

**Ordinance No. 2021-02**

**AN ORDINANCE APPROVING AN EXTENSION OF CITY COUNCIL'S JANUARY 15, 2019 APPROVAL OF ORDINANCE NO. 2019-03, AN ORDINANCE APPROVING THE 510 ONTARIO AVENUE PLAT AMENDMENT, LOCATED AT 510 ONTARIO AVENUE, PARK CITY, UTAH, AND ORDINANCE NO. 2019-04, AN ORDINANCE AMENDING ORDINANCE NO. 15-12 AND APPROVING THE ROUNDABOUT CONDOMINIUMS FIRST AMENDMENT, LOCATED AT 300 DEER VALLEY DRIVE, PARK CITY, UTAH**

WHEREAS, on December 12, 2018, the Planning Commission held a public hearing to receive input on the 510 Ontario Avenue Plat and Roundabout Condominiums First Amended Plat;

WHEREAS, on December 12, 2018, the Planning Commission unanimously forwarded a positive recommendation to the City Council to approve the 510 Ontario Avenue Plat and Roundabout Condominiums First Amended Plat according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated herein;

WHEREAS, on January 15, 2019, the City Council, held a public hearing and approved Ordinance No. 2019-03, *An Ordinance Approving the 510 Ontario Avenue Plat Amendment, Located at 510 Ontario Avenue, Park City, Utah*, and Ordinance No. 2019-04, *An Ordinance Amending Ordinance No. 15-12 and Approving the Roundabout Condominiums First Amendment, Located at 300 Deer Valley Drive, Park City, Utah*;

WHEREAS, on December 20, 2019, the owner of 510 Ontario Avenue submitted an application with the Planning Department to request a one-year extension of the City Council's approval of Ordinance No. 2019-03 and Ordinance No. 2019-04;

WHEREAS, on February 6, 2020, the extension request was scheduled for City Council consideration and the Applicant requested that the approval extension be continued to a date uncertain;

WHEREAS, on November 24, 2020, the Applicant requested that the approval extension be scheduled again for City Council consideration;

WHEREAS, on December 23, 2020, staff legally noticed the City Council January 7, 2021 public hearing;

WHEREAS, on January 7, 2021, the City Council reviewed the proposed plat approval extension, held a public hearing, and approved a one-year extension for the 510 Ontario Avenue Plat and Roundabout Condominiums First Amended Plat through January 7, 2022; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the extension of the 510 Ontario Avenue Plat and Roundabout Condominiums First Amended Plat through January 7, 2022.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. City Council's January 15, 2019 approval of the 510 Ontario Avenue Plat Amendment, Attachment 1, and the Roundabout Condominiums First Amended Plat, Attachment 2, is hereby extended through January 7, 2022, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval:

### **510 Ontario Avenue**

#### **Findings of Fact:**

1. The site is located at 510 Ontario Avenue.
2. The site consists of an existing single-family dwelling accessed off Ontario Avenue.
3. The site is within the Residential District.
4. The proposed Plat Amendment consists of two (2) metes and bounds parcels (723 and 4,191 square feet each, respectively) plus a portion of Roundabout Condominium Plat common space consisting of 2,731.8 square feet.
5. On October 4, 2016, a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
6. On October 4, 2016, a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to Eliot Realty LLC consisting of 2,731.8 square feet of open space of the Roundabout Condominiums.
7. The October 4, 2016 property transfer of the 2,731.8 square feet of common area of the Roundabout Condominiums took place without City approvals.
8. The proposed Plat Amendment consists of one (1) lot of record 7,646 square feet in size.
9. This proposal does not increase density as there is already a single-family dwelling.
10. The minimum lot area for a single-family dwelling is 2,812 square feet; duplex dwelling is 3,750 square feet; and triplex dwelling is 5,625 square feet.
11. The applicant has been working with the Planning Dept. for an addition / renovation / remodel to the existing single-family dwelling.
12. Single-family and duplex dwellings are listed as allowed uses, and a triplex dwelling is listed as a conditional use.
13. The Residential District requires a minimum front setback of fifteen feet (15'), new front facing garages for single-family and duplex must be at least twenty feet (20'), a minimum rear setback of ten feet (10'), and a minimum side setback of five feet (5').
14. The proposed Plat Amendment, one (1) lot subdivision, meets front, rear, and side setbacks.

#### **Conclusions of Law:**

1. There is good cause for the Plat Amendment.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

**Conditions of Approval:**

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Plat.
2. The applicant shall record the 510 Ontario Avenue Plat and the Roundabout Condominium First Amended Plat on the same date at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plats will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A Plat note shall be added to limit one (1) single-family dwelling. No duplexes / triplexes allowed based on its proximity to the Historic District.
4. A ten foot (10') snow storage and non-exclusive public utility easement to extend along Ontario Avenue shall be noted on the Plat.
5. A Plat note shall be added indicating that access to the lot shall be from Ontario Avenue.
6. A Plat note shall be added indicating the portion of the site located within Flood Zone AO.
7. Prior to plat recordation the applicant shall be responsible of submitting to the Engineering Department proof that there are no existing utilities on the five foot (5') utility easement and a new five foot (5') utility easement is required along the side property line. If existing utilities are found with the five foot (5') utility easement, the proposed plat will not vacate the utility easement.
8. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the Plat.

**Roundabout Condominiums First Amended Plat**

**Findings of Fact:**

1. The subject site, Roundabout Condominiums, is located at 300 Deer Valley Drive.
2. Roundabout Condominiums was approved as two (2) condominium buildings, consisting of two (2) units in each building for a total of four (4) units.
3. On June 14, 2007, the City Council approved the Roundabout Subdivision Plat which was recorded February 21, 2008, a two (2) lot subdivision.
4. In 2014 the site remained unimproved and on May 8, 2014 the City Council approved Ordinance No. 14-21 approving the Roundabout Condominiums Plat, which consisted of four (4) condominium units.
5. On April 23, 2015 the City Council approved Ordinance No. 15-12 amending Ordinance No. 14-21 and approving the Roundabout Condominium Plat, four (4) condominium units.

6. The site is within the Residential District.
7. The proposed Condominium Plat Amendment consists of amending the boundary of the Roundabout Condominiums to reflect 2,731.8 square feet of common space that has already been transferred to the adjacent property owner.
8. On October 4, 2016, a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
9. October 4, 2016, a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
10. The October 4, 2016 property transfer of the common area of the Roundabout Condominiums took place without City approvals.
11. The proposed Condominium Plat Amendment consists of amending the overall Condominium site to 25,754 square feet in size.
12. This proposed Condominium Plat Amendment does not increase density.
13. The proposed Condominium Plat Amendment does not affect any private units, limited common spaces, parking areas, footprint, etc.
14. The only platted designation of the 2731.8 square feet area is common space.
15. The existing Condominium Plat shows a platted ten foot (10') wide non-exclusive public utility & snow storage easement along Deer Valley Drive, as well as a five foot (5') utility easement along the side and rear property lines.
16. Roundabout Condominiums does not have an open space requirement.
17. The proposed Condominium Plat Amendment does not affect the minimum lot area or any of the required minimum setbacks based on the location of the 2,731.8 square feet of common space already transferred.

**Conclusions of Law:**

1. There is good cause for the Condominium Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
4. Approval of the Condominium Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

**Conditions of Approval:**

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the 510 Ontario Avenue Plat and the Roundabout Condominium First Amended Plat on the same date at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plats will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A ten foot (10') snow storage and non-exclusive public utility easement to extend along Deer Valley Drive shall be noted on the Plat.
4. A five foot (5') utility easement shall be noted on the Plat along the side property line.
5. All Conditions of Approval of the Ordinance No. 15-21 shall continue to apply.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 7<sup>th</sup> day of January, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:  
  
0340104CDC42481...

Andy Beerman, MAYOR

ATTEST:



DocuSigned by:  
  
E5E905BB533E431

City Recorder

APPROVED AS TO FORM:

DocuSigned by:  
  
B7478B7734C7490...

Mark Harrington, City Attorney

### 510 ONTARIO AVENUE

A ONE LOT SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

#### SURVEYOR'S CERTIFICATE

I, James D. Pitkin, do hereby certify that I am a Professional Land Surveyor in the State of Utah holding certificate number 171546 as prescribed by Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Licensing Act. I further certify that by the authority of the owners, I have made an accurate survey of the tract of land shown and described hereon in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements shown and have subdivided said property into streets hereafter to be known as

#### 510 ONTARIO AVENUE

subdivision and that the same has been surveyed and monuments have been placed on the ground as represented on this plat. I further certify that the requirements of all applicable statutes and ordinances of the Salt Lake County Land Use Code have been complied with.

#### BOUNDARY DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah; more particularly described as follows:

BEGINNING at a point that is North 66°22'00" East 265.00 feet and North 19°58'00" West 140.00 feet from the Southernmost corner of Block 57, Park City Survey according to the Amended plat thereof, recorded as Entry No. 199887 as recorded in the Office of the Summit County Recorder, and running thence North 77°58'07" West 94.14 feet; thence South 44°55'38" West 14.19 feet to the boundary and right-of-way line of Ontario Avenue and a point on a 122.50 foot radius non-tangent curve to the left; thence Northwest 26.07 feet along the arc of said curve through a central angle of 121°1'28" (chord bears North 61°45'31" West 26.02 feet); thence North 32°00'00" East 38.33 feet; thence North 19°58'00" West 18.01 feet; thence South 75°27'36" East 30.62 feet; thence North 08°45'00" East 33.39 feet to the southerly boundary and right-of-way line of Deer Valley Drive and a point on a 690.00 foot radius non-tangent curve to the left; thence Southeast 12.43 feet along said Road and the arc of said curve through a central angle of 01°01'57" (chord bears South 80°39'01" East 12.43 feet) to a point of reverse curvature with a 500.00 foot radius curve to the right; thence Southeast 31.00 feet along said Road and the arc of said curve through a central angle of 03°33'08" (chord bears South 79°23'25" East 31.00 feet); thence South 63°20'09" East 31.75 feet along said Road; thence South 01°51'00" West 55.89 feet; thence South 19°58'00" East 20.00 feet to the POINT OF BEGINNING.

Contains one lot and 7,646 square feet or 0.17 acres, more or less.

Date: April 19, 2018

James D. Pitkin, PLS.  
License No. 171546



#### OWNER'S DEDICATION

Know all men by these presents that the undersigned owners of the tracts of land described above, having caused the same to be subdivided into lots and streets to be hereafter known as

#### 510 ONTARIO AVENUE

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, hereby consent and give approval to the recording of this plat.

In witness whereof, I have hereto set my hand this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

ELLIOT REALTY, LLC

In witness whereof, I have hereto set my/our hand this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Ron Dichter

#### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,

\_\_\_\_\_, personally appeared before me, who being by me duly sworn, did acknowledge that \_\_\_\_\_ is the \_\_\_\_\_ of ELLIOT REALTY, LLC, a Utah Nonprofit Corporation, that the foregoing Owner's Dedication was signed by \_\_\_\_\_ on behalf of said entity.

Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_ Print Name: \_\_\_\_\_  
A Notary Public Commissioned in Utah

#### ACKNOWLEDGMENT

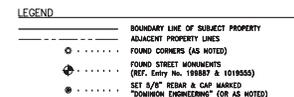
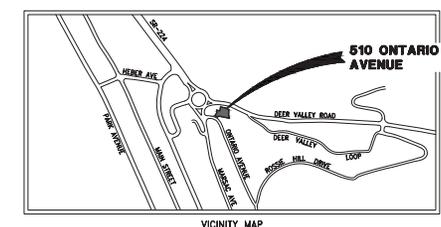
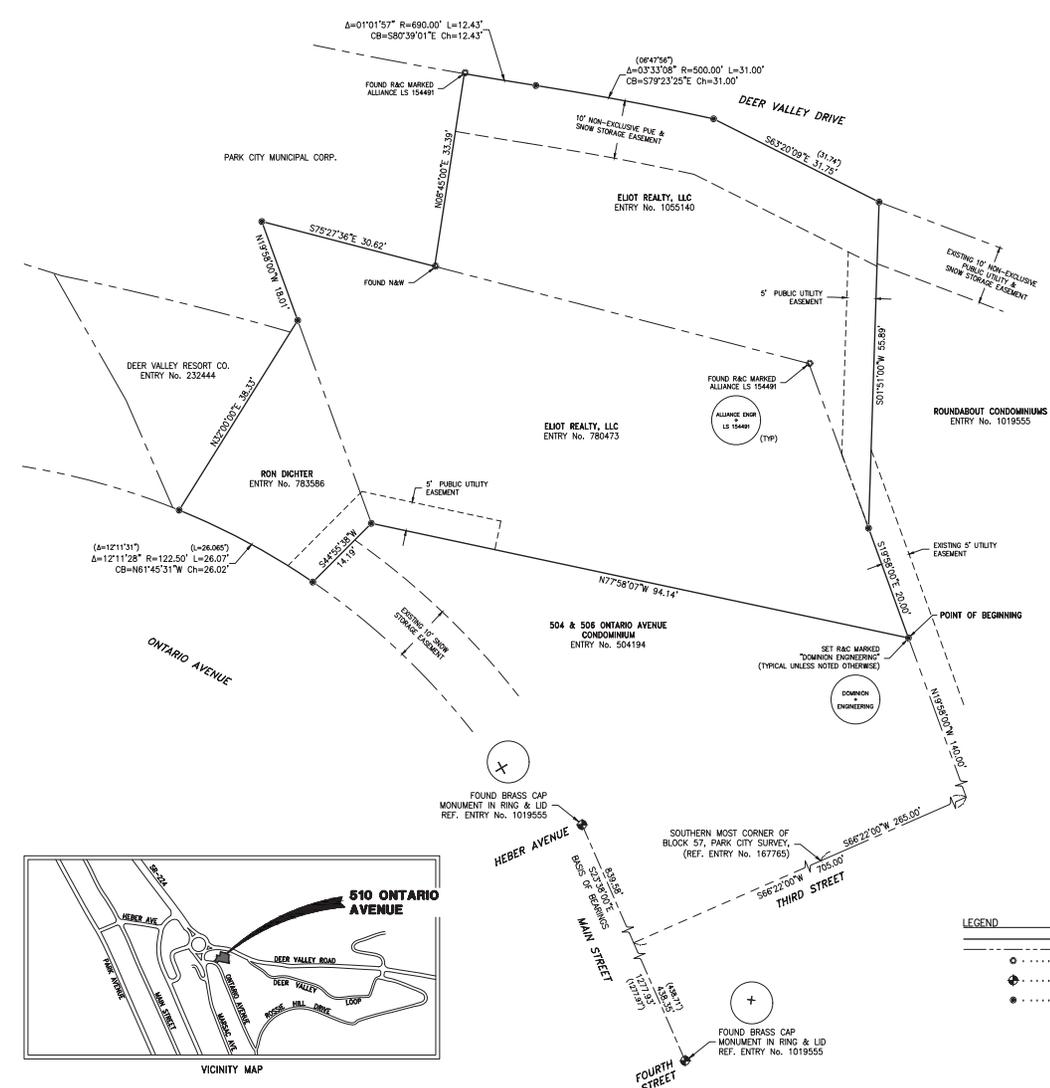
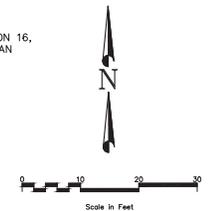
STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,

\_\_\_\_\_, personally appeared before me, who being by me duly sworn, did acknowledge that he executed the foregoing Owner's Dedication.

Commission Number: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_ Print Name: \_\_\_\_\_  
A Notary Public Commissioned in Utah



Plot: P:\Northstar - FC\Othens\_2003\DATA\Map\510 Ontario Subdiv.dwg | plot date: April 19, 2018 | plotted by: jhmp

<b>PROJECT NO.</b> 2953-01  <b>SHEET NO.</b> 1 OF 1  FILE NAME: 510 ONTARIO SCALE: 1"=10'	<b>PREPARED BY</b>  <b>Dominion Engineering Associates, L.C.</b> 5684 South Green Street Murray, Utah 84123 801-713-3000	<b>CITY ENGINEER</b> THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 20____ CITY ENGINEER _____	<b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b> REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ A.D. 20____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT _____	<b>CITY PLANNING COMMISSION</b> APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 20____ CHAIRMAN _____	<b>APPROVAL AS TO FORM</b> APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____ CITY ATTORNEY _____	<b>COUNCIL APPROVAL &amp; ACCEPTANCE</b> APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____ MAYOR _____	<b>CERTIFICATE OF ATTEST</b> I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____ CITY RECORDER _____	<b>SUMMIT COUNTY RECORDER</b> RECORDED # _____ STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ Date _____ Time _____ Book _____ Page _____ \$ _____ Fee _____ SUMMIT COUNTY RECORDER
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### ROUNABOUT CONDOMINIUMS FIRST AMENMENT

AN AMENDMENT OF THE BOUNDARY LINE OF THE  
ROUNABOUT CONDOMINIUMS  
RECORDED AS ENTRY No. 1019555

IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

**SURVEYOR'S CERTIFICATE**

I, James D. Pitkin, do hereby certify that I am a Professional Land Surveyor in the State of Utah holding certificate number 171546 as prescribed by Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Licensing Act. I further certify that by the authority of the owners, I have made an accurate survey of the tract of land shown and described herein in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements shown and have amended the boundary hereafter to be known as

**ROUNABOUT CONDOMINIUMS FIRST AMENMENT**

and that the same has been surveyed and monuments have been placed on the ground as represented on this plat. I further certify that the requirements of all applicable statutes and ordinances of the Weber County Land Use Code have been complied with.

**BOUNDARY DESCRIPTION**

A parcel of land located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah; more particularly described as follows:

BEGINNING at a point that is North 66°22'00" East 265.00 feet and North 19°58'00" West 140.00 feet from the Southernmost corner of Block 57, Park City Survey according to the Amended plat thereof, recorded as Entry No. 199887 as recorded in the Office of the Summit County Recorder, and running thence North 19°58'00" West 160.00 feet; thence North 01°51'00" East 55.89 feet to the southerly boundary and right-of-way line of Deer Valley Drive; thence South 69°16'47" East 66.44 feet along said Road; thence South 83°13'32" East 25.17 feet along said Road to a point on a 500.00 foot radius curve to the right; thence Southeasterly 47.65 feet along said Road and the arc of said curve through a central angle of 05°27'37" (chord bears South 60°48'47" East 47.63 feet) to a point of reverse curvature with a 340.00 foot radius curve to the left; thence Southeasterly 39.34 feet along said Road and the arc of said curve through a central angle of 06°37'46" (chord bears South 61°23'52" East 39.32 feet); thence South 53°46'39" East 40.08 feet along said Road; thence South 57°33'54" East 56.94 feet along said road; thence South 66°22'00" West 208.26 feet to the POINT OF BEGINNING.

Contains 25,754 square feet or 0.591 acres, more or less.

Date: April 19, 2018

James D. Pitkin, PLS.  
License No. 171546



**OWNER'S DEDICATION**

ROUNABOUT HOMEOWNERS ASSOCIATION, INC., a Utah Non profit Corporation, the owner or the described tract of land to be hereafter known as ROUNABOUT CONDOMINIUMS FIRST AMENMENT does hereby consent to the amendment of the boundaries described and shown.

In witness whereof, I have heretofore set my/our hand this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

ROUNABOUT HOMEOWNERS ASSOCIATION, INC.

(Signature) \_\_\_\_\_

(Print Name) \_\_\_\_\_

(Title) \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } 09

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

by \_\_\_\_\_, the \_\_\_\_\_ of ROUNABOUT HOMEOWNERS

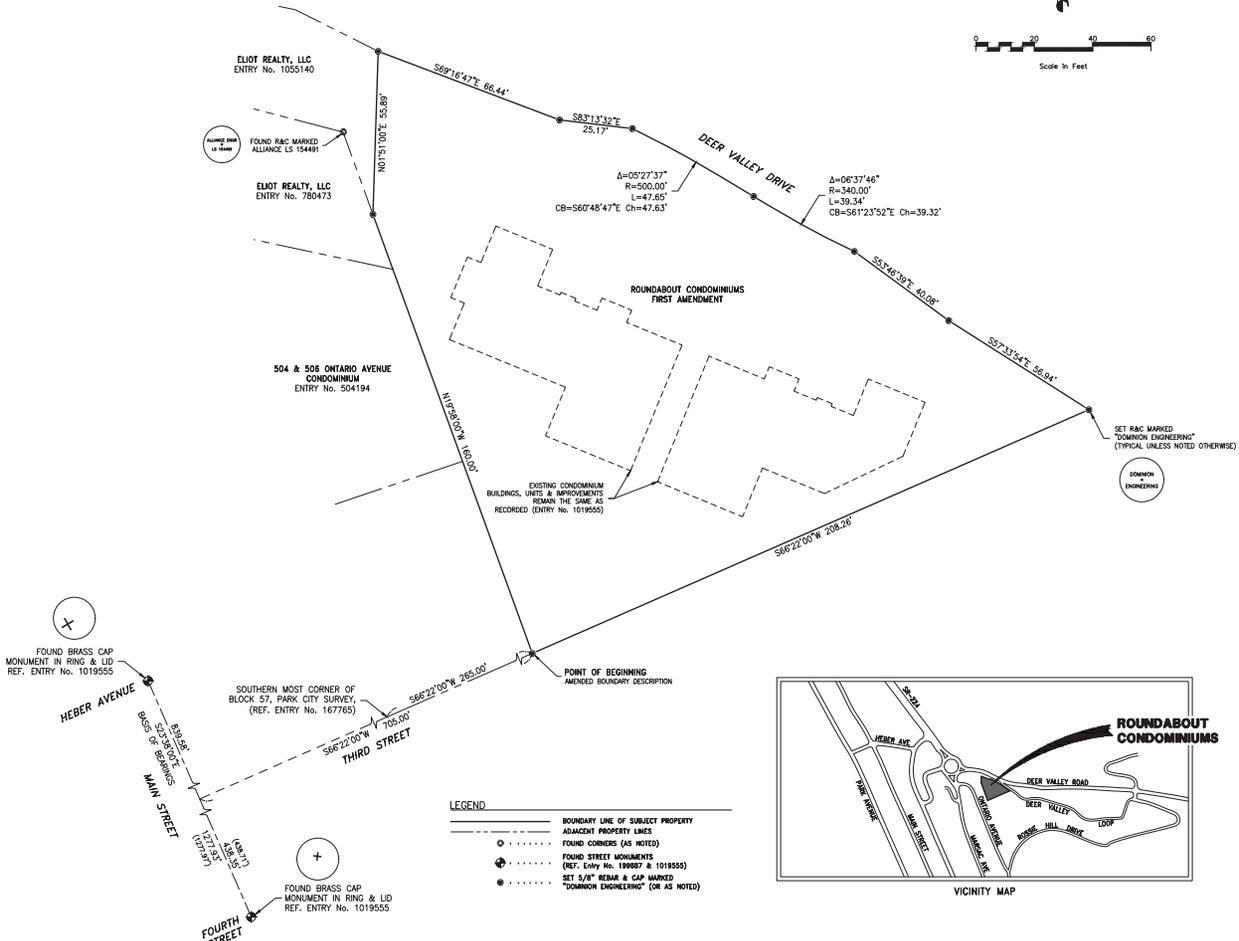
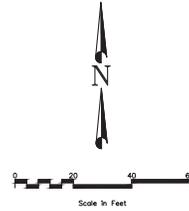
ASSOCIATION, INC.

A Notary Public Commissioned in \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Commission Number \_\_\_\_\_

Printed Name \_\_\_\_\_



- LEGEND**
- BOUNDARY LINE OF SUBJECT PROPERTY
  - - - ADJACENT PROPERTY LINES
  - FOUND CORNERS (AS NOTED)
  - ⊕ FOUND STREET MONUMENTS (REF. ENTRY NO. 199887 & 1019555)
  - ⊕ SET 5/8" NEAR & CAP MARKED "DOMINION ENGINEERING" (OR AS NOTED)

Plot: P:\Northstar - FC\Draws\2018\2018\2018\Draw\2018\Roundabout Condo.mxd | plot date: April 19, 2018 | printed by: jpm

<b>PROJECT NO.</b> 2953-01  <b>SHEET NO.</b> 1 OF 1  <b>FILE NAME</b>   <b>SCALE</b> M ROUNDABOUT   1"=20'	PREPARED BY  5684 South Green Street Murray, Utah 84123 801-713-3000	CITY ENGINEER  THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF _____ A.D. 20____ CITY ENGINEER _____	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT  REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____ A.D. 20____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT _____	CITY PLANNING COMMISSION  APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 20____ CHAIRMAN _____	APPROVAL AS TO FORM  APPROVED AS TO FORM THIS ____ DAY OF _____ A.D. 20____ CITY ATTORNEY _____	COUNCIL APPROVAL & ACCEPTANCE  APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS ____ DAY OF _____ A.D. 20____ MAYOR _____	CERTIFICATE OF ATTEST  I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____ A.D. 20____ CITY RECORDER _____	SUMMIT COUNTY RECORDER  RECORDED # STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ Date _____ Time _____ Book _____ Page _____ \$ _____ Fee _____ SUMMIT COUNTY RECORDER
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