

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 10, 1996**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 10, 1996.

AGENDA

Closed Session

3:30 p.m. Litigation

Work Session

4:30 p.m. Council questions and comments
4:50 p.m. Olympic image
5:20 p.m. Reconsideration of lease at 528 Main Street
5:40 p.m. Review of regular meeting

Regular Meeting - To be held in work session room

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

615 Woodside Avenue Project - disclosure from Hugh Daniels

IV WORK SESSION NOTES AND MINUTES OF MEETING OF SEPTEMBER 19, 1996

V PUBLIC HEARINGS

1. Ordinance approving an amendment to Lot 2, Block 24 of the Park City Survey known as 508 Main Street, Park City, Utah
2. Ordinance approving the second amendment to Trail's End at Deer Valley Record of Survey located at Deer Valley Drive, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving an amendment to Lot 2, Block 24 of the Park City Survey known as 508 Main Street, Park City, Utah
2. Ordinance approving the second amendment to Trail's End at Deer Valley Record of Survey located at Deer Valley Drive, Park City, Utah

3. Ordinance accepting the public improvements at Hearthstone Subdivision, Park City, Utah

VII APPOINTMENTS

Appointment to the Board of Adjustment for a term expiring to fill an unexpired term to January 1999

VIII ADJOURNMENT

Posted: 10/7/96

Note: It should be noted that the entry under Communications from Council and Staff occurred during the meeting and was not posted. It appears here on the agenda for reference purposes.

**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
OCTOBER 10, 1996**

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Frank Bell, Police Chief; Richard Carlisle, Building Inspector; Rick Lewis, Community Development Director; Mark Harrington, Assistant City Attorney

Mary Gaddy, Salt Lake Olympic Committee (SLOC); Dave Thomas, Lander Evans Group; Gordon Strachan, Summit County Citizens Olympic Committee and tenant at 528 Main Street

1. **Council questions and comments.** Roger Harlan noted that a fund-raising effort is being contemplating to install lights at the high school football field and questioned if there are City concerns regarding light pollution. He personally did not feel that night games will draw better attendance and added that this issue should be explored now before funds are raised. He indicated that he was contacted by Brent Rigbee, owner of the Wild Bird Station, who was upset about being cited for hanging two birdfeeders outside his business. In consideration of Mr. Rigbee's anger, Mr. Harlan requested that an exception be made and the citation waived as the feeders are not obtrusive. Toby Ross noted that staff will look into this matter and the Mayor interjected his concerns about exceptions to ordinances. Mr. Harlan stated that he attended a School Board meeting where there was a discussion regarding the addition of 3,000 units in the North and South Summit Districts and where those children will attend school. He questioned the impacts on the Park City School District tax base if they attend school here. Mr. Harlan emphasized his surprise that the School Board did not appear to be concerned by the number of units and its implication.

Paul Sincock encouraged the public to attend the Olympic update meeting on October 15. He asked for a report on the Old Miners Lodge situation. Hugh Daniels stated there is some confusion with the media regarding his relationship in this project. Mr. Daniels disclosed that he owned the Old Miners Lodge but sold it about 18 months ago to Jon Brinton, who is the majority stock holder. He has a management contract with Mr. Brinton for the Lodge as well as several other properties in town and as a part of the contract, he lives there. Mr. Daniels emphasized that he has no financial arrangement tied to the building with regard to stock or whether it makes or loses money. He has dealings with Mr. Brinton to manage the property and should the 615 Woodside Avenue Project come to a vote before the City Council, will abstain from voting and discussing. Rick Lewis, Community Development Director, referred to a report prepared by Bedlam Design concerning a proposed building on the Old Miners Lodge property, 615 Woodside Avenue. Mr. and Mrs. Sheinberg, adjacent property owners, have requested that the process be clarified and he distributed a response that will be delivered this afternoon. He explained that a partial permit was issued for excavation and foundation on the site while the staff conducted a design review process for a proposed garage and caretaker's unit/accessory apartment. Since that review has not been completed, notice to adjacent property owners has not been given. Throughout the preliminary plan

process there have been discussions with the Sheinbergs and the planning staff. He continued that the excavation began to slump recently exposing a water line serving the Old Miners Lodge for fire protection. At the same time, the footings and foundation were being constructed and staff made a conscious decision to allow the foundation to be poured so that the water line would be protected and to prevent further slumping. In response to a question from Mr. Sincock, Mr. Lewis explained that the excavation was approved because there was work being done at the Old Miners Lodge and the excavation provided an off-street staging area for the rock work. As the foundation was being poured, staff was alerted by the Sheinbergs of potential problems with setbacks. The contractor was contacted by staff that he was not to proceed beyond the foundation work, except for stabilizing the area and protecting the water line. Mr. Lewis emphasized there are no approvals for the building granted on this site. The applicant is evaluating several options available and once that is determined, adjacent property owners will be noticed and will have the opportunity to review plans. Mr. Lewis stressed that the building will comply with all City codes.

Chuck Klingenstein thanked Myles Rademan and the Mayor for organizing the trip to Europe which was extremely beneficial. He suggested that the Chamber/Bureau and the Historical Society be informed of the historical tourism presentation scheduled. Mr. Klingenstein requested that the citizen appellants on the Town Run Project be contacted about the process for reconsideration next week. He pointed out that large projects are often scheduled at the end of meetings, especially on the Planning Commission agendas. People with vested interests may wait hours to finally hear an item, but others will leave early. He asked that consideration be given to scheduling these projects earlier on agendas.

Ms. Kerr urged Council to submit reports on the European tour to the City Scene employee newsletter and added that she requested an extension to accommodate submittals. She suggested that important meetings be announced in the City Scene for interested employees. Ms. Kerr expressed her concerns about competing scheduling for fund-raising efforts, and hoped there could be an improved community calendar. The Mayor responded that he will bring this issue up at the next Executive Board Chamber/Bureau meeting. Ms. Kerr suggested officially amending the minutes of December 14, 1995 regarding the Brookside annexation, indicating the annexation was denied for lack of a 2/3rds vote as there is a pending action before Summit County on this project. She felt that the County should be encouraged to continue its efforts to create a quality development there, but didn't feel that "all battles are worth winning". Ms. Kerr believed that this project belongs in the County as long as the contiguous open space of Brookside is managed. She didn't personally feel that the Council should fight with the County Commissioners over the Brookside annexation issues and that Council could better concentrate its efforts on other projects. Ms. Kerr reported that she received a call from Joann Richardson, Manager of the Holiday Village Apartments, who has an elderly tenant in need of a mobility care unit. She asked how the Silver Meadows affordable housing units received federal funding without providing this type of housing and explained that the Holiday Village units are not required to provide care units and cannot be retrofitted to accommodate this person. Richard Carlisle, Building Inspector, responded that the Silver Meadows apartments

comply with Code and there are a few which are adaptive units. These would require a minor remodel involving modifications to the cabinet work; the door sizes are adequate and grab bars can be installed. Ms. Kerr asked that staff follow-up. Ms. Kerr continued that she received calls from citizens concerned about the Flagstaff annexation and its relation to the Summit County Western Mountain Plan. The City's current formula is 1:40 and if the Western Mountain Area continues to be reclassified, it somewhat sabotages and undermines the City's efforts in determining density for this proposed annexation. She felt it helpful to send a letter to Summit County so that it doesn't reclassify the area at this time; the Flagstaff applicant could threaten the City with the pending change in the County's density determination. Rick Lewis reported that his draft of the County's General Plan for the area doesn't specify density for Flagstaff. A hearing on the plan will be held the middle of November. Ms. Kerr suggested that a letter be sent to the County requesting its assistance and cooperation for compatible zoning in the area. Mr. Klingenstein emphasized that throughout the County's General Plan update that Park City has not been notified and that needs to be rectified; he felt that a letter would be useful. Mr. Sincock added that sending a letter was a good idea, but wasn't convinced that it would be effective.

Hugh Daniels presented Shauna Kerr with an official Olympic cow (which was purchased with private Council donations). Her Highness Holstein graciously accepted the gift.

2. Olympic image. Gordon Strachan of the Summit County Citizen Olympic Committee explained that the image for the Olympics will be determined through an outreach project and introduced Mary Gaddy from SLOC and Dave Thomas from the Lander Evans Group. Mary Gaddy explained that 16 town meetings are scheduled for feedback from the public regarding the general theme of the Games. The general theme will provide direction for the logo, pictogram and mascot. The focus group has formulated five areas for the public to express its opinion, including a write-in section on the form. Dave Thomas emphasized the importance that the process be inclusive of as many viewpoints as possible. It is hopeful that there will be a good response from Park City residents. He read the suggestions in each category on the brochure. Mr. Thomas has been extremely pleased with the level of participation to date and the quality of the thinking of the general population of the state. He added that the form will be printed in newspapers throughout the state and it appeared in the Park Record this week. He discussed the disclosure on the form, and emphasized that this is strictly a community citizen voluntary effort and there is no compensation for an idea that is used. The Mayor asked Mr. Thomas to highlight some of the responses. Dave Thomas emphasized that the one thing that they are not hearing is that these will be the "Mormon Games" or the "Pioneer Games". There are basically two categories, one looks back on our heritage and the other theme ideas look forward. He is pleased that most of the feedback concentrates on the future of the state. Ms. Kerr questioned if the future would translate very well internationally. Mr. Thomas commented that many people have selected Utah's native American Indian heritage, the Anasazi culture and our primitive lands. Paul Sincock pointed out that Lillehammer had the specific goal of building commerce and tourism for Norway which was accomplished. In France, roads, transportation and tourism was a focus and asked if there is a clearly stated goal for Utah's Olympics.

Mary Gaddy responded that this is to be an Olympics for the athletes. Unlike Atlanta who was targeted toward being the most technological advanced Games, the SLOC has gone back to the traditional values of the Olympics and will emphasize international sporting events. In response to a question from Roger Harlan regarding Utah's international profile, Mr. Thomas reported that his corporate survey indicates there is no perception, except that Utah is American, and felt that this presents an opportunity. He concluded that it is hoped that Park City leads the state in responding on the Olympic image.

3. Reconsideration of lease at 528 Main Street. Mark Harrington explained that Mr. Strachan requested an extension and staff is asking for direction on timing. He pointed out that the current lease requires a six month notice period in the event the City is not intending to renew the lease, which mandates a decision no later than January. Gordon Strachan indicated that he has leased the property for four years and has made improvements. He would like to make additional leasehold improvements amounting to \$14,000, including installation of new windows and air conditioning. Mr. Strachan stated that he would like another five year lease. Shauna Kerr pointed out that five years is 2002 and the office may be the best command center on Main Street for activities associated with the Olympics. Chuck Klingenstein indicated that although Mr. Strachan has been a great tenant, he has a lack of information regarding an inventory of space and needs assessment. He suggested that the Old City Hall Building may be a good location for an Olympic museum and there are a lot of unknowns. The City Manager stated that some of that information may be difficult to obtain as the questions are speculative. The Mayor relayed that one of the things learned from the trip to Europe was not to make exceptions for the Olympics. He emphasized that a needs assessment would be staff intensive for an insignificant 880 square foot space and a decision has to be made by January. Paul Sincock felt that the decision is simple. There isn't a current need for the space by the City and Mr. Strachan has been a good tenant. He agreed that the Olympics shouldn't be a consideration at this time and didn't feel it appropriate to direct staff to conduct a needs assessment for 800 square feet. For clarification, the City Manager explained that building a new city hall building before the Olympics is not being contemplated, improvements will be made to the Marsac Building and there will be a new public works building to deal with current needs. If in fact City is looking for highly utilized and functional space, the Mayor reminded the Council that it would be more probable to look at the KPCW space before off-site facilities. Roger Harlan suggested that Council decide the renewal issue by sometime in November. Paul Sincock suggested a one year notice and an amortized schedule for leasehold improvements over five years and if the City needs the space earlier, it will buy out the improvements so that Mr. Strachan's investment is recouped. Mr. Strachan stated that those are better terms than he anticipated. Hugh Daniels felt that a lease should be drafted for Council to review in November.

4. Review of the regular meeting. There were no questions on the regular meeting.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 10, 1996**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, October 10, 1996. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Meg Ryan, Planner; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

615 Woodside Avenue Project. Hugh Daniels stated there is some confusion with the media regarding his relationship in this project. Mr. Daniels disclosed that he owned the Old Miners Lodge but sold it about 18 months ago to Jon Brinton, who is the majority stock holder. He has a management contract with Mr. Brinton for the Lodge as well as several other properties in town and as a part of the contract, he lives there. Mr. Daniels emphasized that he has no financial arrangement tied to the building with regard to stock or whether it makes or loses money. He has dealings with Mr. Brinton to manage the property and should the 615 Woodside Avenue Project come to a vote before the City Council, will abstain from voting and discussing.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF SEPTEMBER 19, 1996

Paul Sincock stated that he attended the Parks and Recreation Board meeting to recruit its involvement in the RFP process for a recreational facility, contrary to Mr. Hull's statements in the work session notes. Chuck Klingenstein requested that "before other options are explored and implemented" be added to his comment regarding building a parking garage on Page 8 of the work session notes. Shauna Kerr corrected a typographical error on Page 1 of the minutes. The Mayor requested a motion to approve the minutes, as corrected. Hugh Daniels, "I so move". Paul Sincock seconded. Motion unanimously carried.

V PUBLIC HEARINGS

1. Ordinance approving an amendment to Lot 2, Block 24 of the Park City Survey known as 508 Main Street, Park City, Utah - See following staff report. Planner Meg Ryan explained that this is a proposal to combine three parcels into one; there were no questions or comments from the Council or the public. The Mayor closed the public hearing.

2. Ordinance approving the second amendment to Trail's End at Deer Valley Record of Survey located at Deer Valley Drive, Park City, Utah - See staff report. Meg Ryan explained that staff considers the changes to be technical. The amendment doesn't violate approvals under the master planned development, including floor area ratios, or parking requirements. With no questions or comments from the Council or public, the hearing was closed.

VI CONSENT AGENDA

Shuana Kerr, "I move approval of Consent Agenda Items 1 through 3". Roger Harlan seconded. Motion carried unanimously.

1. Ordinance approving an amendment to Lot 2, Block 24 of the Park City Survey known as 508 Main Street, Park City, Utah - See public hearing and staff report.

2. Ordinance approving the second amendment to Trail's End at Deer Valley Record of Survey located at Deer Valley Drive, Park City, Utah - See public hearing and staff report.

3. Ordinance accepting the public improvements at Hearthstone Subdivision, Park City, Utah - See staff report.

VII APPOINTMENTS

Appointment to the Board of Adjustment for to fill an unexpired term to January 1999 - The Mayor reported that the City Council discussed this matter in closed session on September 26 and requested a motion to appoint Ruth Gezelius. Shauna Kerr, "I move that we appoint Ruth Gezelius to the Board of Adjustment to fill an unexpired term to January 1999". Roger Harlan seconded. Motion unanimously carried.

VIII ADJOURNMENT

With no further business, the meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

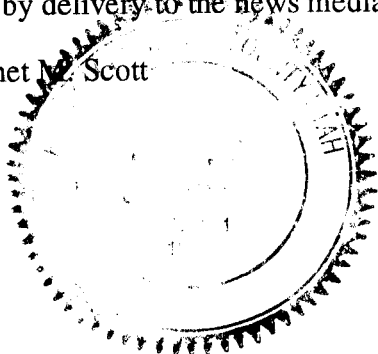
The City Council met in closed session at approximately 3:30 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney. Roger Harlan, "I move to close the meeting to discuss litigation". Shauna Kerr seconded. Motion carried unanimously.

The meeting opened at approximately 4:45 p.m.

* * * * *

The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott




Janet M. Scott, Deputy City Recorder



DATE: October 10, 1996
DEPARTMENT: City Manager's Office
AUTHOR: Jan Scott
TITLE: Olympic Image
TYPE OF ITEM: Informational

Heather Holz from the Salt Lake Olympic Committee has arranged some time on work session with Myles to discuss Olympic image. In Myles' absence, I contacted her confirming this meeting and scheduling adequate time and she indicated that this would be a very preliminary discussion on image, i.e., focus on people, environment, heritage, etc.. She faxed the attached handout and I understand she will be visiting other communities involved in the Winter Games to collect ideas and take note of concerns.

Also, see reminder on the Olympic Update, Tuesday, October 15 at the Shadow Ridge Hotel from 7 to 9 p.m.

HELP US GET THE BALL ROLLING.

IN EACH CATEGORY, PLEASE SELECT ONLY TWO BOXES AND RANK THEM [1] AND [2].

- (If more space is needed please use a separate sheet.)

PLEASE READ, SIGN, DATE AND SEND THIS FORM BY OCTOBER 31, 1996

SALT LAKE CITY
OLYMPIC WINTER GAMES
2002

Incomplete forms cannot be accepted.
General theme will be announced in 1997.
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SALT LAKE ORGANIZING COMMITTEE FOR THE OLYMPIC WINTER GAMES, 2002

Olympic Update

Olympic Lessons: Learning from Atlanta, Albertville & Lillehammer

Tuesday, October 15, 1996

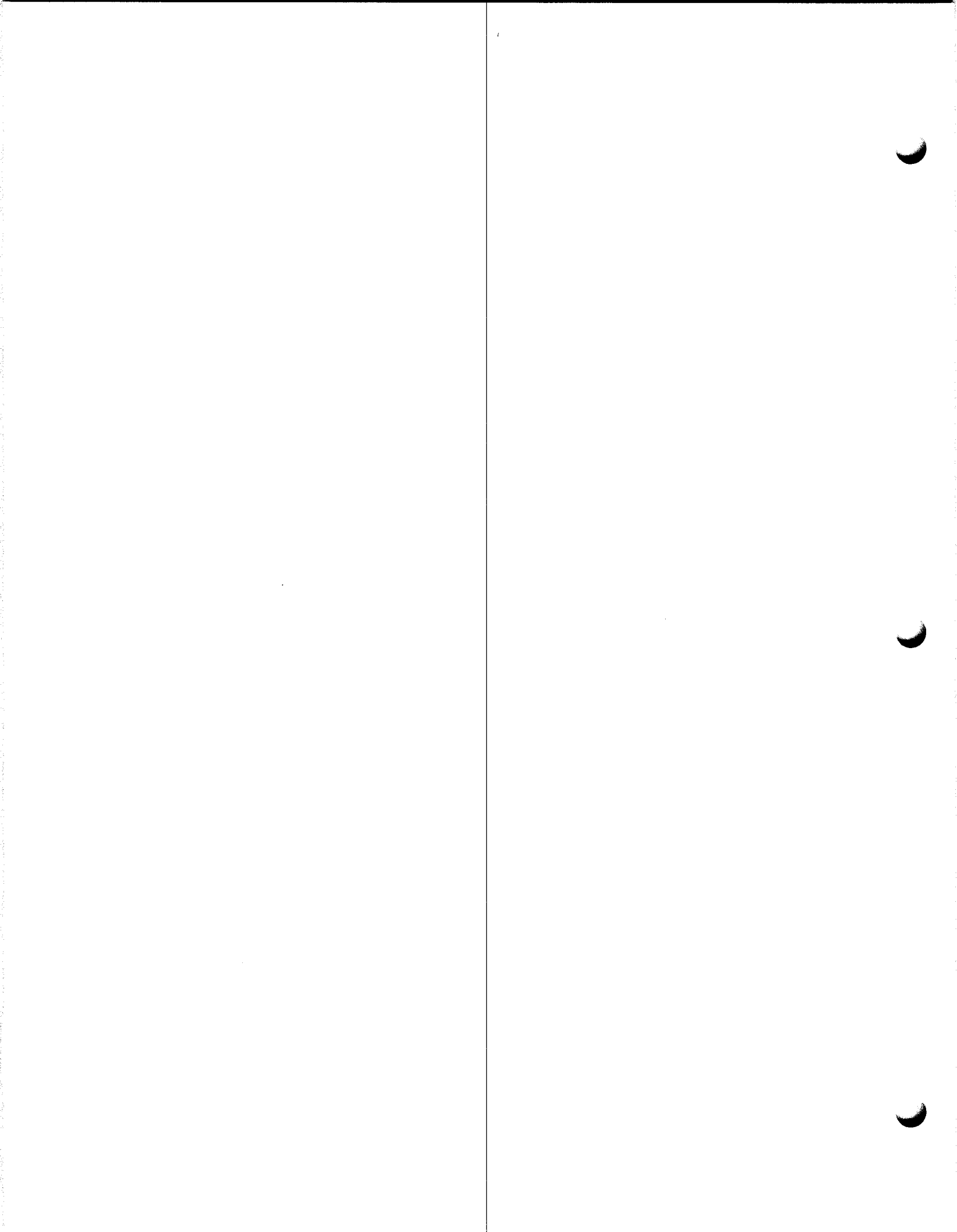
Shadow Ridge Hotel

7:00 - 9:00 PM

The Summit County Citizen's Olympic Committee, the Park City Chamber/Bureau and the Park City Municipal Corporation are pleased to cosponsor the third in an ongoing series of Olympic Updates by presenting the lessons we are learning by attending the Atlanta Centennial Olympic Games and visiting Albertville, France and Lillehammer, Norway, sites of the 1992 and 1994 Winter Olympic Games.

The evening will include a slide show highlighting the areas visited, followed by a panel discussion and an hour long question and answer from the public session.

PUBLIC URGED TO ATTEND





DATE: 10/7/96
DEPARTMENT: Legal
AUTHOR: Mark Harrington, Asst. City Attorney
TITLE: Request to Consider Lease Extension- Strachan & Strachan
TYPE OF ITEM: Administrative- Work Session Only

SUMMARY RECOMMENDATIONS: Direct Staff as to when to schedule discussions regarding the Strachan & Strachan lease extension request.

DESCRIPTION:

A. Topic: The lease of the upstairs of the Old City Hall building to Strachan & Strachan.

B. Background: In 1992, the City leased the upstairs of the Old City Hall building to Strachan & Strachan for a five year term. The Lease expires July 31, 1997. Gordon would like to commence discussions about a possible extension or renewal of the lease as soon as possible so that he can decide whether to make certain improvements to the leased space.

C. Analysis: Under the terms of the lease, there is no option to renew granted to Strachan & Strachan, but if the City is still going to rent the space, it must first offer the space to Strachan & Strachan before anyone else. If the City is not going to lease out the space, it must give Strachan & Strachan a minimum of six months written notice prior to the expiration of the lease. Therefore, the City must decide whether it will continue to rent out the space by **January 31, 1997**.

D. Department Review: The Legal Department has reviewed this matter.

ALTERNATIVES:

A. Approve the Request: Direct staff to: 1) negotiate a new lease proposal; and 2) schedule a work session on a date certain prior to January with Strachan & Strachan regarding the possible terms of a lease extension. This is the action requested by Strachan & Strachan.

B. Deny the Request: Wait until next summer to decide what to do with the space and direct staff to give Strachan & Strachan written notice that the City does not intend to rent out the space. This notice would not preclude re-leasing the space to Strachan & Strachan, but the notice is necessary under the terms of the lease. Staff would then present the Council with possible options for the space sometime in the late spring or early summer.

C. Continue the Item: If the Council wants more information, it should request such additional data and continue the item.

D. Do Nothing: This is not recommended since the Council needs to make a decision regarding the space no later than January, 1997.

SIGNIFICANT IMPACTS: The leased area represents approximately 870 square feet of office space. Strachan & Strachan has completed substantial leasehold improvements to the space in addition to the rent.

RECOMMENDATION: Direct Staff as to when to schedule discussions regarding the Strachan & Strachan lease extension request.



COUNCIL AGENDA REPORT

DATE: October 3, 1996
DEPARTMENT: Community Development Department
AUTHOR: Megan B. Ryan
TITLE: 508 Main Street - Amendment to the
Park City Survey, Lot 2, Block 24 and two metes and
bounds parcels of the Millsite reservation.
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Hold a public hearing and consider approval of the proposed amendment as conditioned by staff.

DESCRIPTION:

A. Topic.

Plat amendment at 508 Main Street to combine three parcels under the same ownership into one parcel.

B. Background.

The former Utah Power and Light building is currently being renovated as the Gamekeepers Grille and the building straddles three platted parcels. Please see Exhibit B, plat map.

C. Analysis

The applicant is requesting to combine three parcels into one parcel in order to comply with Utah codes. The proposed amendment will not affect the existing building or development parameters for the site.

D. Department Review.

The Community Development Department and City Attorney's Office have reviewed this request.

E. Notice

All owners within the affected plat were noticed on September 23, 1996. No comments have been received at the time of this staff report.

ALTERNATIVES

- A. Approve the amendment to the Park City Survey Lot 2, Block 24 and two metes and bounds parcels in the Millsite Reservation.**
- B. Deny the proposed amendments and retain the original recorded plats.**
- C. Continue the item for further discussion and information.**

SIGNIFICANT IMPACTS:

The proposed amendments will not change the development parameters for this site.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The building location and ownership records would not be in compliance with Utah codes.

RECOMMENDATION:

Staff recommends that the City Council approve the proposed amendment to the Park City Survey, Lot 2, Block 24 and two metes and bounds parcels in the Millsite Reservation based on the following findings and conditions:

Findings:

- 1. The revision is necessary to combine the lots under the existing building location to comply with State law.
- 2. There are no other impacts resulting from the amendment.

Conclusions of Law:

- 1. There is good cause for the revision.
- 2. Neither the public nor any person will be materially injured by the proposed plat revision.

Conditions:

- 1. City Attorney and City Engineer review and approval of the amended plat for compliance with Land Management Code, Utah State Code and these Final Conditions of Approval is a condition precedent to plat recordation.
- 2. If the amendment is not recorded within one year of this approval date this approval shall become null and void.

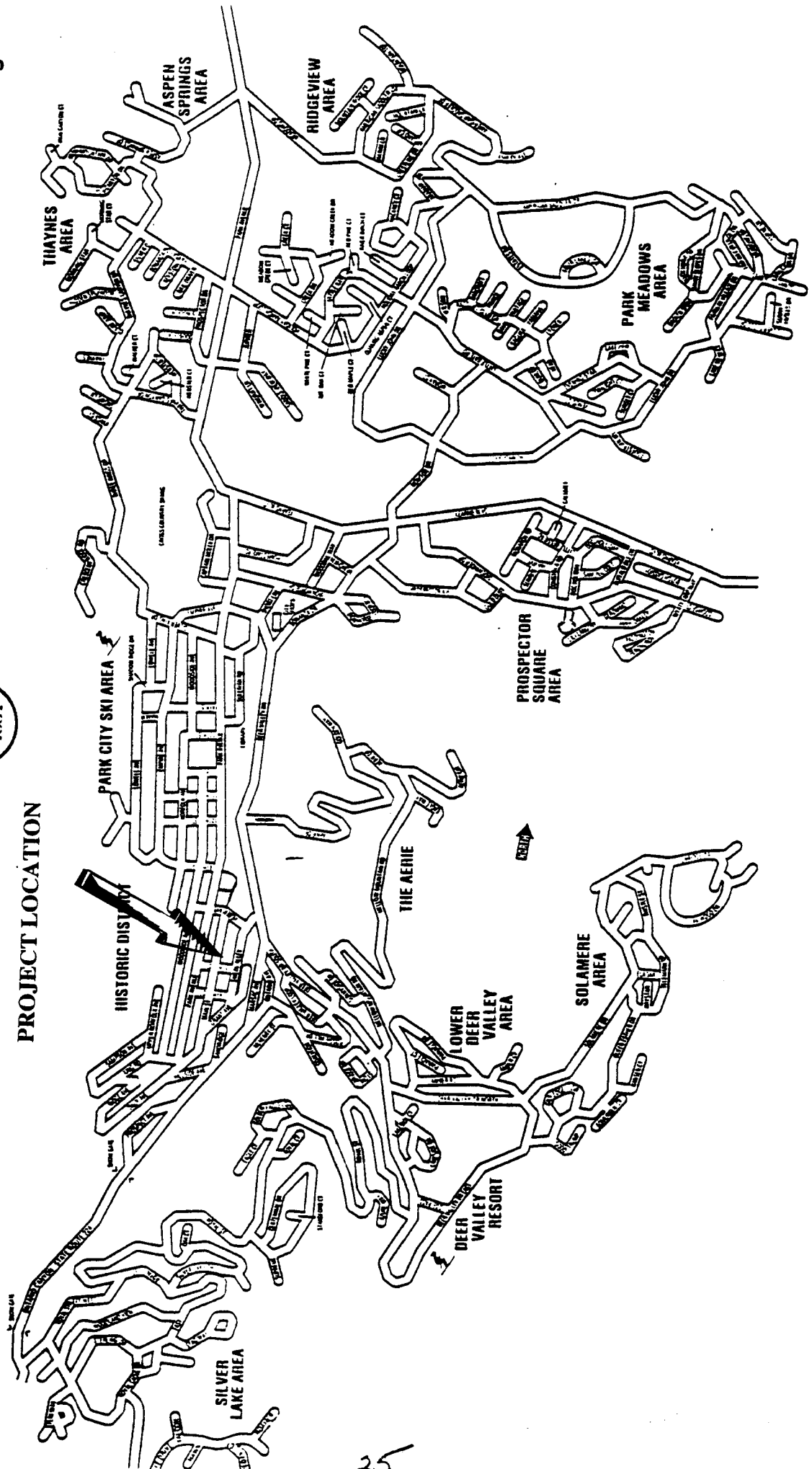
EXHIBITS

- Location map**
- Exhibit A - Ordinance**
- Exhibit B - Existing plat**
- Exhibit C - Proposed plat**

508 MAIN
Location map



PROJECT LOCATION



ORDINANCE NO. 96-___

**AN ORDINANCE APPROVING AN AMENDMENT TO LOT 2, BLOCK 24 OF
THE PARK CITY SURVEY KNOWN AS 508 MAIN STREET, PARK CITY,
UTAH**

WHEREAS, the owners of the property known as 508 Main Street petitioned the City Council for approval of a amendment 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 October 10, 1996; and

WHEREAS, it is in the best interest of Park City to approve the amendment, and

WHEREAS, there is good cause for the revision as the reconfiguration does not affect the development parameters for site; 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. The amendment to Park City Survey, Lot 2, Block 24 is approved as shown on the attached Exhibit A with the following findings, conclusions and conditions:

Findings:

1. The revision is necessary to combine the lots under the existing building location to comply with State law.
2. There are no other impacts resulting from the amendment.

Conclusions of Law:

1. There is good cause for the revision.
2. Neither the public nor any person will be materially injured by the proposed plat revision.

Conditions:

1. City Attorney and City Engineer review and approval of the amended plat for compliance with Land Management Code, Utah State Code and these Final Conditions of Approval is a condition precedent to plat recordation.
2. If the amendment is not recorded within one year of this approval date this approval shall become null and void.

SECTION 2. This ordinance shall take effect upon publication.

DATED this 10th day of October, 1996.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

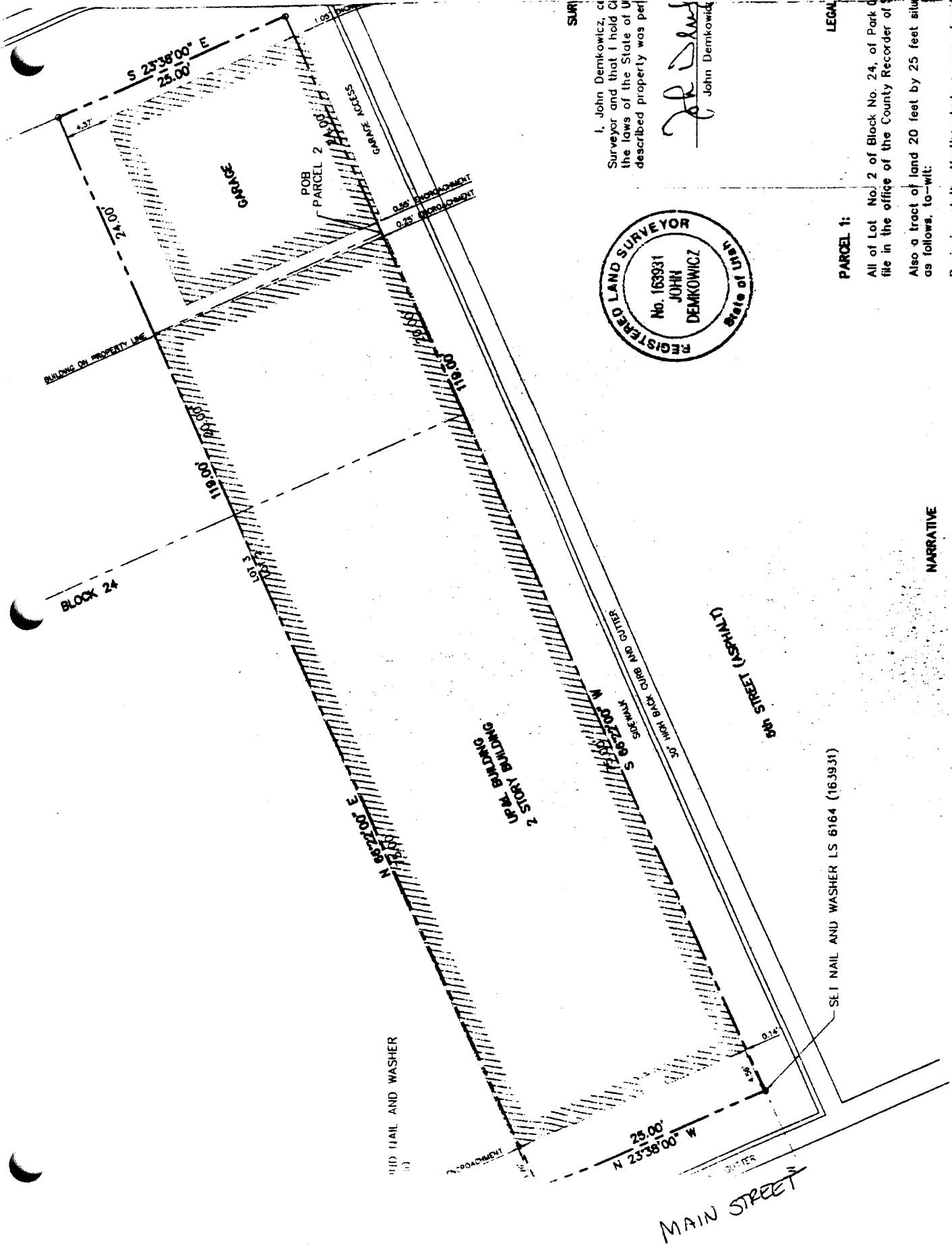
ATTEST:

Anita Sheldon, City Recorder

APPROVED AS TO FORM:

Mark Harrington, Assistant City Attorney

508 MAIN
Exhibit C - Proposed plat



I, John Demkowicz, a
Surveyor and that I hold a
the laws of the State of U
described property was per
John Demkowicz
John Demkowicz

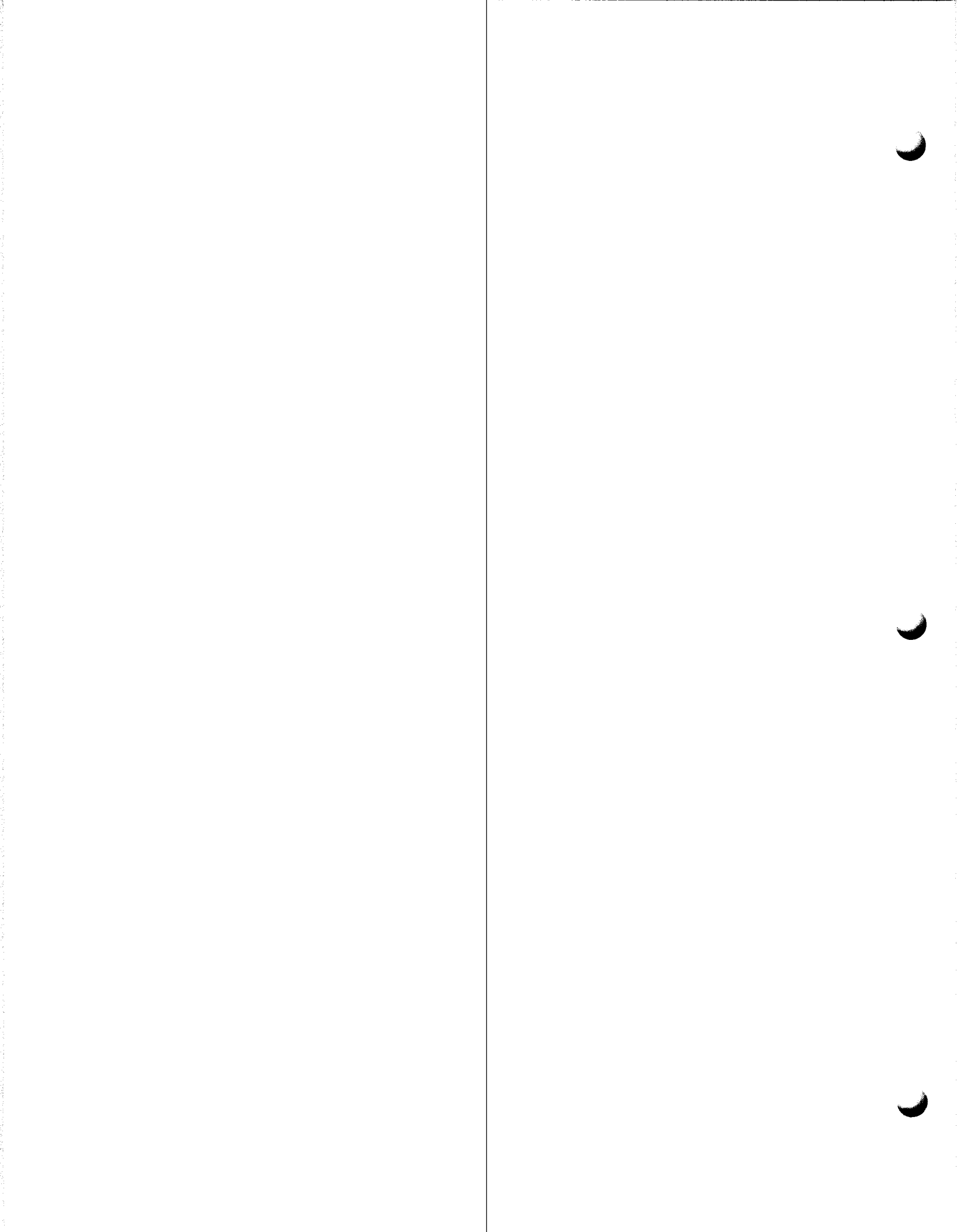
LEGAL

PARCEL 1:
All of Lot No. 2 of Block No. 24, of Park
file in the office of the County Recorder of
Also a tract of land 20 feet by 25 feet situ
as follows, to-wit:

PARCEL 2:
Beginning at the Northeastly corner of said
direction of the extension of the Northerly &
right angles to said Lot 2; thence Southw
thence Northwesterly 25 feet along the North

NARRATIVE

1. Basis of survey: Found Survey Monuments as shown.
2. Property corners were set or found as shown.
3. Date of Survey: 5-5-86
4. Located in Section 16, T2S, R4E, S1B&M





COUNCIL AGENDA REPORT

DATE: October 3, 1996
DEPARTMENT: Community Development Department
AUTHOR: Megan B. Ryan
TITLE: Trail's End at Deer Valley - Amendment to Record of Survey
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Hold a public hearing and consider approval of the proposed amendment to the Trail's End Record of Survey as conditioned by staff.

DESCRIPTION:

A. Topic.

Plat amendment at Trail's End at Deer Valley to:

- 1) Enclose the area under entry deck at Unit 18,
- 2) Change the parking space assigned to Unit 11 with Unit 506,
- 3) Elimination of chase and flue area on units 403-406 and 503-506 and,
- 4) Enlarge area in Units 503-506 by converting attic space to habitable space.

B. Background.

In 1984 a 40 unit Master Planned Development was approved for the Pine Inn condominium project. The condominium plat was approved by the City Council in 1992. The name was changed to the Trail's End at Deer Valley. Please see Exhibit B - Approved plat.

C. Analysis

The applicant, Kim McGuire, is requesting mainly technical revisions to the recorded plat. The revisions as described above will bring the plat into compliance with the project as it was actually constructed.

The proposed revision will not affect the original intent, floor area maximums or the Final Conditions of Approval on the Master Planned Development for this site.

D. Department Review.

The Community Development Department and City Attorney's Office have reviewed this request.

E. Notice.

The project was noticed to everyone within the affected plat on September 23, 1996. Two general inquiries were received. No formal comments have been filed at the time of this report.

ALTERNATIVES

- A. Approve the amended Record of Survey at Trail's End at Deer Valley.**
- B. Deny the proposed amendments and retain the original Record of Survey.**
- C. Continue the item for further discussion and information.**

SIGNIFICANT IMPACTS:

The proposed amendments will not change the original intent or the Final Conditions of Approval on the Master Planned Development for this site.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The structures would have to be torn down and rebuilt as platted and the ownership entity may be in jeopardy.

RECOMMENDATION:

Staff recommends that the City Council approve the amended Record of Survey for Trail's End at Deer Valley based on the following findings with the following conditions:

Findings:

1. The reconfiguration does not affect the intent nor the Final Conditions of Approval under the Master Planned Development for the project.
2. The revision is necessary to reflect the actual building location and to accurately define the areas under common area.
3. The applicant has not yet obtained the signatures of all the owners within the project.

Conclusions of Law:

1. There is good cause for the revision.
2. Neither the public nor any person will be materially injured by the proposed plat revision.

Conditions:

1. All prior Master Planned Development approvals, dated April 11, 1994 and April 5, 1991 are in full force and effect.
2. City Attorney and City Engineer review and approval of the final Record of Survey for compliance with State law and the Land Management Code is a condition precedent to plat recordation.
3. The applicant must obtain the signatures of all unit owners of the project in a form approved by the City Attorney and County Recorder prior to plat recordation or otherwise satisfy the County Recorder as to recording requirements.

4. If the Record of Survey is not recorded within one year of the date of this approval this approval is null and void.

EXHIBITS

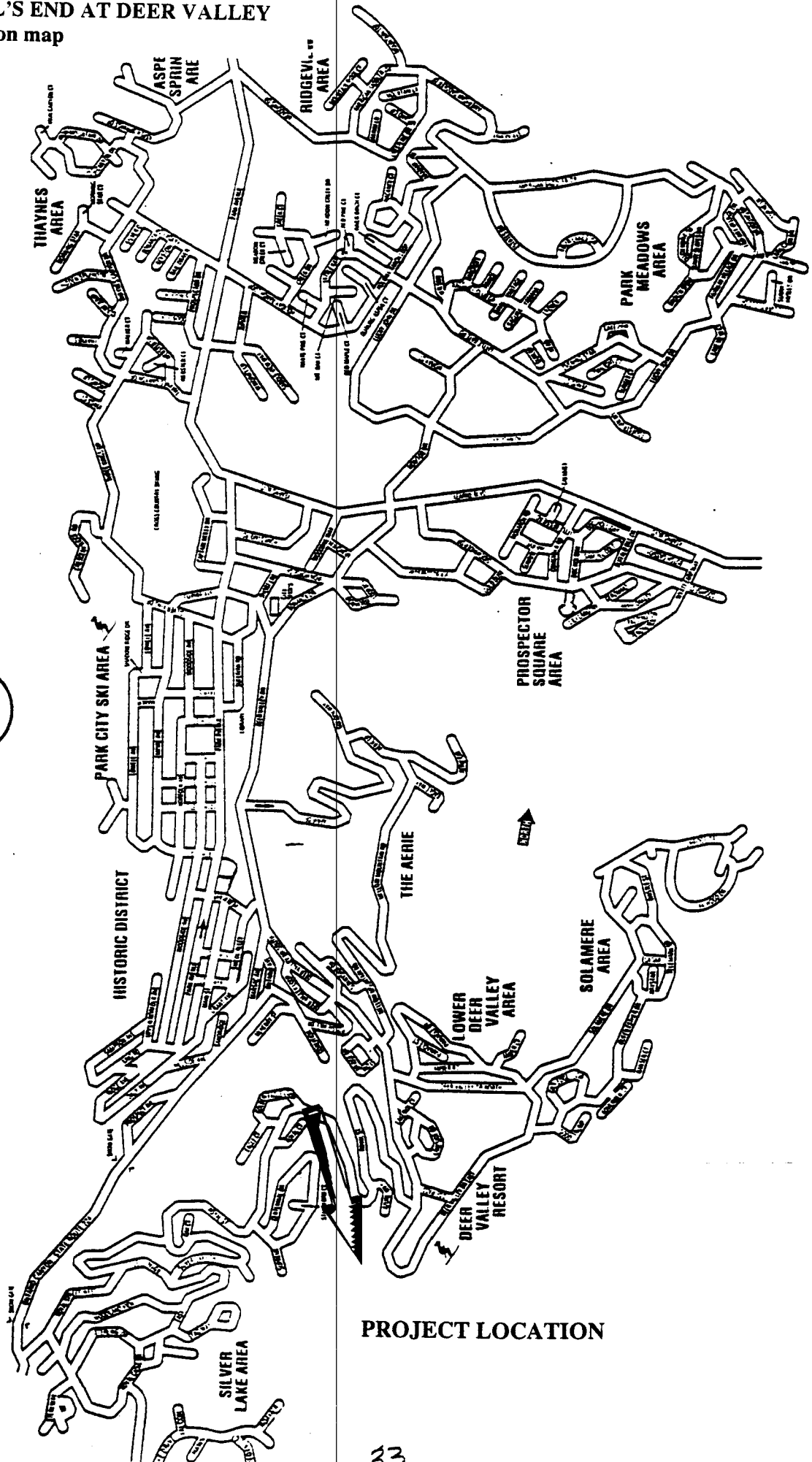
Location Map

Exhibit A - Ordinance

Exhibit B - Proposed plat

TRAIL'S END AT DEER VALLEY

Location map



PROJECT LOCATION

TRAIL'S END AT DEER VALLEY
Exhibit A - Ordinance

ORDINANCE NO. 96-__

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

WHEREAS, the owners of the property known as Trail's End at Deer Valley petitioned the City Council 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 October 10, 1996; and

WHEREAS, it is in the best interest of Park City to approve the amendment, and

WHEREAS, there is good cause for the revision as the reconfiguration does not affect the intent or Final Conditions of 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. 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 Findings, Conclusion and Conditions:

Findings:

1. The reconfiguration does not affect the intent nor the Final Conditions of Approval under the Master Planned Development for the project.
2. The revision is necessary to reflect the actual building location and to accurately define the areas under common area.
3. The applicant has not yet obtained the signatures of all the owners within the project.

Conclusions of Law:

1. There is good cause for the revision.
2. Neither the public nor any person will be materially injured by the proposed plat revision.

Conditions:

1. All prior Master Planned Development approvals, dated April 11, 1994 and April 5, 1991 are in full force and effect.
2. City Attorney and City Engineer review and approval of the final Record of Survey for compliance with State law and the Land Management Code is a condition precedent to plat recordation.
3. The applicant must obtain the signatures of all unit owners of the project in a form approved by the City Attorney and County Recorder prior to plat recordation or otherwise satisfy the County Recorder as to recording requirements.

4. If the Record of Survey is not recorded within one year of the date of this approval this approval is null and void.

SECTION 2. This ordinance shall take effect upon publication.

DATED this 10th day of October, 1996.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

ATTEST:

Anita Sheldon, City Recorder

APPROVED AS TO FORM:

Mark Harrington, Assistant City Attorney

LEGEND (See pages 2 thru 7 for detailed ownership)

	COMMON OWNERSHIP
	PRIVATE OWNERSHIP
	UNITED COMMON OWNERSHIP



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

THE PINE HAW 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 LOTAGE MAY BE USED ONLY BY OWNERS, TENANTS, OR THEIR RESPECTIVE GUEST AND INVITES.

CONSENT TO RECORD

I, _____, do hereby consent to the recording of my signature and name on the foregoing instrument.

Signed at _____, California, this _____ day of _____, 1968.

[Signature]

[Printed Name]

[Title]

[illegible]

NOTE:
UNITS 11-10 INCLUSIVE OF DISTING PINE ARE
SHALL CONTINUE TO BE KNOWN AS PINE IN
UNITS AND THE FLOOR PLANS AND ELEVATION
OF UNITS 1-10 AS RECORDED AS ENTRY IN
243913 ARE UNCHANGED BY THIS RECORD
SLAVE MAP
UNITS 11-10 AND 101-508 INCLUSIVE SHALL
KNOW AS TRAIL'S END AT DEER VALLEY.

ACADEMIC LITERACY 2.11

ACKNOWLEDGMENTS

By Kim R. McGuire, General Partner
John C. Matheson, II, General Partner

Arnold T. Sidorff, President

of _____ 1980, through its duly authorized partner

IN WITNESS WHEREOF, the undersigned sets his hand this _____ 1966.

property and the provisions in the Urban Conservation Ordinance are hereby dedicate for the perpetual use of the City of Los Angeles for common areas and private roads and does further dedicate for emergency and utility service vehicles an highway and express easement and private roads located within the City of Los Angeles.

recording of this first Amendment to TRAIL'S END AT DEER VALLEY
 Amendment and Expansion of the Record of Survey Map or Plan
 Expanded Condominium Project. The undersigned further ac
 this Record of Survey Map expands and extends the Record

KNOW ALL MEN BY THESE PRESENTS, That I, JAMES E. DODD, JR., a duly qualified and duly sworn member of the Board of Directors of the Bank of America, N.A., do hereby certify that the same to be divided into private units, entitled

HOMEOWNERS ASSOCIATION CONSENT TO RECORD

JOHN ODEKOWICZ L.S. NO. 163831 DATE:

ent of bagging.
within 11.52 Acres or 371,199 Square Feet
and enclosing with 1-10 of the Five km Condominium.

size of Utah, and that I have ceased to be made under my direction by authority of the owner(s). The First Amendment to the RECORD OF DEEDS VALLEY, an Amendment and Expansion of the Record of Deeds Act, a Utah Expedited Condominium Project, in accordance with the

a curve to the right, the radius point bears South 71° West 280.00 feet of which the central angle is 78°; hence 2) Southwesterly along the curve an arc of 142.28 feet to the point of compound curvature of a first radius curve to the right. The radius subtends an angle of 78° at the center of the curve.

1 foot radius curve to the left, the radius point bears North 05° East 85.00 feet of which the center angle is 78° (thence 8) Easly along said curve an arc distance 1.23 feet; thence 9) North 47.53 34° East 2.23 feet to a

UNITS AND THE FLOOR PLANS AND ELEVATIONS OF UNITS 1-10 AS RECORDED AS ENTRY IN 243913 ARE UNCHANGED BY THIS RECORD SURVEY MAP.

and angle is 33.75° ; thence 5) Eastward along the arc of a circle 78.37 feet to the point of a compound curve of a 100 foot radius curve to the right. The radius point bears 117.72° west 22.50 feet, at which the central angle is 11° ; thence 6) South-easterly along said curve an arc

Street the west nine curvance (thence 1) Northwestly along
thence on one distance of 58.91 feet to the point of reverse
curve of a 211.45 foot radius curve to the right, the station
being South 38.40° 30' East 211.45 feet of which the
angle is 20.47° 01' (thence 2) Northwestly along said

10

00 feet; Francis North 27°00'00" East 22.100 feet; Francis North 31°00'00" West 47°30'00" West 603.43 feet to a point on the Southwary 4-way line of Royal Street (formerly Lane Fl. on Road, on old point being on a non-tangent 582.88 foot radius

beginning at a point which is 31.34±0.5 feet South and 3350.51 feet East from the East Quarter corner of Section 18, Township 2 North 4 East, 5th Lido-Boss and Newton (Boyle of South 00°30'11" West from said East Quarter corner of

ALLIANCE ENGINEERING INC. P.O. BOX 1564 PARK CITY, UTAH 84060 (801) 849-9187	SUNDAYVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR COMPLIANCE TO SUNDAYVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS DAY OF _____ 1984 A.D. BY _____ S.E.S.I.O.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____ 1984 A.D. BY _____ CHAIRMAN	ENGINEERS CERTIFICATE I AND TWO PAID TO ME IN ACCORDANCE WITH REGULATION ON DAY OF _____ 1984 A.D. BY PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____ 1984 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 _____ 1984 A.D. BY PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE OF COUNCIL OF SUNDAY AND CLAD DAY OF _____ 1984 A.D. BY _____	RECORDED DATE OF DEPOSIT OF STAMPS AND FILED DAY OF _____ 1984 A.D. BY _____	FILE RECORDED
---	--	---	--	--	---	--	---	------------------

RECEIVED

AUG 22 1986

PAGE 1 OF 1

36

UNCL. CONF.

SECTION "A" UNITS 11 & 12 TYPICAL

SECTION "A" UNITS 11 & 12 TYPICAL

UNIT	LEVEL ONE	LEVEL TWO	LEVEL THREE	TOTAL
11	1276	878	508	2746
12	1790	878	508	3176
13	1127	878	508	2513
14	1123	878	508	2509
15	1183	878	508	2569

SECTION "A" UNITS 13-15 TYPICAL

SECTION "A" UNITS 13-15 TYPICAL

UNITS 13-15 PHYSICAL

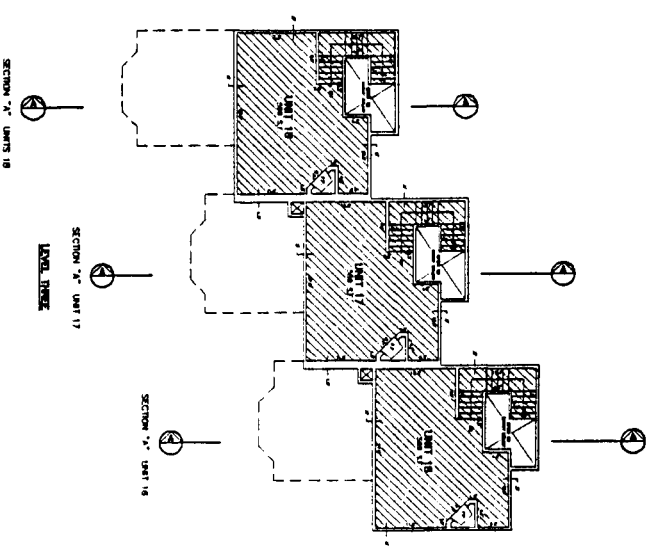
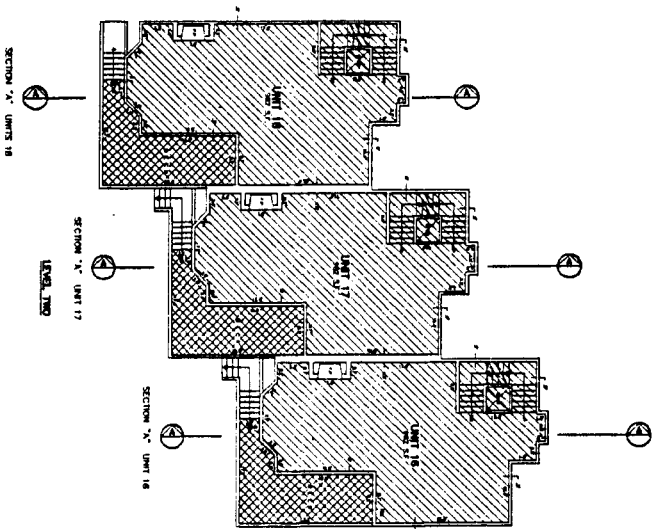
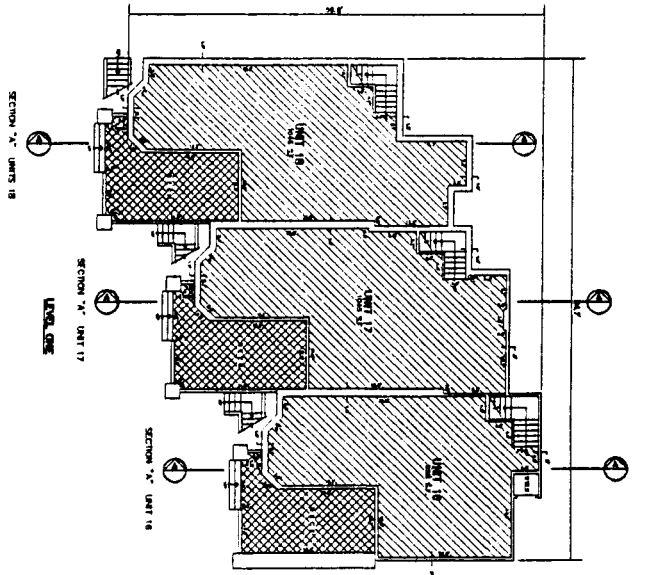
**SECOND AMENDMENT TO
TRAIL'S END AT DEER VALLEY**
AN AMENDMENT AND EXPANSION OF THE RECORD OF SURVEY MAP OF
PINE INN
A TRAIL PINE INN, LIMITED, COMPANY LOCATED IN
THE COUNTY OF SHERBORN, PROVINCE OF SASKATCHEWAN,
SITING TRAIL'S END AND RESORT, TRAIL COUNTY, UTM

A UTAH EXPANDED CONGRESSIONAL PROJECT LOCATED IN SECTIONS 15 & 16, TOWNSHIP 7 SOUTH, RANGE 4 EAST, SALT LAKE BASIN, AND MEDICAL STUDY DISTRICT, UTAH

JOB NO. 2-2-91 T:\FN\F2\PHU22

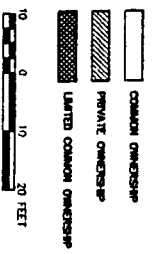
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1/18	100
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1/20	100
1/21	100
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1/23	100
1/24	100
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1/29	100
1/30	100
1/31	100
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6/16	100
6/17	100
6/18	100
6/19	100
6/20	100

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



UNIT SQUARE FOOTAGE TABLE

UNIT	UNIT ONE	UNIT TWO	UNIT THREE	TOTAL
16	800	800	800	2400
17	800	800	800	2400
18	800	800	800	2400



SECOND AMENDMENT TO
TRAIL'S END AT DEER VALLEY
PINE INN

A TRAIL DEVELOPMENT COMPANY PROJECT LOCATED IN
SALT LAKE COUNTY, UTAH

JOB NO. 2-2-81 11/1/81/1/81/81

RECORDED
STATE OF UTAH COUNTY OF STUART AND FILED
DATE _____ TIME _____ BOOK _____ PAGE _____
FILE _____ RECORDED _____

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TRAIL'S END AT DEER VALLEY

AN AMENDMENT AND EXPANSION OF THE RECORD OF SHIRLEY MAP OF
PINE, INN

A LITTLE BEYOND THE TRAIL'S END SECTION IS A 1/4 SECTION 15, T. 10 N., R. 10 E., S. 10 N., DEER VALLEY, SALT LAKE BASIN, WEST WARD, SALT COUNTY, UTAH

PAGE 4 OF 8

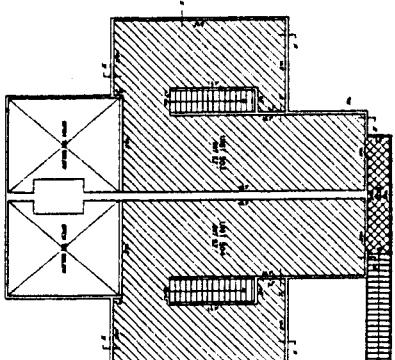
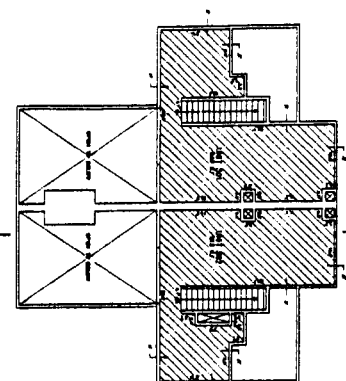
RECORDED

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

FBI **RECORDS**

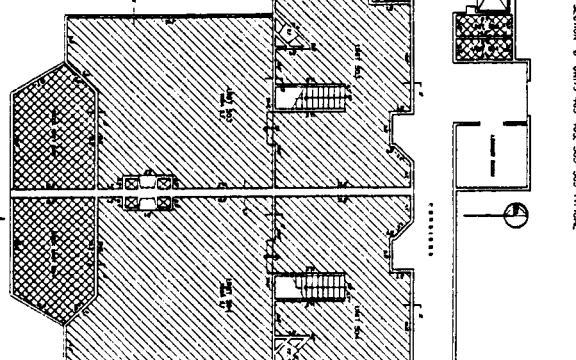
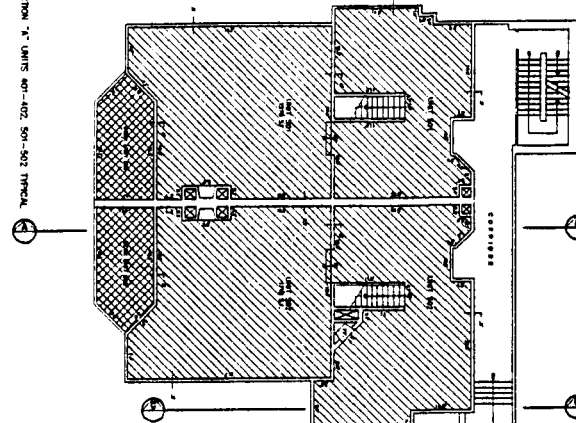
SECTION 1' UNITS 401-402, 501-502 TYPICAL

SECTION 2' UNITS 403-404, 503-504 TYPICAL



SECTION 3' UNITS 405-406, 505-506 TYPICAL

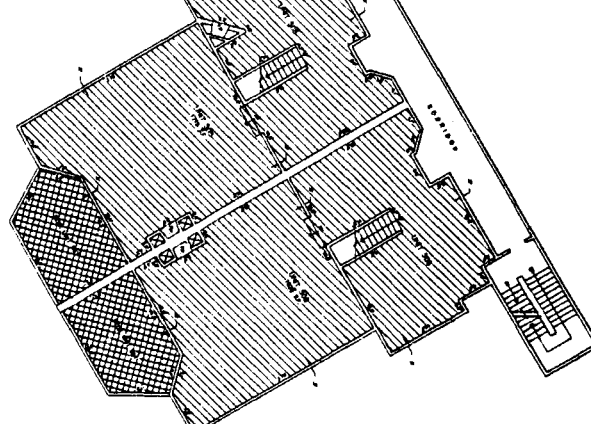
SECTION 4' UNITS 407-408, 507-508 TYPICAL



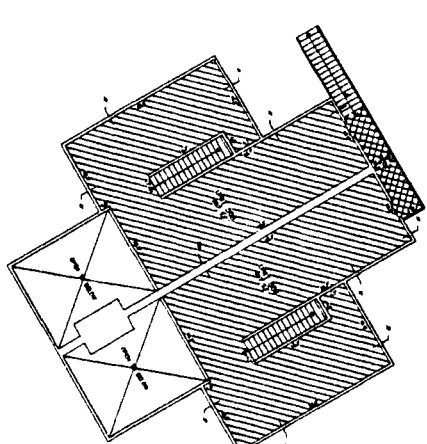
SECTION 5' UNITS 409-410, 509-510 TYPICAL

SECTION 6' UNITS 411-412, 511-512 TYPICAL

LEVEL TWO

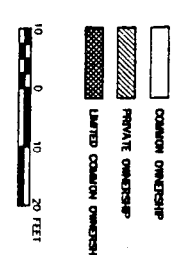


LEVEL THREE



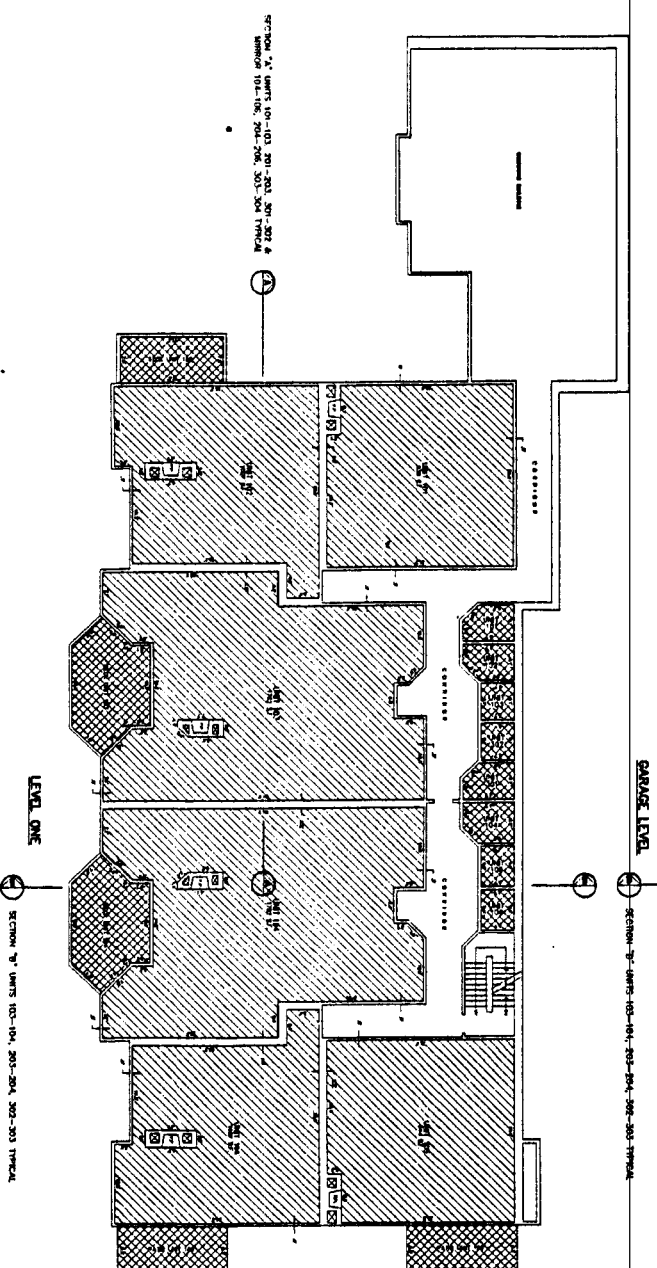
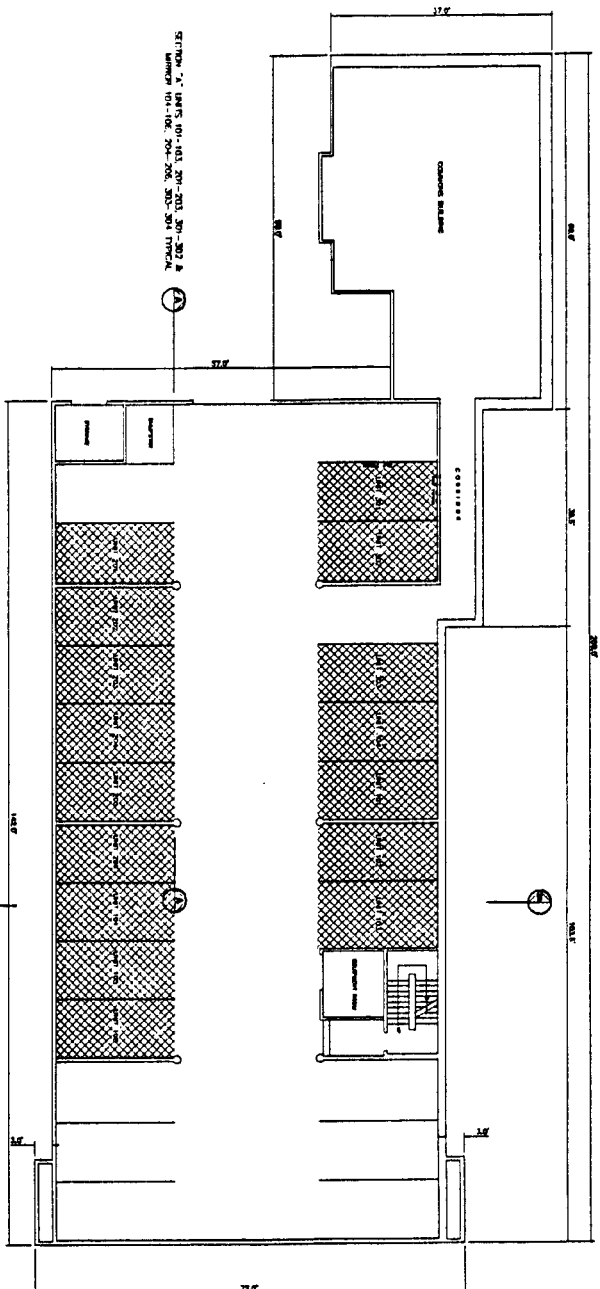
UNIT SQUARE FOOTAGE TABLE

UNIT NO.	UNIT TYPE	SQ. FT.	TOTAL
401	1' x 1'	1,100	1,100
402	1' x 1'	1,100	1,100
403	2' x 1'	1,100	1,100
404	2' x 1'	1,100	1,100
405	3' x 1'	1,100	1,100
406	3' x 1'	1,100	1,100
407	4' x 1'	1,100	1,100
408	4' x 1'	1,100	1,100
409	5' x 1'	1,100	1,100
410	5' x 1'	1,100	1,100
411	6' x 1'	1,100	1,100
412	6' x 1'	1,100	1,100



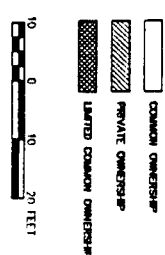
SECOND AMENDMENT TO
TRAIL'S END AT DEER VALLEY
PINE INN
 AN AMENDMENT AND EXPANSION OF THE RECORD OF SURVEY MAP OF
 A UNIT REPARATION CONSTRUCTION PROJECT LOCATED IN
 SALT LAKE COUNTY, UTAH
 PAGE 3 OF 9

RECORDED
 STATE OF UTAH COUNTY OF SALT LAKE
 DATE _____ TIME _____ BOOK _____ PAGE _____
 FILE _____



UNIT SQUARE FOOTAGE TABLE

UNIT	LEVEL ONE	TOTAL
101	1,000	1,000
102	1,000	1,000
103	1,000	1,000
201	1,000	1,000
202	1,000	1,000
203	1,000	1,000
301	1,000	1,000
302	1,000	1,000
303	1,000	1,000
401	1,000	1,000
402	1,000	1,000
403	1,000	1,000



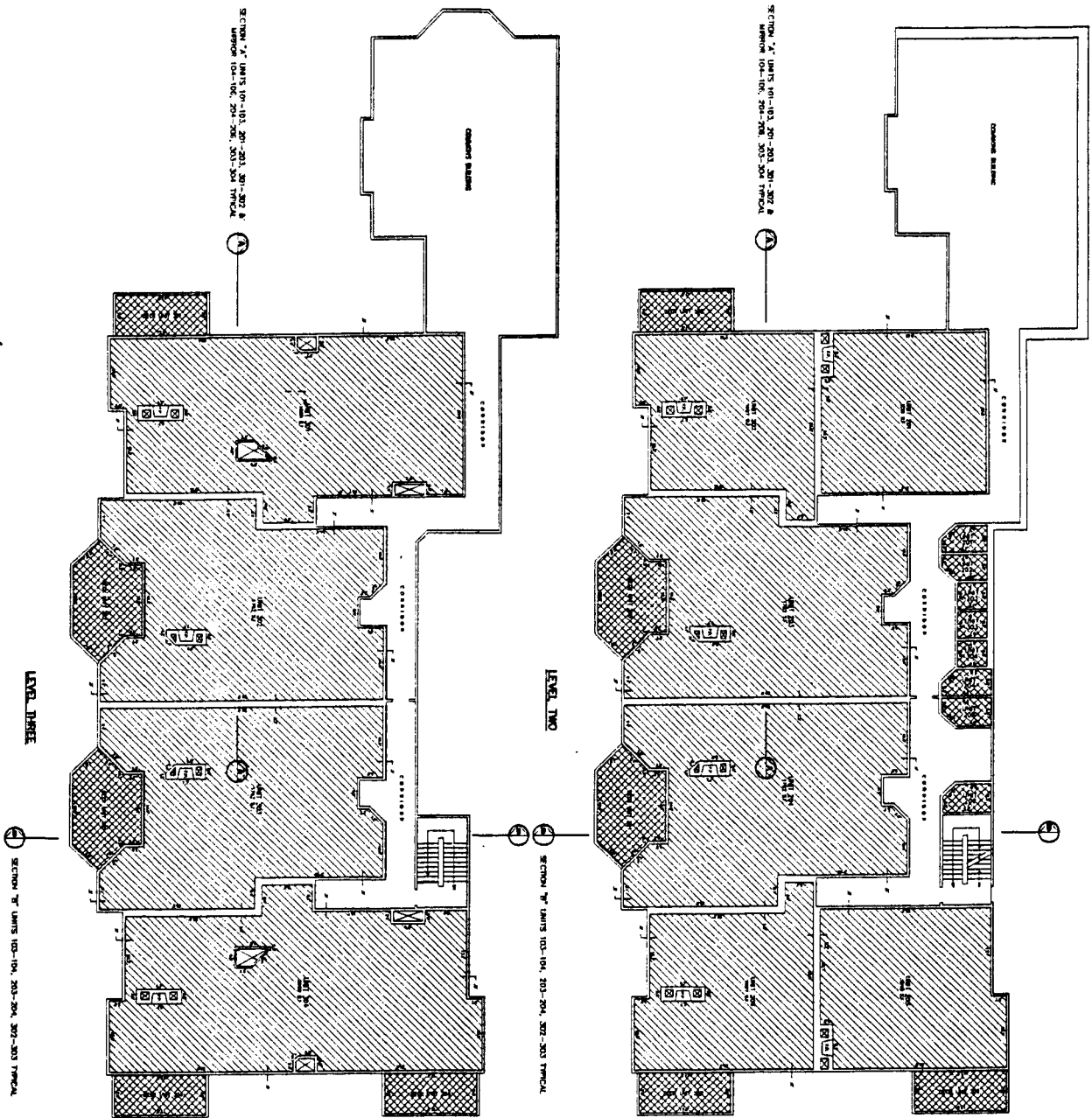
SECOND AMENDMENT TO
TRAIL'S END AT DEER VALLEY
PINE INN

A FURTHER AMENDMENT TO THE RECORD OF SURVEY MAP OF
TRAIL'S END AT DEER VALLEY PINE INN, BEING A
SUBDIVISION OF LAND IN SALT LAKE AND UTAH COUNTIES, UTAH.

STATE OF UTAH COUNTY OF SALT LAKE
DATE _____ TIME _____ ROOM _____ PAGE _____

JOB NO. 2-1-81 1/11/81/1/81/81

FILE RECORDED



LEVEL TWO

SECTION "A" UNITS 101-104, 201-204, 301-303, 401-403 TYPICAL

SECTION "B" UNITS 101-104, 201-204, 301-303, 401-403 TYPICAL

LEVEL THREE

SECTION "A" UNITS 101-104, 201-204, 301-303, 401-403 TYPICAL

SECTION "B" UNITS 101-104, 201-204, 301-303, 401-403 TYPICAL

TRAIL'S END AT DEER VALLEY
 AN AMENDMENT AND EXPANSION OF THE RECORD OF SURVEY MAP OF
PINE INN
 A LITTLE ROCK, ARKANSAS PROJECT LOCATED IN
 SECTION 10, T1N, R1E, S1W, CO. 10, ARK.



- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

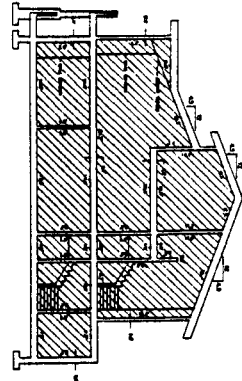
UNIT SQUARE FOOTAGE TABLE

UNIT	COMMON	PRIVATE	TOTAL
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102	1,000	1,000	2,000
103	1,000	1,000	2,000
104	1,000	1,000	2,000
201	1,000	1,000	2,000
202	1,000	1,000	2,000
203	1,000	1,000	2,000
204	1,000	1,000	2,000
301	1,000	1,000	2,000
302	1,000	1,000	2,000
303	1,000	1,000	2,000
401	1,000	1,000	2,000
402	1,000	1,000	2,000
403	1,000	1,000	2,000

42

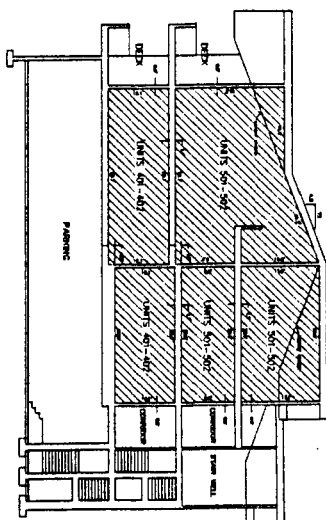
STATE OF ARKANSAS
 COUNTY OF STANLEY
 DATE _____ TIME _____
 BY _____
 TITLE _____

UNIT 11 & 12 EAST-WEST, 7700.0
 UNIT 13 & 14 EAST-WEST, 7700.0
 UNIT 15 & 16 EAST-WEST, 7700.0
 UNIT 17 & 18 EAST-WEST, 7700.0



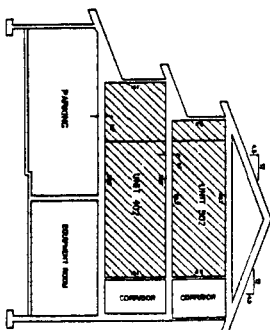
SECTION "A" UNITS 11-15

UNIT 19 & 20 EAST-WEST, 7700.0
 UNIT 21 & 22 EAST-WEST, 7700.0
 UNIT 23 & 24 EAST-WEST, 7700.0



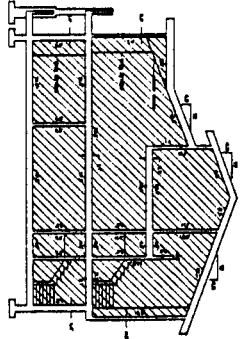
SECTION "A" UNITS 401-402, 501-502

UNIT 25 & 26 EAST-WEST, 7700.0
 UNIT 27 & 28 EAST-WEST, 7700.0



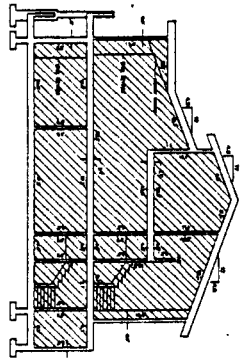
SECTION "C" UNITS 402 & 502

UNIT 1 & 2 EAST-WEST, 7700.0
 UNIT 3 & 4 EAST-WEST, 7700.0
 UNIT 5 & 6 EAST-WEST, 7700.0
 UNIT 7 & 8 EAST-WEST, 7700.0



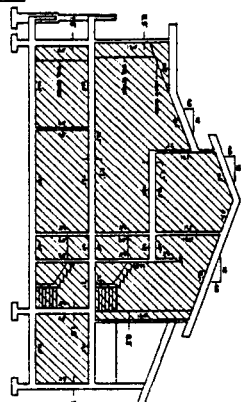
SECTION "A" UNIT 16

UNIT 9 & 10 EAST-WEST, 7700.0
 UNIT 11 & 12 EAST-WEST, 7700.0
 UNIT 13 & 14 EAST-WEST, 7700.0
 UNIT 15 & 16 EAST-WEST, 7700.0



SECTION "A" UNIT 17

UNIT 1 & 2 EAST-WEST, 7700.0
 UNIT 3 & 4 EAST-WEST, 7700.0
 UNIT 5 & 6 EAST-WEST, 7700.0
 UNIT 7 & 8 EAST-WEST, 7700.0



SECTION "A" UNIT 18

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



SECOND AMENDMENT TO TRAIL'S END AT DEER VALLEY

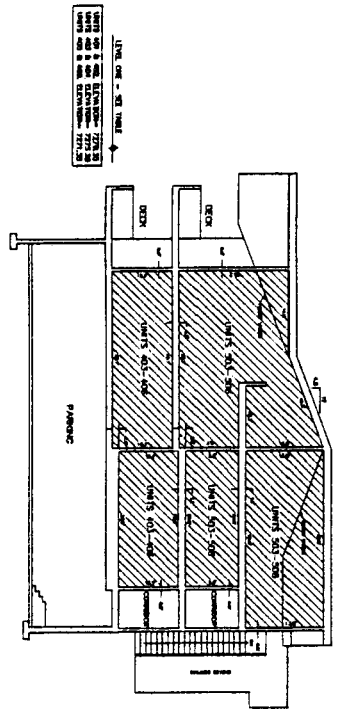
AN AMENDMENT AND EXPANSION OF THE RECORD OF SURVEY MAP OF
 PINE INN
 A TRAIL DEVELOPMENT, COMMERCIAL PROJECT LOCATED IN
 BUTLER COUNTY, MISSOURI, AND BUTLER COUNTY, MISSOURI, 1974

PAGE 8 OF 9

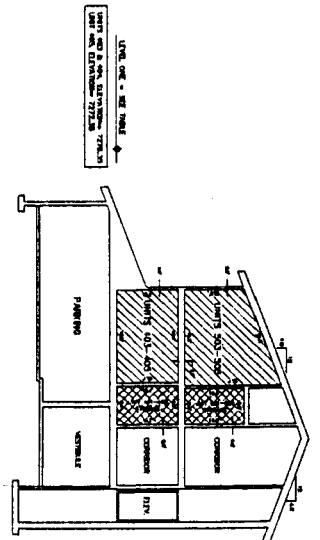
STATE OF MISSOURI
 COUNTY OF BUTLER
 DATE _____ TIME _____ BOOK _____ PAGE _____

JOB NO. 2-2-81 TYPED BY PMS

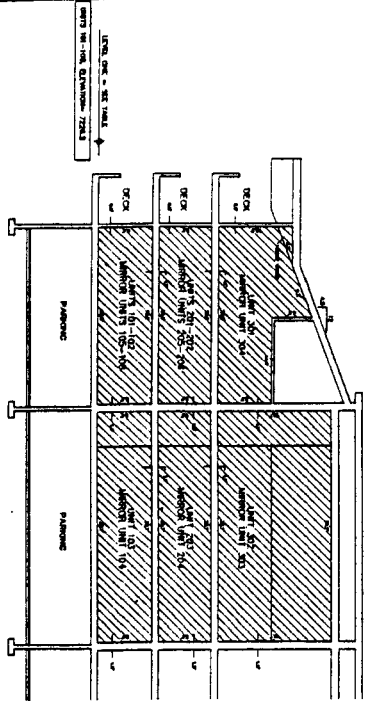
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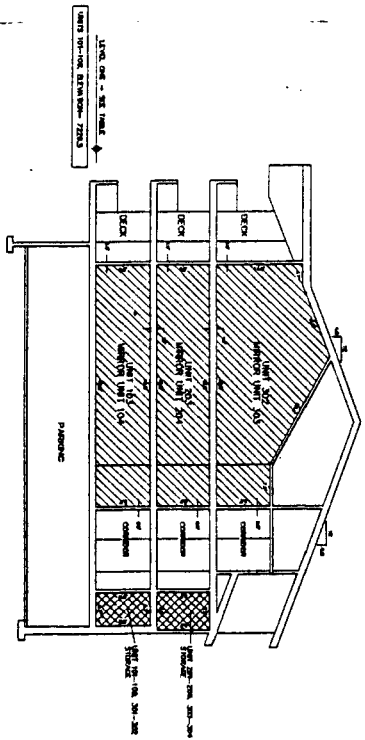
SECTION 7D UNITS 403-406, 503-506



SECTION 7F UNITS 403-406, 503-506



SECTION 7A UNITS 101-104, 201-204, 301-304



SECTION 7B UNITS 103-104, 203-204, 303-304

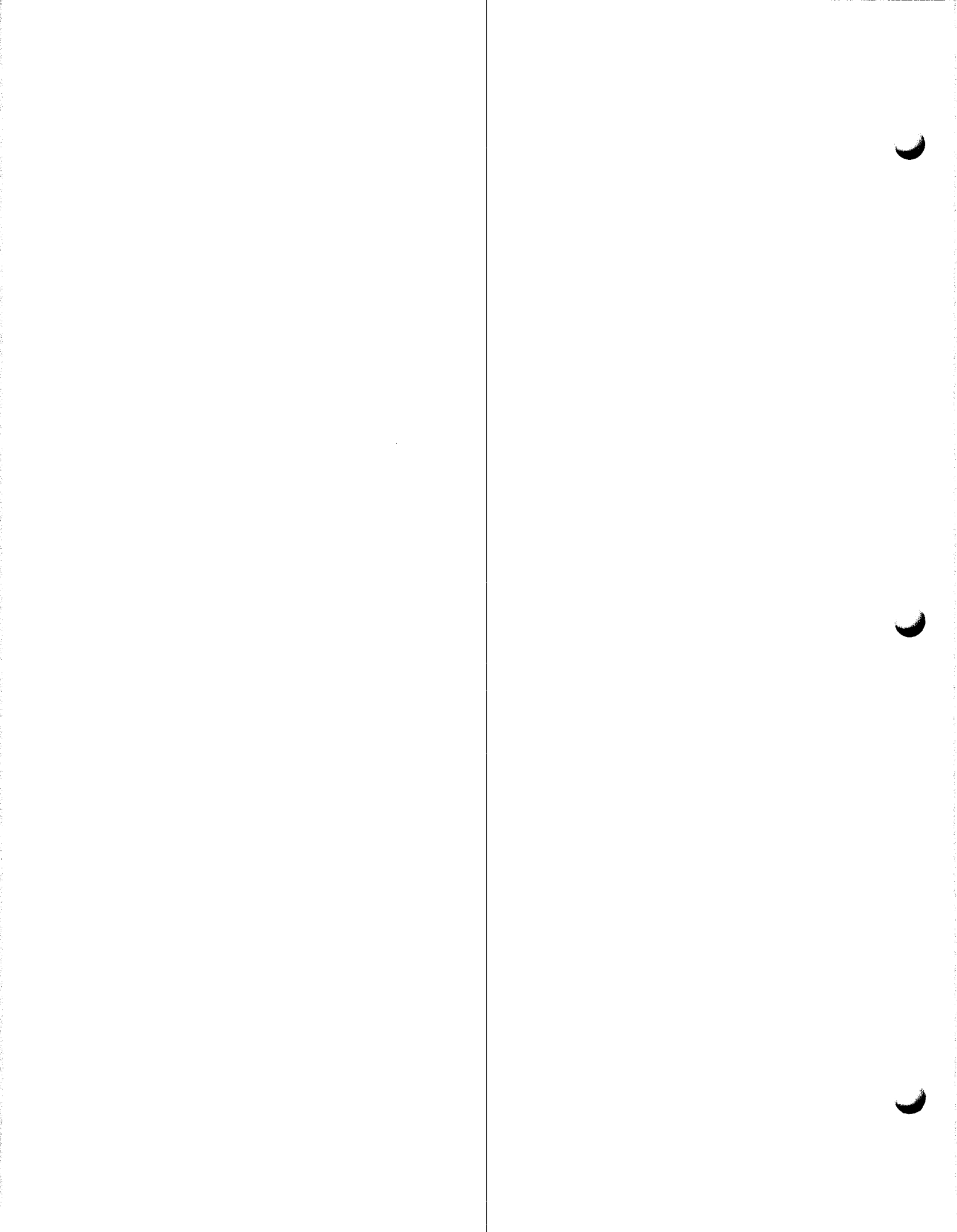
- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

10 0 10 20 FEET

SECOND AMENDMENT TO
TRAIL'S END AT DEER VALLEY

A UNIT EXPANSION AND EXPANSION OF THE RECORD OF SURVEY MAP OF
PINE INN
SITING IN THE RECORD OF SURVEY MAP OF
DEER VALLEY, SHERMAN COUNTY, MINN.

RECORDED
STATE OF MINN. COUNTY OF SHERMAN AND FILED
DATE _____ TIME _____ BOOK _____ PAGE _____
FILE _____ RECORD _____





CITY COUNCIL REPORT

DATE: October 10, 1996
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer
TITLE: Acceptance of the Public Improvements at Hearthstone Subdivision
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adoption of the ordinance accepting the public improvements at Hearthstone Subdivision.

DESCRIPTION:

A. Topic: The final plat for Hearthstone Subdivision was approved on October 7, 1993. The developer has finally completed all the public improvements. This ordinance will transfer ownership of those improvements to Park City. Please note that the lots within Hearthstone are being marketed as "The Overlook at Old Town", although the official name is still Hearthstone.

B. Background: The process of accepting public improvements in new subdivisions is created by the subdivision section of our Land Management Code, which specifies that the Council accept improvements by ordinance. The offer of dedication of those improvements is contained within the final subdivision plat itself. In the case of Hearthstone, the improvements were largely accomplished in 1995, but completion of the installation of the phone service was delayed, for various reasons, until recently. Aerie Drive itself was built as part of the Aerie Subdivision in 1983.

C. Analysis: The public improvements consist of trails, utilities, and minor road improvements. The developer previously transferred an open-space parcel to Park City, upon which some popular hiking trails exist. A copy of a sketch of the subdivision is attached.

D. Department Review: The ordinance (attached) has been reviewed by the Legal Department. The construction and operation of the utilities has been coordinated with the Public Works Department. The only unresolved issue is the revegetation within the one-year guarantee period, which commences with the adoption of this ordinance. The City is holding \$16,541.25 of the developer's money to guarantee the success of the revegetation prior to the end of the guarantee period.

ALTERNATIVES:

A. Approve the Request: Approving the ordinance will cause the orderly transfer of the public improvements and will start the one-year guarantee period.

B. Continue the Item: If the Council needs more information or more time to render a decision on the ordinance, the ordinance should be continued.

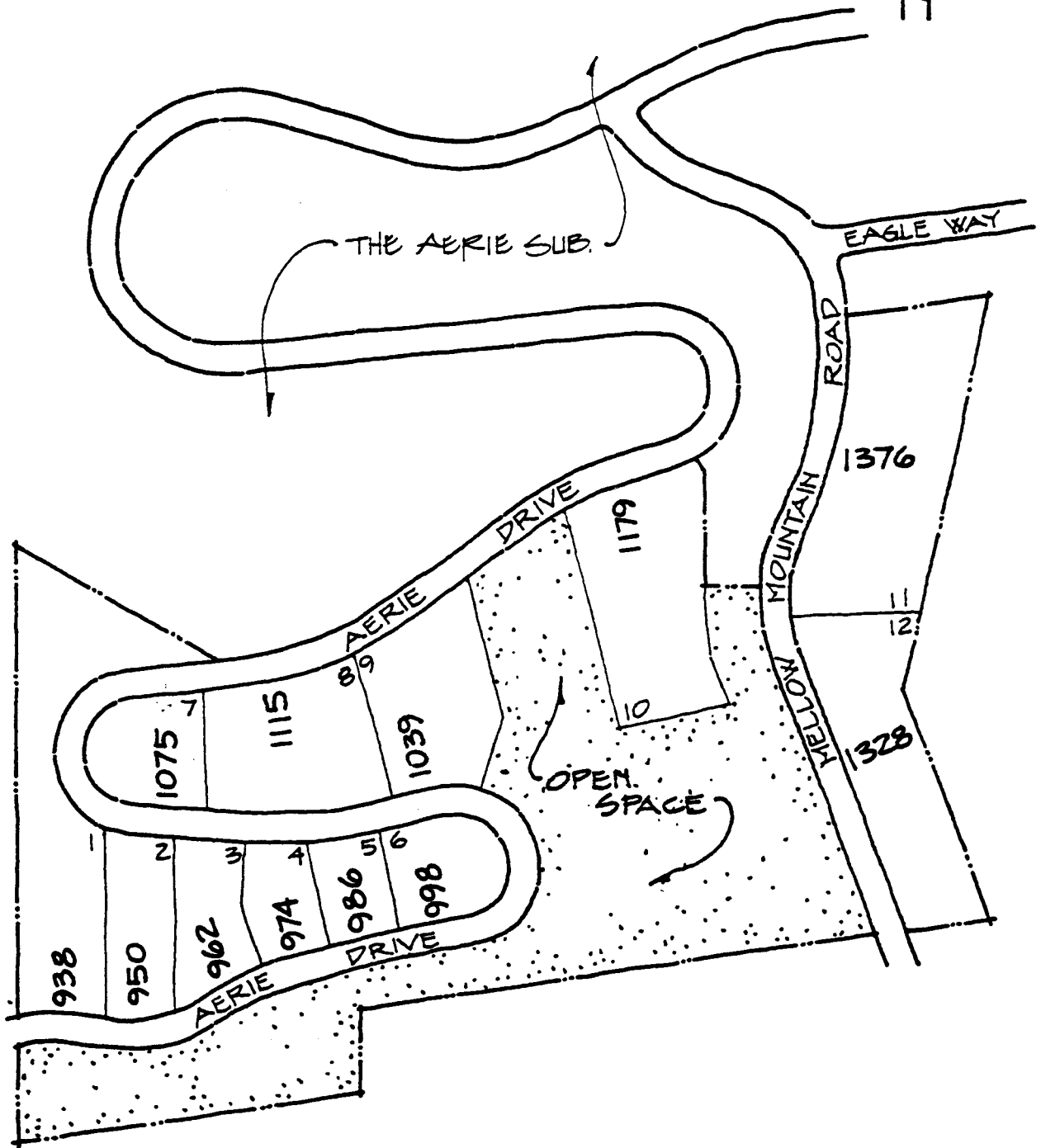
SIGNIFICANT IMPACTS: The construction has taken place and is complete except for revegetation. This work is adequately guaranteed by the \$16,541.25 which the developer currently has in place and will leave in place for one year following adoption of the ordinance.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Although adopting the ordinance is mainly a formality, it does serve a definite purpose in the accounting of publicly-owned improvements and in the orderly transfer of maintenance responsibility for the public improvements. On a properly-built project there is no real reason not to accept the public improvements, but the ordinance can be continued to the next meeting if more information is needed.

RECOMMENDATION: Approve the ordinance accepting the public improvements at Hearthstone Subdivision.

HEARTHSTONE SUBDIVISION

TAX#: HSTONE - (LOT#)



1/95

SF

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT HEARTHSTONE SUBDIVISION

WHEREAS, Hearthstone Subdivision was approved by the Park City City Council on October 7, 1993: and

WHEREAS, construction of the public improvements has been accomplished by the developer, including trails and utilities within, adjacent to, and connecting to Aerie Drive; and

WHEREAS, Park City has adopted Land Management Code Sec. 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the Land Management Code; and

WHEREAS, the public improvements within Hearthstone Subdivision were installed in accordance with the Land Management Code in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Hearthstone 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. A financial guarantee of \$16,541.25 shall remain in place for the one-year guarantee period.

SECTION 2. EFFECTIVE DATE. This ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS _____ DAY OF _____ 1996.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

ATTEST:

Anita L. Sheldon, City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney