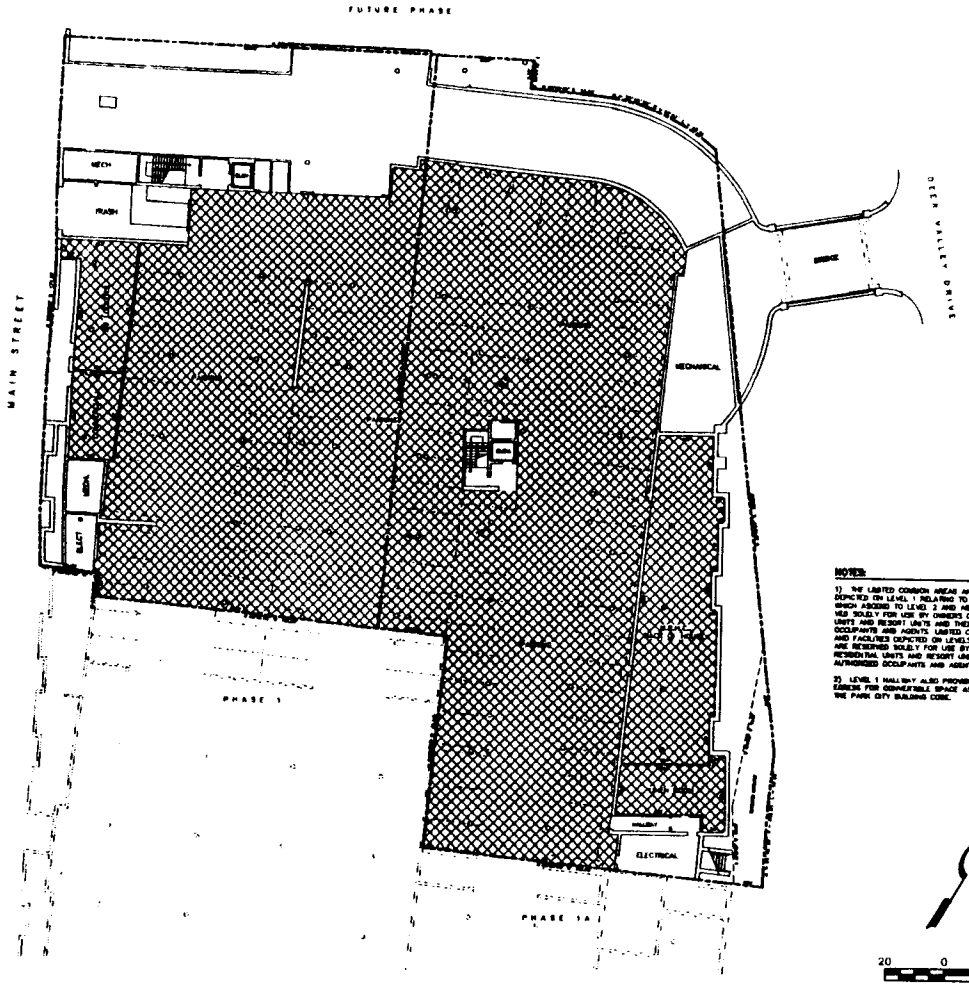
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D.
BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D.
BY _____
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D.
BY _____
MAYOR

RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE RECORDER

EXHIBIT A



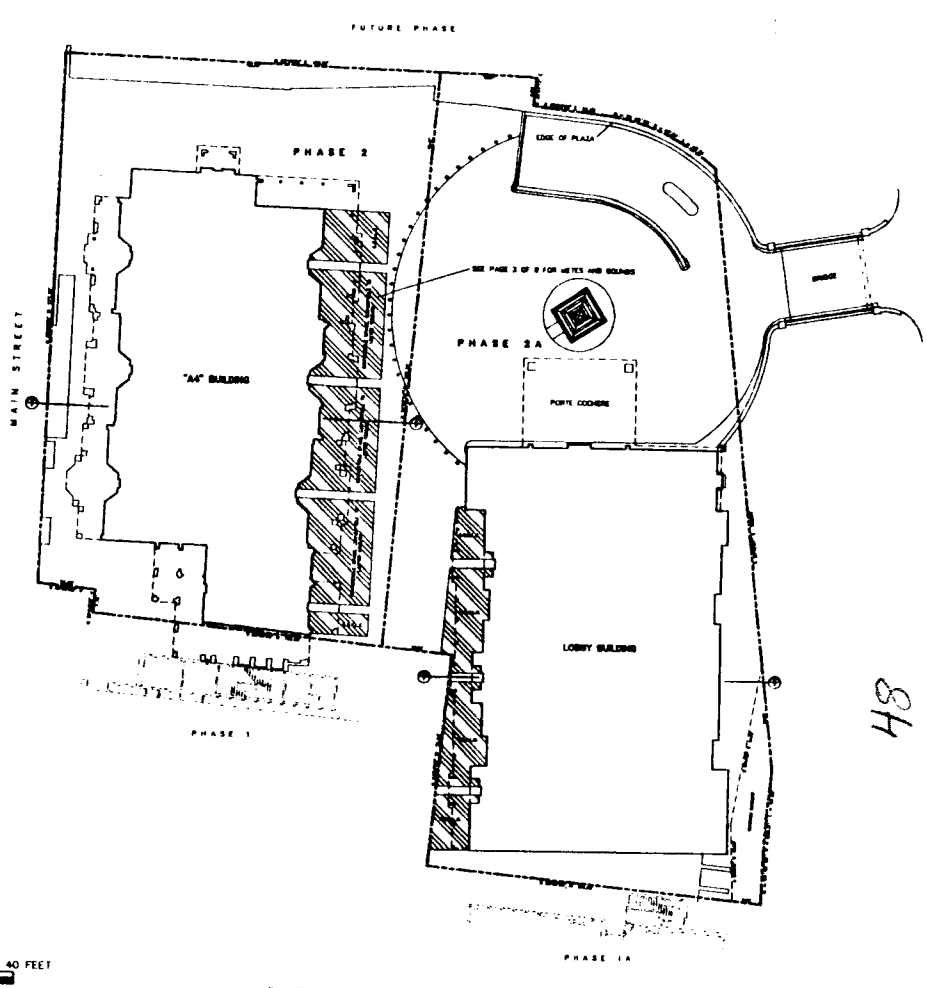
"A4" AND LOBBY BUILDING
PARKING LEVEL

NOTES

1) THE LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVEL 1 RELATING TO STAIRWAYS WHICH ASCEND TO LEVEL 1 AND ABOVE ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS. LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVELS 2, 3, AND 4 ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS.

2) LEVEL 1 HALLWAY ALSO PROVIDES EMERGENCY EGRESS FOR CONVERTIBLE SPACE AS REQUIRED BY THE PARK CITY BUILDING CODE.

20 0 20 40 FEET



"A4" AND LOBBY BUILDING
PLAZA LEVEL

48

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A.I.A.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION.

COMMON AREAS AND FACILITIES
PRIVATE OWNERSHIP
LIMITED COMMON AREAS AND FACILITIES (LCE)
CONVERTIBLE SPACE
CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

LEGEND

S.F. REPRESENTS SQUARE FEET.
THE STREET ADDRESS OF SUMMIT WATCH AT PARK CITY IS 738 MAIN STREET.
● INDICATES STREET MONUMENT.
℄ PROPERTY LINE

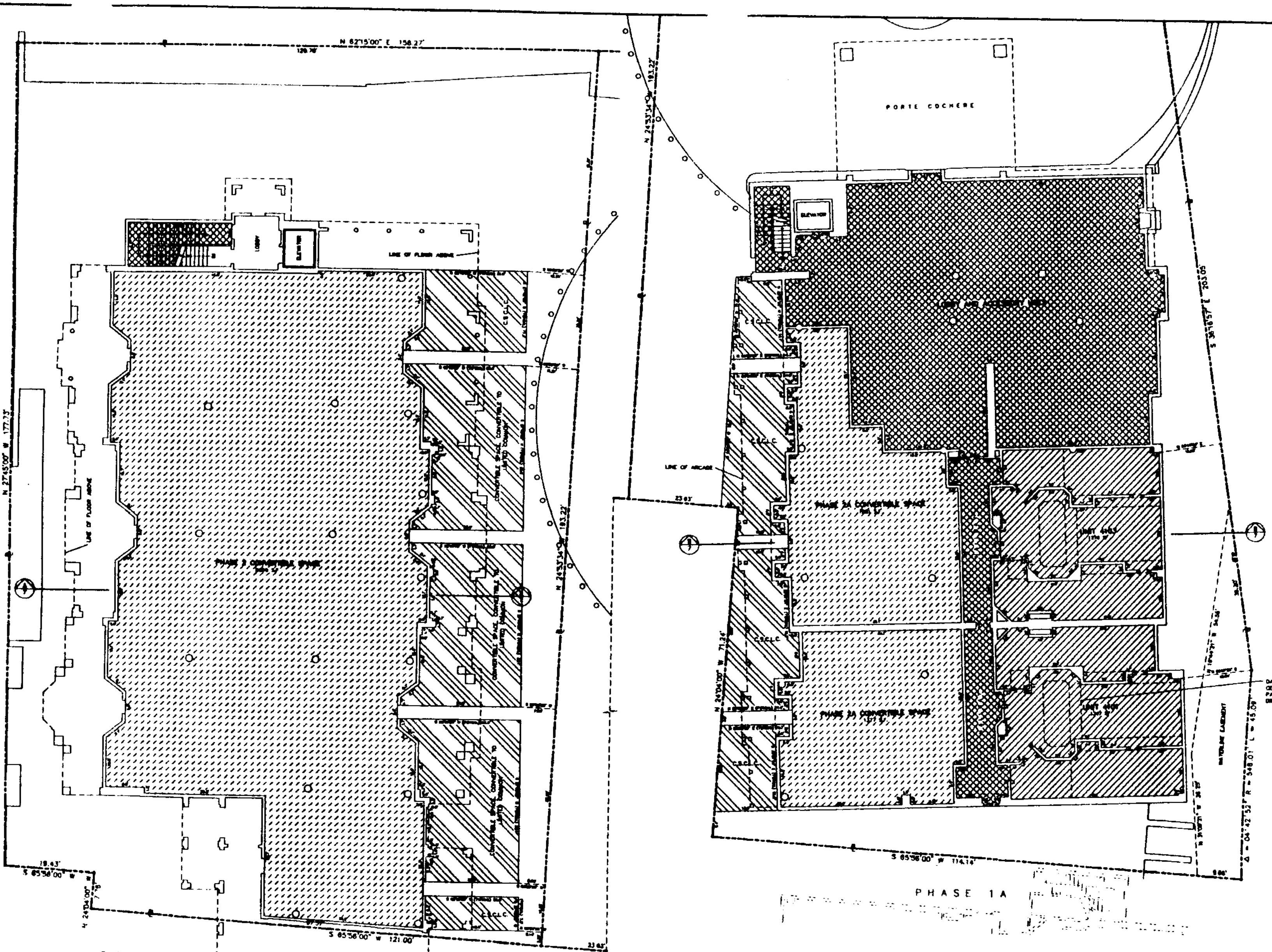
SECOND SUPPLEMENTAL RECORD OF SURVEY MAP
PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ RECORDER

JOB NO. 4-4-85 Y:\TI\P7\P-PH2P2



NOTES:

1) THE LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVEL 1 RELATING TO STAIRWAYS WHICH ASCEND TO LEVEL 2 AND ABOVE ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS. LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVELS 2, 3, AND 4 ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS.

2) LEVEL 1 HALLWAY ALSO PROVIDES EMERGENCY EGRESS FOR CONVERTIBLE SPACE AS REQUIRED BY THE PARK CITY BUILDING CODE.

LEGEND

S.F. REPRESENTS SQUARE FEET

THE STREET ADDRESS OF SUMMIT WATCH AT PARK CITY IS 738 MAIN STREET.

● INDICATES STREET MONUMENT

℄ PROPERTY LINE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A.I.A.
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3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRI OF OWNERSHIP
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION

COMMON AREAS AND FACILITIES

PRIVATE OWNERSHIP

LIMITED COMMON AREAS AND FACILITIES (LC

CONVERTIBLE SPACE

CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

DASHED LINE REPRESENTS CEILING HEIGHTS. SEE PAGE 7 OF 8 FOR ACTUAL DIMENSIONS.

1/19

10 0 10 20 FEET

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP
PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

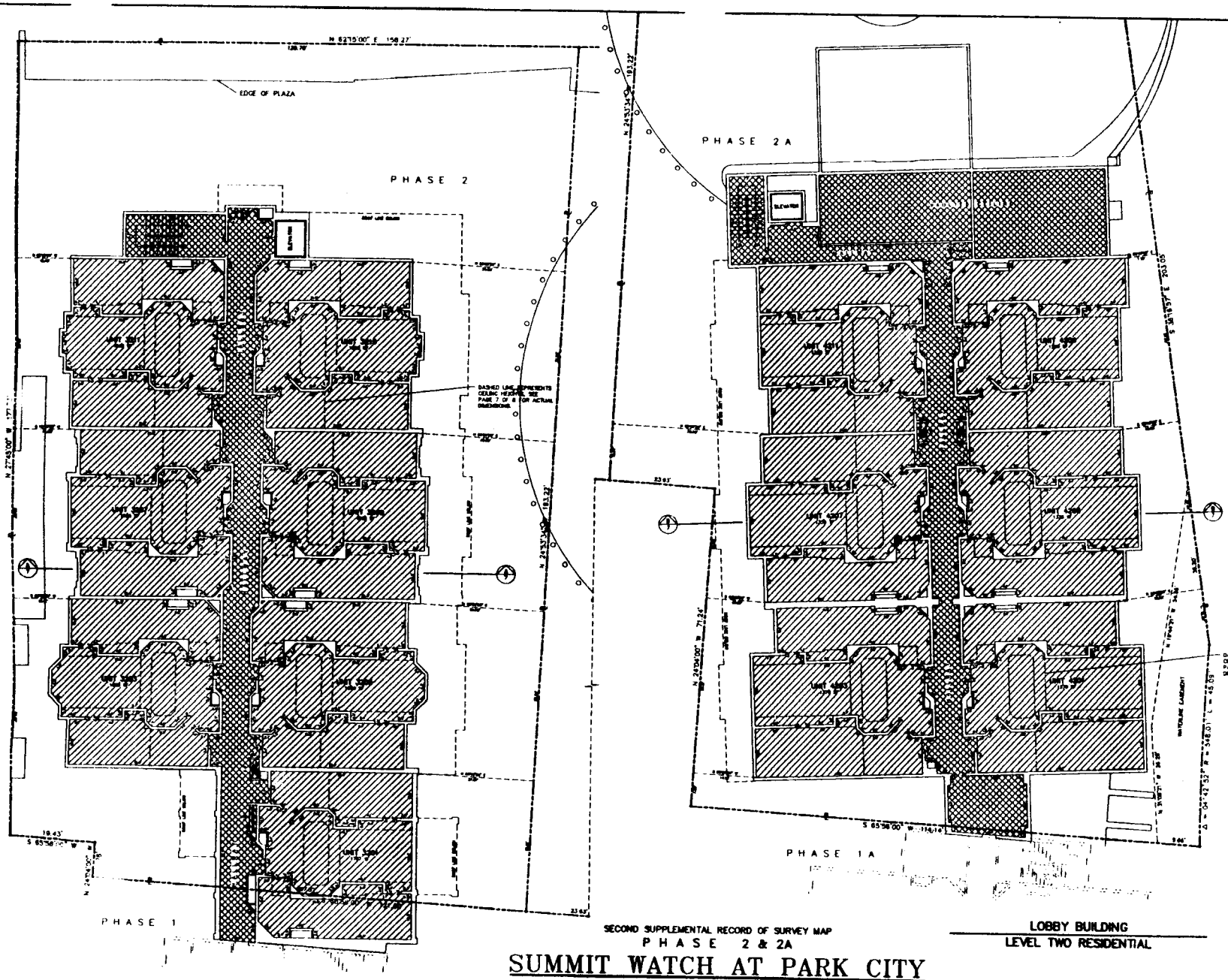
"A4" BUILDING
LEVEL ONE COMMERICAL

LOBBY BUILDING
LEVEL ONE COMMERICAL AND RESIDENTIAL

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______
DATE ______ TIME ______ BOOK ______ PAGE ______
FEE ______ RECORDER

JOB NO. 4-4-95 Y:\TL\P2\P-PH2P3



"A4" BUILDING
LEVEL TWO RESIDENTIAL

LOBBY BUILDING
LEVEL TWO RESIDENTIAL

NOTES:

1) THE LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVEL 1 RELATING TO STAIRWAYS WHICH ASCEND TO LEVEL 2 AND ABOVE ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS. LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVELS 2, 3, AND 4 ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS.

2) LEVEL 1 HALLWAY ALSO PROVIDES EMERGENCY EXITS FOR CONVERTIBLE SPACE AS REQUIRED BY THE PARK CITY BUILDING CODE.

LEGEND

S.F. REPRESENTS SQUARE FEET

THE STREET ADDRESS OF SUMMIT WATCH AT PARK CITY IS 738 MAIN STREET.

● INDICATES STREET MONUMENT

℄ PROPERTY LINE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A I A
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRI OF OWNERSHIP
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION

COMMON AREAS AND FACILITIES

PRIVATE OWNERSHIP

LIMITED COMMON AREAS AND FACILITIES (LCI

CONVERTIBLE SPACE

CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

50

10 0 10 20 FEET

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP
PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

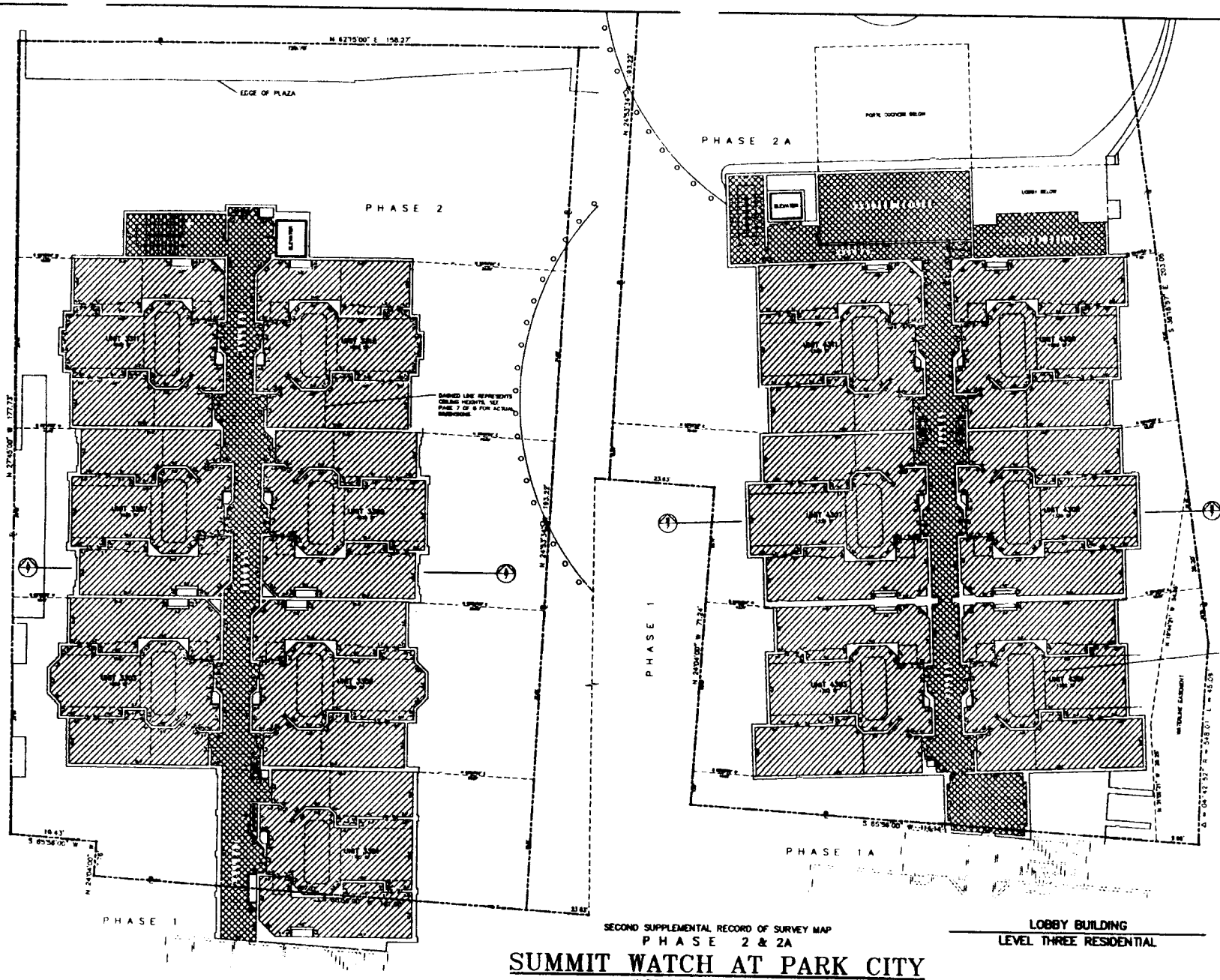
AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE RECORDER

JOB NO. 4-4-95 Y:\TL\P2\P PH2P4



"A4" BUILDING
LEVEL THREE RESIDENTIAL

LOBBY BUILDING
LEVEL THREE RESIDENTIAL

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP
PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

NOTES:

1) THE LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVEL 1 RELATING TO STAIRWAYS WHICH ASCEND TO LEVEL 2 ARE HEREBY ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS. LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVELS 2, 3, AND 4 ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS.

2) LEVEL 1 HALLWAY ALSO PROVIDES EMERGENCY EGRESS FOR CONVERTIBLE SPACE AS REQUIRED BY THE PARK CITY BUILDING CODE.

LEGEND

S.F. REPRESENTS SQUARE FEET

THE STREET ADDRESS OF SUMMIT WATCH AT PARK CITY IS 738 MAIN STREET

● INDICATES STREET MONUMENT

℄ PROPERTY LINE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A.I.A.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREA
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION

COMMON AREAS AND FACILITIES

PRIVATE OWNERSHIP

LIMITED COMMON AREAS AND FACILITIES (LC

CONVERTIBLE SPACE

CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

PAGE 5 OF

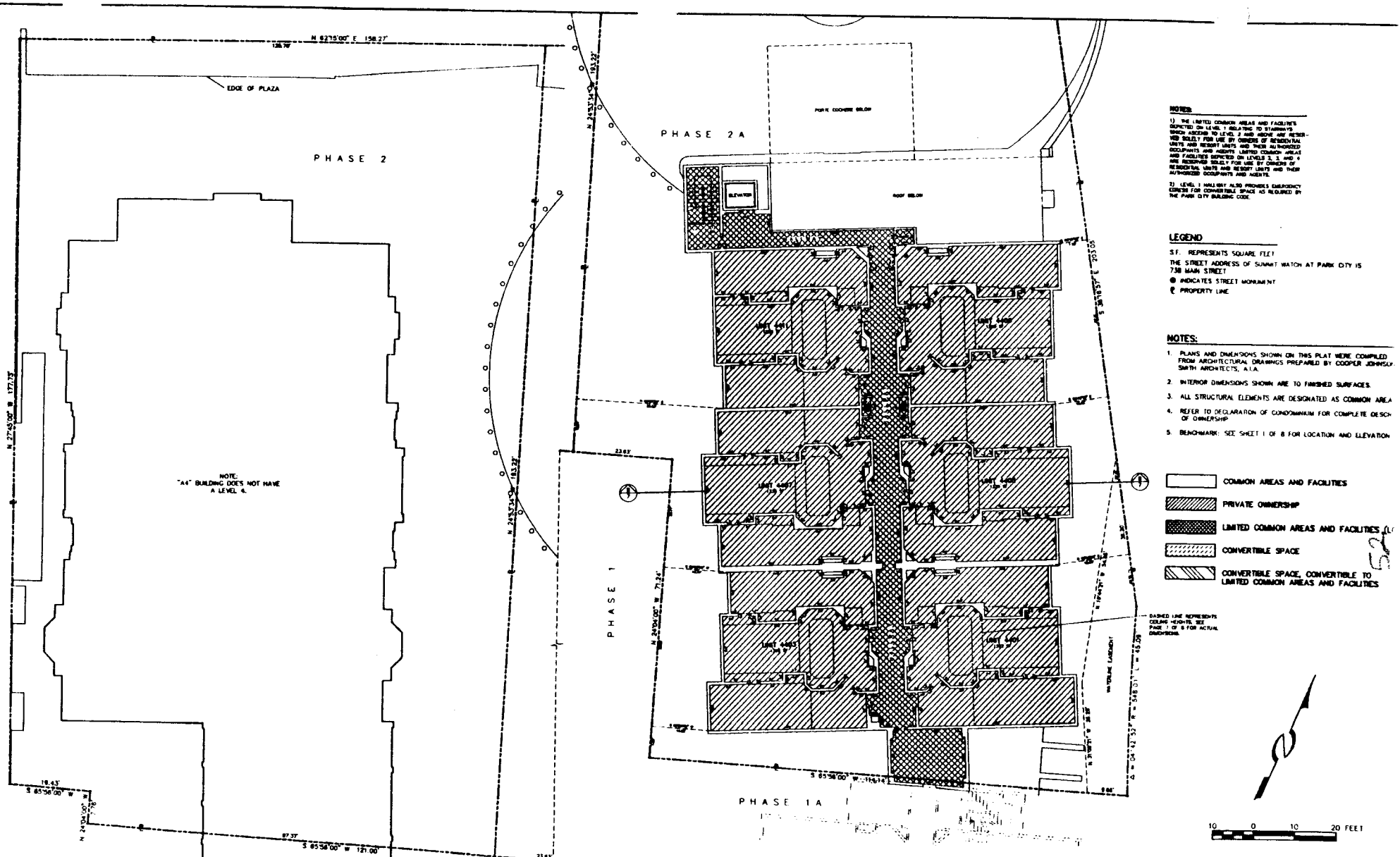
RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

JOB NO. 4-4-95 Y:\TL\P2\P-PH2PS



NOTES:

1) THE LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVEL 1 RELATING TO STAIRWAYS WHICH ASCEND TO LEVEL 2 AND ABOVE ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS. LIMITED COMMON AREAS AND FACILITIES DEPICTED ON LEVELS 3, 3, AND 4 ARE RESERVED SOLELY FOR USE BY OWNERS OF RESIDENTIAL UNITS AND RESORT UNITS AND THEIR AUTHORIZED OCCUPANTS AND AGENTS.

2) LEVEL 1 HALLWAY ALSO PROVIDES EMERGENCY EGRESS FOR CONVERTIBLE SPACE AS REQUIRED BY THE PARK CITY BUILDING CODE.

LEGEND

S.F. REPRESENTS SQUARE FEET

THE STREET ADDRESS OF SUMMIT WATCH AT PARK CITY IS 738 MAIN STREET

● INDICATES STREET MONUMENT

℄ PROPERTY LINE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A.I.A.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREA
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCR OF OWNERSHIP
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION

COMMON AREAS AND FACILITIES

PRIVATE OWNERSHIP

LIMITED COMMON AREAS AND FACILITIES

CONVERTIBLE SPACE

CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP

PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

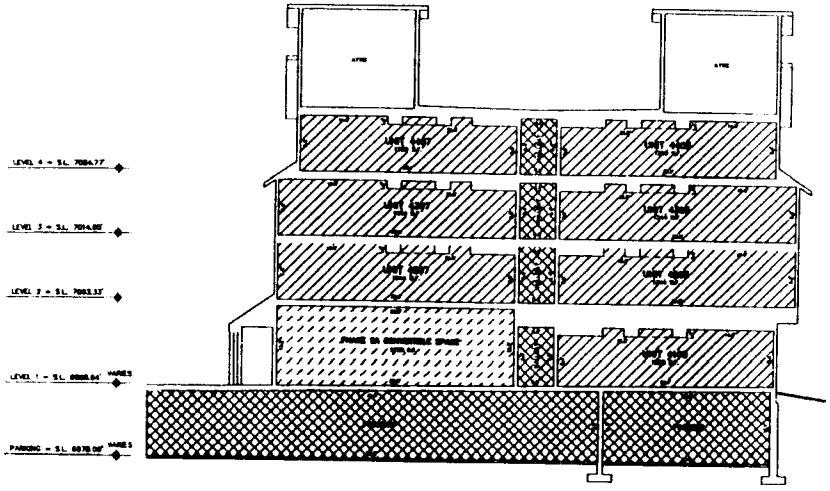
LOBBY BUILDING
LEVEL FOUR RESIDENTIAL

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE RECORDER

JOB NO. 4-4-85 Y:\TL\P2\P-PH2P6



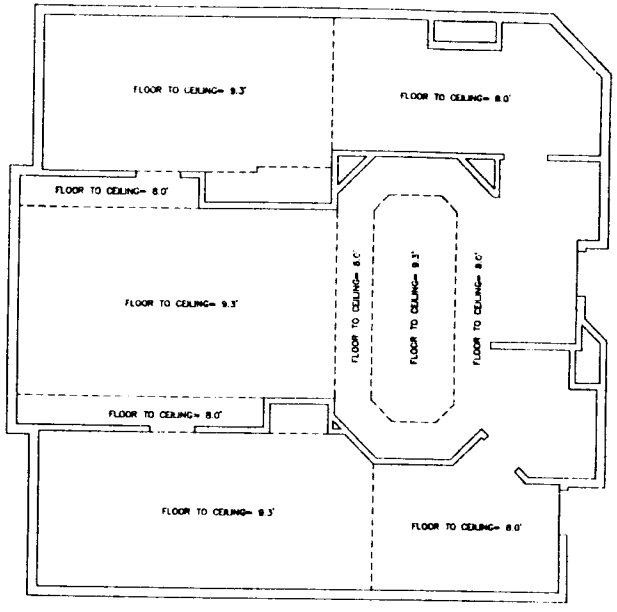
"LOBBY" SECTION B7

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A.I.A.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION.
6. CONVERTIBLE SPACE: CONVERTIBLE TO LIMITED COMMON AREA WILL BE UNCOVERED OUTDOOR SPACE.

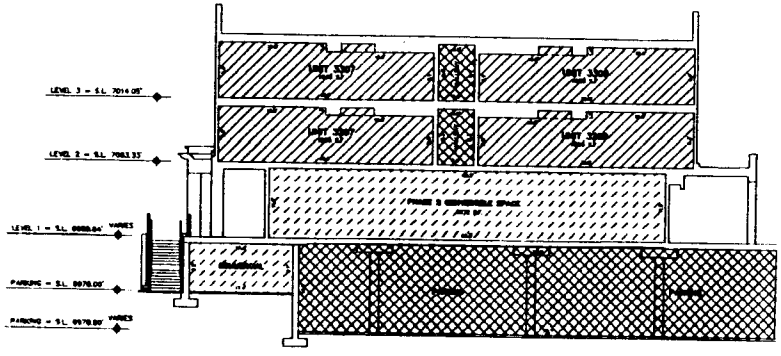
LEGEND

S.F. - REPRESENTS SQUARE FEET.
S.L. - REPRESENTS ELEVATION ABOVE SEA LEVEL.
F.G. - REPRESENTS FINISH GRADE.



RESIDENTIAL UNIT CEILING HEIGHTS (Typical)

53



"A4" SECTION A7

COMMON AREAS AND FACILITIES
PRIVATE OWNERSHIP
LIMITED COMMON AREAS AND FACILITIES (LCE)
CONVERTIBLE SPACE
CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP

PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

10 0 10 20 FEET

PAGE 7 OF

RECORDED

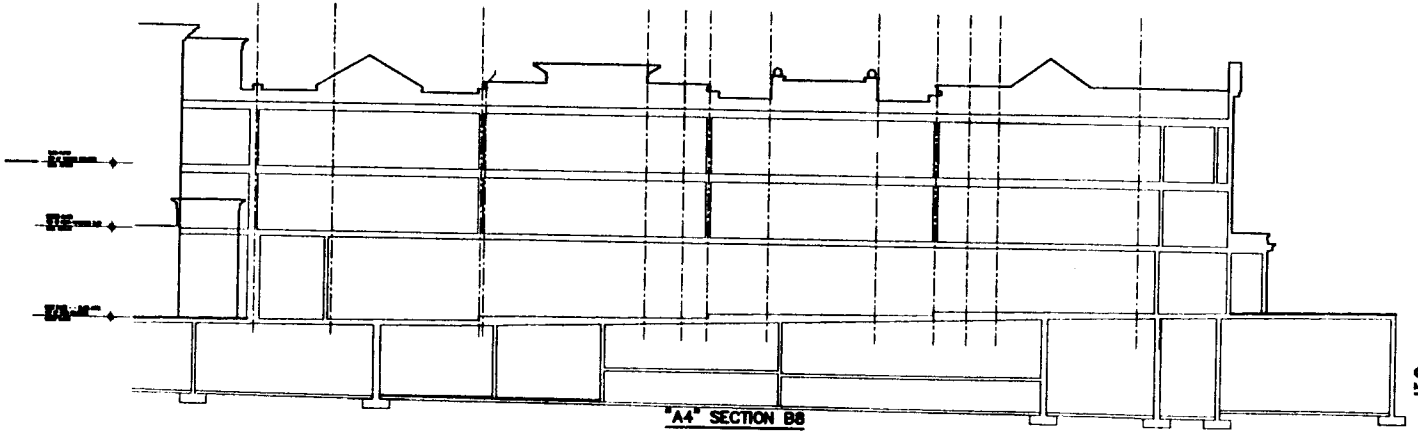
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ RECORDER _____

JOB NO. 4-4-85 Y:\TL\P2\P-PH2P7

NOTE:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY COOPER JOHNSON SMITH ARCHITECTS, A.I.A.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. BENCHMARK: SEE SHEET 1 OF 8 FOR LOCATION AND ELEVATION.

SECTION "A"



"A4" SECTION B8

10 0 10 20 FEET

LEGEND

S.F. - REPRESENTS SQUARE FEET
S.L. - REPRESENTS ELEVATION ABOVE SEA LEVEL
F.G. - REPRESENTS FINISH GRADE.

- COMMON AREAS AND FACILITIES
- PRIVATE OWNERSHIP
- LIMITED COMMON AREAS AND FACILITIES (LCE)
- CONVERTIBLE SPACE
- CONVERTIBLE SPACE, CONVERTIBLE TO LIMITED COMMON AREAS AND FACILITIES

54

SECOND SUPPLEMENTAL RECORD OF SURVEY MAP

PHASE 2 & 2A

SUMMIT WATCH AT PARK CITY

AN EXPANDABLE UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

JOB NO. 4-4-85 Y:\TL\P2\P-PH2P8

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER

Ordinance No. 95-40

AN ORDINANCE APPROVING THE AMENDMENT TO THE MILLSITE RESERVATION REGARDING 220 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property indicted above, Mountain Pacific Ventures, Inc., petitioned the City Council for approval of the amendment to the Millsite Reservation to the Park City Survey Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on July 26, 1995 and the City Council conducted a public hearing on August 3, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Millsite Reservation to the Park City Survey Plat, Lots 31 and 32, Block 74 is approved as shown on Attachment A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

2. All Standard Project Conditions shall apply.

3. A ten foot non-exclusive public snow storage and utility easement shall be dedicated by the applicant along Daly Avenue and Ridge Avenue.

4. The City and applicant shall execute the required easements for Lot 33 to determine floor area and provide public snow storage and utility access prior to final plat recordation.

5. A note shall be placed upon the plat stating that only one side of the new lot divided by Ridge Avenue may be developed. Ridge Avenue does not subdivide the lot and no part of the new lot shall be separately alienable.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 3rd day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

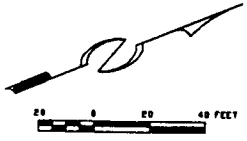
Mayor Bradley A. Olch

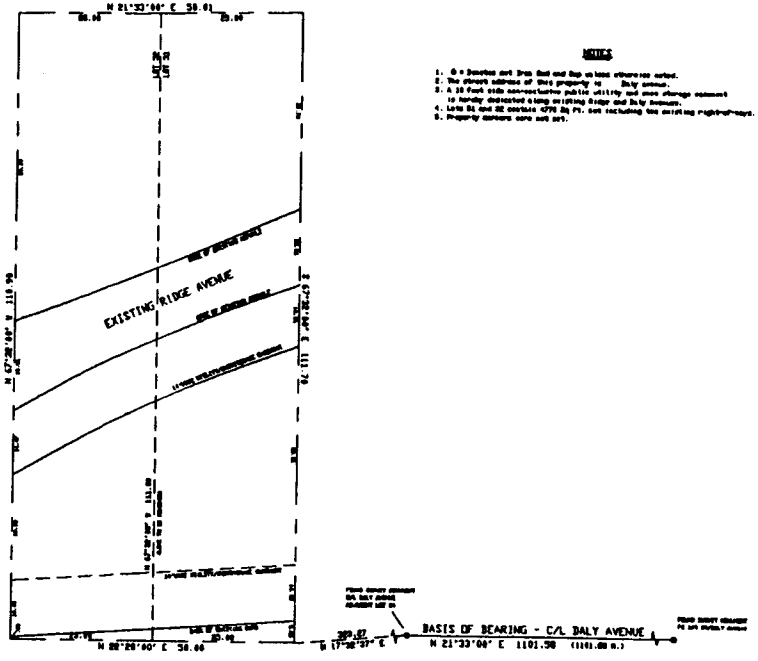
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney





EXISTING DALY AVENUE

NOTES

1. All bearings are true North and Bearings are base on those shown on the Record of Survey Map.
2. The street address of this property is Daly Avenue.
3. A 10 Foot wide non-exclusive public utility and snow storage easement is hereby dedicated along existing Ridge and Daly Avenues.
4. Lots 31 and 32 contain 4775 Sq Ft. not including the existing rights-of-ways.
5. Property corners were not set.

SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 168901, as prescribed by the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described hereon and have monumented said tract of land to be hereafter known as POTTER'S CORNERS SUBDIVISION and that same has been correctly surveyed and staked on the ground as shown on this plat.

John Demkowicz, L.S. # 168901 Date

LEGAL DESCRIPTION

All of Lots 31 & 32, BLOCK 74, SNYDERS ADDITION TO PARK CITY, according to the official plat thereof on file and of record in the office of the recorder, Summit County Utah.

Description contains 3000 Sq.Ft.

OWNERS DEDICATION

Know all men by these present that by virtue of a corporate resolution, Mountain Pacific Ventures, Inc. a Utah Corporation, owner of the above described tract of land, having caused the same to be re-subdivided into Lot A and Lot B as set forth and shown hereon to be hereafter known as:

POTTER'S CORNERS SUBDIVISION

Hereby grants the utilities, roadway and curbline as indicated and noted hereon.

In witness whereof we have hereunto set our hand this ____ day of _____, A.D., 1995

Mountain Pacific Ventures, Inc.

By: _____
Donald E. Armstrong, its President

ACKNOWLEDGMENT

State of Utah)
: ss.
County of Summit)

On this ____ day of _____, 1995, personally appeared before me, the undersigned Notary Public in and for said County of Summit in said State of Utah, the signer of the above Owner's Dedication, who duly acknowledged to me that he signed it freely and voluntarily and and for the uses and purposes therein mentioned.

Notary Public

Commission expires: _____

POTTER'S CORNERS SUBDIVISION

A LOT LINE RE-PLATTING

LOCATED IN THE NORTHWEST QUARTER OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Attachment A

JOB NO. 8-12-94 FILE Y:\PSC\PCSP\ARMSD2

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

Ordinance No. 95-39

AN ORDINANCE APPROVING THE AMENDMENT TO 6 KING ROAD PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, Alberta Land Company, petitioned the City Council for approval of the amendment to 6 King Road, Park City Survey Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on July 26, 1995 and the City Council conducted a public hearing on August 3, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on July 26, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding public utility and snow storage easements; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City ,Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment to the Park City Survey Plat, 6 King Road, is approved as shown on Attachment A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

2. All Standard Project Conditions shall apply.

3. A ten foot non-exclusive public snow storage and utility easement shall be dedicated by the applicant along King Road and Park Avenue.

4. Prior to plat recordation, the applicant shall obtain City Building Department approval of a party wall agreement. A specific note shall be added to the plat which restricts the building footprint to the existing configuration in the event of demolition or destruction.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 3rd day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

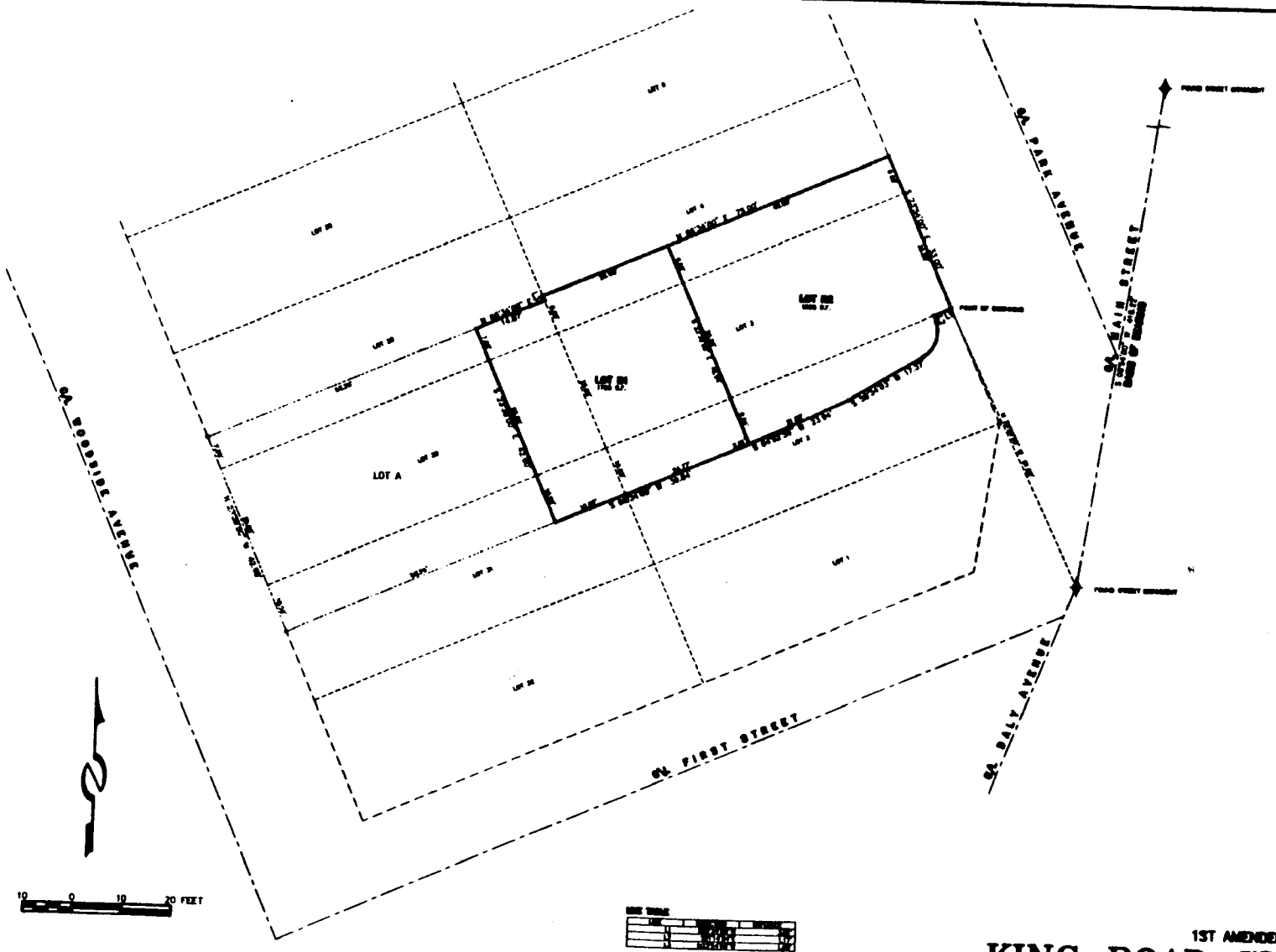
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Attachment A



10 0 10 20 FEET

1ST AMENDED RECORD OF SURVEY

KING ROAD SUBDIVISION, LOT B

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 163631 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described hereon and subdivided said tract of land into lots to be hereafter known as KING ROAD SUBDIVISION, LOT B and that the same has been correctly surveyed and staked on the ground as shown on this plat.

John Demkowicz, L.S. #163631 — DATE

LEGAL DESCRIPTION

ALL OF LOT B, KING ROAD SUBDIVISION, AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDED 10-28-97 AS ENTRY NO. 388894.

OWNER DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that ALBERTA LAND COMPANY, L.C., the undersigned owner of the herein described tract of land to be hereafter known as KING ROAD SUBDIVISION, LOT B, certifies that it has caused this survey to be made and this Record of Survey Map to be prepared, DAVID R. SABEY, its member, hereby consents to the recordation of this Record of Survey Map.

DAVID R. SABEY

ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF SUMMIT)

On the ____ day of _____, 1998, DAVID R. SABEY, personally appeared before me, the undersigned Notary Public, who being by me duly sworn, did say that he is the member of ALBERTA LAND COMPANY, L.C., and that the foregoing Certificate of Consent to Record was signed in behalf of said ALBERTA LAND COMPANY, L.C., by Said authority, and DAVID R. SABEY acknowledged to me that said company did execute the same.

Notary Public

My Commission Expires _____

LINE TABLE

LINE	BEARING	LENGTH
L1	N 89°59'00" E	73.00'
L2	S 00°01'00" E	17.00'
L3	S 89°59'00" W	73.00'
L4	N 00°01'00" W	17.00'

CURVE TABLE

CURVE	RADIUS	LENGTH	TAN	CHORD BEARING
C1	170.00'	17.00'	8.50'	N 00°01'00" W

NO. 8-3-95 PCS\DWG\PSP2

ENGINEER	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
IANCE ENGINEERING INC. P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF _____, 1998 A.D. BY _____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 1998 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1998 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1998 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1998 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1998 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

PAGE 1 OF 1

ORD. 95-38

AN ORDINANCE AMENDING SECTION 3-1-16 OF THE MUNICIPAL CODE OF PARK CITY, UTAH, TO CLARIFY REPORTING OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

WHEREAS, the City Council enacted Ordinance 91-22 which included Section 3-1-16 Campaign Expenses to be Reported; and

WHEREAS, the ordinance would be well-served by technical amendments to clarify the Council's intent; and

WHEREAS, in keeping with the spirit of open, honest, fair and equitable election campaigns sought to be promoted by the City Council, all candidates and candidate's election committees are requested and urged to limit total expenditures, including candidate's personal expenditures; and

WHEREAS, the Council has determined that increased campaign finance disclosure, at times relevant to the public's need for information about candidates for public office, is in the pubic interest,

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION 1. The following definitions shall be added to Section 3-1-2 of the Municipal Code of Park City, Utah:

(A) **BUSINESS ENTITY** - any business, proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust or corporation.

(B) CANDIDATE - any person who:

(1) Files a declaration of candidacy for an elected office of the City; or

(2) Received contributions or made expenditures or consents to another person receiving contributions or making expenditures with a view to bringing about such person's nomination or election to such office; or

(3) Causes on his behalf, any written material or advertisement to be printed, published, broadcast, distributed or disseminated which indicates an intention to seek such office.

(C) CONTRIBUTION -

(1) any of the following, when done for political purposes:

(i) a gift, subscription, donation, unpaid or partially-unpaid loan, advance, or deposit of money or anything of value to, or on behalf of, a candidate (or a candidate's election committee).

(ii) an express, legally-enforceable contract, promise, or agreement to make a gift, subscription, donation, loan, advance, or deposit of money or anything of value to or on behalf of a candidate (or a candidate's election committee);

(iii) any transfer of funds from a political committee, a party committee, another candidate, an officeholder, or a campaign committee to a candidate (or a candidate's election committee);

(iv) compensation paid by any person or committee, other than the candidate (or the candidate's election committee), for personal services rendered for, but without charge to, the candidate or the candidate's election committee;

(v) goods or services provided at less than fair market value to, or for the benefit of, a candidate (or a candidate's election committee).

(2) For the purposes of this Chapter, contributions other than money or its equivalent shall be deemed to have a value equivalent to the fair market value of the contribution.

(3) "Contribution" does not include:

(i) services provided without compensation by an individual or individuals volunteering their time on behalf of a candidate (or a candidate's election committee);

(ii) money lent to a candidate or a candidate's election committee, at market rate, in the ordinary course of business.

(D) EXPENDITURE:

(1) any disbursement from receipts or from the separate bank account required in Section 3-1-16.

(2) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money or anything of value, made by or on behalf of a candidate (or the candidate's election committee) for political purposes;

(3) an express, legally-enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money or

anything of value, by or on behalf of a candidate (or the candidate's election committee) for political purposes;

(4) a transfer of funds between political or party committees and a candidate's election committee; or

(5) goods or services provided to or for the benefit of another candidate or another candidate's election committee for political purposes at less than fair market value.

(E) INTEREST - means direct or indirect pecuniary or material benefit accruing to a city officer or employee as a result of an official act or action by or with the City, except for such contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. For the purposes of this Chapter, a city officer or employee shall be deemed to have an interest in the affairs of:

(1) Any person related to him by blood or marriage in a degree closer than the fourth degree of consanguinity or affinity (determined by the civil law method), and a divorce or separation between spouses shall not be deemed to terminate any such relationship;

(2) Any person or business entity with whom a contractual relationship exists with the city officer or employee;

(3) Any business entity in which the city officer or employee is an officer, director, or member having a financial interest in, or employed by;

(4) Any business entity in which the stock of, or legal or beneficial ownership of, in excess of five percent (5%) of the total stock or total legal and beneficial ownership, is controlled or owned directly or indirectly by the city officer or employee.

(F) **OFFICIAL ACT OR ACTION** - any legislative, administrative, appointive or discretionary act of any officer or employee of the City or any agency, board, committee or commission thereof.

(G) POLITICAL PURPOSE - an act done with intent or in such a way as to influence or tend to influence, directly or indirectly, the election of a candidate or the disposition any issue on the ballot at a municipal election.

SECTION 2. The following is hereby added to Section 3.1 as Subsection 16 and the remaining sections will be renumbered accordingly:

3-1-16. SEPARATE BANK ACCOUNT REQUIRED. Each candidate (or candidate's election committee) shall deposit any monetary contribution received in one or more separate accounts in a financial institution. The account(s) must be dedicated only to the purpose of financing the campaign of the candidate. A candidate or a candidate's election

committee may not deposit or mingle any contributions received in a personal or business account.

SECTION 3. SECTION 3-1-16 OF THE MUNICIPAL CODE OF PARK CITY, UTAH, IS HEREBY RENUMBERED AS SECTION 3-1-17 AND AMENDED AS FOLLOWS:

3- 1-17. CAMPAIGN CONTRIBUTIONS AND EXPENSESDITURES TO BE REPORTED. Every candidate running for the office of Mayor or City Council shall file ~~two~~ a sworn election campaign expenditure~~expense~~ statements~~, one to be filed with the city recorder within 15 calendar days preceding the date of the primary election, and one to be filed~~ with the city recorder ~~within 15 calendar~~no more than 15 nor less than eight days ~~after~~preceding the date of the primary election. Those candidates eliminated in the Primary Election must file a final sworn election campaign contributions and expenditure~~expense~~ statement within 15 days after the Primary Election.

Every candidate eligible for the office of Mayor or City Council in the general election shall file a~~two~~ sworn election campaign contributions and expenditure~~expense~~ statements~~, one to be filed with the city recorder within 15 calendar days preceding the date of the general municipal election, and one to be filed with the city recorder within 15~~no more than 15 nor less than eight calendar days ~~after~~preceding the date of the general municipal election.

All candidates in the General Election must file a final sworn election campaign contribution and expenditure statement within 15 days after the General Election.

Sworn contribution and expenditure~~The disclosure~~ statements shall be submitted to the city recorder and shall be available to the public for review in the office of the city recorder. The sworn statements shall state election and campaign expenses, the names of persons making campaign contributions, and the carry-over total of the statement from the previous reporting period, as outlined below:

(A) A list of each contribution ~~in excess of One Hundred Dollars ($100)~~ of Fifty Dollars ($50.00) or more received by, or on behalf of, the candidate or his/her election~~designated campaign~~ committee, the name and address of each contributor, and the date on which each such contribution was received.

(B) An aggregate total of all contributions less than ~~of One Hundred Dollars ($100) or less~~ Fifty Dollars ($50.00) received by, or on behalf of, a candidate or his/her election~~designated campaign~~ committee.

(C) A list of expenditures made and obligations incurred as a part of the campaign effort, the name and address of every recipient to whom disbursement was made, and the purpose of the expenditure made or obligation incurred and the amount and date of payment. The disposition of any surplus moneys~~monies~~ shall also be reported.

SECTION 4. THE FOLLOWING SHALL BE ADDED AS SECTION 3-1-18 AND THE BALANCE OF TITLE 3, SECTION 1 SHALL BE RENUMBERED ACCORDINGLY:

3- 1-18. CONTRIBUTIONS TO CANDIDATES - LIMITATIONS

(A) No person shall make cash contributions, the total of which exceeds fifty dollars, during any one campaign, to any candidate or his or her authorized election campaign committee, with respect to any election for City office; however, there shall be no limit as to the amount contributed by a person or entity to an election committee or candidate if that contribution is made in the form of a personal or certified check or bank draft.

(B) The acceptance of anonymous contributions is prohibited. Any anonymous contributions received by a candidate or election committee shall be transmitted to the City Treasurer for deposit in the general fund.

SECTION 5. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PUBLICATION.

DATED this 27 day of JULY, 1995.

PARK CITY MUNICIPAL CORPORATION

BRADLEY A. OLCH, MAYOR

ATTEST:

ANITA L. SHELDON, CITY RECORDER

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

APPROVED AS TO FORM:

JODI HOFFMAN, CITY ATTORNEY

Ordinance No. 95-37

AN ORDINANCE APPROVING THE FINAL PLAT OF THE PARK CITY SEMINARY SUBDIVISION LOCATED AT 1800 KEARNS BOULEVARD, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Park City Seminary petitioned the Planning Commission for approval of a revision to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed conversion on June 28, 1995; and

WHEREAS, on June 28, 1995, the Planning Commission approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat; and

WHEREAS, there is good cause for the City to approve the plat; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City as follows:

SECTION 1. PLAT APPROVAL. The Park City Seminary final plat is approved as shown on the attached Exhibit A with the following Findings, Conclusions and Conditions:

Findings:

1. The proposal is consistent with both the Park City Land Management Code and the Comprehensive Plan as both uses are allowed for and have followed the necessary review and approval process for the RDM and FPZ Districts.

2. The applicants have proposed to dedicate a 20 foot utility and multi-use pedestrian access strip along Highway 248.

3. The applicants have proposed to construct a 12 foot multi-use pathway along the 20 foot utility and pedestrian easement on Highway 248.

4. The applicants have proposed to share the driveway access at the northernmost entrance to the project and to be financially responsible for any future construction of a crosswalk/overpass that connects the High School to the newly created parcels.

Conclusions of Law:

1. There is good cause for the amendment as the project will create a pedestrian pathway with related improvements and a shared drive;

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Final Conditions:

1. The applicants shall comply with all Standard City Conditions of Approval.

2. A 20 foot dedicated multi-use public access easement shall be provided along Kearns Boulevard. Prior to certificate of occupancy of the Seminary, the developer shall install the trail improvements. The bike path along Kearns Boulevard shall be a total of eight feet wide, four feet of which is paved with asphalt and two foot of wood chips o the shoulders. A 30 foot minimum separation between the pathway and the existing UDOT easement line should be honored in the design process to the best extent possible.

3. Prior to plat recordation, a security will be required to be posted to ensure that capping of the soils is in compliance with the Prospector Landscaping and Maintenance Ordinance is completed. The security shall be in a form that is satisfactory to both the City Attorney and City Engineer.

4. A dedicated public access easement to the Pacific Bridge Well Site shall be shown on the plat.

5. Prior to issuance of Certificate of Occupancy for construction on Lot 1, a letter shall be submitted to the City by the LDS Church that specifically addresses the status of the current and future need for a pedestrian crosswalk/overpass from the Seminary to the High School. In the event that Highway 248 is widened, the Church Education System will begin discussions with the City and UDOT on the possibility of designing and constructing an overhead or underpass walkway. In the event that a pedestrian underpass/overpass at Highway 248 in the vicinity of the Seminary is deemed necessary in the future, the LDS Seminary shall financially participate in an equitable share on the cost of construction.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 29th day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

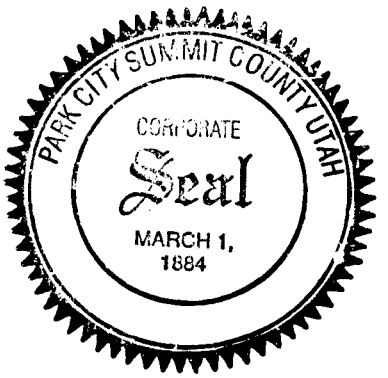
Mayor Bradley A. Olch

Attest:

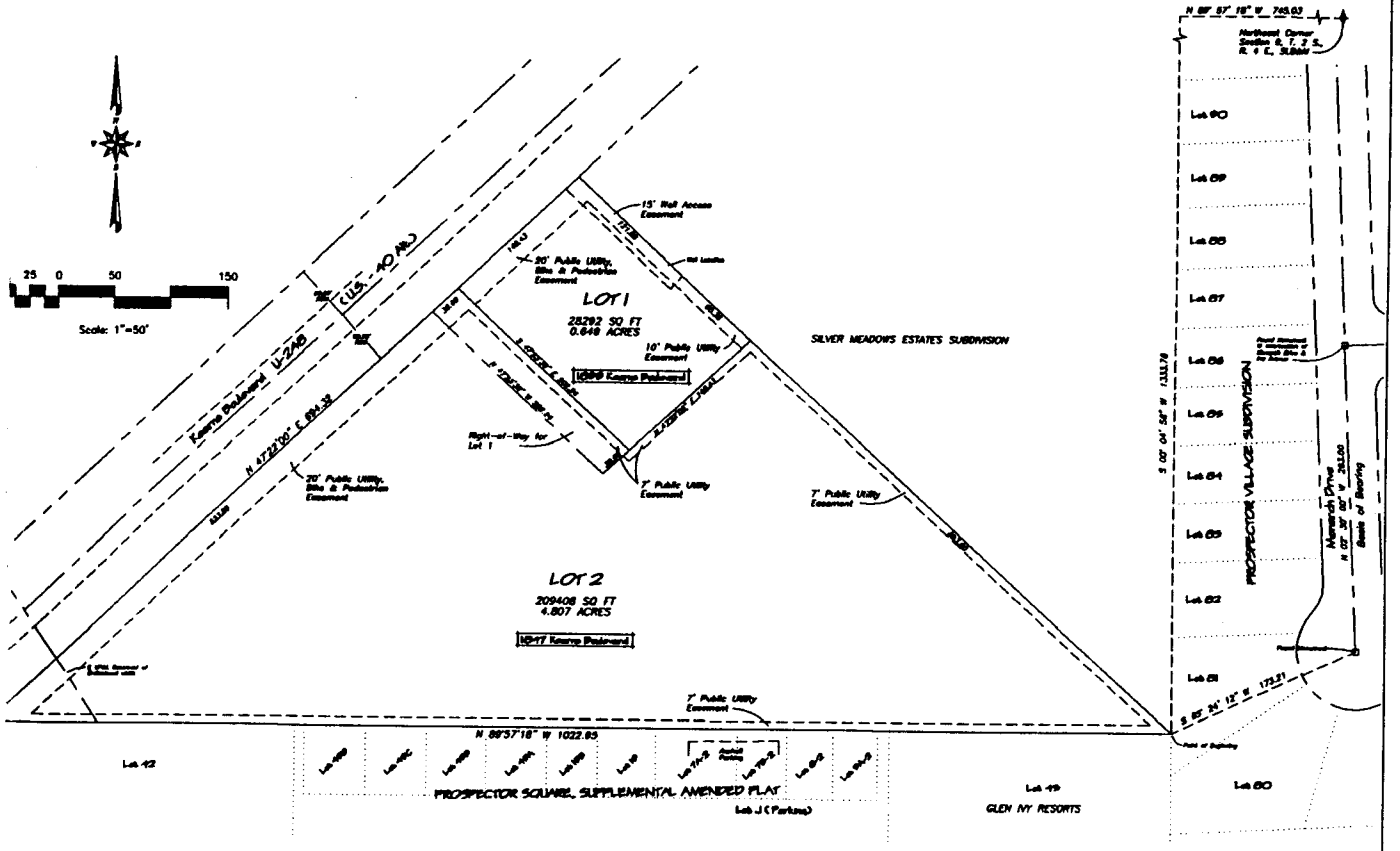
Janet M. Scott, Deputy City Recorder

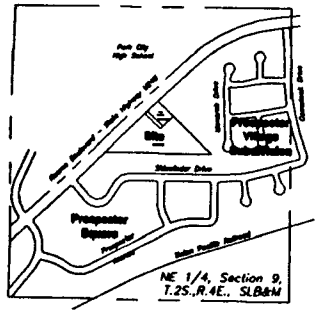
Approved as to form:

Mark D. Harrington, Asst. City Attorney



FINAL PLAT
Exhibit A - Subdivision Plat





VICINITY MAP
No Scale

1. All standard conditions of approval for Lot 1 apply
2. All standard conditions of approval for Lot 2 apply

SURVEYOR'S CERTIFICATE

I, L. MARK HOFF, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate no. 172088, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

PARK CITY SEMINARY SUBDIVISION

and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

COURSE	DISTANCE	REMARKS
		Beginning at a point 1333.78 feet S 00° 04' 54" W and 765.03 feet N 89° 57' 18" W from the Northeast corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running thence
N89°57'18"W	1022.65	feet, to a point on the Southeasterly line of State Highway 224/40, thence
N47°22'00"E	894.32	feet, along said Southeasterly line, thence
S47°23'30"E	695.84	feet, to the point of Beginning.
		Containing 249,734 Square feet or 5.329 acres, more or less.
		I further certify that all lots meet the area, width & frontage requirements of the applicable zoning ordinance.

L. MARK HOFF
No. 172088
STATE OF UTAH

DATE

OWNER'S DEDICATION

Know all men by these presents that ____, the ____ undersigned owner(s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

PARK CITY SEMINARY SUBDIVISION

The owner(s), or his representative(s), hereby irrevocably offers for dedication to the City of Park City all land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and the construction plans in accordance with an irrevocable offer of dedication."

In witness whereof _____ have hereunto set _____ this _____ day of _____, A.D., 19____.

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF _____ }

ON THE _____ DAY OF _____, 19____, PERSONALLY APPEARED BEFORE ME _____

WHO BEING BY ME DULY SWORN OR AFFIRMED, DID SAY THAT _____ IS/ARE THE _____ OF _____, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED IN BEHALF OF SAID _____ BY AUTHORITY OF _____ AND THE SAID _____ ACKNOWLEDGED TO ME THAT SAID _____ EXECUTED THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

RESIDING IN _____

PARK CITY SEMINARY SUBDIVISION

Located in the NE 1/4 of Section 9,
Township 2 South, Range 4 East,
SALT LAKE BASE & MERIDIAN

IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	PARK CITY	RECORDED #
APPROVED THIS _____ DAY OF _____, A.D. 19____ BY THE SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT.	APPROVED THIS _____ DAY OF _____, A.D. 19____ BY THE PARK CITY PLANNING COMMISSION.	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.	APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 19____.	PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D., 19____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.	STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF _____
S.B.S.I.D. - MANAGER	CHAIRMAN PARK CITY PLANNING COMM.	DATE PARK CITY ENGINEER	PARK CITY ATTORNEY	CITY RECORDER/CLERK MAYOR	DATE _____ TIME _____ BOOK _____ FEE $ _____ SUMMIT COU

ENGINEERS LAND SURVEYORS PLANNERS
ENGINEERING INC.
459 SOUTH 200 EAST SUITE 104
SALT LAKE CITY UTAH 84111
tel (801) 272-4341
fax (801) 272-3648

CLIENT:
ADDRESS:

PLAT
PARK CITY SEMINARY SUBDIVISION

ADDRESS: 1899 Keetley Boulevard, Park City, Utah, 84060

SURVEY LOCATION: Section 9, T. 4 E., P. 2 S., SALT LAKE BASE & MERIDIAN

REVISIONS:

DATE	DESCRIPTION

DRAWING BY:
CHECKED BY:
COMPUTER FILE: c:\projects\1100\1100ALT.DWG
DATE: 1 June 1995
FILE NO. 01100
SHEET NO. 1 of 1

Ordinance No. 95-36

AN ORDINANCE APPROVING THE AMENDMENT TO LOTS 9 AND 10, BLOCK 12, PARK CITY SURVEY AND LOTS 10 AND 11, BLOCK 69, MILLSITE RESERVATION REGARDING 340 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner of the property indicated above, Jonathan Olch, petitioned the City Council for approval of an amendment to the Park City Survey and Millsite Reservation Plats; and

WHEREAS, proper notice was sent and the City Council conducted a public hearing on June 29, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Park City Survey and Millsite Reservation Plat of 340 Main Street is approved as shown on Attachment A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

2. All Standard Project Conditions shall apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 29th day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

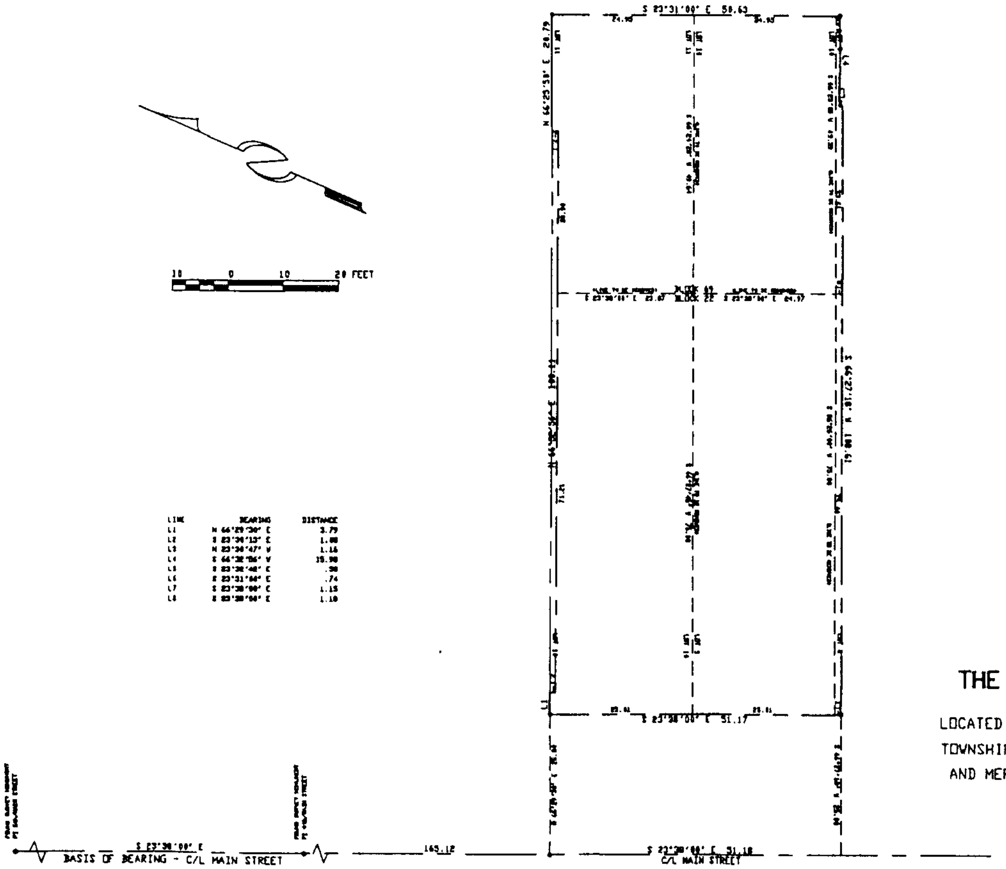
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

RECEIVED
MAY 11 1995
PARK CITY
PLANNING DEPT



LINE	BEARING	DISTANCE
L1	N 66°29'30" E	3.79
L2	S 23°30'13" E	1.83
L3	N 23°30'47" W	1.16
L4	S 66°32'56" W	35.90
L5	S 23°32'40" E	.90
L6	S 23°31'00" E	.74
L7	S 23°30'00" E	1.15
L8	S 23°30'00" E	1.10

NOTES

1. ● = Denotes set Nail & Washer.
2. Parcel contains 6257 square feet.
3. The street address of this property is 330 Main Street.

RECORD OF SURVEY MAP

THE 330 MAIN STREET PARCEL

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163001, as prescribed by the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described hereon and have resubdivided said tract of land to be hereafter known as THE 330 MAIN STREET PARCEL and that same has been correctly surveyed and staked on the ground as shown on this plat.

______________________ JOHN DEMKOWICZ, L.S. # 163001 ______ DATE

LEGAL DESCRIPTION

Beginning at the Northwest corner of Lot 16, Block 22, Park City Survey, according to the official plat thereof on file and of record in the office of the Recorder, Summit County Utah; and running thence along the Northerly line of said Lot 16, N 66°29'30" E 3.79 feet; thence along the Westerly edge of the existing building S 23°30'13" E 1.83 feet; thence along the Southerly edge of the existing building N 66°32'56" E 106.11 feet; thence along the Easterly edge of the existing building N 23°30'47" W 1.16 feet; thence along the Northerly line of Lot 11, Block 69 Millsite Reservation, N 66°29'30" E 29.79 feet; thence along the East line of Lots 11, 10, and 9, Block 69, S 23°31'00" E 59.63 feet; thence S 66°32'56" W 2.37 feet; thence along the Northerly edge of the existing building (Egyptian Theater) S 66°32'56" W 13.41 feet; thence along the Westerly edge of the existing building S 23°32'40" E 0.90 feet; thence along the Northerly edge of the existing metal roof line S 66°27'10" W 100.61 feet; thence along the West line of Lots 8, 9, and 16, Block 22, N 23°30'00" W 31.17 feet to the point of beginning.

Description contains 6257 Sq Ft.

OWNERS DEDICATION AND CONSENT TO RECORD

Be it known that JONATHAN D. OLCH and JANET R. OLCH, as owners and joint tenants of the above described tracts of land, rededicate the above-mentioned separate parcels to be known hereafter as THE 330 MAIN STREET PARCEL and certify that we have caused this survey to be made and this Record of Survey map to be prepared. JONATHAN D. OLCH and JANET R. OLCH hereby consent to the recordation of this Record of Survey map.

______________________ JONATHAN D. OLCH

______________________ JANET R. OLCH

ACKNOWLEDGEMENT

State of ____________)
)SS.
County of ___________)

On this _____ day of ____________, 1995, personally appeared before me, the undersigned Notary Public in and for said state and county, JONATHAN D. OLCH and JANET R. OLCH being duly sworn, acknowledged to me that they are the owners of the herein described tract of land and that they signed the above Owners Dedication and Consent to Record freely and voluntarily.

______________________ Notary Public

Commission expires: ____________

Attachment A

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF __________, 1995 A.D. BY __________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF __________, 1995 A.D. BY __________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF __________, 1995 A.D. BY __________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF __________, 1995 A.D. BY __________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF __________ DATE ______ TIME ______ BOOK ______ PAGE ______ ______ FEE ______ RECORDER

03-11-94 Y:\PLAT\PCS\031194

27

ORDINANCE 95-35

AN ORDINANCE DELETING SECTIONS 11-12-3, 11-12-13 AND 11-12-14 AND AMENDING CHAPTER 11-13 SCHOOL FACILITIES IMPACT FEES OF THE MUNICIPAL CODE OF PARK CITY, UTAH; ADOPTING THE 1995 CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS AND THE 1995 WATER CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

WHEREAS, the provision of excellent public facilities, including public streets and storm water systems, public open space, trails and recreation amenities, public safety facilities and an award-winning water system, is a hallmark of the Park City community and a source of pride for all residents; and

WHEREAS, for the last several years, the City has been under constant pressure to provide new and expanded public facilities to address the impact of new development; and

WHEREAS, pursuant to common law, the City has levied impact fees on new growth and development in an attempt to encourage growth to pay its share of the cost of public facilities needed to serve growth; and

WHEREAS, in the past, the City had adopted impact fees for various public facilities, in separate sections of the Municipal Code, and had imposed those fees by fee resolution; and

WHEREAS, in special session, the 1995 state legislature adopted SB 4, an impact fee enabling statute, which limited the universe of public facilities for which impact fees could be imposed, which required certain administrative processes for independent fee calculations and appeals, and which required impact fees to be set by ordinance, rather than resolution; and

WHEREAS, in response to a threat to the health, safety, and welfare of the community at large the City has measured, planned for, and addressed the impacts of new development on the need for additional public facilities for over the next six to ten years and shall provide an independent fee calculation and appeal process pursuant to state law; and

NOW THEREFORE, be it ordained by the City Council of the Park City Municipal Corporation as follows:

SECTION 1: **FINDINGS.** The Council hereby finds and determines that:

1. New growth and development in the City creates additional demand for public facilities that cannot be mitigated without raising property taxes or imposing moderate impact fees; and

2. In the past, the City has encouraged growth and development to shoulder a proportionate share of the cost of public facilities needed to serve new growth and development; and

3. There remains significant pressure for additional public facilities to accommodate new growth and development; and

4. It is proper for developers or users of new residential development to pay a proportionate share of the cost of public facilities needed to serve such development; and

5. In anticipation of the impact of a sustained high rate of growth over the next six to ten years, the City has prepared a Capital Facilities Plan and Impact Fee Analysis and a Water Capital Facilities Plan and Impact Fee Analysis to estimate the proportionate cost of development on the demand for the construction of public facilities; and

6. In anticipation of SB 4, which takes effect in relevant part on July 1, 1997, Park City hereby adopts a procedural ordinance for all impact fees.

SECTION 2: **LONG-RANGE CAPITAL FACILITIES IMPROVEMENTS PROGRAM.** Park City has conducted extensive studies documenting the projected need for and cost of public facilities required by new growth and development over the next six to ten years. The results of that study are reflected in the 1995 Capital Facilities Plan and Impact Fee Analysis prepared by Rosenthal and Associates in June, 1995 and the 1995 Water Capital Facilities Plan and Impact Fee Analysis prepared by and for the Park City Public Works Department in June, 1995, attached hereto and incorporated and adopted into this Chapter by this reference.

SECTION 3: Municipal Code Section **11-12-3 IMPACT FEES** is hereby deleted.

SECTION 4: Municipal Code Section **11-12-13 WATER DEVELOPMENT FEES** is hereby deleted.

SECTION 5: Municipal Code Section **11-12-14 WATER CONNECTION FEES** is hereby deleted.

SECTION 6: Municipal Code Chapter **11-13 SCHOOL FACILITIES IMPACT FEES** is hereby amended as follows:

CHAPTER 13 - IMPACT FEES.

11-13-1 DEFINITIONS. The following words and terms shall have the following meanings for the purposes of this chapter, unless the context clearly requires otherwise:

(A) "Building Permit" - the permit required for any Development Activity, as defined herein, and pursuant to Chapter 11-3 et seq. of the Municipal Code of Park City, Utah.

(B) "Construction Value" - the value of construction per square foot used by the Park City Building Department to determine plan check and Building Permit fees, multiplied by the area of Development Activity

(C) "Department" - the Community Development Department.

(D) "Development Activity" - any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any change in the use of land, which is accompanied by a request for a Building Permit..

(E) "Director" - the Director of Community Development or his/her designee.

(F) "Dwelling Unit - any Primary or Secondary Residential Unit, including, but not limited to single-family detached, duplex, condominium unit, town-house, apartment unit, multifamily unit or mobile home, but excluding hotels, motels, and time-shares, or other similar forms of periodic ownership.

(G) "Encumber - to reserve, set aside or otherwise earmark, the Impact Fees in order to pay for commitments, contractual obligations or other liabilities incurred for Public Facilities.

(H) " Impact Fee" - any fee levied pursuant to this chapter as a condition of issuance of a Building Permit. "Impact Fee" does not include fees imposed under Title 11, Chapter 12 of the Municipal Code.

(I) "Independent Fee Calculation - an impact fee calculation prepared by a fee payer to support assessment of an Impact Fee different from any fee set forth herein.

(J) "Owner" - the owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the Owner of the real property.

(K) "Parks, Trails and Open Space Impact Fee" - the impact fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of City-owned parks, trails and open space.

(L) "Primary Dwelling Unit" - any Dwelling Unit used as a full-time residence and taxed as such pursuant to U.C.A. Chapter 59-2 et. seq.

(M) "Project Improvement" - site improvements and facilities that are planned and designed to provide service for the Development Activity and are necessary for the use and convenience of the users of the development resulting from the Development Activity.

(N) "Public Facility" - any structure built by or for, or maintained by, a governmental entity.

(O) "Public Safety Facilities Impact Fee" - the impact fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, acquisition, engineering, financing and construction of public safety facilities.

(P) "Qualified Secondary Dwelling Unit" - a Dwelling Unit that the Director determines is intended for use as a Secondary Dwelling Unit for a period of no less than one (1) year from certificate of occupancy. The Director shall determine whether a Dwelling Unit is a Qualified Secondary Dwelling Unit based on all of the facts and circumstances, including but not limited to the design and location of the Dwelling Unit and an Owner declaration, sworn under oath and penalty of perjury, that the Dwelling Unit is intended to be occupied as a Secondary Dwelling Unit for a period of no less than one (1) year.

(Q) "School Facilities Impact Fee" - the impact fee imposed as a condition precedent to a Dwelling Unit Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering and construction of improvements of Park City School District schools, associated park, recreation, and sports facilities, parking, lighting, landscaping, access roads, internal streets and all other improvements on the school site; legal, appraisal and all other costs associated with the acquisition of land; financing and development costs; site preparation costs; and costs associated with preparation and updating of the District Capital Improvements Plan; and costs associated with implementing a School Facilities Impact Fee program. School Facilities Impact Fees include charges to mitigate the cost of constructing elementary, middle and high schools, but do not include the cost of creating School District administrative space or storage facilities.

(R) "School Facilities Capital Improvement Program" - the Long Range Capital Facilities Improvement Program prepared for the Park City School District and adopted by the Board of Education of the Park City School District, Park City, which is incorporated herein by reference, and is on file with the City Recorder, with any subsequent amendments. For the purpose of this ordinance, the School Facilities Capital Improvement Program and attendant School Facilities Impact Fees, apply only to those properties within Park City that lie within the Park City School District.

(S) "Secondary Dwelling Unit" - any residential Dwelling Unit used for a purpose other than as a full-time residence and taxed as such pursuant to U.C.A. Chapter 59-2 et. seq., for a period of no less than one (1) year from the City's issuance of a certificate of occupancy.

(T) "Streets and Storm Water Impact Fee" - the impact fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of additional street and storm water management facilities.

(U) "System Improvement" - Public Facilities identified in the 1995 Capital Facilities Plan and Impact Fee Analysis, the 1995 Water Capital Facilities Plan and Analysis, or the 1993 School Facilities Capital Improvement Program, that are not Project Improvements.

(V) "Water Connection Impact Fee" - the impact fee, calculated as an expression of new equivalent residential units (ERUs) (to assess the impact of indoor Development Activity) and increased area of irrigated landscape (to assess the impact of outdoor Development Activity), imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of water delivery systems.

(W) "Water Development Impact Fee" - the impact fee, calculated as an expression of new equivalent residential units (ERUs) (to assess the impact of indoor Development Activity) and increased area of irrigated landscape (to assess the impact of outdoor Development Activity), imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the acquisition and transfer of water rights and points of diversion and the planning, design, engineering, acquisition, financing and construction of physical sources to realize those water rights.

11-13-2 ASSESSMENT AND CALCULATION OF IMPACT FEES.

(A) Assessment of Impact Fees. The City shall collect the following Impact Fees from any applicant seeking a Building Permit:

1. **Parks, Trails and Open Space Impact Fee:** 1.35% of Construction Value.

2. **Public Safety Facilities Impact Fee:** 0.05 % of Construction Value.

3. **School Facilities Impact Fee:** $ 3393 per Primary Dwelling Unit
$ 848 per Qualified Secondary Dwelling Unit

4. **Streets and Storm Water Facilities Impact Fee:** 0.60 % of Construction Value.

5. **Water Connection Impact Fee:** The sum of the applicable indoor and outdoor fees established as follows:

Indoor (Residential):

Size (sf)	up to 1000	1001-1500	1501-3000	3001-4500	4501-6000	6000+
Bedrooms	2	3	4	5	6	7+
ERU	.50	.75	1.00	1.25	1.50	1.75
Charge	$150	$225	$300	$375	$450	$525

Indoor (Commercial)[1]:

USE	ERU
Industrial or warehousing	0.05 per 1000 sf
Laundry	1.05 per machine
Theater or auditorium	0.08 per 10 seats
Office	0.20 per 1000 sf
Restaurant	0.05 per seat
School	0.03 per occupant
Retail Shops	0.35 per 1000 sf

[1] Uses not in the commercial table shall be computed by the Public Works Director as follows: the Public Works Director shall estimate the annual indoor use in gallons; shall divide that number by 100,000 gallons; and shall round that quotient down to the nearest 0.05 ERU.

Service Commercial or large retail[2]	0.20 per 1000 sf
Hotel or motel	0.03 per room
Taverns or bars	0.03 per seat

Outdoor:

Irrigated Area (sf)	0-2000	2001-4000	4001-6000	6001-8000	8001-10000	10000+
Charge	$70	$210	$350	$490	$630	$630 + x[3]

6. **Water Development Impact Fee**: The sum of the indoor and outdoor fees established as follows:

Indoor (Residential):

Size (sf)	0- 1000	1001-1500	1500-3000	3001-4500	4501-6000	6000+
Bedrooms	2	3	4	5	6	7+
ERU	.50	.75	1.00	1.25	1.50	1.75
Charge	$850	$1275	$1700	$2125	$2550	$3000

Indoor (Commercial)[4]:

USE	ERU
Industrial or warehousing	0.05 per 1000 sf
Laundry	1.05 per machine
Theater or auditorium	0.08 per 10 seats
Office	0.20 per 1000 sf
Restaurant	0.05 per seat
School	0.03 per occupant

---

2 10,000 sf or greater

3 x = $70.00 for each 1000 square feet of irrigated area over 10,000 square feet

4 Uses not in the commercial table shall be computed by the Public Works Director as follows: the Public Works Director shall estimate the annual indoor use in gallons; shall divide that number by 100,000 gallons; and shall round that quotient down to the nearest 0.05 ERU.

Retail Shops	0.35 per 1000 sf
Service Commercial or large retail[5]	0.20 per 1000 sf
Hotel or motel	0.03 per room
Taverns or bars	0.03 per seat

Outdoor:

Irrigated Area (sf)	0-2000	2001-4000	4001-6000	6001-8000	8001-10000	10000+
Charge	$400	$1200	$2000	$2800	$3600	$3600+ x[6]

(B) Collection. Impact Fees shall be collected from the fee applicant prior to issuing the Building Permit, using the Impact Fees in effect on the date of filing a complete application for the Building Permit.

(C) Calculation. Upon receipt of an application for Development Activity, the Director shall determine: i) whether the proposed Development Activity is residential or non-residential; ii) if residential, the number of Dwelling Units applied for; and iii) whether the Dwelling Units are Primary or Secondary.

(D) Secondary Dwelling Units. Qualified Secondary Dwelling Unit Owners shall pay a portion of the School Facilities Impact Fee imposed on a Primary Dwelling Unit, and shall execute a promissory note and lien on the property (or such other adequate security interest approved by the City Attorney) on behalf of the City for the remainder of the School Facilities Impact Fee, as a condition precedent to receipt of a Building Permit. The City shall forgive such note, and shall release such lien or security interest, if the Owner later demonstrates that the property has been taxed as a secondary residence for a period of one (1) year from the date of the certificate of occupancy.

11-13-3 EXEMPTIONS FROM IMPACT FEES.

(A) The following Development Activities shall be exempt from the payment of Impact Fees:

1. Replacement of a habitable structure with a new structure of the same use at the same site or lot when such replacement occurs within twelve

[5] 10,000 sf or greater

[6] x = $400.00 for each 1000 square feet of irrigated area over 10,000 square feet.

(12) months of the demolition or destruction of the structure and does not result in the construction of an additional Dwelling Unit or a change in use.

2. Alterations to, or expansion, enlargement , remodeling , rehabilitation, or conversion of an existing Dwelling Unit where no additional Dwelling Unit is created, or alterations to, or remodeling or rehabilitation of an existing Development Activity that does not result in expansion of the existing use.

3. For School Facilities Impact Fees only, the construction of an accessory apartment, pursuant to Section 8-19 of the Land Management Code.

(B) The Director shall determine whether a particular Dwelling Unit falls within an exemption identified in this section or any other section. Determinations of the Director shall be reduced to a writing, which shall state the basis therefore, and shall be subject to the appeals procedures set forth in Section 11-13-6 below.

11-13-4 OFFSETS.

(A) A fee payer can request that an offset or offsets be awarded to him/her for the value of a required System Improvement identified in the Capital Facilities Plan and Impact Fee Analysis, the Water Capital Facilities Plan and Analysis, or the School Facilities Capital Improvement Program.

(B) For each request for an offset or offsets, unless otherwise agreed, the fee payer shall retain an appraiser approved by the Department to determine the value of the System Improvement, provided by the fee payer.

(C) The fee payer shall pay the cost of the appraisal.

(D) After receiving the appraisal, the Director shall provide the applicant with a letter or certificate setting forth the dollar amount of the offset, the reason for the offset, where applicable, the legal description of the site donated, and the legal description or other adequate description of the project or development to which the offset may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate, and return such signed document to the Director before the Impact Fee offset will be awarded. The failure of the applicant to sign, date, and return such document within sixty (60) days shall nullify the offset.

(E) Any claim for offset must be made not later than the time of application for Building Permit. Any claim not so made shall be deemed waived.

(F) Determinations made by the Director pursuant to this section shall be subject to the appeals procedure set forth in Section 11-13-6 below.

11-13-5 WAIVER

The City Council may waive Impact Fees for:

(A) Construction of Affordable Housing (up to $5,000 per unit);

(B) Construction of a Public Facility.

11-13-6 APPEALS.

(A) A fee payer may appeal the Impact Fees imposed or other determinations which the Director is authorized to make pursuant to this Chapter. However, no appeal shall be permitted unless and until the Impact Fees at issue have been paid.

(B) Appeals shall be taken within ten (10) days of the Director's issuance of a written determination, by filing with the Department a notice of appeal specifying the grounds for the appeal, and depositing the necessary fee, which is set forth in the existing fee resolution for appeals of land use decisions.

(C) The Department shall fix a time for the hearing of the appeal and give notice to the parties in interest. At the hearing, any party may appear in person or by agent or attorney.

(D) The Hearing Officer is authorized to make findings of fact regarding the applicability of the Impact Fees to a given Development Activity, the availability or amount of the offset, or the accuracy or applicability of an Independent Fee Calculation. The decision of the Hearing Officer shall be final, and may be appealed to the Third Judicial District Court for Summit County.

(E) The Hearing Officer may, so long as such action is in conformance with the provisions of this Chapter, reverse or affirm, in whole or in part, or may modify the determinations of the Director with respect to the amount of the Impact Fees imposed or the offset awarded upon a determination that it is proper to do so based on principles of fairness, and may make such order, requirements, decision or determination as ought to be made, and to that end shall have the powers which have been granted to the Director by this Chapter.

(F) Where the Hearing Officer determines that there is a flaw in the Impact Fee program or that a specific exemption or offset should be awarded on a consistent basis or that the principles of fairness require amendments to this

Chapter, the Hearing Officer shall advise the City Attorney as to any question or questions that the Hearing Officer believes should be reviewed and/or amended..

11-13-7 ESTABLISHMENT OF IMPACT FEES ACCOUNTS.

(A) Impact Fees shall be earmarked specifically and deposited in special interest-bearing Accounts. The fees received shall be prudently invested in a manner consistent with the investment policies of the City.

(B) Funds withdrawn from these Accounts must be used in accordance with the provisions of Section 11-13-9 below. Interest earned on the Impact Fees shall be retained in each of the Accounts and expended for the purposes for which the Impact Fees were collected. Money in these Accounts shall not be commingled with other funds.

(C) Impact Fees shall be disbursed, expended, or Encumbered within six (6) years of receipt, unless the Council identifies in written findings an extraordinary and compelling reason or reasons for the City to hold the fees beyond the six-year period. Under such circumstances, the Council shall establish the period of time within which Impact Fees shall be expended or Encumbered.

11-13-8 REFUNDS

(A) If the City fails to disburse, expend, or Encumber the Impact Fees within six (6) years of when the fees were paid, or where extraordinary or compelling reasons exist, such other time periods as established pursuant to Section 11-13-7(C) above, the current Owner of the property on which the Impact Fees have been paid may request a refund of such fees. In determining whether Impact Fees have been disbursed, expended, or Encumbered, such fees shall be considered disbursed, expended, or Encumbered on a first in, first out basis.

(B) Owners seeking a refund of Impact Fees must submit a written request for a refund of the fees to the Director within 180 days of the date that the right to claim the refund arises.

(C) Any Impact Fees for which no application for a refund has been made within this 180 day period shall be retained by the City and expended on the type of Public Facilities for which they were collected.

(D) Refunds of Impact Fees under this section shall include any interest earned on the Impact Fees.

(E) When the City seeks to terminate any or all components of an Impact Fee program, any funds not disbursed, expended, or Encumbered from any

terminated component or components, including interest earned shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the City shall place notice of such termination, and the availability of refunds, in a newspaper of general circulation at least two (2) times. All funds available for refund shall be retained for a period of 180 days. At the end of the 180 day period, any remaining funds shall be retained by the City, but must be expended on the type of Public Facilities for which they were collected.

(F) The City shall refund to the current Owner of property for which Impact Fees have been paid all Impact Fees paid, including interest earned on the Impact Fees attributable to the particular Development Activity, within one (1) year of the date that right to claim the refund arises, if the Development Activity for which the Impact Fees were imposed did not occur, no impact resulted, and the Owner makes written request for a refund within 180 days of the expiration or abandonment of the permit for Development Activity.

11-13-9 USE OF FUNDS

(A) Pursuant to this Chapter, Impact Fees:

1. Shall be used for Public Facilities that reasonably benefit the new development; and

2. Shall not be imposed to make up for deficiencies in Public Facilities serving existing developments; and

3. Shall not be used for maintenance or operation of Public Facilities.

(B) School Facilities Impact Fees may be spent for school facilities within the Park City School District, including but not limited to, construction of facilities, and/or the expansion of existing facilities, and auxiliary facilities, such as cafeterias and principals' offices, including the cost of land, design, structures, equipment and furniture, site improvements, and legal and administrative costs associated with collection and disbursement of the fees and the construction of such facilities.

(C) Impact Fees may be used to recoup costs of designing, constructing and/or acquiring Public Facilities anticipation of new growth and development to the extent that the Development Activity will be served by the previously-constructed improvements or the previously-incurred costs.

(D) In the event that bonds or similar debt instruments are or have been issued for the advanced provision of Public Facilities for which Impact Fees may be expended, Impact Fees may be used to pay debt service on such bonds, or similar debt instruments, to the extent that the facilities or improvements provided

are consistent with the requirements of this section and are used to serve the Development Activity.

11-13-10 INDEPENDENT FEE CALCULATIONS

(A) If a fee payer believes that a fee should be charged, other than the Impact Fees determined according to this Chapter, then the fee payer shall prepare and submit to the Director an Independent Fee Calculation for the Impact Fee(s) associated with the Development Activity for which a Building Permit is sought. The documentation submitted shall show the basis upon which the Independent Fee Calculation was made. The Director is not required to accept any documentation which the Director reasonably deems to be inaccurate, unsubstantiated, or unreliable and may require the fee payer to submit additional or different documentation prior to the Director's consideration of an Independent Fee Calculation.

(B) Any fee payer submitting an Independent Fee Calculation shall pay an administrative processing fee, per calculation, of $100..

(C) Based on the information within the Director's possession, the Director may recommend, and the City Manager is authorized to adjust, the Impact Fee to the specific characteristics of the Development Activity, and/or according to principles of fairness. Such adjustment shall be preceded by written findings justifying the fee.

(D) Determinations made by the Director pursuant to this section may be appealed subject to the procedures set forth herein.

SECTION 7: **SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the City Council without incorporation in this Code of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8: **EFFECTIVE DATE**. This Ordinance shall take effect on June 30, 1995 and will apply to any project, the complete application for a building permit of which, has not been received by June 30, 1995.

PASSED AND ADOPTED THIS 29th DAY OF JUNE, 1995.

PARK CITY MUNICIPAL CORP.

BRADLEY A. OLCH, MAYOR

ATTEST:

ANITA SHELDON, CITY RECORDER

APPROVED AS TO FORM:

JODI HOFFMAN, CITY ATTORNEY

WATER CAPITAL FACILITY PLAN
AND
IMPACT FEE ANALYSIS
JUNE, 1995

Park City Municipal Corporation
Water Division, Public Works Department

TABLE OF CONTENTS

Ordinance No. 95-34

AN ORDINANCE APPROVING A PLAT AMENDMENT TO THE ASPEN SPRINGS RANCH PHASE I SUBDIVISION PLAT IN PARK CITY, UTAH

WHEREAS, Park City, in cooperation with the Architectural Committee for the Aspen Springs Ranch Homeowners Association, petitioned the Planning Commission for approval of a plat amendment to the Aspen Springs Ranch Subdivision Phase I plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on June 7, 1995; and

WHEREAS, on June 7, 1995, the Planning Commission approved the plat amendment described below; and

WHEREAS, on June 22, 1995, the City Council held a public hearing on the proposed plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City, Utah to approve the plat amendment and neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT AMENDMENT APPROVAL. The Aspen Springs Ranch Subdivision Phase I Plat is hereby amended as shown on Attachment A. Prior to recordation, the City Attorney and City Engineer shall review and approve the plat. The plat shall amend the Aspen Springs Ranch Subdivision Phase I Plat by adding the following language.

Note: The Limits of Disturbance Area (the "LODA") on each lot describes the boundary within which the construction of improvements and associated disturbances shall occur. The building footprint on a lot must be placed and contained within the original platted LODA. Any proposed landscaping improvements or encroachments outside of the LODA must be submitted to and approved by the Architectural Committee of the Aspen Springs Ranch Homeowners Association and Park City in accordance with the Land Management Code. When applicable, all additional water development and connection fees must be assessed and paid in full prior to commencement of any such work.

No revised LODA may be approved which encroaches into trail easements.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 22nd day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M . Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

ATTACHMENT A

NOTE:

THE LIMITS OF DISTURBANCE AREA (THE "LODA") ON EACH LOT DESCRIBES THE BOUNDARY WITHIN WHICH THE CONSTRUCTION OF IMPROVEMENTS AND ASSOCIATED DISTURBANCES SHALL OCCUR. THE BUILDING FOOTPRINT ON A LOT MUST BE PLACED AND CONTAINED WITHIN THE ORIGINAL PLATTED LODA. ANY PROPOSED LANDSCAPING IMPROVEMENTS OR ENCROACHMENTS OUTSIDE OF THE LODA MUST BE SUBMITTED TO AND APPROVED BY THE ARCHITECTURAL COMMITTEE OF THE ASPEN SPRINGS RANCH HOMEOWNERS ASSOCIATION. WHEN APPLICABLE, ALL ADDITIONAL WATER DEVELOPMENT AND CONNECTION FEES MUST BE ASSESSED AND PAID IN FULL PRIOR TO COMMENCEMENT OF ANY SUCH WORK.

NO REVISED LODAS MAY BE APPROVED WHICH ENCROACH INTO TRAIL EASEMENTS.

AN AMENDMENT TO THE PLAT

OF

ASPEN SPRINGS RANCH PHASE I

A SUBDIVISION LOCATED IN THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ACCORDING TO THE PLAT RECORDED ON 10/31/91 AS ENTRY NO. 349163 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

CITY COUNCIL APPROVAL

PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 1995. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

MAYOR

CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 1995.

CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 1995

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 1995

CITY ATTORNEY

RECORDED

No. _____
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF

_____

FEES _____ COUNTY RECORDER

Ordinance No. 95-33

AN ORDINANCE APPROVING THE DEER LAKE VILLAGE - PHASE II FINAL SUBDIVISION PLAT IN PARK CITY, UTAH

WHEREAS, the owners of the property known as Deer Lake Village Planned Unit Development have petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper legal notice as sent to all affected property owners; and

WHEREAS, on June 7, 1995 the Planning Commission held a public hearing and approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat, known as the Deer Lake Village - Phase II Subdivision Plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the subdivision plat and that neither the public nor any person will be materially injured by the proposed plat. The subdivision plat is in conformance with the Land Management Code.

SECTION 2. PLAT APPROVAL. The Deer Lake Village - Phase II Subdivision Plat is approved as shown on the attached Exhibit A with the following conditions:

1. A financial security shall be posted prior to plat recordation to cover the costs of public improvements and landscaping.

2. To the extent possible, the developer shall prevent construction traffic from passing through existing subdivisions.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water and road construction plans.

4. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans.

5. The plat shall provide clear notation that:

(a) the roads are not public roads and full maintenance of the roads and lake are the responsibility of the Homeowners Association.

(b) No basements shall be allowed due to high ground water.

6. All Park City Municipal Corporation Standard Project Review Requirements shall apply.

7. The building height of all structures shall conform to the 28 foot limits as per the RD Zone.

8. All structures shall be constructed of the same materials and designs as the Phase I units, and should the applicant wish to make changes of any exterior materials or conditions, there shall be approval by the Community Development Department prior to construction application of such materials.

9. Prior to plat recordation, evidence of filing of the Conditions, Covenants and Restrictions for this phase shall be provided to the City Attorney.

10. Prior to plat recording, the City Attorney and City Engineer shall review and approve the plat.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 22nd day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

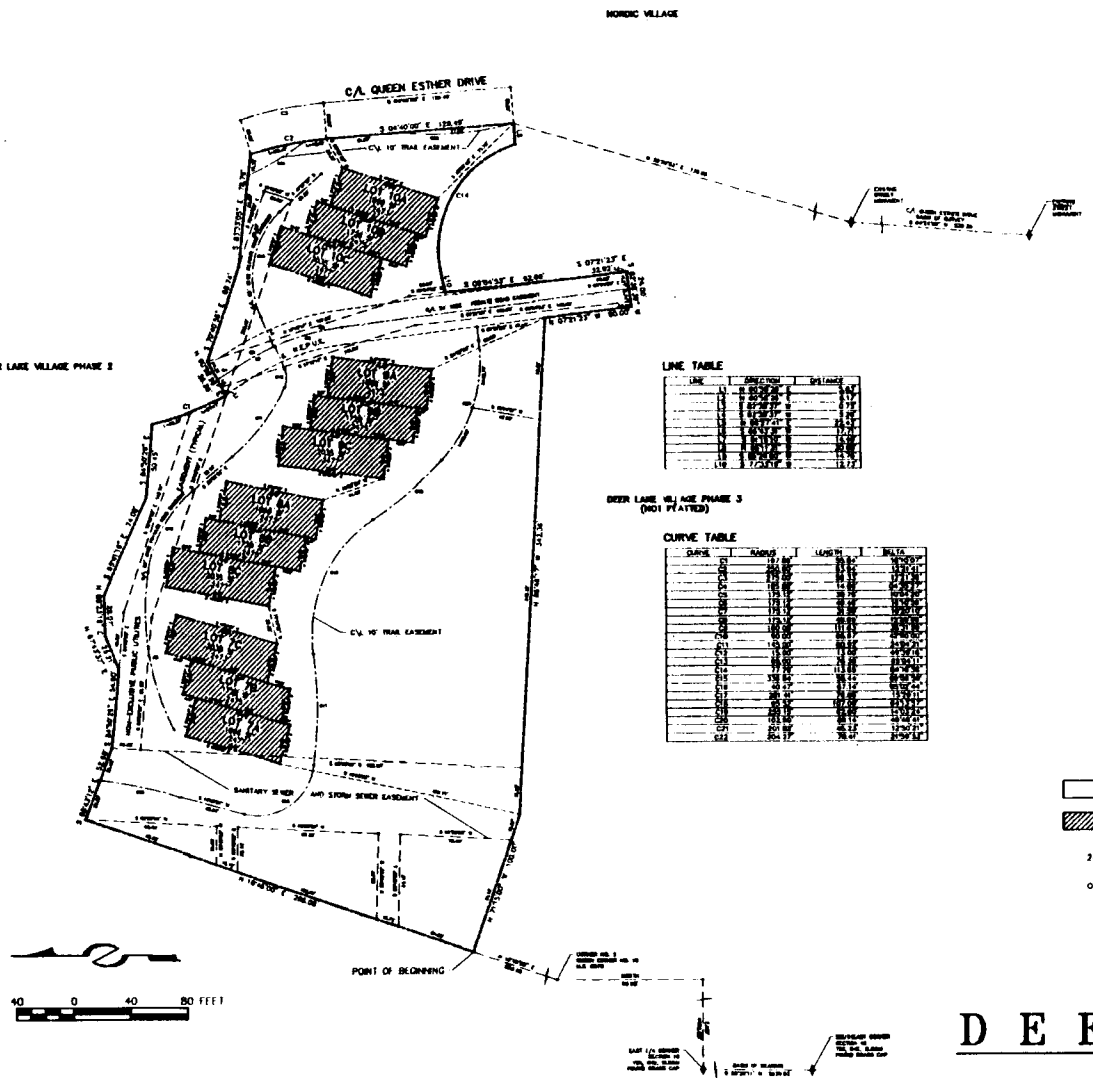
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE Seal
MARCH 1, 1884



LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N 89°09'28" E	5.67
L2	N 89°09'28" E	5.17
L3	N 89°09'28" E	7.79
L4	N 89°09'28" E	7.79
L5	N 89°09'28" E	7.79
L6	N 89°09'28" E	7.79
L7	N 89°09'28" E	7.79
L8	N 89°09'28" E	7.79
L9	N 89°09'28" E	7.79
L10	N 89°09'28" E	7.79

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	167.88'	55.84'	19°03'07"
C2	250.00'	53.94'	12°21'41"
C3	250.00'	53.94'	12°21'41"
C4	167.88'	14.68'	05°00'37"
C5	167.88'	14.68'	05°00'37"
C6	167.88'	14.68'	05°00'37"
C7	167.88'	14.68'	05°00'37"
C8	167.88'	14.68'	05°00'37"
C9	167.88'	14.68'	05°00'37"
C10	167.88'	14.68'	05°00'37"
C11	167.88'	14.68'	05°00'37"
C12	167.88'	14.68'	05°00'37"
C13	167.88'	14.68'	05°00'37"
C14	167.88'	14.68'	05°00'37"
C15	167.88'	14.68'	05°00'37"
C16	167.88'	14.68'	05°00'37"
C17	167.88'	14.68'	05°00'37"
C18	167.88'	14.68'	05°00'37"
C19	167.88'	14.68'	05°00'37"
C20	167.88'	14.68'	05°00'37"
C21	167.88'	14.68'	05°00'37"
C22	167.88'	14.68'	05°00'37"
C23	167.88'	14.68'	05°00'37"
C24	167.88'	14.68'	05°00'37"
C25	167.88'	14.68'	05°00'37"
C26	167.88'	14.68'	05°00'37"
C27	167.88'	14.68'	05°00'37"
C28	167.88'	14.68'	05°00'37"
C29	167.88'	14.68'	05°00'37"
C30	167.88'	14.68'	05°00'37"
C31	167.88'	14.68'	05°00'37"
C32	167.88'	14.68'	05°00'37"

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned owner of all the tract of land described in this Plat having caused the same to be subdivided into Lots and Common Elements, including private roads, to be hereafter known as Deer Lake Village Phase 2, An Expandable Planned Unit Development Subdivision, does hereby irrevocably offer for dedication to the city of Park City a portion of the land for local government uses, easements, parks, and required utilities and easements as shown on this plat and construction plans in accordance with an irrevocable offer of dedication. The undersigned further transfers ownership to the lot owners, but not to the use of the general public, all Common Elements, including private roads, shown on this Plat, in accordance with the terms and conditions of dedication of said Common Elements as more fully provided in the Declaration of Covenants, Conditions, and Restrictions of Deer Lake Village Phase 2, An Expandable Planned Unit Development Subdivision dated _____ and recorded concurrently with this Plat. Reference is made to said Declaration for details concerning the rights and obligations of persons having or acquiring an interest in the property described in this Plat. For good and valuable consideration received, the undersigned owner hereby conveys to Park City Municipal Corporation, and applicable utility companies, easements over, on, under and across the Common Elements, including private roadways, for the installation and maintenance of public utilities, drainage, and snow storage.

Executed this _____ day of _____ 1995

Deer Lake Development, L.L.C.

By _____
F. Lynn Padan, Manager

ACKNOWLEDGEMENT

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

On this _____ day of _____ 1995 personally appeared before me, the undersigned Notary Public, in and for said State and County, F. Lynn Padan, who after being duly sworn, acknowledged to me that he is the Manager of Deer Lake Development, L.L.C., a Limited Liability Company, that he signed the foregoing Owner's Consent to Record on behalf of said Limited Liability Company.

_____
Notary Public
Residing at:

My Commission Expires:

_____

COMMON ELEMENTS

PRIVATE

2493 INDICATES STREET ADDRESS ON DEER LAKE DRIVE

○ INDICATES PROPERTY CORNERS TO BE STAKED

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163611 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described hereon and subdivided tract of land into Lots and Common Elements, including private streets, hereafter to be known as Deer Lake Village Phase 2, An Expandable Planned Unit Development Subdivision and that the same has been correctly surveyed and staked on the ground as shown on the Plat.

_____ _____
DATE JOHN DEMKOWICZ

BOUNDARY DESCRIPTION

A portion of Lot 8 of the Hanover – Queen Esther Subdivision, according to the plat on file in the Summit County Recorder's office as Entry # 233082 (4-17-85), and described as follows:

COMMENCING AT corner No. 2 of the Queen Esther No. 10, M.S. 6979 which is North 89.92 feet and East 4156.65 feet from the East Quarter corner of Section 18, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence North 18° 45' 00" East 800.00 feet to the true point of beginning of this legal description, said point also being on the easterly line of Solamere Subdivision No. 1 according to the official plat thereof on file in the office of the Summit county Recorder; thence continuing North 18° 45' 00" East, along said easterly line, 200.16 feet, thence along the Southerly line of Deer Lake Village, Phase One, according to the official plat thereof on file in the office of the Summit County Recorder the following 10 courses: 1) South 88° 43' 12" East 32.68 feet, thence 2) South 84° 50' 29" East 54.90 feet, thence 3) North 87° 43' 37" East 25.21 feet, thence 4) North 88° 23' 18" East 28.07 feet; thence 5) South 65° 41' 17" East 74.08 feet; thence 6) South 84° 50' 29" East 50.45 feet to a point on a 167.88 feet radius curve to the left, whose radius point bears North 77° 08' 52" East; thence 7) along the arc of said curve 55.84 feet thru a central angle of 18° 10' 07", thence 8) North 80° 58' 36" East 26.76 feet; thence 9) South 70° 40' 58" East 68.74 feet; thence 10) South 83° 33' 05" East 78.78 feet to a point on the westerly right-of-way line of Queen Esther Drive and on a 250.00 feet radius curve to the right, whose radius point bears South 72° 38' 19" West; thence along the westerly right-of-way line of Queen Esther Drive and along the arc of said curve 53.94 feet thru a central angle of 12° 21' 41"; thence along the West right-of-way line of Queen Esther Drive South 6° 40' 00" East 129.49 feet; thence South 85° 20' 00" West 16.78 feet to a point on a 77.79 feet radius curve to the left, whose radius point bears South 71° 50' 15" West; thence along the arc of said curve 113.89 feet thru a central angle of 84° 18' 58" to a point of tangency; thence South 77° 33' 19" West 12.73 feet, thence South 6° 04' 53" East 92.60 feet, thence South 7° 21' 23" East 32.92 feet, thence South 82° 38' 36" West 24.00 feet; thence North 7° 21' 24" West 60.00 feet; thence North 88° 46' 17" West 342.38 feet; thence North 71° 15' 00" West 199.00 feet to the point of beginning. Description contains 2.88 Acres.

GENERAL NOTES:

1. All roads and driveways within Deer Lake Village are private roads and are intended to always remain private roads. Lot owners within Deer Lake Village, therefore, have substantial costs for road maintenance, eventual road replacement and for snow removal.
2. Snowmobiles using flammable motorfuels will not be permitted until adequate fire protection exists.
3. Maintenance of Deer Lake Village is the responsibility of the Deer Lake Village Owners Association, pursuant to the provisions of the Declaration.
4. Due to identified ground water levels, no basements are allowed within Deer Lake Village.
5. Capitalized terms used in this Plat shall be defined in accordance with the definitions for such terms set forth in the Declaration of Covenants, Conditions and Restrictions of Deer Lake Village, an Expandable Planned Unit Development Subdivision.
6. Members of the general public shall have a non-exclusive public trail to utilize public trails system, including that portion of said system, which is located on adjacent property owned by Developer. The non-exclusive easement right of the general public to utilize the trail system shall not include the right to utilize the Common Elements of the Project or any other property owned by the Developer.
7. The Deer Lake Village Owners Association shall be responsible for maintaining the lake until subsequent phases are completed. Lakes especially shall not contain unapproved and/or non-significant additions of soil from grading or fill.
8. All lots are subject to the Park City Municipal Corporation standard project review requirements.
9. Deer Lake Village Phase 1 is served by a "Common" water lateral and that ownership and maintenance responsibility of the common lateral in the Deer Lake Village Owners Association.

PHASE TWO

DEER LAKE VILLAGE

AN EXPANDABLE PLANNED UNIT DEVELOPMENT SUBDIVISION

LOCATED IN SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Recorded concurrently herewith is a Declaration of Covenants, Conditions, and Restrictions of Deer Lake Village Phase 2, An Expandable Planned Unit Development Subdivision.

DEER LAKE DRIVE IS A PRIVATE ROAD AND IS INTENDED ALWAYS TO REMAIN A PRIVATE ROAD. MAINTENANCE COST WILL BE BORNE BY THE DEER LAKE VILLAGE OWNERS ASSOCIATION.

JOB NO. 11-4-94 FILE DLV\D\PLTPH2

EXHIBIT A

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 328 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ___ DAY OF _____, 1995 A.D. BY _____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ___ DAY OF _____, 1995 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ___ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ___ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ___ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ _____ _____ FEE RECORDER

PRELIMINARY & FINAL PLAT

Ordinance No. 95-32

AN ORDINANCE APPROVING THE AMENDMENT TO THE MILLSITE RESERVATION REGARDING 255 DALY AVENUE PARK CITY, UTAH

WHEREAS, the owners of property indicated above, Kurt and Hiedi Peterson, petitioned the Planning Commission for approval of the amendmnet to the Millsite Reservation Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on June 7, 1995 and the City Council conducted a public hearing on June 22, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on June 7, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, wlith conditions regarding public utility easements and parks dediction fees; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendmnet and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Park City Survey Pla of 255 Daly Avenue is approved as shown on Attachment A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

2. All Standard Project Conditions shall apply.

3. A ten foot non-exclusive public utility easement shall be provided along Daly Avenue.

SECTION 3. EFFCTIVE DATE. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 22nd day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

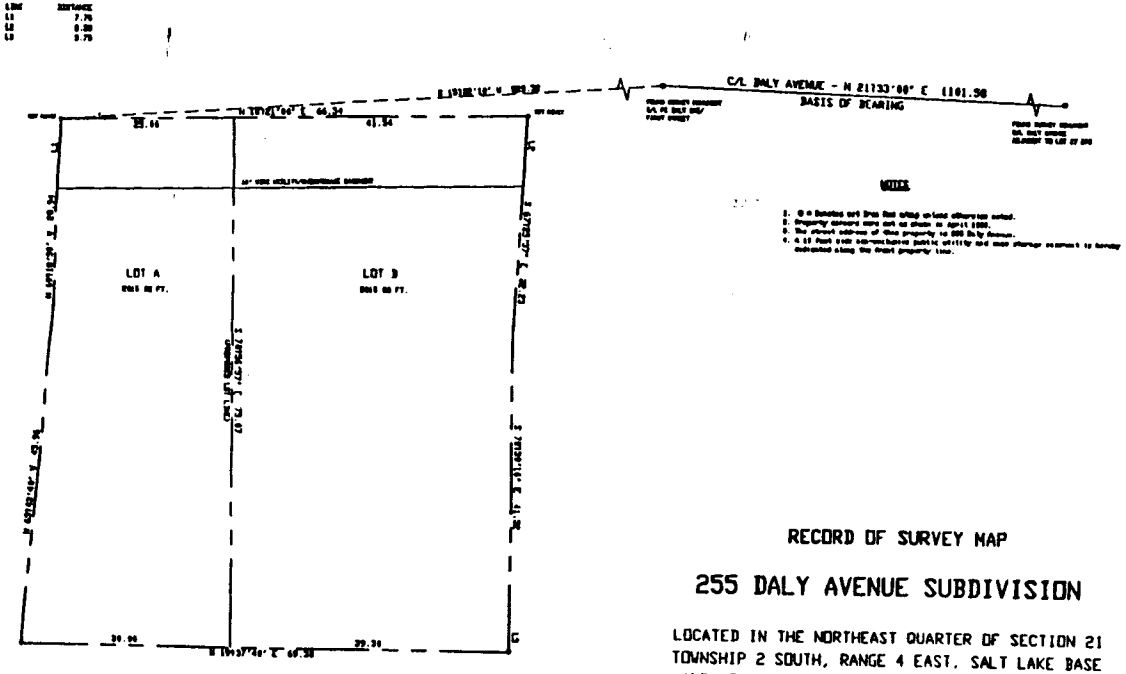
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884



RECORD OF SURVEY MAP

255 DALY AVENUE SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Attachment A

SURVEYOR'S CERTIFICATE

LEGAL DESCRIPTION

OWNER'S DEDICATION AND CONSENT TO RECORD

ACKNOWLEDGMENT

MAY 1995

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 325 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

JOB NO. 5-4-95 FILE Y:\PLATS\PCR\255DALY

Ordinance No. 95-31

AN ORDINANCE APPROVING THE DEER VALLEY DRIVE SUBDIVISION, LOTS 1 AND 2, LOCATED AT 1245 AND 1283 DEER VALLEY DRIVE PARK CITY, UTAH

WHEREAS, the owners of the property known as Deer Valley Drive Subdivision have petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on May 24, 1995 the Planning Commission held a public hearing and approved the final plat attached hereto as Exhibit A; and

WHEREAS, the City Council considered the subdivision plat at its regularly scheduled meeting on June 8, 1995; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat, known as the Deer Valley Drive Subdivision plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the subdivision plat and that neither the public nor any person will be materially injured by the proposed plat. The subdivision plat is in conformance with the Land Management Code. Impacts of exterior lighting have been mitigated through a condition of approval requiring that exterior lighting meet requirements of the Land Management Code (Section 9.5 (i)).

SECTION 2. PLAT APPROVAL. The Deer Valley Drive Subdivision plat, for 1245 and 1283 Deer Valley Drive, Lots 1 and 2, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the City Attorney and City Engineer shall review and approve the final plat and the landscaping, maintenance, and parking agreement.

2. Prior to plat recordation, all existing exterior lighting shall be brought into conformance with the City's lighting ordinance as described in Section 9.5 (i) of the Land Management Code.

3. All previous conditions of approval of the Conditional Use Permits approved on July 7,

1994 and July 27, 19194 for 1283 Deer Valley Drive and on January 25, 1994 for 1245 Deer Valley Drive, shall remain in full force and effect.

4. Standard Conditions of Approval apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 8th day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE Seal
MARCH 1, 1884

DEER VALLEY DRIVE SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH

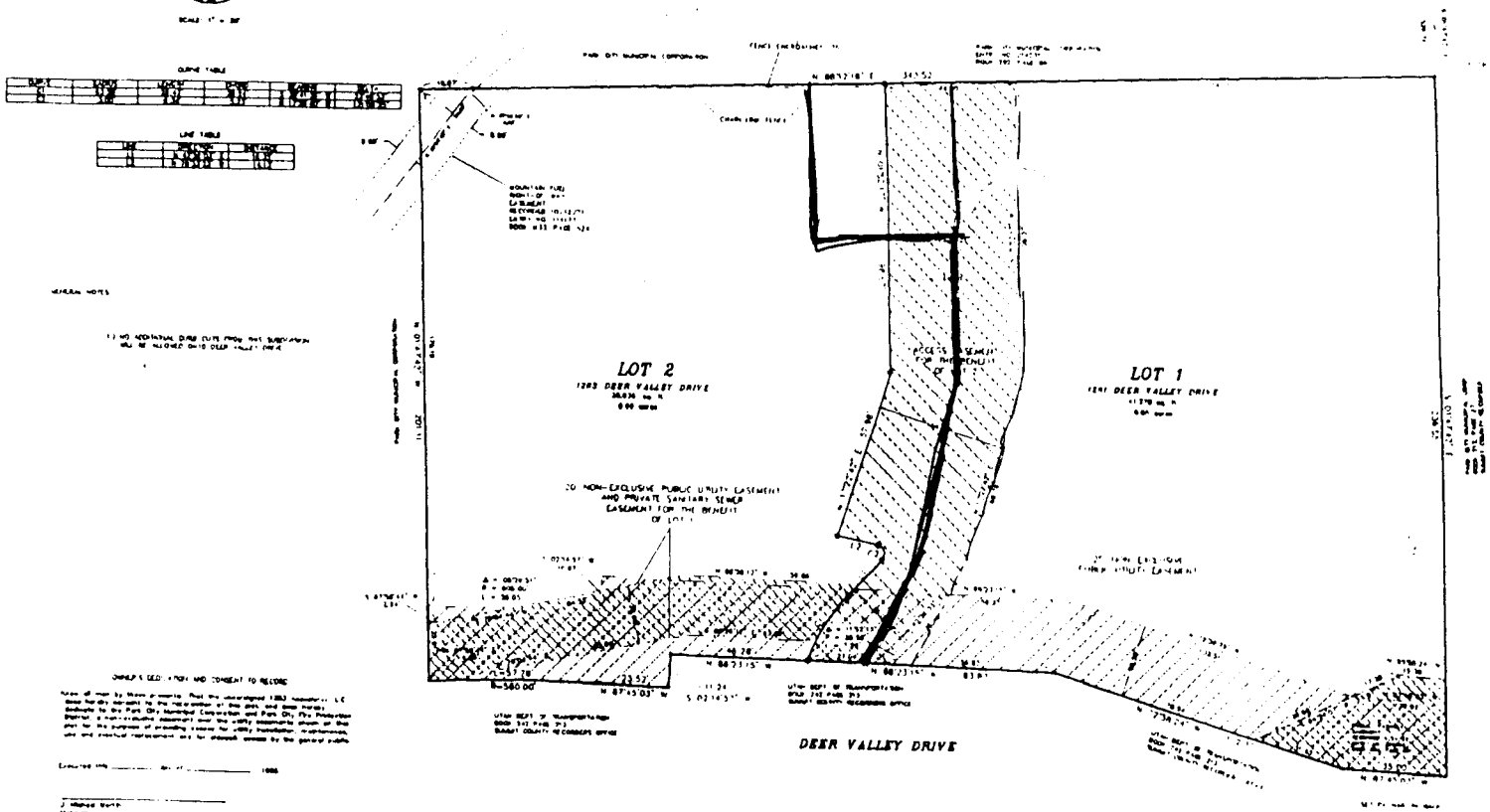


EXHIBIT A

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS _____ DAY OF _____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 19__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS __ DAY OF _____ A.D. _____	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	_____ COUNTY RECORDER
MAYOR	CITY ENGINEER	CHAIRMAN	SIGNED	CITY ATTORNEY	
CITY RECORDER					

PARK CITY SURVEYING
P.O. BOX 3061
PARK CITY, UTAH 84060
(801) 649-3813

Ordinance No. 95-30

AN ORDINANCE APPROVING THE FINAL PLAT FOR DOUBLE EAGLE PUD, PHASE II, LOCATED AT 7900 ROYAL STREET EAST, PARK CITY, UTAH

WHEREAS, the owners of the property known as Double Eagle at Silver Lake Phase II petitioned the Planning Commission for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on May 24, 1995; and

WHEREAS, on May 24, 1995, the Planning Commission approved the final plat attached hereto as Attachment A;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the final plat and neither the public nor any person will be materially injured by the proposed plat.

SECTION 2. PLAT APPROVAL. The final plat is approved as shown on Attachment A with the following conditions:

1. Prior to plat recordation, the final plat and the Declaration of Protective Covenants shall be reviewed and approved by the City Engineer and City Attorney. The final plat shall reflect the designated utility easements as reviewed and approved by the City Engineer and the Final Conditions of Approval as approved by the Planning Commission on May 24, 1995.

2. Prior to issuance of final Certificate of Occupancy, the developer shall repair and revegetate all related off site disturbance to the satisfaction of the Park City Community Development Director.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 8th day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

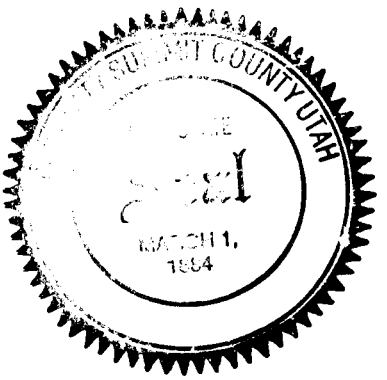
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney



ATTACHEMENT A

Plat

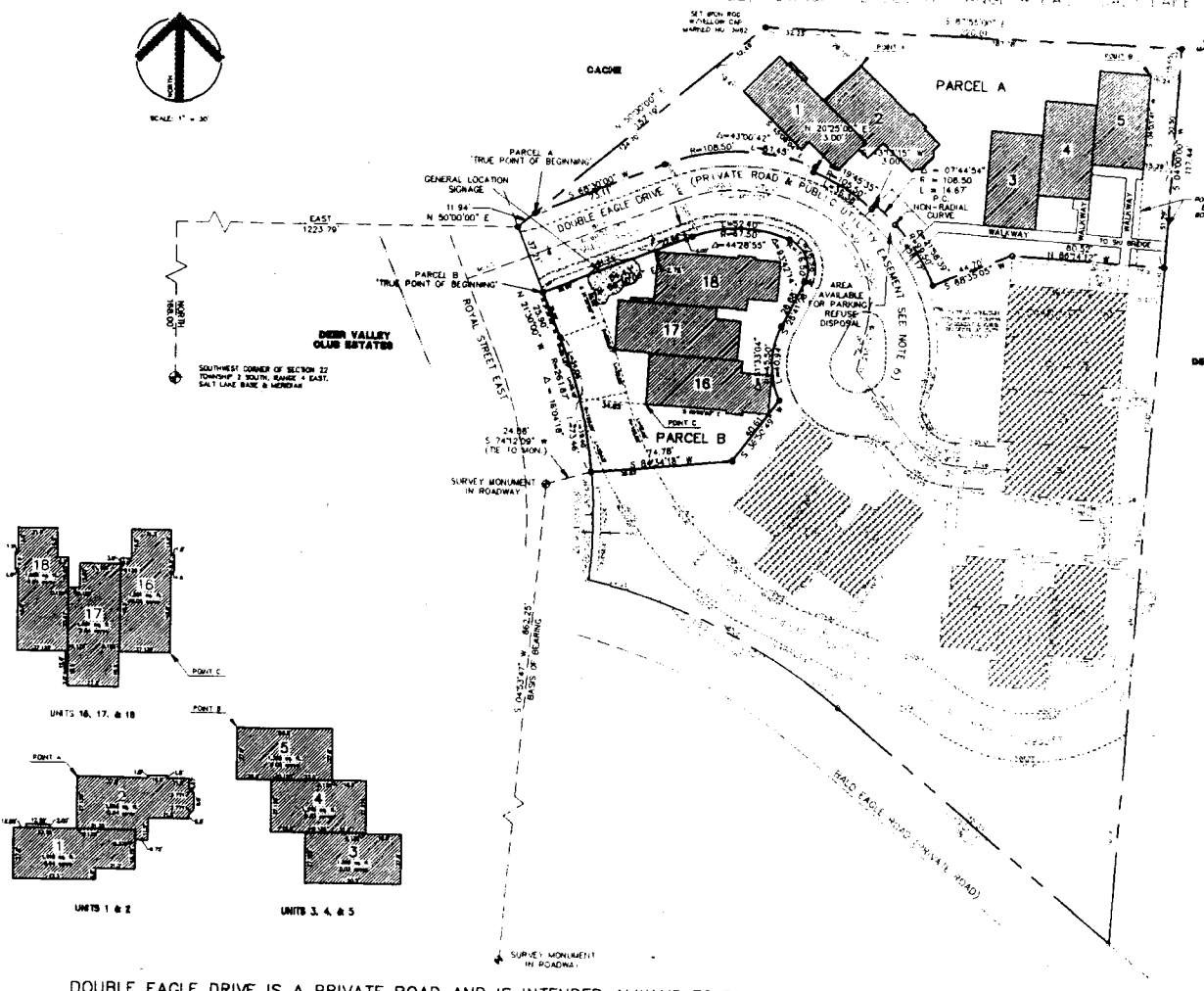
RECEIVED

MAY 18 1995

PARK CITY PLANNING DEPT

DOUBLE EAGLE AT SILVER LAKE PHASE II
AN EXPANDED PLANNED UNIT DEVELOPMENT

LOCATED WITHIN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN



LEGAL DESCRIPTION (PARCEL A)

Beginning at a point located North 168.00 feet and East 1223.79 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the East right-of-way line of Royal Street East; thence along said right-of-way South 21°30'00" East 37.27 feet to the TRUE POINT OF BEGINNING; thence North 68°30'00" East 84.43 feet to the point of a 617.50 foot radius curve to the right; thence along the arc of said curve 82.54 feet thru a central angle of 44°28'55" to the point of a 16.50 foot radius compound curve to the right; thence along the arc of said curve 26.88 feet thru a central angle of 93°21'14"; thence South 26°01'08" West 28.66 feet to the point of a 40.00 foot radius curve to the left; thence along the arc of said curve 40.84 feet thru a central angle of 91°31'04"; thence South 24°59'56" West 40.81 feet; thence South 01°51'48" West 74.78 feet to the point of a non-tangent 261.87 foot radius curve to the left, radius bears South 84°34'18" West, said point of curvature also lies on the East right-of-way line of Royal Street East; thence along the arc of said curve and right-of-way 73.48 feet thru a central angle of 16°04'16"; thence along said right-of-way North 21°30'00" West 25.80 feet to the TRUE POINT OF BEGINNING

Contains: 12,736 square feet or 0.29 acres more or less

LEGAL DESCRIPTION (PARCEL A)

Beginning at a point located North 168.00 feet and East 1223.79 feet from the Southeast Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the East right-of-way line of Royal Street East; thence along said right-of-way South 21°30'00" East 37.27 feet to the TRUE POINT OF BEGINNING; thence North 68°30'00" East 84.43 feet to the point of a 617.50 foot radius curve to the right; thence along the arc of said curve 82.54 feet thru a central angle of 44°28'55" to the point of a 16.50 foot radius compound curve to the right; thence along the arc of said curve 26.88 feet thru a central angle of 93°21'14"; thence South 26°01'08" West 28.66 feet to the point of a 40.00 foot radius curve to the left; thence along the arc of said curve 40.84 feet thru a central angle of 91°31'04"; thence South 24°59'56" West 40.81 feet; thence South 01°51'48" West 74.78 feet to the point of a non-tangent 261.87 foot radius curve to the left, radius bears South 84°34'18" West, said point of curvature also lies on the East right-of-way line of Royal Street East; thence along the arc of said curve and right-of-way 73.48 feet thru a central angle of 16°04'16"; thence along said right-of-way North 21°30'00" West 25.80 feet to the TRUE POINT OF BEGINNING

Contains: 28,380 square feet or 0.61 acres more or less

ACKNOWLEDGEMENT

State of)
County of)
On the ___ day of _____, 1995 personally appeared before me Donis P. Coleman, Jr. who, being by me duly sworn, did say that he is President of AC Development, Inc., a Utah Corporation, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said AC Development, Inc. and said Donis P. Coleman, Jr. duly acknowledged to me that said Corporation executed the same.

My commission expires _____

Notary Public

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned AC Development, Inc. does hereby consent to the preparation of this plat, and does hereby dedicate to the Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, and Park City Fire Protection District, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement and for sidewalk access by the general public.

Executed this _____ day of _____, 1995.

AC Development, Inc., a Utah Corporation by
Donis P. Coleman, Jr., President

SURVEYOR'S CERTIFICATE

I, JACK J. JOHNSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 22-151767-2201 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS OR WILL BE MADE BY A UTAH LICENSED SURVEYOR OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

JACK J. JOHNSON

DATE

GENERAL NOTES

1. A Declaration of Covenants and Restrictions has been recorded as Entry No. 00401793 in the offices of the Summit County Recorder. A Declaration of Annexation to Double Eagle at Silver Lake is Recorded concurrently herewith.
2. The Double Eagle at Silver Lake Homeowners Association is responsible for the maintenance of all "COMMON" Sanitary Sewer Laterals, and all other Common Areas including Double Eagle Drive.
3. All common area is subject to a non-exclusive Public Utility Easement for the purpose of providing access for utility installation, use and maintenance and eventual replacement.
4. The common area is Master Planned open areas and is not to be sold separately.
5. The street address of Double Eagle is 7800 Royal Street East Unit #(unit number shown)
6. An Easement for the benefit of Mountain Fuel Company was previously recorded as Entry No. 391453 and shown on the Double Eagle at Silver Lake Phase I Recordation Plat. Book of lease instruments have been recorded and are in the offices of the Summit County Recorder.

COMMON OWNERSHIP
EXISTING PUBLIC 50' ACCESS EASEMENT NO. 363383
PRIVATE OWNERSHIP (PHASE I)
PRIVATE OWNERSHIP (PHASE II)
LIMITED COMMON OWNERSHIP

DOUBLE EAGLE DRIVE IS A PRIVATE ROAD AND IS INTENDED ALWAYS TO REMAIN A PRIVATE ROAD. MAINTENANCE COSTS WILL BE BORNE BY THE HOMEOWNERS ASSOCIATION.

DRAWING NAME: PHSPLAT.DWG
PLOT DATE: MAY 18, 1995

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS ___ DAY OF _____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS ___ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS ___ DAY OF _____ A.D. 19__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS ___ DAY OF _____ A.D. _____	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	N° _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF: _____
MAYOR _____ CITY RECORDER	CITY ENGINEER	CHAIRMAN	SBSID	CITY ATTORNEY	COUNTY RECORDER

THE JACK JOHNSON COMPANY
1910 Prospector Avenue • Park City, Utah 84060
(801) 645-9000 • fax (801) 649-1620

Ordinance No. 95-29

AN ORDINANCE APPROVING THE SUBDIVISION PLAT CREATING THE BRISTLECONE PARCEL IN PARK CITY, UTAH

WHEREAS, Fawngrove Phase III was never developed as a part of the Fawngrove Project; and

WHEREAS, the expandable area previously referred to as Phase III was sold off separately from the Fawngrove Project; and

WHEREAS, the parcel has density as designated in the Deer Valley MPD; and

WHEREAS, the proposed Bristlecone MPD is to be developed as a separate and distinct project; and

WHEREAS, on May 24, 1995, the Planning Commission approved the plat;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW:

1. This subdivision is required under the provisions of Chapter 15 of the Land Management Code.

2. This in no way grants approval of the condominium plat for the Bristlecone Project, it merely formally and legally divides the parcel from the Fawngrove Project.

3. The subdivision is not detrimental to the health, safety, and welfare of the citizens of Park City.

SECTION 2. PLAT APPROVAL. The Bristlecone plat is hereby approved with the following condition:

The City Attorney and City Engineer shall be required to review and approve the subdivision plat and required title report prior to plat recordation.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 8th day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

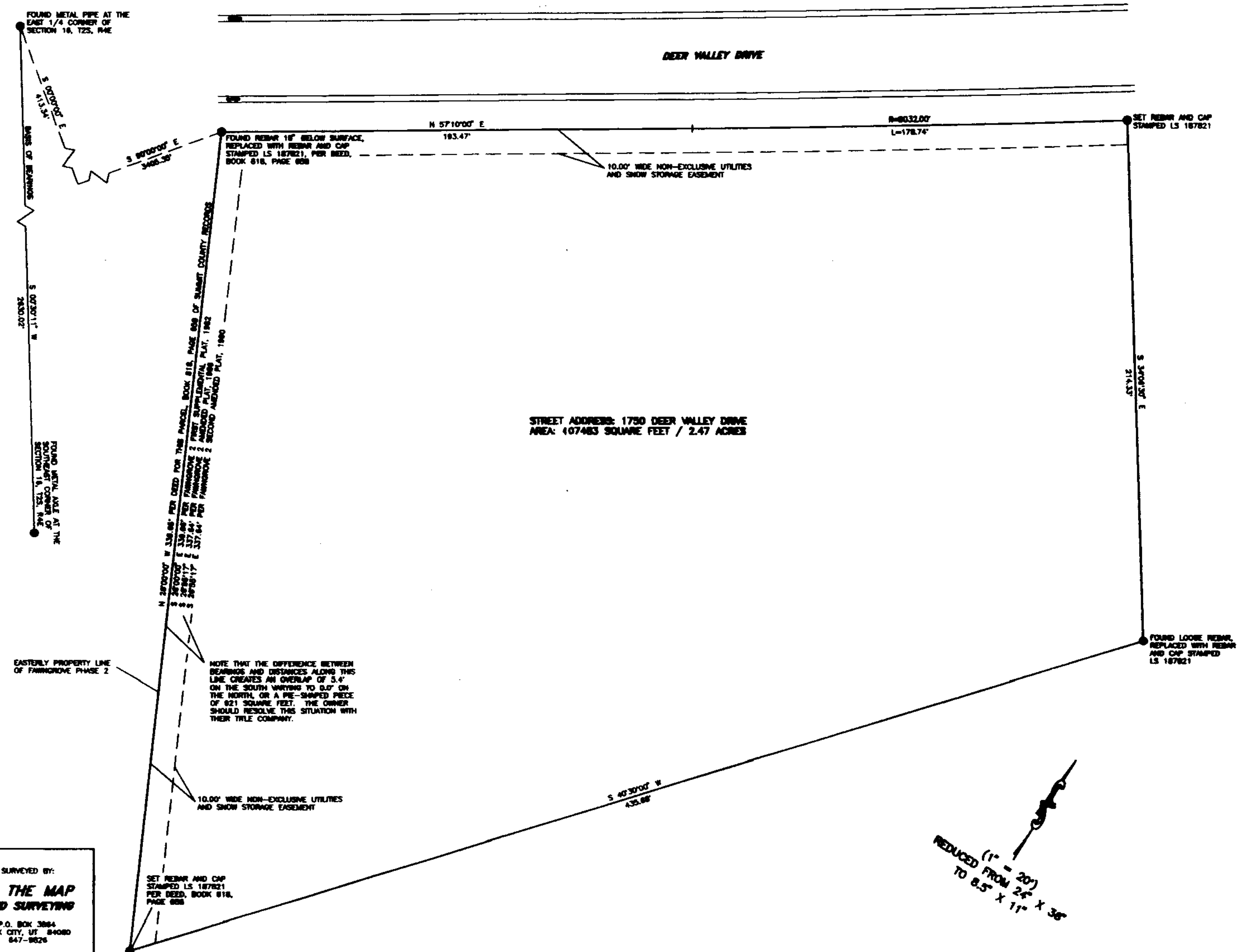
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

RECORD OF SURVEY
PARCEL IN SECTION 15, T2S, R4E, SLB&M
"BRISTLECONE at DEER VALLEY"



SURVEYED BY:
ON THE MAP LAND SURVEYING
P.O. BOX 3864
PARK CITY, UT 84060
647-9826

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT, THAT I, THE UNDERSIGNED MANAGER FOR THE OWNER OF THE HEREON DESCRIBED PROPERTY, HEREINAFTER TO BE KNOWN AS BRISTLECONE AT DEER VALLEY, CERTIFY THAT I HAVE CAUSED THIS SURVEY TO BE MADE, AND THE PLAT TO BE PREPARED, AND I DO HEREBY CONSENT TO THE RECORDATION OF THIS RECORD OF SURVEY PLAT.

____
KEVIN L. LUDLOW, MANAGER FOR THE OWNER, BRISTLECONE DEVELOPMENT, L.C.

ACKNOWLEDGEMENT

STATE OF ____________
COUNTY OF ____________

ON THIS ______ DAY OF ____________, 1995, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, KEVIN L. LUDLOW, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE MANAGER FOR THE OWNER OF THE HEREIN DESCRIBED PROPERTY AND THAT HE SIGNED THE ABOVE OWNER'S CONSENT TO RECORD FREELY AND VOLUNTARILY.

____
NOTARY PUBLIC
MY COMMISSION EXPIRES: ____________
RESIDING AT: ____________

SURVEYOR'S CERTIFICATE

I, JOE DHAENENS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW.

NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS AS SHOWN.
2. SURVEY MONUMENTS WERE FOUND OR SET AS SHOWN.
3. THE PURPOSE OF THIS SURVEY IS FOR BOUNDARY LOCATION.
4. THIS SURVEY WAS REQUESTED BY BRUCE TAYLOR, ON BEHALF OF THE OWNER.
5. THIS SURVEY WAS PERFORMED ON MAY 8, 1995.
6. THE OWNER OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBERANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN OR NOTED HEREON.
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT WHERE OTHERWISE SHOWN.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 413.34 FEET AND EAST 3485.36 FEET FROM THE EAST ONE-QUARTER CORNER OF SECTION 16, SAID TOWNSHIP AND RANGE, THENCE N 57°10'00" E 193.47 FEET TO A POINT OF A 8032.00 FOOT RADIUS CURVE, THENCE NORTHEASTERLY 178.74 FEET ALONG THE ARC OF SAID CURVE, THENCE S 34°08'30" E 214.33 FEET, THENCE S 40°30'00" W 435.86 FEET, THENCE N 28°00'00" W ALONG THE EASTERLY PROPERTY LINE OF FAWNGROVE PHASE 2 338.86 FEET TO THE POINT OF BEGINNING.

DUPLICATE

______________ ______________
JOE DHAENENS DATE

CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	RECORDED
APPROVED BY THE PARK CITY COUNCIL ON THIS ______ DAY OF __________, 1995.	APPROVED BY THE PARK CITY ENGINEER ON THIS ______ DAY OF __________, 1995.	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ______ DAY OF __________, 1995.	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS ______ DAY OF __________, 1995.	APPROVED AND ACCEPTED BY S.B.S.I.D. ON THIS ______ DAY OF __________, 1995.	NUMBER ______ DATE ______ STATE OF UTAH TIME ______ COUNTY OF SUMMIT FEE ______ RECORDED AND FILED AT THE REQUEST OF ______
MAYOR CITY RECORDER	CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	AUTHORIZED AGENT FOR S.B.S.I.D.	COUNTY RECORDER

Ordinance No. 95-28

AN ORDINANCE APPROVING AN AMENDMENT TO THE AMERICAN FLAG SUBDIVISION, LOTS 88 AND 89, LOCATED AT 349 CENTENNIAL CIRCLE PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 88 and 89 of the American Flag Subdivision have petitioned the City Council for approval of an amendment to the American Flag Subdivision plat; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on June 8, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment to the American Flag Subdivision plat, Lots 88 and 89, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the City Attorney and City Engineer shall review and approve the final plat.

2. All conditions of approval of the American Flag Subdivision shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 8th day of June, 1995.

PARK CITY MUNICIPAL CORPORATION

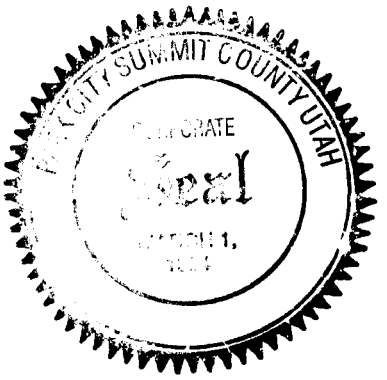
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

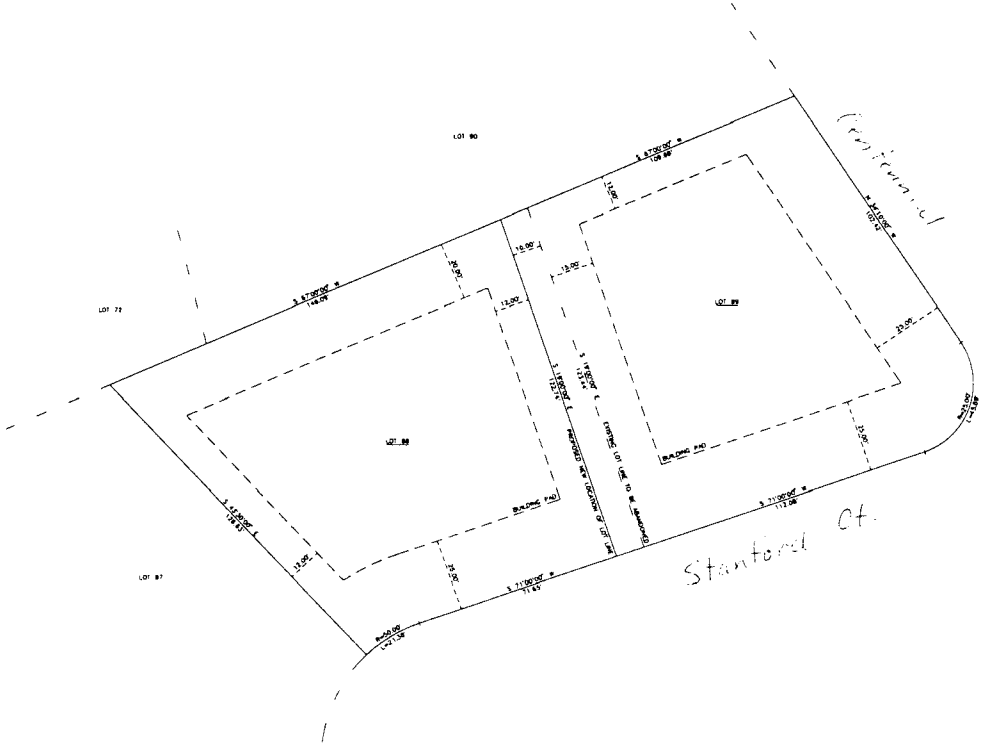
Approved as to form:

Mark D. Harrington, Assistant City Attorney



PLAT AMENDMENT

LOTS 88 AND 89 AMERICAN FLAG SUBDIVISION PLAT AMENDMENT



NOT TO SCALE

EXH #1317 A

NOTES:
1. A 5' WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT EXISTS ALONG ALL LINES OF LOTS 88 AND 89.

SURVEYOR'S CERTIFICATE

I, JOE DIMEMEN, CERTIFY THAT I HAS PLAT AMENDMENT ACCURATELY SHOWS AMERICAN FLAG SUBDIVISION PER THE RECORDED SUBDIVISION PLAT. THE PURPOSE OF THIS AMENDMENT IS TO ALTER THE LOCATION OF THE COMMON LINE BETWEEN LOTS 88 AND 89, AS SHOWN HEREON.

LEGAL DESCRIPTION

ALL OF LOTS 88 AND 89 OF AMERICAN FLAG SUBDIVISION, PER THE RECORDED SUBDIVISION PLAT. SAID SUBDIVISION BEING LOCATED IN SECTIONS 15 AND 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

JOE DIMEMEN — DATE

CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
APPROVED BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, 1995.	APPROVED BY THE PARK CITY ENGINEER ON THIS _____ DAY OF _____, 1995.	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 1995.	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS _____ DAY OF _____, 1995.	APPROVED AND ACCEPTED BY S.B.S.I.D. ON THIS _____ DAY OF _____, 1995.
MAYOR				
CITY RECORDER	CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	AUTHORIZED AGENT FOR S.B.S.I.D.

RECEIVED
APR 7 1995
PLANNING DEPT.

RECORDED
ENTRY NUMBER _____ DATE _____
STATE OF UTAH TIME _____
COUNTY OF SUMMIT FEE _____
RECORDED AND FILED AT THE REQUEST OF _____
COUNTY RECORDER

uses the concept of an equivalent residential unit (ERU) which represents the average water use by existing single-family residential units. Other uses are converted to ERU's based on expected water use. The water facilities proposed in the WCFP will serve approximately 3450 ERU's

Water Connection Fees. The WCFP shows that $2,824,729 worth of improvements are necessary to meet our growth demands. Dividing that figure by 3,450 ERU's yields $818 per ERU.

The size of houses and landscaped areas vary significantly and those differences affect the amount of water required to serve the new development. Applying the premise used for Park City water impact fees since 1990, the fee system should fairly account for the differential impacts on water facilities of indoor and outdoor water use. The EWP report identifies that 37.5% of total water use should be allocated indoors; outside use (primarily irrigation) represents 62.5% of total water use. These proportions are based on peak period usage because Park City's water facilities are and must be designed to meet peak demand. The proportions take into account the City's conservation requirements including alternate day irrigation. This equates to an average indoor fee of $307 and an average outdoor fee of $511.

To more fairly assess the impact of new development on water facilities, Park City's actual fees should have indoor and outdoor components and be based on the size of the house and the amount of irrigated landscaped area.

The maximum indoor charge for Water Connection is based on the following table:

Size (sf)	up to 1000	1001-1500	1501-3000	3001-4500	4501-6000	6000+
# of BR's	2	3	4	5	6	7+
ERU	.50	.75	1.00	1.25	1.50	1.75
Charge ($)	153	230	307	383	460	537

To calculate the indoor component of the Water Connection Fee, the house size is determined by the more restrictive of liveable area in square feet (size) or number of bedrooms. This size is converted to a proportional ERU, multiplied by the average indoor fee and rounded down to the nearest $10 dollars. For example, a 3000 square foot, four bedroom home would be one ERU and would have a maximum indoor charge of $307. A 4500 square foot, four bedroom home would be 1.25 ERU's and would have a maximum indoor charge of $383. A 950 square foot, three bedroom home would be .75 ERU's and would have a maximum indoor charge of $230.

Based on the average outdoor fee of $511 and the average irrigated area of 7000 square feet the outdoor charge is $0.073 per square foot of irrigated landscaped area. In recognition that not all outdoor use is for irrigation, to allow some flexibility for the homeowner installing landscaping and to reduce administrative costs of the fee system, the fees are grouped into seven categories. The maximum outdoor charge for Water Connection is based on the following table:

Irrigated Area (sf)	0-2000	2001-4000	4001-6000	6001-8000	8001-10000	10000+
Charge ($)	73	219	365	511	657	657+ (1)

(1) the last category would be the charge of the previous category plus $73.00 for each 1000 square feet of irrigated area over 10,000 square feet..

The irrigation portion of the Connection Fee is significantly higher than in previous fees. The new rate better reflects the proportional impact outdoor use in new development has on the need to expand the water system.

The largest portion of the outdoor water demand in most new homes is for irrigation of sod or turf. Lawns require much more water than many other types of landscaping. However, builders and home owners often use sod because of the lower initial cost, simpler sprinkler system design, and to achieve a quick, finished look to obtain early release of their landscape letter of credit. Staff originally considered a special charge on sod or turf in recognition of its higher water demand. Testimony at the public hearing held on May 11, 1995 opposed that approach. The system currently proposed does not include a special charge for lawns. The City has other programs to encourage low water consuming landscape solutions and may propose others in the future.

The maximum Water Connection Fee for new development would be the sum of the charge for indoor use and the charge for outdoor use.

Development Fees. The development fee pays for the water rights necessary to serve the new construction and the costs to develop those right into physical sources. Hence, the water development fee has two parts: water rights and source development.

Based on the EWP report, identified the water use of the average home (ERU) at 259,000 gallons or 0.795 acre foot per year. The cost to acquire a high priority water right for one acre foot and to convert it to municipal use (exclusive of any physical development) is $2495 based on an average of recent large purchases and conversions of water rights. This cost is conservative because it assumes full conversion and use of the water right. This is not always achievable and State Engineer approval of new water rights can take from two to five years with the longer intervals significantly increasing the conversion costs. This acquisition and conversion cost translates into $1,984 (rounded to $1980) per typical home (ERU).

The WCFP shows that $9,071,699 worth of improvements for source development are necessary to meet the demands of new development. Dividing that figure by 3,450 ERU's yields $2629 per ERU. Summing the two parts yields a total of $4613. The same distribution to indoor and outdoor use may be applied to development fees as used for connection fees.

The maximum indoor charge for Water Development is based on the following table:

Size (sf)	up to 1000	1001-1500	1501-3000	3001-4500	4501-6000	6000+
# of BR's	2	3	4	5	6	7+
ERU	.50	.75	1.00	1.25	1.50	1.75
Charge ($)	864	1296	1729	2161	2593	3025

The average outdoor fee is $2883. Adjusting for the size of the irrigated landscaped area the maximum outdoor charge for Water Development is based on the following table:

Irrigated Area (sf)	0-2000	2000-4000	4000-6000	6000-8000	8000-10000	10000+
Charge ($)	411	1235	2059	2883	3706	3706+ (1)

(1) the last category would be the charge of the previous category plus $411.00 for each 1000 square feet of irrigated area over 10,000 square feet.

The maximum Water Development Fee for new development would be the sum of the charge for indoor use and the charge for outdoor use.

Commercial Water Impact Fees. The WCFP shows the improvements necessary to meet growth demands for all types of development. To use the fee approach described above for commercial uses, these uses must be converted to ERU's for indoor use (outdoor uses would be calculated the same as for residential uses).

The State of Utah publishes the "State of Utah Public Drinking Water Regulations". Table 5.1 identifies estimated indoor water requirements for commercial applications; Section 5.1.2.2 "Hotels, Motels and Resorts, Indoor Use" identifies the use for those activities. These documents are incorporated herein by reference.

This information may be used to calculate the indoor water requirements of a commercial application and to convert the commercial use to an ERU. The average indoor water use of an ERU is 97,000 gallons per year . By dividing the total commercial indoor use by 97,000 gallons, a factor can be determined. For the ease of calculation, the indoor portion of the ERU has been rounded to 100,000 gallons (thereby lowering the maximum fee slightly). The commercial indoor use is converted to ERU's by computing the annual use, dividing by 100,000 and rounding down to the nearest 0.05 of an ERU as follows:

USE	**ERU**
Industrial or warehousing	0.05 per 1000 sf or employee
Laundry	1.05 per machine

Theater or auditorium	0.08 per 10 seats
Office	0.20 per 1000 sf or 0.03 per employee
Restaurant	0.05 per seat
School	0.03 per student (capacity)
Retail Shops	0.35 per thousand sf
Service Commercial or large retail	0.20 per thousand sf
Hotel or motel	0.03 per room
Taverns or bars	0.03 per seat

Uses not in the table will be computed by the Public Works Director as follows: the annual indoor use in gallons will be estimated; that number will be divided by 100,000 gallons; and the quotient will be rounded down to the nearest 0.05 of an ERU.

CONCLUSIONS AND RECOMMENDATIONS

Park City has revised and refined its water impact fees several times since originally implementing them in the early 1980's. The proposed changes to Park City's water impact fee system are expected to make it more reflective of the true impact of new development on water facilities, consistent with the plan for capital facilities required by new development and compatible with new legislation. The proposed impact fees would generally lower the charges for indoor usage. Residential construction with limited landscaping would likely see a net reduction in water impact fees. Landscaped areas will represent a larger portion of the total charge. Development with large irrigated areas would likely see a net increase in water impact fees.

The method of water impact assessment employs a combination of measures of indoor and outdoor uses. The equivalent residential unit (ERU) adjusts indoor water use by size and type of new development; irrigated area addresses potential outdoor water uses for residential and commercial land uses. This approach was selected from among competing alternatives - for example, impact calculated based on number of bedrooms, household size or unit equivalent alone - as most definitive in capturing the true cost of water facility demand generated by new development, based on past experience, and in light of the unique circumstances of a resort community where facility need is defined by peak demand, quantified as *peak impact potential.* Local experience during the period the water impact fee program has been in effect has shown that *impact potential* is the only equitable way to establish the true effect of new development, and to correlate that to actual water facility demand, while minimizing other potential inequities. The potential for peak demand is significantly above the average demand, and based on experience in Park City, represents actual capacity expansion requirements. The cost of *peak impact potential* is reflected in the impact assessment - a large home with more finished area is charged more than a smaller home; a use with a large landscaped area is charged more than one with little or no landscaping.

The WCFP should be updated every two years to assure accuracy and fairness. The fees should be revised accordingly.

Several features of the proposed system are designed to facilitate public understanding and ease of administration. For example, fee tables, rather than complex formulas, are used whenever possible. Additionally, the fee system is structured to promote fair assessment without risk of overcharging. Calculated maximum fees are conservatively computed by rounding down. Fees are recommended at less than the full (maximum) impact assessment. The fees are recommended to be capped below the maximum as a matter of policy, primarily to promote cross generational-equity and to avoid the administrative complications of rebate and appeals.

Recommended Fees

Water Connection Fee

The recommended indoor charge for Water Connection is:

Size (sf)	up to 1000	1001-1500	1501-3000	3001-4500	4501-6000	6000+
# of BR's	2	3	4	5	6	7+
ERU	.50	.75	1.00	1.25	1.50	1.75
Charge ($)	150	225	300	375	450	525

The recommended outdoor charge for Water Connection is:

Irrigated Area (sf)	0-2000	2000-4000	4000-6000	6000-8000	8000-10000	10000+
Charge ($)	70	210	350	490	630	630+ (1)

(1) the last category would be the charge of the previous category plus $70.00 for each 1000 square feet of irrigated area over 10,000 square feet.

Water Development Fee

The recommended indoor charge for Water Development is:

Size (sf)	up to 1000	1001-1500	1501-3000	3001-4500	4501-6000	6000+
# of BR's	2	3	4	5	6	7+
ERU	.50	.75	1.00	1.25	1.50	1.75
Charge($)	850	1275	1700	2125	2550	3000

Irrigated Area (sf)	0-2000	2000-4000	4000-6000	6000-8000	8000-10000	10000+
Charge ($)	400	1200	2000	2800	3600	3600+ (1)

(1) the last category would be the charge of the previous category plus $400.00 for each 1000 square feet of irrigated area over 10,000 square feet.

COMMERCIAL FEES

The commercial water impact fees are based on conversion of uses to ERU's according to the following table:

USE	**ERU**
Industrial or warehousing	0.05 per 1000 sf or employee
Laundry	1.05 per machine
Theater or auditorium	0.08 per 10 seats
Office	0.20 per 1000 sf or 0.03 per employee
Restaurant	0.05 per seat
School	0.03 per student (capacity)
Retail Shops	0.35 per thousand sf
Service Commercial or large retail	0.20 per thousand sf
Hotel or motel	0.03 per room
Taverns or bars	0.03 per seat

Uses not in the table will be computed by the Public Works Director as follows: the annual indoor use in gallons will be estimated; that number will be divided by 100,000 gallons; and the quotient will be rounded down to the nearest 0.05 of an ERU.

Indoor charges would be $300.00 per ERU for for Water Connection and $1700.00 per ERU for water Development.

Outdoor charges would be the same as for residential uses.

WATER CONNECTION CAPITAL FACILITIES PLAN								
			Facility Plan		Water Rates		Others	
Date	Project	Cost $						
1992	Water Resources - D.V. Drive Waterline (C) $210,503*	$62,131		$0	100.0%	$62,131		$0
1992	Water Resources-D.V. Drive Waterline (E) $41,914*	$12,371		$0	100.0%	$12,371		$0
1992	Water Resources - P>M> Tank #15 (E) $54,992*	$16,231	100.0%	$16,231		$0		$0
1993	Water Resources - P>M> Tank #15 (C) $490,453*	$144,659	100.0%	$144,659		$0		$0
1994	Water Resources - Bond Payment for Spiro	$40,241	68.4%	$27,514	31.6%	$12,727		$0
1995	Automatic Meter Reads	$40,309	68.4%	$27,561	31.6%	$12,748		$0
1995	Chatham Pump Station (C)	$80,000		$0	100.0%	$80,000		$0
1995	Chatham Pump Station (E)	$818,317	30.0%	$245,495		$0	70.0%	$572,822
1995	Equipment Replacement	$163,968	30.0%	$49,190		$0	70.0%	$114,778
1995	King Rd. Waterline	$27,000		$0	100.0%	$27,000		$0
1995	Ontario Waterline	$50,000		$0	100.0%	$50,000		$0
1995	Regulator Change Out - 8th & Empire 3"	$40,000		$0	100.0%	$40,000		$0
1995	Tunnel Repairs	$2,000		$0	100.0%	$2,000		$0
1995	Water Resources - Bond Payment for Spiro	$125,000		$0	100.0%	$125,000		$0
1996	Automatic Meter Reads	$40,343	68.4%	$27,584	31.6%	$12,759		$0
1996	Equipment Replacement	$80,000		$0	100.0%	$80,000		$0
1996	PRV Station - 713 Woodside	$27,000		$0	100.0%	$27,000		$0
1996	Regulator Change Out - Daley 4"	$10,000		$0	100.0%	$10,000		$0
1996	Regulator Change Out - Surprise	$2,000		$0	100.0%	$2,000		$0
1996	Tunnel Repairs	$2,000		$0	100.0%	$2,000		$0
1996	Water Resources - Bond Payment for Spiro	$125,000		$0	100.0%	$125,000		$0
1997	Aerie B.P. Sta. Improvement	$40,343	68.4%	$27,584	31.6%	$12,759		$0
1997	Aerie B.P. Sta. Improvement (E)	$15,000	100.0%	$15,000		$0		$0
1997	Equipment Replacement	$4,000	100.0%	$4,000		$0		$0
1997	Flagstaff & Upper D.V.P. Sta. (E)	$49,000		$0	100.0%	$49,000		$0
1997	Flagstaff & Upper D.V.P. Sta. (C)	$96,000	5.0%	$4,800		$0	95.0%	$91,200
1997	L.D.V. Tank (C)	$330,000	5.0%	$16,500		$0	95.0%	$313,500
1997	L.D.V. Tank (E)	$400,000		$0		$0	100.0%	$400,000
1997	L.D.V. Transm. Line (C)	$126,000		$0		$0	100.0%	$126,000
1997	L.D.V. Transm. Line (E)	$48,000		$0		$0	100.0%	$48,000
1997	Last Chance Pump Sta. (C)	$17,000		$0		$0	100.0%	$17,000
1997	Last Chance Pump Sta. (E)	$320,000	15.0%	$48,000	15.0%	$48,000	70.0%	$224,000
1997	Oaks Area PRV (E)	$55,000	15.0%	$8,250	15.0%	$8,250	70.0%	$38,500
1997	Oaks PRV (C)	$5,000	100.0%	$5,000		$0		$0
1997	PRV Stations - Heber & Park Ave.	$17,000	100.0%	$17,000		$0		$0
1997	Regulator Change Out - Evergreen	$10,000		$0	100.0%	$10,000		$0
1997	Ridgeview Pump Sta. (E)	$2,000		$0	100.0%	$2,000		$0
1997	Ridgeview Pump Sta. Upgrade	$4,000	100.0%	$4,000		$0		$0
1997	Solamere Booster Pump	$18,000	100.0%	$18,000		$0		$0
1997	Source Protection Plan/All Sources	$27,000	50.0%	$13,500	25.0%	$6,750	25.0%	$6,750
		$30,000		$0	100.0%	$30,000		$0

1997	Tunnel Repairs	$125,000		$0	100.0%	$125,000		$0
1997	Water Resources - Bond Payment for Spiro	$40,309	68.4%	$27,561	31.6%	$12,748		$0
1998	13th St. 1500 gpm Pump Sta. (E)	$109,000	100.0%	$109,000		$0		$0
1998	13th St. 1500 gpm Pump Sta. (C)	$353,000	100.0%	$353,000		$0		$0
1998	Equipment Replacement	$20,000		$0	100.0%	$20,000		$0
1998	PRV Station - Roy Street East	$2,500		$0	100.0%	$2,500		$0
1998	PRV Station - Royal Street West	$2,500		$0	100.0%	$2,500		$0
1998	Regulator Change Out - Pinnacle	$2,000		$0	100.0%	$2,000		$0
1998	Tunnel Repairs	$125,000		$0	100.0%	$125,000		$0
1998	Upsize Bald Eagle B. Pump (E)	$23,000		$0		$0	100.0%	$23,000
1998	Upsize Bald Eagle B. Pump (C)	$80,000		$0		$0	100.0%	$80,000
1998	Water Resources - Bond Payment for Spiro	$40,466	68.4%	$27,668	31.6%	$12,798		$0
1998	Woodside Backup Booster (C)	$330,000	100.0%	$330,000		$0		$0
1998	Woodside Backup Booster (E)	$139,000	100.0%	$139,000		$0		$0
1999	16" Waterline Thaynes to Resort (C)	$106,000		$0		$0	100.0%	$106,000
1999	16" Waterline Thaynes to Resort (E)	$39,000		$0		$0	100.0%	$39,000
1999	Equipment Replacement	$20,000		$0	100.0%	$20,000		$0
1999	New Boothill Pump Sta. (E)	$130,000	30.0%	$39,000	35.0%	$45,500	35.0%	$45,500
1999	New Boothill Pump Sta. (C)	$400,000	30.0%	$120,000	35.0%	$140,000	35.0%	$140,000
1999	PRV Station - 6th & Woodside	$2,500		$0	100.0%	$2,500		$0
1999	PRV Station - Ontario	$2,500		$0	100.0%	$2,500		$0
1999	PRV Station - Prospect	$1,500		$0	100.0%	$1,500		$0
1999	Tunnel Repairs	$125,000		$0	100.0%	$125,000		$0
1999	Water Resources - Bond Payment for Spiro	$48,436	68.4%	$33,118	31.6%	$15,318		$0
2000	Add Filters to S.W.F.P.	$195,000	100.0%	$195,000		$0		$0
2000	Equipment Replacement	$20,000		$0	100.0%	$20,000		$0
2000	Tunnel Repairs	$125,000		$0	100.0%	$125,000		$0
2000	Water Resources - Bond Payment for Spiro	$48,335	68.4%	$33,049	31.6%	$15,286		$0
2001	Equipment Replacement	$20,000		$0	100.0%	$20,000		
2001	N. Park Mead. Tank (E)	$90,000	100.0%	$90,000		$0		
2001	N. Park Mead. Tank (C)	$350,000	100.0%	$350,000		$0		
2001	N. Park Mead. Transm. Line (C)	$70,000	100.0%	$70,000		$0		
2001	N. Park Mead. Transm. Line (E)	$23,000	100.0%	$23,000		$0		
2001	Tunnel Repairs	$125,000		$0	100.0%	$125,000		
2001	Water Resources - Bond Payment for Spiro	$48,402	68.4%	$33,094	31.6%	$15,308		
2002	Equipment Replacement	$20,000		$0	100.0%	$20,000		
2002	Tunnel Repairs	$125,000		$0	100.0%	$125,000		
2002	Water Resources - Bond Payment for Spiro	$48,402	68.4%	$33,094	31.6%	$15,308		
2003	Equipment Replacement	$20,000		$0	100.0%	$20,000		
2003	Tunnel Repairs	$125,000		$0	100.0%	$125,000		
2003	Water Resources - Bond Payment for Spiro	$48,335	68.4%	$33,049	31.6%	$15,286		
2004	Equipment Replacement	$20,000		$0	100.0%	$20,000		
2004	Tunnel Repairs	$125,000		$0	100.0%	$125,000		
2004	Water Resources - Bond Payment for Spiro	$48,425	68.4%	$33,110	31.6%	$15,315		

2005	Equipment Replacement	$20,000		$0	100.0%	$20,000		
2005	Tunnel Repairs	$125,000		$0	100.0%	$125,000		
2005	Water Resources - Bond Payment for Spiro	$48,436	68.4%	$33,118	31.6%	$15,318		
	TOTALS	$7,676,959		$2,824,729		$ 2,466,180		$ 2,386,050

WATER DEVELOPMENT CAPITAL FACILITIES PLAN									
			Fac	Plan	Water	Rate	Oth	ers	
Date	Project	Cost	%	$	%	$	%	$	
1992	Spiro W.F.P. $2,458,600	$725,671	100	$725,671					
1992	Spiro Eng.&Arch $297,518	$87,811	100	$87,811					
1993	Spiro Bond Payment	$139,008	100	$139,008					
1994	Spiro Bond Payment	$139,241	100	$139,241					
1995	Keetley Well (Test)	$60,000	100	$60,000					
1995	Keetley Well (Test) Eng	$5,000	100	$5,000					
1995	Spiro Bond Payment	$139,357	100	$139,357					
1996	Keetley Well (Prod & Trans)	$551,000	100	$551,000					
1996	Keetley Well (Eng)	$187,000	100	$187,000					
1996	Spiro Bond Payment	$139,357	100	$139,357					
1997	Ontario Source	$444,000					100	$444,000	
1997	Ontario Source (Eng)	$134,000					100	$134,000	
1997	Spiro Wfp Filter	$170,000			100	$170,000			
1997	Spiro Wfp Filter (Eng)	$20,000			100	$20,000			
1997	Spiro Bond Payment	$139,241	100	$139,241					
1998	Land Acq. of Source	$140,000	100	$140,000					
1998	Source Dev (Spr)	$200,000	100	$200,000					
1998	Source Dev (Spr) Eng	$61,000	100	$61,000					
1998	Spiro WFP Pump	$35,000	100	$35,000					
1998	Spiro WFP Pump	$13,000	100	$13,000					
1998	Spiro Bond Payment	$139,784	$100	$139,784					
1999	Spiro Bond Payment	$167,314	100	$167,314					
2000	Spiro Bond Payment	$166,965	$100	$166,965					
2001	Spiro Bond Payment	$167,198	$100	$167,198					
2002	Spiro Bond Payment	$167,198	100	$167,198					
2003	Spiro Bond Payment	$166,965	$100	$166,965					
2004	Spiro Bond Payment	$167,275	$100	$167,275					
2005	Smith-Morehouse Source								
	1/3 of $15 million total cost	$5,000,000	100	$5,000,000					
2005	Spiro Bond Payment	$167,314	100	$167,314					
	TOTALS	$9,839,699		$9,071,699		$190,000		$578,000	

CAPITAL FACILITIES PLAN
AND
IMPACT FEE ANALYSIS

for
Park City Municipal Corporation

Prepared by

Rosenthal and Associates

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

OVERVIEW

This report describes the objectives and methodology that underlie the Park City impact fee system.

The history and use of impact fees in Park City is described by city budget and finance policy, as follows:

> Development impact fees are collected and used to offset certain direct impacts of new construction in Park City. Park City has imposed impact fees since the early 1980's. Following Governor Leavitt's veto of Senate Bill 95, the 1995 State Legislature approved revised legislation (SB 94) to define the use of fees to mitigate the impact of new development. Park City's fees were adjusted to conform with restrictions on their use. The fees will be comprehensively revised by 1997 to fully conform with the new legislation. Fees are collected to pay for capital facilities owned and operated by the city (including land and water rights) to address impacts of new development on the following service areas: water, drainage, public safety, parks (including open space, recreation facilities, and trails) and streets. The fees are not used for general operation or maintenance. The fees are established following a systematic assessment of the capital facilities required to serve new development. The city will account for these fees to assure that they are spent within six years, and only on eligible facilities. In general, the fees first collected will be the first spent.[1]

This report updates previous impact fee analyses, and is intended to:

- Substantiate the *need* for planned capital spending.
- Identify a *level of service standard* for each facility type - show that it is consistently applied and that demand presented by new development threatens to degrade the standard.
- Identify the *component* of planned capital expense undertaken to meet demand generated by new development.
- Define a fee *calculation methodology* that equitably apportions facility development cost among those benefited by he facilities.
- Define a methodology that recognizes differential impact, attendant to different property types and sizes.
- Update planned capital spending and impact fee rate.

Administrative objectives include the following:

- Methodology which is intuitive, rational, and *easy to explain.*
- *Simplified fee calculation guidelines* that obviate a need for detailed analysis with each application.
- *Cost-effective* methodology that utilizes existing administrative structure, personnel and equipment to assess the fee, collect the funds and disburse the proceeds.

[1] Park City Municipal Corporation, Budget and Finance Policy.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

SUMMARY

The Park City impact assessment is defined as an amount sufficient to offset a proportionate share of the cost of capital facilities needed to serve demand generated by new development. The fee is computed as a percent of construction value - a method which defines facility impact based on project size and use type. The City Council in the past has chosen to implement a capped fee, charged at a rate less than that required to fully offset the cost of facilities built to serve new development. The fee has been implemented at the same capped rate - 2% of construction value - as a means of promoting cross generational equity, administrative ease, and intuitive methodology.

Capital spending for new development is defined by the Capital Facilities Plan (CFP) - a derivative of the standard Park City Capital Improvement Program. The CFP is specified as part of a formalized analytical process - the annual Capital Facilities Programming Process - which verifies need and prioritizes competing projects.

Impact fee proceeds are accounted for separately. Collection and use of the funds is accomplished so that benefit accrues to each subject property. Funds are generally expended in the order collected - first in first out. Funds are generally expended within six years of collection.

The CFP and fee rate are evaluated and updated biennially to ensure on-going proportionate, and equitable assessment. The fee may be set at or below the maximum fee. For 1996, the maximum fee is 2.804% of construction value.

CAPITAL PROGRAMMING PROCESS

The City has a formalized process to identify capital facility demand and to define a plan - the *Capital Improvement Plan* (CIP) - to meet that need. The process is implemented as part of General Budget Policy,[2] and is informed by the following objectives:

- Identify residents' needs for facilities
- Prioritize facilities
- Evaluate the means for delivering facilities and organize programs to provide the facilities
- Identify available resources and appropriate funds to undertake the projects
- Establish appropriate service levels
- Set standards to measure delivery of services
- Evaluate accomplishment of objectives and use of appropriations

These objectives define a planning environment which calls for realistic prioritization, consistent definition of performance standards, cost-effective implementation, and regular assessment of goal achievement. They serve to distill expectations and to prioritize competing projects - the effect of which is to implement a capital budgeting process which guarantees that needed projects defined by consistent service provision standards, are undertaken.

[2]See Park City Municipal Corporation Annual Budget.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

CAPITAL PROGRAMMING PROCESS (CONT.)

The capital budgeting process, by means of the *Capital Improvement Management Plan,* serves to evaluate competing needs for facility replacement, facility enhancement, and capacity expansion to meet demand generated by new development. The process is lead by the City Council which defines annual capital improvement objectives, and includes a series of public meetings, staff review, review by the CIP committee, department heads, the City Manager, and finally, approval by the Council of recommended appropriations.

The process yields a list of *scheduled projects* for which funding is available and which will be undertaken in the near term; and prioritized but *unscheduled projects* which are necessary, but given limited resources are not immediately planned for funding. In 1996, the draft CIP[3] includes recommended spending of about $36.1 mil, and has scheduled funding of only about $14.3 mil.

Competition for funds and the need to balance capital spending for existing residents against demands presented by new development - facility maintenance or upgrade versus capacity expansion - guarantees that underlying service provision standards are applied uniformly, and that each project undergoes sufficient professional evaluation to ensure that it is properly specified and essential. All potential funding sources are considered for each project before the CIP is finalized.

A formal capital budgeting process has been implemented and refined in Park City for more than ten years. The effect of that process is to enforce consistent standards for capital project selection and service provision, and because of that, new development from year to year is called upon only to support a level of spending needed to implement narrowly defined capital facility capacity expansion requirements.

CAPITAL BUDGET ALLOCATION

The capital budget allocation process is based on the CIP and defines a sub-set of total planned capital expense - the *Capital Facilities Plan* (CFP) - which identifies projects undertaken to meet demand generated by new development.

The CFP analytical process begins with a review of each scheduled capital project to identify and delete costs attributable to maintenance or the correction of a capacity, or qualitative facility deficiency.

Projects are then assigned to one of four *Project Classification Categories* based on an analysis of the type of facility and its intended function - only projects with a growth component of more than 25% are included in the CFP (and hence, eligible for funding with impact fees). Project classification categories quantify the "new development" component of planned capital spending and define a consistent analytical process from year to year, so that the CFP enforces the same performance standard for each generation of new development.

[3] CIP Project Summary, 5/18/95, Park City Finance Department.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

CAPITAL BUDGET ALLOCATION (CONT.)

Project Classification Categories are summarized as follows:

Table 1

Project Classification Categories

Class	Allocation	Project Type
I	100%	Projects initiated solely to provide added capacity to meet demand generated by new development
II	75%	Projects where more than 75% of spending is for work to meet demand generated by new development, but which include a minor, deficiency correction component, for improved service to existing residents
III	50%	Projects where more than 75% but less than 50% of spending is attributable to capacity expansion to meet demand generated by new development.
IV	25%	Projects initiated primarily for deficiency correction, but which have a component exceeding 25% of project cost, directed towards capacity expansion for new development.

IMPACT FEE CALCULATION

The *Capital Programming Process* assesses "need"; the *Capital Budget Allocation Process* defines facilities and spending planned to meet demand generated by new development, and in turn the *Impact Fee Calculation methodology* proportionately assigns that cost among beneficiaries.

Projects identified in the CFP are assigned to categories of impact according to approved Park City impact fees, summarized as follows:[4]

Table 2

Impact Fee Description

	Fee Rate (% of CV)		Description
	Fee	% of Total	
Parks and Open Space	1.899%	67.738%	Park land and improvements, recreation facilities, open space and trails
Roads and Drainage	0.829%	29.565%	Storm water, drainage and flood control projects - master planned roads and appurtenances, and associated improvements to federal or state roads.
Public Safety Facilities	0.076%	2.696%	Buildings for fire protection, police or other public safety entities
Total	2.804%		

The fee rate for each capital facility type is calculated to offset the cost of the CFP for that type, and to proportionately allocate that cost according to relative impact, among new entrants.

[4] The impact fee for *Roads* and *Drainage* is combined because road and drainage projects are most often undertaken together and costs for each are inextricably intertwined.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

IMPACT FEE CALCULATION (CONT.)

The fee rate is computed as a percent of annual *building activity,*[5] and then assessed against a given quantity of construction, for each new development or building permit application.[6] The assessment is expressed in dollar terms as a percent of uniform *construction value.*[7]

The fee rate is calculated as:

$$\left[CFP\ Total \div \left(Annual\ Building\ Activity \times 5\right)\right] = Fee\ Rate\ .^{8}$$

The fee rate for 1996 is computed as follows, and will offset the full cost of the CFP, given annual new construction of $52.9 mil.

$$\left[\$7{,}417{,}061 \div \left(\$52{,}900{,}000 \times 5\right)\right] = 2..804\%$$

The impact assessment is calculated as:

$$\left[Fee\ Rate \times Construction\ Value \times Enclosed\ Area\right] = Impact\ Fee\ Assessment$$

Construction value is used as a surrogate to define relative capital facility demand, and varies for each type of new development.

Construction value for sample property types is as follows:

Table 3

Construction Value
(1995 building valuation)

	Construction Type	Construction Value ($ per sq. ft.)
Single Family	Frame	$78.00
Apartment House	I	$89.00
Retail	I	$67.40
Office	III	$62.40
Hotel/Motel	III	$71.00
Resturant	III	$78.80
Industrial	III	$35.30
Warehouse	III	$25.90

[5] Annual *Building Activity* is tracked by the city, and is projected at the beginning of each year as the average of construction value for last three years. See Park City Municipal Corporation Annual Budget for current projection.
[6] The fee is paid at the time of building permit receipt.
[7] Construction value is based on ICBO construction cost information, published each year by the city as *Building Valuation Data.* Construction value = [Building Valuation (cost per sq. ft.) x area]
[8] The CFP projects 5 year new development capital spending needs and *CFP Total* represents a 5 year spending projection.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

IMPACT FEE CALCULATION (CONT.)

This method of assessment accounts for differential impact, according to property type and size, to ensure proportionate allocation of costs. Different property types have different impact characteristics. Projects of different size[9] present different potential for impact - each are assessed a fee amount that corresponds to proportionate facility service demand.

The impact assessment is based on a compound unit of measure that relies on unit size and type to quantify relative impact. This approach was selected among competing alternatives - for example, impact calculated based on number of bedrooms, household size or unit equivalent - as most definitive in capturing the true cost of attributable capital facility demand, based on past experience, and in light of the unique circumstances of a resort community where capital facility need is defined by peak demand.[10]

Peak demand is given by *peak impact potential*. Local experience has shown during the 20 years that the impact fee program has been in effect that impact potential (peak use) is an equitable way to identify the *true* effect of new development, and to correlate that to facility service demand while minimizing other potential inequities.

Impact potential is illustrated by reference to an example. Construction of large home presents the potential for significant peak facility demand - road capacity must be sufficient to accommodate periodic large gatherings and temporarily increased household size during visits by guests or extended family. Typical household size and behavior, in this instance may suggest average capital facility impact.[11] But *potential* facility demand is significantly above the average, and according to local government experience represents *actual* capacity expansion requirements. The cost of peak potential is accounted for in the method of impact assessment - a large home with more finished area is charged more than a smaller home, or one of similar size but with larger basement and garage, and reduced finished area. Both however are assessed at the same *unit cost*. This means that the value of amenities - perhaps significant in a larger home, but without consequence in assigning capital facility impact - is not factored in the impact assessment and has no effect in increasing the fee relative to all other single family new development.

In the same way that potential peak demand varies by unit size, it also varies by property use. A compound unit of measure assigns a different impact unit cost to each property use and in that way accounts for different relative intensity of demand - lower intensity property use is valued at a lower rate, and higher intensity use at a higher rate.

Parks, Roads and Drainage, and Public Safety impact fees all support facilities which are sized according to peak potential service demand. Parks, open space and trails facilities for example are presented with the same potential facility demand from new development, as that described for roads.

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[9] Enclosed area.

[10] Average demand is a reasonable measure of capital facility impact in a community where the difference between average and peak demand is small. In a resort community the difference is large, and average facility demand is an inadequate measure that tends to understate actual need.

[11] Or below average impact if for example, the home is used less than year round.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

IMPACT FEE CALCULATION (CONT.)

Calculation of the impact assessment relies on an allocation of benefit which averages CFP expense for the current period among all new development completed during that period, within the single, city-wide facility benefit district. This continues a practice of impact assessment dating from 1984, where new entrants are called upon to support construction of additional capacity to serve new development, in recognition of previous contributions provided the current generation under the same approach.

This method of assessment is consistent with the way in which capital projects are undertaken. Road and drainage projects are an example. Often these are planned to provide capacity beyond that needed to meet current demand. This capacity is provided to future residents at a cost born by the current generation, but offset by current excess capacity which acts to reduce planned capital spending during the current period.

Equity among generations is ensured by the capital budgeting process - the application of consistent service provision standards, effective verification of need, competition for funds and well defined prioritization of projects, and a rigorous CFP allocation process.

Historically, the fee has been implemented, under direction of the City Council, at a capped rate.[12] This serves the interest of cross generational equity - all new development continues to be assessed at the same impact fee rate. It also implements impact fee system administrative objectives - simplified program administration, intuitive calculation methodology, and use of existing resources. The council may authorize a fee at any level up to the maximum rate of 2.804%. To the extent that the fee is established below the maximum rate, other revenue sources must be added to fund CFP projects. The General Fund, grants, and the Redevelopment Authority are typical sources for these additional revenues.

ACCOUNTING EXPENDITURE AND REFUND

Three impact fees are assessed in support of three separate types of CFP projects. Fee receipts are accounted for separately and are used to fund projects in the appropriate category.

Collection and use of the funds is accomplished so that benefit accrues to each subject property. Funds are generally expended in the order collected - first in first out. Funds are expended within six years of collection.

[12]The 1995 capped rate is 2% of construction value. The full impact assessment for 1996 is 2.804%.

CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS

REFERENCE

Table 4

Capital Facilities Plan

	CIP Project Summary - FY 1995							Benifit Allocation	
	1996	1997	1998	1999	2000	Project Total	Subject to Fee	Class	(%)
Parks and Open Space									
Capital Facilities Analysis	$35,000	$35,000	$0	$35,000	$0	$105,000	$105,000	I	100%
School Fields	$468,186	$175,000	$0	$0	$0	$643,186	$643,186	I	100%
Prospector Entry Corridor	$64,800	$50,000	$50,000	$50,000	$50,000	$264,800	$264,800	I	100%
Park Meadows Rec. Facility	$100,000	$0	$0	$0	$0	$100,000	$100,000	I	100%
Entryway Purchase (Osguthorp)	$435,948	$435,769	$435,965	$437,019	$436,981	$2,181,683	$1,636,262	II	75%
Community Entryway	$331,399	$15,000	$120,000	$70,000	$70,000	$606,399	$454,799	II	75%
Park Acquisition	$190,000	$100,000	$100,000	$100,000	$100,000	$590,000	$442,500	II	75%
Colman Purchase	$145,000	$100,000	$100,000	$100,000	$100,000	$545,000	$408,750	II	75%
Osguthorp Improvements	$202,941	$50,000	$25,000	$0	$0	$277,941	$208,456	II	75%
Bonanza Drive Buffer	$45,000	$0	$0	$0	$71,500	$116,500	$87,375	II	75%
Gambel Oak Park	$0	$0	$0	$0	$88,000	$88,000	$63,360	II	72%
Sandridge Pocket Park	$0	$0	$0	$0	$40,000	$40,000	$30,000	II	75%
City Park Improvements	$318,356	$170,000	$85,000	$85,000	$85,000	$743,356	$371,678	III	50%
Park Trails Master Plan Impl.	$148,016	$50,000	$50,000	$50,000	$50,000	$348,016	$174,008	III	50%
Parks Irrigation Central	$50,000	$0	$0	$0	$0	$50,000	$25,000	III	50%
Prospector Park Expansion	$12,000	$0	$0	$0	$0	$12,000	$9,000	II	75%
Roads and Drainage									
Bonanza/Kearns Intersection	$0	$190,000	$0	$0	$0	$190,000	$142,500	II	75%
Woodside Ave. Storm Drains	$0	$0	$150,000	$0	$0	$150,000	$112,500	II	75%
Impl. Old Town Streets & Utility Plan	$938,286	$0	$350,000	$350,000	$0	$1,638,286	$819,143	III	50%
Pavement Management Implementation	$351,460	$297,516	$600,000	$600,000	$600,000	$2,448,976	$612,244	IV	25%
Meadows Drive @ Middle School	$90,000	$50,000	$560,000	$0	$0	$700,000	$175,000	IV	25%
Hillside Ave Design & Widening	$0	$296,480	$400,000	$0	$0	$696,480	$174,120	IV	25%
Woodside/King Road Storm Sewer	$629,520	$0	$0	$0	$0	$629,520	$157,380	IV	25%
Public Safety Facilities									
Public Safety Facilities	$200,000	$0	$0	$0	$0	$200,000	$200,000	I	100%
Total	$4,755,912	$2,014,765	$3,025,965	$1,877,019	$1,691,481	$13,365,143	$7,417,061		
Annual Total							$1,483,412		
Estimated Annual Construction Value							$52,900,000		
Impact Fee Receipts % of Construction Value							2.804%		

ORDINANCE 95-27

AN ORDINANCE AMENDING TITLE 9, "PARKING CODE" TO INCLUDE PARKING RESTRICTIONS ON NEWLY BUILT SEVENTH AND NINTH STREETS AND ADDING LANGUAGE DESCRIBING THE HISTORIC DISTRICT PARKING SIGN COLORS

WHEREAS, the City Council is empowered to make amendments to the Municipal Code of Park City, Utah; and

WHEREAS, the health and safety of residents and visitors is an important consideration of the City Council; and

WHEREAS, the City Council finds it in the best interest of the public to amend the Municipal Code so that it is consistent with the Parking and Circulation Plan for Main Street and Swede Alley adopted by Resolution No. 19-93 on August 5, 1993,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, AS FOLLOWS:

SECTION 1. Title 9-4-1(C) is hereby amended as follows:

(C) It shall be unlawful to park any vehicle on Park Avenue between 12th Street and Heber Avenue, on Heber Avenue, 7th Street, 9th Street or Main Street between the hours of 2:00 a.m. and 6:00 a.m. during the winter months. Additional streets may be designated as no parking areas during these periods as necessary to facilitate snow removal.

SECTION 2. Title 9-6-2(A) is hereby amended as follows:

(A) Signs pertaining to a permanent parking regulation shall be blue with white lettering in the Historic District and white with ~~and~~ red lettering in all other areas, and shall state the nature of the regulations on the face of the sign. Signs shall be erected ~~with~~ in sufficient number to adequately inform the public of the parking regulation.

SECTION 3. This Ordinance shall take effect upon its publication.

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Approved as to form:

Mark D. Harrington, Asst. City Attorney

Ordinance No. 95-26

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK CITY SURVEY, THE WEST 50 FEET OF LOTS 31 AND 32, BLOCK 11 LOCATED AT 310 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owner of property known as the West 50 feet of Lots 31 and 32, Block 11 of the amended Park City Survey, has petitioned the City Council for approval of an amendment to the amended Park City Survey plat; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on May 25, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS AND CONCLUSIONS OF LAW.

Findings: The relative density of one structure will be significantly less than two separate structures. The parking and infrastructure impacts related to one structure should also be significantly less than for two structures. Even when combined, the total area of these lots will only allow one single family structure to be constructed.

Conclusions of Law. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, the West 50 feet of Lots 31 and 32, Block 11, is approved as shown on Attachment A with the following condition:

Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon

adoption.

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

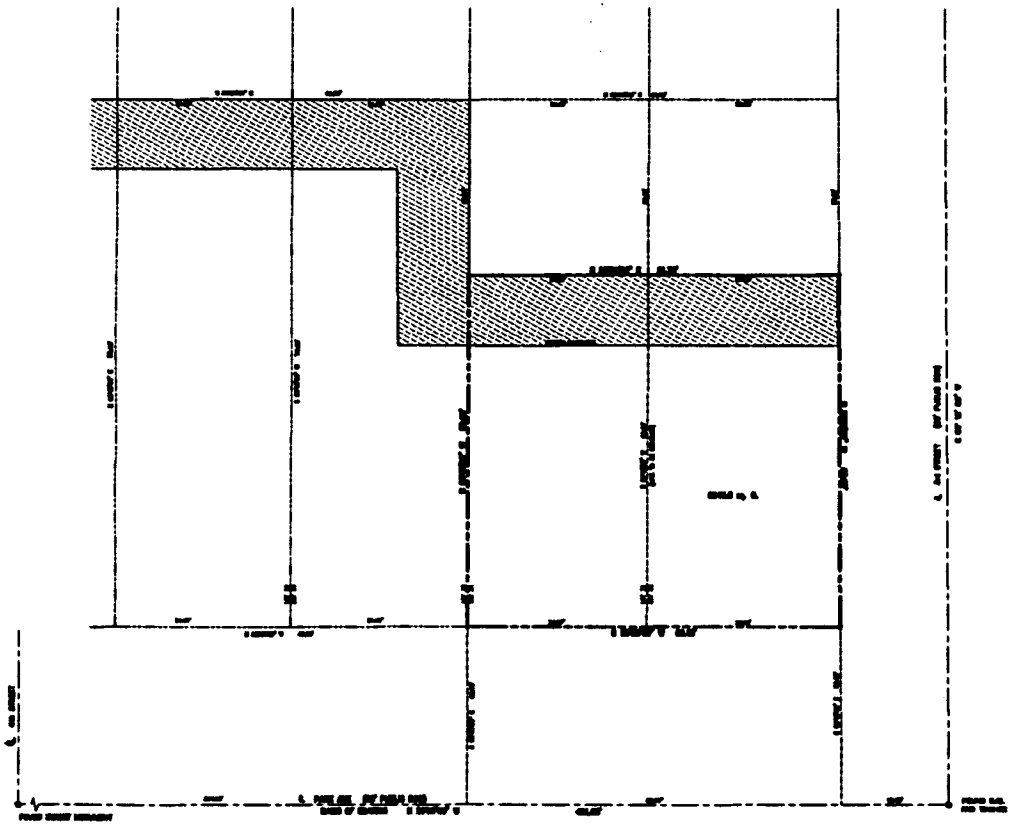
Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

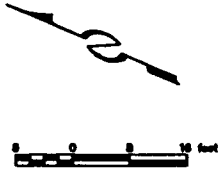
ATTACHMENT A

Plat



NOTES

1. ○ = Section bars not set and may LS #163531
2. The street address of "THE LEONARD PARCEL" is _____ Park Avenue.



SURVEYORS CERTIFICATE

I John Demkowicz do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 163531, as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of this tract of land shown on this plat and described hereon, and have subdivided said tract of land to be hereafter known as THE LEONARD PARCEL and that same has been correctly surveyed and staked on the ground as shown on this plat.

_____ _____

John Demkowicz L.S. # 163531 Date

LEGAL DESCRIPTION

The West 66 feet of Lots 31 & 32, Block 11, Park City Survey, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these present that the undersigned, being the owner of the above described tract of land, to be known hereafter as

The West 66 FEET of Lots 31 and 32, Block 11, Park City Survey, according to the Official Plat thereof on file and of record in the Summit County Recorder's Office,

do hereby certify that it caused this survey to be made and this Record of Survey map to be prepared. The undersigned, Shareholder of 268 Park Ave., L.C. hereby further grants this survey prepared as indicated and noted hereon and consents on behalf of the limited liability company, to the recordation of this Record of Survey Map.

268 PARK AVE., L.C.

By _____
Shareholder
Managing Member

ACKNOWLEDGEMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 1998 personally appeared before me, the undersigned Notary Public in and for said state and county, [NEAL LEONARD], being by me duly sworn, acknowledged to me that [he/she] is the owner of the herein described tract of land and that [he/she] signed the above Owners Consent to Record freely and voluntarily.

_____ Notary Public

My Commission Expires _____

Residing at: _____

THE LEONARD PARCEL

A LOT LINE RE-PLATTING

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2864 333 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1998 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1998 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1998 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1998 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

JOB NO. 14-98-08 FILE T:\SURV\PCR\140298

Ordinance No. 95-25

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK CITY SURVEY, LOTS 14, 15, BLOCK 58 LOCATED AT 490 ONTARIO AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 14 and 15, Block 58 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey plat to be known as the Greeney Subdivision; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on May 25, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat, known as the Greeney Subdivision plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, Lots 14 and 15, Block 58, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.

2. The Chief Building Official, within the discretion conferred by the Uniform Fire Code, shall determine whether an automatic fire sprinkler system shall be required.

3. Shake roofing will not be permitted. Only fire resistant shingles, meeting the Building Department's standards, shall be permitted.

4. Prior to building permit issuance, a construction staging plan shall be approved by the Building Department.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

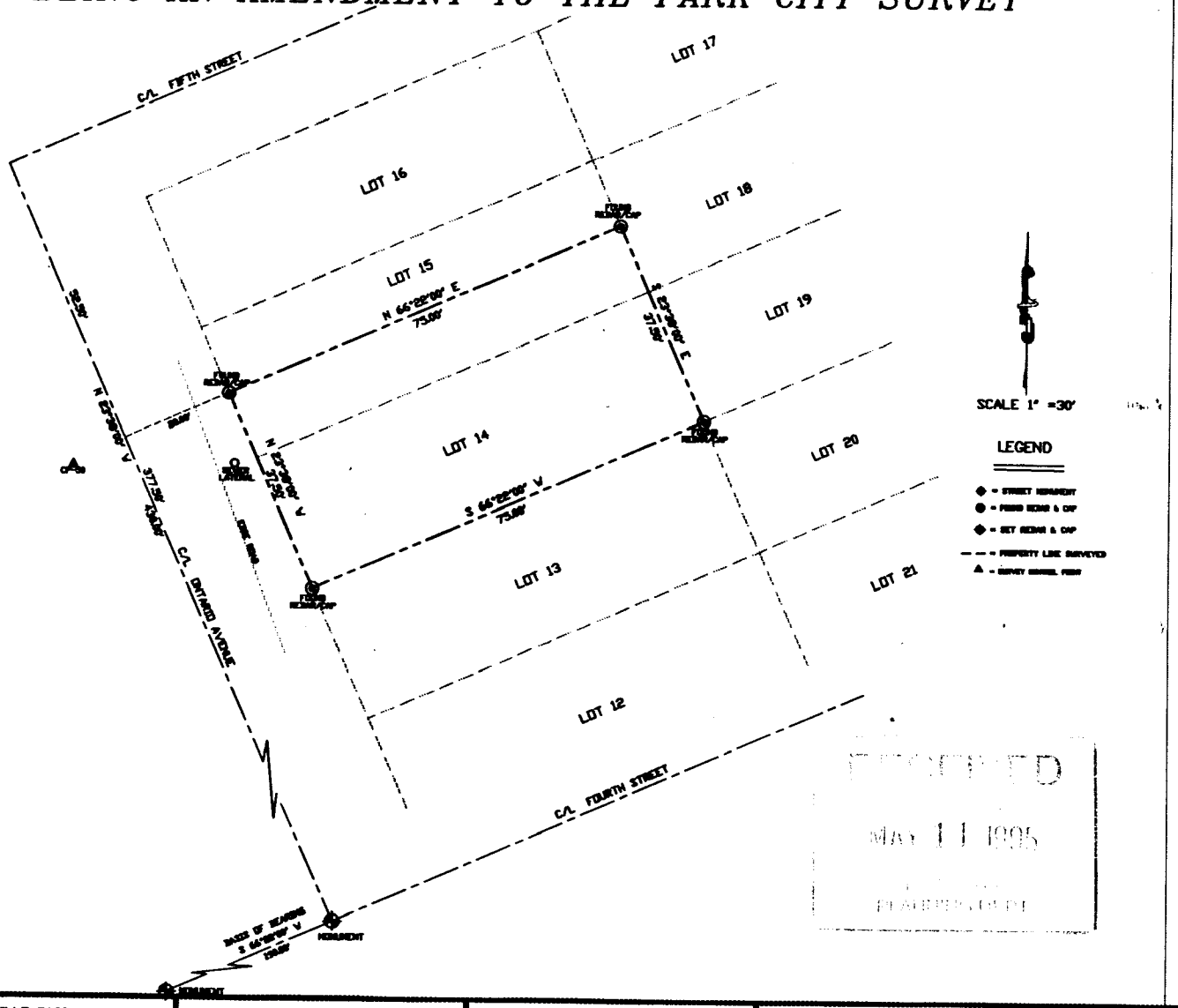
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

GRENNEY SUBDIVISION
BEING AN AMENDMENT TO THE PARK CITY SURVEY



RECEIVED
MAY 11 1995

SURVEYOR'S CERTIFICATE

I, RICHARD K. JOHANSEN, do hereby certify that I am a Registered Civil Engineer, and a Land Surveyor, and that I hold certificate No. ____ as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract into lots and streets, hereinafter to be known as GRENNEY SUBDIVISION BEING AN AMENDMENT TO THE PARK CITY SURVEY and that same has been correctly surveyed and staked on the ground as shown on this plat.

5-8-95
DATE

Richard K. Johansen
REGISTERED LAND AGENT

BOUNDARY DESCRIPTION

PROPERTY DESCRIPTION

ALL OF LOT 14 AND THE SOUTH ONE HALF OF LOT 15 BLOCK 58, OF THE PARK CITY SURVEY. ON FILE IN SUMMIT COUNTY.

SAID PROPERTY ALSO BEING DESCRIBED AS BEGINNING AT THE SOUTH WEST CORNER OF LOT 14 BLOCK 58 OF THE PARK CITY SURVEY, ON FILE IN SUMMIT COUNTY, THENCE N 23°38'00" W 37.50 FEET; THENCE N 66°22'00" E 75.00 FEET; THENCE S 23°38'00" E 37.50 THENCE S 66°22'00" W 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.06 AC
2,812 SQ. FT.

OWNER'S DEDICATION

Know all men by these presents that _____ the _____ undersigned owner(s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the GRENNEY SUBDIVISION BEING AN AMENDMENT TO THE PARK CITY SURVEY

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D. 19____

_____ _____
_____ _____
_____ _____

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit :
Personally appeared before me this ___ day of _____, 19____ the Signing

_____ _____
_____ _____
_____ _____

who acknowledged to me that ___he___ executed the above owners dedication

MY COMMISSION EXPIRES _____ _____
NOTARY PUBLIC
RESIDING IN _____

CONSENT TO RECORD

STATE OF UTAH
County of Summit :
The undersigned lien holder
hereby consents to the recordation of the plat

By: _____
Authorized Officer

The foregoing consent to record was acknowledged before me this _____ day of _____, 19____ by: _____

MY COMMISSION EXPIRES _____ _____
NOTARY PUBLIC
RESIDING IN _____

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY COUNCIL APPROVAL	APPROVAL AS TO FORM	COUNTY RECORDER
APPROVED AND ACCEPTED BY BOARD ON THIS _____ DAY OF _____, 19____	I hereby certify that I have had the foregoing plat examined by me and find it to conform with the requirements of the Ordinances of the City Council of Park City, Utah.	Approved and accepted by the Park City Planning Commission this _____ day of _____, 19____	Approved by the City Council on this _____ day of _____, 19____	APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 19____	STATE OF UTAH COUNTY OF SUMMIT Recorded and filed at the request of _____ DATE _____ TIME _____ BOOK _____ PAGE _____
ADDRESS SNYDERVILLE BASIN	_____ DATE	_____	_____ DATE	_____	_____ COUNTY RECORDER
	_____ CITY ENGINEER		_____ CITY RECORDER	CITY ATTORNEY	

EXHIBIT A

Ordinance No. 95-24

AN ORDINANCE APPROVING THE AMENDMENT TO THE SUNNYSIDE SUBDIVISION, LOTS 12 AND 13, LOCATED AT 630 MELLOW MOUNTAIN ROAD PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 12 and 13 of the Sunnyside Subdivision have petitioned the City Council for approval of an amendment to the Sunnyside Subdivision plat to be known as the Shoulders Subdivision; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on May 25, 1995 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat, known as the Shoulders Subdivision plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment to the Sunnyside Subdivision plat, Lots 12 and 13, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the City Attorney and City Engineer shall review and approve the final plat.

2. Prior to building permit issuance the house plans shall be reviewed and approved for neighborhood compatibility by the Community Development Director.

3. All conditions of approval of the Sunnyside Subdivision shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

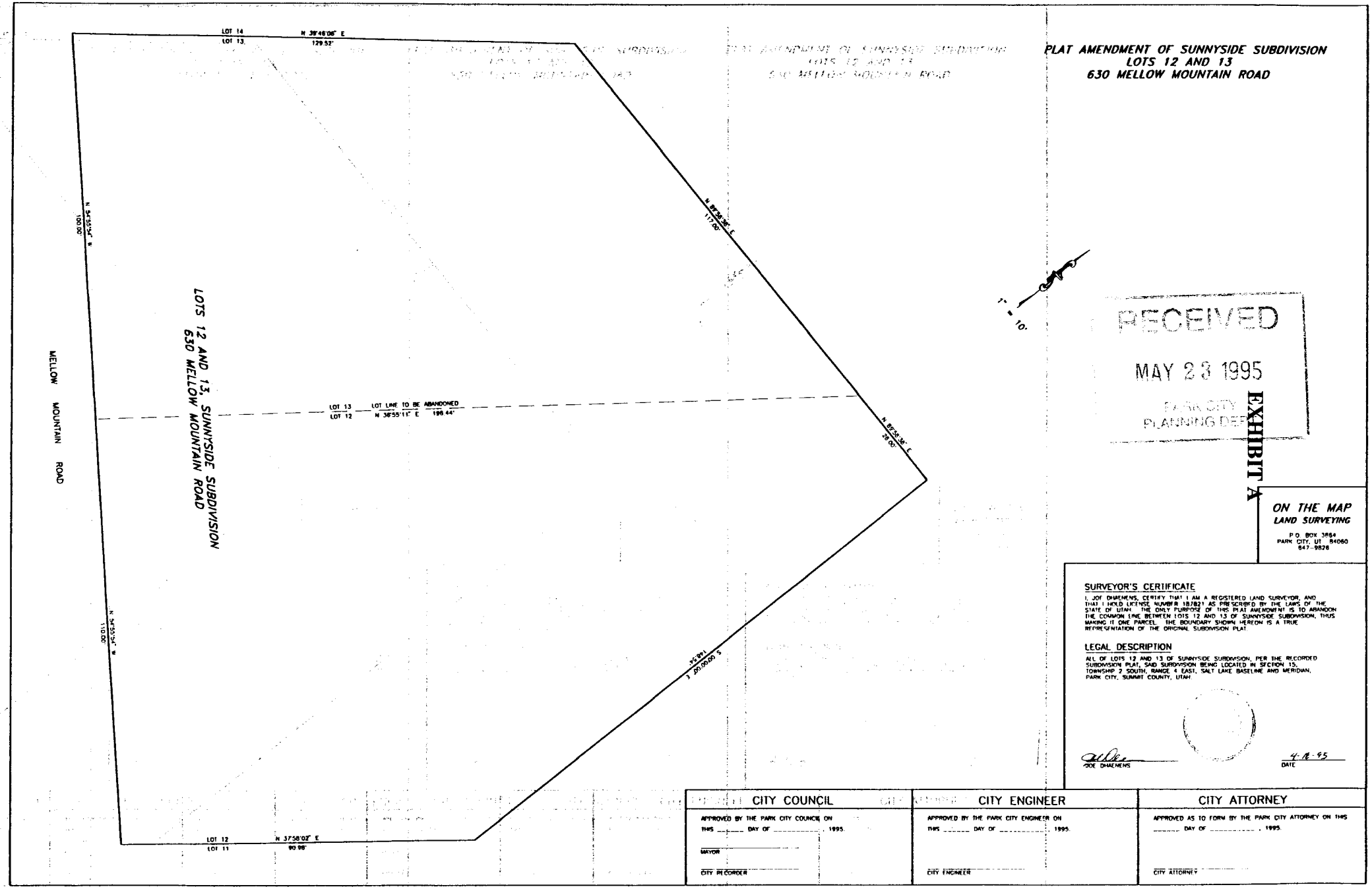
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

PLAT AMENDMENT OF SUNNYSIDE SUBDIVISION
LOTS 12 AND 13
630 MELLOW MOUNTAIN ROAD



RECEIVED
MAY 23 1995
PARK CITY
PLANNING DEPT.

EXHIBIT A

ON THE MAP
LAND SURVEYING
P.O. BOX 3684
PARK CITY, UT 84060
647-9828

SURVEYOR'S CERTIFICATE

I, JOE DHAENENS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. THE ONLY PURPOSE OF THIS PLAT AMENDMENT IS TO ABANDON THE COMMON LINE BETWEEN LOTS 12 AND 13 OF SUNNYSIDE SUBDIVISION, THUS MAKING IT ONE PARCEL. THE BOUNDARY SHOWN HEREON IS A TRUE REPRESENTATION OF THE ORIGINAL SUBDIVISION PLAT.

LEGAL DESCRIPTION

ALL OF LOTS 12 AND 13 OF SUNNYSIDE SUBDIVISION, PER THE RECORDED SUBDIVISION PLAT, SAID SUBDIVISION BEING LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

JOE DHAENENS

4-18-95
DATE

CITY COUNCIL	CITY ENGINEER	CITY ATTORNEY
APPROVED BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, 1995.	APPROVED BY THE PARK CITY ENGINEER ON THIS _____ DAY OF _____, 1995.	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS _____ DAY OF _____, 1995.
MAYOR	CITY ENGINEER	CITY ATTORNEY
CITY RECORDER		

Ordinance No. 95-23

AN ORDINANCE APPROVING A PLAT AMENDMENT TO THE DEER VALLEY CLUB ESTATES SUBDIVISION PLAT IN PARK CITY, UTAH

WHEREAS, Park City, in cooperation with the Deer Valley Club Estates Subdivision Architectural Committee, petitioned the Planning Commission for approval of a plat amendment to the Deer Valley Club Estates Subdivision plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on April 26, 1995; and

WHEREAS, on April 26, 1995, the Planning Commission approved the plat amendment described below;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the plat amendment and neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT AMENDMENT APPROVAL. The Deer Valley Club Estates Subdivision Plat is hereby amended as shown in Attachment A by adding the following language:

Note: The Limits of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. The limits of construction disturbance shall be no greater than 15 feet beyond the building pad. The building footprint can shift within the building pad. Driveway access to the building pad shall be no wider than 20 feet. Deviations rom the Limits of Disturbance may and must be approved by the Knoll Estates Architectural Committee.

The amended plat of Deer Valley Club Estates is hereby further amended to change the name of the subdivision from Deer Valley Club Estates to Knoll Estates.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect

immediately.

PASSED AND ADOPTED this 18th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

ATTACHMENT A
5b Plat

NOTE:

THE LIMITS OF DISTURBANCE REPRESENTS THE BOUNDARY IN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR. THE LIMITS OF CONSTRUCTION DISTURBANCE SHALL BE NO GREATER THAN 15 FEET BEYOND THE BUILDING PAD. DRIVEWAY ACCESS TO THE BUILDING PAD SHALL BE NO WIDER THAN 20 FEET. DEVIATIONS FROM THE LIMITS OF DISTURBANCE MAY AND MUST BE APPROVED BY THE KNOLL ESTATES ARCHITECTURAL COMMITTEE.

THE AMENDED PLAT OF DEER VALLEY CLUB ESTATES IS HEREBY FURTHER AMENDED TO CHANGE THE NAME OF THE SUBDIVISION FROM DEER VALLEY CLUB ESTATES TO:

KNOLL ESTATES

AN AMENDMENT TO THE AMENDED PLAT
OF
DEER VALLEY CLUB ESTATES

A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22 AND THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ACCORDING TO THE AMENDED PLAT RECORDED ON 12/10/92 AS ENTRY NO. 370399 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

CITY COUNCIL APPROVAL

PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 1995, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

MAYOR

CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 1995.

CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 1995

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 1995

CITY ATTORNEY

RECORDED

No.
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF

FEES

COUNTY RECORDER

Ordinance 95-22

AN ORDINANCE AMENDING TITLE 6, CHAPTER 3- NOISE, OF THE MUNICIPAL CODE OF PARK CITY TO EXEMPT SPECIFIED STREETS FROM THE PROHIBITION ON USING JAKE BRAKES AND LIMITING THE EXEMPTION TO CERTAIN HOURS

WHEREAS, the City Council finds it in the best interest of the community, because of safety considerations, to amend Chapter 3 of the Municipal Code of Park City with regard to dynamic braking devices (jake brakes); and

WHEREAS, the City Council held a public hearing on this amendment at its regularly scheduled meeting on May 11, 1995;

NOW THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah that:

SECTION 1. AMENDMENT ADOPTED. Section 6-3-8 of the Municipal Code of Park City is hereby amended to read as follows:

(N) **Dynamic braking devices.** Operating any motor vehicle with a dynamic braking device engaged, except ~~for the avoidance of imminent danger.~~ :

(1) To avoid imminent danger; or

(2) Where permitted as posted on the following streets:
- Ontario Canyon
- Royal Street
- Aerie Drive

during the following hours: 7 a.m. thru 10 p.m., Monday thru Saturday, and 9 a.m. thru 10 p.m. on Sundays.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 18th day of May , 1995.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

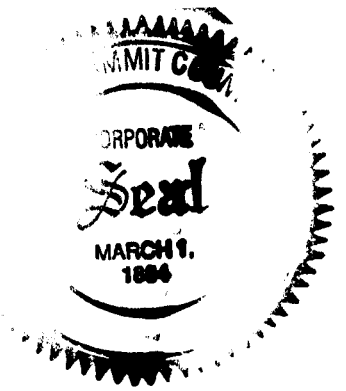
Attest:

Janet M. Scott

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney



Ordinance No. 95-21

AN ORDINANCE APPROVING THE FINAL PLAT OF HIDDEN OAKS LOCATED AT SOLAMERE DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Hidden Oaks petitioned the Planning Commission for approval of a revision to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed conversion on April 26, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

WHEREAS, staff supports the revision to the final plat at Hidden Oaks as it reduces the visual impacts of the original plat approval; and

WHEREAS, there is good cause for the revision as the reconfiguration will allow for visual mitigation on Phase II; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. The Hidden Oaks final plat is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the final plat shall be reviewed and approved by the City Engineer, City Attorney, and City Council. The final plat shall reflect the designated utility and roadway easements as reviewed and approved by the City Engineer.

2. Prior to plat recordation the applicant shall post a security, for all phases, in a form acceptable to the City Attorney, in an amount equal to 125% of the cost of public improvements as estimated by the City Engineer.

SECTION 2. This Ordinance shall take effect immediately.

DATED this 11th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

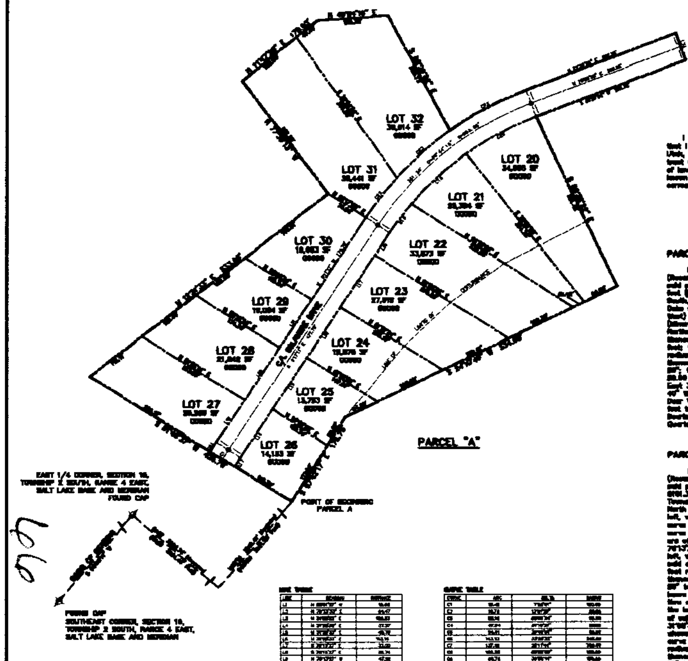
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

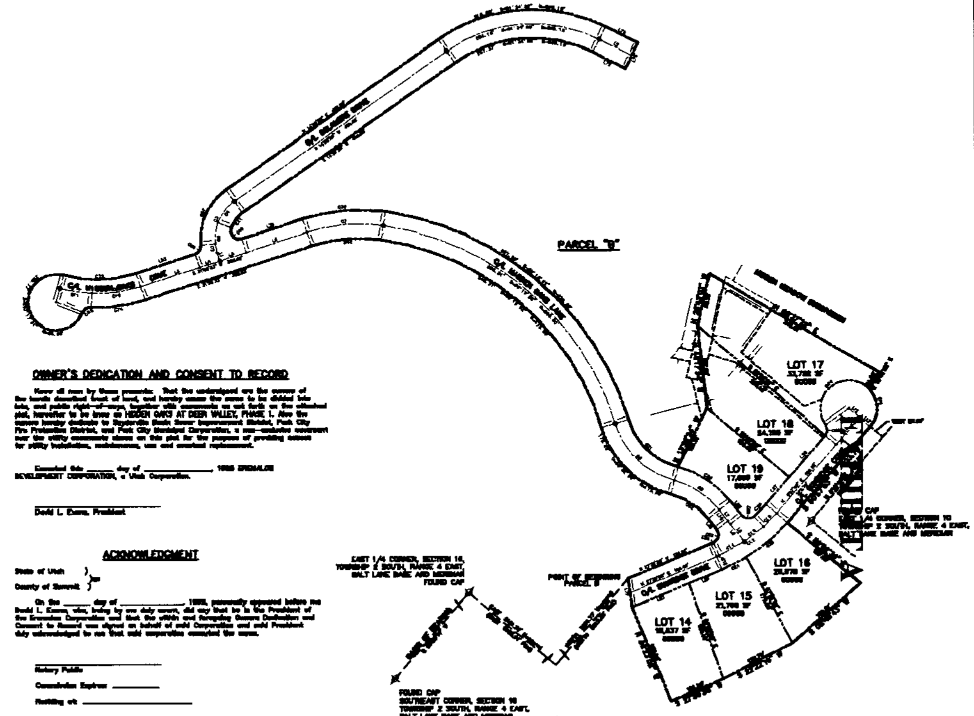
Mark D. Harrington, Asst. City Attorney



SURVEYOR'S CERTIFICATE

PARCEL "A" BOUNDARY DESCRIPTION

PARCEL "B" BOUNDARY DESCRIPTION



OWNER'S DEDICATION AND CONSENT TO RECORD

David L. Evans, President

ACKNOWLEDGMENT

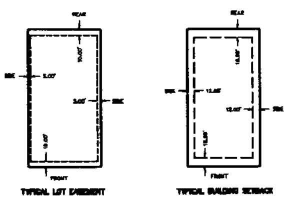
State of Utah }
County of Summit }

Notary Public

Commission Expires ______

Residing at ______

GENERAL NOTES:



100 0 100 200 FEET

LEGEND

C/L - CENTERLINE

JOB NO. 4-6-94 VC\D\PLTR01

HIDDEN OAKS AT DEER VALLEY

PHASE 1

A SUBDIVISION LOCATED IN SECTION 10, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PROGRESS DRAWING 5-3-95

ALLIANCE ENGINEERING INC.
P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF ____________, 1995 A.D.
BY ____________ S.B.S.I.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______ DAY OF ____________, 1995 A.D.
BY ____________ CHAIRMAN

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF ____________, 1995 A.D.
BY ____________ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______ DAY OF ____________, 1995 A.D.
BY ____________ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF ____________, 1995 A.D.
BY ____________ PARK CITY RECORDER

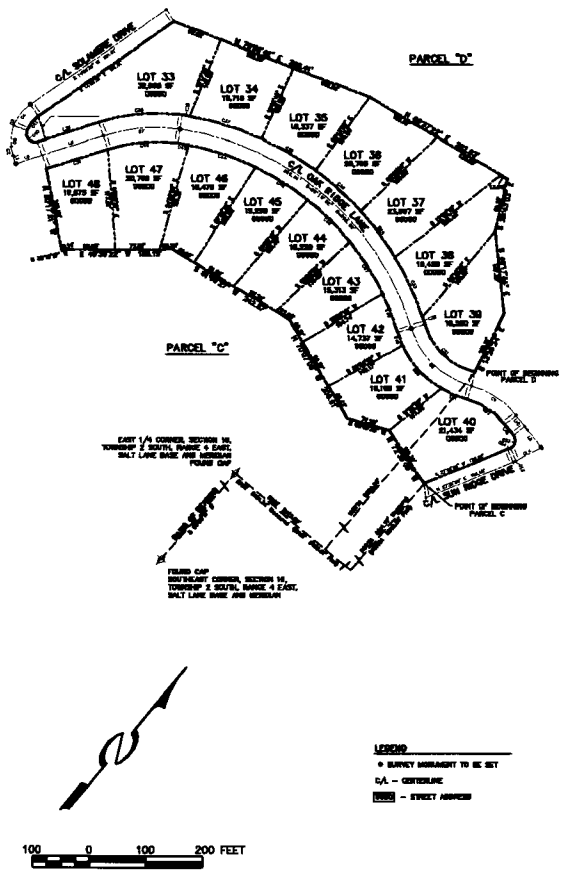
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF ____________, 1995 A.D.
BY ____________ MAYOR

RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ____________
DATE ______ TIME ______ BOOK ______ PAGE ______
FEE ______ RECORDER

66

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 36°56'52" E	33.48
L2	S 74°00'00" E	100.00
L3	S 16°00'00" E	100.00
L4	S 74°00'00" E	87.72
L5	S 74°00'00" E	30.00
L6	S 74°00'00" E	113.15
L7	S 74°00'00" E	30.00
L8	S 74°00'00" E	30.00
L9	S 74°00'00" E	30.00
L10	S 74°00'00" E	30.00
L11	S 74°00'00" E	30.00
L12	S 74°00'00" E	30.00
L13	S 74°00'00" E	30.00
L14	S 74°00'00" E	30.00
L15	S 74°00'00" E	30.00
L16	S 74°00'00" E	30.00
L17	S 74°00'00" E	30.00
L18	S 74°00'00" E	30.00
L19	S 74°00'00" E	30.00
L20	S 74°00'00" E	30.00
L21	S 74°00'00" E	30.00
L22	S 74°00'00" E	30.00
L23	S 74°00'00" E	30.00
L24	S 74°00'00" E	30.00
L25	S 74°00'00" E	30.00
L26	S 74°00'00" E	30.00
L27	S 74°00'00" E	30.00
L28	S 74°00'00" E	30.00
L29	S 74°00'00" E	30.00
L30	S 74°00'00" E	30.00
L31	S 74°00'00" E	30.00
L32	S 74°00'00" E	30.00
L33	S 74°00'00" E	30.00
L34	S 74°00'00" E	30.00
L35	S 74°00'00" E	30.00
L36	S 74°00'00" E	30.00
L37	S 74°00'00" E	30.00
L38	S 74°00'00" E	30.00
L39	S 74°00'00" E	30.00
L40	S 74°00'00" E	30.00
L41	S 74°00'00" E	30.00
L42	S 74°00'00" E	30.00
L43	S 74°00'00" E	30.00
L44	S 74°00'00" E	30.00
L45	S 74°00'00" E	30.00
L46	S 74°00'00" E	30.00
L47	S 74°00'00" E	30.00
L48	S 74°00'00" E	30.00
L49	S 74°00'00" E	30.00
L50	S 74°00'00" E	30.00
L51	S 74°00'00" E	30.00
L52	S 74°00'00" E	30.00
L53	S 74°00'00" E	30.00
L54	S 74°00'00" E	30.00
L55	S 74°00'00" E	30.00
L56	S 74°00'00" E	30.00
L57	S 74°00'00" E	30.00

CURVE TABLE				
CURVE	LEN	RADIUS	DELTA	CHORD
C1	78.54	50.00	90°00'00"	70.71
C2	78.54	50.00	90°00'00"	70.71
C3	78.54	50.00	90°00'00"	70.71
C4	78.54	50.00	90°00'00"	70.71
C5	78.54	50.00	90°00'00"	70.71
C6	78.54	50.00	90°00'00"	70.71
C7	78.54	50.00	90°00'00"	70.71
C8	78.54	50.00	90°00'00"	70.71
C9	78.54	50.00	90°00'00"	70.71
C10	78.54	50.00	90°00'00"	70.71
C11	78.54	50.00	90°00'00"	70.71
C12	78.54	50.00	90°00'00"	70.71
C13	78.54	50.00	90°00'00"	70.71
C14	78.54	50.00	90°00'00"	70.71
C15	78.54	50.00	90°00'00"	70.71
C16	78.54	50.00	90°00'00"	70.71
C17	78.54	50.00	90°00'00"	70.71
C18	78.54	50.00	90°00'00"	70.71
C19	78.54	50.00	90°00'00"	70.71
C20	78.54	50.00	90°00'00"	70.71
C21	78.54	50.00	90°00'00"	70.71
C22	78.54	50.00	90°00'00"	70.71
C23	78.54	50.00	90°00'00"	70.71
C24	78.54	50.00	90°00'00"	70.71
C25	78.54	50.00	90°00'00"	70.71
C26	78.54	50.00	90°00'00"	70.71
C27	78.54	50.00	90°00'00"	70.71
C28	78.54	50.00	90°00'00"	70.71
C29	78.54	50.00	90°00'00"	70.71
C30	78.54	50.00	90°00'00"	70.71
C31	78.54	50.00	90°00'00"	70.71
C32	78.54	50.00	90°00'00"	70.71
C33	78.54	50.00	90°00'00"	70.71
C34	78.54	50.00	90°00'00"	70.71
C35	78.54	50.00	90°00'00"	70.71
C36	78.54	50.00	90°00'00"	70.71
C37	78.54	50.00	90°00'00"	70.71
C38	78.54	50.00	90°00'00"	70.71
C39	78.54	50.00	90°00'00"	70.71
C40	78.54	50.00	90°00'00"	70.71
C41	78.54	50.00	90°00'00"	70.71
C42	78.54	50.00	90°00'00"	70.71
C43	78.54	50.00	90°00'00"	70.71
C44	78.54	50.00	90°00'00"	70.71
C45	78.54	50.00	90°00'00"	70.71
C46	78.54	50.00	90°00'00"	70.71
C47	78.54	50.00	90°00'00"	70.71
C48	78.54	50.00	90°00'00"	70.71
C49	78.54	50.00	90°00'00"	70.71
C50	78.54	50.00	90°00'00"	70.71
C51	78.54	50.00	90°00'00"	70.71
C52	78.54	50.00	90°00'00"	70.71
C53	78.54	50.00	90°00'00"	70.71
C54	78.54	50.00	90°00'00"	70.71
C55	78.54	50.00	90°00'00"	70.71
C56	78.54	50.00	90°00'00"	70.71
C57	78.54	50.00	90°00'00"	70.71



LEGEND

● SURVEY MONUMENT TO BE SET

C/L – CENTERLINE

[1000] – STREET ADDRESS

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 162933 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described hereon and subdivided said tract of land into lots, public easements, and public right-of-ways to be hereafter known as HIDDEN OAKS AT DEER VALLEY, PHASE 2 and that the same has been correctly surveyed on the ground as shown on this plat.

JOHN DEMKOWICZ L.S. NO. 162933 DATE

PARCEL "C" BOUNDARY DESCRIPTION

Beginning at the northeast corner of Lot 12, Royal Oaks Subdivision Phase 1 (recorded September 20, 1993) in the office of the Summit County Recorder), said point is located North 3911.77 feet (East [Not to Scale] 2238.39 feet) and East 2150.34 feet (Part East, 2150.81 feet) from the East 1/4 corner, Section 10, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the boundary line of Royal Oaks Subdivision Phase 1, the following 9 courses: (1) North [Record] West [Not North 00°07'24" East] 112.36 feet; thence (2) North 89°52'36" West [Not North 89°52'36" West] 77.39 feet; thence (3) North 00°07'24" East [Not North 00°07'24" East] 68.00 feet; thence (4) North 89°52'36" West [Not North 89°52'36" West] 240.00 feet; thence (5) South 00°07'24" West [Not South 00°07'24" East] 68.00 feet; thence (6) North 89°52'36" West [Not North 89°52'36" West] 6.74 feet; thence (7) North 00°07'24" East [Not North 00°07'24" East] 6.74 feet; thence North 89°52'36" West [Not North 89°52'36" West] 112.79 feet to a point on a 25.00 foot radius curve to the right, whose radius point bears South 00°07'24" East; thence along the arc of said curve 39.27 feet [Not 39.27 feet] through a central angle of 90°00'00" to a point on a 1,050.00 foot radius curve to the right, whose radius point bears North 89°52'36" West; thence along the arc of said curve 37.44 feet [Not 37.44 feet] through a central angle of 02°02'33" to a point of reverse curve; thence Northwesterly along the arc of a 1,050.00 foot radius curve to the left, whose radius point bears North 87°50'03" West; thence along the arc of said curve 4.71 feet [Not 4.71 feet] through a central angle of 00°15'28" to a point of tangency; thence North 87°54'31" West [Not North 87°54'31" West] 61.00 feet to the point of beginning. Containing approximately 3.79 acres. The Basis of Bearing for the above description is South 89°52'36" West between the East Quarter corner and the Southeast corner of Section 10.

PARCEL "D" BOUNDARY DESCRIPTION

Beginning at a point North 2998.09 feet and East 2125.09 feet from the East Quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point is also located on a 1,050.00 foot radius curve to the right, whose radius point bears North 89°17'04" West; and running thence along the arc of said curve 327.73 feet thru a central angle of 17°52'39" to a point of tangency; thence North 18°45'35" West 114.00 feet to a point on a 1,050.00 foot radius curve to the left, whose radius point bears South 71°14'25" West; thence along the arc of said curve 697.28 feet thru a central angle of 38°02'40" to a point of tangency; thence North 19°16'45" West 113.00 feet to a point on a 1,050.00 foot radius curve to the left, whose radius point bears South 70°43'15" West; thence along the arc of said curve 50.89 feet thru a central angle of 02°46'43"; thence North 16°30'02" West 113.00 feet to a point on a 1,050.00 foot radius curve to the right, whose radius point bears North 73°29'58" East; thence along the arc of said curve 33.80 feet thru a central angle of 01°50'50" to a point on a 50.00 foot radius curve to the left, whose radius point bears North 71°39'08" East; thence Southeasterly along the arc of said curve 30.81 feet thru a central angle of 35°18'23" to a point of tangency; thence South 53°39'15" East 200.91 feet; thence North 36°20'45" East 100.00 feet; thence South 53°39'15" East 113.00 feet; thence South 68°17'56" East 147.36 feet; thence South 1°39'54" East 119.29 feet to the point of beginning. Containing approximately 3.56 acres. The Basis of Bearing for the above description is South 89°52'36" West between the East Quarter corner and the South east corner of Section 10.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned are the owners of the herein described tract of land, and hereby cause the same to be divided into lots, and public right-of-ways, together with easements as set forth on the attached plat, hereafter to be known as HIDDEN OAKS AT DEER VALLEY PHASE 2. Also the undersigned hereby dedicate to Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Park City Municipal Corporation, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing service for utility installation, maintenance, and usual emergency replacements.

Executed this _____ day of _____, 1995 SHEA/ALDS DEVELOPMENT CORPORATION, a Utah Corporation.

_____
David L. Evans, President

ACKNOWLEDGMENT

State of Utah }
County of Summit } ss

On the _____ day of _____, 1995, personally appeared before me David L. Evans, who, being by me duly sworn, did say that he is the President of the Shea/Alds Development Corporation and that the within and foregoing Owners Dedication was signed by him on behalf of said Corporation, and said President duly acknowledged to me that said corporation executed the same.

_____
Notary Public

Commission Expires _____

Residing at: _____

GENERAL NOTES:

1. Plans, Design and Construction shall be in accordance with the "Conditions, Covenants, and Restrictions" of as record in the Summit County Recorder's Office.

2. All dwellings shall be fire sprinkled in accordance with UBC Standards 903-1, 1995. The Building Plan shall be submitted with the Site Plan and Architectural drawings for review prior to issuance of a building permit. Roof sprinkling to be shown "if" and "when" required.

3. Park City will assume responsibility for snow plowing only upon completion and legal acceptance of streets/roads as of June 30th of the Year.

4. Allowable irrigated area shall be 10,000 Sq. feet, maximum per lot.

5. Non-exclusive public utilities and drainage easements are reserved along the front 10 feet, the side 5 feet, and the rear 10 feet of each lot. Additional easements are as shown on the plat.

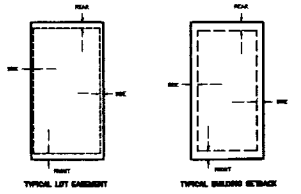
6. Building setbacks shall be 15 feet front and rear of each lot, and 12 feet side lot. Front yard setback is further limited to the Limit of Disturbance Area (LOD#) on those lots where LODs are shown. Structural roof overhang is required from LIMITS of DISTURBANCE LINE. Additional setbacks due to topography will be required on affected lots.

7. All houses shall be a minimum size of 2,000 Sq. Ft. Lots under 10,000 Sq. Ft. in size shall have the house size be a minimum of 3,000 Sq. Ft.

8. Lots on the downhill side of roads may require pump facilities to lift sewage into the sewer mains. Due to the terrain and topographical nature of construction, the elevation of all sewer laterals should be verified and incorporated into house design. Pump design shall be private individual sewage pumps at the individual lot owner's expense.

9. The boundary descriptions are derived from surveys performed and recorded as exhibits S-1873 and S-1874 in the office of the Summit County Surveyors Office.

10. Hidden Oaks and Hidden Oaks Lane have been dedicated on a public right-of-way by Hidden Oaks at Deer Valley Phase 1 plat.



(SEE NOTES FOR ADDITIONAL SETBACK AND EASEMENT INFORMATION)

HIDDEN OAKS AT DEER VALLEY

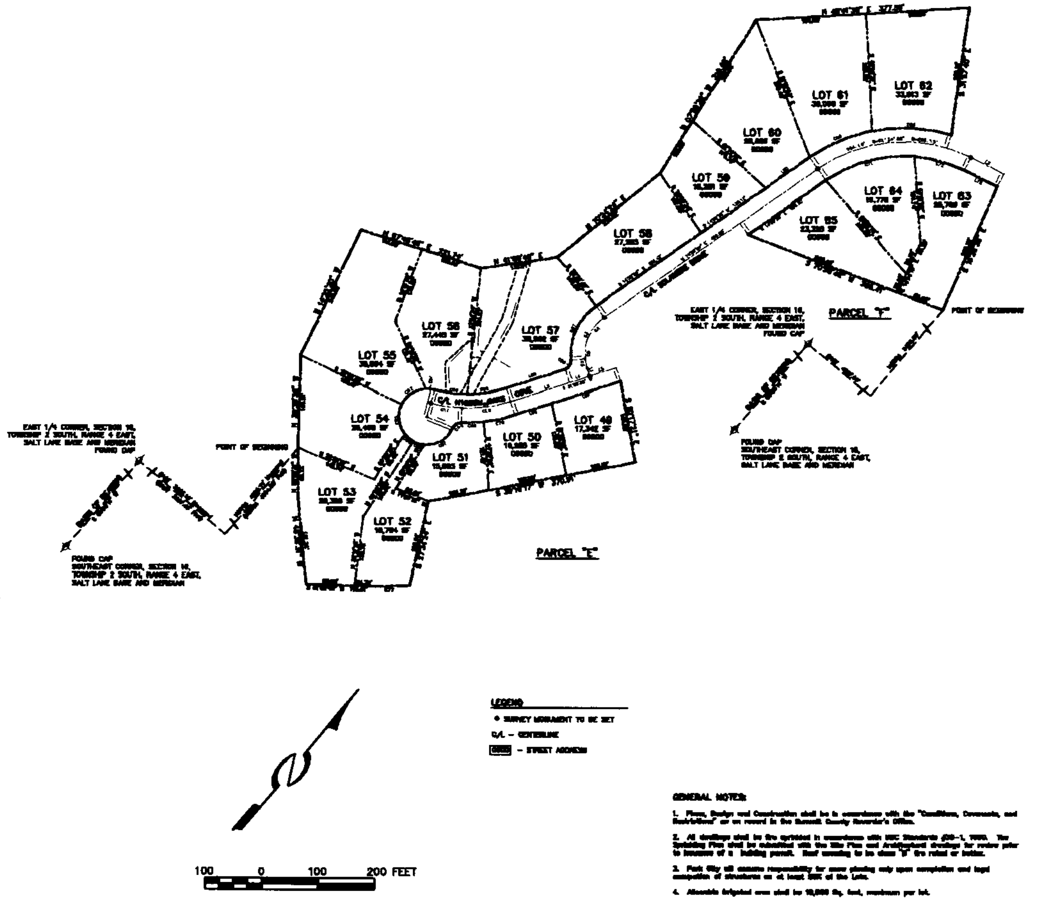
PHASE 2

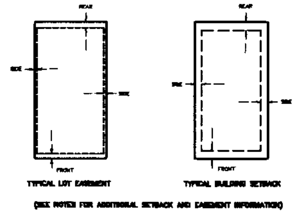
A SUBDIVISION LOCATED IN SECTIONS 10, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PROGRESS DRAWING 5-3-95

JOB NO. 4-6-94 VC\D\PLTRO2

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 1995 A.D. BY _____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 1995 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ _____ _____ FEE RECORDER





LEGEND

- SURVEY MONUMENT TO BE SET
- C/L – CENTERLINE
- – STREET ADDRESS

GENERAL NOTES:

1. [illegible] "Conditions, Covenants, and Restrictions" [illegible] Summit County Recorder's Office.
2. [illegible]
3. [illegible]
4. Allowable irrigated area shall be 10,000 Sq. feet, maximum per lot.
5. Non-exclusive public utilities and drainage easements are reserved along the front 10 feet, the side 5 feet, and the rear 10 feet of each lot. Additional easements are as shown on the plat.
6. [illegible]
7. [illegible]
8. [illegible]
9. [illegible]
10. [illegible] Hidden Oaks at Deer Valley, Phase 1 plat.

LINE TABLE

[illegible]

CURVE TABLE

[illegible]

SURVEYOR'S CERTIFICATE

[illegible]

PARCEL "E" BOUNDARY DESCRIPTION

[illegible]

PARCEL "F" BOUNDARY DESCRIPTION

[illegible]

OWNER'S DEDICATION AND CONSENT TO RECORD

[illegible]

ACKNOWLEDGMENT

[illegible]

HIDDEN OAKS AT DEER VALLEY

PHASE 3

A SUBDIVISION LOCATED IN SECTIONS 10, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PROGRESS DRAWING 5-3-95

PAGE 1 OF 1

JOB NO. 4-6-94 VC\D\PLTR03

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF ________, 1995 A.D. BY ________ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ________, 1995 A.D. BY ________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ________, 1995 A.D. BY ________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ________, 1995 A.D. BY ________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ________, 1995 A.D. BY ________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ________, 1995 A.D. BY ________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ____ DATE ____ TIME ____ BOOK ____ PAGE ____ ____ FEE ____ RECORDER

68

Ordinance No. 95-20

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PLAT OF PROSPECTOR SQUARE, RECORDED ON DECEMBER 26, 1974 AT SUMMIT COUNTY, RECORDED #125443, ON LOT 37A/B LOCATED AT 1670 BONANZA DRIVE, PARK CITY, UTAH

WHEREAS, the owner of property indicated above petitioned the City Council for approval of the amendment to the amended plat of Prospector Square; and

WHEREAS, there has been proper notice and the City Council held a public hearing on May 11, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, the plat is consistent with the Land Management Code and the subdivision ordinance; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL The amendment of the final plat of Lot 37A/B at 1670 Bonanza Drive is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney and City Engineer shall have reviewed and approved the final plat.

2. All other notes and dedications from the recorded Prospector Square Plat, Recorded #125443, and the Supplemental Amended Plat, recorded #397064 are in full force and effect.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 11th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

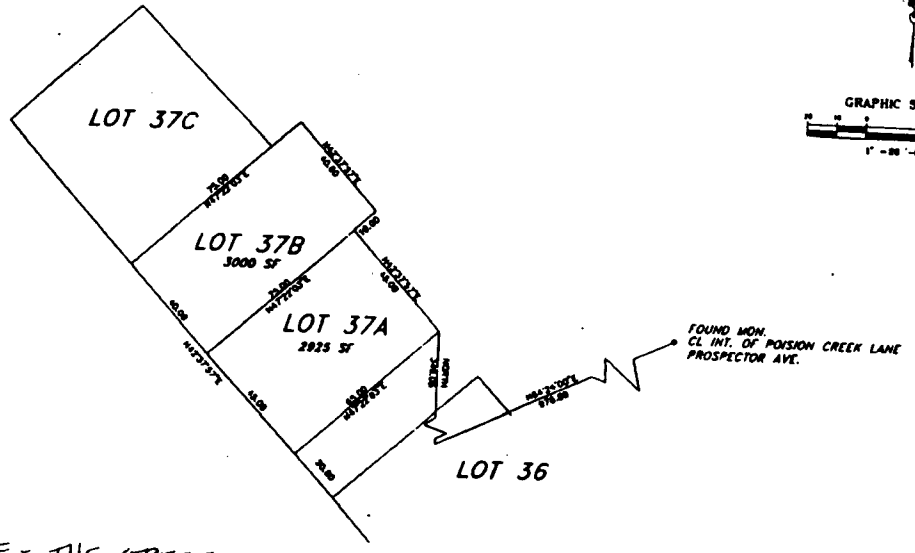
Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

CONDOMINIUM

RECEIVED
MAR 27 1995
PARK CITY
PLANNING DEPT

EXHIBIT A



GRAPHIC SCALE

NOTE = THE STREET ADDRESS OF A UNIT IN THE 37 A/B CONDOMINUM IS 1670 BONANZA DRIVE, UNIT # ___.

SURVEYOR'S CERTIFICATE

I, JACK HARRISON, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW

JACK HARRISON

LEGAL DESCRIPTIONS

BEING A SUBDIVISION OF LOTS 37A AND 37B OF THE AMENDED PROSPECTOR SQUARE PLAT AS RECORDED IN ENTRY NO. 125443 ON DECEMBER 18 1974 IN THE OFFICIAL RECORDS OF THE SUMMIT COUNTY RECORDERS OFFICE

OWNERS.

CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	RECORDED
APPROVED BY THE PARK CITY COUNCIL ON THIS ____ DAY OF _____, 1995. MAYOR _____ CITY RECORDER _____	APPROVED BY THE PARK CITY ENGINEER ON THIS ____ DAY OF _____, 1995. CITY ENGINEER _____	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF _____, 1995 CHAIRMAN _____	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS ____ DAY OF _____, 1995 CITY ATTORNEY _____	APPROVED AND ACCEPTED BY S.B.S.I.D. ON THIS ____ DAY OF _____, 1995. AUTHORIZED AGENT FOR S.B.S.I.D. _____	NUMBER _____ STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ FEE _____ COUNTY RECORDER

SHT 1 OF 3

CONDOMINIUM

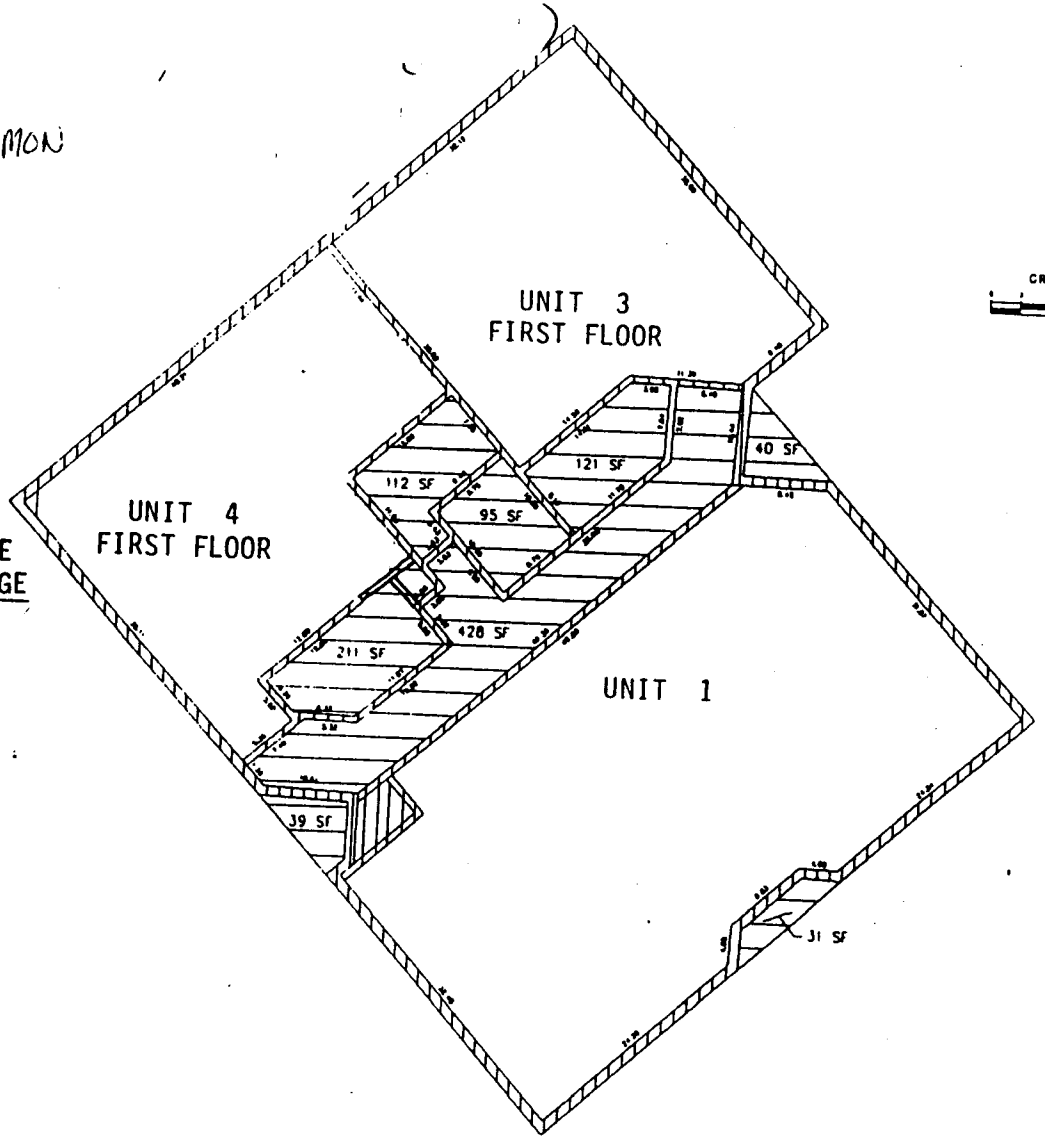
RECEIVED
MAR 27 1995
PARK CITY
PLANNING DEPT

REC STATE CODE:

PRIVATE

LIMITED COMMON

COMMON



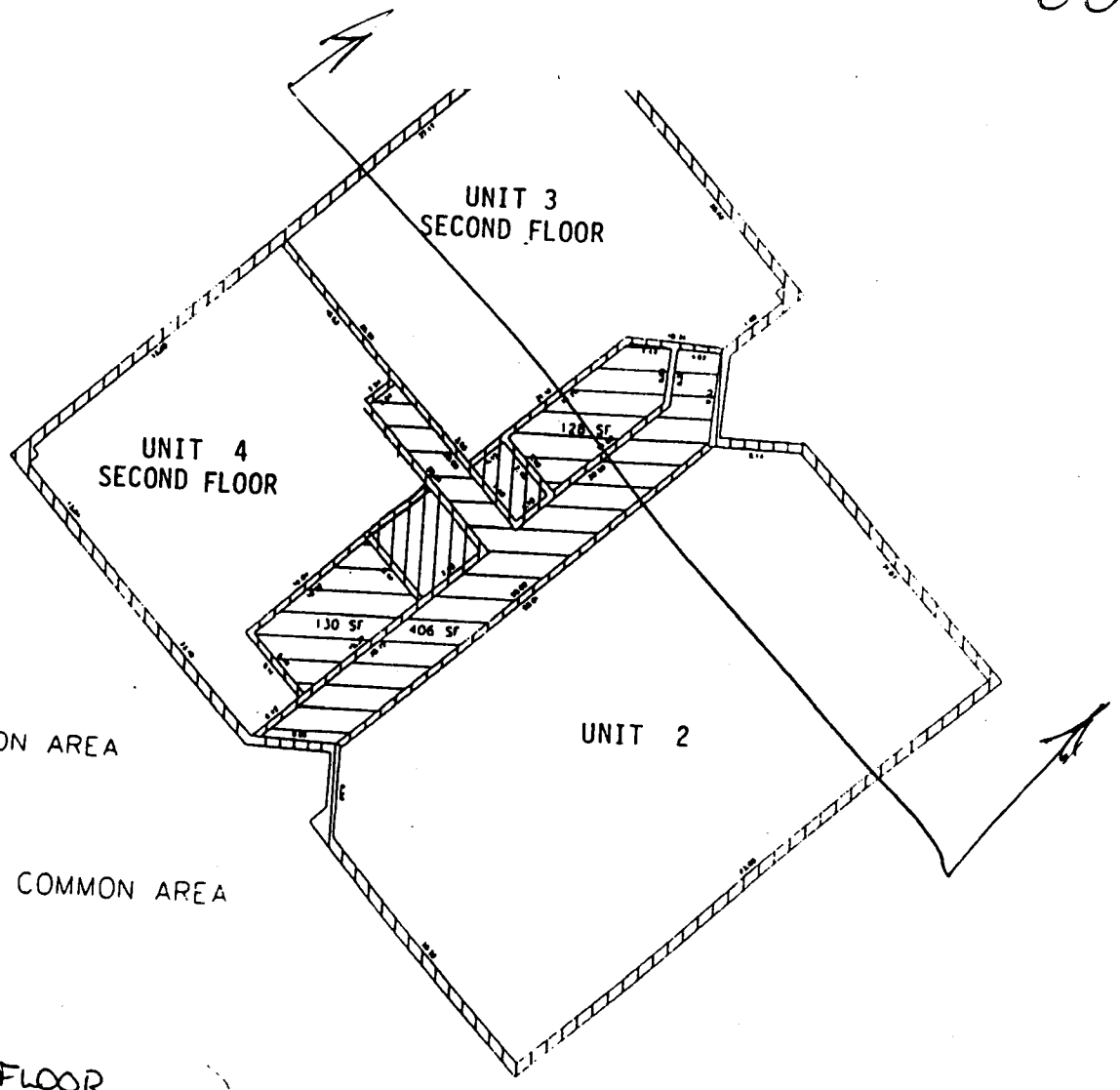
GRAPHIC SCALE

	TOTAL SQUARE FOOTAGE
UNIT 1	2245
UNIT 2	2319
UNIT 3	2245
UNIT 4	2160
COMMON AREA	
LIMITED COMMON AREA	
TOTAL FLOOR AREA	

FIRST FLOOR

SHT 2 OF 3

CONDOMINIUM



COMMON AREA

LIMITED COMMON AREA

SECOND FLOOR

Ordinance No. 95-19

AN ORDINANCE APPROVING THE FINAL PLAT OF HIDDEN MEADOWS LOCATED AT SOLAMERE DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Hidden Meadows petitioned the Planning Commission for approval of a revision to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed conversion on April 26, 1995; and

WHEREAS, on April 26, 1995, the Planning Commission approved the final plat attached hereto as Exhibit A; and

WHEREAS, the staff supports the final subdivision plat for Hidden Meadows as it is in compliance with the Annexation Plat and agreement recorded on March 5, 1995 and the Master Planned Development Final Conditions of Approval, December 15, 1993; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

WHEREAS, there is good cause for the approval of the final subdivision plat as it provides additional residential and recreational opportunities for Park City residents; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision;

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. The Hidden Meadows final plat is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the final plat shall be reviewed and approved by the City Engineer, City Attorney and City Council. The final plat shall reflect the designated utility and roadway easement as reviewed and approved by the City Engineer. The final plat shall also incorporate all the Final Conditions of Approval as ratified on December 15, 1993 and the Hidden Meadows Annexation Agreement approved on March 5, 1995. The final engineering plans shall give priority to visual impact mitigation including wherever possible, cut and fill slopes as a lower slope angle then the 1 1/2:1 slopes. Grading and revegetation of Solamere Road shall be specifically reviewed by staff. Performance standards shall include reseeding with vegetation that matches existing color

and texture standards and will also include reestablishing oak brush along the cut and fill slope and protect to the greatest extent possible downhill vegetation. This does not require structural retaining walls, nor is irrigation required.

2. Prior to plat recordation the applicant shall post a security, in a form acceptable to the City Attorney, in an amount equal to 125% of the cost of public improvements as estimated by the City Engineer. The public improvements shall include the costs for installation of trails and maintenance during the security period. All public improvements, including trails shall be completed in Phase I of this project. Phase II is approved in concept and shall be recorded and started within six months of the final resolution of the title dispute with the adjacent property owner.

SECTION 2. This ordinance shall take effect immediately.

DATED this 11th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

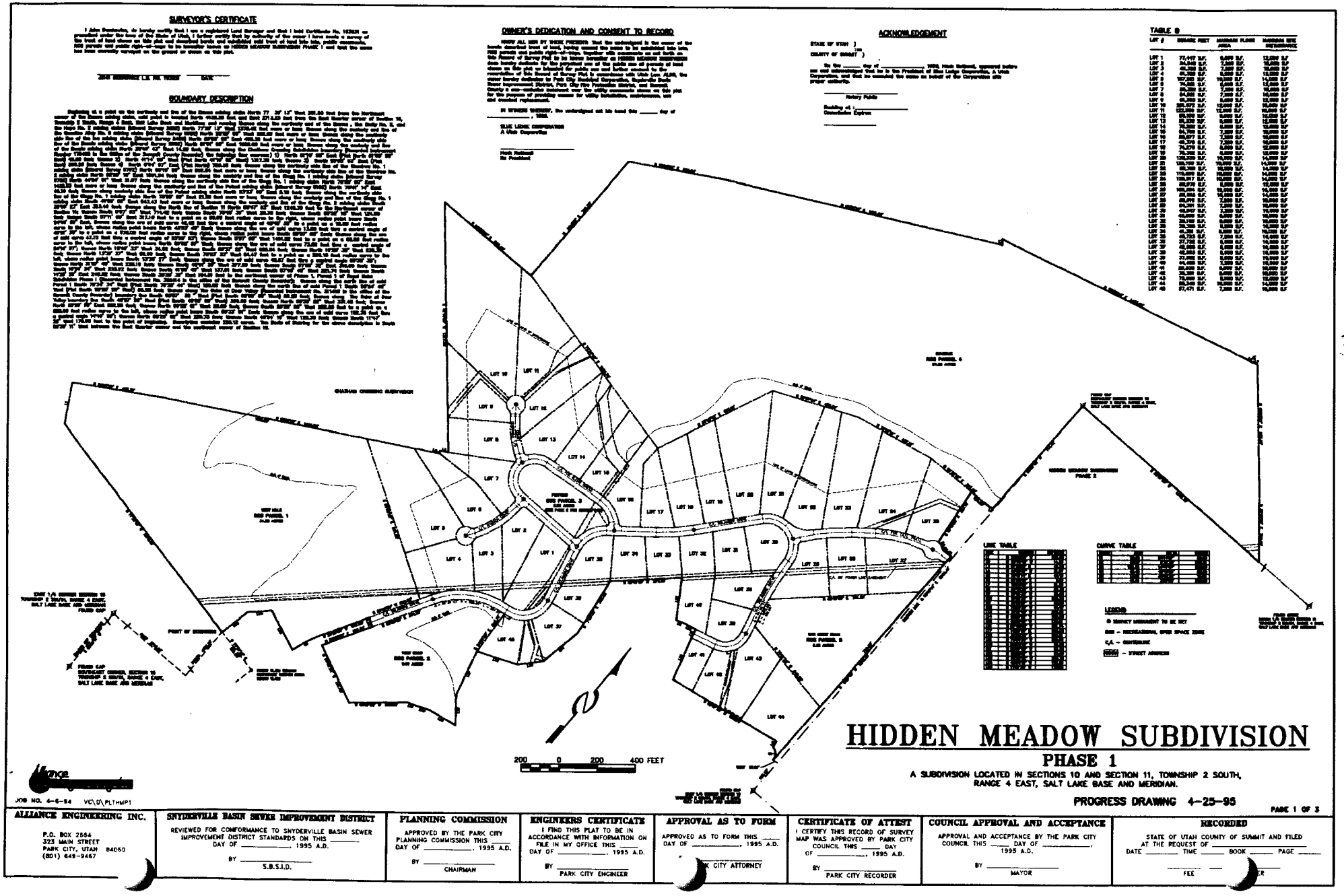
Janet M. Scott, Deputy City Recorder

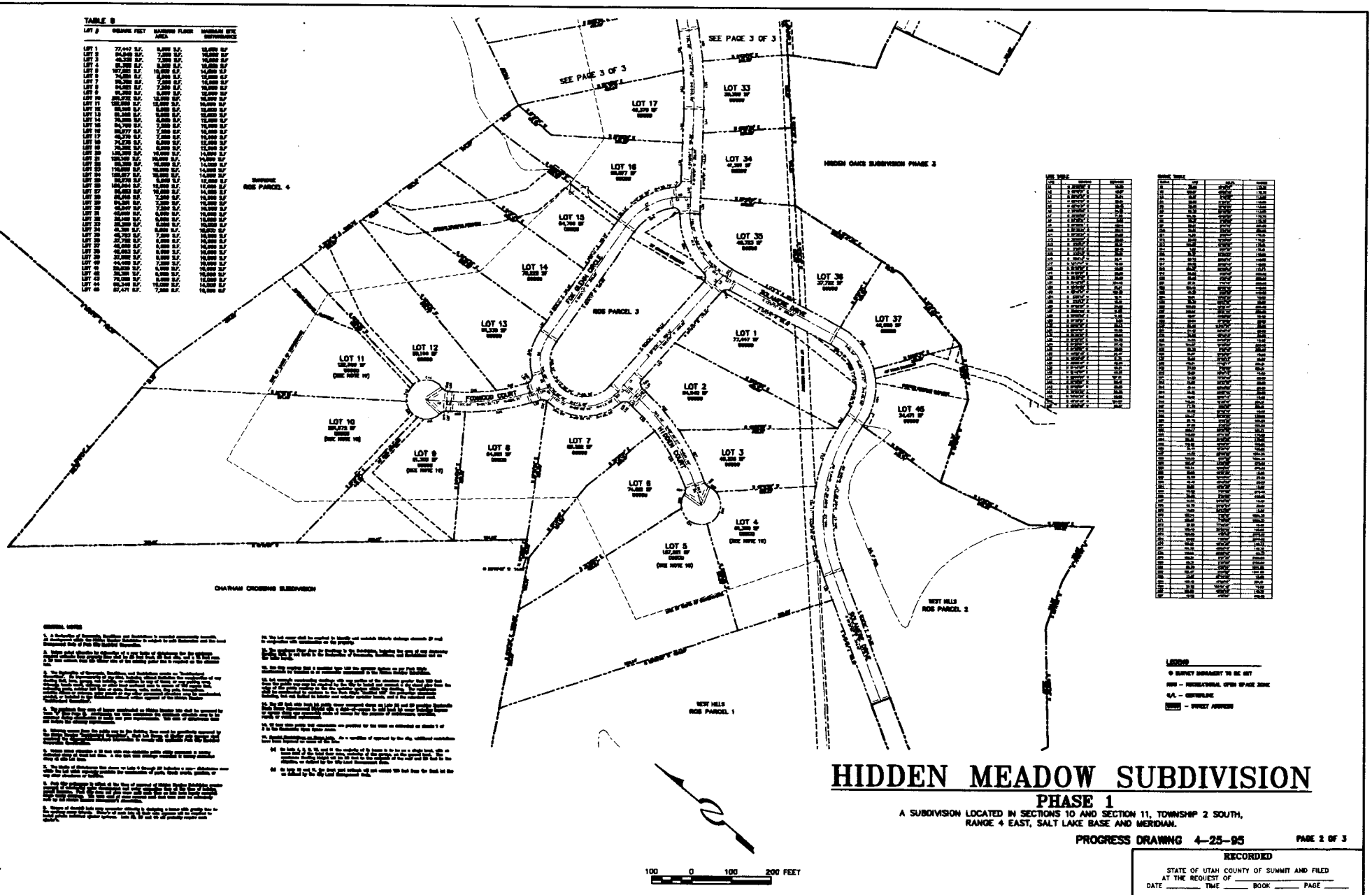
Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Exhibit A


SURVEYOR'S CERTIFICATE
BOUNDARY DESCRIPTION
OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGEMENT
TABLE 8
LINE TABLE
CURVE TABLE
LEGEND
HIDDEN MEADOW SUBDIVISION
PHASE 1
A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.
PROGRESS DRAWING 4-25-95
PAGE 1 OF 3
200 0 200 400 FEET
JOB NO. 4-6-94 VC\D\PLTMHP1
ALLIANCE ENGINEERING INC.
P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467
SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 1995 A.D.
BY _____
S.B.S.I.D.
PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 1995 A.D.
BY _____
CHAIRMAN
ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 1995 A.D.
BY _____
PARK CITY ENGINEER
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 1995 A.D.
PARK CITY ATTORNEY
CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D.
BY _____
PARK CITY RECORDER
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D.
BY _____
MAYOR
RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE



HIDDEN MEADOW SUBDIVISION

PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PROGRESS DRAWING 4-25-95

PAGE 2 OF 3

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

JOB NO. 4-6-94 VC\D\PLTHMP2

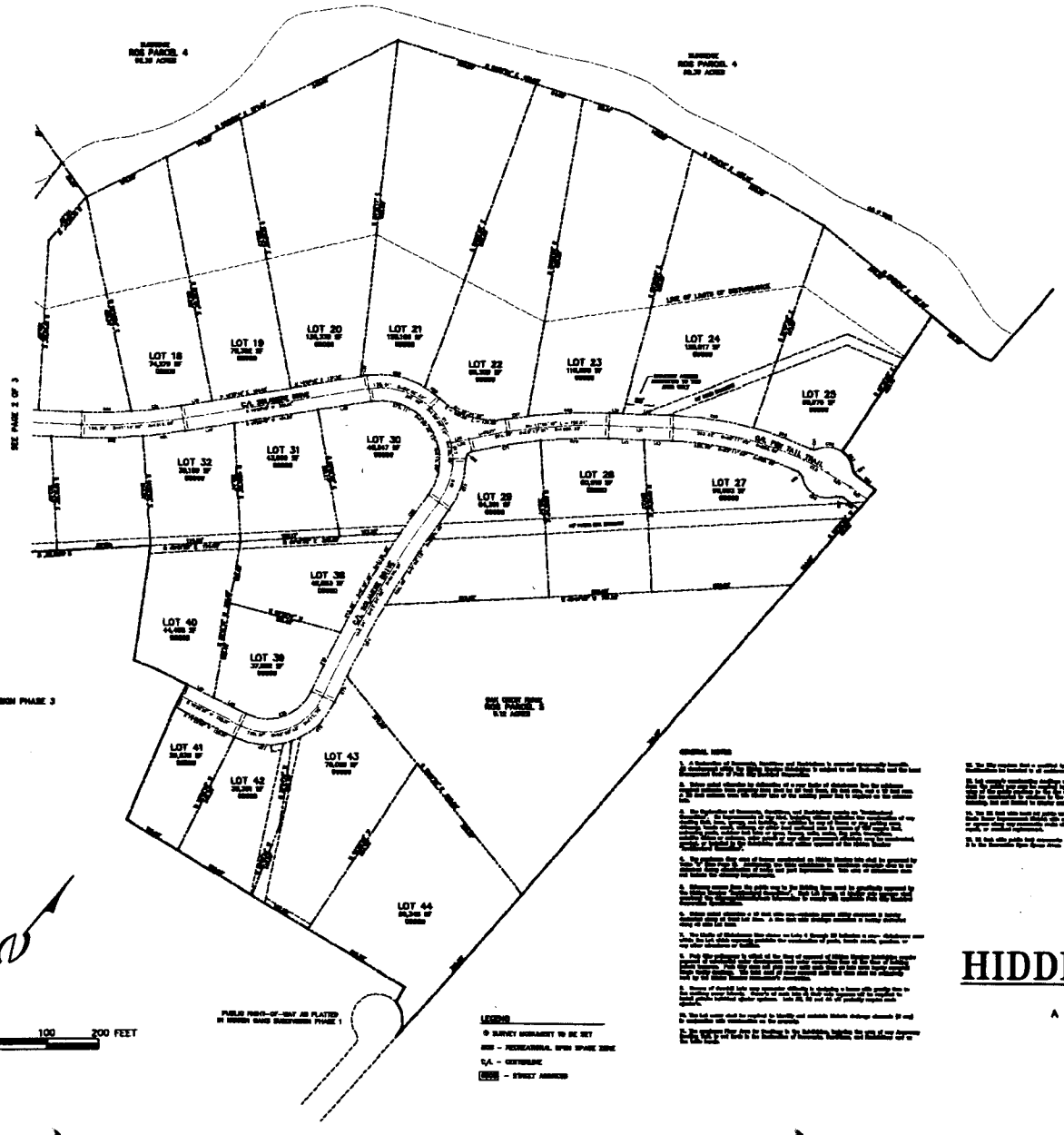


TABLE 8

LOT #	SQUARE FEET	MINIMUM FLOOR AREA	MINIMUM SITE DISTURBANCE

LINE TABLE

LINE	BEARING	LENGTH

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA

GENERAL NOTES

LEGEND

HIDDEN MEADOW SUBDIVISION

PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PROGRESS DRAWING 4-25-95

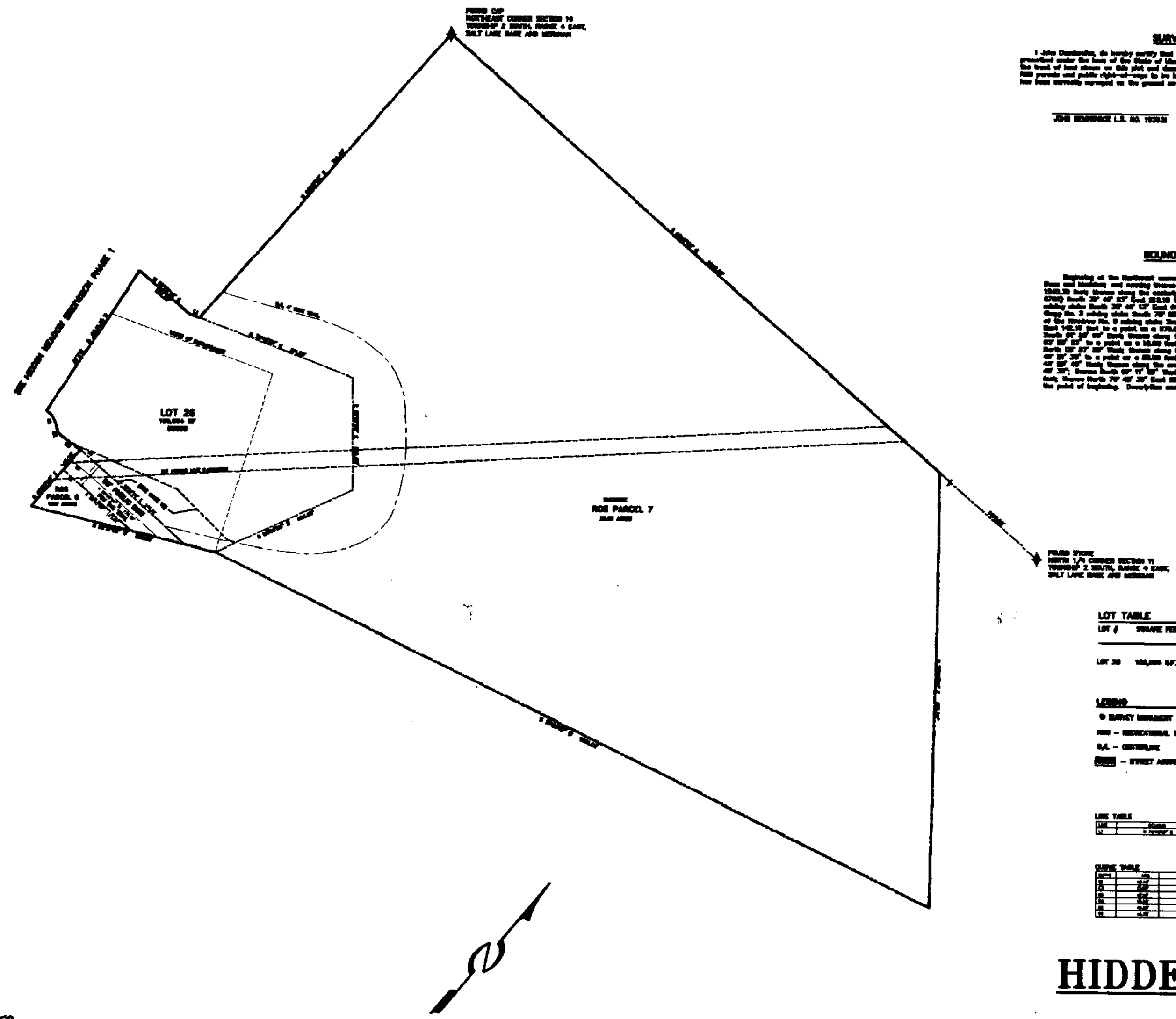
JOB NO. 4-6-94 VC\D\PLTHMP3

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____



SURVEYOR'S CERTIFICATE

OWNER'S DEDICATION AND CONSENT TO RECORD

BOUNDARY DESCRIPTION

ACKNOWLEDGEMENT

GENERAL NOTES

LOT TABLE

LEGEND

LINE TABLE

CURVE TABLE

HIDDEN MEADOW SUBDIVISION

PHASE 2

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PROGRESS DRAWING 4-25-95

PAGE 1 OF 1

JOB NO. 4-6-94 VC\D\PLTHMP4

ALLIANCE ENGINEERING INC.

P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF __________, 1995 A.D.

BY ______________
S.B.S.I.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 1995 A.D.

BY ______________
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF __________, 1995 A.D.

BY ______________
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS ____ DAY OF __________, 1995 A.D.

BY ______________
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF __________, 1995 A.D.

BY ______________
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF __________, 1995 A.D.

BY ______________
MAYOR

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________
DATE ______ TIME ______ BOOK ______ PAGE ______

______ FEE ______ ER

Ordinance No. 95-18

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK CITY SURVEY, LOTS 8 AND 9, BLOCK 3 LOCATED AT 331 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 8 and 9, Block 3 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey plat to be known as the Berrett Subdivision; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on April 27, 1995 to receive input on the proposed amendment; ;and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat, known as the Berrett Subdivision plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, Lots 8 and 9, Block 3, is approved as shown on the attached Exhibit A with the following condition:

Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 27th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

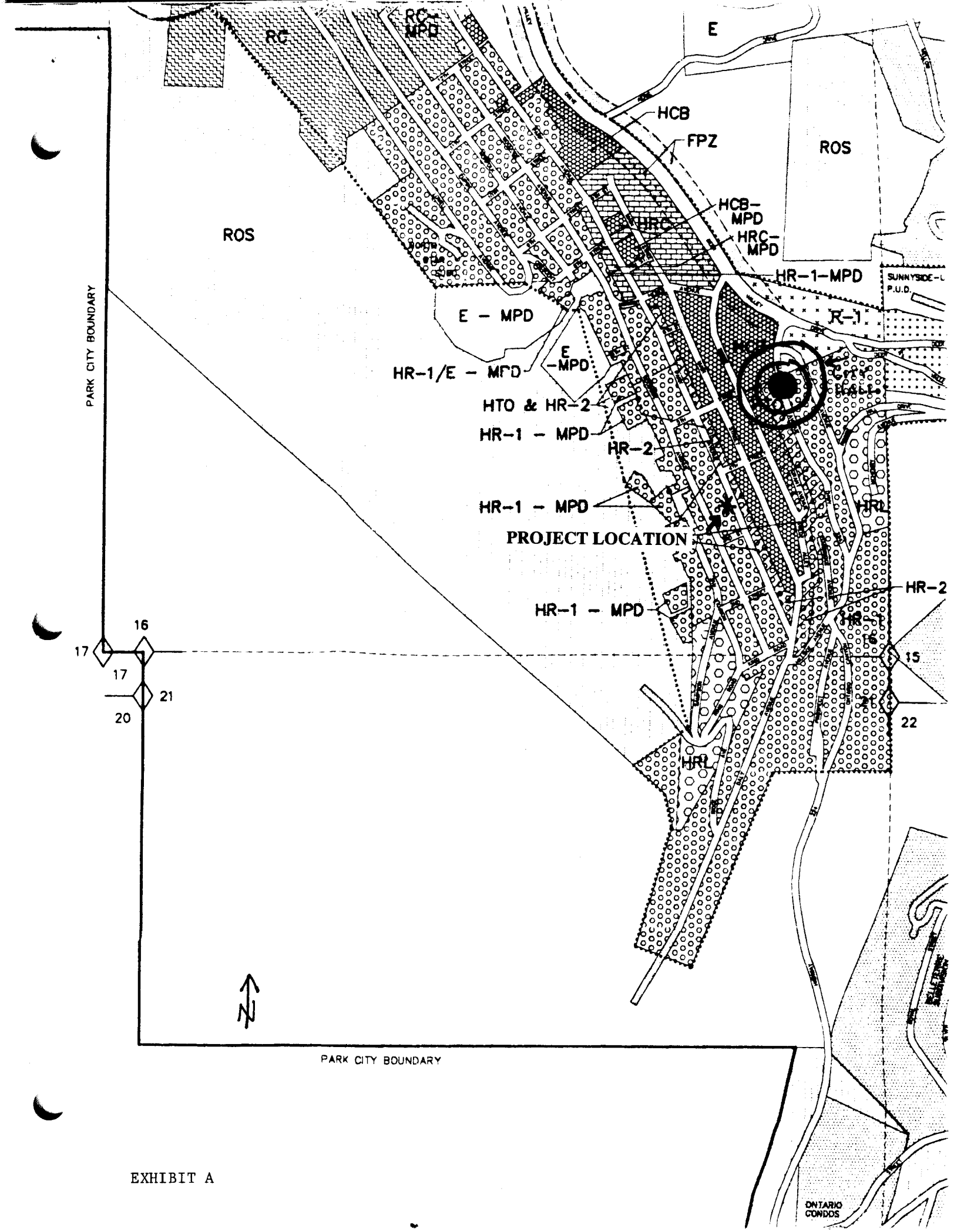

RC
RC-MPD
E
HCB
FPZ
ROS
HCB-MPD
HRC
HRC-MPD
ROS
HR-1-MPD
SUNNYSIDE-L P.U.D.
E - MPD
R-1
E -MPD
HR-1/E - MPD
CITY HALL
HTO & HR-2
HR-1 - MPD
HR-2
HR-1 - MPD
HR-1
PROJECT LOCATION
HR-2
HR-1 - MPD
HR-1
16
17
17
21
20
15
22
HRL
PARK CITY BOUNDARY
PARK CITY BOUNDARY
ONTARIO CONDOS

EXHIBIT A

Ordinance No. 95-17

AN ORDINANCE APPROVING A PLAT AMENDMENT TO THE EVERGREEN SUBDIVISION AREA OF DISTURBANCE IN PARK CITY, UTAH

WHEREAS, Park City, in cooperation with the Evergreen Subdivision Architectural Committee, petitioned the Planning Commission for approval of a plat amendment to the Evergreen Subdivision Area of Disturbance; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on March 22, 1995; and

WHEREAS, on March 22, 1995, the Planning Commission approved the plat amendment described below;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the plat amendment and neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT AMENDMENT APPROVAL. The Evergreen Subdivision Plat Area of Disturbance is hereby amended by adding the following language:

> **Note: The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee.**

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 27th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Ordinance No. 95-16

AN ORDINANCE APPROVING THE FINAL PLAT OF CONDOMINIUM PLAT FOR SADDLEVIEW OFFICE PARK, LOCATED AT 2200 HIGHWAY 224, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Saddleview Office Park petitioned the Planning Commission for approval of the condominium final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on February 22, 1995; and

WHEREAS, on February 22, 1995, the Planning Commission approved the final condominium plat attached hereto as Exhibit A;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the final plat and neither the public nor any person will be materially injured by the proposed plat.

SECTION 2. PLAT APPROVAL. The final condominium plat is approved as shown on the attached Exhibit B with the following conditions:

1. Prior to plat recordation, the final plat and the Condominium Declaration and Restrictive Covenants shall be reviewed and approved by the City Engineer and City Attorney. The final plat shall reflect the designated utility easements as reviewed and approved by the City Engineer and the Final Conditions of Approval as approved by the Planning Commission on September 14, 1994 and February 22, 1995.

2. Prior to plat recordation, the applicant shall post a security, in a form acceptable to the City Attorney, in an amount equal to 125% of the cost of public improvements as estimated by the City Engineer. The public improvements shall include the costs for installation and maintenance of the 4' sidewalk and 10' trail.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 20th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

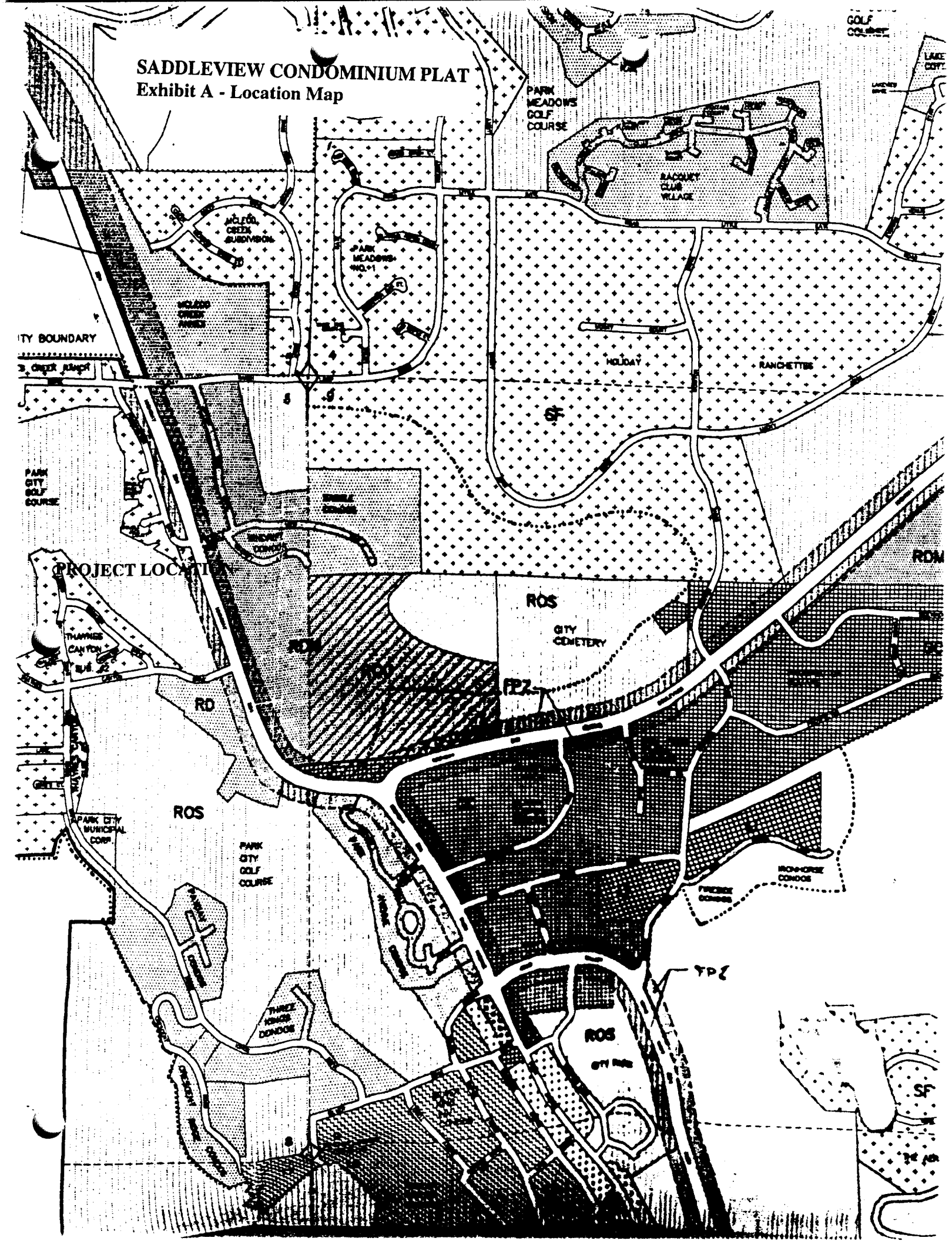
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884


SADDLEVIEW CONDOMINIUM PLAT
Exhibit A - Location Map
PARK MEADOWS GOLF COURSE
RACQUET CLUB VILLAGE
PARK MEADOWS NO. 1
HOLIDAY
RANCHETTES
PARK CITY GOLF COURSE
PROJECT LOCATION
ROS
CITY CEMETERY
RD
RDM
FPZ
ROS
PARK CITY MUNICIPAL CORP.
PARK CITY GOLF COURSE
IRONHORSE CONDOS
THREE KINGS CONDOS
ROS
SF

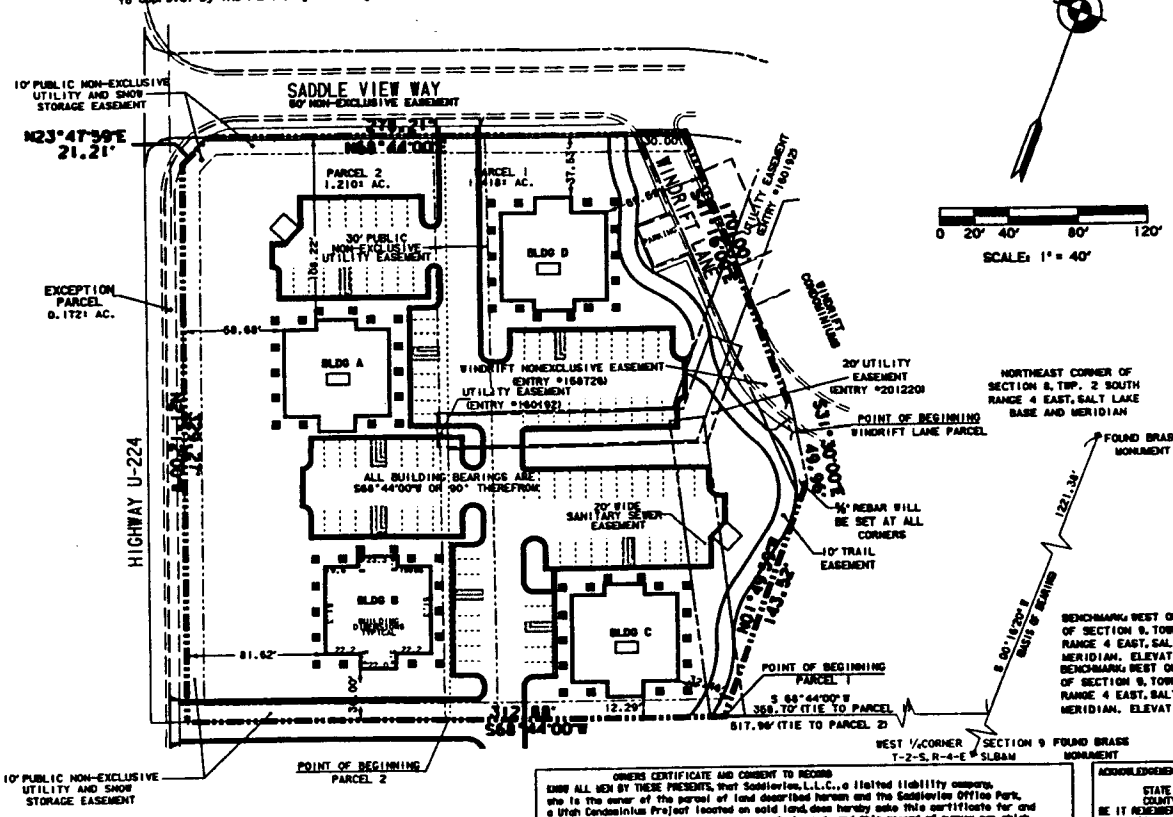
SADDLEVIEW CONDOMINIUM PLAT

Exhibit B - Final Condominium Plat

Note: This property is subject to the following unplattable easements:
1) Easement to B & G Co. recorded as entry no. 136289 in book 88, page 98.
2) Right-of way and easement to Mountain Fuel Supply Co. recorded as entry no. 160612 in book 144, page 151.
3) Right-of-way and easement to Mountain States Telephone and Telegraph Company recorded as entry no. 162585 in book 148, page 712.
4) Conditions and restrictions stated in Special Barranty Deeds from Royal Street Land Co. recorded as entries no. 156626 in book 134, page 832, no. 158727 in book 136, page 635, no. 160837 in book 153, page 426, no. 170970 in book 167, page 692 and no. 201220 in book 248, page 21.
5) Project tennants of the buildings shown on this plat are restricted to those "professional office" uses identified on the Conditions of Approval by the Park City Planning Commission dated September 14, 1994. Changes to the use shall be Changes to the use shall be subject to approval by the Park City Planning Commission.
6) Basements shown on this plat shall not be seperatly sold, rented or leased and shall be for the use of the tennants of the building above the individual basement. Use of the basements may not increase occupancy or parking as required by the Park City Land Management Code. Changes to the use, occupancy, or changes to the required parking shall be subject to approval by the Park City Planning Commission.

REFERENCES:
1) An abstract of title by [illegible] Title Agency, having order no. 00004975, dated Dec. [illegible].
2) A topographic map by Allied [illegible] Engineering, Inc., having job no. 28-3-94.
3) A map entitled "Record of Survey Map, Windrift Condominiums" by J.J. Johnson & Associates.

STREET ADDRESS OF BUILDING OFF OF PARK AVENUE (TYP.).



BENCHMARK: WEST QUARTER CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN. ELEVATION = 6793.00'
BENCHMARK: WEST QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN. ELEVATION = 6793.00'

SURVEYORS CERTIFICATE

I, Keith R. Russell, a registered Utah Land Surveyer holding Certificate [illegible] consel Number 164386 do hereby certify that I have Surveyed the following Tract [illegible]

All that piece or parcel of property situate in Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, being more particularly described as follows:

Parcel 1:
Beginning at a point which is South 00°16'20" East, along the Section Line, 1221.34 feet and South 66°44'00" East, 386.70 feet from the Northwest corner of Section 8; thence North 1°50'00" East, 143.62 feet to a point; thence North 31°30'00" West, 49.96 feet to a point; thence North 61°10'00" East, 170 feet to a point; thence South 66°44'00" East, 140.00 feet to a point; thence South 21°16'00" East, 344.29 feet to a point; thence North 66°44'00" East, 198.27 feet to the point of beginning, being 61,1731 square feet or 1.418 acres, more or less.

Subject to and together with a 60.00 foot wide non exclusive easement described as follows:

Beginning at a point which is South, 99.50 feet and East 1186.06 feet from the northeast corner of Section 8, and South 21°16'00" East along the easterly right-of-way line of State Highway U-224 ALS. 40 Alt.)1064.30 feet, said point being on a curve to the left, the radius point being North 66°44'00" East, 15.00 feet; thence Southeasterly along the arc of said curve, 23.56 feet to a point of tangency; thence North 66°44'00" East, 320.00 feet to a point of curvature of a 150.00 foot radius curve to the right; thence easterly along the arc of said curve 67.46 feet to a point of tangency; thence South 88°30'00" East, 412.71 feet to the east line of said Section 8; thence South 00°16'20" East, along said east line, 60.14 feet to a point; thence North 88°30'00" West, 416.41 feet to the point of curvature of a 100.00 foot radius curve to the left; thence easterly along the arc of said curve, 44.97 feet to the point of tangency; thence South 66°44'00" East, 320.00 feet to the point of curvature of a 15.00 foot radius curve to the left; thence Southeasterly along the arc of said curve, 23.56 feet to a point of tangency, said point being on the easterly right-of-way line of said State Highway U-224 ALS. 40 Alt.; thence South 21°16'00" East, along said right-of-way line, 80.00 feet to the point of beginning.

Parcel 2:

Beginning at a point which is South 00°16'20" East, 1221.34 feet along the section line, and South 66°44'00" East 617.98 feet from the northwest corner of Section 8; thence North 21°16'00" East, 344.29 feet to a point; thence South 66°44'00" East, 140.00 feet to the point of curvature of a 15.00 foot radius curve to the left, the radius point of which bears South 21°16'00" East, 15.00 feet; thence Southeasterly, along the arc of said curve, 23.56 feet to a point of tangency, said point being on the easterly right-of-way of State Highway U-224 ALS. 40 Alt.; thence South 21°16'00" East, along said right-of-way line, 329.25 feet to a point; thence North 66°44'00" East, 175.00 feet to the point of beginning, being 60,1971 square feet or 1.382 acres, more or less.

Together with a non exclusive easement to utilize the following described real property:

Beginning at a point which is South, 99.50 feet and East 1186.06 feet from the northeast corner of Section 8, and South 21°16'00" East along the easterly right-of-way line of State Highway U-224 ALS. 40 Alt.)1064.30 feet, said point being on a curve to the left, the radius point being North 66°44'00" East, 15.00 feet; thence Southeasterly along the arc of said curve, 23.56 feet to a point of tangency; thence North 66°44'00" East, 140.00 feet to a point; thence South 21°16'00" East, 80.00 feet to a point; thence South 66°44'00" East, 160.00 feet to the point of curvature of a 15.00 foot radius curve to the left; thence Southeasterly along the arc of said curve, 23.56 feet to a point of tangency, said point being on the easterly right-of-way line of said State Highway; thence North 21°16'00" East, along said right-of-way line, 80.00 feet to the point of beginning.

Less and excepting the following parcels:

Beginning at the Southeast corner of said entire tract, which point is South 00°16'20" East, 1221.34 feet and South 66°44'00" East, 692.96 feet from the northwest corner of Section 8; thence North 21°16'00" East, 329.25 feet along the easterly boundary line of said Parcel 2 to a point of tangency of a 15.00 foot curve to the right; thence northerly and easterly along the arc of said curve 23.56 feet to a point; thence North 66°44'00" East, 21.21 feet to a point, said point being 66.00 feet distant easterly, measured at right angles, from the centerline of the aforesaid highway; thence South 21°12'00" East, along a line parallel to said centerline, 329.27 feet to the southerly boundary line of said Parcel 2; thence South 66°10'" East, 21.29 feet to the point of beginning, being 7,481 square feet or 0.172 acres, more or less.

I further certify that the above description describes the land surface upon which Saddle Office Park is to be built, in accordance with the Utah Condominium Ownership Act. I furthe certify that reference markers shown on this plat are located as shown and are sufficient readily retrace or re-establish this survey.

DATE:_____

KEITH R. RUSSELL
UTAH REGISTERED LAND SURVEYOR
CERTIFICATE & LICENSED NO. 164386

OWNERS CERTIFICATE AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that Saddleview, L.L.C., a limited liability company, who is the owner of the parcel of land described hereon and the Saddleview Office Park, a Utah Condominium Project located on said land, does hereby make this certificate for and on behalf of said company caused a survey to be made and this record of survey map which consists of two sheets to be prepared and said company has consented and does hereby consent to recordation of this record of survey map in accordance with the Utah Condominium Ownership Act.

I certify that buildings shown on this plat, but not under construction at the time the plat is recorded, will, when completed, be substantially as shown on this plat.

IN WITNESS WHEREOF, I have set my hand this _____ day of _____ 1995.

_____
Saddleview L.L.C.

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF) ss

BE IT REMEMBERED on this _____ day of _____ 1995, personally appeared before me, the undersigned Notary Public in and for said county and state.

who being duly sworn, did say that the within and foregoing Owners Certificate and Consent to Record way duly executed and signed for and in behalf of said corporation and that said corporation did execute the same.

My Commission Expires _____ Notary Public _____
Residing at _____

A RECORD OF SURVEY MAP OF

SADDLE VIEW OFFICE

A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN:
SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

12388 SB • 1 SHEET 1 OF

THE SEAR-BROWN GROUP	SEWER DISTRICT APPROVAL	CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM
[illegible]	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS _____ DAY OF _____ 1995.	PRESENTED TO THE PARK CITY COUNCIL ON THIS ___ DAY OF _____ A.D. 19___ AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED	APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS ___ DAY OF _____ A.D. 19___	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ___ DAY OF _____ A.D. 19___	APPROVED AS TO FORM ON THIS ___ DAY OF _____ A.D. 19___
	S.B.S.I.D. _____	MAYOR _____ ATTEST CITY RECORDER _____	CITY ENGINEER	CHAIRMAN	CITY ATTORNEY

RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE $ _____ SUMMIT COUNTY RECORDER

RECEIVED
APR 15 1995
[illegible]

Ordinance 95-15

AN ORDINANCE ESTABLISHING A PROCEDURE OF REVIEW AND GUIDELINES FOR ACTIONS THAT MAY INVOLVE A CONSTITUTIONAL TAKING; AND ESTABLISHING AN APPEAL PROCEDURE FOR CONSTITUTIONAL TAKINGS, PURSUANT TO MANDATES OF THE PRIVATE PROPERTY PROTECTION ACT

WHEREAS, the City intends to promote the protection of private property rights and to prevent the physical taking or exaction of private property without just compensation; and

WHEREAS, the City wishes to establish a procedure and guidelines pursuant to UCA § 63-90-1 et al, as amended, to help identify actions that might result in the physical taking or exaction of private property; and

WHEREAS, a public hearing on the proposed procedural amendment to the Land Management Code was held on March 16th, 1995; and

WHEREAS, the City Council has determined that this ordinance is the best interest of the residents of Park City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION I. AMENDMENT. A new Section 1.23 of the Land Management Code of Park City is hereby created to read as follows:

1.23 **CONSTITUTIONAL TAKINGS REVIEW AND APPEAL**. In order to promote the protection of private property rights and to prevent the physical taking or exaction of private property without just compensation, the City Council and all Commissions and Boards shall adhere to the following before authorizing the seizure or exaction of property:

(a) Takings Review Procedure. Prior to any proposed action to exact or seize property by the City Council or any Commission or Board, the City Attorney shall review the proposed action to determine if a constitutional taking requiring "just compensation" would occur. The City Attorney shall review all such matters pursuant to the guidelines established in subsection (b) herein. Upon identifying a possible constitutional taking, the City Attorney shall, in a confidential, protected writing, inform the City Council, Commission or Board of the possible consequences of its action. This opinion shall be advisory only and no liability shall be attributed to the City for failure to follow the recommendation of the City Attorney.

(b) Takings Guidelines. The City Attorney shall review whether the action constitutes a constitutional taking under the Fifth or Fourteenth Amendments to the Constitution of the United States, or under Article I, Section 22 of the Utah Constitution. The City Attorney shall determine whether the proposed action bears an essential nexus to a legitimate governmental interest and whether the action is roughly proportionate and reasonably related to the legitimate governmental interest. The City Attorney shall also determine whether the action deprives the private property owner of all reasonable use of the property. These guidelines are advisory only and shall not expand nor limit the scope of the City's liability for a constitutional taking.

(c) Appeal. Any owner of private property who believes that his/her property is proposed to be "taken" by an otherwise final action of the City may appeal the City's decision to the Takings Appeal Board within thirty (30) days after the decision is made. The appeal must be filed in writing with the City Recorder. The Takings Appeal Board shall hear and approve and remand or reject the appeal within fourteen (14) days after the appeal is filed. The Takings Appeal Board, with advice from the City Attorney, shall review the appeal pursuant to the guidelines in subsection (b) herein. The decision of the Takings Appeal Board shall be in writing and a copy shall be given to the appellant and to City Council, Commission or Board that took the initial action. The Takings Appeal Board's rejection of an appeal shall constitute final City action.

(d) Takings Appeal Board. There is hereby created a three member Takings Appeal Board. The City Manager shall appoint three current members of the Board of Adjustment to serve on the Takings Appeal Board. If, at any time, three members of the Board of Adjustment cannot meet to satisfy the time requirements stated in subsection (c), the City Manager shall appoint a member or sufficient members to fill the remaining vacancies.

SECTION II. ANNUAL REVIEW. The City Attorney shall review these guidelines annually and recommend changes as warranted by the current status of the law. Nothing herein shall prevent the City Attorney from considering subsequent legal standards established by the legislature or case law after the adoption of this section.

SECTION III. AMENDMENT. Chapter 2 of the Land Management Code of Park City is hereby amended by adding a new definition to read as follows:

Constitutional Taking. Final action(s) by the City involving the physical taking or exaction of private real property that require compensation to a private real property owner because of the mandates of the Fifth or Fourteenth Amendments to the Constitution of the United States, or of Article I, Section 22, of the Utah Constitution.

SECTION IV. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 30th day of March , 1995.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to Form:

Mark D. Harrington, Asst. City Attorney

Ordinance No. 95-14

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY LOTS 28 AND 29, BLOCK 78, LOCATED AT 245 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 28 and 29, Block 78 have petitioned the City Council for approval of the amendment to final plat; and

WHEREAS, proper notice was sent and the City Council held a public hearing to receive input on the proposed amendment on March 16, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat;

NOW, THEREFORE, BE IT ORDAINED BY the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the final plat of the Park City Survey, Lots 28 and 29, Block 78, is approved as shown on the attached Exhibit A with the following condition:

1. Prior to plat recordation, the City Attorney and City Engineer shall have reviewed and approved the final plat.

2. The existing stone-faced retaining wall to the east of the subject property and within the Norfolk Avenue right-of-way shall remain undisturbed.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 16th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington

Mark D. Harrington, Asst. City Attorney

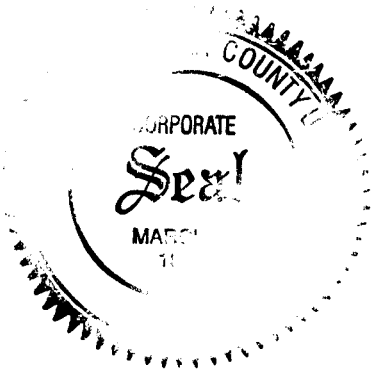
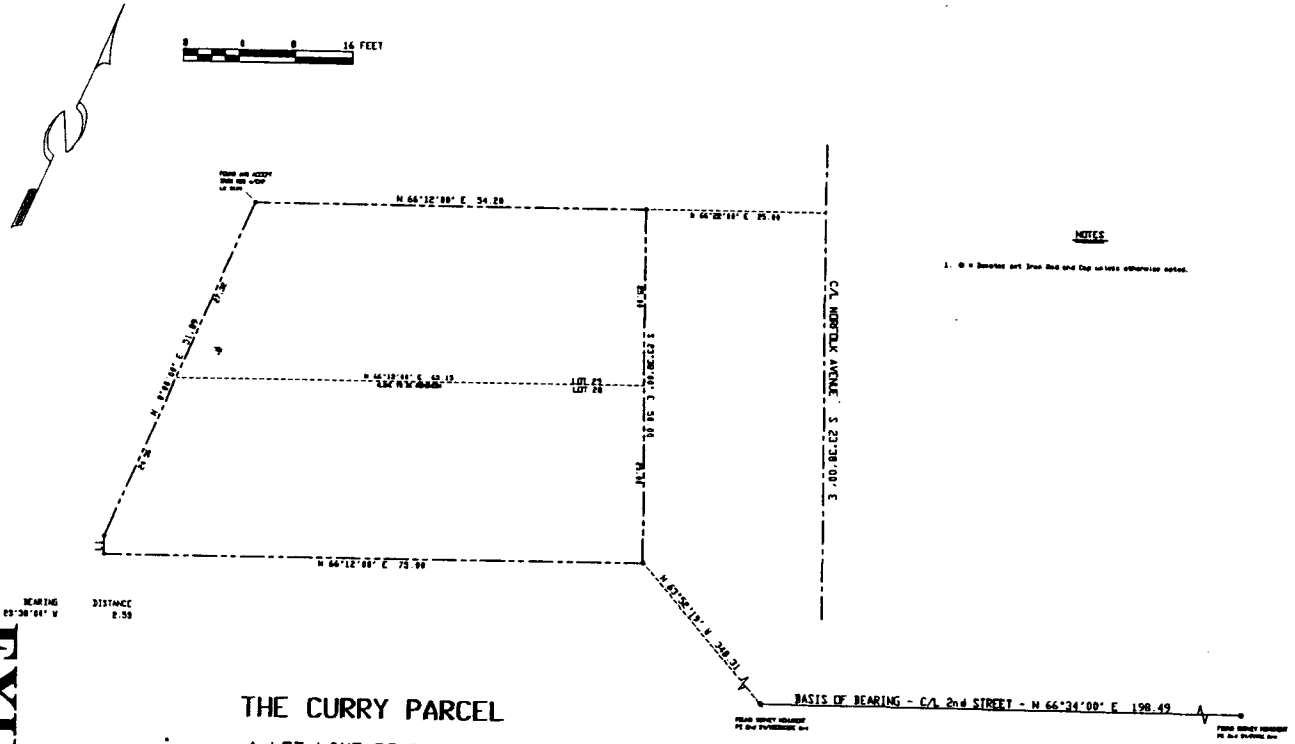


EXHIBIT AMENDED PLAT

59



LINE | BEARING | DISTANCE
L1 | N 23°38'00" W | 0.58

THE CURRY PARCEL

A LOT LINE RE-PLATTING

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

NOTES

1. ● = Denotes set Iron Rod and Cap unless otherwise noted.

SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163980, as prescribed by the laws of the State of Utah, I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described herein and have completed said tract of land to be hereafter known as THE CURRY PARCEL and that same has been correctly surveyed and staked on the ground as shown on this plat.

JOHN DEMKOWICZ, L.S. # 163980 DATE

LEGAL DESCRIPTION

All of Lots 28 and 29, BLOCK 78, MILLSITE RESERVATION TO PARK CITY, according to the official plat thereof on file and of record in the office of the recorder, Summit County Utah.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these present that PHILIP D. CURRY and ELIZABETH H. CURRY, joint tenants, the undersigned owners of the hereon described tract of land to be known hereafter as THE CURRY PARCEL, certify that we have caused this survey to be made and this Record of Survey map to be prepared. PHILIP D. CURRY and ELIZABETH H. CURRY hereby consent to the recordation of this Record of Survey map.

PHILIP D. CURRY

ELIZABETH H. CURRY

ACKNOWLEDGEMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 1995, personally appeared before me, the undersigned Notary Public in and for said state and county, PHILIP D. CURRY and ELIZABETH H. CURRY being duly sworn, acknowledged to me that they are the owners of the hereon described tract of land and that they signed the above Owners Dedication and Consent to Record freely and voluntarily.

Notary Public

Commission expires: _____

JOB NO. 15-2-95 FILE Y:\PCS\PCSP\CURRY MAP

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK ____ PAGE ____ FEE _____ RECORDER

RECEIVED
JUN 1995
PAGE 1 OF

Ordinance No. 95-13

AN ORDINANCE APPROVING THE AMENDMENT TO THE SNYDERS ADDITION TO PARK CITY REGARDING 945 NORFOLK AVENUE PARK CITY, UTAH

WHEREAS, the owners of property indicated above, Bryan and Katherine Gardener, petitioned the City Council for approval of the amendment to Snyders Addition to Park City; and

WHEREAS, proper notice was sent and the City Council conducted a public hearing on March 16, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, the plat is consistent with the Land Management Code and subdivision ordinance; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Snyders Addition to Park City of 945 Norfolk Avenue is approved as shown on the attached Exhibit A with the following conditions:

1. All Standard Project Conditions shall apply.

2. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 16th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

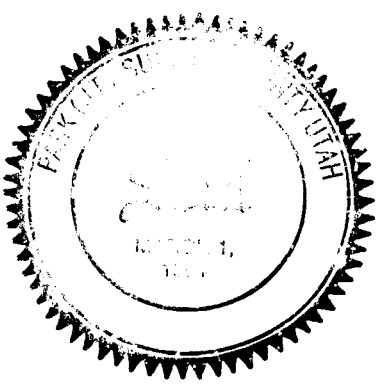
Mayor Bradley A. Olch

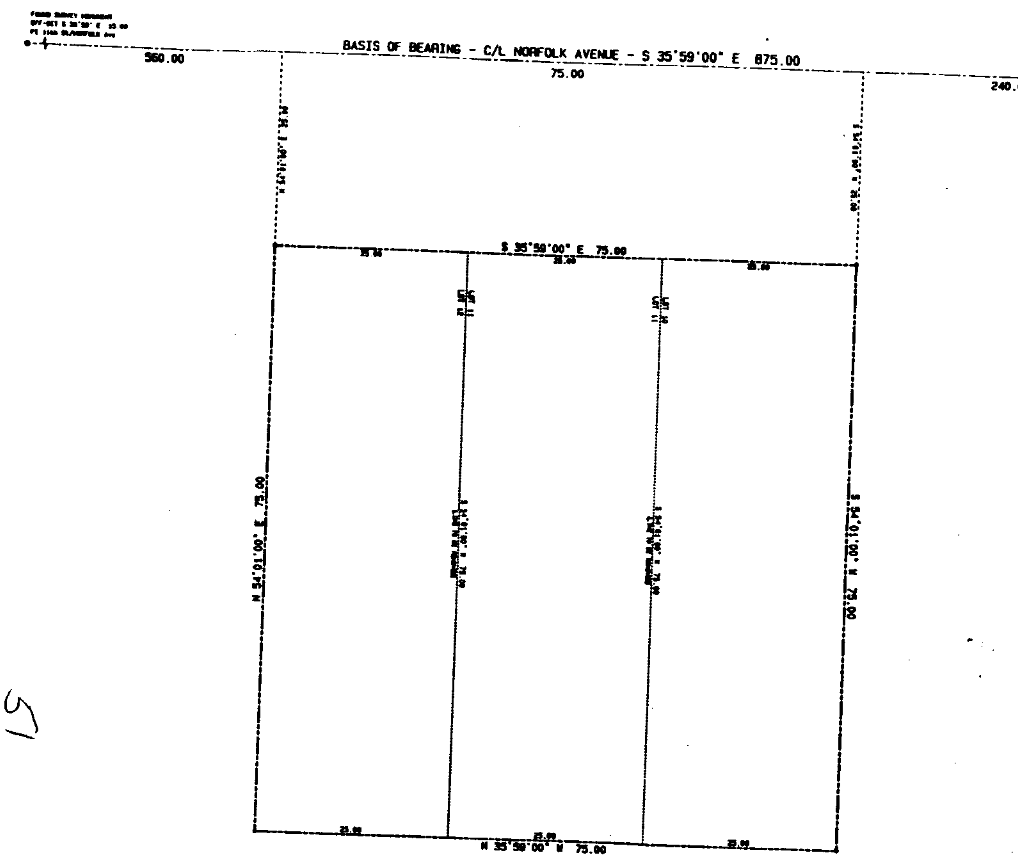
Attest:

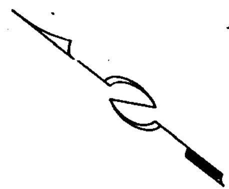
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney







NOTES

1. U.C.A. s.s. 10-9-808 can be interpreted to require both public notice and mailed notice to all property owners within the Snyders Addition to Park City Survey of the date, place and time of the public hearing which precedes City Council approval of this plat amendment. The Park City Land Management Code requires both public notice and mailed notice to all property owners within 300 feet of the proposed plat amendment. The petitioner has provided public notice and mailed notice to property owners within 300 feet of this plat amendment but has not mailed notice to all property owners within the Snyders Addition to Park City Survey. Petitioner(s) assumes all risk of his/hers/its/their failure to mail notice to every property owner within the Snyders Addition to Park City Survey.

SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. [illegible], as prescribed by the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described herein and have re-platted said tract of land to be hereafter known as THE GARDNER PARCEL and that same has been correctly surveyed and staked on the ground as shown on this plat.

JOHN DEMKOWICZ, L.S. # [illegible]   DATE

LEGAL DESCRIPTION

All of Lots 10, 11, & 12 BLOCK 65, SNYDERS ADDITION TO PARK CITY, according to the official plat thereof on file and of record in the office of the recorder, Summit County Utah.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these present that BRYAN B. GARDNER and KATHERINE K. GARDNER, joint tenants, the undersigned owners of the herein described tract of land to be known hereafter as THE GARDNER PARCEL, certify that we have caused this survey to be made and this Record of Survey map to be prepared. BRYAN B. GARDNER and KATHERINE K GARDNER hereby consent to the recordation of this Record of Survey map.

BRYAN B. GARDNER

KATHERINE K. GARDNER

ACKNOWLEDGEMENT

State of ____________)
:ss.
County of ____________)

On this _____ day of ______________ 1994, personally appeared before me, the undersigned Notary Public in and for said State and County, BRYAN B. GARDNER and KATHERINE K. GARDNER being duly sworn, acknowledged to me that they are the owners of the herein described tract of land and that they signed the above Owners Dedication and Consent to Record freely and voluntarily.

Notary Public

Commission expires: ____________

THE GARDNER PARCEL

A LOT LINE RE-PLATTING

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467 12-1-95	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF .... 1994 A.D BY ______ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ___ DAY OF ______, 1994 A.D. BY ______ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ___ DAY OF ______ 1994 A.D. BY ______ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF ______ 1994 A.D. BY ______ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF DATE ___ TIME ___ BOOK ___ PAGE ___ FEE ___ RECORDER

RECEIVED
MAR 1 1995
PARK CITY
PLANNING DEPT

PAGE 1 OF 1

[redacted]
-1-95 FILE: \SM\SAP\L1011120

51

Ordinance No. 95-12

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY LOTS 30, 31, AND 32, BLOCK 31 LOCATED AT 202 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 30, 31, and 32, Block 31 have petitioned the City Council for approval of the amendment to final plat; and

WHEREAS, property notice was sent and the City Council held a public hearing to receive input on the proposed amendment on March 16, 1995; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the final plat of the Park City Survey, Lots 30, 31, and 32, Block 31, is approved as shown on the attached Exhibit A with the following conditions:

Prior to plat recordation, the City Attorney, and City Engineer shall have reviewed and approved the final plat.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 16th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Attorney

Approved as to form:

Mark D. Harrington, Asst. City Attorney

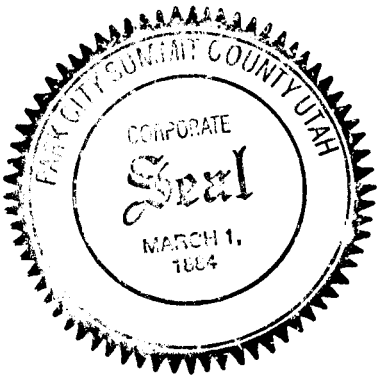
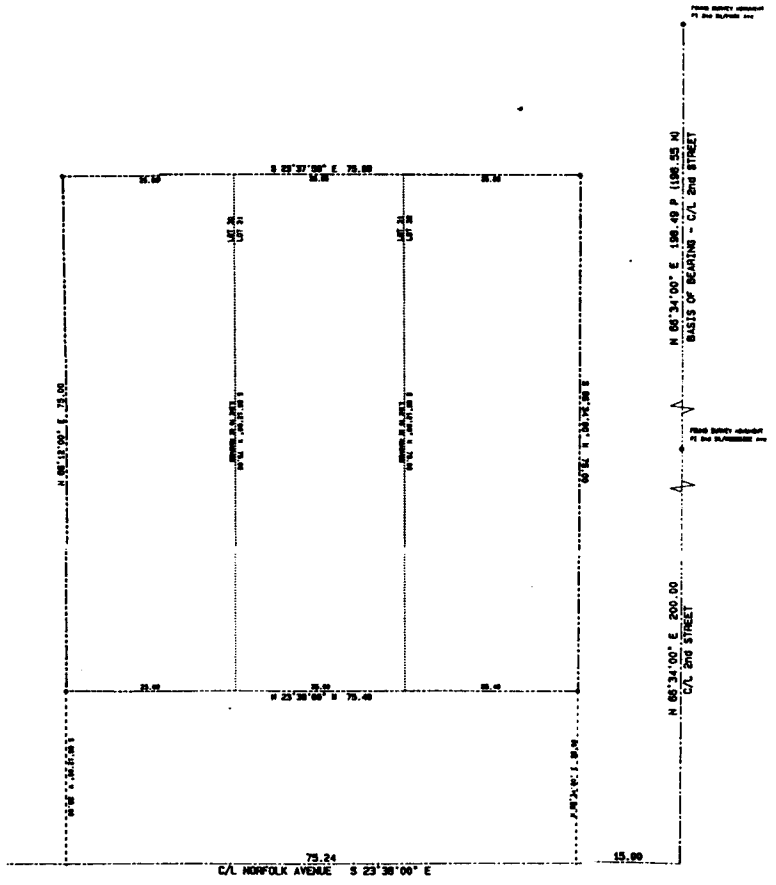
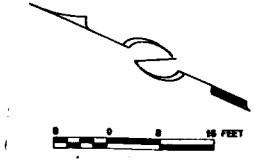


EXHIBIT A - PROPOSED PLAT AMENDMENT



NOTES

1. The street address of the SHUMAN PARCEL is 222 north avenue.
2. O = Denotes set iron pin and cap unless otherwise noted.



SURVEYORS CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate no. 166866, as prescribed by the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described hereon and have re-platted said tract of land to be hereafter known as THE SHUMAN PARCEL and that same has been correctly surveyed and staked on the ground as shown on this plat.

JOHN DEMKOWICZ, L.S. # 166866 DATE

LEGAL DESCRIPTION

All of Lots 30, 31, & 32 BLOCK 76, HILLSIDE SUBDIVISION TO PARK CITY, according to the official plat thereof on file and of record in the office of the recorder, Summit County Utah.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these present that ROBERT L. SHUMAN, the undersigned owner of the herein described tract of land to be known hereafter as THE SHUMAN PARCEL, certify that I have caused this survey to be made and this Record of Survey map to be prepared. ROBERT L. SHUMAN hereby consents to the recordation of this Record of Survey map.

ROBERT L. SHUMAN

ACKNOWLEDGEMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____ 1995, personally appeared before me, the undersigned Notary Public in and for said state and county, ROBERT L. SHUMAN being duly sworn, acknowledged to me that he is the owner of the herein described tract of land and that he signed the above Owners Dedication and Consent to Record freely and voluntarily.

Notary Public

Commission expires _____

THE SHUMAN PARCEL

A LOT LINE RE-PLATTING

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 1995 A.D. _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 1995 A.D. BY _____ MAYOR	PAGE STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ _____ _____ FEE RECORDER

JOB# 7-1-95 FILE#: \PCE\PCSF\SHUMAN.MAP

413

Ordinance No. 95-11

AN ORDINANCE AMENDING TITLE 12 OF THE MUNICIPAL CODE OF PARK CITY, UTAH REGARDING BANNERS OVER PUBLIC PROPERTY

WHEREAS, it is deemed appropriate and in the best interest of the community to amend the Park City Sign Code (Title 12), to better clarify criteria for eligibility and provide terms which better accommodate banner applications meeting such conditions;

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENTS. Section 12-11-7(c), terms and conditions, of the Municipal Code of Park City, Utah is hereby amended to read as follows:

(1) The banner or sign shall only inform the community of an upcoming community event. ~~A community event shall be defined as a public event which is of interest to the community as a whole and promotes the resort nature of the community.~~ A banner may be approved by meeting at least two of the following criteria: (1) the event is open to the public to view and/or participate; (2) the event supports the resort nature of Park City; (3) the event is governmental; or (4) the event has an approved Master Festival License.

Section 12-11-7(c)(2) of the Municipal Code of Park City, Utah is hereby amended to read as follows:

(2) The banner may only be displayed immediately prior to and during a community event which it advertises, and in no case shall the banner be displayed for less than five (5) days, ~~or~~ more than ten (10) days, or more than two (2) weekends.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon its publication.

PASSED AND ADOPTED this 2nd day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington

Mark D. Harrington, Asst. City Attorney

Ordinance No. 95- 10

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED FINAL PLAT OF PROSPECTOR SQUARE, RECORDED ON DECEMBER 26, 1974 AT SUMMIT COUNTY, RECORDED #125443, ON LOT 22C LOCATED AT 1920 PROSPECTOR AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property indicated above petitioned the City Council for approval of the amendment to the amended final plat of Prospector Square; and

WHEREAS, there has been proper notice and the City Council held a public hearing on February 16, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, the plat is consistent with the Land Management Code and the subdivision ordinance; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the final plat of Lot 22C at 1920 Prospector Avenue, is approved as shown on the attached Exhibit A with the following conditions::

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have reviewed and approved the final plat.

2. All other notes and dedications from the recorded Prospector Square Plat, Recorded #125443, and the Supplemental Amended Plat, recorded #397064, are in full force and effect.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 16th day of February, 1995.

PARK CITY MUNICIPAL CORPORATION

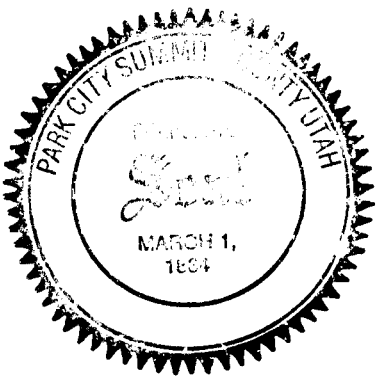
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney



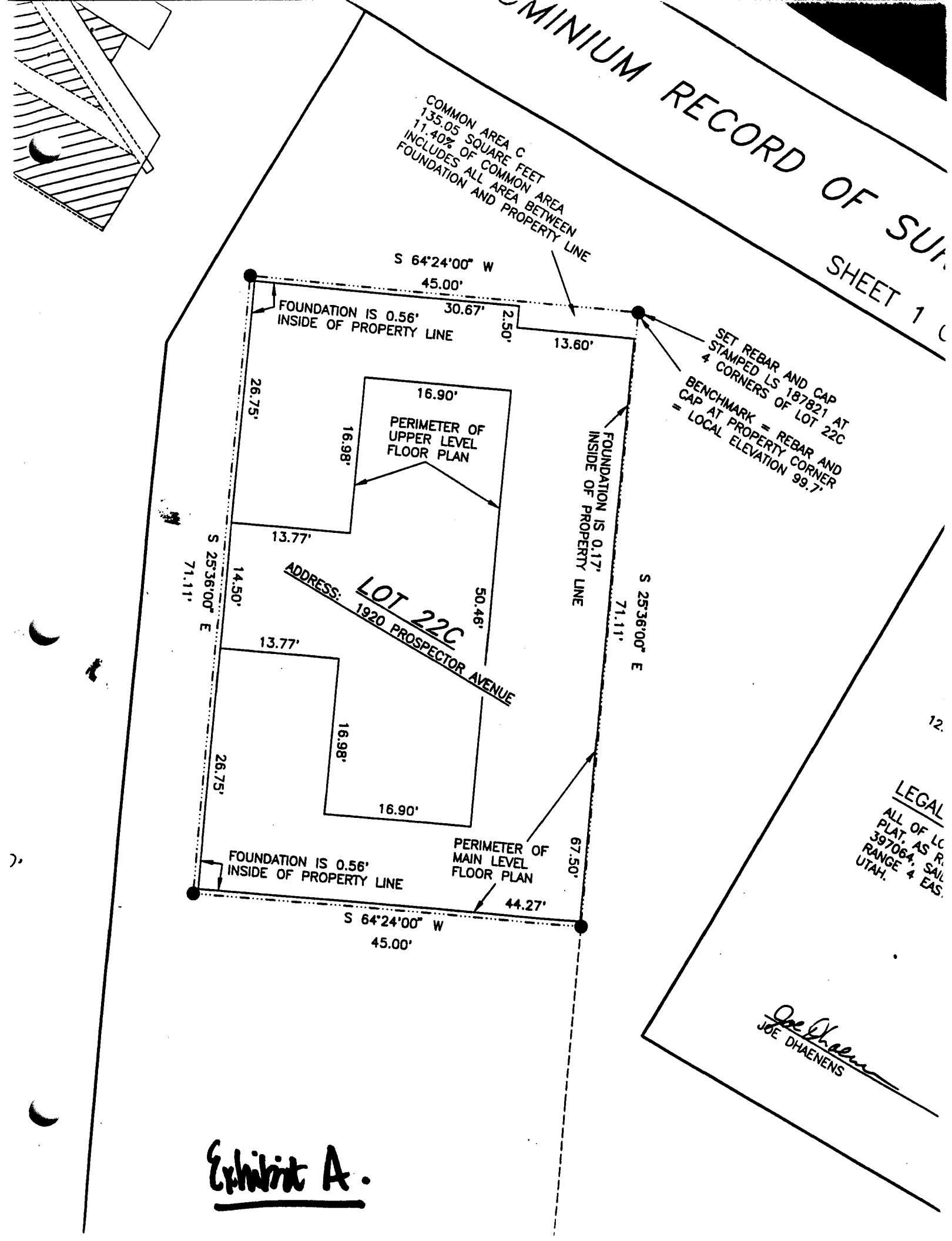

COMMON AREA C
135.05 SQUARE FEET
11.40% OF COMMON AREA
INCLUDES ALL AREA BETWEEN
FOUNDATION AND PROPERTY LINE
S 64°24'00" W
45.00'
30.67'
2.50'
13.60'
FOUNDATION IS 0.56'
INSIDE OF PROPERTY LINE
SET REBAR AND CAP
STAMPED LS 187821 AT
4 CORNERS OF LOT 22C
BENCHMARK = REBAR AND
CAP AT PROPERTY CORNER
= LOCAL ELEVATION 99.7'
26.75'
16.90'
16.98'
PERIMETER OF
UPPER LEVEL
FLOOR PLAN
FOUNDATION IS 0.17'
INSIDE OF PROPERTY LINE
13.77'
S 25°36'00" E
71.11'
14.50'
50.46'
ADDRESS:
LOT 22C
1920 PROSPECTOR AVENUE
S 25°36'00" E
71.11'
13.77'
16.98'
26.75'
16.90'
PERIMETER OF
MAIN LEVEL
FLOOR PLAN
67.50'
FOUNDATION IS 0.56'
INSIDE OF PROPERTY LINE
44.27'
S 64°24'00" W
45.00'
JOE DHAENENS

Exhibit A.

Ordinance No. 95- 9

AN ORDINANCE APPROVING THE AMENDMENT TO LOT 10 OF THE AMENDED FINAL PLAT OF THE BELLETERRE SUBDIVISION, RECORDED ON JANUARY 26, 1990 AT SUMMIT COUNTY, RECORDED #323583, LOCATED AT 6160 SILVER LAKE DRIVE, PARK CITY, UTAH

WHEREAS, the owner of the property indicated above petitioned the City Council for approval of the amendment to the Belleterre Subdivision Plat; and

WHEREAS, there has been proper notice and the City Council held a public hearing on February 16, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, the plat is consistent with the Land Management Code and the subdivision ordinance; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Belleterre Subdivision Plat of 6160 Silver Lake Drive is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have reviewed and approved the final plat.

2. All other notes and dedications from the recorded Belleterre Subdivision Plat, Recorded #323586, are in full force and effect.

3. Prior to issuance of a building permit on Lot 10 Belleterre Subdivision, significant trees in the utility easement be identified and fenced to protect them from disturbance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 16th day of February, 1995.

PARK CITY MUNICIPAL CORPORATION

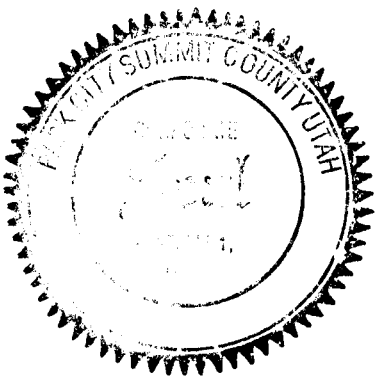
Mayor Bradley A. Olch

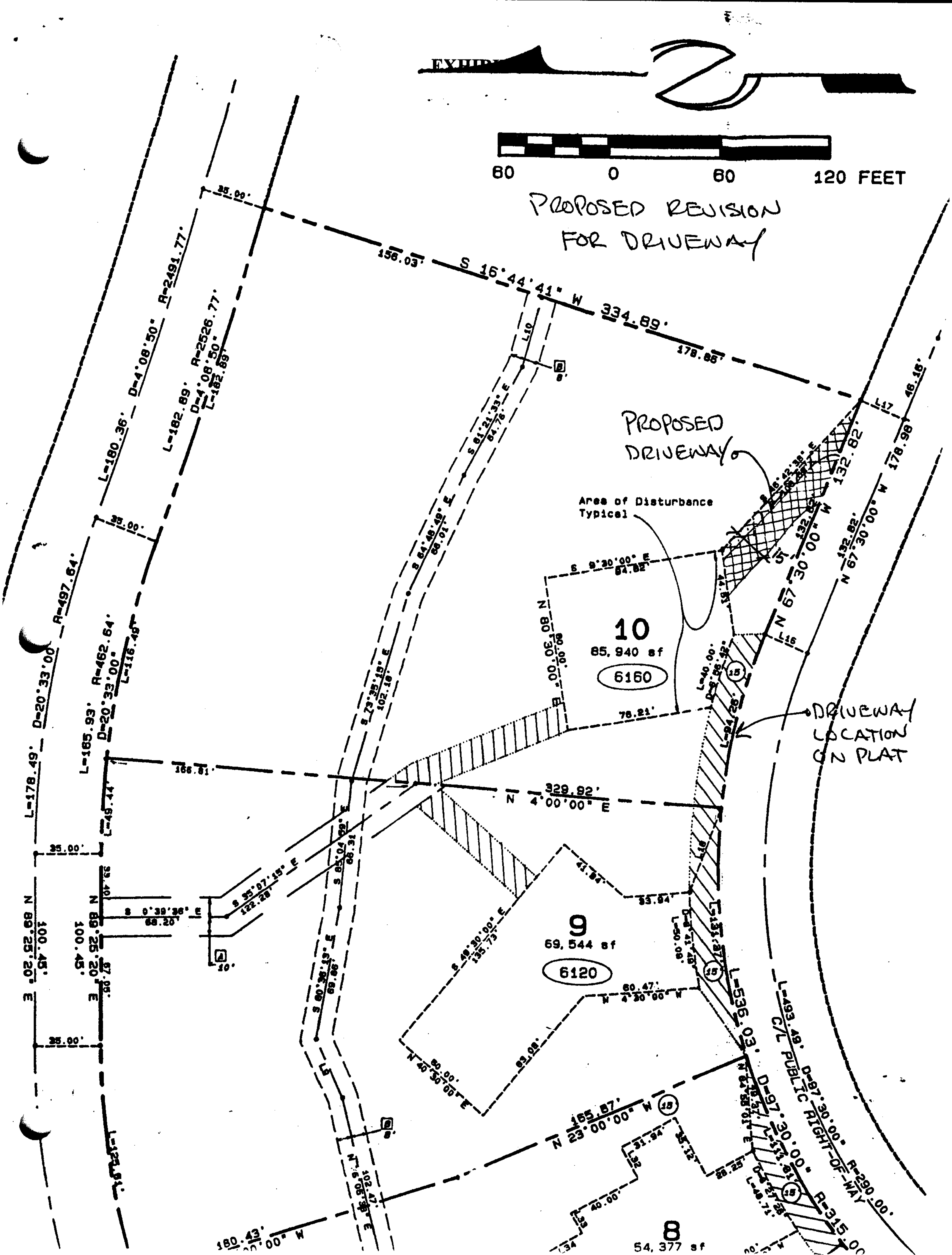
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney





60 0 60 120 FEET
PROPOSED REVISION
FOR DRIVEWAY
PROPOSED
DRIVEWAY
Area of Disturbance
Typical
DRIVEWAY
LOCATION
ON PLAT
S 16°44'41" W 334.89'
156.03'
178.86'
35.00'
R=2491.77'
D=4°08'50"
L=180.36'
R=2526.77'
L=182.89'
R=497.64'
D=20°33'00"
L=178.49'
R=462.64'
L=165.93'
L=116.49'
L=49.44'
165.81'
N 4°00'00" E
329.92'
N 89°25'20" E
100.45'
S 0°39'38" E
68.20'
S 55°07'15" E
122.28'
S 73°35'15" E
102.18'
S 64°48'49" E
66.01'
S 81°21'33" E
64.76'
L10
S 9°30'00" E
64.82'
N 80°30'00" E
76.21'
10
85,940 sf
6160
9
69,544 sf
6120
S 49°30'00" E
135.73'
41.84'
33.94'
60.47'
N 4°30'00" W
N 40°30'00" E
80.00'
69.08'
N 67°30'00" W
132.82'
178.96'
46.16'
L17
L16
L18
L-94.26'
L-133.37'
L-536.03'
D-97°30'00"
C/L PUBLIC RIGHT-OF-WAY
L-493.49'
R-290.00'
R-315.00'
N 23°00'00" W
165.87'
180.43'
102.47'
31.94'
40.00'
8
54,377 sf

Ordinance No. 95-8

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY PLAT 429 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owner of property indicated above, William Elder, petitioned the City Council for approval of the amendment to the Park City Survey Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on February 8, 1995 and the City Council conducted a public hearing on February 16, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, the plat is consistent with the Land Management Code and subdivision ordinance and the newly created parcel exceeds the minimum square footage of 1,875 provided in the Code; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Park City Survey Plat of 429 Woodside Avenue is approved as shown on the attached Exhibit A with the following conditions:

1. The location of the existing structure in relation to the new lot lines shall be verified prior to final plat recordation and minor adjustments t the plat shall be made, if necessary, to remedy any discrepancy between existing conditions and current setback requirements.

2. The City and applicant shall execute the required easement agreements to determine floor area for the undeveloped parcel prior to final plat recordation.

3. All Standard Project Conditions shall apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 16th day of February, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

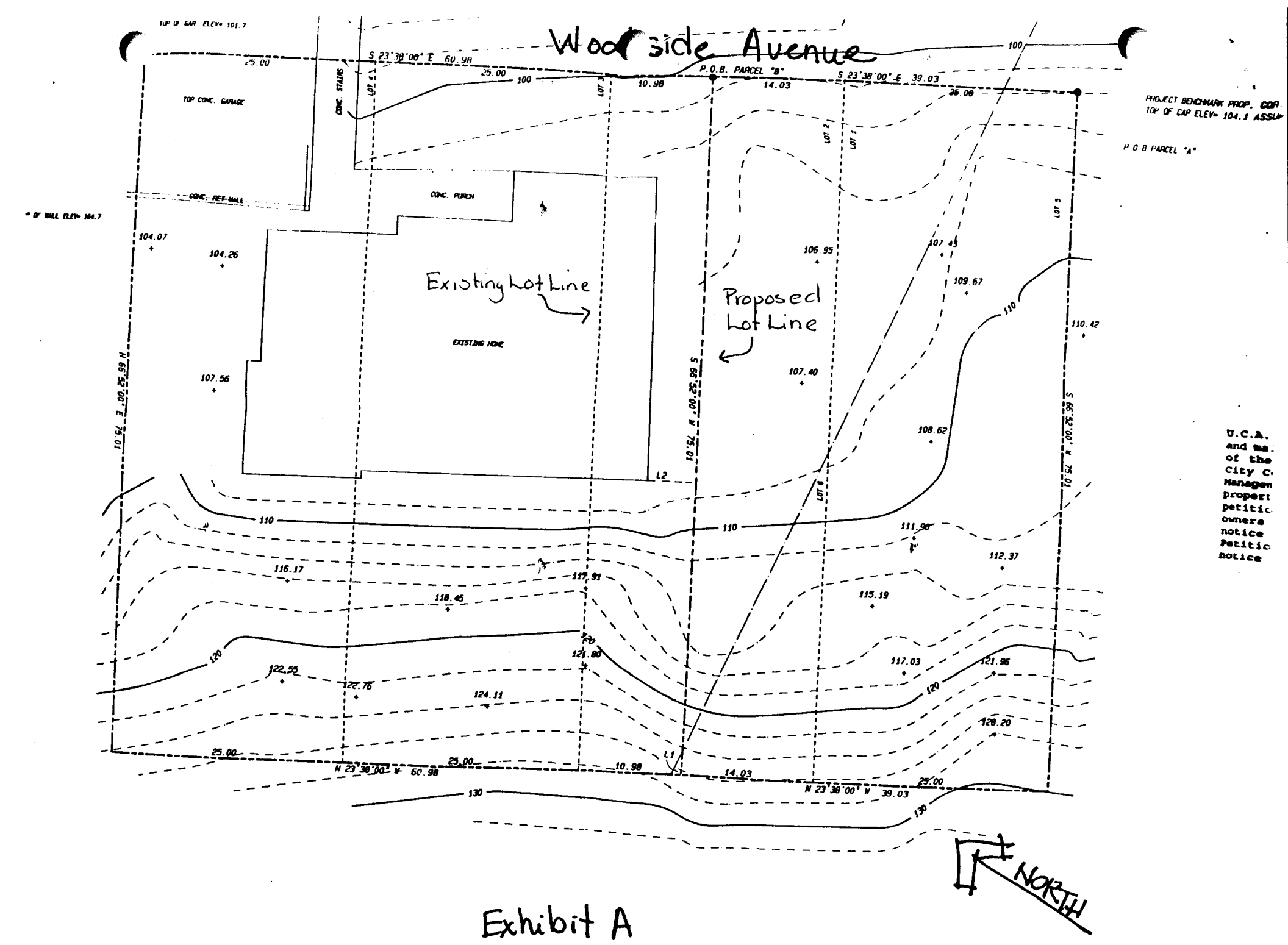
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884



U.C.A. and ma... of the City C... Managem... propert... petitic... owners notice Petitic... notice

Exhibit A

Ordinance No. 95-7

AN ORDINANCE APPROVING A CONDOMINIUM PLAT FOR PHASE 1A OF THE SUMMIT WATCH AT PARK CITY AN EXPANDABLE UTAH CONDOMINIUM PROJECT LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, Summit Watch of Park City, petitioned the Planning Commission for approval of a condominium plat for a phase of a Master Planned Development known as Summit Watch, or the Town Lift Project, consisting of Building A3 of the Summit Watch Project, located at 710 Main Street, Park City, Utah; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on January 25, 1995 and the City Council conducted a public hearing on February 2, 1995 to receive public input on the proposed condominium plat; and

WHEREAS, on January 25, 1995, the Planning Commission forwarded a positive recommendation for approval to the City Council; and

WHEREAS, it is in the best interest of Park City, Utah to approve the condominium plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned condominium plat and that neither the public nor any person will be materially injured by the proposed plat.

SECTION 2. PLAT APPROVAL. The final condominium plat for Phase 1A of Summit Watch at Park City is approved as shown on the attached Exhibit A with the following conditions:

1. Final details on the landscape and plazascape shall be reviewed and approved by the staff and a security posted to ensure installation prior to any certificates of occupancy being issued on Building A3.

2. The City and applicant shall execute the required maintenance and easement agreements prior to any certificates of occupancy being issued on Building A3.

3. Construction plans and details on the main Street/Deer Valley Connection shall be reviewed and approved by the Community

Development Department and construction commenced prior to certificates of occupancy being issued for Building A3.

4. Prior to plat recordation, the City Engineer and City Attorney shall review and approve the plat and declaration of condominium.

5. All Park City Municipal Corporation Standard Project Conditions shall apply.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 2nd day of February 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Ordinance No. 95-6

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY PLAT REGARDING 30,, 40 AND 50 SAMPSON AVENUE PARK CITY, UTAH

WHEREAS, the owners of property indicated above, Craig J. and Debra M. Schneckloth, petitioned the Planning Commission for approval of the amendment to the Park City Survey Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on December 14, 1994 and the City Council conducted a public hearing on February 2, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on December 14, 1994, the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding fire protection, site disturbance, utilities, and house size; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the Park City Survey Plat of 30, 40 and 50 Sampson Avenue is approved as shown on the attached Exhibit A with the following conditions:

1. A note shall be required on the plat indicating that a modified 13-D sprinkler system shall be required and wood roofs are prohibited.

2. Prior to individual building permit issuance, complete plans for construction staging, construction parking, grading, erosion control, and vegetation protection (LOD) shall be approved by the Community Development Department.

3. Prior to individual building permit issuance, the City Engineer shall review and approve all utility and construction plans. A ten foot public non-exclusive utility easement shall be provided along Sampson Avenue for Lots 1 and 3.

4. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

5. All standard project conditions shall apply.

6. The maximum sizes for residential structures on the lots shall be:

Lot 1 3,000 square feet
Lot 2 3,500 square feet
Lot 3 3,003 square feet

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 2nd day of February, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
Seal
MARCH 1, 1884

EXHIBIT A

LEGAL DESCRIPTION

Beginning at the Northeast Corner of Lot 17, Block 78, Millsite Reservation, the Park City Survey, and as recorded in Summit County, Utah, and proceeding thence South 23°38' East along the Easterly line of said Lot 17, a distance of 91.67 feet to the Westerly edge of an existing road; thence South 13°38'00" West along said Westerly edge, a distance of 268.84 feet; thence South 04° 49' 15" West, a distance of 20.00 feet; thence North 89°14'45" West, a distance of 54.08 feet to the Southerly line of Lot 8, Block 79, said Millsite Reservation; thence South 00°27' West along said Southerly line, a distance of 48.36 feet to the most Easterly Southeast corner of Lots 6 and 7, Block said Block 79, said Millsite Reservation; thence North 225.33 feet along the Westerly line of Block 79, said Millsite Reservation, to the Southerly line of Main Avenue as monumented, thence North 64°22' East, a distance of 80.00 feet to the Easterly line of said Main Avenue as monumented; thence South 23°38' East, a distance of 65.67 feet along said Easterly line to the Northwest Corner of Lot 17, Block 78, said Millsite Reservation as monumented; thence North 66°34' East along the Northerly line of said Lot 17, a distance of 75.00 feet to the Point of Beginning.

Contains 0.38 acres more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned are the owners of the herein described tract of land, and hereby caused this same to be divided into lots as set forth and shown hereon, hereafter to be known as Mill-site Reservation Supplemental Amended Plat.

Owner

Owner

Joint Tenants

ACKNOWLEDGEMENT

State of Utah
County of Summit

On the ___ day of _____ 1994, personally appeared before me, Craig A. Bahnmaier and Nancy Kay Marelle-Bahnmaier, who being by me duly sworn, did say that they are the owners of the Mill-site Reservation Supplemental Amended Plat Lots 1, 2, and 3 and that the within and foregoing Dedication and Consent to Record was signed on behalf of said Joint Tenants.

Notary Public

SURVEYOR'S CERTIFICATE

I, JACK A. JOHNSON, DO HEREBY CERTIFY that I am a REGISTERED LAND SURVEYOR and that I HOLD CERTIFICATE NO. 147599 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY that a SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON. I FURTHER CERTIFY that THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

JACK A. JOHNSON, No. 147599

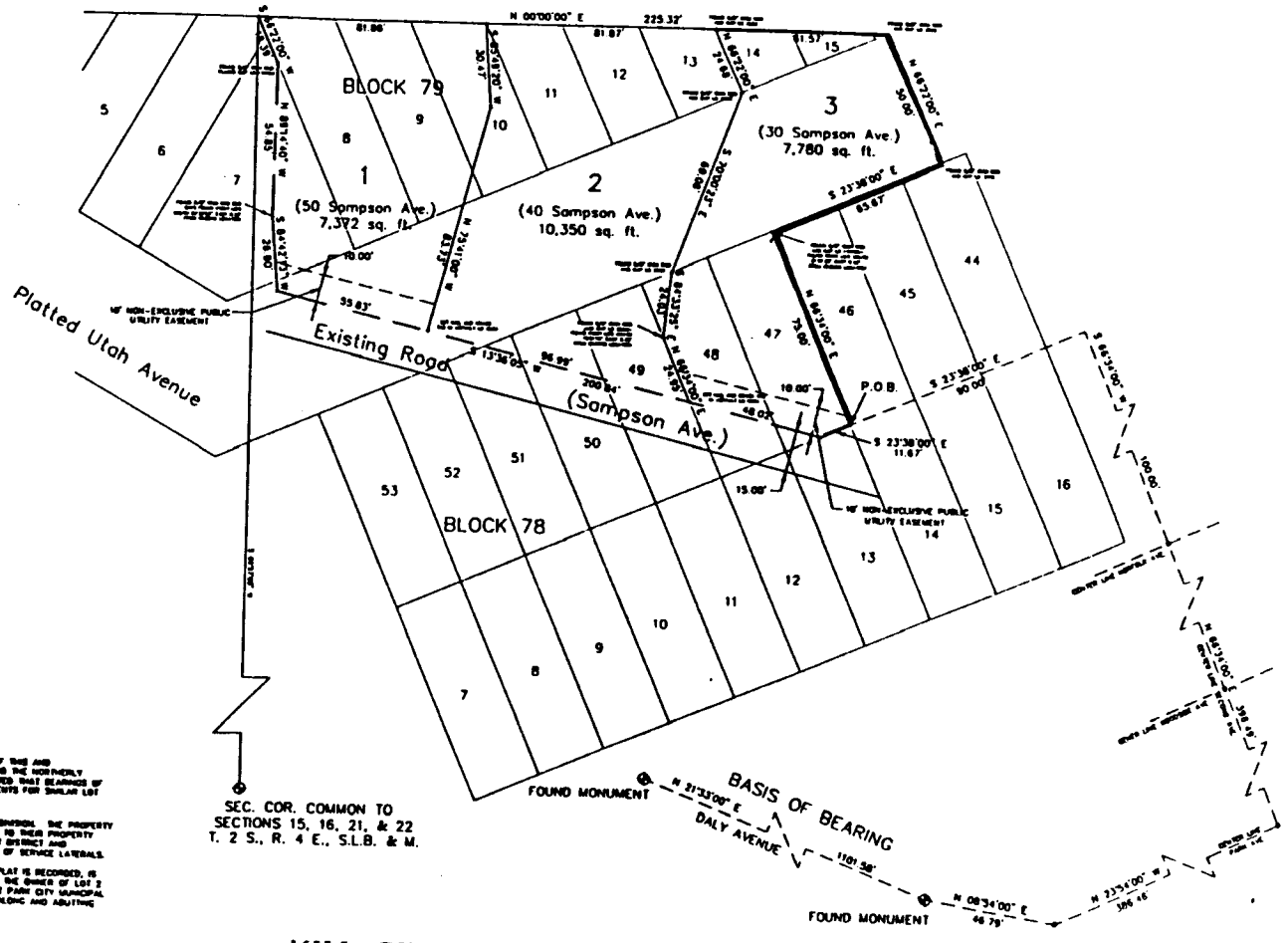
DATE: November 30, 1994

NOTES: 1.) SURVEY MONUMENTS AND CAP SET AT ALL PROPERTY CORNERS, EXCEPT AS NOTED, BY JACK HARMEN, L.S. # 179999

2.) BASED ON OUR RESEARCH OF WARRANTY DEEDS AND PREVIOUS SURVEYS OF THIS AND ADJACENT PROPERTIES, A BEARING OF NORTH 66°34' EAST WAS ASSIGNED TO THE NORTHERLY AND SOUTHERLY LINES OF LOTS 17 AND 18, BLOCK 78. IT SHOULD BE NOTED THAT BEARINGS OF NORTH 64°22' EAST AND NORTH 66°13' EAST WERE USED ON OTHER DOCUMENTS FOR SIMILAR LOT LINES WITHIN BLOCK 78.

3) NO SANITARY SEWER SERVICE LATERALS EXIST FOR SOME LOTS IN THIS SUBDIVISION. THE PROPERTY OWNERS WILL BE REQUIRED TO CONSTRUCT AND INSTALL SERVICE LATERALS TO THEIR PROPERTY AT THEIR EXPENSE. CONTACT THE SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT AND PARK CITY FOR CONSTRUCTION DETAILS AND INFORMATION ON INSTALLATION OF SERVICE LATERALS.

4) IN THE EVENT THE HOUSE WHICH EXISTS ON LOT 2, AS OF THE DATE THIS PLAT IS RECORDED, IS DEVELOPED OR LOST DUE TO FIRE, EARTHQUAKE, OR OTHER CATASTROPHE, THE OWNER OF LOT 2 WILL, AS A CONDITION PRECEDENT TO REBUILDING A NEW STRUCTURE, GRANT PARK CITY MUNICIPAL CORPORATION A 10-FOOT-WIDE NON-EXCLUSIVE PUBLIC UTILITY EASEMENT ALONG AND ADJOINING SAMPSON AVENUE.



NORTH

SCALE: 1"=20'

0 5 10 20 40 60 80

MILL-SITE RESERVATION SUPPLEMENTAL AMENDED PLAT

A SUBDIVISION OF BLOCK 78 AND 79 OF SUBDIVISION NO. 1 OF MILL-SITE RESERVATION, PARK CITY, SUMMIT COUNTY, UTAH, DATED JUNE 25, 1887 AND RECORDED AT THE SUMMIT COUNTY, UTAH RECORDERS OFFICE.

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS ____ DAY OF _____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 19__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS ____ DAY OF _____ A.D. _____	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	No. _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF _____
MAYOR	CITY ENGINEER	CHAIRMAN	SSID	CITY ATTORNEY	COUNTY RECORDER

THE JACK JOHNSON COMPANY

DEC 8 1994

ORDINANCE 95-5

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF PARK CITY BY ADDING A NEW SECTION 4-9-1 THROUGH 4-9-22 REGULATING SEXUALLY ORIENTED BUSINESSES AND AMENDING SECTION 8-4-20, THE CRIMINAL CODE

WHEREAS, Section 10-8-41, Utah Code Annotated gives the City the power to suppress and prohibit the keeping of disorderly houses, houses of ill fame or houses kept by, maintained for, or resorted to or used by, one or more persons for acts of perversion, lewdness or prostitution and also empowers the City to make it unlawful for lewdness or moral perversion or for any person to secure, induce, procure, offer or transport to any place within the City any person for the purposes of committing an act of sexual intercourse for hire, lewdness or moral perversion or for any person to receive or direct or offer or agree to receive or direct any person into any place or building within the City for the purposes of committing an act of sexual intercourse for hire, lewdness or moral perversion or for any person to aid, abet or participate in the commission of any of the foregoing and further prohibit the sale, distribution or exhibition of obscene or lewd publications, prints, pictures or illustrations; and

WHEREAS, Section 10-8-84 allows the City to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by Chapter 8 of Title 10 of Utah Code Annotated which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and its inhabitants; and

WHEREAS, the City Council has relied on the findings and experiences of cities including Salt Lake City, Sandy City, West Valley City and others concerning the effects and regulation of sexually oriented businesses; and

WHEREAS, as a result of these findings and experiences, the City Council finds that sexually oriented businesses are frequently used for unlawful sexual activity; and

WHEREAS, licensing and zoning are legitimate and reasonable means of time, place and manner regulations to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation; and

WHEREAS, there is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and residential areas adjacent to them, causing increased crime and the degrading of property values; and

WHEREAS, the City Council finds that it is recognized that sexually oriented businesses, due to their nature, have serious objectionable operational characteristics particularly when they are located in close proximity to each other, thereby contributing to urban blight and

downgrading the quality of life in the adjacent areas; and

WHEREAS, the City Council desires to minimize and control these adverse effects and thereby preserve the property and character of surrounding neighborhoods, deter the spread of urban blight, protect the citizens from increased crime, preserve the quality of life, and protect the health, safety and welfare of the citizenry; and

WHEREAS, the City Council desires to protect the patrons of sexually oriented businesses from dangerous conditions and to protect the youth of the City from exposure to inappropriate material; and

WHEREAS, many City residents are offended by sexually oriented businesses and harbor fears about their own safety and the well-being of their children and families if exposed to such businesses and the persons who patronize them and these residents should have their rights of travel and association accommodated, if reasonable; and

WHEREAS, the time, place and manner restrictions of this ordinance are required to protect important governmental interests and are reasonably related to achieve the protection of those interests with the minimum interference necessary to rights protected by state and federal constitutional provisions,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, as follows:

SECTION 1. AMENDMENT. THE MUNICIPAL CODE OF PARK CITY is hereby amended by adding the following Chapter 9 to Title 4.

CHAPTER 9 - SEXUALLY ORIENTED BUSINESSES

4- 9- 1. **TITLE FOR CITATION** This section shall be known and may be referred to as the Sexually Oriented Business Licensing Ordinance.

4- 9- 2. **PURPOSE.** It is the purpose and object of this section that the City establish reasonable and uniform regulations governing the time, place and manner of operations of Sexually Oriented Businesses and their employees in Park City. This section shall be construed to protect the governmental interests recognized by this section in a manner consistent with constitutional protections provided by the United States and Utah Constitutions.

4- 9- 3. **APPLICATION OF PROVISIONS.** This section imposes regulatory standards and license requirements on certain business activities, which are characterized as "Sexually Oriented Businesses". Except where the context or specific provisions require, this section does not supersede or nullify any other related ordinances including, but not limited to, the Municipal Code of Park City, Utah, or the Park City Land Management Code.

4- 9 -4. **DEFINITIONS.** For the purpose of this section the following words shall have the following meanings:

(A) **ADULT BUSINESS** - an Adult Theater, Adult Motion Picture Theater, Adult Bookstore or Adult Video store.

(B) **ADULT BOOKSTORE** or **ADULT VIDEO STORE** - a commercial establishment which:

(1) Holds itself out to be such a business; or

(2) Excludes minors from more than thirty (30%) percent of the retail floor or shelf space of the premises; or

(3) Which as one of its principal purposes, offers for sale or rental, for any form of consideration, any one or more of the following: Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations the central theme of which depicts or describes "specified sexual activities" or "specified anatomical areas", or instruments, devices or paraphernalia which are designated for use in connection with specified sexual activities, except for legitimate medically recognized contraceptives.

(C) **ADULT MOTION PICTURE THEATER** - a commercial establishment which:

(1) Holds itself out as such a business; or

(2) Excludes minors from the showing of two consecutive exhibitions (repeated showings of any single presentation shall not be considered a consecutive exhibition); or

(3) As its principal business, shows, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions which are primarily characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

(D) **ADULT THEATER** - a theater, concert hall, auditorium, or similar commercial establishment which:

(1) Holds itself out as such a business; or

(2) Excludes minors from the showing of two consecutive exhibitions

(repeated performances of the same presentation shall not be considered a consecutive exhibition); or

(3) As its principal business, features persons who appear in live performance in a state of semi-nudity or which are characterized by the exposure of "Specified Anatomical Areas", or by Specified Sexual Activities.

(E) **NUDITY** or **STATE OF NUDITY** - A state of dress in which the areola of the female breast, or male or female genitals, pubic region, or anus are covered by less than the covering required in the definition of semi-nude.

(F) **OPERATOR** - the manager or other natural person principally in charge of a Sexually Oriented Business.

(G) **SEMI-NUDE** - a state of dress in which a person wears opaque clothing covering (1) only the male or female genitals, pubic region, anus, or (2) the nipple and areola of the female breast, by an opaque cover that is four inches wide in the front and five inches wide in the back tapering to one inch at the narrowest point.

(H) **SEMI-NUDE DANCING AGENCY** - any person, agency, firm, corporation, partnership, or any other entity or individual which furnishes, books, or otherwise engages or offers to furnish, book or otherwise engage the service of a professional dancer for performance or appearance at a business licensed pursuant to this chapter.

(I) **SEMI-NUDE ENTERTAINMENT BUSINESS** - a business, including an Adult Theater, where employees perform or appear in the presence of patrons of the business in a state of semi-nudity. A business shall also be presumed to be a Semi-Nude Entertainment Business if the business holds itself out as such a business.

(J) **SEXUALLY ORIENTED BUSINESS** - Semi-Nude Entertainment Businesses, Adult Businesses, and Semi-Nude Dancing Agencies as defined by this Chapter.

(K) **SPECIFIED ANATOMICAL AREAS** - the human male or female pubic area or anus with less than a full opaque covering, or the human female breast from the beginning of the areola, papilla or nipple to the end thereof with less than full opaque covering.

(L) **SPECIFIED SEXUAL ACTIVITIES** means:

(1) Acts of:

(a) Masturbation;
(b) Human sexual intercourse; or
(c) Sodomy

(2) Manipulating, caressing or fondling by any person of:

(a) The genitals of a human;
(b) The pubic area of a human; or
(c) The breast or breasts of a human female.

(3) Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of the one so clothed.

4- 9- 5. **OBSCENITY AND LEWDNESS - STATUTORY PROVISIONS**. Notwithstanding anything contained in this Chapter, nothing in this Chapter shall be deemed to permit or allow the showing or display of any matter which is contrary to applicable federal or state statutes prohibiting obscenity.

Notwithstanding anything contained in this Chapter, nothing in this section shall be deemed to permit or allow conduct or the showing or display of any matter which is contrary to the provisions of the Criminal Code, Section 8-4-20 "Lewdness".

4- 9- 6. **LOCATION AND ZONING RESTRICTIONS.** It shall be unlawful for any Sexually Oriented Business to do business at any location within the City not zoned for such business. Sexually Oriented Businesses licensed pursuant to this Chapter shall only be allowed in areas zoned for their use pursuant to Chapter 7 of the Park City Land Management Code.

4- 9- 7. **BUSINESS LICENSE REQUIRED.** It shall be unlawful for any person to operate a Sexually Oriented Business, as specified herein, without first obtaining a Sexually Oriented Business license from the Park City license officer, with the approval by the Police Chief. The business license shall specify the type of Sexually Oriented Business for which it is obtained.

4- 9- 8. **EXEMPTIONS FROM LICENSE REQUIREMENTS.** The provisions of this Chapter shall not apply to any sex therapist or similar individual licensed by the State of Utah to provide bona fide sexual therapy or counseling, licensed medical practitioner, licensed nurse, psychiatrist, psychologist, nor shall it apply to any educator licensed by the State of Utah for activities in the classroom.

4- 9- 9. **ARTISTIC MODELING.** The City does not intend to unreasonably or improperly prohibit legitimate modeling which may occur in a state of nudity for purposes protected by the First Amendment or similar state protections.

4- 9-10. **BUSINESS CATEGORIES; SINGLE LICENSE.** It is unlawful for any business premises to operate or be licensed for more than one category of Sexually Oriented Business. The categories of Sexually Oriented Businesses are:

(A) Adult Businesses.

(B) Semi-Nude Entertainment Businesses.

(C) Semi-Nude Dancing Agency.

4- 9-11. **LICENSE APPLICATION; DISCLOSURE.** Before any applicant may be licensed to operate a Sexually Oriented Business pursuant to this Chapter, the applicant shall submit, on a form to be supplied by the Park City Business License Officer, the following:

(A) The correct legal name of each applicant, corporation, partnership, limited partnership or entity doing business under an assumed name.

(B) If the applicant is a corporation, partnership or limited partnership or individual or entity doing business under an assumed name the information required below for individual applicants shall be submitted for each partner and each principal of an applicant and for each officer or director. Any holding company, or any entity holding more than ten percent of an applicant, shall be considered an applicant for purposes of disclosure under this chapter.

(C) All corporations, partnerships or non-corporate entities included on the application shall also identify each individual authorized by the corporation, partnership or non-corporate entity to sign the checks for such corporation, partnership or non-corporate entity.

(D) For all applicants the application must also state:

(1) any other names or aliases used by the individual;
(2) present business address and telephone number;
(3) present residence and telephone number;
(4) Utah drivers license or identification number; and
(5) Social security number.

(E) Acceptable written proof that any individual is at least 21 years of age;

(F) The applicant's fingerprints on a form provided by the Park City Police Department. For persons not residing in Park City, the fingerprints shall be on a form from the law enforcement jurisdiction where the person resides. Fees for the fingerprints shall be paid by the applicant directly to the issuing agency.

(G) A statement detailing the license or permit history of the applicant for the five year period immediately preceding the date of the filing of the application, including whether such applicant possesses or previously possessed any liquor licenses. The statement shall list all other jurisdictions in which the applicant owned or operated a Sexually Oriented Business. The statement shall also state whether the applicant has ever had a license, permit, or authorization to do business denied, revoked or suspended in this or any other county, city state, or territory. In the event of any

such denial, revocation or suspension, state the date, the name or issuing or denying jurisdiction and state in full the reasons for the denial, revocation or suspension. A copy of any order of denial, revocation or suspension shall be attached to the application.

(H) All criminal convictions or pleas of nolo contendere, except those which have been expunged, and the disposition of all such arrests for the applicant, individual or entity subject to disclosure under this chapter for five years prior to the date of the application. This disclosure shall include identification of all ordinance violations, excepting minor traffic offenses (any traffic offense designated as a felony shall not be construed as a minor traffic offense); stating the date, place, nature of each conviction and plea of nolo contendere and sentence of each conviction or other disposition; identifying the convicting jurisdiction and sentencing court and providing the court identifying case numbers or docket numbers. Application for a Sexually Oriented Business shall constitute a waiver of disclosure of any criminal conviction or plea of nolo contendere for the purposes of any proceeding involving the business or employee license;

(I) In the event the applicant is not the owner of record of the real property upon which the business or proposed business is or is to be located, the application must be accompanied by a notarized statement from the legal or equitable owner of the possessory interest in the property specifically acknowledging the type of business for which the applicant seeks a license for the property. In addition to furnishing such notarized statement, the applicant shall furnish the name, address and phone number of the owner of record of the property, as well as the copy of the lease or rental agreement pertaining to the premises in which the service is or will be located;

(J) A description of the services to be provided by the business, with sufficient detail to allow reviewing authorities to determine what business will be transacted on the premises, together with a schedule of usual fees for services to be charged by the licensee and any rules, regulations or employment guidelines under or by which the Sexually Oriented Business intends to operate. This description shall also include:

(1) the hours that the business or service will be open to the public and the methods of promoting the health and safety of employees and patrons and preventing them from engaging in illegal activity;

(2) the methods of supervision preventing the employees from engaging in acts of prostitution or other related criminal activities;

(3) the methods of supervising employees and patrons to prevent employees and patrons from charging or receiving fees for services or acts prohibited by this Chapter or other statutes or ordinances;

(4) the methods of screening employees and customers in order to promote the health and safety of employees and customers and prevent the transmission of disease, and prevent the commission of acts of prostitution or other criminal activity.

It is unlawful to knowingly submit false or materially misleading information on or with a Sexually Oriented Business license application or to fail to disclose or omit information for the purpose of obtaining a Sexually Oriented Business license.

4- 9-12 .**LICENSE FEES**. Each applicant for a Sexually Oriented Business license shall be required to pay a license fee pursuant to the schedule established by resolution of the Park City City Council.

4- 9-13. **SINGLE LOCATION AND NAME.**

(A) It is unlawful to conduct business under a license issued pursuant to this Chapter at any location other than the licensed premises.

(B) It is unlawful for any Sexually Oriented Business to do business under any name other than the business name specified in the application.

4- 9- 14. **LICENSE - ISSUANCE CONDITIONS**. The Police Chief or his designee shall approve the issuance of a license to the applicant within thirty days of receipt of a completed application, unless the official finds one or more of the following:

(A) The applicant is under twenty-one years of age;

(B) The applicant is overdue in payment to the City of taxes, fees, fines, or penalties assessed against the applicant or imposed upon the applicant in relation to a Sexually Oriented Business;

(C) The applicant has falsely answered a material question or request for information as authorized by this chapter;

(D) The applicant has violated a provision of this Chapter or similar provisions found in statues or ordinances from any jurisdiction within two years immediately preceding the application; a criminal conviction for a violation of a provision of this chapter or similar provisions from any jurisdiction, whether or not being appealed, is conclusive evidence of a violation, but a conviction is not necessary to prove a violation;

(E) The premises to be used for the business have been disapproved by the Summit County Health Department, the Fire Department, the Police Department, the building officials, or the zoning officials as not being in compliance with applicable laws and ordinances of the City. If any of the foregoing reviewing agencies cannot complete their review within the thirty-day approval or denial period, the agency or department may obtain an extension of time of no more than fifteen days for their review. The total time for the city to approve or deny a license shall not exceed forty-five days from the receipt of a completed application and payment of all fees.

(F) The required license fees have not been paid;

(G) All applicable sales and use taxes have not been paid;

(H) An applicant for the proposed business is in violation of or not in compliance with this Chapter or similar provisions found in state statutes or ordinances from any jurisdiction;

(I) An applicant has been convicted or pled nolo contendere to a crime involving:

(1) Prostitution; exploitation of prostitution; aggravated promotion of prostitution; aggravated exploitation of prostitution; solicitation of sex acts; sex acts for hire; compelling prostitution; aiding prostitution; sale, distribution, or display of material harmful to minors; sexual performance by minors; possession of child pornography; lewdness; indecent exposure; any crime involving sexual abuse or exploitation of a child; sexual assault or aggravated sexual assault; rape; forcible sodomy; forcible sexual abuse; incest; harboring a runaway child; criminal attempt, conspiracy, or solicitation to commit any of the foregoing offenses or offenses involving similar elements from any jurisdiction, regardless of the exact title of the offense; for which:

(i) Less than two years have elapsed from the date of conviction, if the conviction is of a misdemeanor offense, or less than five years if the convictions are of two or more misdemeanors within the five years; or

(ii) Less than five years have elapsed from the date of conviction if the offense is a felony;

(2) The fact that a conviction is being appealed shall have no effect on the disqualification pursuant to this Chapter.

4- 9-15. **CHANGES IN INFORMATION.** Any change in the information required to be submitted under this Chapter for a Sexually Oriented Business license shall be given, in writing, to the Police Department, within fourteen days after such change.

4- 9-16. **TRANSFER LIMITATIONS.** Sexually Oriented Business licenses granted under this chapter are not transferable. It is unlawful for an individual to transfer a Sexually Oriented Business license. It shall be unlawful for a Sexually Oriented Business license held by a corporation, partnership or other non-corporate entity to transfer any part in excess of 10% thereof, without filing a new application and obtaining prior City approval. If any transfer of the controlling interest in a Sexually Oriented Business licensee occurs, the license is immediately null and void and the Sexually Oriented Business shall not operate until a separate new license has been properly issued by the City as herein provided.

4- 9-17. **GENERAL REGULATIONS.** It is unlawful for any Sexually Oriented Business to:

(A) Allow persons under the age of eighteen years on the licensed premises, except that in Adult Businesses which exclude minors from less than all of the business premises, minors shall

not be permitted in excluded areas;

(B) Allow, offer or agree to allow any alcohol being stored, used or consumed on or in the licensed premises;

(C) Allow the outside door to the premises to be locked while any customer is in the premises;

(D) Allow, offer or agree to gambling on the licensed premises;

(E) Allow, offer or agree to any employee of a Sexually Oriented Business touching any patron or customer;

(F) Allow, offer or agree to illegal possession, use, sale or distribution of controlled substances on the licensed premises;

(G) Allow Sexually Oriented Business employees to possess, use, sell or distribute controlled substances, while engaged in the activities of the business;

(H) Allow, offer or agree to commit prostitution, solicitation of prostitution, solicitation of a minor or committing activities harmful to a minor to occur on the licensed premises;

(I) Allow, offer, commit or agree to any specified sexual activity as validly defined by Park City ordinances or state statute in the presence of any customer or patron;

(K) Allow, offer or agree to allow a patron or customer to masturbate in the presence of an employee or on the premises of a Sexually Oriented Business;

(L) Allow, offer, or agree to commit an act of lewdness as defined in Section 8-4-20 of this Code; or

(M) Not permit the Police Department or other City official to have access at all times to all premises licensed or applying for a license under this chapter, or to make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

4- 9-18. **ADULT BUSINESS. DESIGN OF PREMISES.**

(A) In addition to the general requirements of disclosure for a Sexually Oriented Business, any applicant for a license as an Adult Business shall also submit a diagram, drawn to scale, of the premises of the license. The design and construction, prior to granting a license or opening for business shall conform to the following:

(1) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which

any patron is permitted access for any purpose, excluding restrooms;

(2) Restrooms may not contain any video reproduction equipment or any of the business merchandise. Signs shall be posted requiring only one person be allowed in the restroom per stall and only one person in any stall at a time and requiring that patrons shall not be allowed access to manager's station areas;

(3) For businesses which exclude minors from the entire premises all windows, doors and other apertures to the premises shall be darkened or otherwise constructed to prevent anyone outside the premises from seeing the inside of the premises. Businesses which exclude minors from less than all of the premises shall be designed and constructed so that minors may not see into the area from which they are excluded;

(4) The diagram required shall not necessarily be a professional engineer's or architect's blueprint; however, the diagram must show marked internal dimensions, all overhead lighting fixtures and ratings for illumination capacity.

(B) It shall be the duty of licensee and licensee's employees to insure that the views from the manager's station of all areas specified in section (1) above remain unobstructed by any doors, walls, merchandise, display racks or any other materials, at all times that any patron is present in the premises, and to insure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted.

(C) The premises shall at all times be equipped and operated with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one footcandle measured at floor level. It shall be the duty of licensee and licensee's employees present on the premises to insure that the illumination described above is maintained at all times that any patron is present in the premises.

4- 9-19. **SEMI-NUDE ENTERTAINMENT BUSINESS; INTERIOR DESIGN** Adult Theaters shall require that the performance area shall be separated from the patrons by a minimum of three feet, which separation shall be delineated by a physical barrier at least three feet high. It is unlawful for business premises licensed for Semi-Nude Entertainment to:

(A) Permit a bed, sofa, mattress or similar item in any room on the premises, except that a sofa may be placed in a reception room open to the public or in any office to which patrons are not admitted, and except that in an Adult Theater such items may be on the stage as part of a performance;

(B) Allow any door on any room used for the business, except for the door to an office to which patrons shall not be admitted, outside doors and restroom doors to be lockable from the inside;

(C) Provide any room in which the employee or employees and the patron or patrons are alone together without a separation by a solid physical barrier at least three feet high and six inches wide. The patron or patrons shall remain on one side of the barrier and the employee or employees shall remain on the other side of the barrier;

4 - 9-20. **ALCOHOL PROHIBITED**. It is unlawful for any business licensed pursuant to this Chapter to allow the sale, storage, supply, or consumption of alcoholic beverages on the premises. It is unlawful for any person to possess or consume any alcoholic beverage on the premises of any Sexually Oriented Business.

4- 9-21. **SEMI-NUDE DANCING AGENCY.**

(A) It is unlawful for any individual or entity to furnish, book or otherwise engage the services of a professional dancer, model or performer to appear in a state of semi-nudity for pecuniary compensation in, or for, any Semi-Nude Entertainment Business or Adult Theater licensed pursuant to this Chapter unless such agency is licensed pursuant to this Chapter.

(B) It is unlawful for any individual or entity to furnish, book or otherwise engage or permit any person to perform as a professional dancer, model or performer in a state of semi-nudity either gratuitously or for compensation, in, or for, any business licensed pursuant to this Chapter unless such person is employed by a Semi-Nude Dancing Agency licensed pursuant to this Chapter.

4- 9-22. **NUDITY - DEFENSE TO PROSECUTION.** It is a defense to prosecution or violation under this Chapter that a person appearing in a state of nudity did so in a modeling class operated:

(A) By a proprietary school licensed by the State of Utah or a college, junior college or university supported entirely or partly by taxation;

(B) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation.

SECTION 2. AMENDMENT. SECTION 8-4-20 OF THE MUNICIPAL CODE OF PARK CITY is hereby amended to read as follows:

8-4-20. LEWDNESS. A person is guilty of lewdness if in a public place or place open to public view, he or she ~~fornicates~~ performs an act of sexual intercourse or sodomy, makes an intentional exposure of his or her genitals, pubic area, buttocks, or the female breast, engages in trespassing voyeurism, urinates or defecates, or performs any other act of ~~gross~~ lewdness under circumstances which he or she should know will likely cause affront or alarm. As used in this section, public place means any place to which the public or a substantial group of the public has access. It includes commercial establishments and anyplace to which admission is gained by payment or a membership or admission fee, however designated, notwithstanding its designation as a private club or by words

of like import. Exposure of genitals, pubic area or buttocks means less than a fully opaque covering, or a showing of the female breast below a point immediately above the top of the areola.

SECTION III. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 19th day of January , 1995.

Park City Municipal Corporation

Bradley A. Olch, Mayor

Attestation by:

Anita Sheldon, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1,

Approved as to Form:

Mark D. Harrington, Asst. City Attorney

Ordinance No. 95-4

AN ORDINANCE AMENDING TITLE 9, SECTION 2-1 OF THE PARK CITY MUNICIPAL CODE TO PROHIBIT PARKING ON PERVIOUS SURFACES WITHIN CERTAIN AREAS IN PARK CITY, UTAH

WHEREAS, the Park City Landscaping and Maintenance of Soil Cover Code, as currently written, prohibits parking on pervious surfaces; and

WHEREAS, the City Council wishes to include this prohibition in the Parking Code so as to maintain consistency within the Municipal Code of Park City, Utah;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENT. The following subsection of Title 9, Chapter 2, Section 1 shall be added to create a new subsection (N) which shall read as follows:

(N) In accordance with Title 11, Chapter 15-2, parking on pervious surfaces within the area outlined by Title 11, Chapter 15-1 is prohibited.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon its publication.

DATED this 19th day of January, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Ordinance No. 95-3

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF PARK CITY, UTAH TITLE 4, LICENSING, TO PROVIDE A DEFINITION FOR ARCADES AND A FLEET FEE LICENSE FOR AMUSEMENT MACHINES LOCATED WITHIN AN ARCADE

WHEREAS, the Council may time to time find it necessary and reasonable to amend its Municipal Code to better serve the public and accommodate its business community; and

WHEREAS, it is appropriate to create a definition in Title 4, Licensing, to identify and define criteria for an arcade business;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah that:

SECTION 1. AMENDMENT. Title 4, Chapter 1 is hereby amended to include the definition of "arcade" as follows:

(B) **ARCADE**. A business dedicating at least 85% of its square footage to amusement games only, and not more than 15% dedicated to concession and/or cashiering. No food preparation is allowed and alcoholic beverages may not be sold.

All following subsections shall be renumbered accordingly.

Title 4, Section 4-2-18(A) is hereby amended as follows:

A business which operates a fleet of food and/or beverage vending ~~machines~~ and video and/or amusement machines, meeting the criteria established in the definition of "arcade" defined in Chapter 1, may purchase a fleet license for all machines operated by that business at the rate established by the Rate Table per year in lieu of individually licensing all machines. A license sticker shall be issued for each machine in the fleet regardless of number. This fleet license shall not apply to video games, electronic entertainment devices, billiards or to other similar devices not meeting the "arcade" definition criteria.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective immediately.

PASSED AND ADOPTED this 19th day of January, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

Ordinance No. 95-2

AN ORDINANCE AMENDING SECTION 8.12 OF THE LAND MANAGEMENT CODE

WHEREAS, the City Council of Park City, Utah is responsible for zoning and for determining which zones will allow home occupations; and

WHEREAS, the City Council has agreed that certain phrases in the "Home Occupation" section of the Land Management Code are conflicting and misleading; and

WHEREAS, the City Council held a public hearing on the proposed changes on January 9, 1995;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. AMENDMENT. Section 8.12 "Home Occupation" of the Land Management Code is hereby amended to read as follows:

8.12 HOME OCCUPATION. A home occupation is a lawful use conducted and carried on entirely within a dwelling by persons residing in the dwelling, ~~or by those persons at sites away from the dwelling~~, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Only those persons making the home their primary residence may be employed in a business operated from that home. A home occupation shall not include the sale of goods or merchandise except those which are produced on the premises and shall not involve the use of any yard space or activity outside of the buildings not normally associated with residential use. The use of mechanical equipment shall be limited to small tools whose use shall not generate noise, smoke, or odor perceptible beyond the premises of the dwelling. Home occupation will not allow a resident, professional or otherwise, to use the dwelling for his general practice when that practice is normally associated with some other zoning district. Home occupation will, however, allow the use of the dwelling by a physician, dentist, lawyer,, clergyman, engineer or the like for consultation or emergency treatment. Consultation shall include the use of a dwelling to receive mail and maintain a telephone or automatic answering device related to the home occupation, but shall not allow frequent or constant visitation to the residence by clients to transact business. Home occupation shall include the care of fewer than three children other than members of the family residing in the dwelling. In all cases, there shall be no advertising of said home occupation by window displays or signs.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

DATED this 19th day of January, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

Ordinance No. 95-1

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED FINAL PLAT OF PROSPECTOR SQUARE, RECORDED ON DECEMBER 26, 1974 AT SUMMIT COUNTY, RECORDED # 125443, ON LOTS 48A, 48B, 48C, 48D AND 48E LOCATED AT PARKING LOT G AT PROSPECTOR SQUARE , PARK CITY, UTAH

WHEREAS, the owners of the property known as the petitioned the Planning Commission for approval of the amendment to final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed amendment on December 14, 1994; and

WHEREAS, on December 14, 1994, the Planning Commission forwarded a positive recommendation of approval of the final plat to the City Council; and

WHEREAS, the City Council held a public hearing on this matter on January 5, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat amendment;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Park City, Utah as follows:

SECTION 1. Plat Amendment. The amendment of the final plat of Lots 48A, 48B, 48C, 48D and 48E at Prospector Square Parking Lot G, is approved as shown on the attached Exhibit A with the following conditions:

1. **All Standard Project Review Requirements shall apply. The final landscape plan shall to the best extent possible include landscaping along Prospector Avenue. The final landscape plan shall be approved by the Community Development Department Staff prior to building permit issuance. The final design elements approved for the front building facades shall also be required on the rear building facades.**

2. **Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have reviewed and approved the final plat. All other notes and dedications from the recorded Prospector Square plat, Recorded #125443, and the Supplemental Amended Plat, recorded #397064, are in full force and effect.**

3. **A pedestrian access easement to the Rail Trail shall be provided on site and as illustrated on the amended plat. The location and design of the rail trail connection shall be reviewed and approved by the Community Development Department Staff prior to plat recordation. The connection shall not be required to include more elements than a compacted base material and shall be designed in order to provide an easily identifiable access point for users of the Rail Trail. Additional design measures are encouraged but are to be provided at the applicant's discretion.**

4. **The final building configuration shall fully satisfy the Fire Marshal's requirements for emergency vehicle access prior to Building Permit issuance. Modified 13-D sprinklers may be required if adequate circulation is not provided for in front of the building pad.**

5. **A financial security in 125% of the amount to be approved by the City Engineer as sufficient to construct all public utilities, sidewalks, parking lot paving, trails, bridges, landscaping and utility relocation shall**

be in place prior to plat recordation or building permit issuance. The form of the financial security shall have been approved by the City Attorney.

6. The buildings on the newly created lots shall not exceed a Floor Area ratio of 2.0.

SECTION 2. This ordinance shall take effect immediately.

DATED this 5th day of January, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

ATTEST:

Janet M. Scott, Deputy City Recorder

APPROVED AS TO FORM:

Mark D. Harrington, Assistant City Attorney

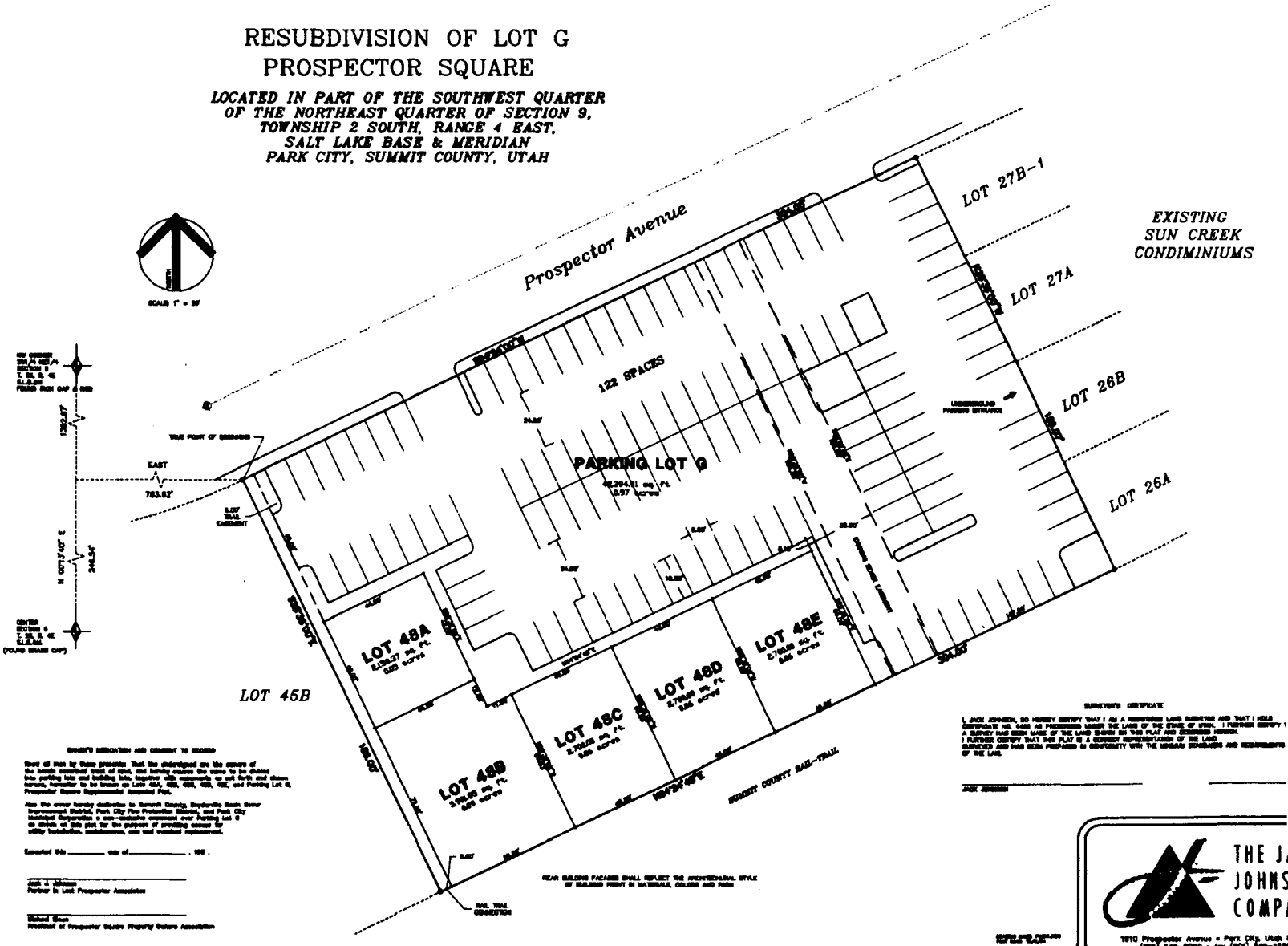
PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

EXHIBIT A - LOT G - PROPOSED PLAT AMENDMENT, DECEMBER 2, 1994

RECEIVED
DEC 02 1994
PARK CITY
PLANNING DEPT.

RESUBDIVISION OF LOT G
PROSPECTOR SQUARE

LOCATED IN PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH



LEGAL DESCRIPTION

ACKNOWLEDGMENT

ACKNOWLEDGMENT

OWNER'S DEDICATION AND CONSENT TO RECORD

SURVEYOR'S CERTIFICATE

THE J. JOHNSON COMPANY
1910 Prospector Avenue • Park City, Utah 84060
(801) 649-8000 • fax (801) 649-1639

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED	SEWER DISTRICT APPROVAL
PRESENTED TO THE BOARD OF _____ CITY COUNCIL THIS _____ DAY OF _____ A.D. 19__ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 19__	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19__	N°. _____ STATE OF _____. COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF:	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS THIS _____ DAY OF _____ A.D. _____
MAYOR	CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	COUNTY RECORDER	S.B.S.I.D.
CITY RECORDER					