

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 4, 2008**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Library and Education Center, Room 205, 1255 Park Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, December 4, 2008.

Regular Meeting

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT (*Any matter of City business not scheduled on agenda*)

IV RESIGNATIONS AND APPOINTMENTS

1. Consideration of resignation of Historic Preservation Board member
2. Consideration of the appointment of three members to the Historic Preservation Board for terms expiring July 2011
3. Consideration of appointing Tom DeLeone to fill and unexpired term on the Police Appeals Board for a term expiring July 2010

V OLD BUSINESS

Consideration of an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR248 and US40 interchange in the Quinn's Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and approving a Water Agreement, and amending the Official Zoning Map of Park city to zone the property in the Community Transition Zoning District (CT)

- (a) Public hearing
- (b) Motion to continue to December 18, 2008

VI NEW BUSINESS (*New items with presentations and/or anticipated detailed discussions*)

1. Consideration of a Resolution accepting designation of specified areas within the municipality to be Utah Recycling Market Development Zones P. 4 - 7
2. Consideration of an Ordinance approving the extension of the 68 Prospect Street Replat, an amendment to Lots 8, 9 and 10 of Block 18 of the Park City Survey, Park City, Utah P. 8 - 18

- (a) Public hearing
- (b) Action

3. Consideration of an Ordinance approving the First Amended Union Square Condominium Record of Survey Plat located at 201 Heber Avenue, Park City, Utah (aka Sky Lodge) P. 19 - 40

- (a) Public hearing
- (b) Action

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

Posted: 12/01/08

see www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

December 2008

- 11 Swearing-in of Police Officers Aric Barker and Nathan Cline
Park City Institute for Public Policy update
Center for Applied Media update
2009 Insurance Placement – CL
Ordinance approving amendments to the Land Management code of Park City, Utah to address revisions to Chapters 1, 2, 3, 4, 6, 10, 11, 12 and 15 – KW
The Yard special event permit
Membrane procurement - KL
- 18 Open meeting training (45 min)
Event policy discussion
Quarterly goal update - 4th quarter
2300 Meadows Drive subdivision plat – BR
LMC amendments – TE
McPolin Farm administrative policy
PC Heights annexation
- 25 **Holidays**

January 2009

- 1 **Holidays**
- 8 Resolutions setting forth meeting dates and officers
118 and 124 Daly Ave – Plat Amendment [PL-08-00541] KC
161-187 Daly Ave, Four's Company – Plat Amendment [PL-07-00197] KC
1910 Prospector Avenue – Condo Conversion [PL-08-00543] JM
- 15 **No meeting – Sundance Opening**
- 22
- 29-30 **Visioning Session**

February 2009

- 5 Comprehensive transportation strategic plan
- 12
- 19 **No meeting**
- 26

Pending Items:

Amendment to fee resolution - GRAMA
McPolin Farm Administrative Policy
Park City Foundation update – work
Economic development grant update - work
Water supply and demand
Resolution amending (or replacing) Resolution No. 20-07, adopting Affordable Housing Guidelines and Standards for Park City, Utah
Carrying capacity/market analysis survey
Wild land interface issues

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City Council Staff Report

Author: Sharon Bauman
Subject: Recycling Market
Development Zone
Date: December 4, 2008
Type of Item: Legislative



EXECUTIVE OFFICE

Summary Recommendation:

Approve a resolution that authorizes the staff to complete and file an application for renewal of the Recycling Market Development Zone within Park City.

Topic:

Recycling Market Development Zone

Background:

In 1996, the Utah Legislature created the Utah Recycling Market Development Zone Program, which focuses on recycling as an economic development tool. Eligible recycling businesses that are located in designated Recycling Market Development Zones qualify for:

- 5% state tax credit on machinery and equipment (if signed off by State)
- 20% state tax credit on eligible operating expenses up to \$2,000.00
- Tax credits may not exceed 40% of applicant's yearly tax due.
- Technical assistance from state recycling economic development professionals

In 1999 and 2004, Park City Municipal Corporation Staff and Council applied for, and received designation as, a Recycling Market Development Zone. The designation is valid for five years and a renewal application is necessary to continue the designation.

Analysis:

Because the State of Utah does not allow an entire city to become a Recycling Market Development Zone, the Deer Valley MPD, Flagstaff and Deer Crest Annexation Areas, Thaynes Canyon, Iron Canyon, and Aspen Subdivision were excluded. The likelihood that recycling businesses would locate their headquarters in those areas was deemed to be slimmer than other areas of the City. The remainder of the City was designated as a Recycling Market Development Zone.

Park City would benefit from designating areas of the City as Recycling Market Development Zones, in order to attract and assist businesses that collect, process, distribute or use recycled materials in their manufacturing operations, or compost. Existing business such as Recycle Utah, Good Earth Recycling, and Curb It have reported benefiting from the incentives offered by the State of Utah.

Park City Municipal Corporation already has its primary incentive in place, and therefore would not have to offer any further incentives to existing or future local businesses. The current primary incentive includes the free use of the recycling drop-off at the City-owned Recycling Center at 1951 Woodbine Way. There is no additional cost to the City if the Recycling Market Development Zone is continued.

Department Review:

City Manager, Legal Department and Planning Department.

Alternatives:

Approve the Request:

Authorize the continued designation of Park City as a Recycling Market Development Zone and direct staff to submit a renewal application.

Deny the Request:

Council can direct staff not to pursue the continued designation of Park City as a Recycling Market Development Zone.

Continue the Item:

Continuing the item will delay the application process and the State would not be able to designate the City prior to year-end, which would result in local businesses not being able to get the state incentives for calendar year 2008.

Significant Impacts:

Authorizing the designation of Park City as a Recycling Market Development Zone will be a benefit to the Park City community because it will become increasingly economically feasible for local businesses to recycle, which in turn will prolong the life of the current land fill. The city would gain a valuable tool for economic development by offering future businesses the opportunity to receive the above mentioned incentives from the State.

Consequences of not taking the recommended action:

Denying or continuing the request will have similar effects, which will be a delay of the application process and the State would not be able to designate the City prior to year-end, which would result in the local businesses not being able to get the state incentives for calendar year 2008.

Recommendation:

Approve a resolution that authorizes the Staff to apply for continued designation of Park City as a Recycling Market Development Zone.

Attachments:

Resolution

Map of Recycling Market Development Zone

RESOLUTION ACCEPTING DESIGNATION OF SPECIFIED AREAS
WITHIN THE MUNICIPALITY TO BE
UTAH RECYCLING MARKET DEVELOPMENT ZONES

WHEREAS, the Utah Code §9-2-1601, known as the “Recycling Market Development Zone Act” provides for state and local incentives to be extended to businesses which collect, process, distribute or use recycled materials in their manufacturing operations, or compost; and

WHEREAS, recycling businesses located in designated Recycling Market Development Zones are eligible for a variety of incentives; and

WHEREAS, the City currently provides a primary incentive for recycling in the form of the City-owned Recycling Center at 1951 Woodbine Way.

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

SECTION 1. PARK CITY RECYCLING MARKET DEVELOPMENT ZONE. The entire City, with exception of the areas known as Deer Valley MPD, Deer Crest and Flagstaff Annexation Areas, and Thaynes Canyon, Iron Canyon and Aspen Springs Ranch Subdivisions, is hereby designed as a Recycling Market Development Zone.

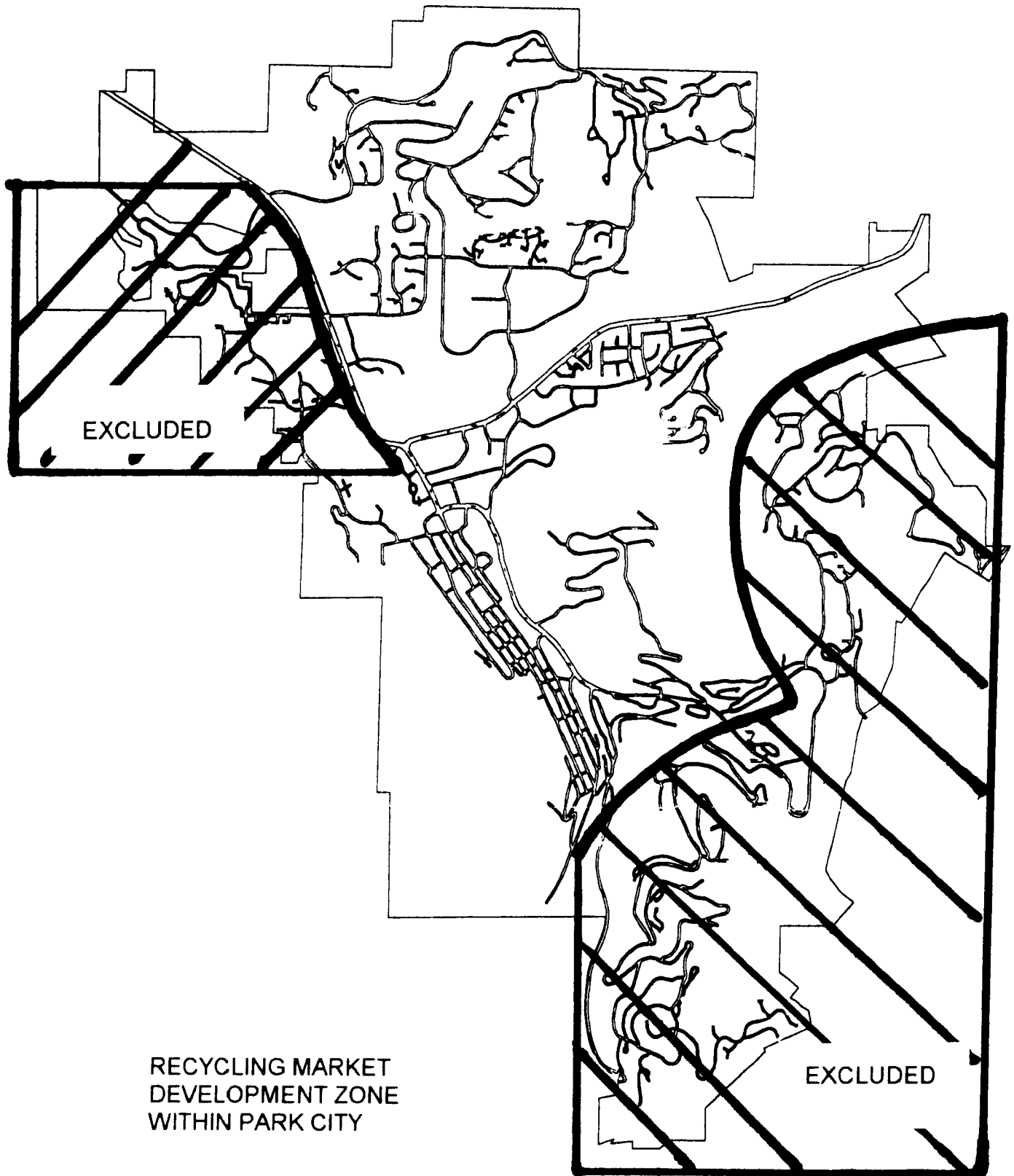
SECTION 2. APPLICATION. Staff is hereby authorized to file the necessary application with the State.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council.

PASSED AND ADOPTED this 4th day of December, 2008.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams



RECYCLING MARKET
DEVELOPMENT ZONE
WITHIN PARK CITY

EXCLUDED

**City Council
Staff Report**



PLANNING DEPARTMENT

Subject: 68 Prospect Street – Extension
of Plat Amendment
Author: Kayla S. Sintz
Date: December 4, 2008
Type of Item: Administrative - Plat amendment extension request, Council approval

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the request for an additional 1 year extension for the 68 Prospect Street Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the attached Ordinance.

Topic

Applicant: Kim Marks (Owner)
Rick Otto (Architect)
Location: 68 Prospect Street
Zoning: HR-1
Adjacent Land Uses: Residential
Reason for Review: Extensions require City Council action

Background

On December 14, 2006, the City Council approved the 68 Prospect Street Replat. The plat amendment included consolidating three adjacent lots (lots 8, 9 and 10 in Block 18 of the Park City Survey) and re-creating two lots within the same exterior boundary.

The current lot size of each of the three lots is 25.7' x 80' each. The newly created lots will be approximately 38.5' x 80' each. The proposal is shown in Exhibit A. One historic home sits across the three existing lots. Under the plat amendment, the historic home will also sit on the new lot line. Previous Condition of approval #2 states "Relocation of the existing historic home to the new lot is a condition precedent to plat recordation." Based on the now complete and approved Historic District Design Review (HDDR) and Preservation Plan, Condition of Approval #2 has been rewritten to state, "Removal of the historic home in the form of reconstruction as identified in the Preservation Plan, is a condition precedent prior to recordation of the plat." The applicant is requesting an extension on the Plat Amendment because this condition of approval has not been fully met.

The previous Extension was requested because the applicant had been working with design professionals to create a preservation plan for the home prior to relocation and that portion of the process had taken longer than expected. Since the time of the previous Extension, the applicant has made significant progress in the last year working diligently with Planning and Building Department Staff to include an approved Preservation Plan and approved Historic District Design Review (HDDR). Such Preservation Plan now includes reconstruction of this historic structure on the proposed lot to south and a sensitive rear addition. The City requires a Financial Guarantee for reconstructed, panelized or renovated historic structures. A new Condition of Approval has been added for this requirement (See Condition #5). Staff has been working with the Applicant regarding the Financial Guarantee and this item has triggered the request for additional year of Plat Extension. As part of the Financial Guarantee, there will be a set date by which the reconstruction of the historic house must be completed by.

Analysis

The applicant is seeking an additional one year extension to a plat amendment that was originally granted by the City Council on December 14, 2006. Previous Plat Extension was granted on December 6, 2007. City Policy has been to approve such extensions if the applicant demonstrates good cause and that no change in circumstance has occurred since the previous approval. No change in circumstance to the property has occurred since the time of the original approval as it relates to the Land Management Code requirements, including zoning, height, setbacks, lot size and building footprint. Additionally, no

applicable changes to the LMC have occurred in the time since the application was initially approved. The applicant is requesting that the City Council grant another one year extension with two changes in Conditions of Approval (Condition #2 language change and new Condition #5). All other Conditions of Approval from the December 14, 2006 will continue to apply as originally written (See Exhibit D).

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

Public Input

At the time of writing this report, no comments had been received by the public.

Alternatives

1. The City Council may approve the 68 Prospect Street plat amendment extension as conditioned or amended; or
2. The City Council may deny the 68 Prospector Street plat amendment extension and direct staff to make Findings for this decision; or
3. The City Council may continue the discussion on the 68 Prospector Street Plat Amendment extension.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Exhibits

Exhibit A: Proposal for Replat

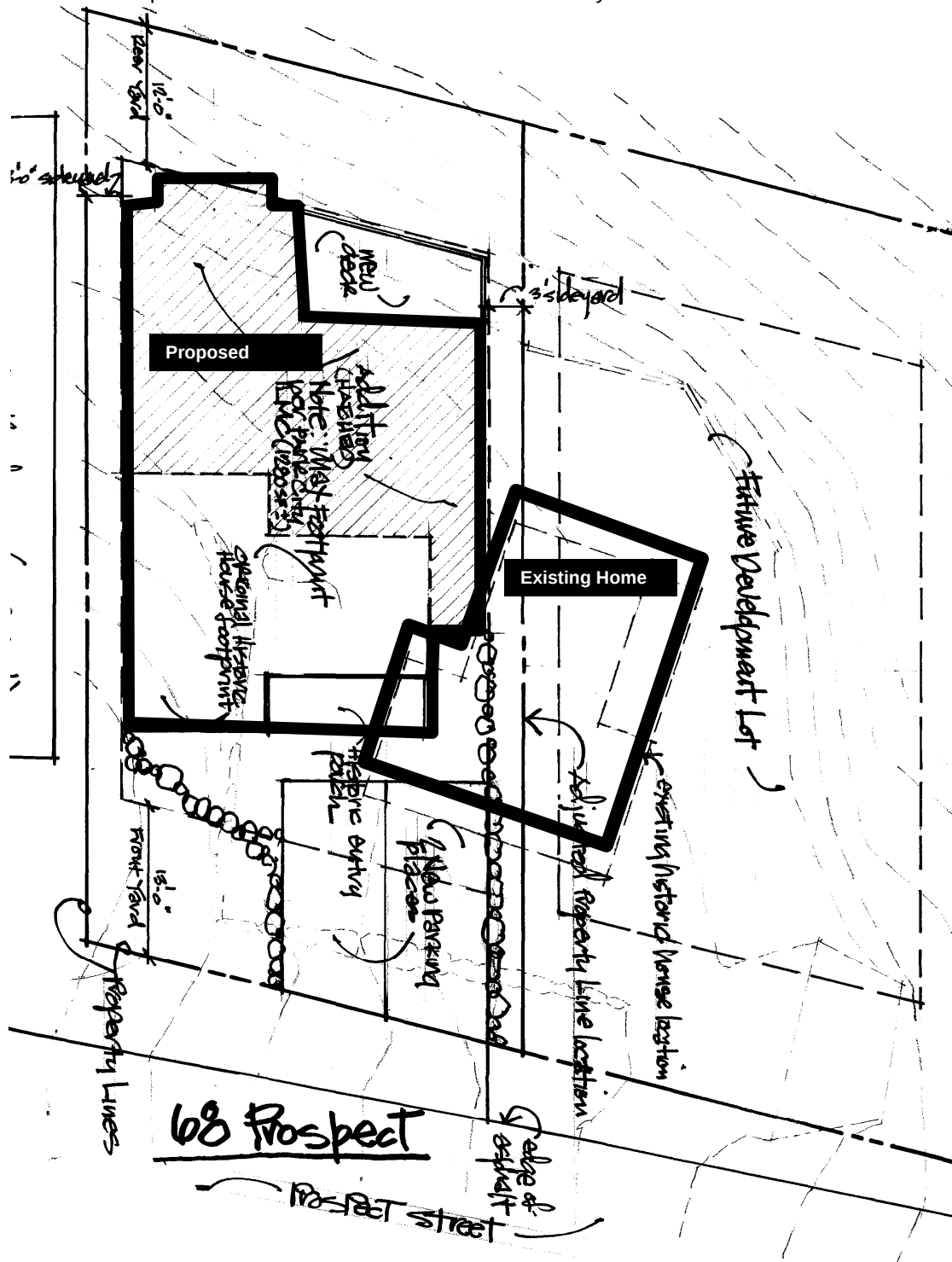
Exhibit B: Proposal for historic home and addition on newly created lot

Exhibit C: City Council Minutes December 14, 2006

Exhibit D: Proposed Ordinance

[illegible]

Exhibit B – Proposal for historic home with addition on newly created lot



IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 30, 2006

Marianne Cone, "I move that we approve the work session notes and minutes of the meeting of November 30, 2006". Candace Erickson seconded. Motion unanimously carried.

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving the 68 Prospect Street Re-plat, an amendment to Lots 8, 9 and 10 of the Park City Survey, Park City, Utah – Robin Hutcheson explained the application to approve a plat to consolidate three lots and divide the combined area into two equal sized lots. An historic home sits on the three lots and is not addressed in this action. It is anticipated that the historic structure will be relocated and a new home built on the other lot. Staff recommends approval of the Ordinance based on the staff report. The Mayor opened the public hearing.

Ruth Gezelius, Prospect resident, urged Council to approve the ordinance. The lot configurations are adequate and remodeling an historic building is important. She appreciated the reduction of density from three to two.

2. Resolution setting forth a policy for Park City Cemetery operations and services and replacing and repealing Resolution 11-93 in its entirety - Karen Yocum discussed the recommendation to raise cemetery fees to cover the cost of providing services. Both the administrative policy and fee resolution clarify eligibility requirements. In response to a question from the Mayor about lots that have been sold but unclaimed. Ms Yocum advised that those lots would not be available for resale unless an extensive tracking process is conducted. There are about 350 lots remaining in the cemetery. Carey Coffey discussed deeds to lots and the lack of contact information for purchasers. Tom Bakaly advised that the expansion of the cemetery is not addressed in these resolutions. In response to a question from Roger Harlan about records of burials, Ms. Coffey relayed that some record entries don't include given names, i.e., "*baby girl*". The Mayor opened the public hearing.

Mike Sweeney stated that the fee to move a gravesite seems high to him. He suggested that the City explore out-sourced services which may be less expensive. Ms. Yocum explained that the fees were formulated by the Parks Department who factored-in staff time and equipment costs. Carey Coffey discussed the challenges of winter burials and commented that her research reveals that City fees are well below the average.

With no further comments, the public hearing was closed.

3. Resolution amending Fee Resolution No. 23-06, Section 8.7, Cemetery Fees, and replacing and repealing Resolution No. 23-06 in its entirety – The Mayor opened the public hearing and with no comments from the audience, closed the hearing.

VI CONSENT AGENDA

Jim Hier, "I move we adopt Consent Agenda Items 1 through 5". Marianne Cone seconded. Motion unanimously carried.

1. Ordinance approving the 68 Prospect Street Re-plat, an amendment to Lots 8, 9 and 10 of the Park City Survey, Park City, Utah – See staff report and public hearing.

2. Resolution setting forth a policy for Park City Cemetery operations and services and replacing and repealing Resolution 11-93 in its entirety - See staff report and public hearing.

3. Resolution amending Fee Resolution No. 23-06, Section 8.7, Cemetery Fees, and replacing and repealing Resolution No. 23-06 in its entirety - See staff report and public hearing.

4. Acceptance of Comprehensive Annual Financial Report for Park City Municipal Corporation for Fiscal Year ended June 30, 2006 – See staff report.

5. Resolution confirming City participation in the American Public Transit Association (APTA) Emergency Response and Preparedness Program and authorize the City Manager to execute the APTA Mutual Aid Assistance Agreement – See staff report.

Exhibit D: Proposed Ordinance
Ordinance No. 08-

AN ORDINANCE APPROVING THE EXTENSION OF 68 PROSPECT STREET REPLAT, AN AMENDMENT TO LOTS 8, 9, AND 10 OF BLOCK 18 OF THE PARK CITY SURVEY, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 68 Prospect Street have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

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

WHEREAS, the Planning Commission held a public hearing on October 25, 2006 to receive input on the Plat Amendment and forwarded a positive recommendation to the City Council on November 8, 2006; and,

WHEREAS, on December 14, 2006, the City Council approved the 68 Prospect Street Replat; and

WHEREAS, on December 6, 2007, the City Council approved a one year extension for the approved 68 Prospect Street Replat; and

WHEREAS, on December 4, 2008, the City Council approved an additional year extension for the approved 68 Prospect Street Replat; and

WHEREAS the 68 Prospect Street Replat will allow the consolidation of three lots into two lots within the same exterior boundary.

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. The 68 Prospect Street Replat, as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 68 Prospect Street.
2. The zoning is Historic Residential (HR-1)
3. The surrounding land use patterns are single family homes, most of them small in size on single, or combinations of typical Old Town lots.
4. The current configuration of lots is three equal sized lots measuring 25.7' x 80'.
5. One home traverses both of the interior lot lines.
6. The size of the current historic home is approximately 400 square feet.
7. The home is historically significant.
8. The proposed configuration of lots is two equal sized lots measuring 38.5' x 80'.
9. A Public Hearing was held on October 25, 2006. Two comments were received, both in support of the Plat Amendment.
10. Comments received on October 25th supported the construction of two smaller homes rather than one larger home.
11. The Planning Commission unanimously voted to recommend approval of the plat amendment on November 8, 2006.
12. No change in circumstance to the property has occurred since the time of the original approval as it relates to the Land Management Code requirements, including zoning, height, setbacks, lot size and building footprint.

13. No applicable changes to the LMC have occurred in the time since the application was initially approved.

Conclusions of Law:

1. There is good cause for this Plat Amendment because it allows the construction of two smaller homes, which is consistent with the surrounding land use patterns, massing and scale on Prospect Street.
2. The Plat Amendment is consistent with the Park City Land Management Code.
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 Attorney and City Engineer will review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. Removal of the historic home in the form of reconstruction as identified in the approved Preservation Plan, is a condition precedent prior to recordation of the plat.
3. The applicant will record the Plat Amendment at the County within one year from the date of City Council extension of the approval (by December 4, 2009). If recordation has not occurred within one year's time, this approval for the plat will be void.
4. All standard project conditions will apply as noted in Attachment 2.
An executed Financial Guarantee between the Owner and the City is a condition precedent prior to recordation of the plat. As part of the Financial Guarantee, there will be a set date by which the reconstruction of the historic house must be completed by.

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

PASSED AND ADOPTED this 4th day of December, 2008.

Attachment 1 – Record of Survey Plat

Attachment 2 – Standard Project Conditions

1. Name of the Applicant: _____ 2. Address of the Applicant: _____ 3. City and State: _____		4. Name of the Property: _____ 5. Address of the Property: _____ 6. City and State: _____	
7. Name of the Surveyor: _____ 8. Address of the Surveyor: _____ 9. City and State: _____		10. Name of the Engineer: _____ 11. Address of the Engineer: _____ 12. City and State: _____	
13. Name of the Architect: _____ 14. Address of the Architect: _____ 15. City and State: _____		16. Name of the Contractor: _____ 17. Address of the Contractor: _____ 18. City and State: _____	
19. Name of the Owner: _____ 20. Address of the Owner: _____ 21. City and State: _____		22. Name of the Lessor: _____ 23. Address of the Lessor: _____ 24. City and State: _____	
25. Name of the Lessee: _____ 26. Address of the Lessee: _____ 27. City and State: _____		28. Name of the Tenant: _____ 29. Address of the Tenant: _____ 30. City and State: _____	
31. Name of the Agent: _____ 32. Address of the Agent: _____ 33. City and State: _____		34. Name of the Broker: _____ 35. Address of the Broker: _____ 36. City and State: _____	
37. Name of the Commission: _____ 38. Address of the Commission: _____ 39. City and State: _____		40. Name of the Board: _____ 41. Address of the Board: _____ 42. City and State: _____	
43. Name of the Council: _____ 44. Address of the Council: _____ 45. City and State: _____		46. Name of the Mayor: _____ 47. Address of the Mayor: _____ 48. City and State: _____	
49. Name of the Sheriff: _____ 50. Address of the Sheriff: _____ 51. City and State: _____		52. Name of the Clerk: _____ 53. Address of the Clerk: _____ 54. City and State: _____	
55. Name of the Treasurer: _____ 56. Address of the Treasurer: _____ 57. City and State: _____		58. Name of the Auditor: _____ 59. Address of the Auditor: _____ 60. City and State: _____	
61. Name of the Assessor: _____ 62. Address of the Assessor: _____ 63. City and State: _____		64. Name of the Collector: _____ 65. Address of the Collector: _____ 66. City and State: _____	
67. Name of the Recorder: _____ 68. Address of the Recorder: _____ 69. City and State: _____		70. Name of the Registrar: _____ 71. Address of the Registrar: _____ 72. City and State: _____	
73. Name of the Surveyor: _____ 74. Address of the Surveyor: _____ 75. City and State: _____		76. Name of the Engineer: _____ 77. Address of the Engineer: _____ 78. City and State: _____	
79. Name of the Architect: _____ 80. Address of the Architect: _____ 81. City and State: _____		82. Name of the Contractor: _____ 83. Address of the Contractor: _____ 84. City and State: _____	
85. Name of the Owner: _____ 86. Address of the Owner: _____ 87. City and State: _____		88. Name of the Lessor: _____ 89. Address of the Lessor: _____ 90. City and State: _____	
89. Name of the Lessee: _____ 90. Address of the Lessee: _____ 91. City and State: _____		92. Name of the Tenant: _____ 93. Address of the Tenant: _____ 94. City and State: _____	
95. Name of the Agent: _____ 96. Address of the Agent: _____ 97. City and State: _____		98. Name of the Broker: _____ 99. Address of the Broker: _____ 100. City and State: _____	
99. Name of the Commission: _____ 100. Address of the Commission: _____ 101. City and State: _____		102. Name of the Board: _____ 103. Address of the Board: _____ 104. City and State: _____	
105. Name of the Council: _____ 106. Address of the Council: _____ 107. City and State: _____		108. Name of the Mayor: _____ 109. Address of the Mayor: _____ 110. City and State: _____	
111. Name of the Sheriff: _____ 112. Address of the Sheriff: _____ 113. City and State: _____		114. Name of the Clerk: _____ 115. Address of the Clerk: _____ 116. City and State: _____	
117. Name of the Treasurer: _____ 118. Address of the Treasurer: _____ 119. City and State: _____		120. Name of the Auditor: _____ 121. Address of the Auditor: _____ 122. City and State: _____	
123. Name of the Assessor: _____ 124. Address of the Assessor: _____ 125. City and State: _____		126. Name of the Collector: _____ 127. Address of the Collector: _____ 128. City and State: _____	
129. Name of the Recorder: _____ 130. Address of the Recorder: _____ 131. City and State: _____		132. Name of the Registrar: _____ 133. Address of the Registrar: _____ 134. City and State: _____	
135. Name of the Surveyor: _____ 136. Address of the Surveyor: _____ 137. City and State: _____		138. Name of the Engineer: _____ 139. Address of the Engineer: _____ 140. City and State: _____	
141. Name of the Architect: _____ 142. Address of the Architect: _____ 143. City and State: _____		144. Name of the Contractor: _____ 145. Address of the Contractor: _____ 146. City and State: _____	
147. Name of the Owner: _____ 148. Address of the Owner: _____ 149. City and State: _____		150. Name of the Lessor: _____ 151. Address of the Lessor: _____ 152. City and State: _____	
153. Name of the Lessee: _____ 154. Address of the Lessee: _____ 155. City and State: _____		156. Name of the Tenant: _____ 157. Address of the Tenant: _____ 158. City and State: _____	
159. Name of the Agent: _____ 160. Address of the Agent: _____ 161. City and State: _____		162. Name of the Broker: _____ 163. Address of the Broker: _____ 164. City and State: _____	
165. Name of the Commission: _____ 166. Address of the Commission: _____ 167. City and State: _____		168. Name of the Board: _____ 169. Address of the Board: _____ 170. City and State: _____	
171. Name of the Council: _____ 172. Address of the Council: _____ 173. City and State: _____		174. Name of the Mayor: _____ 175. Address of the Mayor: _____ 176. City and State: _____	
177. Name of the Sheriff: _____ 178. Address of the Sheriff: _____ 179. City and State: _____		180. Name of the Clerk: _____ 181. Address of the Clerk: _____ 182. City and State: _____	
183. Name of the Treasurer: _____ 184. Address of the Treasurer: _____ 185. City and State: _____		186. Name of the Auditor: _____ 187. Address of the Auditor: _____ 188. City and State: _____	
189. Name of the Assessor: _____ 190. Address of the Assessor: _____ 191. City and State: _____		192. Name of the Collector: _____ 193. Address of the Collector: _____ 194. City and State: _____	
195. Name of the Recorder: _____ 196. Address of the Recorder: _____ 197. City and State: _____		198. Name of the Registrar: _____ 199. Address of the Registrar: _____ 200. City and State: _____	
199. Name of the Surveyor: _____ 200. Address of the Survey			

Attachment 2
PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

City Council Staff Report



Subject: First Amended Union Square
Record of Survey
Author: Brooks T. Robinson
Date: December 4, 2008
Type of Item: Administrative – Condominium Plat amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the First Amended Union Square record of survey plat and consider approval based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Topic

Applicant: Easy Street Partners, LLC.
Location: 201 Heber Avenue (Sky Lodge)
Zoning: Historic Recreation Commercial (HRC) with a Master
Planned Development (MPD)
Adjacent Land Uses: Commercial

Background

On February 9, 2006, the City Council approved a subdivision plat amendment and condominium plat for the Union Square/Sky Lodge development. The project is located in the HRC at 201 Heber Avenue. The site is developed with three historically-significant commercial buildings—the Union Pacific Depot (Zoom Restaurant), Utah Coal and Lumber Building (Easy Street Brasserie), and the tack shop building (Bakery) - and the Sky Lodge building which was recently completed.

The purpose of the application is to amend the condominium plat to reflect the as-built conditions of the Sky Lodge and to identify the accessible unit in conformance with the Americans with Disabilities Act (ADA). The subject condominium plat affects the three existing historic buildings (Zoom, Easy Street Brasserie, and Bakery) are identified as commercial area. The plat also designates all other private, common, limited common, commercial limited common area, public easements, and utility easements. The Pedestrian Easement from Heber Avenue north through the project is relocated to the stairs, elevators, and walkway as currently built.

The Union Square Master Planned Development for a Multi-Dwelling Unit hotel project was approved by the Planning Commission on November 10, 2004 and affirmed by City Council pursuant to call-up proceedings on January 13, 2005. The Development Agreement was reviewed by the Planning Commission on March 23, 2005 and ratified by the City Council on May 12, 2005.

The Planning Commission heard this application at its regular meeting of November 12, 2008, and forwards a positive recommendation. No public comment was received.

Analysis

Staff had two items of concern with the original record of survey plat (platted prior to construction). First, the Pedestrian Easement through the project was not viable due to the location of site improvements such as stairs, elevator, and betanque court. The amended plat re-aligns the easement to correct this issue. A condition of approval is for the pedestrian easement to be kept clear of all site furniture. Second, an ADA unit is required within the Sky Lodge project and needed to be identified on the plat for all future purchasers. This unit will not be platted as Common and is counted in the unit density of the project. The CC&Rs for the condominium must reflect compliance with the Americans with Disabilities Act.. In addition, the amended record of survey makes a number of minor corrections to Notes, labels, dimensioning, and ownership spaces. For instance, the hallways are changed from Common to Limited Common. The list of changes is attached as Exhibit B with red numbers on each plat sheet corresponding to the changes. The numbers will not be on the final, recorded, record of survey but are for illustrative purposes during this review.

Staff finds good cause for this amended record of survey as this condominium is consistent with the as-built conditions and the Master Planned Development.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

Public Input

Staff has not received any public input at the time of this report. No public input was given at the Planning Commission meeting.

Process

The approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Alternatives

- The Council may approve the First Amended Union Square record of survey plat as conditioned or amended, or
- The City Council may deny the First Amended Union Square record of survey plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the First Amended Union Square record of survey plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The plat would not be in compliance with the as-built conditions and no ADA units would be designated on the plat.

Recommendation

Staff recommends the City Council hold a public hearing for the First Amended Union Square record of survey plat and approval based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

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Exhibits

Exhibit A – Ordinance with plat

Exhibit B – Itemized list of changes on plat

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Ordinance No. 08-

**AN ORDINANCE APPROVING THE FIRST AMENDED UNION SQUARE
CONDOMINIUM RECORD OF SURVEY PLAT LOCATED AT 201 HEBER AVENUE,
PARK CITY,UTAH**

WHEREAS, the owner of the property located at 201 Heber Avenue, has petitioned the City Council for approval of an amended condominium record of survey plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on November 12, 2008, the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

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

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. The First Amended Union Square record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Union Square/Sky Lodge project is located at 201 Heber Avenue and is within the Historic Recreation Commercial (HRC—Heber Avenue Sub-Zone) Zoning District.
2. The project site includes three (3) historic buildings—the Union Pacific Depot (Zoom restaurant), Utah Coal and Lumber building (Easy Street Restaurant), and the “Tack” building (Bakery).
3. The Union Square Master Planned Development, a Multi-Dwelling Unit hotel project for a maximum of 23 residential units, was approved by the Planning Commission on November 10, 2004 and affirmed by City Council pursuant to call-up proceedings on January 13, 2005.
4. The approved Master Planned Development included up to 23 unit Multi-Unit Dwellings to be operated as a hotel and a new kitchen addition to the north end of the Zoom Restaurant.
5. The Development Agreement for the Union Square/Sky Lodge was reviewed by the Planning Commission on March 23, 2005 and ratified by the City Council on May 12, 2005.

6. The subject condominium plat affects the three existing historic buildings. Zoom, Easy Street Brasserie, and Bakery are identified as commercial units. The plat also designates all other private, common, limited common, commercial limited common area, public easements, and utility easements.
7. The project plan included a redevelopment of the Easy Street pedestrian walkway which includes enhanced landscaping and public gathering spaces. The Easy Street pedestrian walkway was dedicated as a non-motorized, public pedestrian easement. The amended record of survey reflects the as-built conditions for the pedestrian easement.
8. An accessible unit is constructed and designated to meet the requirements of the Americans with Disabilities Act. The unit is platted as a private unit and counts towards to total units allowed in the project.

Conclusions of Law:

1. There is good cause for this amendment as the record of survey reflects the as-built conditions of the project.
2. The amended record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. Approval of the amended record of survey, 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 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. Dedication on the plat of the Easy Street pedestrian walkway and all other public pedestrian ways as non-motorized, public pedestrian trail easements in a form acceptable to the City Attorney and City Engineer is condition precedent to plat recordation.
3. The pedestrian easement must be kept clear of all site furniture or other encumbrances.
4. The Condominium CC&Rs must reflect compliance with the Americans with Disabilities Act.
5. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

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

PASSED AND ADOPTED this --- day of December 2008.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, Mayor

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Exhibits

Exhibit A – Record of Survey plat

SURVEYORS CERTIFICATE

1. Christopher R. Braun, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, this First Amended Condominium Plat of UNION SQUARE, a Utah Condominium Project in accordance with the Utah Condominium Act. I further certify the buildings and property are shown correctly.

Christopher R. Braun U.S. 5152604

Date

BOUNDARY DESCRIPTION

A parcel of land located within the South half of the Northeast quarter and North half of the Southeast quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Park City, Summit County, Utah, more particularly described as follows:

Beginning at the Southwest corner of Lot 16, Block 50, Amended Park City Survey, on file and of record in the office of the Summit County Recorder; said point lies West, 90.71 feet and South, 58.93 feet from Southwest corner of the Southeast quarter of the Northeast quarter of said Section 16; thence along the westerly line of said Lot 16 and the easterly right-of-way of Main Street, North 23°38'00" West a distance of 64.32 feet the Northwest corner of said Lot 16; thence leaving said Block 50, West a distance of 14.14 feet along said right-of-way to a point on the boundary of the First Amended Subdivision Plat of The Town of Little Salt, thence continuing along said boundary North 68°02'07" East a distance of 81.41 feet; thence leaving said boundary South 68°11'22" East a distance of 77.33 feet; thence North 19°54'00" East a distance of 8.32 feet; thence South 68°46'30" East a distance of 166.95 feet; thence North 05°43'16" West a distance of 1.21 feet to a point on the boundary of Poison Creek Mercantile Condominium Project, on file and of record in the office of the Summit County Recorder; thence along said boundary South 68°42'46" East a distance of 30.01 feet; thence continuing along said boundary South 07°12'16" East a distance of 85.18 feet; thence continuing along said boundary South a distance of 60.64 feet to a point on the northerly right-of-way of Heber Avenue; thence leaving said Poison Creek Mercantile Condominium Project, on file and of record in the office of the Summit County Recorder, a distance of 227.98 feet; to the point of beginning.

Contains 49,435.63 square feet, 1.13 acres

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned owner of the herein described tract of land, hereby certifies that it has caused this survey to be made and this First Amended Condominium Plat of UNION SQUARE to be prepared and consents to the recordation of this Condominium Plat. The undersigned hereby submits the land to the Utah Condominium Ownership Act and dedicates all utility and public easements shown on this Condominium Plat in accordance with an irrevocable offer of dedication. I certify that buildings shown on this plat, but not under construction at the time this plat is recorded, will, when completed, be substantially as shown on the plat.

EASY STREET PARTNERS, LLC

By: William H. Shoaf
Its Manager

State of _____)
County of _____ ss:

On this _____ day of _____, 2008, personally appeared before me, the undersigned Notary Public, in and for said County and State, William H. Shoaf, being duly sworn, acknowledged to me that he is the manager of EASY STREET PARTNERS, LLC, and that he signed the above Owner's Dedication and Consent to Record on behalf of EASY STREET PARTNERS, LLC, the record owner of the land.

Notary Public _____
My commission expires: _____

RESERVATION OF COMMON AREAS

In recording this First Amended Condominium Plat of Union Square, a Utah condominium project, the Declarant has designated certain areas of land as driveways and common areas, intended for the use by the owners for ingress, egress, recreation and other related activities. The designated areas are not dedicated hereby for the use by the general public, but are reserved for the owners as more fully set forth in the Declaration of Condominium for Union Square, recorded in the Office of the County Clerk, Summit County, Utah, and that he signed the above Owner's Dedication and Consent to Record on behalf of EASY STREET PARTNERS, LLC, the record owner of the land.

This note does not apply to the public pedestrian access easement shown hereon.

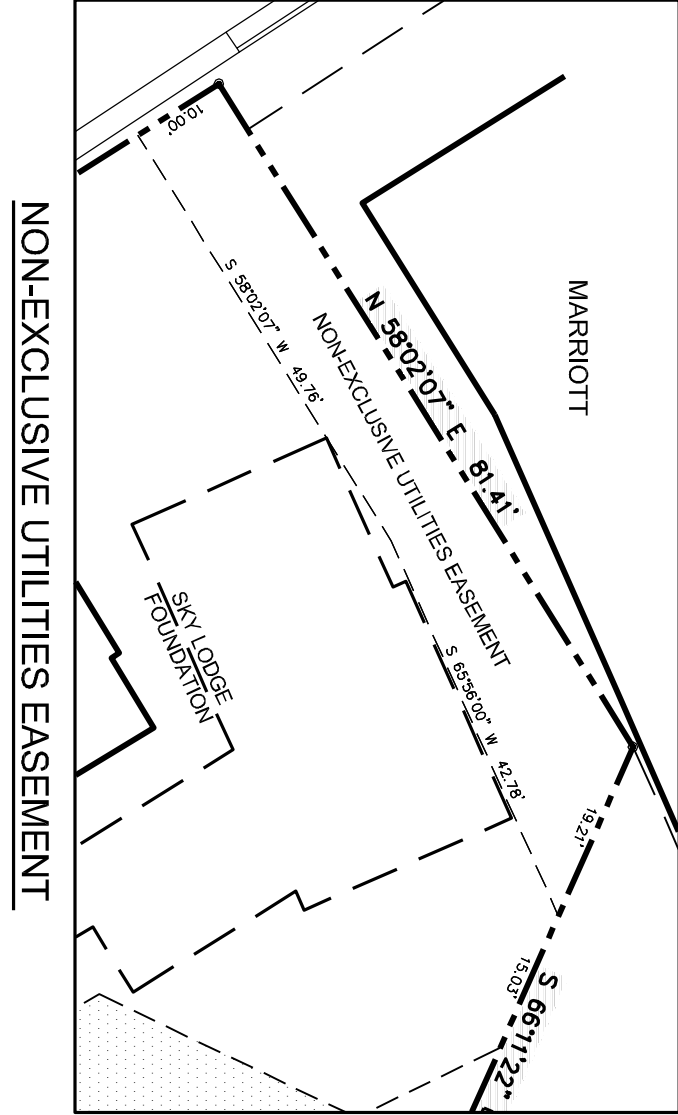
FIRST AMENDED CONDOMINIUM PLAT

UNION SQUARE

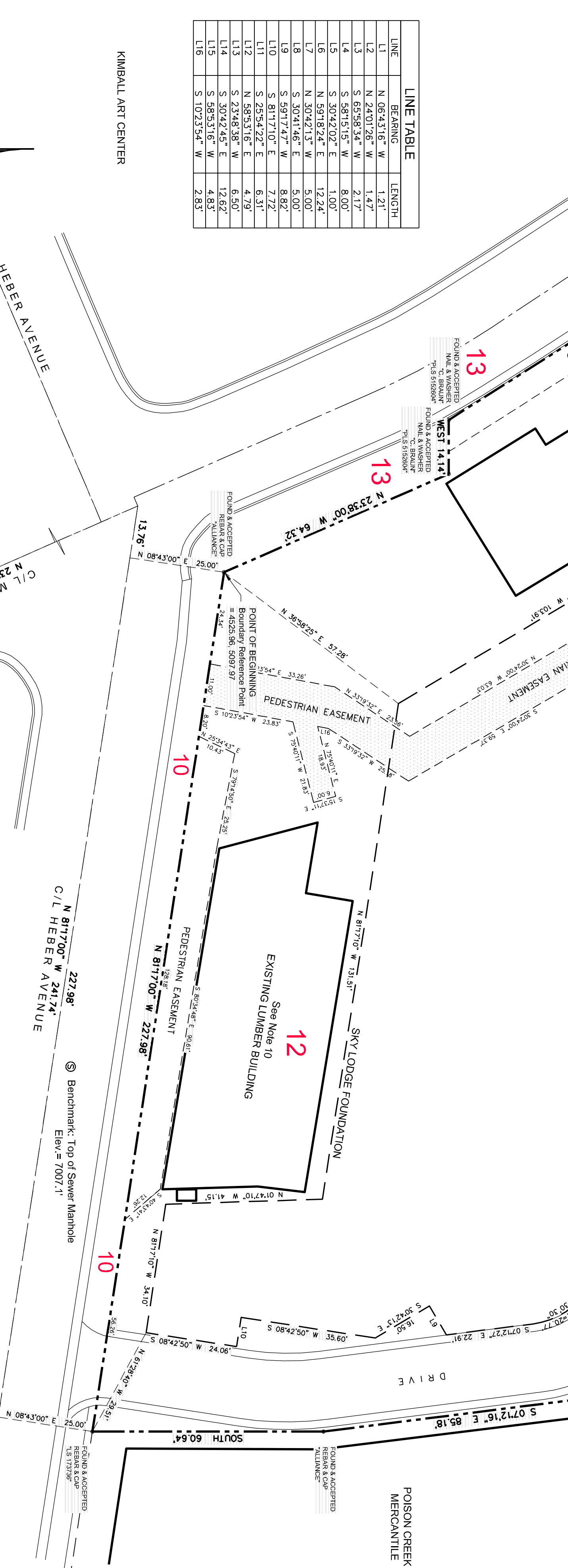
A UTAH CONDOMINIUM PROJECT

LYING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Recorded concurrently herewith is the Declaration of Condominium for Union Square.



THE SKY LODGE
(See sheets 2 thru 9 & 11 thru 12 for ownership)



LINE	BEARING	LENGTH
L1	N 08°43'16" W	1.21'
L2	N 28°03'28" W	2.17'
L3	S 58°53'52" W	8.00'
L4	S 30°42'02" E	1.00'
L5	N 59°18'24" E	12.24'
L6	N 30°42'13" W	5.00'
L7	S 30°41'46" E	5.00'
L8	S 81°17'00" W	6.92'
L9	S 25°54'22" E	6.31'
L10	S 58°53'16" E	4.79'
L11	S 23°48'38" W	6.50'
L12	S 30°42'45" E	12.62'
L13	S 58°53'16" W	4.83'
L14	S 10°23'54" W	2.83'

NOTES:

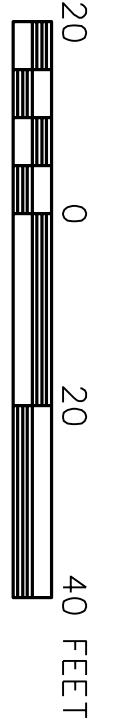
1. Floor plans and dimensions shown on this plat were compiled from architectural drawing provided by Elliot Workgroup and field verified.
2. Interior dimensions shown are to finished surfaces.
3. All structural elements are designated as common areas.
4. The street address of a unit in this condominium is 201 Heber Avenue, unit number _____.
5. Refer to declaration of condominium for complete description of ownership.
6. All exterior areas of ground level and plaza level within the property boundary of Union Square not designated as commercial limited common shall be designated as residential limited common for Unit SL-1.
7. The units of the Union Square Condominium are served by a common private lateral wastewater line. The Union Square Owners Association shall be responsible for ownership, operation and maintenance of all common private lateral wastewater lines.
8. The wastewater line serving the existing Lumber Building passes through the Sky Lodge parking structure and the Sky Lodge Building. The Association shall be responsible for ownership, operation and maintenance of all common private lateral wastewater lines.
9. See sheet 12 of 12 for table of total unit square footage.
10. Existing Depot Building and Lumber Building refers to Historically protected structures that pre date the construction of the Union Square project.

LEGEND

- SF - REPRESENTS SQUARE FEET.
- F.P. - REPRESENTS FIREPLACE.
- P.O.B. - REPRESENTS POINT OF BEGINNING.
- U - REPRESENTS UNIT.

UTAH POWER ACCESS REQUIREMENTS

Easy Street Partners and all successors agree to maintain access, including snow removal, to accommodate a 10-wheeled dump truck, electric utility vehicle, and a 13,000-gallon fuel tanker, or its equivalent (capable of carrying 13,000 gallons of fuel), to the site at all times. Easy Street Partners and all successors will also accept liability for any damage created along said access as may occur, whether during normal day-to-day or emergency ingress and egress operations.



8

JOB NO. 01408 File: UNIONSQ-S1

PARK CITY SURVEYING 2041 SIDEMINDER DRIVE, SUITE 1 P.O. Box 3093 PARK CITY UTAH 84060 (435) 646-2218	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2008 A.D. BY: _____ S.E.W.R.D. 9	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2008 A.D. BY: _____ CHAIRMAN 9	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2008 A.D. BY: _____ PARK CITY ENGINEER 9	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2008 A.D. BY: _____ PARK CITY ATTORNEY 9	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2008 A.D. BY: _____ PARK CITY RECORDER 9	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2008 A.D. BY: _____ MAYOR 9	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE: _____ TIME: _____ BOOK: _____ PAGE: _____ FEE _____ RECORDER _____
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SHEET 1 OF 12

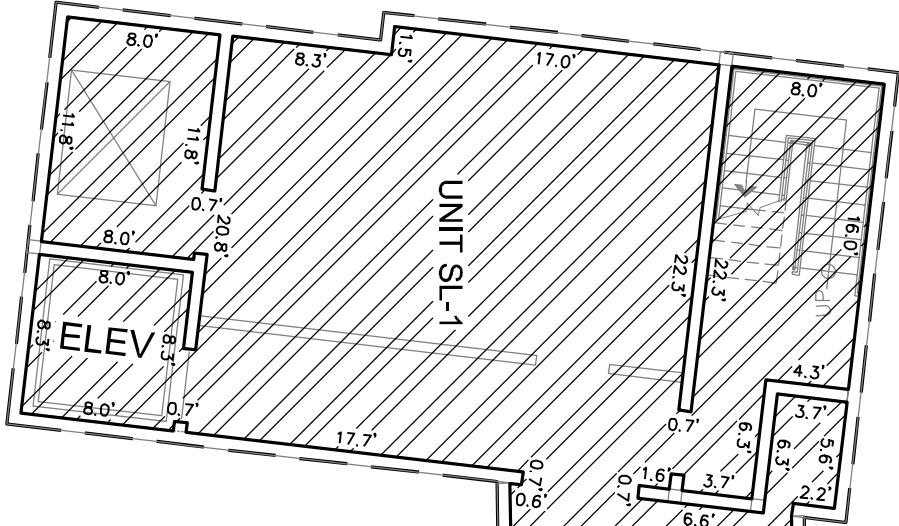
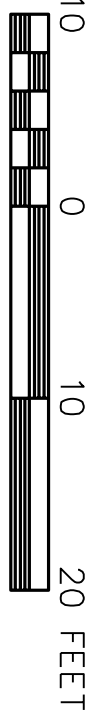
LEGEND

- 6
SF - REPRESENTS SQUARE FEET.
F.P. - REPRESENTS FIREPLACE.
P.O.B. - REPRESENTS POINT OF BEGINNING.
U - REPRESENTS UNIT.

- 17
18
19
COMMON AREA
PRIVATE AREA
LIMITED COMMON AREA
RESIDENTIAL LIMITED COMMON AREA
COMMERCIAL AREA
COMMERCIAL LIMITED COMMON AREA

NOTES:

- 2
1. Floor plans and dimensions shown on this plat were compiled from architectural drawing provided by Elliott Manoney Architecture and field verified.
2. Interior dimensions shown are to finished surfaces.
3. All structural elements are designated as common areas.
4. The street address of a unit in this condominium is 201 Heber Avenue, unit number ____.
5. Refer to declaration of condominium for complete description of ownership.
6. All exterior areas at ground level and plaza level within the property boundary of Union Square not designated as commercial limited common shall be designated as residential limited common for Unit SL-1.
7. The units of the Union Square Condominium are served by a common private lateral wastewater line. The Union Square Owners Association shall be responsible for ownership, operation and maintenance of all common private lateral wastewater lines.
8. The wastewater line serving the existing Lumber Building passes through the Sky Lodge parking structure and existing Depot Building. The line is considered a common private lateral wastewater line. The Union Square Owners Association shall be responsible for ownership, operation and maintenance of all common private lateral wastewater lines.
9. See Sheet 12 of 12 for table of total unit square footages.
10. Existing Depot Building and Lumber Building refers to historically protected structures that pre date the construction of the Union Square project.



FOUNDATION PERIMETER
See Sheet 1 of 12 for Dimensions

FOUNDATION PERIMETER

26
See Note 10
EXISTING DEPOT BUILDING
(See Sheet 10 of 12 for Ownership)

GARAGE LEVEL FLOOR PLAN

27
See Note 10
EXISTING LUMBER BUILDING
(See Sheet 10 of 12 for Ownership)

FIRST AMENDED CONDOMINIUM PLAT
UNION SQUARE

A UTAH CONDOMINIUM PROJECT

LYING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2

SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Recorded concurrently herewith is the Declaration of Condominium for Union Square.

LEGEND

- SL-1 REPRESENTS SKY LODGE
(Residential Limited Common Area)
DB-1 REPRESENTS EXISTING DEPOT BUILDING.
LB-1 REPRESENTS EXISTING LUMBER BUILDING.
COM-# REPRESENTS COMMERCIAL UNIT.

JOB NO.: 01408 FILE: UNIONSQ-S3

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF

DATE: TIME: BOOK: PAGE:

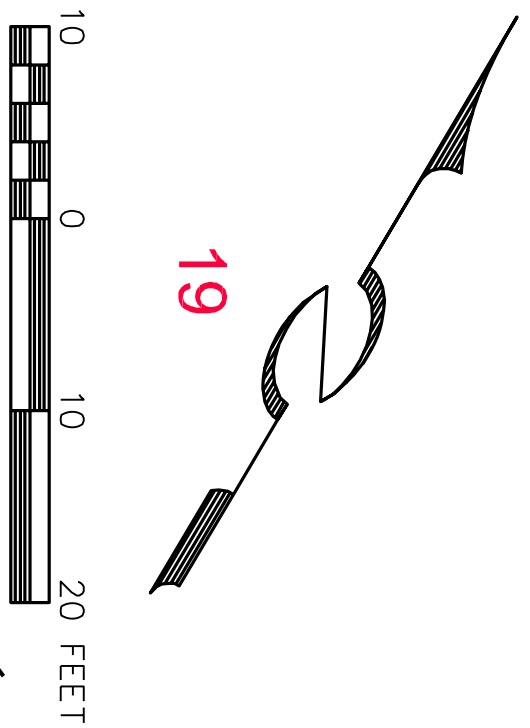
FEE RECORDER

8 SHEET 3 OF 12

LEGEND

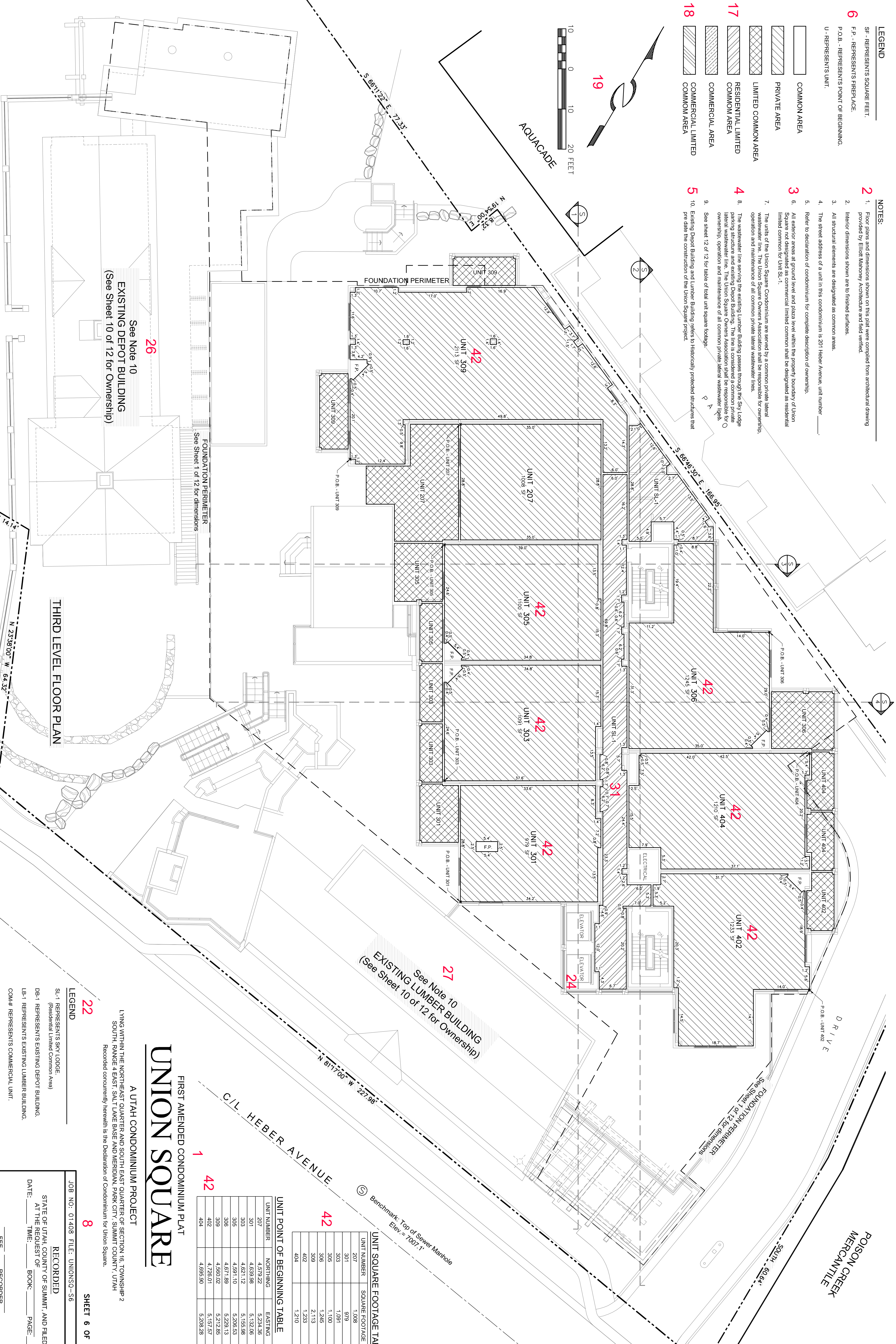
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- 17
COMMON AREA
PRIVATE AREA
LIMITED COMMON AREA
RESIDENTIAL LIMITED COMMON AREA
COMMERCIAL AREA
COMMERCIAL LIMITED COMMON AREA



NOTES:

1. Floor plans and dimensions shown on this plat were compiled from architectural drawing provided by Elliott Maroney Architecture and field verified.
2. Interior dimensions shown are to finished surfaces.
3. All structural elements are designated as common areas.
4. The street address of a unit in this condominium is 201 Heber Avenue, unit number ____.
5. Refer to declaration of condominium for complete description of ownership.
6. All exterior areas at ground level and plaza level within the property boundary of Union Square not designated commercial limited common shall be designated as residential limited common for Unit SL-1.
7. The units of the Union Square Condominium are served by a common private lateral wastewater line. The Union Square Owners Association shall be responsible for ownership, operation and maintenance of all common private lateral wastewater lines.
8. The wastewater line serving the existing Lumber Building passes through the Sky Lodge parking structure and existing Depot Building. The line is considered a common private lateral wastewater line. The Union Square Owners Association shall be responsible for ownership, operation and maintenance of all common private lateral wastewater lines.
9. See Sheet 12 of 12 for table of total unit square footages.
10. Existing Depot Building and Lumber Building refers to historically protected structures that pre date the construction of the Union Square project.



UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
207	1,008
301	979
303	1,091
305	1,100
306	1,245
309	2,113
402	1,233
404	1,210

UNIT POINT OF BEGINNING TABLE

UNIT NUMBER	NORTHING	EASTING
207	4,919.22	5,234.36
301	4,659.98	5,132.06
303	4,621.12	5,155.98
305	4,591.10	5,206.53
306	4,671.89	5,229.13
309	4,560.02	5,212.85
402	4,726.01	5,157.57
404	4,695.50	5,208.26

FIRST AMENDED CONDOMINIUM PLAT
UNION SQUARE

A UTAH CONDOMINIUM PROJECT
LYING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
Recorded concurrently herewith is the Declaration of Condominium for Union Square.

22
LEGEND
SL-1 REPRESENTS SKY LODGE (Residential Limited Common Area)
DB-1 REPRESENTS EXISTING DEPOT BUILDING.
LB-1 REPRESENTS EXISTING LUMBER BUILDING.
CON-# REPRESENTS COMMERCIAL UNIT.

8
JOB NO.: 01408 FILE: UNIONSQ-S6
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF
DATE: TIME: BOOK: PAGE:
FEE RECORDER

See Note 10
EXISTING DEPOT BUILDING
(See Sheet 10 of 12 for Ownership)

THIRD LEVEL FLOOR PLAN

See Note 10
EXISTING LUMBER BUILDING
(See Sheet 10 of 12 for Ownership)

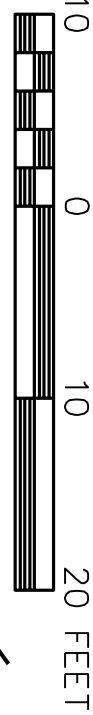
LEGEND

- 6
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- 17
18
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COMMON AREA
PRIVATE AREA
LIMITED COMMON AREA
RESIDENTIAL LIMITED COMMON AREA
COMMERCIAL AREA
COMMERCIAL LIMITED COMMON AREA

NOTES:

- 2
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9. See sheet 12 of 12 for table of total unit square footages.
10. Existing Depot Building and Lumber Building refers to historically protected structures that pre-date the construction of the Union Square project.



19

AQUACADE

WALKWAY

FOUNDATION PERIMETER

APURTENANT TO UNIT COM-4

46

UNIT COM-4

1140 SF

UNIT 405

1083 SF

UNIT 403

1064 SF

UNIT 401

977 SF

UNIT 402

1225 SF

UNIT 404

1199 SF

UNIT 406

1245 SF

UNIT 408

1245 SF

UNIT 409

1245 SF

UNIT 410

1245 SF

UNIT 411

1245 SF

UNIT 412

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UNIT 413

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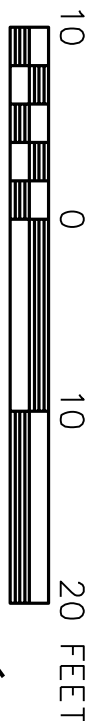
LEGEND

- 6
SF - REPRESENTS SQUARE FEET.
F.P. - REPRESENTS FIREPLACE.
P.O.B. - REPRESENTS POINT OF BEGINNING.
U - REPRESENTS UNIT.

- 17
18
19
COMMON AREA
PRIVATE AREA
LIMITED COMMON AREA
RESIDENTIAL LIMITED COMMON AREA
COMMERCIAL AREA
COMMERCIAL LIMITED COMMON AREA

NOTES:

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19

AQUACADE

FOUNDATION PERIMETER

DECK BELOW

DECK BELOW

DECK BELOW

DECK BELOW

DECK BELOW

See Note 10
EXISTING LUMBER BUILDING
(See Sheet 10 of 12 for Ownership)

27

POISON CREEK
MERCANTILE

D R I V E

FOUNDATION PERIMETER
See Sheet 10 of 12 for dimensions

See Sheet 10 of 12 for dimensions

LIVING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
Recorded concurrently herewith is the Declaration of Condominium for Union Square.

FIRST AMENDED CONDOMINIUM PLAT
UNION SQUARE

A UTAH CONDOMINIUM PROJECT

22

LEGEND

- SL-1 REPRESENTS SKY LODGE
(Residential Limited Common Area)
DB-1 REPRESENTS EXISTING DEPOT BUILDING.
LB-1 REPRESENTS EXISTING LUMBER BUILDING.
COM-# REPRESENTS COMMERCIAL UNIT.

UNIT SQUARE FOOTAGE TABLE		
UNIT NUMBER	SQUARE FOOTAGE	
401	977	
403	1,080	
405	1,088	
502	967	
504	1,199	
506	1,246	
507	1,288	

UNIT POINT OF BEGINNING TABLE		
UNIT NUMBER	NORTHING	EASTING
401	4,639.98	5,132.06
403	4,621.12	5,165.98
405	4,587.10	5,206.53
502	4,126.01	5,191.57
504	4,695.90	5,208.28
506	4,671.89	5,229.13
507	4,579.73	5,233.51

JOB NO.: 01408 FILE: UNIONSQ-S8

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8 SHEET 8 OF 12

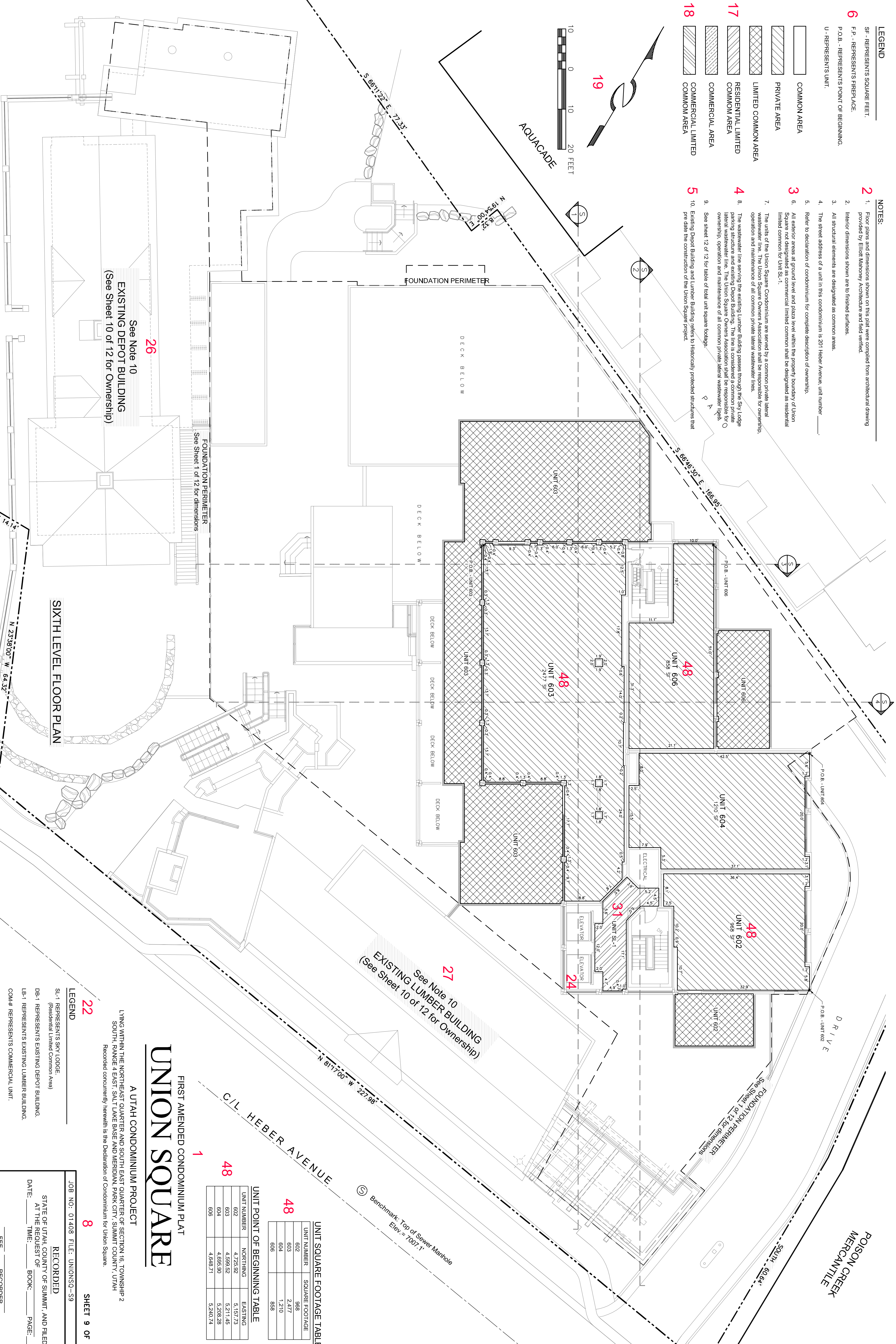
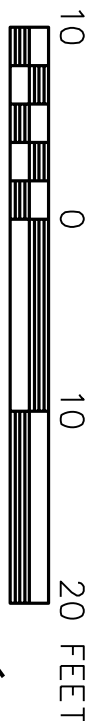
LEGEND

- 6
SF - REPRESENTS SQUARE FEET.
F.P. - REPRESENTS FIREPLACE.
P.O.B. - REPRESENTS POINT OF BEGINNING.
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- 17
18
RESIDENTIAL LIMITED COMMON AREA
COMMERCIAL AREA
COMMERCIAL LIMITED COMMON AREA

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UNIT SQUARE FOOTAGE TABLE	
UNIT NUMBER	SQUARE FOOTAGE
602	988
603	2,477
604	1,210
606	858

UNIT POINT OF BEGINNING TABLE		
UNIT NUMBER	NORTHING	EASTING
602	4,728.92	5,157.73
603	4,599.52	5,211.45
604	4,696.90	5,208.28
606	4,848.71	5,240.74

FIRST AMENDED CONDOMINIUM PLAT
UNION SQUARE

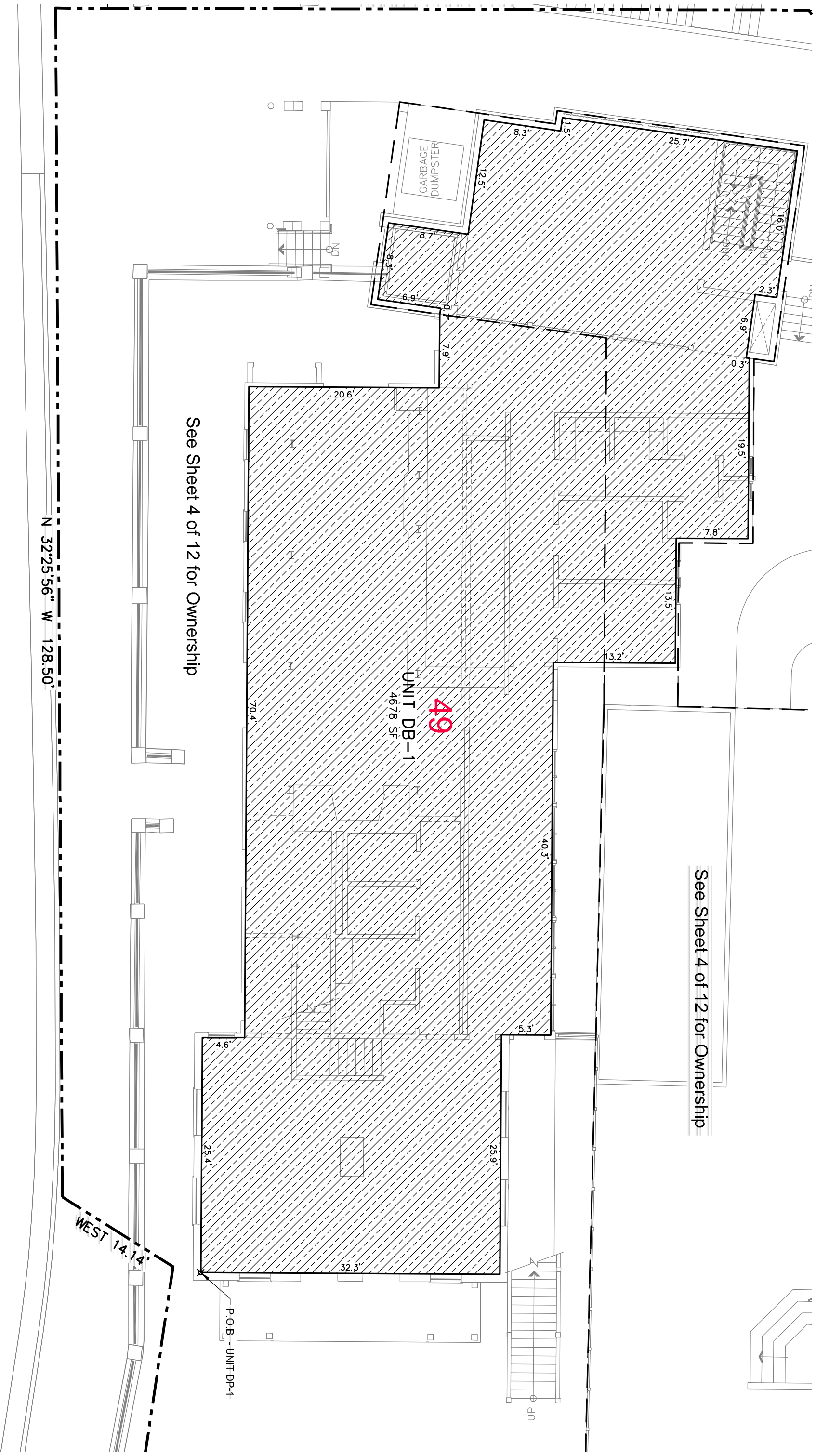
A UTAH CONDOMINIUM PROJECT

LYING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
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LEGEND

- SL-1 REPRESENTS SKY LODGE
(Residential Limited Common Area)
DB-1 REPRESENTS EXISTING DEPOT BUILDING.
LB-1 REPRESENTS EXISTING LUMBER BUILDING.
COM-# REPRESENTS COMMERCIAL UNIT.

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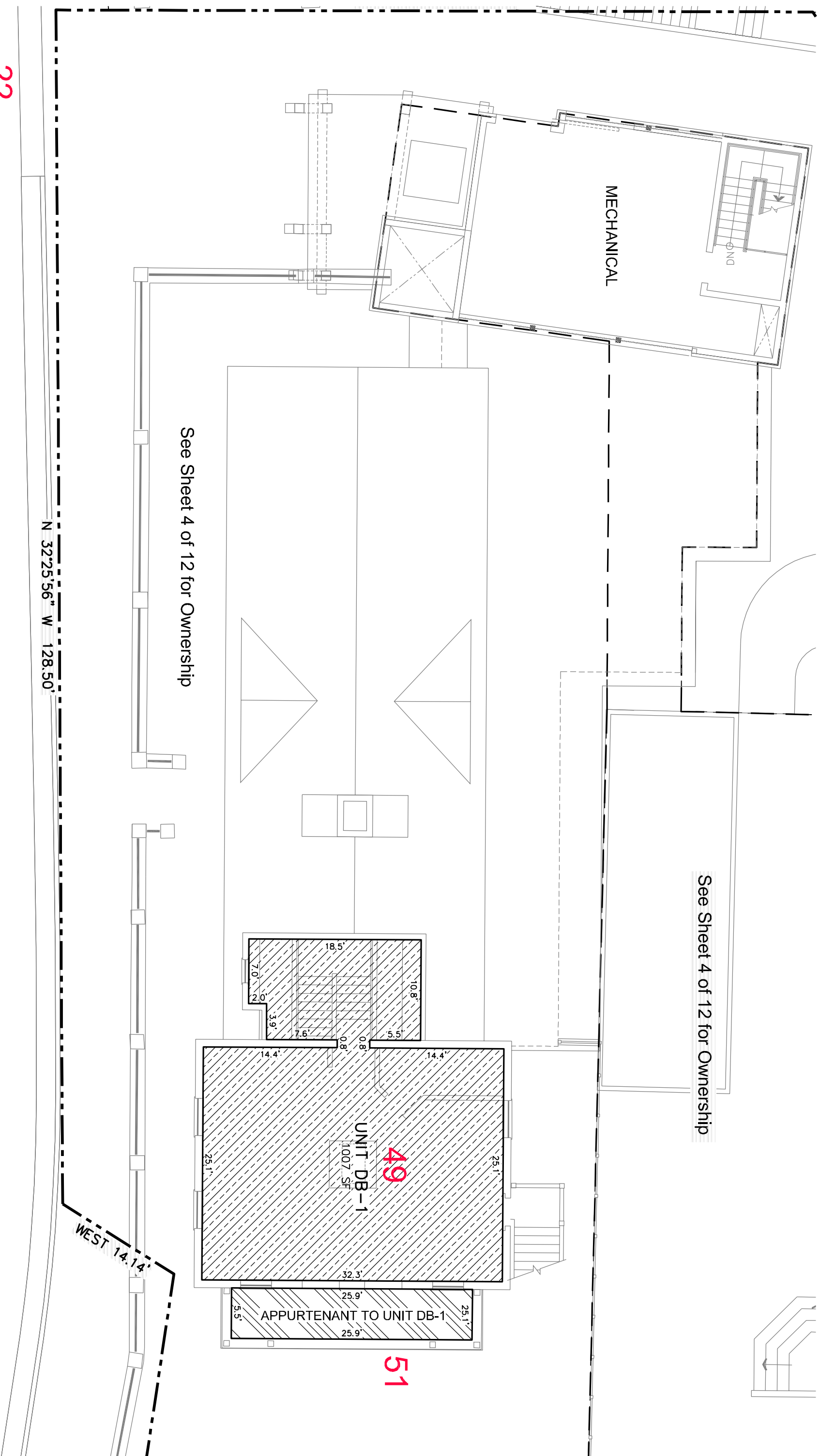


MAIN STREET

50 DEPOT BUILDING GROUND LEVEL FLOOR PLAN

LEGEND

- SF - REPRESENTS SQUARE FEET.
- F.P. - REPRESENTS FIREPLACE.
- P.O.B. - REPRESENTS POINT OF BEGINNING.
- U - REPRESENTS UNIT.

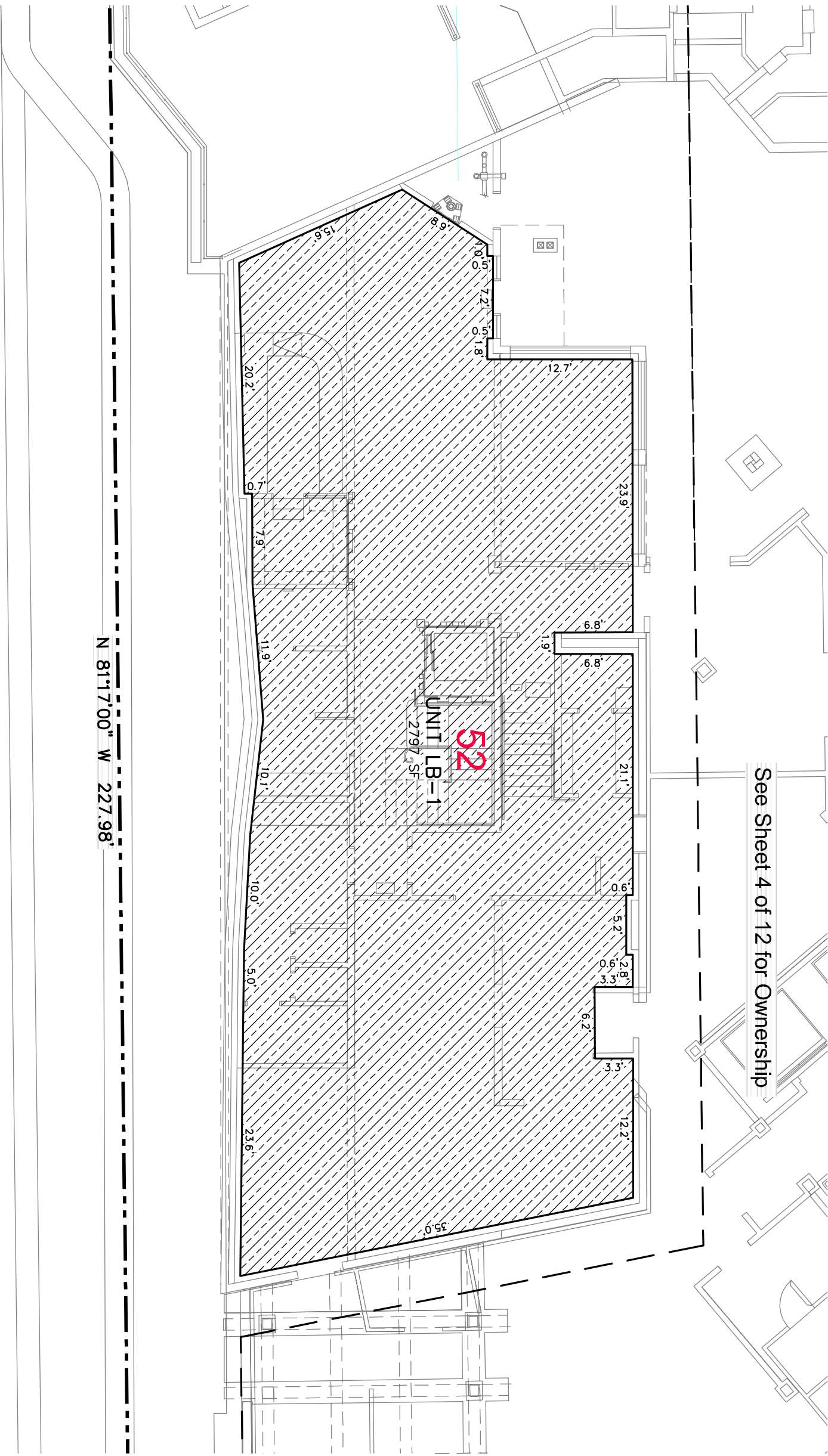


MAIN STREET

50 DEPOT BUILDING UPPER LEVEL FLOOR PLAN

LEGEND

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(Residential Limited Common Area)
- DB-1 REPRESENTS EXISTING DEPOT BUILDING.
- LB-1 REPRESENTS EXISTING LUMBER BUILDING.
- COM.# REPRESENTS COMMERCIAL UNIT.



C/L HEBER AVENUE

53 LUMBER BUILDING GROUND LEVEL FLOOR PLAN

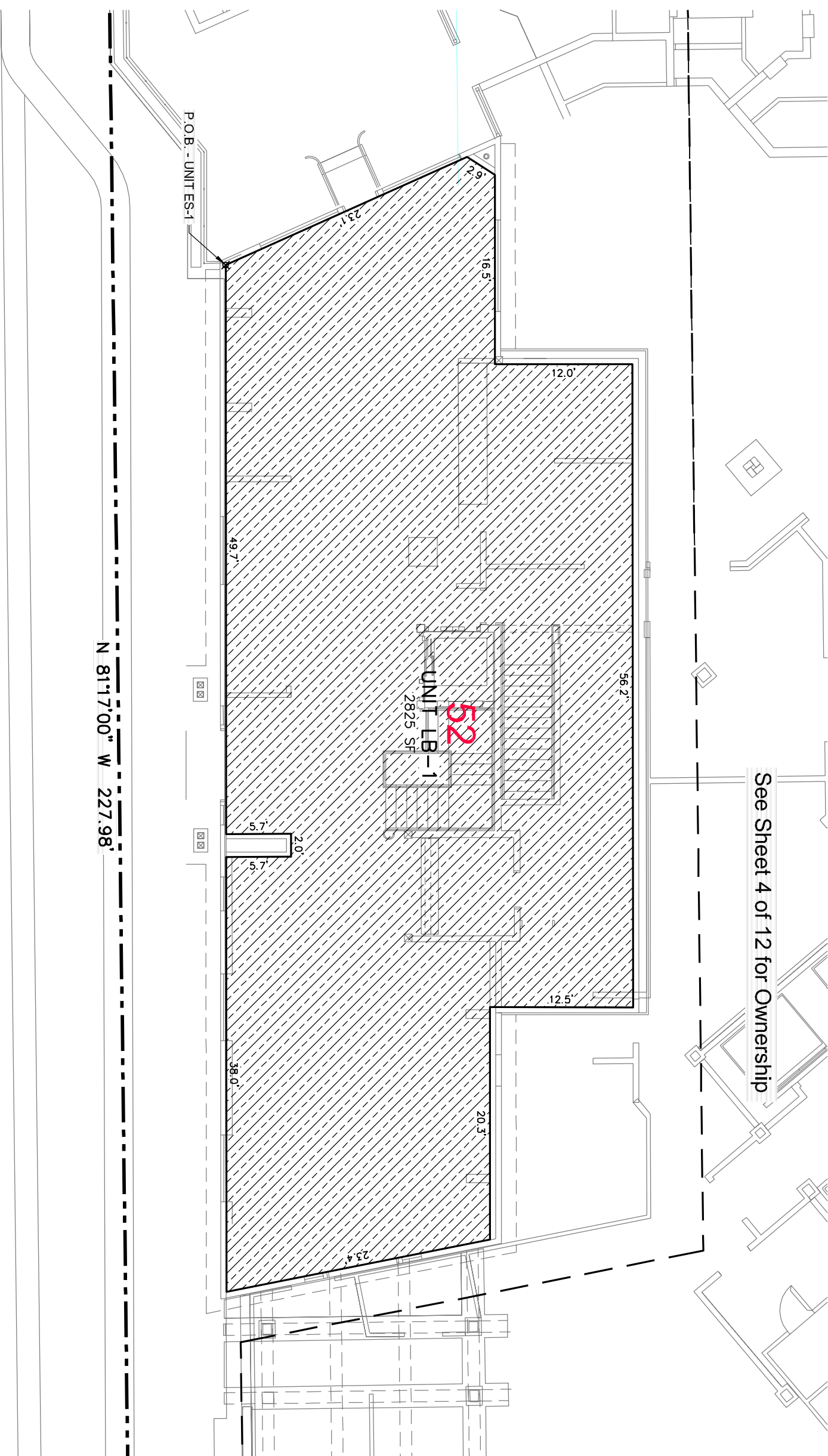
- Benchmark: Top of Sewer Manhole
Elev. = 7007.1'

UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	GROUND LEVEL	UPPER LEVEL	TOTAL
DB-1	4,678	1,007	5,685
LB-1	2,797	2,825	5,622

UNIT POINT OF BEGINNING TABLE

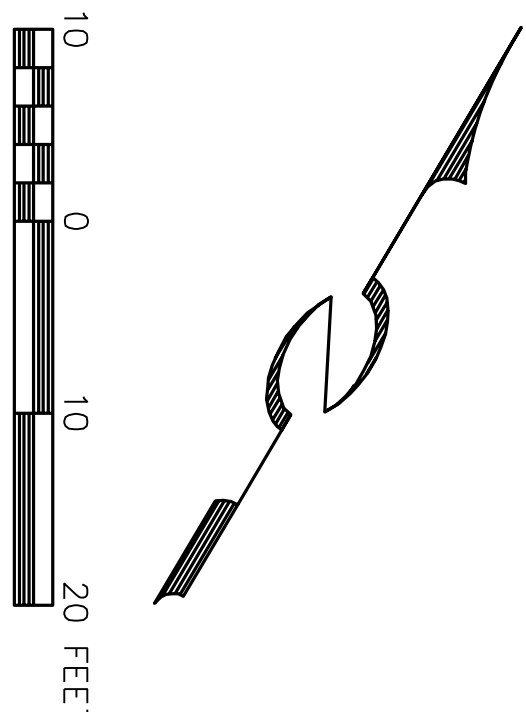
UNIT NUMBER	NORTHING	EASTING
DB-1	4,503.07	5,157.93
LB-1	4,598.89	5,096.79



C/L HEBER AVENUE

53 LUMBER BUILDING UPPER LEVEL FLOOR PLAN

- Benchmark: Top of Sewer Manhole
Elev. = 7007.1'



18

COMMERCIAL LIMITED COMMON AREA

17

RESIDENTIAL LIMITED COMMON AREA

16

COMMERCIAL AREA

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COMMERCIAL AREA

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COMMERCIAL AREA

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COMMERCIAL AREA

12

COMMERCIAL AREA

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COMMERCIAL AREA

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COMMERCIAL AREA

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COMMERCIAL AREA

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COMMERCIAL AREA

5

COMMERCIAL AREA

4

COMMERCIAL AREA

3

COMMERCIAL AREA

2

COMMERCIAL AREA

1

COMMERCIAL AREA

UNION SQUARE

A UTAH CONDOMINIUM PROJECT

LYING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

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8

SHEET 10 OF 12

JOB NO.: 01408 FILE: UNIONSQ-S10

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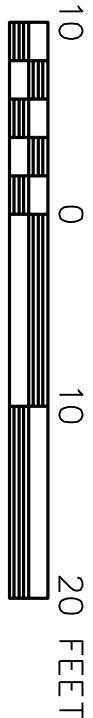
LEGEND

- SL-1 REPRESENTS SKY LODGE
(Residential Limited Common Area)
- DB-1 REPRESENTS EXISTING DEPOT BUILDING.
- LB-1 REPRESENTS EXISTING LUMBER BUILDING.
- COM-# REPRESENTS COMMERCIAL UNIT.

- COMMON AREA
- PRIVATE AREA
- LIMITED COMMON AREA
- RESIDENTIAL LIMITED COMMON AREA
- COMMERCIAL AREA
- COMMERCIAL LIMITED COMMON AREA

LEGEND

- SF - REPRESENTS SQUARE FEET.
- F.P. - REPRESENTS FIREPLACE.
- P.O.B. - REPRESENTS POINT OF BEGINNING.
- U - REPRESENTS UNIT.



NOTES:

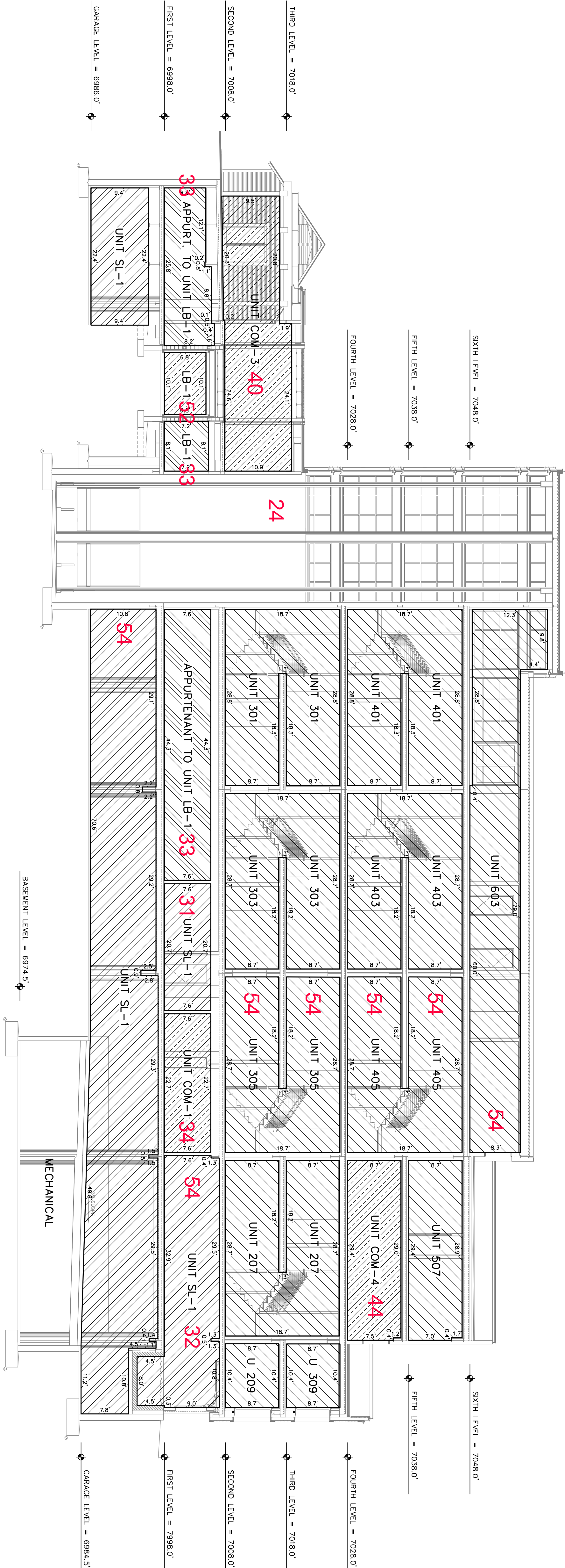
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- Existing Depot Building and Lumber Building refers to historically protected structures that pre date the construction of the Union Square project.

FIRST AMENDED CONDOMINIUM PLAT
UNION SQUARE

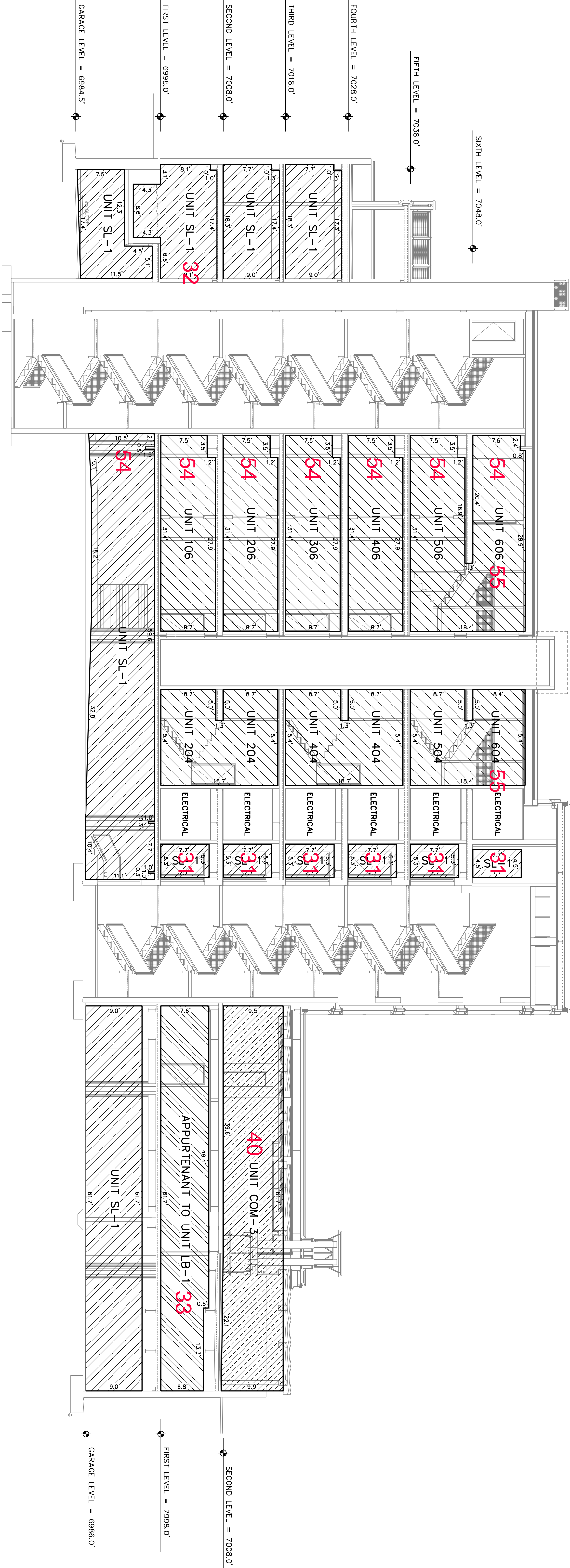
A UTAH CONDOMINIUM PROJECT

LYING WITHIN THE NORTHEAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

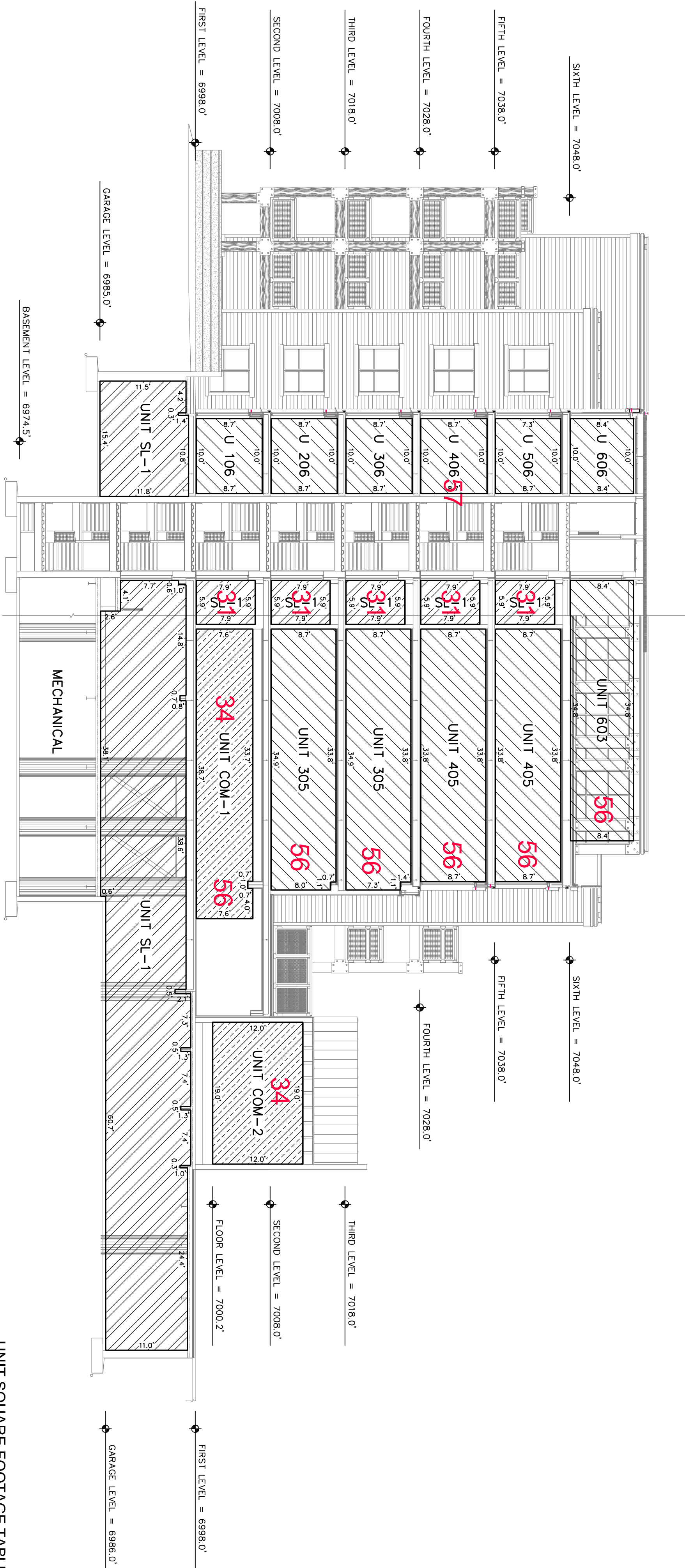
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SECTION S-1



SECTION S-2



SECTION S-3



SECTION S-4

UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	LOWER LEVEL	UPPER LEVEL	TOTAL
DP-1	4,678	1,007	5,685
DB-1	2,797	2,825	5,622
LB-1			3,783
COM-1			549
COM-2			2,867
COM-3			1,140
COM-4			1,245
ADA 202	1,016	1,002	2,017
204	1,233	1,223	2,456
206			1,245
207	995	1,008	2,003
209			2,113
301	1,003	979	1,982
303	1,102	1,091	2,193
305	1,123	1,100	2,223
306			1,245
309			2,113
401	977	977	1,954
402			1,863
403	1,233	1,225	2,458
404	1,064	1,080	2,144
405	1,210	1,199	2,409
406	1,083	1,088	2,171
502			1,245
504			987
506			1,199
507			1,246
602			1,258
603			968
604			2,477
606			1,110
			858

22

LEGEND

SL-1 REPRESENTS SKY LODGE
(Residential Limited Common Area)

DB-1 REPRESENTS EXISTING DEPOT BUILDING.

LB-1 REPRESENTS EXISTING LUMBER BUILDING.

COM-# REPRESENTS COMMERCIAL UNIT.

LEGEND

SR - REPRESENTS SQUARE FEET.

F.P. - REPRESENTS FIREPLACE.

P.O.B. - REPRESENTS POINT OF BEGINNING.

U - REPRESENTS UNIT.

COMMON AREA

PRIVATE AREA

LIMITED COMMON AREA

RESIDENTIAL LIMITED COMMON AREA

COMMERCIAL AREA

COMMERCIAL LIMITED COMMON AREA

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FIRST AMENDED CONDOMINIUM PLAT

UNION SQUARE

A UTAH CONDOMINIUM PROJECT

LYING WITHIN THE NORTH-EAST QUARTER AND SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

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SHEET 12 OF 12

FIRST AMENDED UNION SQUARE CONDOMINIUM PLAT

Changes that apply to all sheets –

- 1) Title – CONDOMINIUM PLAT was changed to FIRST AMENDED CONDOMINIUM PLAT.
- 2) NOTES: Note 1, “Elliott Mahoney Architecture” changed to “Elliott Workgroup and field verified”.
- 3) NOTES: Note 6, “designated as commercial limited common for” was change to “designated as residential limited common for”.
- 4) NOTES: Note 8, “ease street” was changed to “Lumber Building” and “zooms” was changed to “Depot Building”.
- 5) NOTES: Note 10, was added.
- 6) LEGEND - “F.P. -REPRESENTS FIREPLACE”, was added.
- 7) PEDESTRIAN EASEMENT - modified to match existing plaza.
- 8) JOB NO. - changed to 01408.

Changes specific to SHEET 1 of 12.

- 9) Dates – All 2006 dates were change to 2008.
- 10) Existing sidewalk lines were removed because they were replaced.
- 11) EXISTING ZOOMS was changed to EXISTING DEPOT BUILDING; “See Note 10” was added.
- 12) EXISTING EASY STREET was changed to EXISTING LUMBER BUILDING; “See Note 10” was added.
- 13) Survey monuments which were SET have been changed to FOUND.
- 14) SURVEYORS CERTIFICATE - CONDOMINIUM PLAT was changed to FIRST AMENDED CONDOMINIUM PLAT.
- 15) OWNER’S DEDICATION AND CONSENT TO RECORD - CONDOMINIUM PLAT was changed to FIRST AMENDED CONDOMINIUM PLAT.
- 16) RESERVATION OF COMMON AREAS - CONDOMINIUM PLAT was changed to FIRST AMENDED CONDOMINIUM PLAT.

Changes specific to SHEET 2 of 12.

- 17) LEGEND – RESIDENTIAL LIMITED COMMON AREA added.
- 18) LEGEND – COMMERCIAL LIMITED COMMONAREA and hatch changed.
- 19) North Arrow and Scale moved.
- 20) Mechanical area modified.

21) Stairwell walls added to plan.

Changes specific to SHEET 3 of 12.

22) LEGEND added.

23) Stairwell changed from Commercial Limited Common Area to Common Area.

24) Elevator changed from Commercial Limited Common Area to Common Area.

25) Parking garage changed from Commercial Limited Common Area to Residential Limited Common Area.

26) ZOOMS changed to EXISTING DEPOT BUILDING; "See Note 10" was added.

27) EASY STREET changed to EXISTING LUMBER BUILDING; "See Note 10" was added.

28) Foundation change.

Changes specific to SHEET 4 of 12.

29) UNIT 106 – square footage was changed, UNIT 202 – changed to ADA unit, square footage changed and Point of Beginning (P.O.B.) had to be moved.

30) Card reader was added to plan.

31) Corridor changed from Common Area to SL-1, Residential Limited Common Area.

32) UNIT SP-1 was changed to SL-1.

33) UNIT ES-1 was changed to LB-1 and hatch changed.

34) UNIT SP-1 was divided and changed to COM-1 and COM-2, P.O.B.s had to be moved.

35) UNIT SL-1 and ES-1 Commercial Limited Common Areas were changed to UNIT COM-2 Commercial Limited Common Area and hatch changed.

36) UNIT DP-1 was changed to DB-1 and hatch changed.

37) PLAZA changed as a result of as-built dimensioning.

38) Note added.

Changes specific to SHEET 5 of 12.

39) UNIT 204, 206, 207, 209 and 301 – square footage was changed and UNIT 301's P.O.B. had to be moved. UNIT 202 – changed to ADA unit, square footage changed and P.O.B. had to be moved.

40) UNIT SL-1 was changed to COM-3, the square footage changed and its P.O.B. had to be moved.

41) UNIT ES-1 was changed to LB-1 and hatch changed.

Changes specific to SHEET 6 of 12.

- 42) UNIT 301, 303, 305, 306, 309, 402 and 404 – square footage was changed and UNIT 402's P.O.B. had to be moved.

Changes specific to SHEET 7 of 12.

- 43) UNIT 401, 402, 403, 404, 405 and 406 – square footage was changed and UNIT 401, 402 and 406's P.O.B. had to be moved.
- 44) UNIT SC-1 was changed to UNIT COM-4, square footage was changed and P.O.B. had to be moved.
- 45) UNIT SL-1 was changed to UNIT COM-4 and hatch was changed.
- 46) UNIT SC-1 was changed to UNIT COM-4 and hatch was changed.

Changes specific to SHEET 8 of 12.

- 47) UNIT 401, 403, 405, 502, 504, 506 and 507 – square footage was changed and UNIT 401, 502, 506 and 507's P.O.B. had to be moved.

Changes specific to SHEET 9 of 12.

- 48) UNIT 602, 603 and 606 – square footage was changed and UNIT 603's P.O.B. had to be moved.

Changes specific to SHEET 10 of 12.

- 49) UNIT DP-1 changed to UNIT DB-1.
- 50) ZOOMS changed to DEPOT BUILDING.
- 51) UNIT DP-1 changed to UNIT DB-1 and hatch changed.
- 52) UNIT ES-1 changed to UNIT LB-1.
- 53) EASY STREET changed to LUMBER BUILDING.

Changes specific to SHEET 11 of 12.

- 54) Ceiling height/s on floor changed.
- 55) UNIT 504 was renumbered 604 and UNIT 506 was renumbered 606.

Changes specific to SHEET 12 of 12.

- 56) Ceiling height/s on floor changed.

57) U 506 was renumbered U 406.