

**Ordinance No. 13-30**

**AN ORDINANCE APPROVING THE THIRD AMENDMENT TO THE ROYAL PLAZA CONDOMINIUM RECORD OF SURVEY PLAT LOCATED AT 7620 ROYAL STREET EAST, PARK CITY, UTAH.**

WHEREAS, the Royal Plaza Owner's Association and the owner of property known as Unit 401 Royal Plaza Condominiums, located on Lot A of the Silver Lake Subdivision at 7620 Royal Street East, have petitioned the City Council for approval of a plat amendment to convert 40 sf of limited common deck area for Unit 401 to private area for Unit 401; 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 August 14, 2013 to receive input on the proposed amendment to the record of survey plat;

WHEREAS, the Planning Commission, on August 14, 2013 forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 5, 2013, the City Council held a public hearing on the proposed amendment to the record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed amendment to the Royal Plaza condominiums record of survey plat.

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 Royal Plaza condominium record of survey plat 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 property is located at 7620 Royal Street and is Unit 401 of the Royal Plaza condominiums.
2. The Royal Plaza condominium building is located on Lot A of the Silver Lake # 1 Subdivision. The subdivision plat was recorded on November 8, 1989.
3. On April 4, 1991, a record of survey plat was recorded creating 13 residential condominiums (7.269 UE) and 13 commercial/office condominiums identifying private, common, and limited common areas with underground shared parking to be known as the Royal Plaza Condominium plat.

4. Unit 401 was platted with 2,124 square feet of private living area.
5. The property is located within the Residential Development (RD-MPD) zoning district and is subject to the Deer Valley Master Planned Development (MPD), that sets forth maximum densities, location of densities, allowed uses, developer-offered amenities, and other conditions for the entire Master Plan. The property is located within the Silver Lake Community of the MPD.
6. On June 27, 2002, the City Council approved the 1<sup>st</sup> Amended Royal Plaza record of survey plat to identify and add commercial space within the building. The first amended Royal Plaza record of survey plat was recorded on April 30, 2003.
7. Unit 401 was not changed by the First Amended plat.
8. On September 3, 2009, the City Council approved the 2<sup>nd</sup> Amended Royal Plaza record of survey plat to 1) convert 150 sf of limited common deck area appurtenant to Units 301 and 309 into private space for Unit 309, 2) convert 425 sf of common area (within the existing walls and roof of the building) to private area for Unit 402, 3) convert 346 sf of limited common deck area appurtenant to Unit 402 as private area for this Unit, and 4) convert 151 sf of private space currently within Unit 402 to limited common deck area. The total residential UE allowed after the 2<sup>nd</sup> Amended plat was 7.622 UE. The 2<sup>nd</sup> Amended plat increased the existing private floor area for 301, 309, and 402 by 705 sf (0.352 UE). The plat was recorded on February 1, 2010
9. Unit 401 was not changed by the Second Amended plat.
10. Concurrent with the Second Amended plat was an approval to amend the Deer Valley MPD to transfer 1,038 sf of unallocated, un-built commercial UE from Silver Lake to Royal Plaza to resolve the discrepancy in the square footage of built UE as compared to MPD allowed UE. The MPD (Eleventh Amended) currently allows for 7.6215 residential UE (15,243 sf) residential, 14,400 sf (14.4 UE) commercial, in addition to support commercial and meeting space.
11. On June 28, 2013, an application for a plat amendment was submitted to the Planning Department requesting to convert 40 square feet of existing limited common deck area to private area for Unit 401. Unit 401 currently contains 2,124 sf of private area (1.062 UE- rounds to 1.06 UE). The requested amendment would add 40 sf (0.02 UE) of private area for a unit size of 2,164 sf (1.082 UE- rounds to 1.08 UE).
12. The change in residential UE of 0.02 UE is diminimus and an MPD amendment is not required. No new building footprint area is created. No new units are created and the MPD concept and configuration of property and uses is not changed. No new uses are created with the plat amendment and only the legal ownership of existing space is modified. The proposed modifications are not substantive and will not have a negative impact on the surrounding area, the Deer Valley project, or the greater Park City community.
13. The State Condominium Act requires a vote of the condominium owners and approval of the amendment by 2/3 of the condominium owners.
14. On August 5, 2013, the Royal Plaza owners association voted to approve and consent to the transfer of limited common space to private space for unit 401. According to the minutes, 97.7% of the voting power of the Association approved the proposal (one unit did not return the ballot). Additionally, the owners voted to

authorize and direct Mr. Wells to execute an amendment to the Declaration of Condominium and to make submittal to the City for a record of survey plat amendment.

15. The existing parking garage contains 168 parking spaces apportioned by easements to Royal Plaza (58 spaces), Mt. Cervin (35 spaces), and Deer Valley Resort ( 75 spaces). The Royal Plaza residential parking space allocation of 15 is based on a rate of 1 space for each of the 9 one bedroom units, 1.5 spaces for each of the 4 two and three bedroom units. The number of bedrooms does not increase with the expansion. There is sufficient parking to accommodate the proposed expansions and no additional parking demand is created.
16. The proposal is unique in that there is no increase in building footprint or units and no impacts on the use or developed space at Royal Plaza. Only legal ownership of existing space is modified. The proposal is not precedent setting.
17. Findings in the staff analysis section are included herein.

#### Conclusions of Law:

1. There is good cause for this record of survey plat amendment.
2. The record of survey plat amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. As conditioned, the record of survey plat amendment is consistent with the current Eleventh Amended and Restated Deer Valley MPD.
4. The proposed record of survey plat amendment will materially injure neither the public nor any person.
5. Approval of the record of survey 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 record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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, unless a complete application requesting an extension is granted by the City Council.
3. All conditions of approval of the Deer Valley MPD, Silver Lake Village No. 1 Subdivision Parcel A, and Royal Plaza condominium record of survey plat shall continue to apply.
4. All construction subject to this plat amendment requires a Building Permit and approvals from the Building and Planning Departments.
5. A plat note shall be added requiring maintenance of all required elements of the fire protection plan, including residential fire sprinkler systems.

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

PASSED AND ADOPTED this 5 day of September, 2013.

PARK CITY MUNICIPAL CORPORATION

*Dana Williams*

Dana Williams, MAYOR

ATTEST:

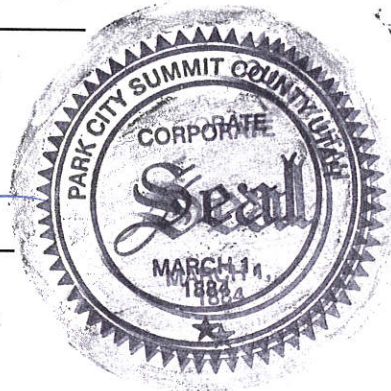
*Marie Heil*

City Recorder

APPROVED AS TO FORM:

*Mark Harrington*

Mark Harrington, City Attorney



**SURVEYOR'S CERTIFICATE**

I, John Dambrowski, duly qualified Land Surveyor and that I hold Certificate No. 124407 as prescribed by the laws of the State of Utah, and that by authority of the owners, I have caused to be made and recorded this Survey Map, in accordance with the provisions of the Utah Condominium Ownership Act.



UNIT 401, ROYAL PLAZA, a Utah Condominium Project, together with its undivided apartment ownership interest in the common areas, is shown on the Survey Map recorded April 4, 1991, as Entry No. 338554 in the Official Record of Survey Maps, and this Third Amended Record of Survey Map is to be prepared and consents to the recording of this Third Amended Record of Survey Map.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

By: Robert W. Wall, Secretary/Treasurer

**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of Unit 401, ROYAL PLAZA, a Utah Condominium Project, together with its undivided apartment ownership interest in the common areas, is shown on the Survey Map recorded April 4, 1991, as Entry No. 338554 in the Official Record of Survey Maps, and this Third Amended Record of Survey Map is to be prepared and consents to the recording of this Third Amended Record of Survey Map.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

By: Robert W. Wall, Secretary/Treasurer

**ACKNOWLEDGMENT**

State of \_\_\_\_\_  
County of \_\_\_\_\_  
On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, personally appeared before me, the undersigned Notary Public, in and for said county and state, Robert W. Wall, who acknowledged to me that he is the owner of Unit 401, Royal Plaza and that he signed the above Owner's Declaration and Consent to Record Survey Map voluntarily.

A Notary Public commissioned in Utah  
Printed Name \_\_\_\_\_  
Residing in \_\_\_\_\_  
My commission expires \_\_\_\_\_

**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of Unit 401, ROYAL PLAZA, a Utah Condominium Project, together with its undivided apartment ownership interest in the common areas, is shown on the Survey Map recorded April 4, 1991, as Entry No. 338554 in the Official Record of Survey Maps, and this Third Amended Record of Survey Map is to be prepared and consents to the recording of this Third Amended Record of Survey Map.

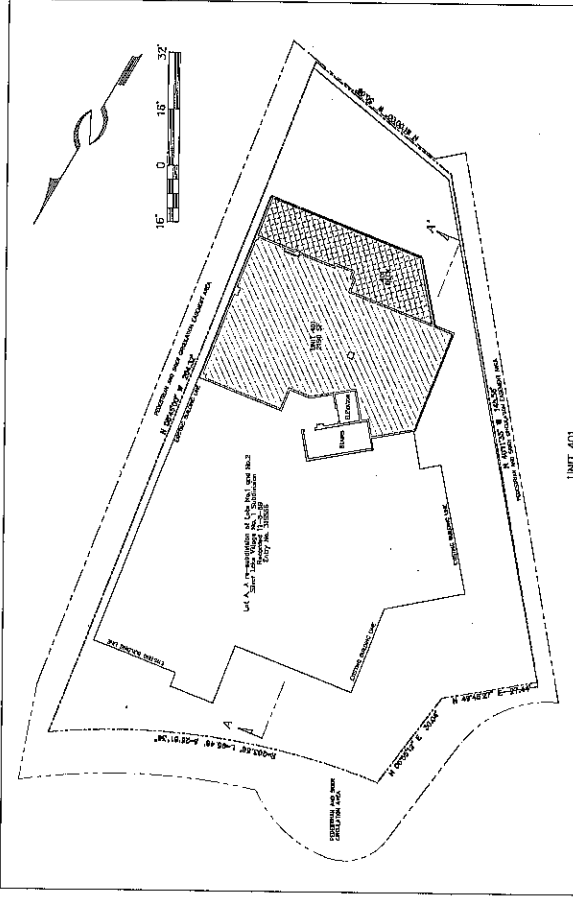
In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

By: Robert W. Wall, Secretary/Treasurer

**ACKNOWLEDGMENT**

State of \_\_\_\_\_  
County of \_\_\_\_\_  
On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, personally appeared before me, the undersigned Notary Public, in and for said county and state, Robert W. Wall, who acknowledged to me that he is the owner of Unit 401, Royal Plaza and that he signed the above Owner's Declaration and Consent to Record Survey Map voluntarily.

A Notary Public commissioned in Utah  
Printed Name \_\_\_\_\_  
Residing in \_\_\_\_\_  
My commission expires \_\_\_\_\_



UNIT 401

- NOTES**
- This Third Amended Record of Survey Map reflects the changes of ownership, as indicated, and except as shown on this file, no other changes to the Condominium Project have been made.
  - All other conditions of approval of the ROYAL PLAZA, Condominiums, recorded April 4, 1991, as Entry #338554 in the Summit County Recorder's Office, shall remain intact.
  - The dimensions of the private spaces and common areas shown on this Survey Map are as shown on the attached drawings. The dimensions of the private spaces and common areas shown on this Survey Map are as shown on the attached drawings. The dimensions of the private spaces and common areas shown on this Survey Map are as shown on the attached drawings.
  - All structural elements are designated as common areas.
  - The street address of Royal Plaza Condominiums is 7520 Royal Street East.
  - Maintenance of all required elements of the fire protection plan, including residential fire sprinkler system shall be required.
  - The units of this condominium are served by a Common Private Sewerage System. The Royal Plaza Condominium Association shall be responsible for the maintenance, collection and treatment of all Common Private Wastewater Lines.

**EXHIBIT A**

**THIRD AMENDED RECORD OF SURVEY MAP ROYAL PLAZA**

A UTAH CONDOMINIUM PROJECT  
LOCATED IN SE 1/4 OF SECTION 8 & SW 1/4 OF SECTION 9  
T2S, R6E, S47E LAKE BASSE & MERIDIAN

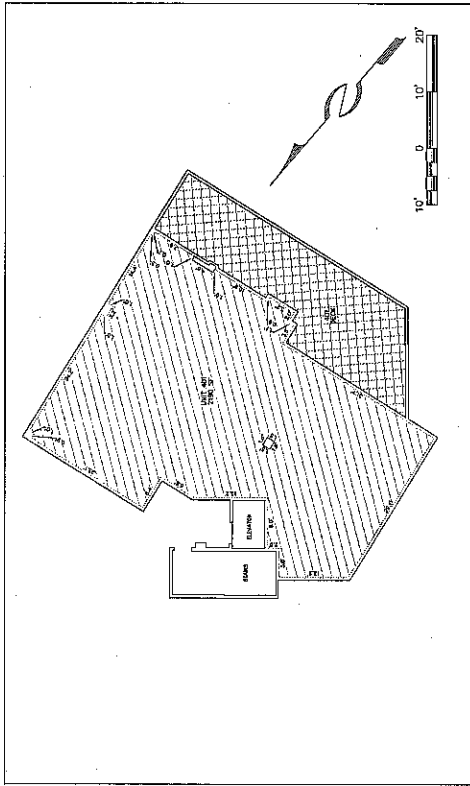
- LEGEND**
- PRIVATE OWNERSHIP
  - COMMON OWNERSHIP
  - LIMITED COMMON OWNERSHIP
  - RESERVED AND OTHER
  - CONDOMINIUM PROJECT

Utah Code Ann. Title 18, Chapter 12, Section 102-1-13

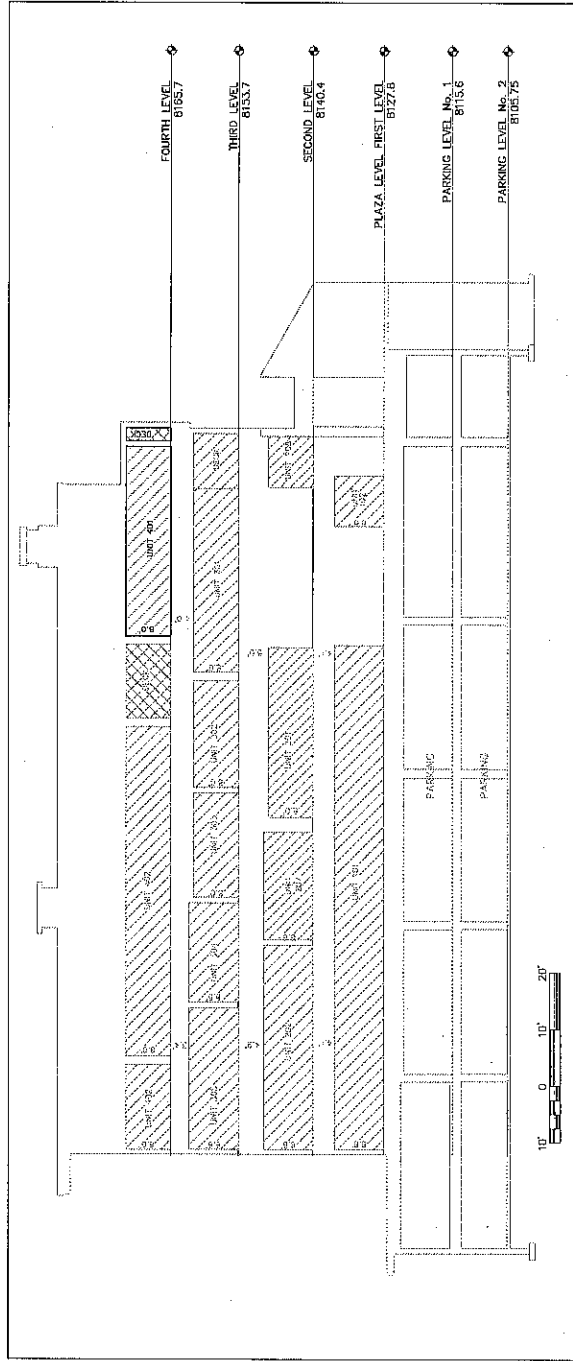
<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY: <u>PARK CITY ATTORNEY</u></p>	<p>CERTIFICATE OF ATTEST</p> <p>I HAVE REVIEWED THIS SURVEY MAP AND CERTIFY THAT IT WAS APPROVED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY: <u>PARK CITY RECORDER</u></p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE WITH MY OFFICE. THIS PLAN WAS APPROVED BY THE PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY: <u>CHIEF</u></p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY: <u>CHIEF</u></p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY: <u>S.S.W.D.</u></p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.</p> <p>BY: <u>MAYOR</u></p>
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CONDOMINIUM PROJECTS UNIT 401, ROYAL PLAZA, CONDOMINIUM PROJECT, UNIT 401, ROYAL PLAZA, CONDOMINIUM PROJECT, UNIT 401, ROYAL PLAZA, CONDOMINIUM PROJECT.



UNITS 401



BUILDING SECTION A-A

LEGEND

	PRIVATE OWNERSHIP
	COMMON OWNERSHIP
	UNITED COMMON OWNERSHIP
	PRESTIGIAN AND OTHER REGULATORY FOOTPRINT

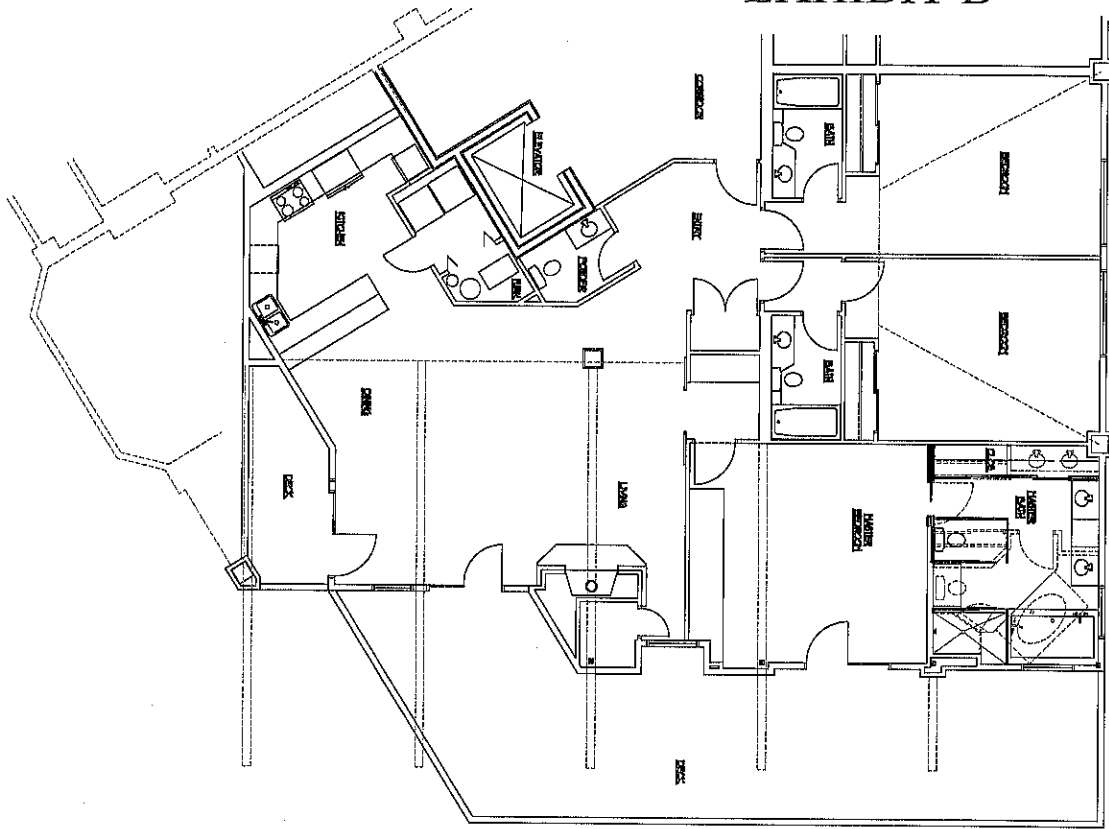
THIRD AMENDED  
 RECORD OF SURVEY MAP  
**ROYAL PLAZA**  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN SE 1/4 OF SECTION 8 & SW 1/4 OF SECTION 9  
 T2S, R4E, S1B & M

SHEET 2 OF 2  
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
 AT THE REQUEST OF  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 ENTRY NO. \_\_\_\_\_ FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

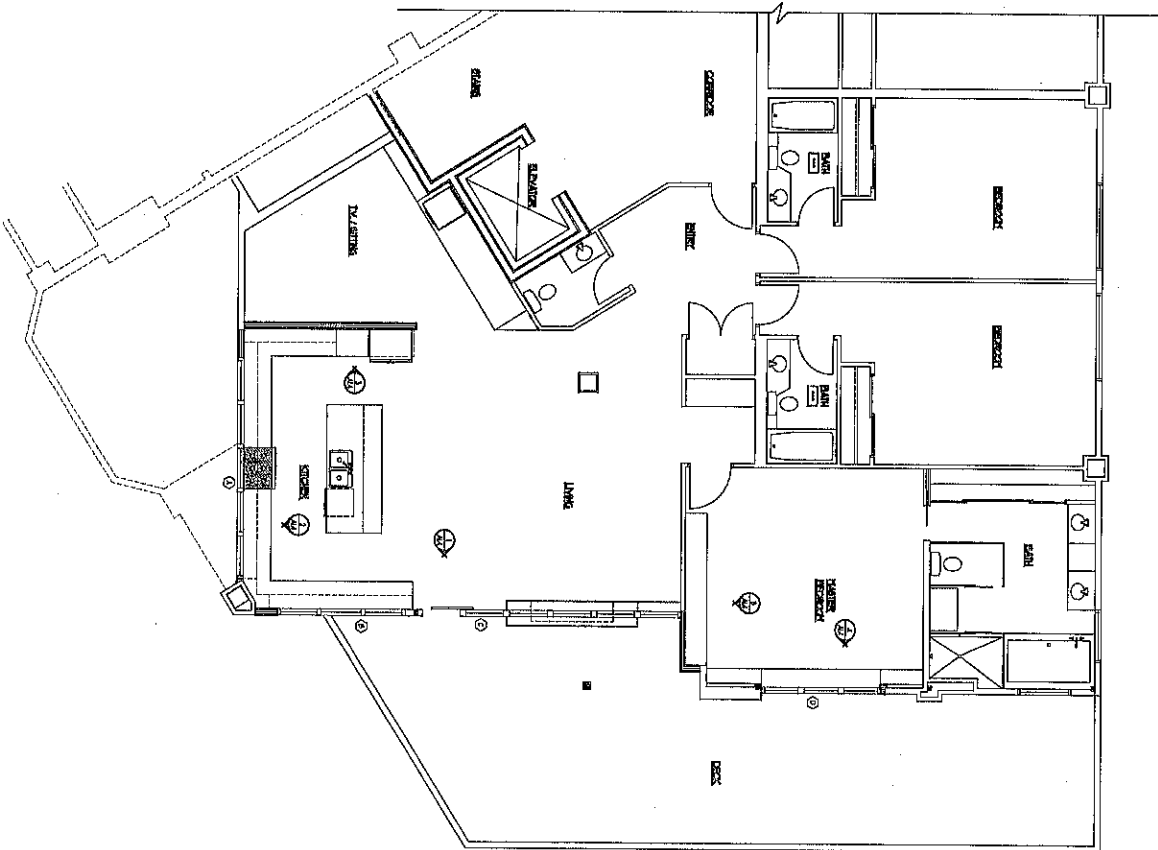


# EXHIBIT B

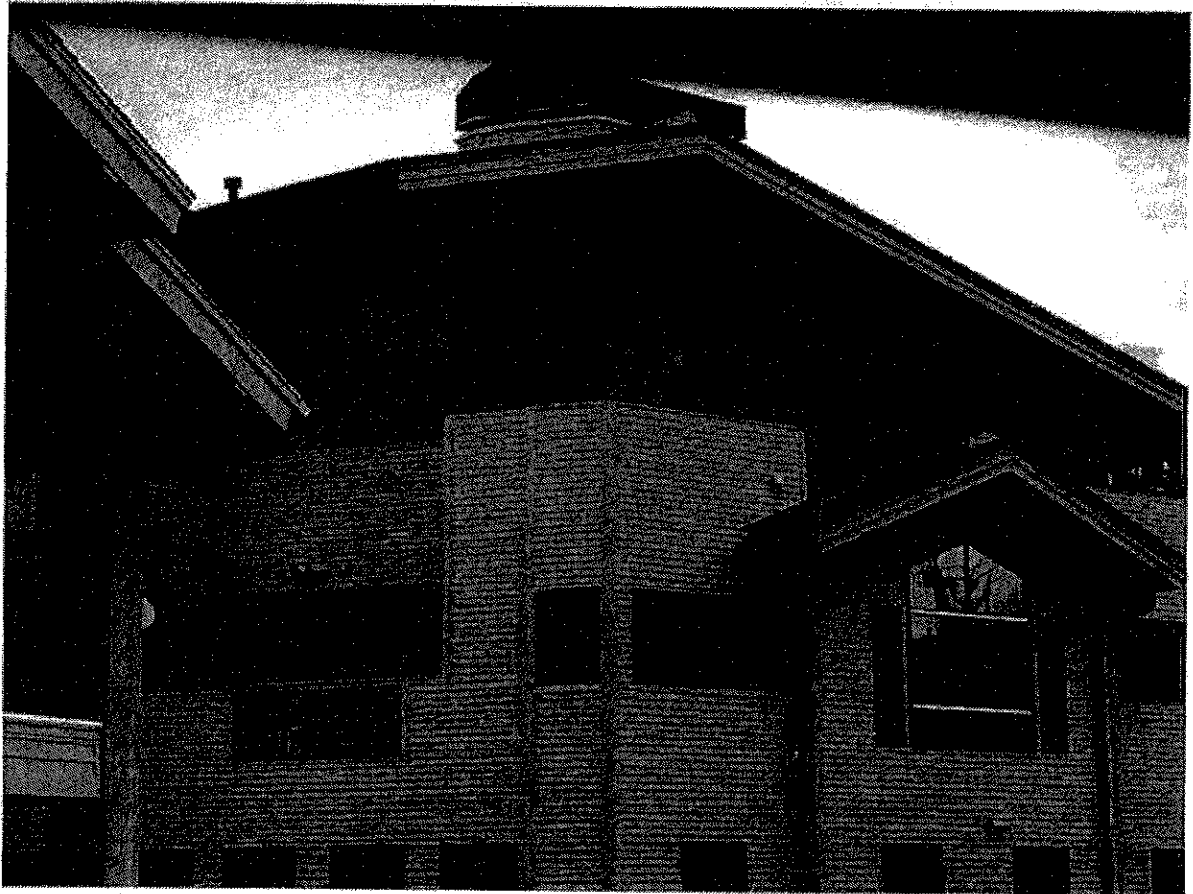
EXISTING CONDITIONS FLOOR PLAN - UNIT #401  
 UNIT #401



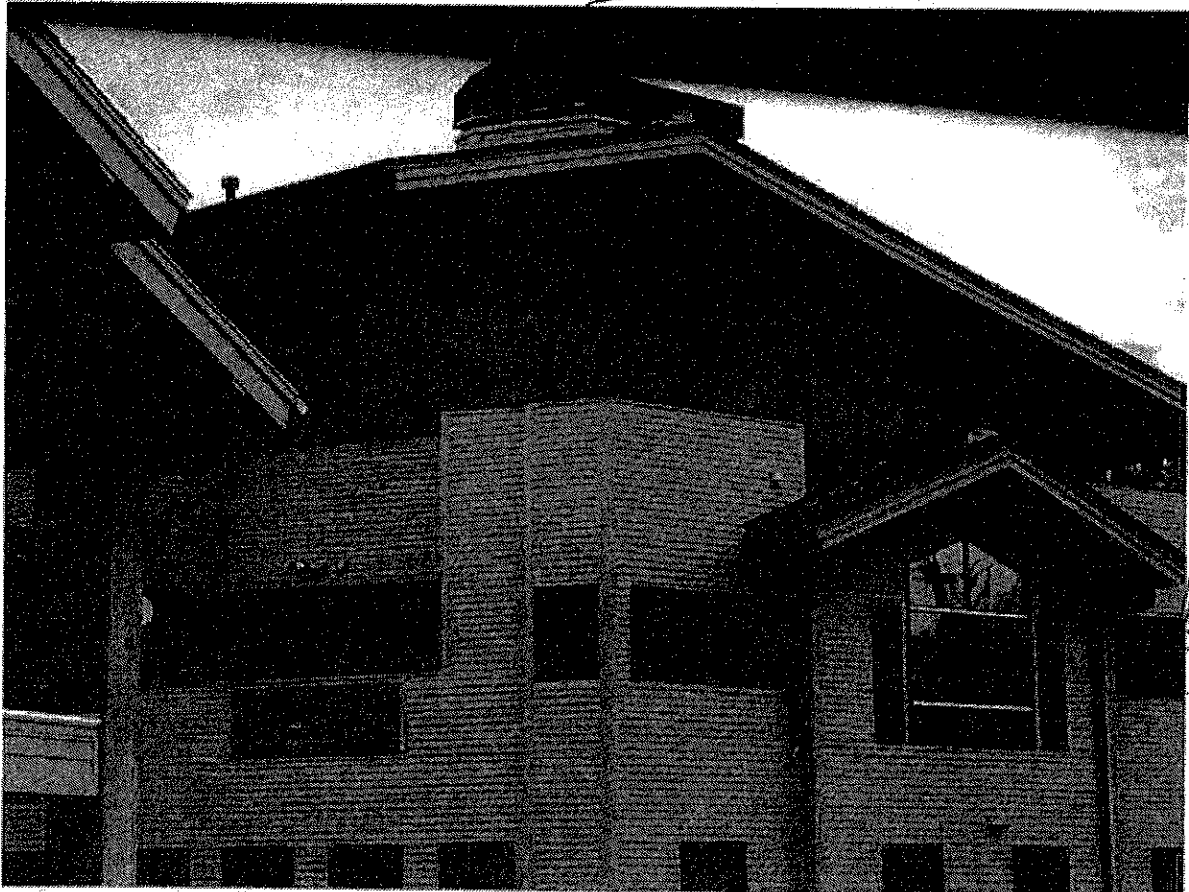
PROPOSED FLOOR PLAN - UNIT #401  
 UNIT #401



# ROYAL PLAZA



ROYAL PLAZA - UNIT #401 - EXISTING SOUTH ELEVATION ✓



ROYAL PLAZA - UNIT #401 - PROPOSED SOUTH ELEVATION

RECEIVED  
JUN 28 2013  
PARK CITY  
PLANNING DEPT.



# EXHIBIT C

## SPECIAL MEETING OF OWNERS of ROYAL PLAZA OWNER'S ASSOCIATION, INC.


### Minutes:

A Special Meeting of the owners of Royal Plaza Owner's Association was held at 9:00 AM on Monday, August 5, 2013 at 7620 Royal Street East, Suite 205, Park City, Utah to consider the proposal of Peter Desoto to amend the Declaration of Condominium and the Record of Survey Map for Royal Plaza Condominiums as described in the Notice of Special Meeting attached hereto.

Present in person were Robert W. Wells, Vice President of the Board of Trustees of the Association, Lessing S. Stern, President of the Association and Debra Cole, Secretary – Treasurer of the Association. The meeting was called to order by Vice President Wells. Vice President Wells indicated that proper notice of the Special Meeting had been given by mailing a copy of the Notice, with attachments, to all of the unit owners on July 17, 2013. Mr. Wells advised that the three Trustees present represent 60.525% of the voting power of the Association either in their personal capacity or as officers of unit owners' Deer Valley Resort Company, Royal Street Corporation, or Royal Street Land Company and that a quorum was present for the Special Meeting. The Trustees present have executed proxies and ballots for the 60.525% voting power that they represent in favor of the proposal. Mr. Wells further indicated that he was holding executed proxies and ballots from 8 of the 9 remaining Unit owners, with one Unit indicating a vote at the discretion of the Board of Trustees and the remainder of the Units voting for the proposal. One Unit had not returned their ballot. Mr. Wells moved to vote the one discretionary proxy in favor of the proposal. Ms. Cole seconded and the motion passed unanimously. Mr. Wells announced that 97.7% of the Units and voting power of the Association had approved the proposal. There was no opposition communicated regarding the proposal. All proxies and ballots are attached to these minutes.

Ms. Cole moved that Mr. Wells, as Vice President, be authorized and directed to execute an Amendment to Declaration of Condominium and an Amendment to Record of Survey Map for Royal Plaza, a Utah condominium project, Park City, Summit County, Utah, on behalf of the Association and to cause said Amendments to be recorded in the office of the Summit County, Utah Recorder, consistent with the information provided in the Notice of this Special Meeting.

There being no further business, the Special Meeting was adjourned at approximately 9:15 AM, August 5, 2013.

  
\_\_\_\_\_  
Robert W. Wells, Vice President

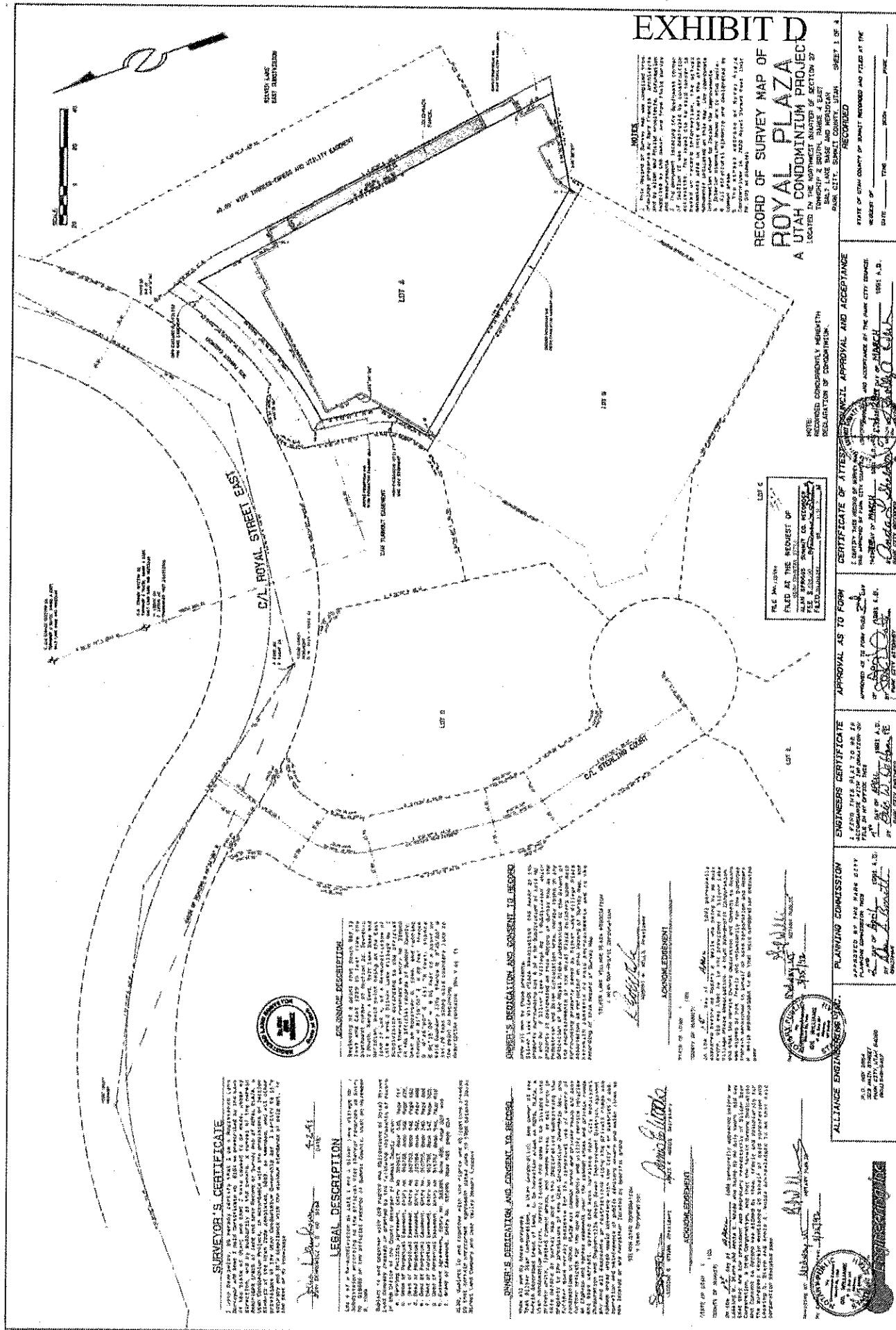
Royal Plaza Homeowners				
Unit 401 Proposal				
7/16/2013				
		7/16/2013	Formula:	
		Ballot Vote	YES Votes	
Unit #	Ballot Received	YES / NO	Ownership %	
Unit X	8/5/2013	YES	12.179%	
Unit X	7/30/2013	YES	1.114%	
Unit X	7/30/2013	YES	4.387%	
Unit X	7/30/2013	YES	4.908%	
Unit X	7/30/2013	YES	4.868%	
Unit X	7/30/2013	YES	5.635%	
Unit X	7/30/2013	YES	3.130%	
Unit X	7/30/2013	YES	1.176%	
Unit X	7/30/2013	YES	2.315%	
Unit X	7/30/2013	YES	8.821%	
Unit X	7/30/2013	YES	2.412%	
Unit X	7/30/2013	YES	1.317%	
Unit X	7/30/2013	YES	0.175%	
Unit X	7/26/2013	YES	3.089%	
Unit X	7/31/2013	YES	2.646%	
Unit X	7/31/2013	YES	2.668%	
Unit X	7/26/2013	YES	2.587%	
Unit X	7/30/2013	YES	2.712%	
Unit X	7/31/2013	YES	4.234%	
Unit X	7/30/2013	YES	2.281%	
Unit X	7/29/2013	YES	2.284%	
Unit X	7/26/2013	YES	3.925%	
Unit X	7/31/2013	YES	6.628%	
Unit X	7/26/2013	YES	7.954%	
Unit X	7/29/2013	YES	4.241%	* At Discretion of Board
Unit X	No response		0.000%	
			97.686%	

# EXHIBIT D

## RECORD OF SURVEY MAP OF ROYAL PLAZA A UTAH CONDOMINIUM PROJECT

LOCATED IN THE EAST 1/4 OF SECTION 27,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA COUNTY OF SARASOTA RECORDED  
RECORDED  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ PAGE: \_\_\_\_\_



**NOTE:**  
This Record of Survey Map is prepared in accordance with the provisions of the Florida Condominium Act, Chapter 718, Florida Statutes, and the rules of the State Board of Professional Regulation, Chapter 61G, Florida Administrative Code. It is intended to provide information regarding the boundaries, areas, and interests of the units and common areas of the condominium project. It is not intended to provide information regarding the title, liens, or other interests in the property. The survey is based on the best available information and is subject to the usual uncertainties of a survey. The survey is not intended to be used as a basis for title insurance or other financial transactions. The survey is not intended to be used as a basis for any other legal proceedings. The survey is not intended to be used as a basis for any other legal proceedings.

**NOTE:**  
RECORDED CONCOMITANTLY HEREWITH  
DECLARATION OF CONDOMINIUM.

**FILE NO. 10000**  
FILED AS THE REQUEST OF  
[Signature]  
PLANNING COMMISSION  
PLANNING DEPARTMENT  
PLANNING COMMISSION

**CERTIFICATE OF ATTORNEY**  
I, [Signature], Attorney at Law, do hereby certify that the above is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year].

**APPROVAL AS TO FORM**  
I, [Signature], City Engineer, do hereby approve the form of the above Record of Survey Map as submitted to the Planning Commission of the City of Sarasota, Florida, on this [Date] day of [Month], 20[Year].

**ENGINEERS CERTIFICATE**  
I, [Signature], Registered Professional Engineer, do hereby certify that the above Record of Survey Map is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year].

**PLANNING COMMISSION**  
I, [Signature], Planning Commission Member, do hereby approve the above Record of Survey Map as submitted to the Planning Commission of the City of Sarasota, Florida, on this [Date] day of [Month], 20[Year].

**ALLIANCE ENGINEERS, P.C.**  
I, [Signature], Registered Professional Engineer, do hereby certify that the above Record of Survey Map is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year].

### CONFORMANCE DESCRIPTION

Reference is made to the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year]. The map shows the boundaries, areas, and interests of the units and common areas of the condominium project. The map is intended to provide information regarding the boundaries, areas, and interests of the units and common areas of the condominium project. It is not intended to provide information regarding the title, liens, or other interests in the property. The survey is based on the best available information and is subject to the usual uncertainties of a survey. The survey is not intended to be used as a basis for title insurance or other financial transactions. The survey is not intended to be used as a basis for any other legal proceedings. The survey is not intended to be used as a basis for any other legal proceedings.

### OWNER'S DECLARATION AND CONSENT TO RECORD

I, [Signature], the owner of the above described property, do hereby declare that the above Record of Survey Map is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year]. I consent to the recording of the above Record of Survey Map in the Public Records of Sarasota County, Florida.

### ACKNOWLEDGEMENT

I, [Signature], do hereby acknowledge that I have read and understand the contents of the above Record of Survey Map and that I consent to the recording of the above Record of Survey Map in the Public Records of Sarasota County, Florida.

### SURVEYOR'S CERTIFICATE

I, [Signature], Registered Professional Surveyor, do hereby certify that the above Record of Survey Map is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year].

### LEGAL DESCRIPTION

The above described property is located in the East 1/4 of Section 27, Township 2 South, Range 4 East, Sarasota County, Florida. The property is bounded on the north by C.A. Windy Trails Drive and Utility Corridor, on the east by C.A. Steller Court, on the south by C.A. Royal Street, and on the west by C.A. Windy Trails Drive and Utility Corridor. The property is bounded on the north by C.A. Windy Trails Drive and Utility Corridor, on the east by C.A. Steller Court, on the south by C.A. Royal Street, and on the west by C.A. Windy Trails Drive and Utility Corridor.

### OWNER'S DECLARATION AND CONSENT TO RECORD

I, [Signature], the owner of the above described property, do hereby declare that the above Record of Survey Map is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year]. I consent to the recording of the above Record of Survey Map in the Public Records of Sarasota County, Florida.

### ACKNOWLEDGEMENT

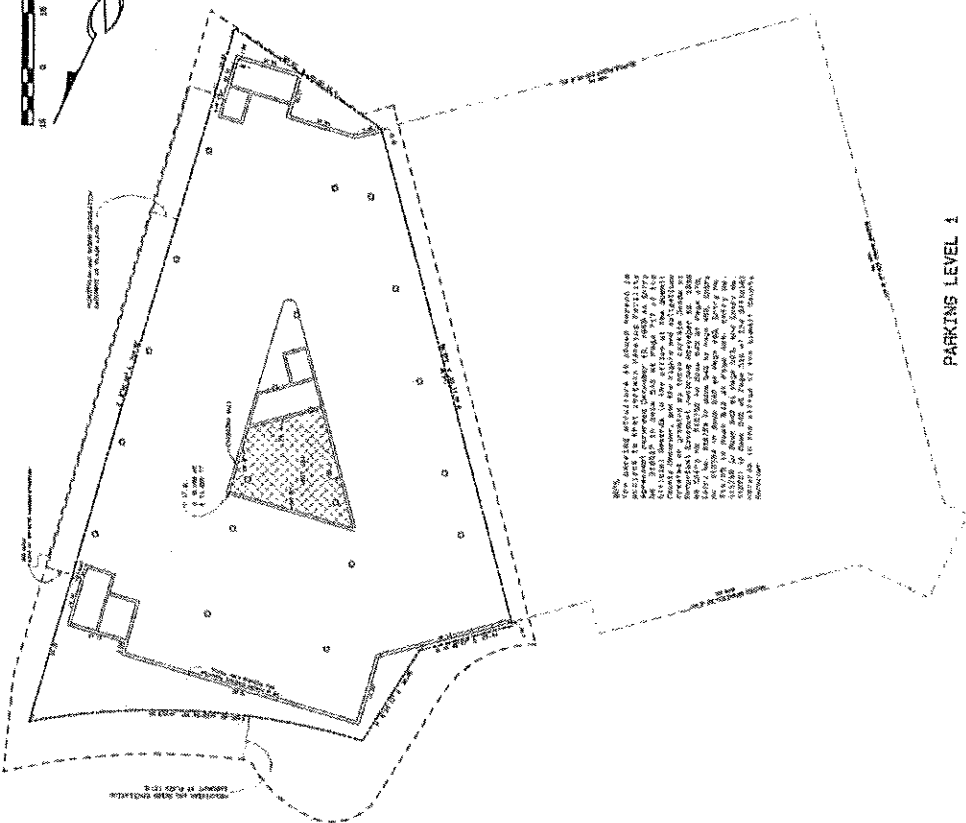
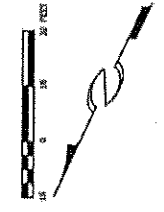
I, [Signature], do hereby acknowledge that I have read and understand the contents of the above Record of Survey Map and that I consent to the recording of the above Record of Survey Map in the Public Records of Sarasota County, Florida.

### PLANNING COMMISSION

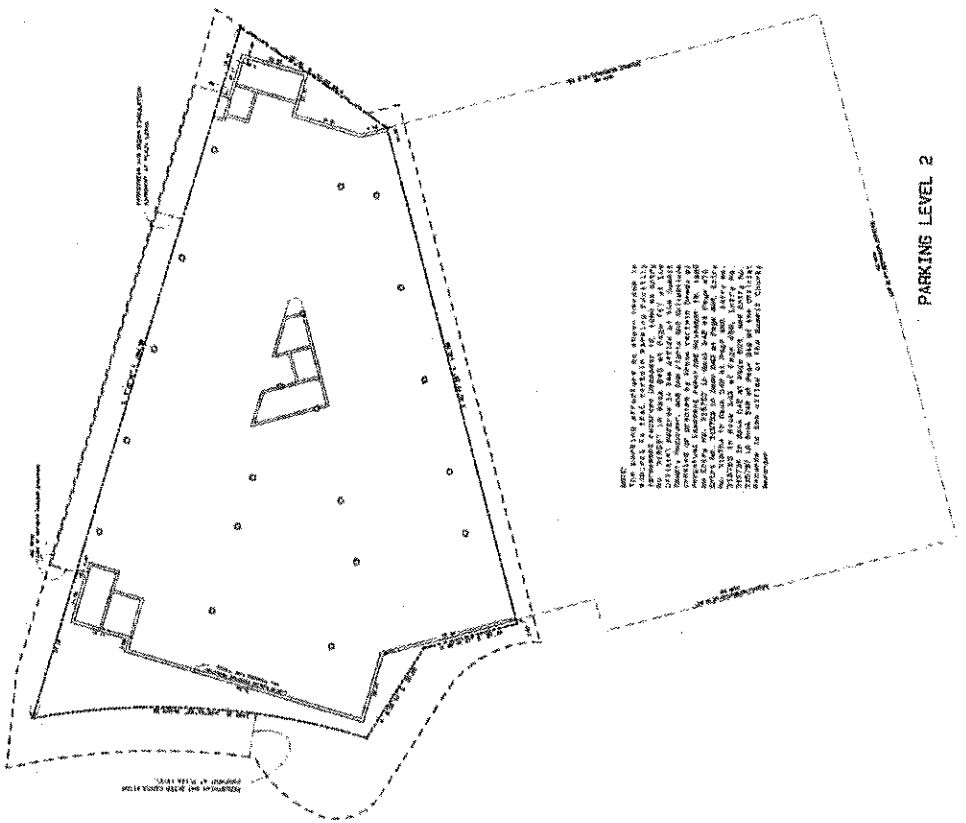
I, [Signature], Planning Commission Member, do hereby approve the above Record of Survey Map as submitted to the Planning Commission of the City of Sarasota, Florida, on this [Date] day of [Month], 20[Year].

### ENGINEERS CERTIFICATE

I, [Signature], Registered Professional Engineer, do hereby certify that the above Record of Survey Map is a true and correct copy of the Record of Survey Map of the Royal Plaza Condominium Project, as recorded in the Public Records of Sarasota County, Florida, on this [Date] day of [Month], 20[Year].



NOTE: THIS SURVEY WAS CONDUCTED BY THE SURVEYORS IN ACCORDANCE WITH THE UTAH CONVEYANCE ACT AND THE UTAH CONVEYANCE ACT. THE SURVEY WAS CONDUCTED ON THE 15TH DAY OF APRIL, 2004. THE SURVEY WAS CONDUCTED BY THE SURVEYORS AND THE SURVEYORS ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE SURVEY WAS CONDUCTED BY THE SURVEYORS AND THE SURVEYORS ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.



NOTE: THIS SURVEY WAS CONDUCTED BY THE SURVEYORS IN ACCORDANCE WITH THE UTAH CONVEYANCE ACT AND THE UTAH CONVEYANCE ACT. THE SURVEY WAS CONDUCTED ON THE 15TH DAY OF APRIL, 2004. THE SURVEY WAS CONDUCTED BY THE SURVEYORS AND THE SURVEYORS ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE SURVEY WAS CONDUCTED BY THE SURVEYORS AND THE SURVEYORS ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

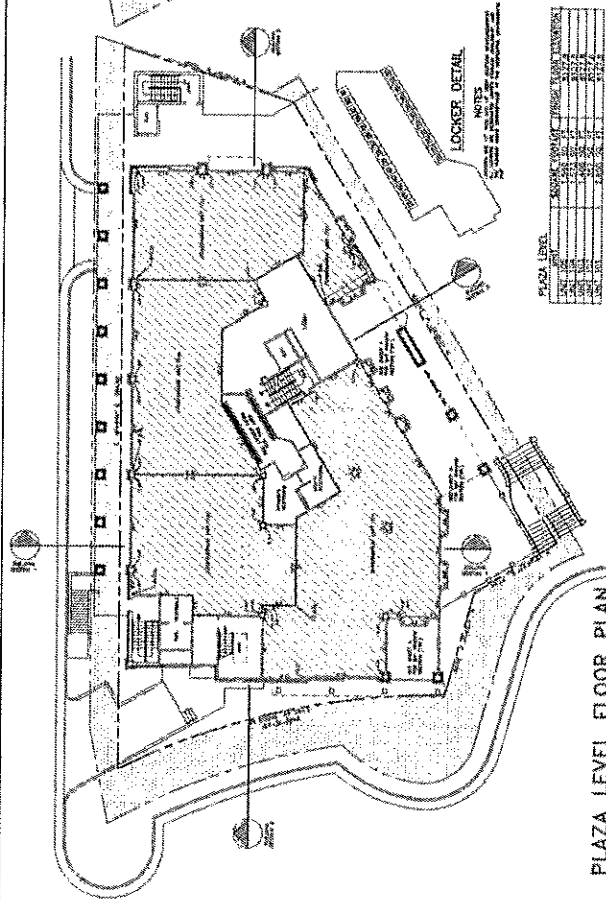
PARKING LEVEL 2

PARKING LEVEL 1

**RECORD OF SURVEY MAP OF  
ROYAL PLAZA  
A UTAH CONDOMINIUM PROJECT**  
LOCATED IN THE NORTHERLY QUARTER OF SECTION 07,  
TOWNSHIP 8 SOUTH, RANGE 4 EAST,  
SALT LAKE BASIN AND MOUNTAIN  
RANGE, CITY, SALT LAKE COUNTY, UTAH

**RECORDED**  
STATE OF UTAH COUNTY OF SALT LAKE RECORDS AND FILES AT THE  
REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ HOUR \_\_\_\_\_ MINUTE \_\_\_\_\_ SECOND \_\_\_\_\_  
BY \_\_\_\_\_  
FILE NO. \_\_\_\_\_

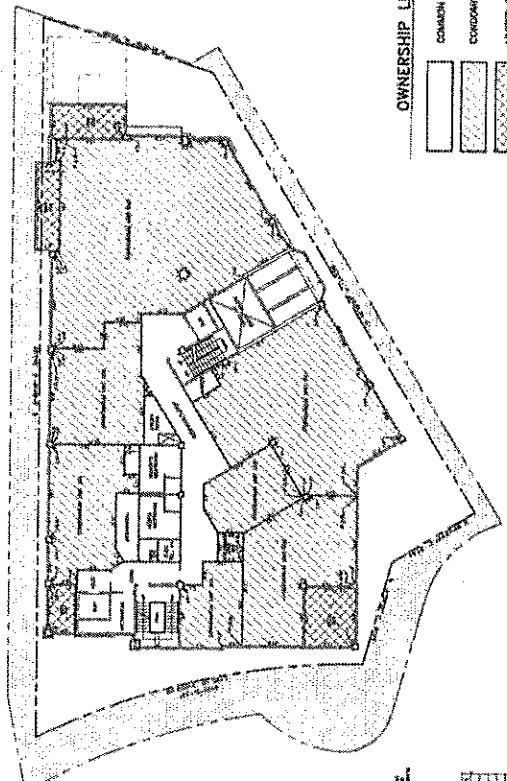
FILE NO. 00704  
FILED AT THE REQUEST OF  
KIMBERLY ANN BRADY  
KIMBERLY ANN BRADY & ASSOCIATES  
P.O. BOX 10000  
SALT LAKE CITY, UTAH 84140



**PLAZA LEVEL FLOOR PLAN**  
 DATE: 10/1/79  
 POINT OF BEGINNING (P.O.B.)  
 CONDIMINIUMS

FIRST LEVEL		SECOND LEVEL	
UNIT NO.	SQ. FT.	UNIT NO.	SQ. FT.
101	1,200	201	1,200
102	1,200	202	1,200
103	1,200	203	1,200
104	1,200	204	1,200
105	1,200	205	1,200
106	1,200	206	1,200
107	1,200	207	1,200
108	1,200	208	1,200
109	1,200	209	1,200
110	1,200	210	1,200
111	1,200	211	1,200
112	1,200	212	1,200
113	1,200	213	1,200
114	1,200	214	1,200
115	1,200	215	1,200
116	1,200	216	1,200
117	1,200	217	1,200
118	1,200	218	1,200
119	1,200	219	1,200
120	1,200	220	1,200

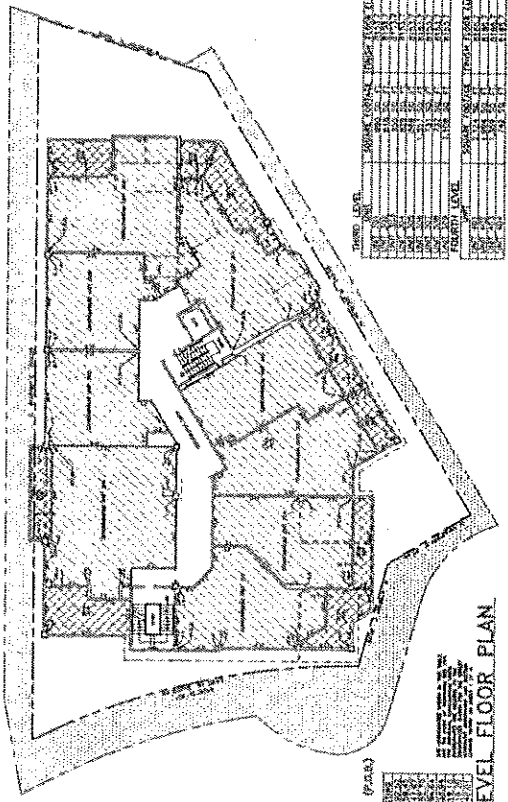
**LOCKER DETAIL**  
 NOTES:  
 1. LOCKER SHALL BE 48" X 24" X 18" MINIMUM.



**SECOND LEVEL FLOOR PLAN**  
 DATE: 10/1/79  
 POINT OF BEGINNING (P.O.B.)  
 CONDIMINIUMS

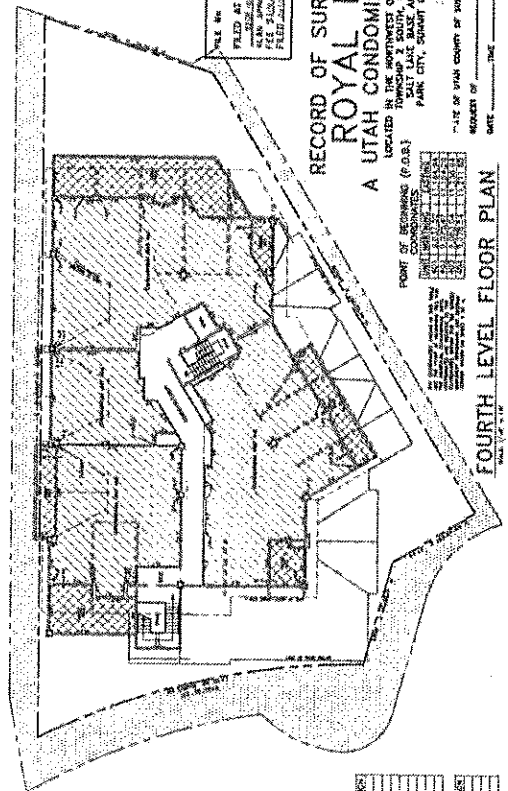
**OWNERSHIP LEGEND**

[Pattern]	COMMON AREA
[Pattern]	CONDOMINIUM UNIT
[Pattern]	UNITED COMMON AREA
[Pattern]	PERESTRIUM AND SKIRT CIRCULAR CORRIDOR



**THIRD LEVEL FLOOR PLAN**  
 DATE: 10/1/79  
 POINT OF BEGINNING (P.O.B.)  
 CONDIMINIUMS

FIRST LEVEL		SECOND LEVEL	
UNIT NO.	SQ. FT.	UNIT NO.	SQ. FT.
101	1,200	201	1,200
102	1,200	202	1,200
103	1,200	203	1,200
104	1,200	204	1,200
105	1,200	205	1,200
106	1,200	206	1,200
107	1,200	207	1,200
108	1,200	208	1,200
109	1,200	209	1,200
110	1,200	210	1,200
111	1,200	211	1,200
112	1,200	212	1,200
113	1,200	213	1,200
114	1,200	214	1,200
115	1,200	215	1,200
116	1,200	216	1,200
117	1,200	217	1,200
118	1,200	218	1,200
119	1,200	219	1,200
120	1,200	220	1,200

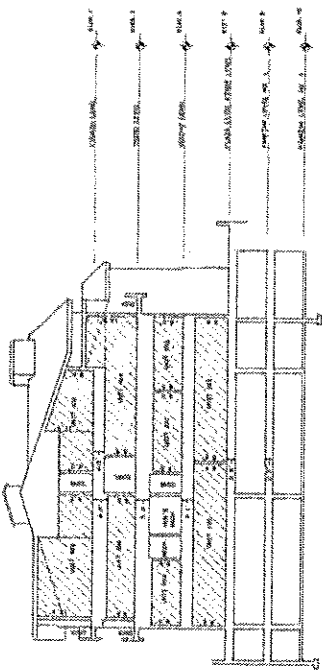


**FOURTH LEVEL FLOOR PLAN**  
 DATE: 10/1/79  
 POINT OF BEGINNING (P.O.B.)  
 CONDIMINIUMS

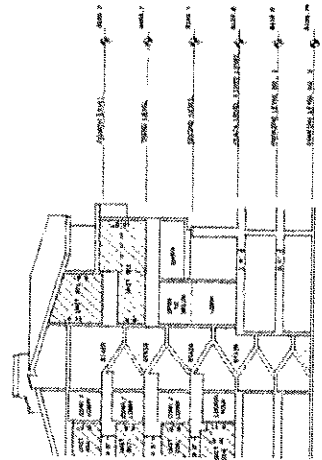
FILE NO. 10700  
 FILED AT THE OFFICE OF THE REGISTER OF DEEDS  
 CLERK, SALT LAKE COUNTY, UTAH  
 DATE: 10/1/79  
 REGISTERED MAP NO. 10700

**RECORD OF SURVEY MAP OF ROYAL PLAZA**  
 A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST, LAND MADE PUBLIC PROPERTY, PARK CITY, SOUTHWEST COUNTY, UTAH. SHEET 3 OF 4

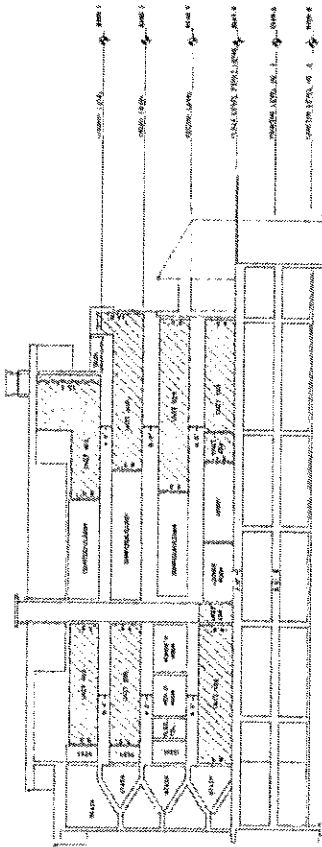
DATE: 10/1/79  
 REGISTERED MAP NO. 10700



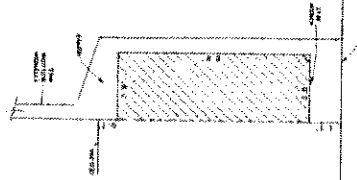
BUILDING SECTION NO. 1



BUILDING SECTION NO. 3



BUILDING SECTION NO. 2



BAY WINDOW SECTION

RECORD OF SURVEY MAP OF  
**ROYAL PLAZA**  
 A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 27  
 T12N R10E W12E 4TH PRINCIPAL MERIDIAN  
 SALT LAKE BASIN AND MOUNTAIN  
 PLAINS DISTRICT

STATE OF UTAH COUNTY OF SMOKE RECORD AND FILED AT THE

RECORD BY \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_ PAGE \_\_\_\_\_

FILE NO. 14898  
 FILED AS THE REQUEST OF  
 ALAN WILSON BY \_\_\_\_\_  
 REC'D \_\_\_\_\_  
 FILED \_\_\_\_\_

# EXHIBIT E



SNYDERVILLE BASIN

**WATER RECLAMATION DISTRICT**

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

July 16, 2013

Alan Poulsen  
WPA Architecture  
475 North Freedom Boulevard  
Provo, UT 84601

Subject: Royal Plaza, Third Amended  
Plat Review

Dear Mr. Poulsen,

The Snyderville Basin Water Reclamation District (SBWRD) has reviewed the referenced plat. The plat conforms to SBWRD requirements. We are therefore ready to sign the plat.

Please contact me at ext. 245 to schedule a time for plat signing.

Sincerely,

Bryan D. Atwood, P.E.  
District Engineer

cc: Kirsten Whetstone, PC Planning  
Alliance Engineering  
Plat Review File

# EXHIBIT F

Planning Commission Meeting - DRAFT  
August 14, 2013  
Page 13

5. One (1) 10 foot (10') wide public snow storage easements is required along the street frontage of the lot along Woodside Avenue and one (1) ten foot (10') wide public snow storage easement will also be required along the street frontage along Norfolk Avenue. These both shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. The maximum footprint allowed on the lot is 2,100 square feet. The maximum footprint allowed for the house is 1,200 square feet.

## 2. 7620 Royal Street – Record of Survey Amendment

Planner Whetstone provided a handout of the plat with a change to the square footage being proposed for Unit 401. The revised ordinance was also provided.

Planner Whetstone reviewed the request to amend Unit 401 of the Royal Plaza Condominiums, a condominium project located at Silver Lake. The amendment would convert limited common deck and chimney area to private area for Unit 401. Planner Whetstone noted that the net increase would be 40 square feet. She noted that the Staff report incorrectly showed the net increase of 66 square feet due to a problem with CAD doing the survey. The plat that was submitted with the application stated that the new unit would be 66 square feet that what was currently platted. The Staff calculated a net increase of 40 square feet and the number needed to be amended. Planner Whetstone noted that the correct increase of 40 square feet would be recorded in the square footage of Unit 401.

Planner Whetstone reported that this was the third amendment to the Royal Plaza; however unit 401 has never been amended. In 2009 the Staff relooked at the units and found that they needed to add a significant amount of UEs. At that time the Deer Valley Master Plan was amended to account for that.

Planner Whetstone referred to an analysis in the Staff report comparing the permitted through the MPD/CUP and the proposed. The applicant requested an increase of 40 square feet and that change was reflected in the first paragraph of the ordinance.

Planner Whetstone noted that the project must comply with the Deer Valley Master Plan. The Staff reviewed the request and recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended to correctly reflect the correct Unit Equivalent Addition of .02 unit equivalents, as opposed to .03.



Chair Worel did not disagree that the increase was diminimus, but she wanted to know at what point it would become significant. Director Eddington stated that according to the MPD Section of the Code, if there was a change in density or the unit configuration for the MPD, it would come back for an amendment to the MPD. A small amount of square footage and changing a deck and balcony space is considered diminimus. Planner Whetstone pointed out that there was also no change in footprint because it is a deck area that sits above living space.

Chair Worel opened the public hearing.

There were not comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Thomas moved to forward a POSITIVE recommendation to the City Council for 7620 Royal Street condominium record of survey, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended in the draft ordinance. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7620 Royal Street East

1. The property is located at 7620 Royal Street and is Unit 401 of the Royal Plaza condominiums.
2. The Royal Plaza condominium building is located on Lot A of the Silver Lake # 1 Subdivision. The subdivision plat was recorded on November 8, 1989.
3. On April 4, 1991, a record of survey plat was recorded creating 13 residential condominiums (7.269 UE) and 13 commercial/office condominiums identifying private, common, and limited common areas with underground shared parking to be known as the Royal Plaza Condominium plat.
4. Unit 401 was platted with 2,124 square feet of private living area.
5. The property is located within the Residential Development (RD-MPD) zoning district and is subject to the Deer Valley Master Planned Development (MPD), that sets forth maximum densities, location of densities, allowed uses, developer-offered amenities, and other conditions for the entire Master Plan. The property is located within the Silver Lake Community of the MPD.

6. On June 27, 2002, the City Council approved the 1st Amended Royal Plaza record of survey plat to identify and add commercial space within the building. The first amended Royal Plaza record of survey plat was recorded on April 30, 2003.

7. Unit 401 was not changed by the First Amended plat.

8. On September 3, 2009, the City Council approved the 2nd Amended Royal Plaza record of survey plat to 1) convert 150 sf of limited common deck area appurtenant to Units 301 and 309 into private space for Unit 309, 2) convert 425 sf of common area (within the existing walls and roof of the building) to private area for Unit 402, 3) convert 346 sf of limited common deck area appurtenant to Unit 402 as private area for this Unit, and 4) convert 151 sf of private space currently within Unit 402 to limited common deck area. The total residential UE allowed after the 2nd Amended plat was 7.622 UE. The 2nd Amended plat increased the existing private floor area for 301, 309, and 402 by 705 sf (0.352 UE). The plat was recorded on February 1, 2010

9. Unit 401 was not changed by the Second Amended plat.

10. Concurrent with the Second Amended plat was an approval to amend the Deer Valley MPD to transfer 1,038 sf of unallocated, un-built commercial UE from Silver Lake to Royal Plaza to resolve the discrepancy in the square footage of built residential UE, as compared to MPD allowed UE. The MPD (Eleventh Amended) currently allows for 7.6215 residential UE (15,243 sf) residential, 14,400 sf (14.4 UE) commercial, in addition to support commercial and meeting space.

11. On June 28, 2013, an application for a plat amendment was submitted to the Planning Department requesting to convert a net 40 square feet of existing limited common deck area to private area for Unit 401. Unit 401 currently contains 2,124 sf of private area (1.096 UE- rounds to 1.1 UE). The requested amendment would add 40 sf (0.02 UE) of private area for a unit size of 2,164 sf (1.098 UE- rounds to 1.1 UE).

12. The change in residential UE of 0.02 UE is diminimus and an MPD amendment is not required. No new building footprint area is created. No new units are created and the MPD concept and configuration of property and uses is not changed. No new uses are created with the plat amendment and only the legal ownership of existing space is modified. The proposed modifications are not substantive and will not have a negative impact on the surrounding area, the Deer Valley project, or the greater Park City community.

13. The State Condominium Act requires a vote of the condominium owners and approval of the amendment by 2/3 of the condominium owners.

14. On August 5, 2013, the Royal Plaza owners association voted to approve and consent to the transfer of limited common space to private space for unit 401. According to the minutes, 97.7% of the voting power of the Association approved the proposal (one unit did not return the ballot). Additionally, the owners voted to authorize and direct Mr. Wells to execute an amendment to the Declaration of Condominium and to make submittal to the City for a record of survey plat amendment.

15. The existing parking garage contains 168 parking spaces apportioned by easements to Royal Plaza (58 spaces), Mt. Cervin (35 spaces), and Deer Valley Resort (75 spaces). The Royal Plaza residential parking space allocation of 15 is based on a rate of 1 space for each of the 9 one bedroom units, 1.5 spaces for each of the 4 two and three bedroom units. The number of bedrooms does not increase with the expansion. There is sufficient parking to accommodate the proposed expansions and no additional parking demand is created.

16. The proposal is unique in that there is no increase in building footprint or units and no impacts on the use or developed space at Royal Plaza. Only legal ownership of existing space is modified. The proposal is not precedent setting.

17. Findings in the staff analysis section are included herein.

#### Conclusions of Law – 7620 Royal Street East

1. There is good cause for this record of survey plat amendment.
2. The record of survey plat amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. As conditioned, the record of survey plat amendment is consistent with the current Eleventh Amended and Restated Deer Valley MPD.
4. The proposed record of survey plat amendment will materially injure neither the public nor any person.
5. Approval of the record of survey 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 – 7620 Royal Street East

1. The City Attorney and City Engineer will review and approve the final form and content of the record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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, unless a complete application requesting an extension is granted by the City Council.
3. All conditions of approval of the Deer Valley MPD, Silver Lake Village No. 1 Subdivision Parcel A, and Royal Plaza condominium record of survey plat shall continue to apply.
4. All construction subject to this plat amendment requires a Building Permit and approvals from the Building and Planning Departments.
5. A plat note shall be added requiring maintenance of all required elements of the fire protection plan, including residential fire sprinkler systems.

The Park City Planning Commission meeting adjourned at 8:50 p.m.

Approved by Planning Commission: \_\_\_\_\_