

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
PO Box 1480
Park City UT 84060

Ordinance No. 13-35

An ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE ECHO SPUR DEVELOPMENT IN THE CITY RIGHT-OF-WAY

WHEREAS, the Echo Spur Development consists of Lots 17 to 32 in Block 58, remnant parts of lots 17 and 19 in Block 59 and the section of McHenry Avenue extending from Rossi Hill Drive north, which was platted as part of the original Park City Survey; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including improvements to the public Right-of-Way known as McHenry Avenue; and

WHEREAS, Park City has adopted Land Management Code Section 15-7.2-3, which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Title 15, Chapter 7 of the Land Management Code;

WHEREAS, Developer has certified to the City Engineer, through submission of detailed "as-built" survey drawings of the Subdivision, indicating location, dimensions, materials, and other information required by the City Engineer, that the layout of the line and grade of all public improvements is in accordance with the City approved construction plans for the development;

WHEREAS, a title report has been submitted by the developer showing that there are no liens against the project; and

WHEREAS, the public improvements within the development described above were installed in accordance with Park City Design Standards Construction Specifications and Standard Drawings and have been duly inspected by the City Engineer;

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at and related to the Echo Spur Development described above, subject to the developer's warranty of the improvements for one-year following the adoption of this ordinance.

SECTION 2. FINANCIAL GUARANTEE. To guarantee the improvements, Park City shall hold a financial guarantee in an amount approved by the City Engineer and in a form approved by the City Attorney for a period of one year following the date this ordinance is adopted.

SECTION 3. SNOWPLOWING AND MAINTENANCE. The City shall plow snow on this section of McHenry Avenue, which starts at Rossi Hill Drive and extends north, only when 50% of the lots along this section of street contain houses with a Certificate of Occupancy and only as a third priority.

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

PASSED AND ADOPTED this 26th day of September, 2013.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Dana Williams, MAYOR

ATTEST:

Marci S. Heil

Marci S. Heil, CITY RECORDER

APPROVED AS TO FORM:

Mark D. Harrington

Mark D. Harrington, CITY ATTORNEY

