



Planning Commission Work Session

PLANNING DEPARTMENT

Subject: Northstar Subdivision First Amended
– Vacating Lot 1
Address: 1061 and 1063 Lowell Avenue
Author: Makena Hawley, Planner
Project Number: PL-16-03328
Date: January 11, 2017
Type of Item: Legislative

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for the Northstar Subdivision Plat Amendment located at 1061 and 1063 Lowell Avenue, discuss and consider whether findings of Good Cause can be made, and continue this item to February 8, 2017.

Description

Applicant: Illuminus Property Holdings represented by Jon Turkula,
Jaffa Group Architecture
Location: 1061 & 1063 Lowell Avenue
Lot 1, Northstar Subdivision
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and
City Council review and action

Proposal

The property owner is requesting to vacate Lot 1 of the Northstar Subdivision in order to create a new subdivision, subdividing the existing lot into four (4) lots of record. The new proposed subdivision is concurrent with this application under application PL-16-03221.

Background

On October 12, 2016 the City received a completed application for the Northstar First Amended Subdivision plat amendment. The property is located at 1061 and 1063 Lowell Avenue within the HR-1 District. The subject property consists of lot 1 of the Northstar Subdivision. A deed line bifurcates the existing lot with a duplex structure on it (Parcels NR-1 & NR-1-A) (Please see Exhibits F) however the lot was never formally subdivided and sanctioned by Park City Municipal Corporation. In addition, at the time the deed line was created in 1999, this was a violation of the Associations Protective Covenants as was the duplex which was built on it. The CCR's were amended and state this lot is no longer subject to the Subdivision Declaration as of February 2010 (Please see Exhibit L). According to the survey, the lot is 0.44 acres or approx. 19,484 square feet. The proposed vacation plat amendment would allow lot 1 vacation from the

Northstar Subdivision and the concurrent proposed subdivision would create four (4) lots of record from one platted lot in a new Subdivision.

In 1983 a building permit was approved for the duplex to be built on Lot 1 of the Northstar Subdivision. The Land Management Code at the time (1981 LMC) permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 district. The City does not enforce CC&R's. The duplex was separately sold to two owners illegally. With an illegal subdivision and breach of the association's protective covenants, it is unclear how the Duplex was built and went un-noticed by the HOA until 1999. In addition, the CC&R's were later changed to allow Duplex dwellings.

A duplex dwelling is now a Conditional Use in the HR-1 District, however the current duplex would be described as a non-conforming use since it never received a CUP. Though this lot has not been designated as a duplex lot the non-conforming use was lawfully constructed with a permit prior to a contrary change in the LMC may be used and maintained, subject to the standards and limitations of Chapter 15-9 'Non-Conforming Uses and Non-complying Structures.

According to recorded documents from 2008, the reason that the Northstar HOA voted to remove Lot 1 became exempt from the HOA Northstar HOA was due to the non-compliances that were continuing on the lot which included the duplex and the deed line which was put through the center of the lot (recognized by the County but is illegal under not the not the City because it was illegally subdivided). ordinances since the required setbacks aren't adhered to). The HOA and the owners of Lot 1 signed and recorded a Release, Waiver, and Agreement in 2010 which officially release Lot 1 from the HOA. However inside the an agreement in the recorded document the owner was made aware of document mentioned the need to obtain the approvals of Park City as well, in order to remove the Lot from the actual Subdivision (not just the HOA) which was never executed.

District Purpose

The purpose of the Historic Residential HR-I District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

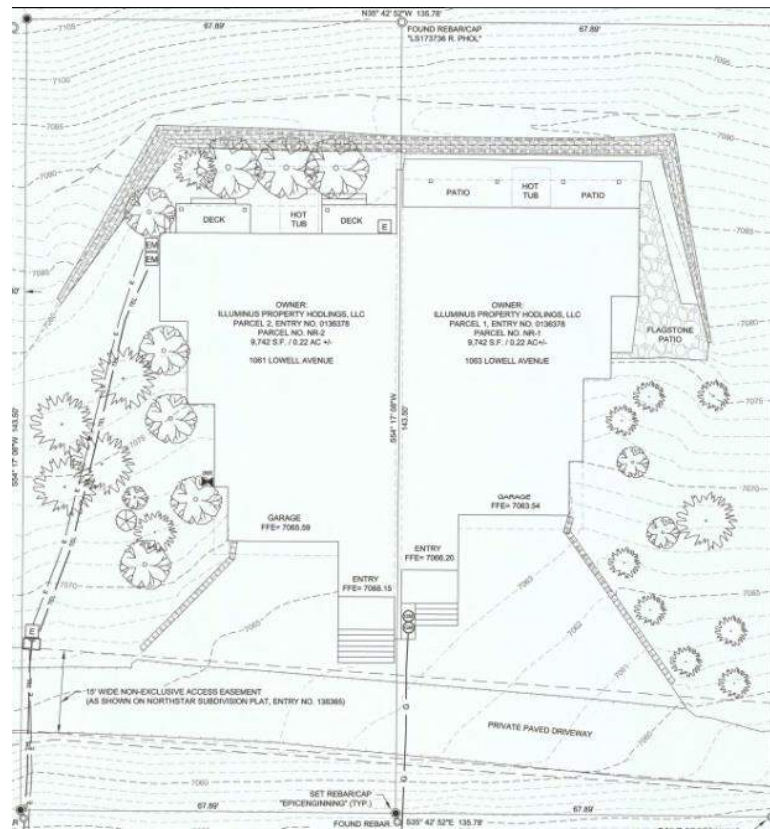
Plat Vacation Analysis

This application is a request to amend the Northstar Subdivision in order to vacate Lot 1, remove it from the Subdivision and create new subdivision which will contain 4 lots. Currently an existing duplex is proposed to be torn down and 4 new single family homes built; 1 home per lot. These applications should be reviewed in conjunction with each other.

Existing House

Currently lot 1 contains 19,484 sq. ft. with a legal non-complying duplex on it which has an approved building permit from 1983 (when duplexes were an allowed use in the HR-1 zone). If the Northstar plat is vacated and the new subdivision for 1061 and 1063 Lowell Ave is approved the duplex will be torn down.

Existing Conditions:



Proposed Homes

A single-family dwelling is an allowed use in the HR-1 District. The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex. Lots 1-4 for the proposed subdivision (PL-16-03221) would be approximately .11 acres each or approx. 4871 square feet. All lots would be approx. 143.5 square feet in length and approx. 33.95 square feet in width. With the concurrent proposed subdivision, all 4 lots have the ability to meet code requirements under Land Management Code (LMC) Chapter 2.2 Historic Residential (HR-1) District for use, density, setbacks, height, and parking. An SFD requires a minimum of two (2) parking spaces. There is also the

possibility that 2 or more lots will require a Steep Slope Conditional Use Permit per 15-2.2-6.

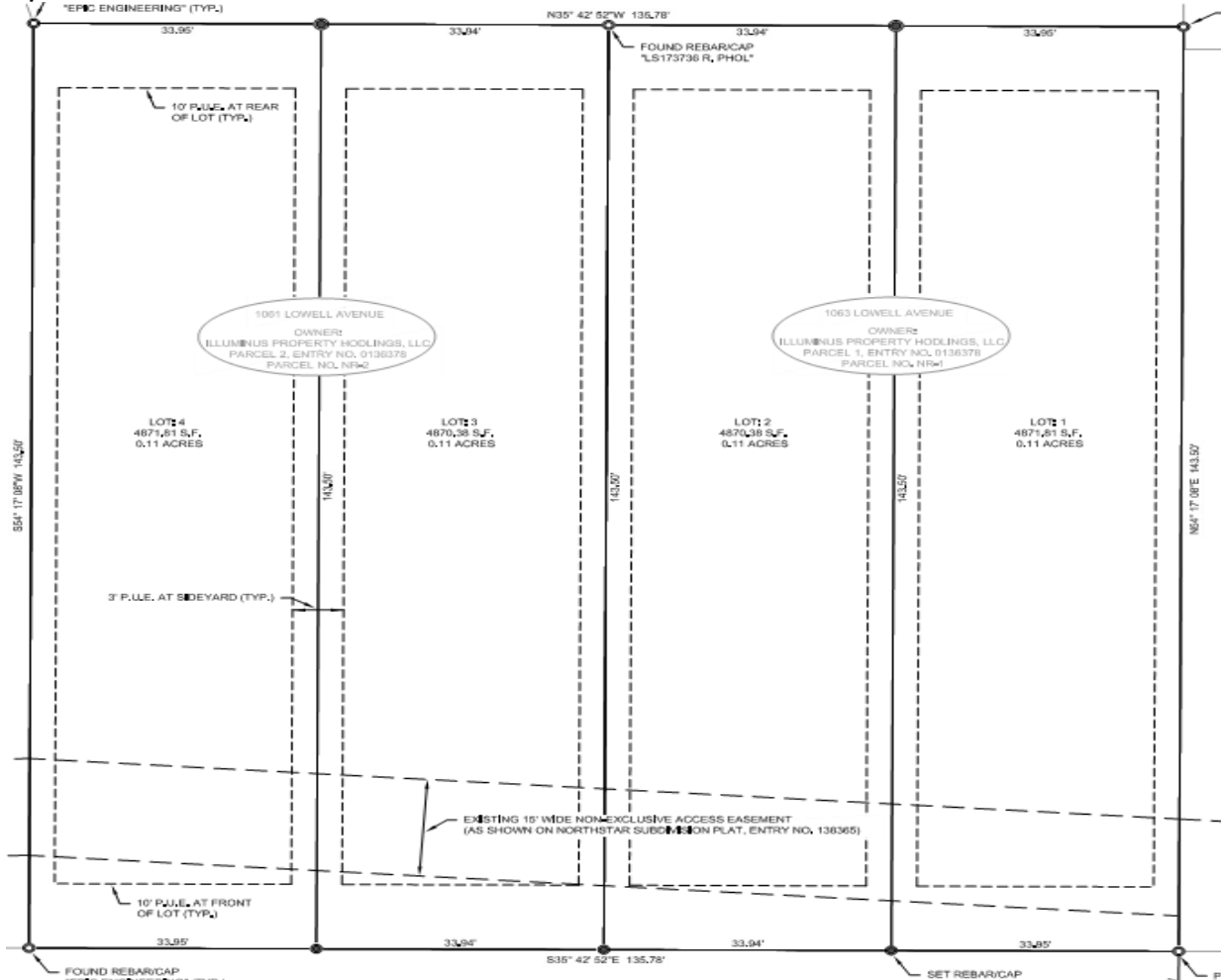
If Lot 1 stays as it currently exists the property would be subject to the following criteria:

LMC Regulation	Requirements
Building Footprint	3,500 square feet. A Conditional Use Permit is required for all Structures with a proposed footprint of greater than 3,500 square feet. The maximum would be 4,500 square feet; with an exemption allowance of 400 square feet, per dwelling unit, for garage floor area.
Front/Rear Yard Setbacks	15 feet minimum, 30 feet total.
Side Yard Setbacks	10 feet minimum, 30 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery.
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

If the 4 lots are approved the properties are subject to the following criteria:

LMC Regulation	Requirements
Building Footprint	1852.04 square feet, maximum based on lot size.
Front/Rear Yard Setbacks	15 feet minimum, 30 feet total.
Side Yard Setbacks	3 feet minimum, 6 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery.
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

Proposed Conditions:



CC&Rs

The City does not enforce any Subdivision Covenants, Conditions, & Restrictions (CC&Rs). Furthermore, per the 2010 recorded Release, Waiver, and agreement between the Northstar Association and the owners of Lot 1; Lot 1, the subject site, is not subject to the Subdivision Declaration (Please see Exhibit L).

Access Easement for Fire District

This has been preliminarily reviewed by Scott Adams of the Fire Department and Matt Cassel, City Engineer. Currently a 15' wide road access easement exists beginning at Lowell Avenue going across Lot 1 to reach a turnaround on Lot 2 and a portion of Lot 3. Currently a gate exists on Lot 2 and Lot 2 utilizes Lot 2 and 3 for access to Lowell. This easement is substandard and needed to be revised to meet current Fire Codes. The issue was preliminarily addressed by the applicant with two possible solutions. The first solution is to provide each proposed lot with its own drive directly to Lowell Avenue. The second solution is to continue to use the existing drive in the 15 foot wide easement but to remove the existing gate (on Lot 2) and extend the access easement back to the

Lowell Avenue to Lot 3 the way it is currently recorded. This easement would accommodate the additional units being proposed for the 4 Lot subdivision but at this time no additional density could be added without reviewing the access easement further.

Character & Compatibility

The Northstar Subdivision was platted in 1977. It contains a total of 10 lots and is approx. 7 acres. The Northstar lots are platted differently ranging from the smallest platted lot of 9,015 sq. ft. and the largest being 62,663 sq. ft.

<u>Lot</u>	<u>Acres</u>	<u>Square feet</u>
Lot 1	.44 acres	19,484 sq. ft.
Lot 2	.33 acres	1,4374.8 sq. ft.
Lot 3	.25 acres	1,0890 sq. ft.
Lot 4	.21 acres	9,147.6 sq. ft.
Lot 5	.20 acres	8,712 sq. ft.
Lot 6	.63 acres	27,442.8 sq. ft.
Lot 7	.68 acres	29,620.8 sq. ft.
Lot 8	1.03 acres	44,866 sq. ft.
Lot 9	.96 acres	41,817.6 sq. ft.
Lot 10	1.44 acres	62,726 sq. ft.

The density of the Northstar Subdivision was originally one Unit per lot but has since changed to allow duplexes within their subdivision (it is still a Conditional Use per the LMC).

The west side of Lowell and the east side provide 2 different characters and compatibility factors. The west side of the street is uphill topography with an average width of the lots at approximately 153 feet while the east side of Lowell has downhill topography and an average width of 33 feet. The average lot on the west side is larger, with big single family homes, duplexes, and more natural vegetation. Across the street on the east side, smaller single family homes on smaller lots create a character of its own.

Additionally, when reviewing the purpose statements of the Historic Residential 1 Zone, Staff finds that the plat proposals are mixed as to the two purpose statements. Given purpose statement C: **“encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods.”** Staff finds that the 4 smaller lots would be able to read more alike to the homes and lots on the east side of the street. While conversely, given purpose statement D to **“encourage single family Development on combinations of 25' x 75' Historic Lots”** the existing lot would maintain the compatibility that already exists and keep the certainty of the West side of Lowell Avenue. These statements could almost correlate directly to the East side of Lowell (small lot sizes) and the West side of Lowell (larger lot sizes).

The proposed subdivision which is dependent on this vacation approval consists of amending 1 lot (with an existing duplex) to create 4 lots. These applications should be reviewed in conjunction.

Good Cause

Good Cause is required for plat approval as stated in 15-7.1-3 (B) describing a plat amendment in terms of Classification of Subdivisions. The definition for Good Cause is as follows:

1.116 GOOD CAUSE. Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

The application proposal to vacate Lot 1 from the Northstar subdivision will not cause any additional impacts that would require mitigation. Removal of this lot will not clear up the Deed Line and the Duplex will remain as a Legal Non-complying structure.

The concurrent application to subdivide Lot 1 into 4 lots is able to meet all aspects of LMC HR-1 requirements, however finding Good Cause is also a requirement in order to approve the plat amendment. Increase in density is always more difficult to mitigate negative impacts than decreasing density. The expectations of neighbors are changed; there is an increase of traffic and additional hardscape, extra use of roads and public services. Staff finds the proposal, at this time, does not provide a positive benefit which furthers the health, safety and welfare of the Park City community.

Staff requests discussion of Good Cause

Staff is requesting the Planning Commission discuss the finding of Good Cause. The discussion can be based around the questions posed below in addition to any applicant provided information or public comment points that have been brought up, or finally, any inquiries the Commission may have.

Questions to consider:

- If this vacation occurs, what will stop other lots from vacating and subdividing their lots? In theory, Lot 8 of Northstar Subdivision could obtain 22 additional lots on their property.
- Are there mitigations that can be considered that would contribute to positive community benefits?
 - o Such as a decrease in housing size/footprint?
 - o Restrictions on accessory apartments as being only for long term rentals?

- Restricting each lot to only one single family house eg. Dis-allowing duplexes to be built on the new lots.
- Trail dedications.
- Green Building standards.
- Owner offering one lot for a deed restricted affordable dwelling.
- How does the addition of two units further the health, safety and welfare of the Park City community?
- How does this address issues related to density?
- Does this project providing positive benefits and mitigate all negative impacts?
-

Process

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

Department Review

This project has gone through an interdepartmental review. The issues raised by the departments or service providers regarding this proposal have been addressed by the conditions of approval. The only discussion that has not been resolved is whether Staff could find Good Cause to increase the density and whether that would have a positive or negative affect on Lowell Avenue and its residents.

Notice

On December 22, 2016 the property was posted and notice was mailed to property owners within 300 feet. On December 24, 2016 legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input

Public input has not been received by the time of this report.

Significant Impacts

Some significant impacts that have been brought up interdepartmentally for this application are as follows:

1. Additional density leads to additional traffic and additional wear and tear on Lowell Ave.
2. Additional Residences call for added amenities (water, sewer) provided by the City.
3. More development creates more hardscape which creates greater potential for storm water runoff.
4. Managing the expectations of the neighborhood and the original subdivision regarding the currently platted density

Consequences of not taking the Planning Commission's Recommendation

The lot would remain as is and no construction could take place at this time.

Summary Recommendation

Staffs recommends the Planning Commission hold a public hearing for the Northstar Subdivision Plat Amendment located at 1061 and 1063 Lowell Avenue, discuss and consider whether findings of Good Cause can be made, and continue this item to February 8, 2017.

Exhibits

- Exhibit A – Proposed Northstar Plat Vacation
- Exhibit B – Proposed Subdivision of Northstar Vacated Lot 1
- Exhibit C – Snyders Addition Map reflecting Northstar
- Exhibit D – Northstar Subdivision
- Exhibit E – Applicants Letters of Intent for Vacation and Subdivision
- Exhibit F – 1061 and 1063 Lowell Ave Existing Record of Survey and Topography
- Exhibit G - Aerial Photographs
- Exhibit H – Recorded Memo of Summit County designating 1061 Lowell a Parcel Number (NR-1-A)
- Exhibit I – Second Amendment to Northstar CC&Rs Allowing Additional Density (But No More Than 2 Family Units Per Lot)
- Exhibit J – Notice of Non-Compliance with Protective Covenants
- Exhibit K – CC&R Release, Waiver and Agreement
- Exhibit L – Notice of Removal of Protective Covenants
- Exhibit M – Water Reclamation District Letter of Approval for Increased Density
- Exhibit N – Site Photographs
- Exhibit O – Preliminary (not reviewed or approved) HDDR submittal Photographs

NORTHSTAR SUBDIVISION - AMENDED

LOCATED IN THE: NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD (1061 AND 1063 LOWELL AVENUE - PARCEL(S) NO. NR-1 AND NR-1-A)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - ILLUMINUS PROPERTY HOLDINGS, LLC.

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1049 AND 1025 LOWELL AVENUE - PARCEL(S) NO. NR-2 AND NR-3)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - SEA AND SKI PROPERTIES, LP.

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1001 LOWELL AVENUE - PARCEL NO. NR - 4)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MICHAEL GRIMME

BY: _____ DATE: _____ PAMELA GRIMME

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MICHAEL GRIMME AND PAMELA GRIMME, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (939 LOWELL AVENUE - PARCEL NO. NR-5)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ J. MICHAEL KELLY - TRUSTEE OF THE J. MICHAEL KELLY REVOCABLE TRUST

BY: _____ DATE: _____ SUSAN L. RUEBUSH - TRUSTEE OF THE J. MICHAEL KELLY REVOCABLE TRUST

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION J. MICHAEL KELLY AND SUSAN L. RUEBUSH, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (911 LOWELL AVENUE - PARCEL NO. NR-6)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ DAVID S. VAN DENBURGH - TRUSTEE OF THE DENBURGH REVOCABLE LIVING TRUST

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION DAVID S. VAN DENBURGH, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (923 NORTHSTAR DRIVE - PARCEL NO. NR-7)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - PC3, LLC.

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - PC3, LLC, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (947 NORTHSTAR DRIVE - PARCEL NO. NR-8)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ WILLIAM W. TRUXES III

BY: _____ DATE: _____ SUSAN W. TRUXES

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION WILLIAM W. TRUXES III AND SUSAN W. TRUXES, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1013 NORTHSTAR DRIVE - PARCEL NO. NR-9)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - SULGRAVE INVEST & TRADE S.A.

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - SULGRAVE INVEST & TRADE S.A., WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

BY: _____ DATE: _____ MANAGER - RIDGELAND BUSINESS LTD.

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - RIDGELAND BUSINESS LTD., WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1037 NORTHSTAR DRIVE - PARCEL NO. NR-10)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - BURGH PARK CITY TEN, LLC.

ACKNOWLEDGMENT

STATE OF UTAH) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - BURGH PARK CITY TEN, LLC, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

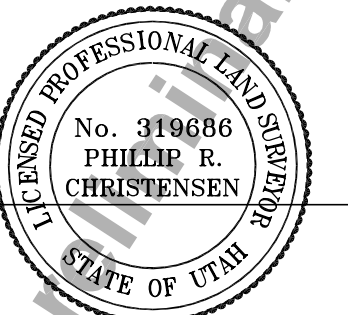
NOTARY PUBLIC MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

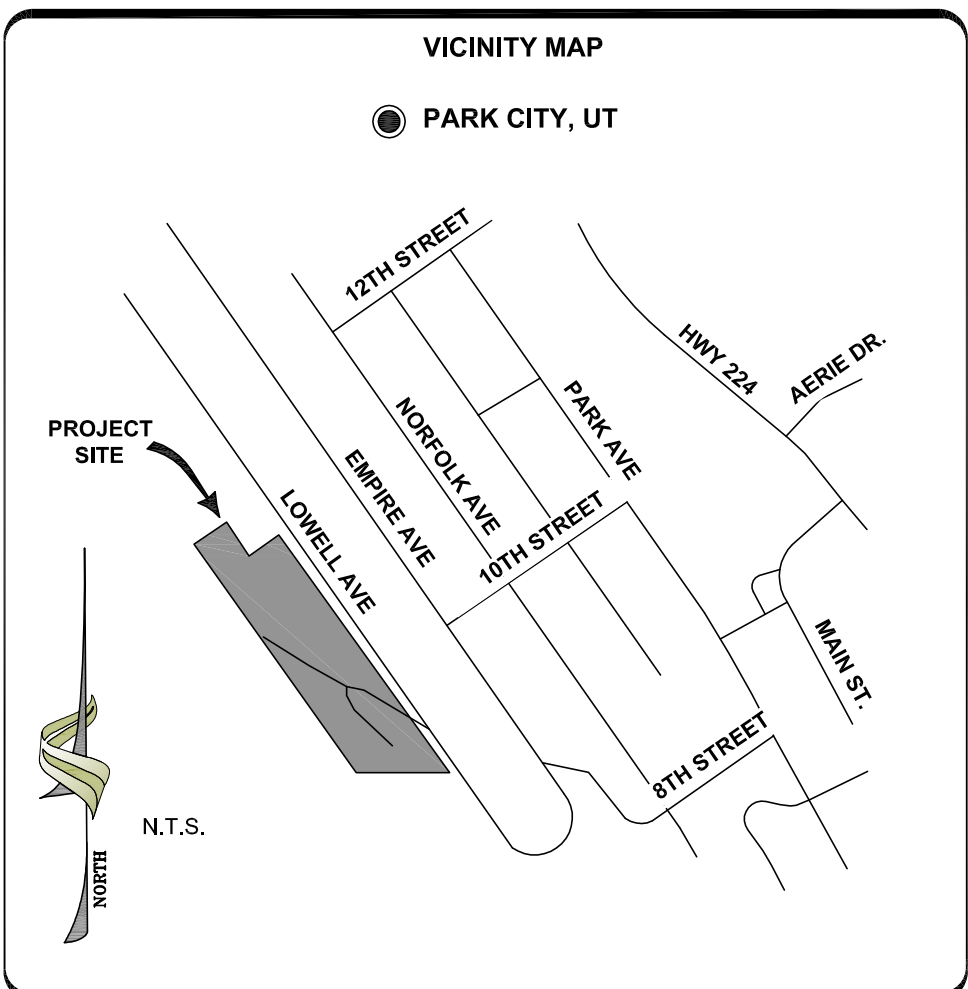
A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, FORMERLY KNOWN AS THE NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT EAST QUARTER CORNER OF SAID SECTION 16, THENCE SOUTH 89°53'05" WEST 2637.36 FEET ALONG THE CENTER SECTION LINE TO A POINT ON THE WEST RIGHT-OF-WAY OF LOWELL AVENUE AND THE POINT OF BEGINNING; THENCE SOUTH 89°53'05" WEST 462.75 FEET ALONG THE CENTER SECTION LINE; THENCE NORTH 35°59'00" WEST 675.15 FEET; THENCE NORTH 54°01'00" EAST 231.50 FEET; THENCE SOUTH 35°59'00" EAST 135.79 FEET; THENCE NORTH 54°01'00" EAST 143.50 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF SAID LOWELL AVENUE; THENCE SOUTH 35°59'00" EAST 810.50 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINS: 284,534.1 S.F. / 6.5 AC +/-

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREOF, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS BOSWELL SUBDIVISION - AMENDED AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



PHILLIP R. CHRISTENSEN P.L.S. 319686 DATE _____



NORTHSTAR SUBDIVISION - AMENDED NW1/4 SEC. 16, T.2S., R.4E., SLB&M., PARK CITY, SUMMIT COUNTY, UTAH

Project information including EPIC Engineering logo, project number 16SM1891.14, date 11/28/2016, and sheet number 1 OF 2.

COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016, A.D. MAYOR _____

NORTH SUMMIT FIRE DISTRICT APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. _____

ROCKY MOUNTAIN POWER APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. _____

QUESTAR GAS COMPANY APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016 A.D. BY: _____ S.B.W.R.D.

PLANNING COMMISSION APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. CITY PLANNING DIRECTOR _____

APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2016, A.D. CITY ATTORNEY _____

CERTIFICATE OF ATTEST I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL. THIS _____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY RECORDER

PARK CITY ENGINEER APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. CITY ENGINEER _____

SUMMIT COUNTY HEALTH DEPARTMENT APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. BY: _____

SUMMIT COUNTY RECORDER ENTRY # _____ STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ BY: SUMMIT COUNTY RECORDER

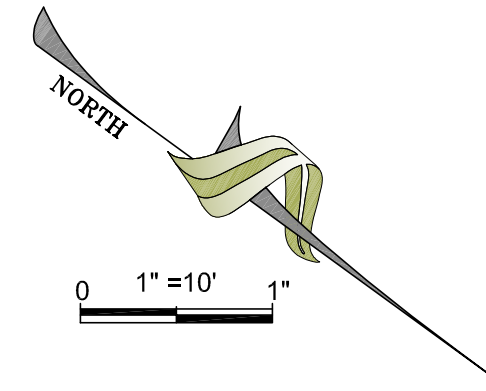
1061 LOWELL AVENUE SUBDIVISION

Exhibit B - Proposed Subdivision of Vacated Northstar Lot 1

LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

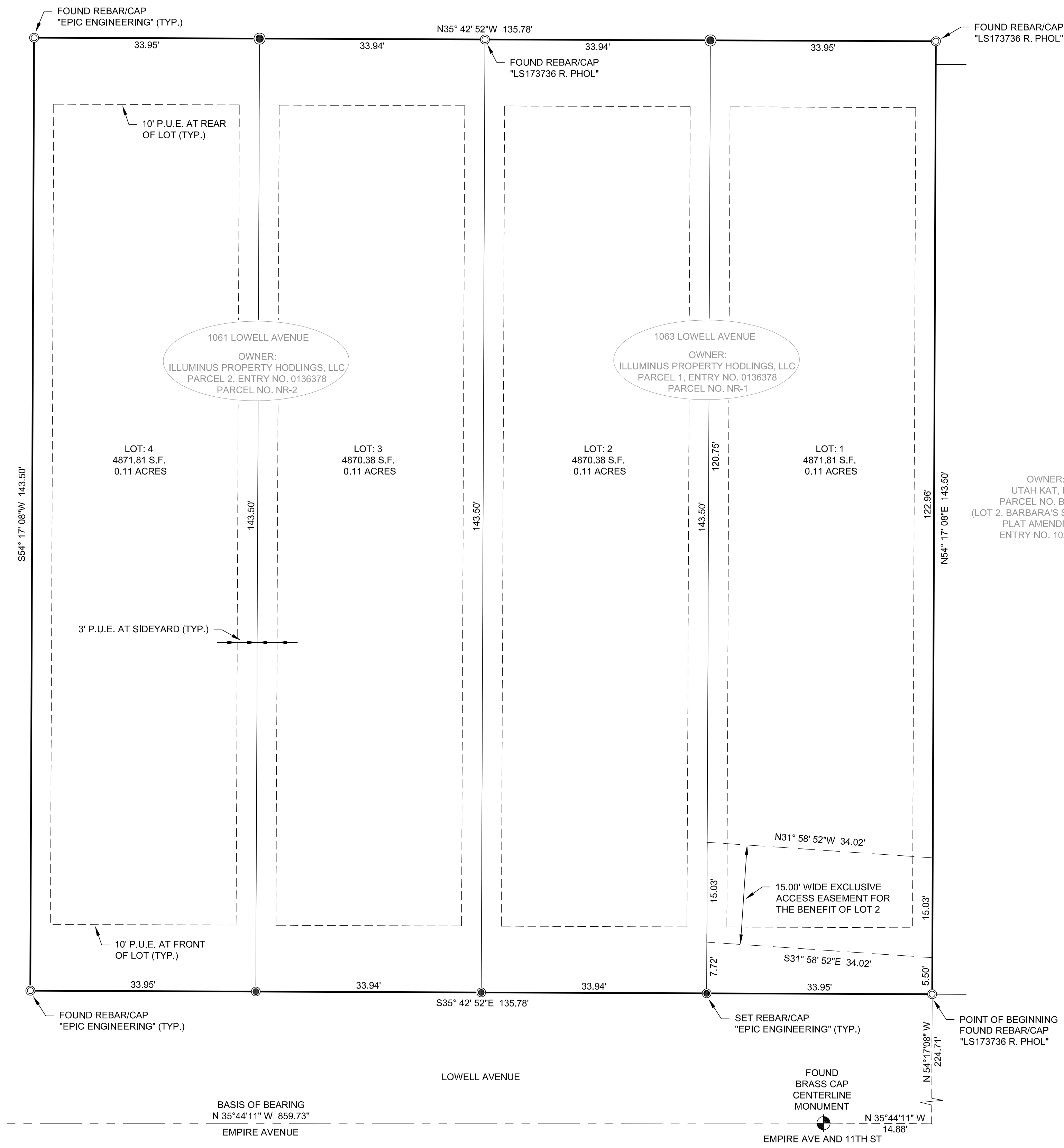
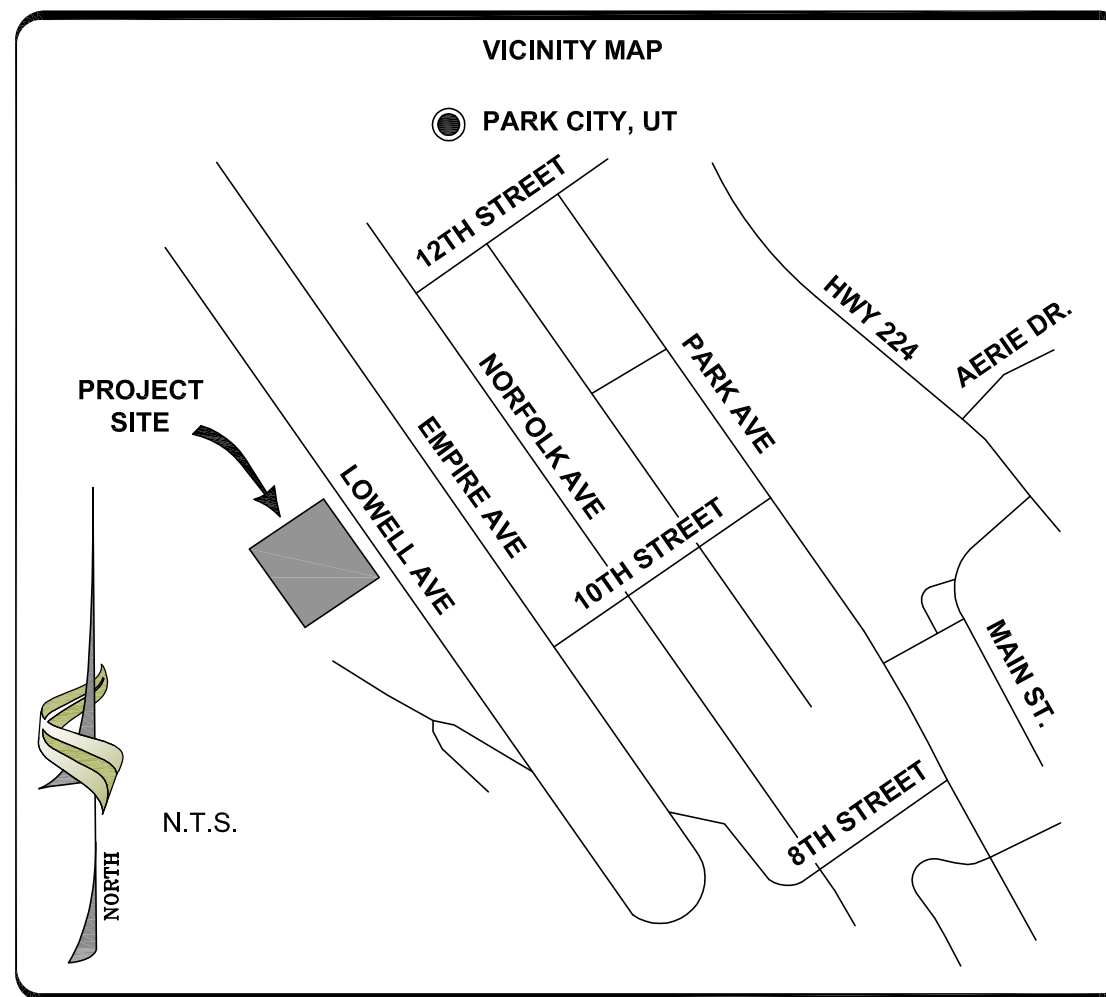
OWNER:
BURGH PARK CITY TEN, LLC
PARCEL NO. NR-10

OWNER:
NASTAR, LLC
PARCEL NO. SA-321



ADDRESS TABLE	
LOT	ADDRESS
1	LOWELL AVENUE
2	LOWELL AVENUE
3	LOWELL AVENUE
4	LOWELL AVENUE

LEGEND	
PROPERTY LINE	—————
LOT LINE	—————
SET MONUMENT "EPIC ENGINEERING"	●
FOUND MONUMENT (AS NOTED)	○
PUBLIC UTILITY EASEMENT (P.U.E.)	-----
ACCESS EASEMENT	-----



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOWN ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS DUNCAN SUBDIVISION, AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

AS WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 2016

ILLUMINUS PROPERTY HOLDINGS, LLC. DATE _____

ACKNOWLEDGMENT

ON THIS ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNERS DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC IN AND FOR THE STATE OF UTAH
RESIDING IN _____, UTAH
STATE OF UTAH } SS
COUNTY OF _____

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

TWO PARCELS OF LAND, FORMERLY KNOWN AS LOT 1 OF THE NORTHSTAR SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MONUMENT, LOCATED AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH, THENCE NORTH 35°44'11" WEST 14.88 FEET, THENCE SOUTH 54°17'08" WEST 224.71 FEET TO THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 35°42'52" EAST 135.78 FEET; THENCE SOUTH 54°17'08" WEST 143.50 FEET; THENCE NORTH 35°42'52" WEST 135.78 FEET; THENCE NORTH 54°17'08" EAST 143.50 FEET TO THE POINT OF BEGINNING.

CONTAINS: 19,484 S.F. / 0.44 AC +/-

- NOTES**
1. A 15 FOOT WIDE EXCLUSIVE ACCESS EASEMENT IS CREATED ACROSS THE FRONT OF LOT 1, FOR THE BENEFIT OF LOT 2, AS DEPICTED ON THIS PLAT.
 2. ALL LOTS ARE SUBJECT TO A PUBLIC UTILITY EASEMENT, 10 FEET ALONG THE FRONT AND REAR AND 3 FEET ALONG THE SIDE YARDS, AS DEPICTED ON THIS PLAT.

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS THE 1061 LOWELL AVENUE SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



PHILLIP R. CHRISTENSEN P.L.S. 319686 DATE _____

<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS</p> <p>ON THIS ____ DAY OF _____, 2016 A.D.</p> <p>BY: _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVAL BY THE PARK CITY PLANNING COMMISSION</p> <p>THIS ____ DAY OF _____, 2016 A.D.</p> <p>BY: _____ CHAIRMAN</p>	<p>ENGINEERS CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE.</p> <p>THIS ____ DAY OF _____, 2016 A.D.</p> <p>BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM</p> <p>THIS ____ DAY OF _____, 2016 A.D.</p> <p>BY: _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL</p> <p>THIS ____ DAY OF _____, 2016 A.D.</p> <p>BY: _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL</p> <p>THIS ____ DAY OF _____, 2016. AD.</p> <p>BY: _____ MAYOR</p>	<p>RECORDED</p> <p>ENTRY # _____</p> <p>STATE OF UTAH, COUNTY OF SUMMIT</p> <p>RECORDED AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>FEE _____</p> <p>BY: _____ SUMMIT COUNTY RECORDER</p>
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1061 LOWELL AVENUE SUBDIVISION

1061 AND 1063 LOWELL AVENUE
SE1/4NW1/4 SEC. 16, T.2S., R.4E., SLB&M
PARK CITY, SUMMIT COUNTY, UTAH

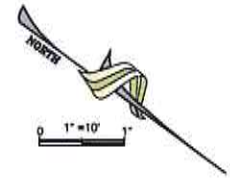
3341 South 4000 West
West Valley, Utah 84120
(801) 955-0505
90 East 100 South
Parker City, Utah 84302
(435) 954-6900

PROJECT #: 16SM1891.14
DATE: 11/28/2016
SHEET NO: 1 OF 1

1061 LOWELL AVENUE SUBDIVISION

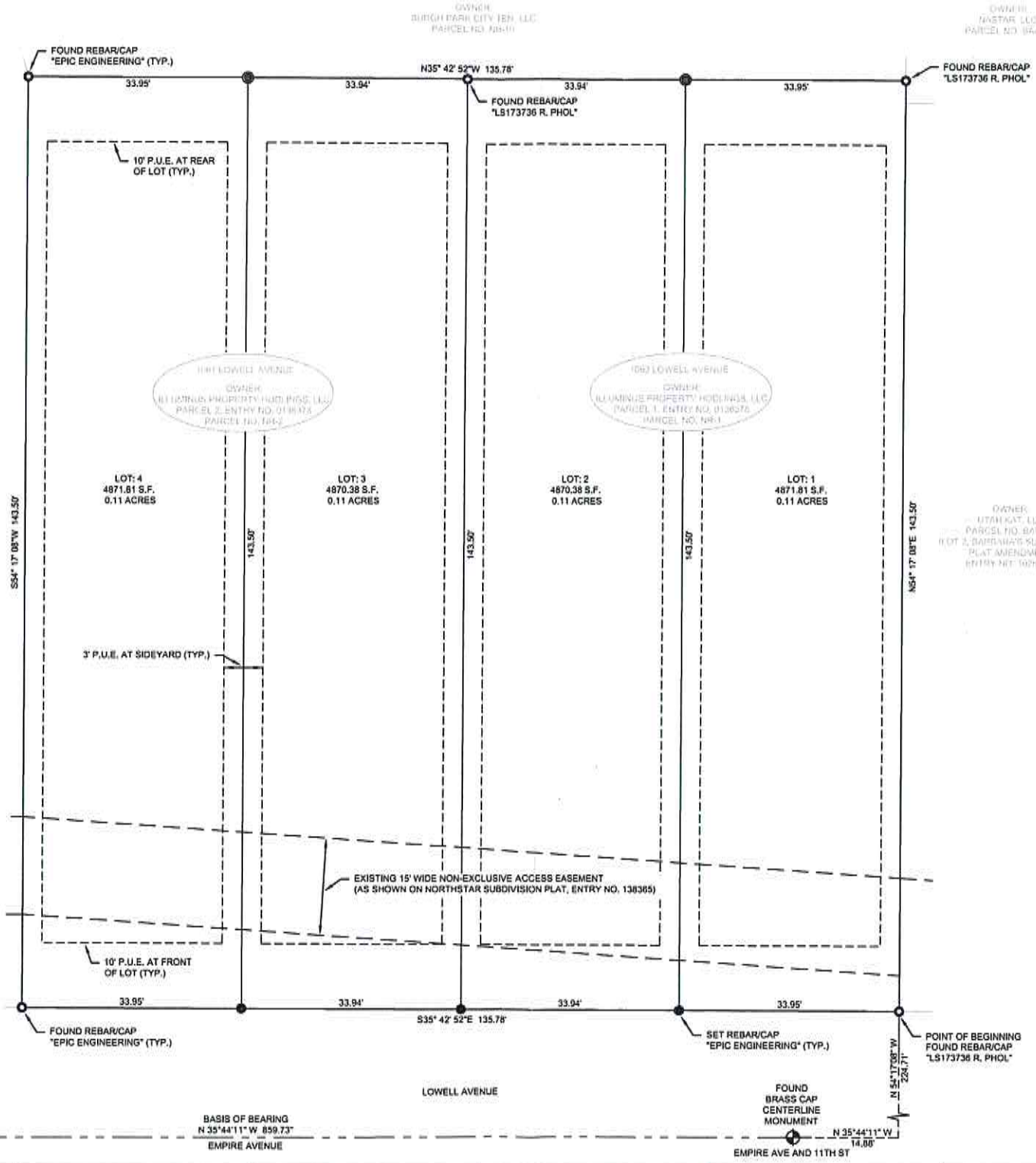
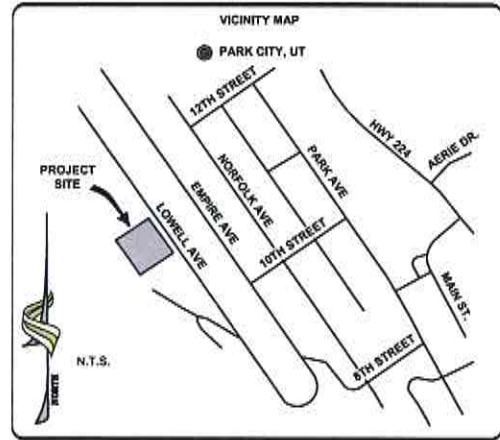
LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

Exhibit B - Proposed Subdivision of Vacated
Northstar Lot 1



ADDRESS TABLE	
LOT	ADDRESS
1	LOWELL AVENUE
2	LOWELL AVENUE
3	LOWELL AVENUE
4	LOWELL AVENUE

LEGEND	
PROPERTY LINE	—————
LOT LINE	-----
SET MONUMENT "EPIC ENGINEERING"	●
FOUND MONUMENT (AS NOTED)	○
PUBLIC UTILITY EASEMENT (P.U.E.)	- - - - -



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOWN ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS DUNCAN SUBDIVISION, AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

AS WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 2016

ILLUMINUS PROPERTY HOLDINGS, LLC. DATE _____

ACKNOWLEDGMENT
ON THIS ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNERS DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC IN AND FOR THE STATE OF UTAH
RESIDING IN _____, UTAH
STATE OF UTAH } SS
COUNTY OF _____

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION
TWO PARCELS OF LAND, FORMERLY KNOWN AS LOT 1 OF THE NORTHSTAR SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MONUMENT, LOCATED AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH, THENCE NORTH 35°44'11" WEST 14.88 FEET, THENCE SOUTH 54°17'08" WEST 224.71 FEET TO THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 35°42'52" EAST 135.78 FEET; THENCE SOUTH 54°17'08" WEST 143.50 FEET; THENCE NORTH 35°42'52" WEST 135.78 FEET; THENCE NORTH 54°17'08" EAST 143.50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A FIFTEEN (15) FOOT WIDE NON-EXCLUSIVE ACCESS EASEMENT, AS SHOWN ON SAID RECORD NORTHSTAR SUBDIVISION PLAT.

CONTAINS: 19,484 S.F. / 0.44 AC +/-

SURVEYOR'S CERTIFICATE
I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS THE 1061 LOWELL AVENUE SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

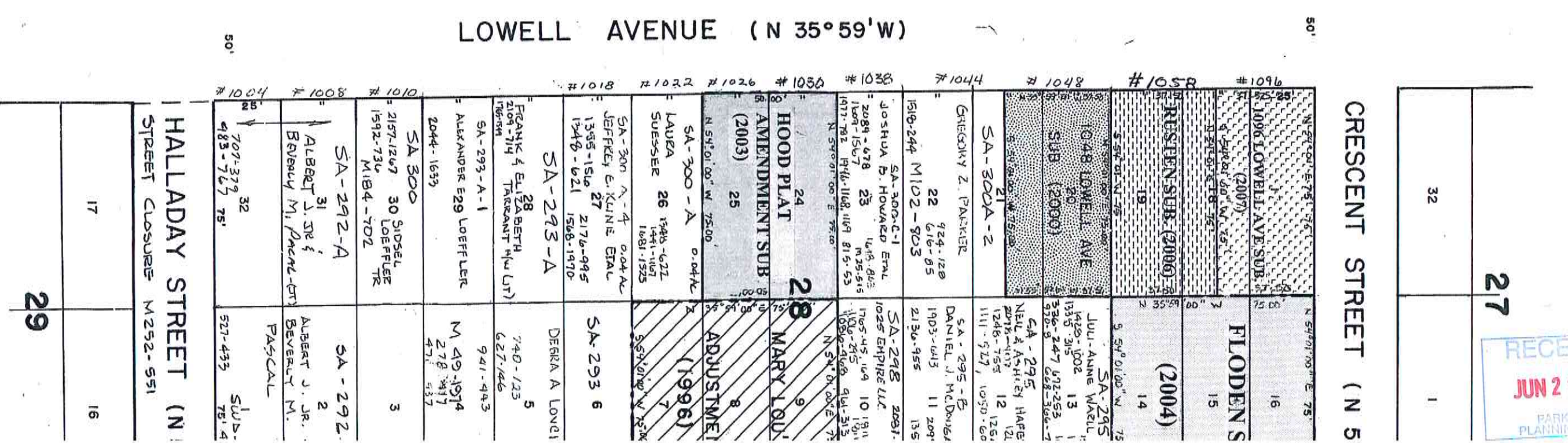
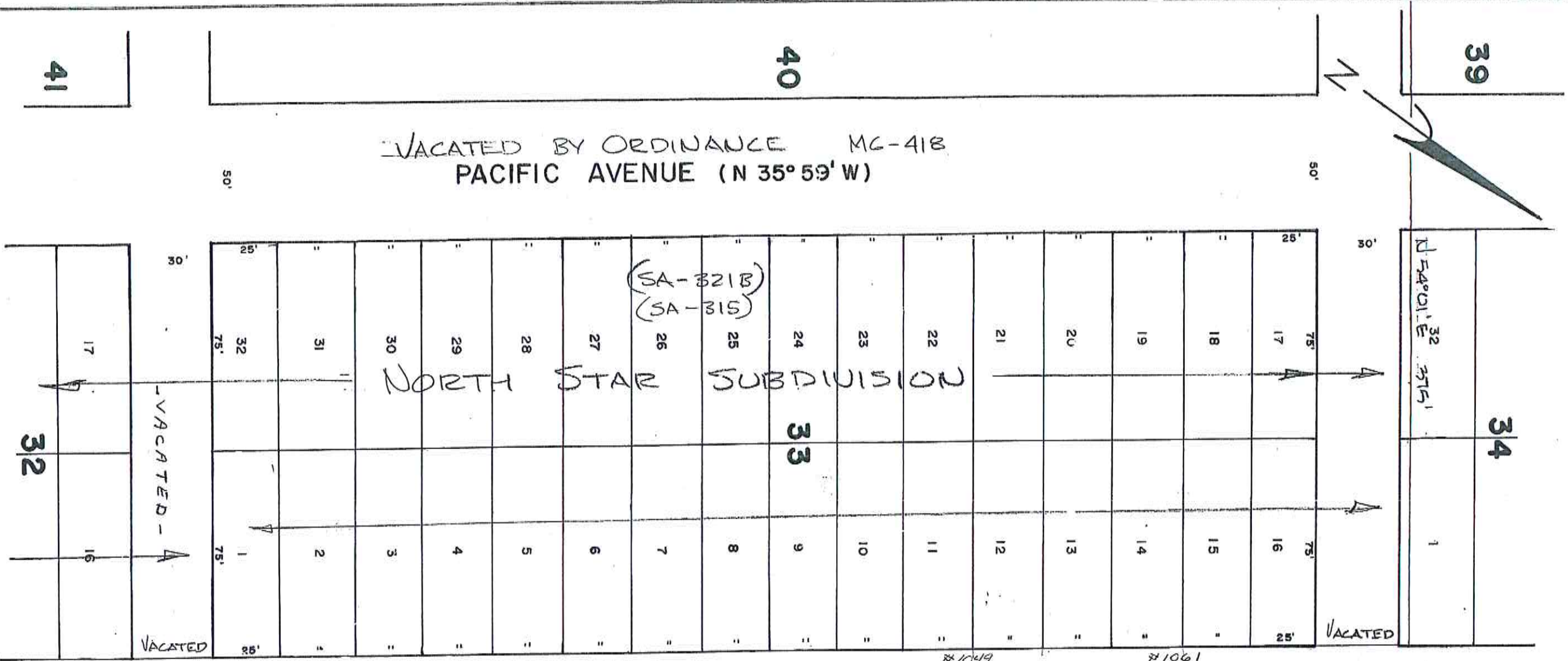


PHILLIP R. CHRISTENSEN P.L.S. 319686 DATE _____



<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2016 A.D. BY: _____ S.B.W./D.</p>	<p>PLANNING COMMISSION APPROVAL BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2016 A.D. BY: _____ CHAIRMAN</p>	<p>ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS ____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL. THIS ____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2016, AD. BY: _____ MAYOR</p>	<p>RECORDED ENTRY # _____ STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ DATE ____ TIME ____ BOOK ____ PAGE ____ FEE _____ BY: _____ SUMMIT COUNTY RECORDER</p>	<p>1061 LOWELL AVENUE SUBDIVISION 1061 AND 1063 LOWELL AVENUE SE1/4NW1/4 SEC. 16, T.2S., R.4E., S1B&M PARK CITY, SUMMIT COUNTY, UTAH</p> <p>epic ENGINEERING 2041 South 4000 West West Valley, Utah 84119 (801) 963-8800 10 East 100 South Summit, UT, Utah 84302 (801) 431-8800</p> <p>PROJECT #: 16SM1091.14 DATE: 04/26/2016 DRAWN: JD CHECKED: PC SHEET NO: 1 OF 1</p>
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PARK CITY - BLOCKS 16, 28, 33 - SECT 27, SNYDERS ADDITION



REVISIONS - DATE AND INITIAL	(In Pencil)

SUMMIT

Exhibit D- Northstar Subdivision

NORTHSTAR SUBDIVISION

LOCATED IN N.W. 1/4 SEC. 16 T25 R4E SLB 4 M

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS TO BE HEREAFTER KNOWN AS NORTHSTAR SUBDIVISION DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, IN WITNESS WHERE OF I HAVE HEREUNTO SET MY HANDS THIS 16th DAY OF February A.D. 1977

Joseph E. Bernolfo III
JOSEPH E. BERNOLFO III

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT

ON THIS 16th DAY OF February A.D. 1977 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN FOR SAID STATE AND COUNTY, JOSEPH E. BERNOLFO III WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY.

Joseph E. Bernolfo III
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-10-80
RESIDING IN SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I JACK J. JOHNSON DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4496 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS NORTHSTAR SUBDIVISION AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BLOCKS 28, 29, 30 AND 41 OF SNYDER'S ADDITION TO PARK CITY, UTAH TOGETHER WITH THE FOLLOWING VACATED STREETS AND AVENUES: CRESCENT STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER LINE OF QUAKING ASP AVENUE; WALLABY STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER LINE OF QUAKING ASP AVENUE; SHEPHERD STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER SECTION LINE OF SECTION 16, THE EASTERLY ONE-HALF OF QUAKING ASP AVENUE FROM THE CENTER SECTION LINE NORTHWESTERLY TO THE NORTHERLY LINE OF CRESCENT STREET; FACING AVENUE FROM THE CENTER SECTION LINE NORTHWESTERLY TO THE NORTHWESTERLY LINE OF CRESCENT STREET. ALL THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING AT A POINT SOUTH 89°55'00" WEST ALONG THE CENTER SECTION LINE 2637.36 FEET FROM THE EAST QUARTER CORNER OF SECTION 16 TOWNSHIP 2 SOUTH, THENCE A EAST SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY OF LOWELL AVENUE, THENCE SOUTH 89°55'00" WEST ALONG SAID CENTER SECTION LINE 462.75 FEET; THENCE NORTH 89°55'00" WEST 675.15 FEET; THENCE NORTH 84°01'00" EAST 495.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LOWELL AVENUE, THENCE SOUTH 89°55'00" EAST ALONG SAID RIGHT OF WAY LINE 946.285 FEET TO THE POINT OF BEGINNING, CONTAINS 6.98 ACRES.

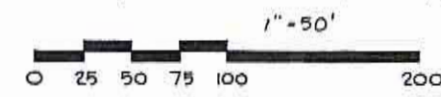
TOGETHER WITH AN EASEMENT FOR ACCESS BEGINNING AT A POINT WHICH IS SOUTH 89°55'00" WEST ALONG THE CENTER OF SECTION LINE 2637.36 FEET FROM THE EAST QUARTER CORNER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND NORTH 88°51' WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF LOWELL AVENUE 746.285 FEET; AND RUNNING THENCE SOUTH 84°01' WEST 2036 FEET; THENCE NORTH 88°15' WEST 255.20 FEET; THENCE NORTH 89°51' EAST 15.00 FEET; THENCE SOUTH 88°51' EAST 34.88 FEET TO THE POINT OF BEGINNING.

Jack J. Johnson
JACK J. JOHNSON

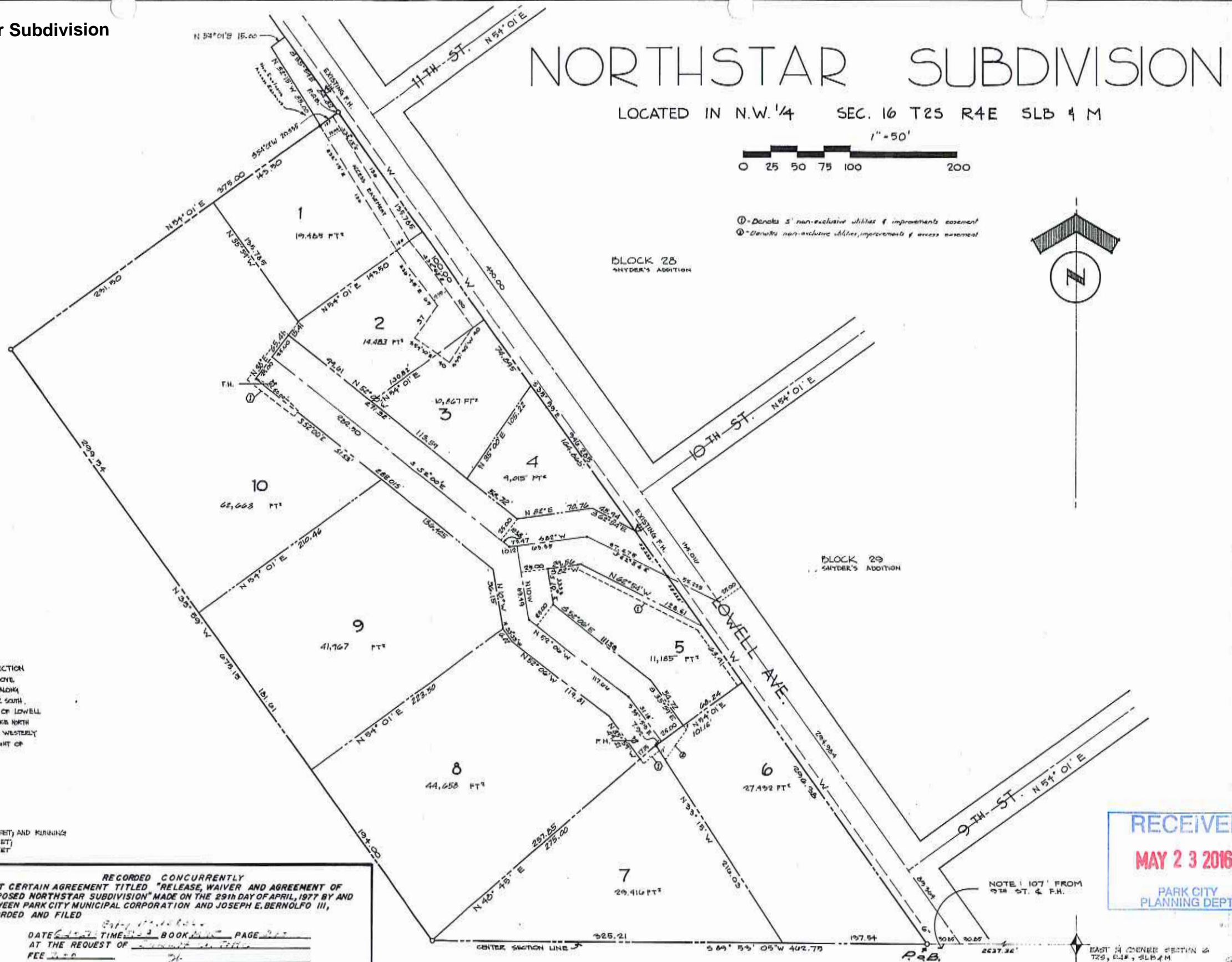
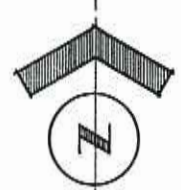
FEBRUARY 16, 1977
DATE

RECORDED CONCURRENTLY
THAT CERTAIN AGREEMENT TITLED "RELEASE, WAIVER AND AGREEMENT OF PROPOSED NORTHSTAR SUBDIVISION" MADE ON THE 29th DAY OF APRIL, 1977 BY AND BETWEEN PARK CITY MUNICIPAL CORPORATION AND JOSEPH E. BERNOLFO III, RECORDED AND FILED

DATE 2-17-77 TIME 11:30 AM PAGE 307
AT THE REQUEST OF *Jack J. Johnson*
FEE \$20.00
SUMMIT COUNTY RECORDER



①-Denotes 3' non-exclusive utilities & improvements easement
②-Denotes non-exclusive utilities, improvements & access easement



RECEIVED
MAY 23 2016
PARK CITY PLANNING DEPT.

PREPARED BY: J.J. JOHNSON & ASSOCIATES CIVIL ENGINEERING, LAND PLANNING, SURVEYING 1515 PARK AVE., P.O. BOX 10661 PARK CITY, UTAH 84090	CITY PLANNING COMMISSION APPROVED & ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 16 DAY OF Feb A.D. 1977 <i>Bessie Katta</i> CHAIRMAN	ENGINEERS CERTIFICATE APPROVED & ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT THIS 2nd DAY OF May A.D. 1977 <i>John Chobee</i> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 18 DAY OF May A.D. 1977 <i>Nick J. Colaneri</i> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST ATTEST THIS 19th DAY OF May A.D. 1977 <i>Bruce C. Decker</i> PARK CITY RECORDER	COUNCIL APPROVAL & ACCEPTANCE APPROVED & ACCEPTED BY THE PARK CITY COUNCIL THIS 18 DAY OF May A.D. 1977 <i>Leon Thrieste</i> MAYOR	NO. 29100 STATE OF UTAH, COUNTY OF SUMMIT RECORDED & FILED AT THE REQUEST OF: DATE: 2-17-77 TIME: 11:30 AM FEE \$ SUMMIT COUNTY RECORDER
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Box 22-33-31 40-41

NORTHSTAR



June 06, 2016

Park City Planning Department and Committee

Re: 1061/1063 Lowell Avenue (Northstar Lot 1) Vacation from Northstar Subdivision

We are looking to vacate Lot 1 from the Northstar Subdivision. This process has been started by the previous owner and recorded at the county. We understand that said vacation and amendment is required by Utah state law to be filed with and approved by the land use authority. In this case that would be you the Park City Planning Department and Committee, as well as a Public hearing. We have attached all documentation from the Northstar Subdivision for this action.

Sincerely,

Scott Jaffa, A.I.A.





June 06, 2016

Park City Planning Department and Committee

Re: 1061/1063 Lowell Avenue

We are looking to subdivide the previously North Star lot 1, That has been parceled into 2 lots, and released from the subdivision (see attached documentation).

There is currently a duplex on the two lots that was constructed in 1983. Our Client Illuminus, LLC has recently purchased both halves of the duplex. We are looking to Subdivide the property in to 4 equal lots stretching from Lowell Avenue to the back of the property, each with approximately 33' of frontage on Lowell Avenue. The Intent is to develop 4 independent units at a scale closet to the scale and intent of the original Historic Scale. The end result will be to develop 4 autonomous high end homes with a similar character, but varying interior options and varying elevations.

Sincerely,

Scott Jaffa, A.I.A.



1061 & 1063 LOWELL AVENUE RECORD OF SURVEY AND TOPOGRAPHY

LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

RECORD LEGAL DESCRIPTION

PARCEL NO. 1:
BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE SOUTH 3559' EAST 67.89 FEET; THENCE SOUTH 5401' WEST 143.5 FEET; THENCE NORTH 3559' WEST 67.89 FEET; THENCE NORTH 5401' EAST 143.5 FEET TO THE POINT OF BEGINNING.
TOGETHER WITH AN ACCESS EASEMENT AS SHOWN ON THE RECORDED PLAT OF NORTHSTAR SUBDIVISION.

PARCEL NO. 2:
BEGINNING AT THE MOST EASTERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE SOUTH 5401' WEST 143.5 FEET; THENCE NORTH 3559' WEST 67.89 FEET; THENCE NORTH 5401' EAST 143.5 FEET; THENCE SOUTH 3559' EAST 67.89 FEET TO THE POINT OF BEGINNING.
TOGETHER WITH AN ACCESS EASEMENT AS SHOWN ON THE RECORDED PLAT OF NORTHSTAR SUBDIVISION.

AS-SURVEYED DESCRIPTION

TWO PARCELS OF LAND, FORMERLY KNOWN AS LOT 1 OF THE NORTHSTAR SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A FOUND BRASS CAP MONUMENT AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH, THENCE NORTH 35°44'11" WEST 14.88 FEET, THENCE SOUTH 54°17'08" WEST 224.71 FEET TO THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 35°42'52" EAST 135.78 FEET; THENCE SOUTH 54°17'08" WEST 143.50 FEET; THENCE NORTH 35°42'52" WEST 135.78 FEET; THENCE NORTH 54°17'08" EAST 143.50 FEET TO THE POINT OF BEGINNING.
CONTAINS: 19,844 S.F. / 0.44 AC +/-

NARRATIVE

EPIC ENGINEERING WAS HIRED TO LOCATE AND MONUMENT THE BOUNDARY FOR TWO PARCELS OF LAND KNOWN AS PARCEL NUMBERS NR-1 AND NR-2, SAID PARCEL BEING FURTHER DESCRIBED IN A WARRANTY DEED, ENTRY NUMBER 1036378, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE.

IN ADDITION, A TOPOGRAPHIC SURVEY WAS COMPLETED TO LOCATE EXISTING IMPROVEMENTS AND CREATE CONTOURS UPON SAID PARCELS.

IN PERFORMING THIS SURVEY, MULTIPLE DOCUMENTS WERE OBTAINED FROM THE SUMMIT COUNTY SURVEYOR'S AND RECORDER'S OFFICE, TO INCLUDE ENTRY NUMBER(S): 1036378, 891323, 891326, 830412, 891325, 866671, 891327, S-5709, S-5840, 138365, 1015023, AND 1026767.

THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN TWO FOUND CENTERLINE MONUMENTS, A BRASS CAP MONUMENT, AT THE INTERSECTION OF EMPIRE AVENUE AND 9TH STREET AND THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET WITH A MEASURED BEARING AND DISTANCE OF NORTH 35°44'11" WEST 859.73'.

A TITLE REPORT WAS NOT OBTAINED, PURSUANT TO AND IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR AMERICAN LAND TITLE ASSOCIATION (ALTA) / NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS) LAND TITLE SURVEYS, DATED 2/23/2016. AS SUCH, THE PARCEL SURVEYED MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAYS, AGREEMENTS, CONVEYANCES, AND SURVEYS THAT MAY NOT BE REFLECTED ON THIS PLAT.

THE UTILITIES SHOWN ON THIS MAP HAVE BEEN LOCATED FROM FIELD OBSERVATIONS ONLY. NO GUARANTEES ARE MADE OR IMPLIED THAT ALL UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.

THE EXISTING HOME ON THE ADJACENT PARCEL TO THE SOUTH WAS LOCATED AS DEPICTED ON THIS DRAWING. HOWEVER, THE FOUNDATION WALLS OF A HOME UNDER CONSTRUCTION ON THE PARCEL TO THE NORTH, WAS NOT LOCATED.

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 319686 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE CLIENT, A SURVEY OF THE TRACT OF LAND DESCRIBED HEREIN, WAS PERFORMED UNDER MY DIRECTION.

PHILLIP R. CHRISTENSEN
P.L.S. 319686

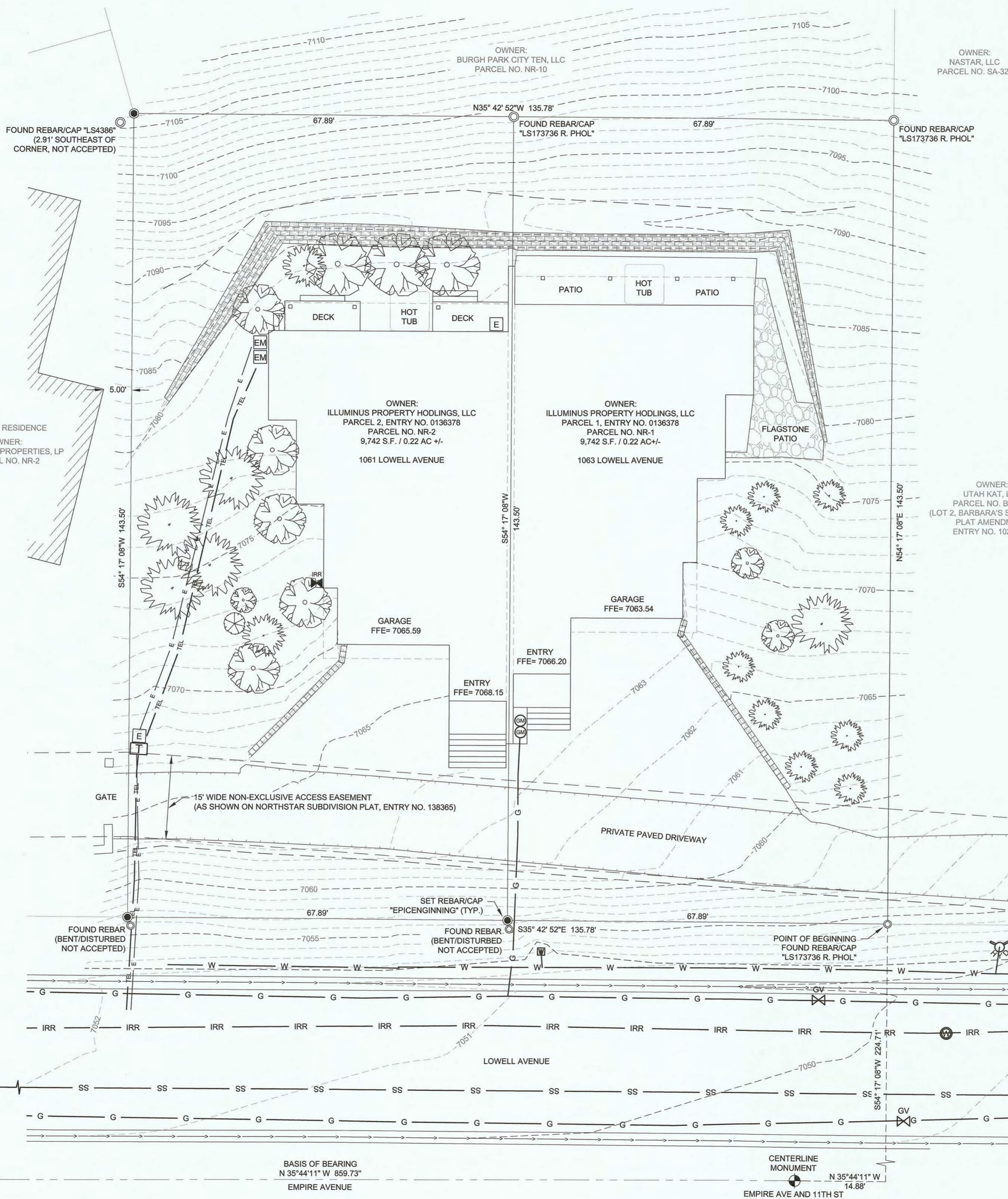
DATE: May 16, 2016

PROFESSIONAL LAND SURVEYOR
No. 319686
PHILLIP R. CHRISTENSEN
5-16-16
STATE OF UTAH

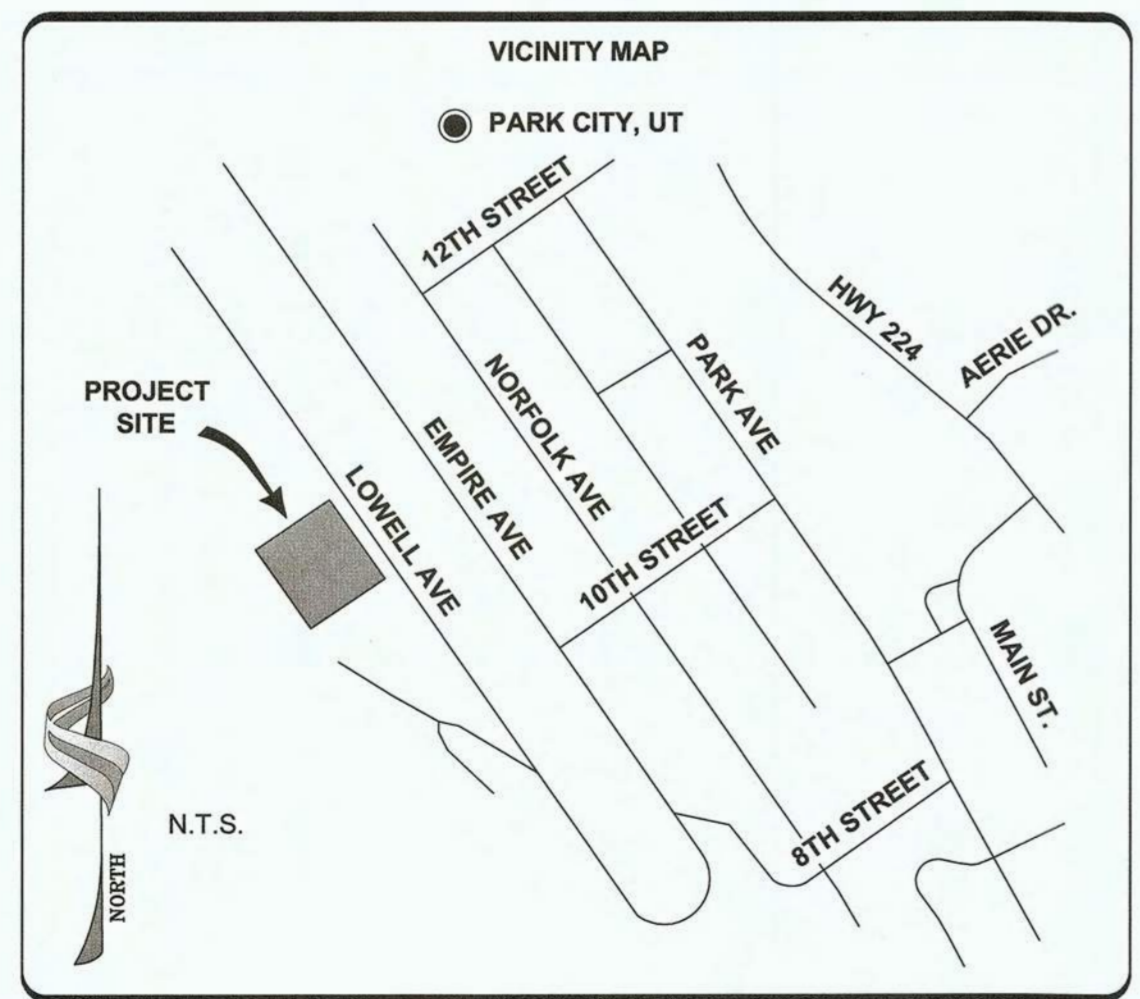
1061 & 1063 LOWELL AVENUE
RECORD OF SURVEY AND TOPOGRAPHY
SE1/4NW1/4 OF SEC.16, T.2S., R.4E, SLB&M,
1061 AND 1063 LOWELL AVENUE
PARK CITY, SUMMIT COUNTY, UTAH

epic ENGINEERING
3341 South 4000 West
West Valley, Utah 84120
801958-5605
50 East 100 South
Haber City, Utah 84032
630954-4903

PROJECT #: 16SM1891.14
DRAWN: JD DATE: 05/16/2016
CHECKED: PC SHEET NO: 1 OF 1



LEGEND	
PROPERTY LINE	—
SET MON (AS NOTED)	●
FOUND MON (AS NOTED)	○
FLOWLINE/SWALE	→
RETAINING WALL	▬▬▬▬▬▬
EDGE OF ASPHALT	▬▬▬▬▬▬
GAS LINE	— G —
GAS VALVE	⊗
GAS METER	⊗
IRRIGATION VALVE	⊗
ELECTRIC METER	⊗
ELECTRIC PANEL/BOX	⊗
ASPEN TREE	⊗
PINE TREE	⊗
WATER MANHOLE	⊗
WATER LINE	— W —
WATER METER	⊗
SANITARY SEWER MANHOLE	⊗
SANITARY SEWER LINE	— SS —
TELEPHONE PEDESTAL	⊗



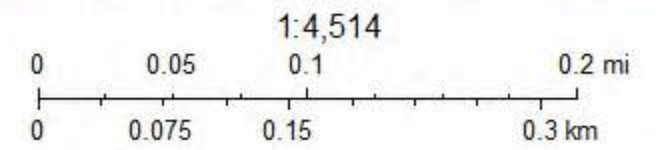
N:\PROJECTS\1061 AND 1063 LOWELL AVE LOT 1 BOUNDARY & TOPOGRAPHIC SURVEY\1061 AND 1063 LOWELL AVE LOT 1 BOUNDARY & TOPOGRAPHIC SURVEY.DWG

Tax Parcels

Exhibit G - Aerial Photographs



June 21, 2016



Tax Parcels



June 21, 2016

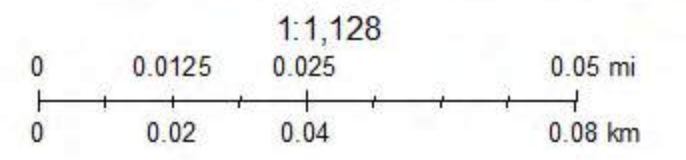


Exhibit H - Recorded Doc giving 1061 Lowell a Parcel
Number

Memorandum

Date: September 13, 2004
To: Recorder's Office
From: Information Technology
Jeff Ward
GIS Specialist

00710558 Bk01645 Pg01593-01593
ALAN SPRIGGS, SUMMIT CO RECORDER
2004 SEP 13 14:40 PM FEE \$1.00 BY GGB
REQUEST: SUMMIT COUNTY GIS SPECIALIST

RE: New Address / Change in Addresses

Serial #	New / Change	Address
PI-D-79	New	1626 W. Elk Road
PI-E-3	New	2197 W. Willow Way
RCCS-13	Change	Old: 3379 Tatanka Trail New 3279 Tatanka Trail
NR-1	Change	Old: 1061 Lowell Avenue New: 1063 Lowell Avenue
NR-1-A	New	1061 Lowell Avenue
NS-116-F	New	384 E. 1400 South (Hoytsville)

Thanks, if you have any questions, please call me at ext 3145.



BK1645 PG1593

**Exhibit I – Second Amendment to Northstar CC&Rs Allowing
Additional Density (But No More Than 2 Family Units Per Lot)**

WHEN RECORDED PLEASE RETURN TO:

Thomas T. Billings
VanCott, Bagley, Cornwall & McCarthy
50 South Main, Suite 1600
Salt Lake City, Utah 84144

ENTRY NO. 00806996

03/14/2007 11:22:47 AM B: 1852 P: 1838

Amendment PAGE 1 / 5

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 28.00 BY VAN COTT BAGLEY CORNWALL MCCARTHY



Parcel I.D. Nos. NR-1, NR-1A, NR-2, NR-3,
NR-4, NR-5, NR-6, NR-7, NR-8, NR-9, NR-10

**SECOND AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS
FOR THE NORTHSTAR SUBDIVISION**

At the Annual Meeting of the Northstar Homeowners Association held on December 28, 2006, the Owners of the Subdivision Lots subject to the Declaration of Protective Covenants for the Northstar Subdivision, dated July 19, 1977, and recorded as Entry No. 139189 in Book M97 at Pages 387 to 404 of the official records of Summit County, Utah, as amended from time to time, amended said Declaration of Protective Covenants as follows:

Section 5.3 is amended and restated in its entirety to read as follows:

“Section 5.3 Annual Assessment. The amount of the annual assessment for 1997 is \$500.00 per Lot. The amount of the annual assessment for succeeding years shall be set by the Governing Board based upon the financial status of the Association and an expectation of expenses for the ensuing calendar year. However, in no year shall the Governing Board set the annual assessment at an amount greater than 120 percent of the amount (maximum annual assessment) for the year immediately preceding the year for which the assessment is being set. At no time shall the Governing Board set the annual assessment above \$1,500.00 (assessment cap). The annual assessment may be increased above said maximum annual assessment or assessment cap by an affirmative vote of 2/3 of the votes cast at the annual meeting or special meeting duly called for this purpose.”

Section 5.4 is amended and restated in its entirety to read as follows:

“Section 5.4 Special Assessments For Capital Improvements. In addition to the annual assessments authorized above, the Association may levy, in any assessment year, a special assessment applicable to that year only for the purposes of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of any paved street located within the Subdivision not maintained by the City, upon an affirmative vote of 2/3 of all votes entitled to be cast by the Association members.”

Section 6.2 is amended and restated in its entirety to read as follows:

“Section 6.2 Approval by Architectural Committee. No improvements of any kind, including but not limited to dwelling houses, swimming pools, ponds, building pads, parking areas, fences, walls, tennis courts, garages, drives, bridges, antennae, flag poles, curbs, and walks shall ever be erected, altered or permitted to remain on any Subdivision Lot or Property, nor shall any excavating, alteration of any stream, clearing, removal of trees, or shrubs, or landscaping be done on any Subdivision Lot or Property, unless the complete plans and specifications therefore are approved by the Architectural Committee prior to the commencement of such work. An architectural review fee shall be paid to the Architectural Committee in an amount the Architectural Committee shall set from time to time. Any improvements to be done after the initial improvements shall be submitted as directed to the Architectural Committee for approval and be subject to an architectural review fee. The Architectural Committee shall consider the materials to be used on the exterior features of said buildings and structures, including exterior colors, harmony of external design with existing structures within said Subdivision, location with respect to topography and finished grade elevations and harmony of landscaping with the natural setting and surrounding native trees, bushes and other vegetation. The complete architectural plans and specifications must be submitted in triplicate, must include at least four different elevation views. In the event the Architectural Committee fails to take any action within 45 days after the complete plans for such work have been submitted to it, then all of such submitted plans shall be deemed to be approved. In the event the Architectural Committee shall disapprove any plans, the person submitting such plans may appeal the matter at the next annual or special meeting of the members of the Association, where an affirmative vote of at least 2/3 of the membership shall be required to change the decision of the Architectural Committee.”

Section 7.2 is amended and restated in its entirety to read as follows:

“Section 7.2 Business Uses. The Subdivision Lots or Property shall be used exclusively for residential living purposes and such other uses as are not inconsistent with the exclusive purpose and are permitted by the zoning regulations applicable thereto validly in force from time to time, such purposes to be confined to approved residential Buildings within the Property. No Subdivision Lot or Property shall ever be occupied or used for any commercial or business purposes, provided, however, that nothing in this Paragraph 7.2 shall be deemed to prevent (a) Declarant, Park City Development Company, Inc., or their duly authorized agents from using any Subdivision Lot owned by Declarant or Park City Development Company, Inc. as a sales office, sales model, property management office, rental office, or maids quarters, or (b) any Owner or his duly authorized agent from renting or leasing said owner’s residential Building from time to time, subject to all of the provisions of this Declaration, or (c) the construction of a double family (duplex) unit as permitted by Section 8.1 hereof. Notwithstanding the foregoing, an Owner may use any portion of a building constructed on the Lot as an home office provided, however, that such home office does not generate any vehicle or pedestrian traffic to the Subdivision.”

Section 8.1 is amended and restated in its entirety to read as follows:

“Section 8.1 Number and Location of Buildings. No Building or structures shall be placed, erected, altered, or permitted to remain on any Subdivision Lot other than one single

family or one double family dwelling, and one garage together with related nonresidential structures and improvements of the types described in Section 6.2 hereof. Each Subdivision Lot must be improved with a garage with at least a two-car capacity at the time of construction of the single family or one double family dwelling on the Subdivision Lot. In the event a double family dwelling is constructed on any Lot, such building must have a minimum of a two-car garage for each living unit.

The location of the building for all such Buildings and structures shall be established by the Architectural Committee. In approving or disapproving the building site, the Architectural Committee shall take into consideration the locations with respect to topography, trees, brush, and finished grade elevations and the effect thereof on the setting and surrounding of the Subdivision.”

Section 8.7 is amended and restated in its entirety to read as follows:

“Section 8.7 Towers and Antennae. No towers, and no exposed or outside radio, television or other electrical antennae, with the exception of television receiving antennae shall be allowed or permitted to remain on any Subdivision Lot. The Architectural Committee shall have the discretion to allow mini satellite dishes and similar unobtrusive receiving antennae if requested by an owner.”

Section 8.13 is added to the Declaration and reads as follows:

“Section 8.13 Condominium Use of a Building. An Owner may construct or establish a double family dwelling on any Lot and in the event such an Owner desires to create a condominium under the laws of the State of Utah in order to allow multiple owners with separate legal interests in a Lot and double family unit, then such Owner or Owners shall submit to the Governing Board and the Architectural Committee at the Owner’s sole cost and expense, a proposed declaration of condominium for the Lot which complies with the laws of the State of Utah and any applicable ordinances or regulations of Park City Municipal Corporation. Such submission shall include a proposed declaration of condominium, articles of incorporation and by-laws for the condominium association. The Owner shall bear any fees or expenses incurred by the Governing Board and Architectural Committee for its review of the condominium documents. **Upon approval by the Governing Board, the Owner may declare a condominium for its Lot, provided, however, that the Lot shall have only one vote in the Northstar Homeowners Association regardless of the number of Owners in the Condominium. In no instance shall there be more density than two family units on any Lot.”**

Certificate of Secretary

Annie Lewis Garda hereby certifies that she is the duly elected, qualified and acting Secretary of the Northstar Homeowners Association, a non-profit corporation duly organized and existing under the laws of the State of Utah, that the amendments contained in the preceding Second Amendment to the Declaration of Protective Covenants for the Northstar Subdivision were adopted by the Owners of the Northstar Subdivision Lots at the Annual Meeting of the Northstar Homeowners Association held on December 28, 2006, by the requisite votes of the Lot Owners in attendance thereat, as evidenced by the Minutes of said Annual Meeting and the written ratifications and approvals of said Minutes executed by the respective Owners, which Minutes and written ratifications and approvals are on file and made a part of the records of the Northstar Homeowners Association.

Dated: January 4, 2007

Annie Lewis Garda
Annie Lewis Garda, Secretary

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

On this 4th day of January, 2007, personally appeared before me, Annie Lewis Garda personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the above instrument, and acknowledged to me that she executed the same in her authorized capacity, and that she signed the same of her own free act and deed.

[Signature]
NOTARY PUBLIC
Residing at: Provo, UT

My Commission Expires: 8/31/07

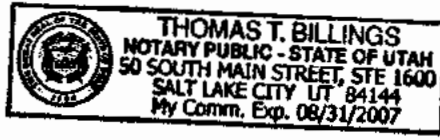


EXHIBIT A

(Legal Description of the Property)

PROPERTY located in Summit County, Utah, more particularly described as follows:

Blocks 31, 32, 33, 40 and 41 of Snyder's Addition to Park City; Park City, Utah, together with the following vacated streets and avenues: Crescent Street from Lowell Avenue Southwesterly to the center line of Quaking Asp Avenue; Halladay Street from Lowell Avenue Southwesterly to, the center line of Quaking Asp Avenue; Shepherd Street from Lowell Avenue Southwesterly to the center section line of Section 16; the Easterly one-half of Quaking Asp Avenue from the center section line Northwesterly to the Northerly line of Crescent Street; Pacific Avenue from the center section line Northwesterly to the Northwesterly line of Crescent Street. All the above being more particularly described as follows: Beginning at a point South 89°53'05" West along the center section line 2637.36 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian. said point also being on the Westerly right of way of Lowell Avenue, running thence South 89°53'05" West along said center section line 462.75 feet; then North 35°59'00" West 675.15 feet; thence North 54°01'00" East 375.00 feet to a point on the Westerly right of way line of Lowell Avenue; thence South 35°59'00" East along said right of way line 946.285 feet to the point of beginning. Together with an easement for access beginning at a point which is South 89°53'05" West along the center of section line 2637.36 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian and North 35°59' West along the Westerly right of way line of Lowell Avenue 946.285 feet; and running thence South 54°01' West 20.535 feet; thence North 32°15' West 85.00 feet; thence North 54°01' East 15.00 feet; thence South 35°59' East 84.82 feet to the point of beginning.

Exhibit K - CC&R Release, Waiver and Agreement

WHEN RECORDED, RETURN TO:

Northstar Subdivision Homeowners Association
c/o Thomas T. Billings, Esq.
Van Cott, Bagley, Cornwall & McCarthy
36 South State Street, Suite 1900
Salt Lake City, UT 84111

ENTRY NO. 00891323

02/02/2010 11:14:09 AM B: 2019 P: 1318
Release PAGE 1/5
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE 18.00 BY VAN COTT BAGLEY CORNWALL MCCARTHY



Affects Parcel ID No. NR-1

RELEASE, WAIVER, AND AGREEMENT

THIS RELEASE, WAIVER, AND AGREEMENT ("Release") is entered into as of the 25 day of Jan, 2010, by and between WILLIAM P. KAUFMAN AND HIS SPOUSE IF APPLICABLE (collectively, "Property Owner"), and NORTHSTAR HOMEOWNERS ASSOCIATION (the "Association").

RECITALS:

WHEREAS, Property Owner is the owner of Lot 1, Parcel ID No. NS-1 (the "Lot"), which has been a part of the Northstar Subdivision in Park City, Summit County, Utah as described in the Plat of Record as Entry No. 138365 in the Official Records of Summit County, Utah (the "Subdivision"), and a member of the Association; and

WHEREAS, the Association, pursuant to the currently effective versions of the Articles of Incorporation, Declaration of Protective Covenants, and By-Laws of the Association, has had certain rights, powers and obligations with regard to the Lot as well as all common areas, access easements, and/or paved streets within the Lot and/or that portion of the access easement described in the Subdivision immediately adjacent to the northeast corner of Lots 1 and/or 1A (collectively, the "Related Areas"); and

WHEREAS, Property Owner desires to remove the Lot from the Subdivision and withdraw from the Association; and

WHEREAS, in connection with removal of the Lot from the Subdivision, the parties desire to execute this mutual Release.

NOW, THEREFORE, in consideration of the foregoing and the mutual release contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree and covenant as follows:

1. Except for the obligations of Property Owner contained herein, each party, on behalf of itself and anyone claiming by, through or under it, does hereby irrevocably and unconditionally release, waive and forever discharge each other from and against any and all claims demands, damages, costs, expenses, liabilities, obligations, actions and causes of action, now existing or hereafter arising, whether known or unknown, contingent or absolute, of



whatsoever kind or character that either party may have against the other as of the date of this Release.

2. Property Owner hereby represents and warrants to the Association that Property Owner is the sole owner of the Lot and has full legal authority to enter into this Release.

3. This Release shall be binding upon the parties and their heirs, legal representatives, successors and assigns. If Property Owner is comprised of more than one person or entity, the terms of this Release shall be joint and several.

4. This Release constitutes the entire agreement between the parties with respect to the subject matter hereof and there are no written or oral representations or agreements between the parties other than those expressly set forth herein. It is expressly understood and agreed that this Release may not be altered, amended, modified or otherwise changed in any respect whatsoever except by a writing duly executed by both parties. This Release shall be construed and interpreted in accordance with, and governed and enforced in all respects by the laws of the State of Utah without giving effect to the conflict of laws principles of such state. If any term, provision or covenant contained in this Release is held by a tribunal of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions hereof shall remain in full force and effect and shall not in any way be affected, impaired or invalidated. This Release may be executed in counterparts, each of which shall be an original and be fully effective as to the party or parties signing the counterpart, but all such counterparts shall together constitute one instrument. In any action to enforce or interpret this release the prevailing party shall, in addition to all other relief, be entitled to an award for its attorneys' fees and costs.

5. The Property Owner expressly acknowledges the applicability of the provisions of that certain "Release, Waiver, and Agreement of Proposed Northstar Subdivision" dated April 29, 1977, and recorded as Entry No. 138366 Book M95, Page 290-293, of the official records of Summit County, Utah, to the Lot and expressly assumes any and all obligations that the Association may have with regard to snow removal, garbage and refuse collection, and any and all other services as to the Lot, as well as any maintenance or other obligations that the Association may have with regard to the Related Areas. It is the intention of the parties that all of these obligations shall no longer be obligations of the Association, but shall be obligations of successive owners and/or purchasers of the Lot and such obligations shall run with the land. Furthermore, property owner agrees to use best efforts to obtain the agreement of Park City Municipal Corporation, which agreement shall be duly executed and recorded, to amend the above referenced "Release, Waiver, and Agreement of Proposed Northstar Subdivision" to provide that the Association shall no longer have any such obligations.

6. The Property Owner agrees to indemnify and hold the Association harmless as to any and all fees and costs (including reasonable attorneys' fees and costs), expenses, damages, liabilities and/or claims of any kind that may be asserted against the Association regarding or relating to any and all interests in and/or obligations regarding or relating to the Lot and/or the Related Areas.

State of California

County of LOS ANGELES

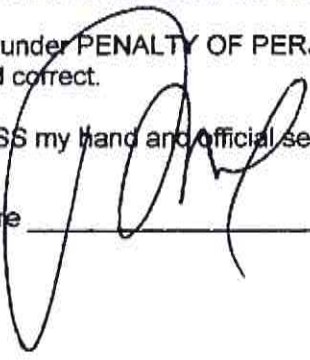
On January 25, 2010 before me, Michael L. Covey, Notary Public
(here insert name and title of the officer)

personally appeared William P. Kaufman

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)

OPTIONAL INFORMATION

Law does not require the information below. This information could be of great value to any person(s) relying on this document and could prevent fraudulent and/or the reattachment of this document to an unauthorized document(s)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Release, Waiver, and Agreement

Document Date: January 25, 2010 Number of Pages: 3

Signer(s) if Different Than Above: _____

Other Information: _____

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name(s): _____

- Individual
- Corporate Officer

(Title(s))

- Partner
- Attorney-in-Fact
- Trustee
- Guardian/Conservator
- Other: _____

SIGNER IS REPRESENTING:

Name of Person(s) or Entity(ies): _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

On January 27, 2010 before me, Helen Harrison, Notary Public,
personally appeared J. Michael Kelly

who proved to me on the basis of satisfactory evidence
to be the person whose name is subscribed to the
within instrument and acknowledged to me that he
executed the same in his authorized capacity, and that
by his signature on the instrument
the person, or the entity upon behalf of which the
person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws
of the State of California that the foregoing is true and
correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Helen Harrison
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document
and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Release, Waiver, and Agreement

Document Date: January 25, 2010 Number of Pages: 3

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

Signer is representing:



Exhibit L – Notice of Removal of Protective Covenants

WHEN RECORDED, RETURN TO:

Northstar Subdivision Homeowners Association
c/o Thomas T. Billings, Esq.
Van Cott, Bagley, Cornwall & McCarthy
36 South State Street, Suite 1900
Salt Lake City, UT 84111

ENTRY NO. 00891326

02/02/2010 11:14:09 AM B: 2019 P: 1331

Notice PAGE 1/2

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 16.00 BY VAN COTT BAGLEY CORNWALL MCCARTHY



Affects Parcel ID Nos. NR-1, NR-1A, NR-2, NR-3

NOTICE OF REMOVAL OF PROTECTIVE COVENANTS

PLEASE TAKE NOTICE that the following-described parcels of real property are no longer subject to the provisions of and/or the beneficiaries of any obligations of the Northstar Homeowners Association pursuant to the Declaration of Protective Covenants for the Northstar Subdivision dated July 19, 1977 and recorded as Entry No. 139189 in Book M97 at Pages 387 through 404 of the official records of Summit County, Utah, as amended by a First Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00497969 in Book 01113 at Pages 00248 through 00249 of the official records of Summit County, Utah, and as further amended by a Second Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00806996, in Book 1852 at Pages 1838 through 1841 of the official records of Summit County, Utah, and as may be further amended from time to time. Said real properties are more particularly described as follows:

Lot 1, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1.

Lot 1A, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1A.

Lot 2, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-2.

Lot 3, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-3.

All common areas, access easements, and paved streets within said real properties or adjacent to Lots 1 and/or 1A.

DATED this 14th day of JANUARY, 2010.

NORTHSTAR HOMEOWNERS
ASSOCIATION, a Utah nonprofit corporation

By: Annie Lewis J. Beale
Its: Secretary

Exhibit M - SBWRD Approval letter



SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

December 1, 2016

Jon Turkula
Jaffa Group
1960 Sidewinder Dr, Ste. 101
Park City, UT 84060

Subject: 1061 Lowell Avenue
Plat Approval & Lateral Construction Requirements

Dear Mr. Turkula,

Snyderville Basin Water Reclamation District (SBWRD) has reviewed the referenced plat with regard to increased density, future lateral connections, and the subdivision plat:

- Increased Density:
Increasing the density to 4 lots will not adversely affect our system and is acceptable to SBWRD
- Lateral Connections:
There is currently only one lateral stub provided off of the main line in Lowell Avenue. If the plat is approved, 3 additional laterals will need to be extended from the main line. As part of the Lowell Avenue Reconstruction Project, scheduled for the Summer of 2017, the three additional lateral stubs will be provided if the plat is approved by Park City Municipal. Please advise us of the progress of the plat so design drawings can be modified as necessary.
- Subdivision Plat:
SBWRD has determined that the plat confirms to District regulations.

Please contact me with any questions or to schedule a time to sign the plat after the Owner's Dedication has been signed.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: Makena Hawley, PCMC
Plat Review File

Exhibit N - Site Photographs

LOWELL AVENUE RESIDENCE SUBDIVISION

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MAP OF PANORAMA LOCATIONS

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PARK
BLVD



1

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ANIMAL DEPT.

 JAFFA GROUP

2



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JUN 21 2016

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3

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PLANNING DEPT



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PLANNING CITY



5

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JUN 21 2016
CITY OF DENVER
PLANNING DEPARTMENT

JAFFA GROUP



6

RECEIVED
JUN 21 2016
SAND CITY

JAFFA GROUP



7

JUN 21 2016

 JAFFA GROUP



8

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JUN 21 2016
MARK CITY
PLANNING DEPT.



9

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PARK CITY
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10

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PARK CITY
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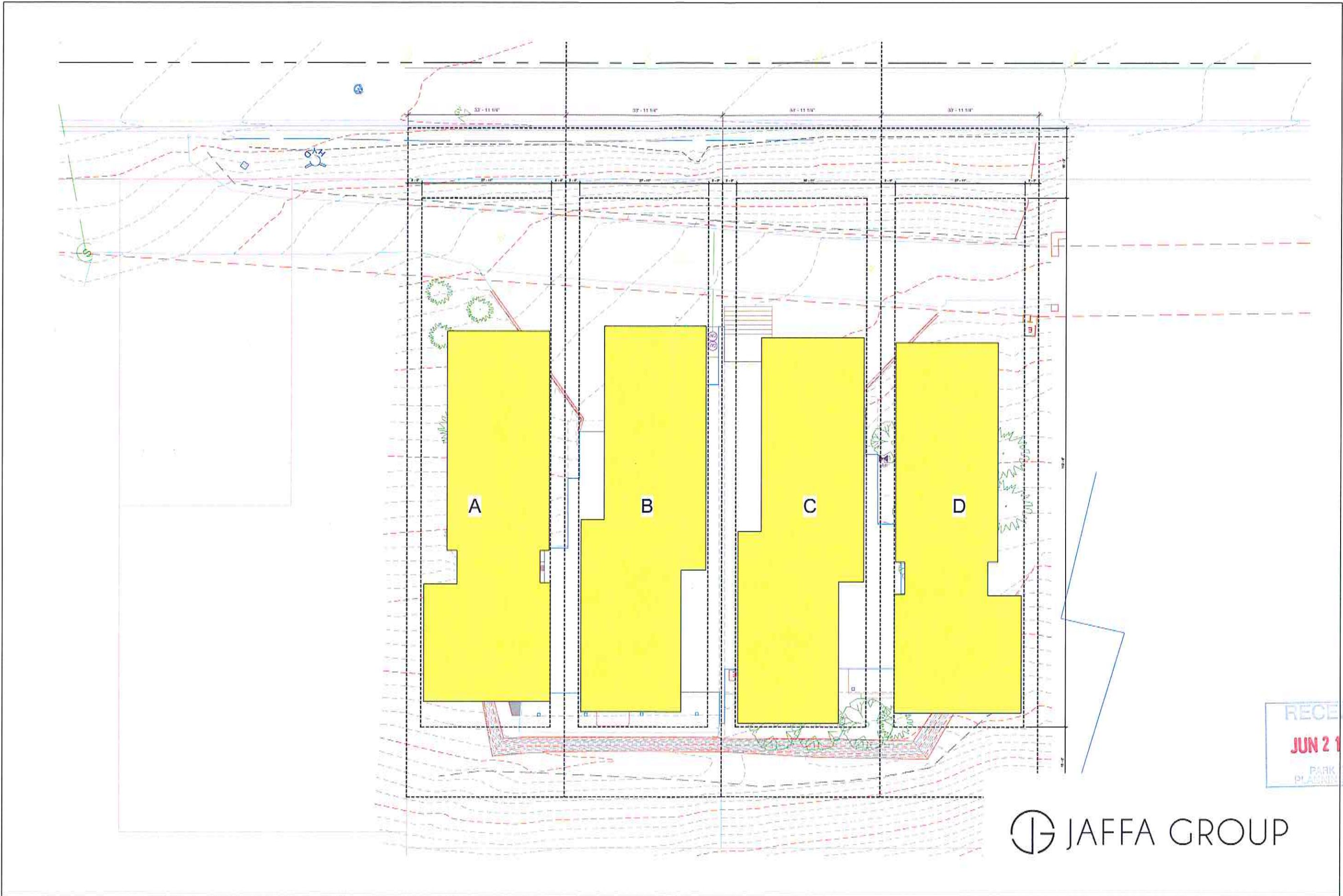
 JAFFA GROUP

Exhibit O - Preliminary (not review or approved) HDDR Submittal Photographs

LOWELL RESIDENCES

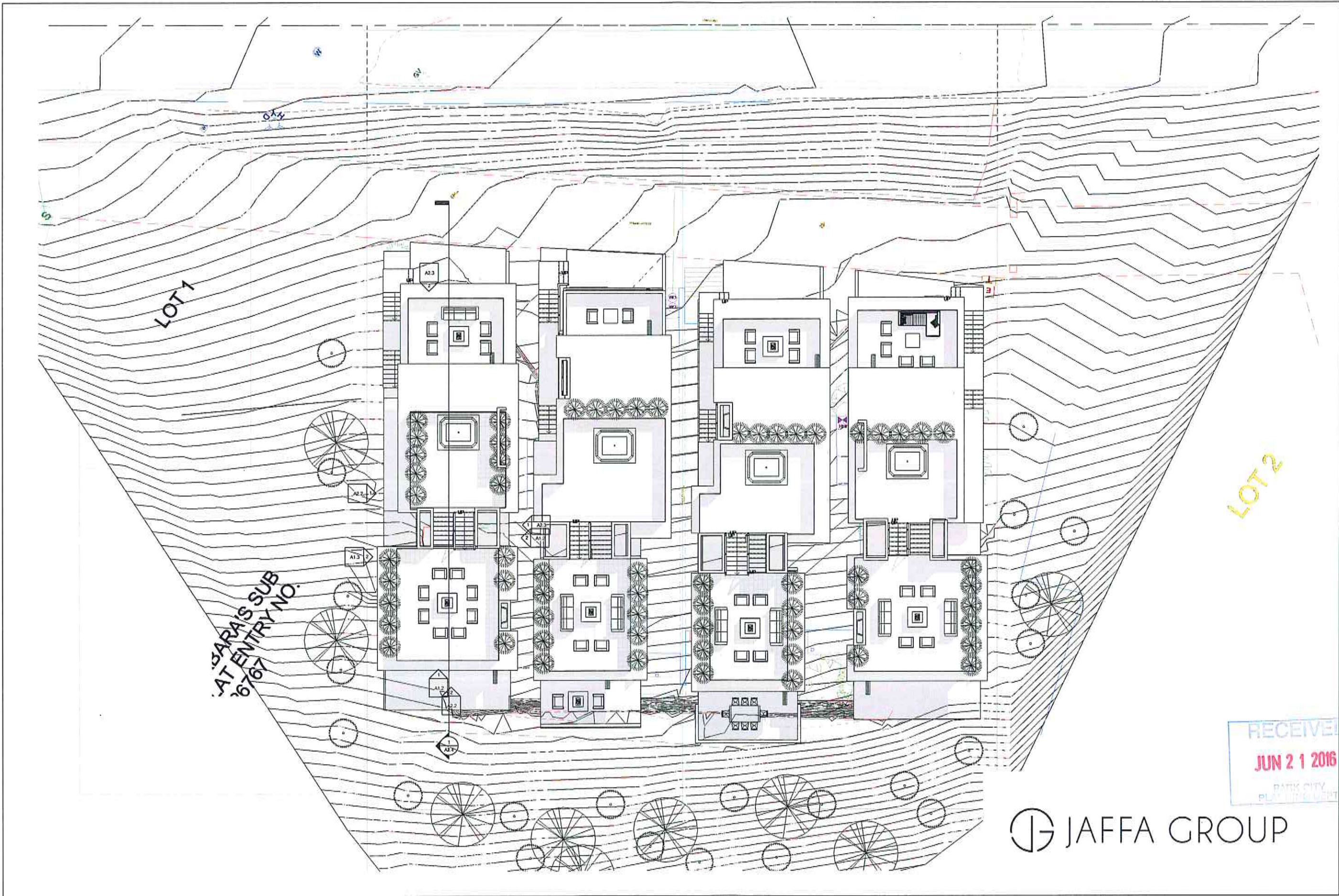
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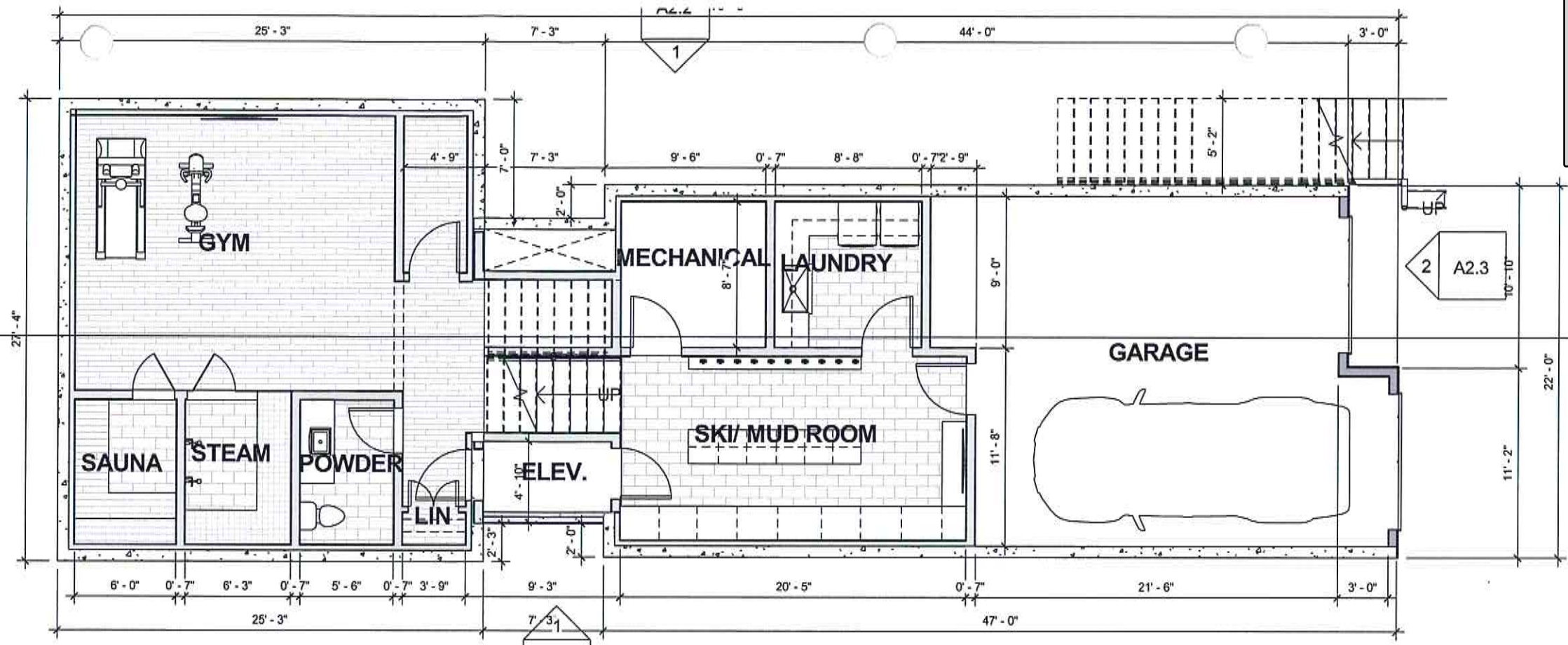
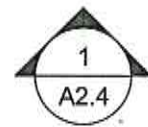
LOT 2

LOT 1

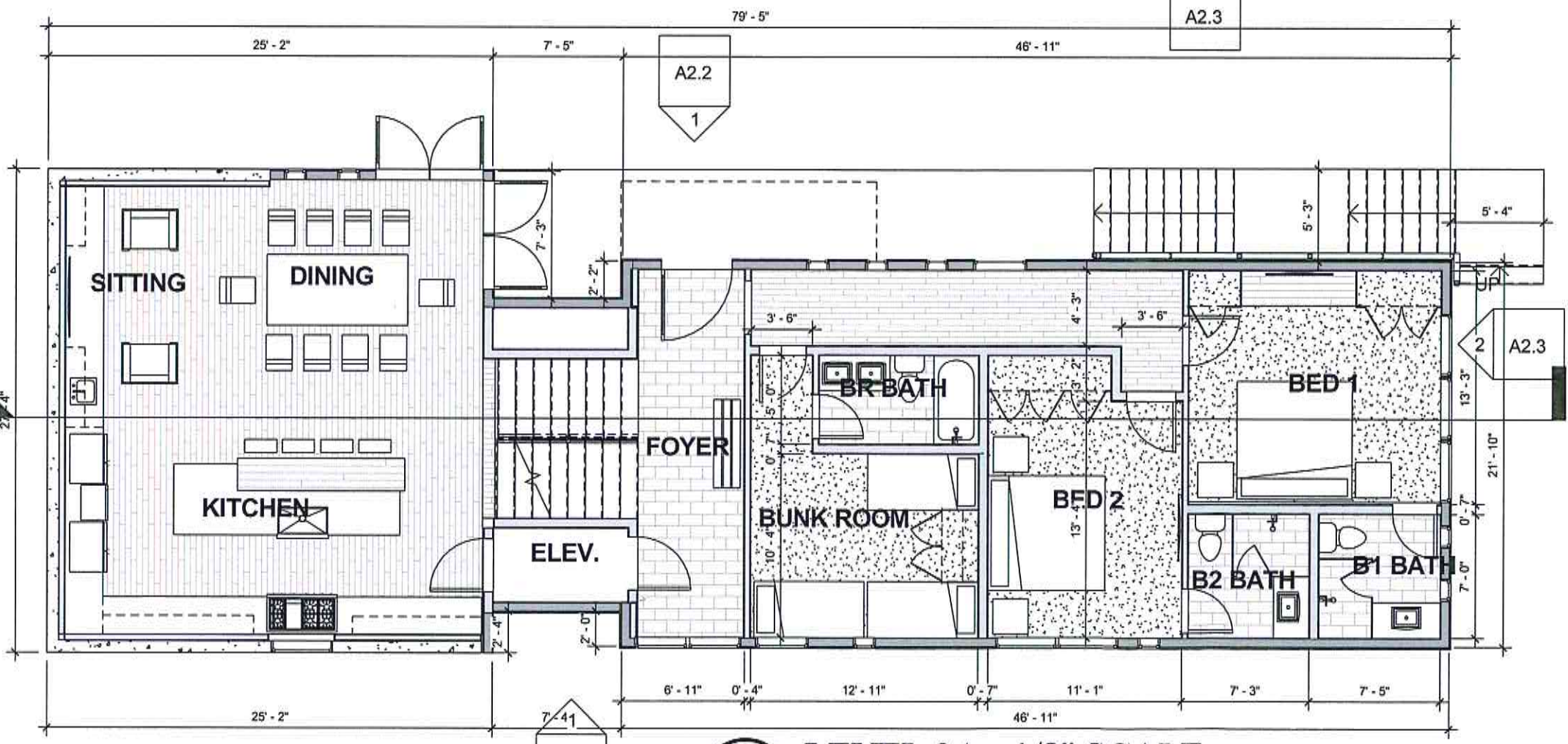
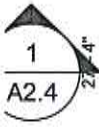
SARAI'S SUB
AT ENTRY NO.
6767

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PARK CITY
PLANNING DEPT.

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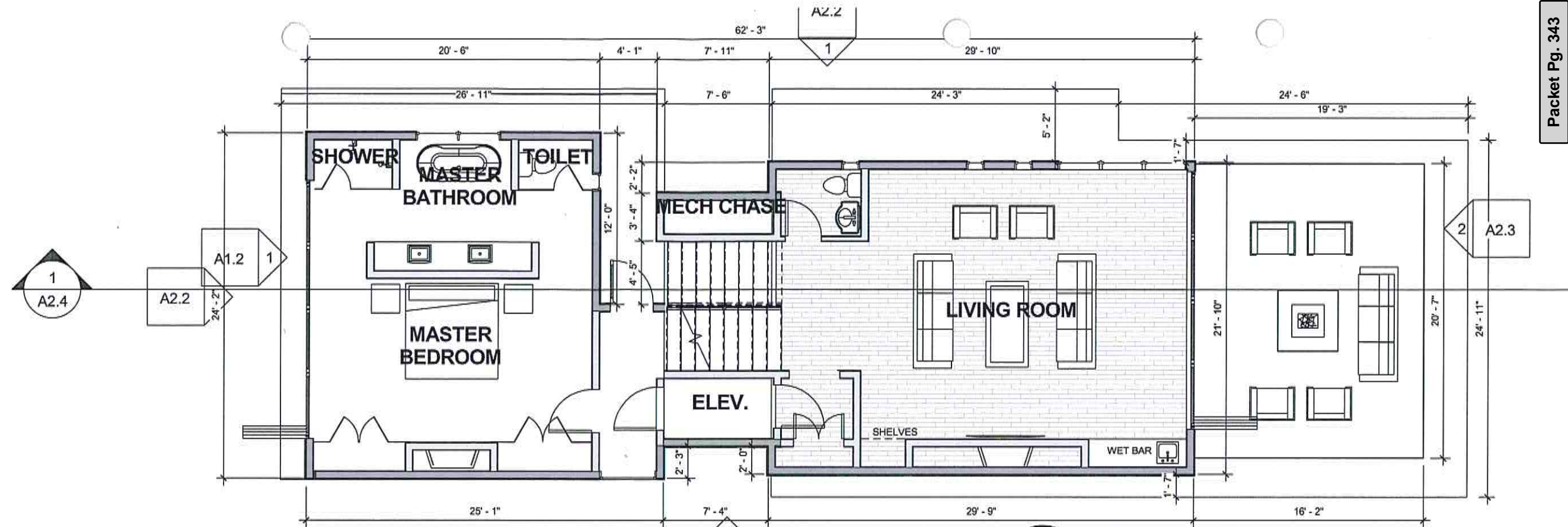
① LEVEL 1A - 1/8" SCALE
1/8" = 1'-0"



② LEVEL 2A - 1/8" SCALE
1/8" = 1'-0"



A2.0



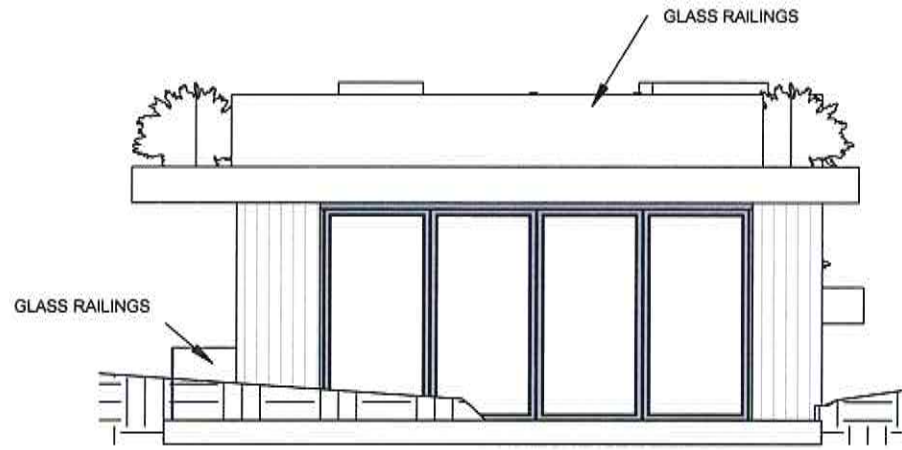
1 LEVEL 3A - 1/8" SCALE
1/8" = 1'-0"



2 LEVEL 4A - 1/8" SCALE
1/8" = 1'-0"

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PLANNING DEPT.

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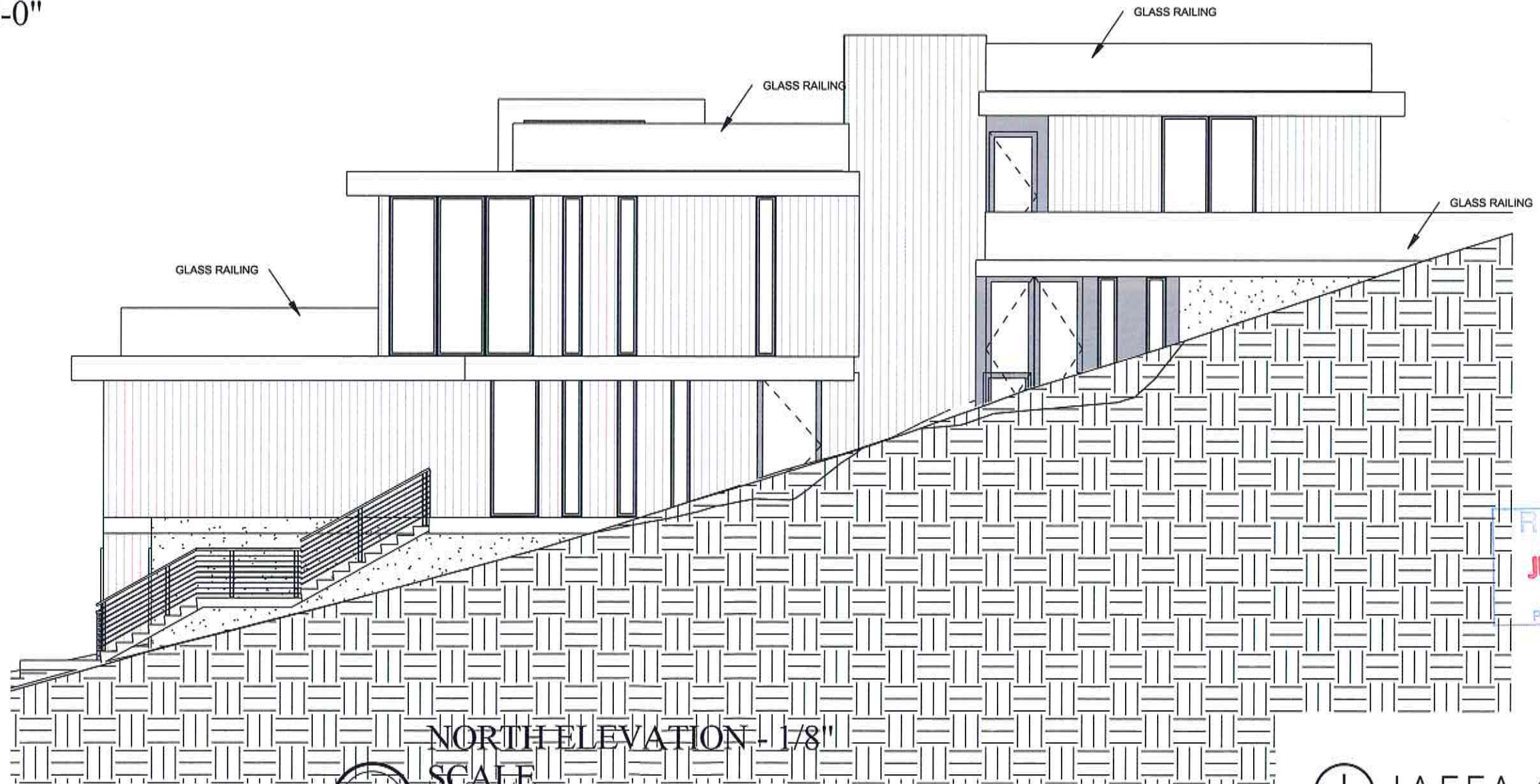


WEST ELEVATION - 1/8"

SCALE

1/8" = 1'-0"

2



NORTH ELEVATION - 1/8"

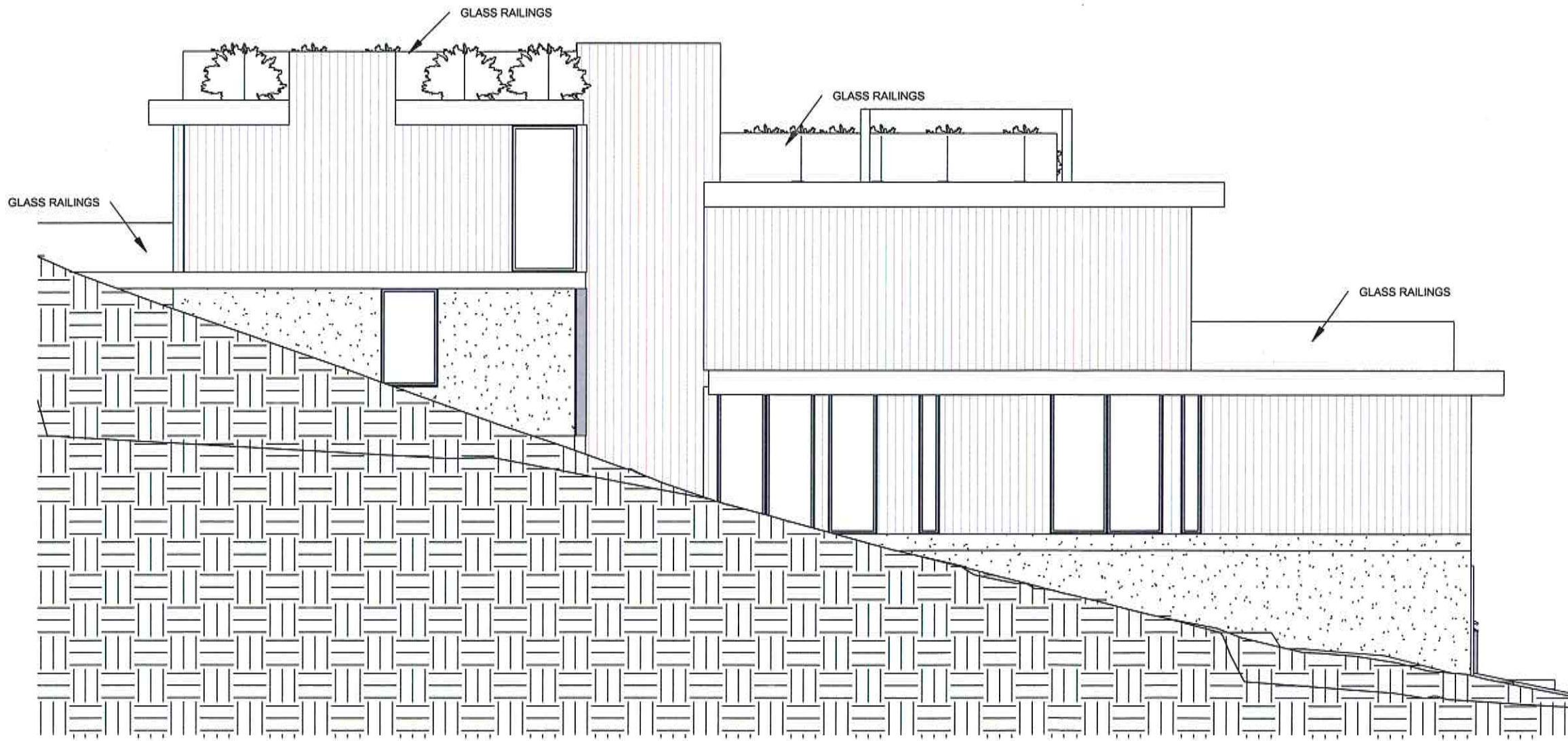
SCALE

1/8" = 1'-0"

1

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A2.2



SOUTH ELEVATION - 1/8"

SCALE

1

1/8" = 1'-0"



EAST ELEVATION - 1/8"

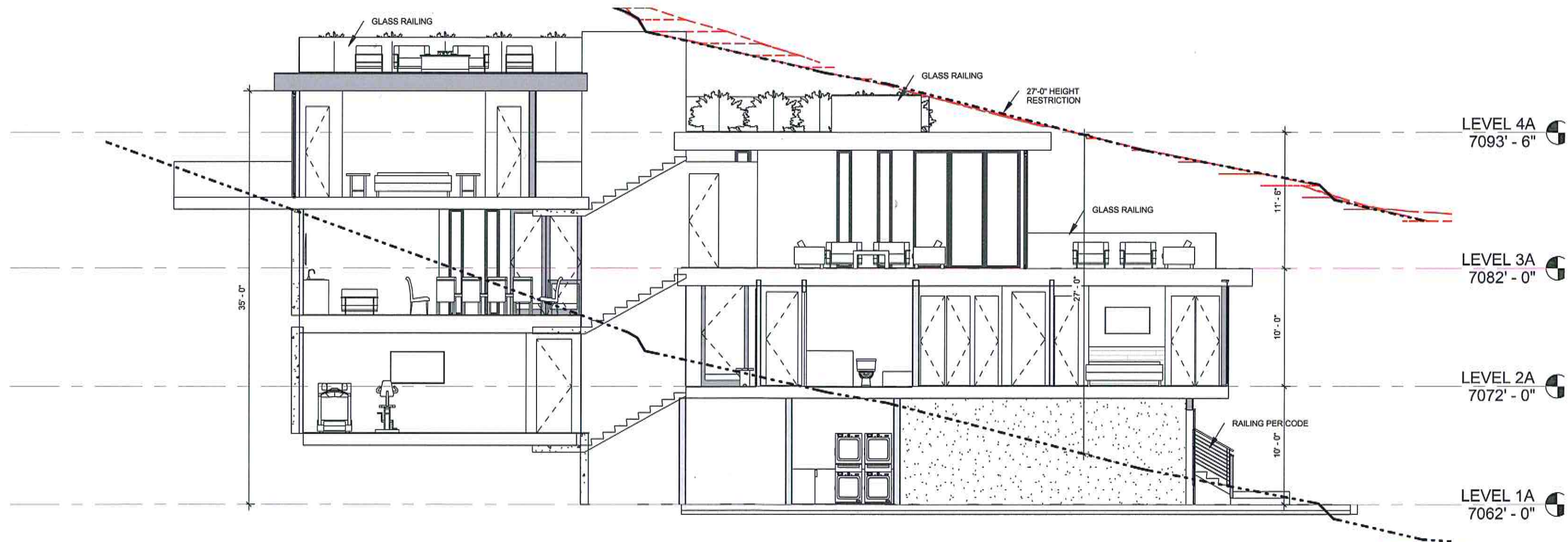
SCALE

2

1/8" = 1'-0"

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A2.3



1 SECTION A - 1/8
1/8" = 1'-0"

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PARK PLANNING

A2.4



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PLANNING DEPT.

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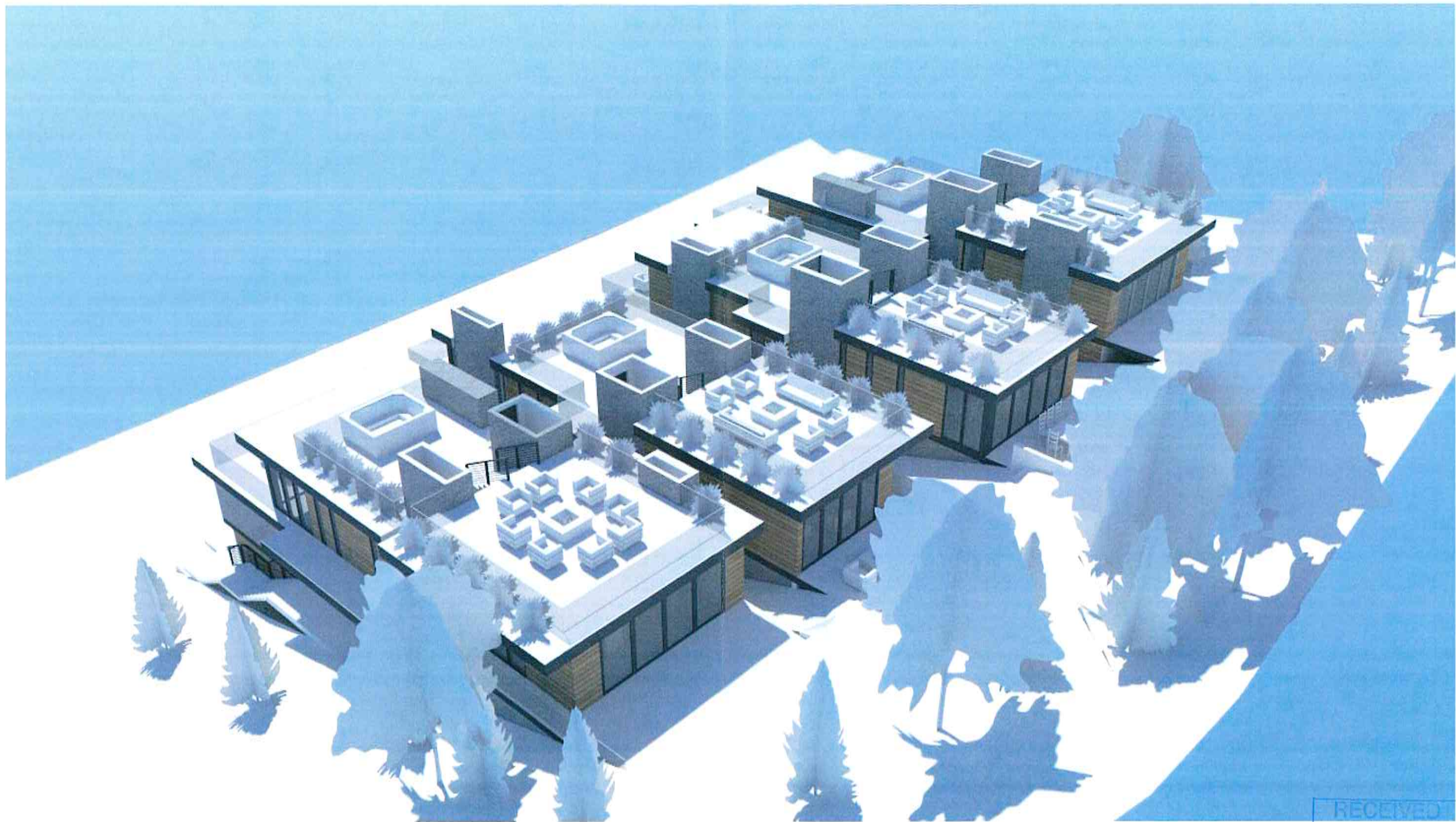
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PLANNING DEPT.

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 JAFFA GROUP



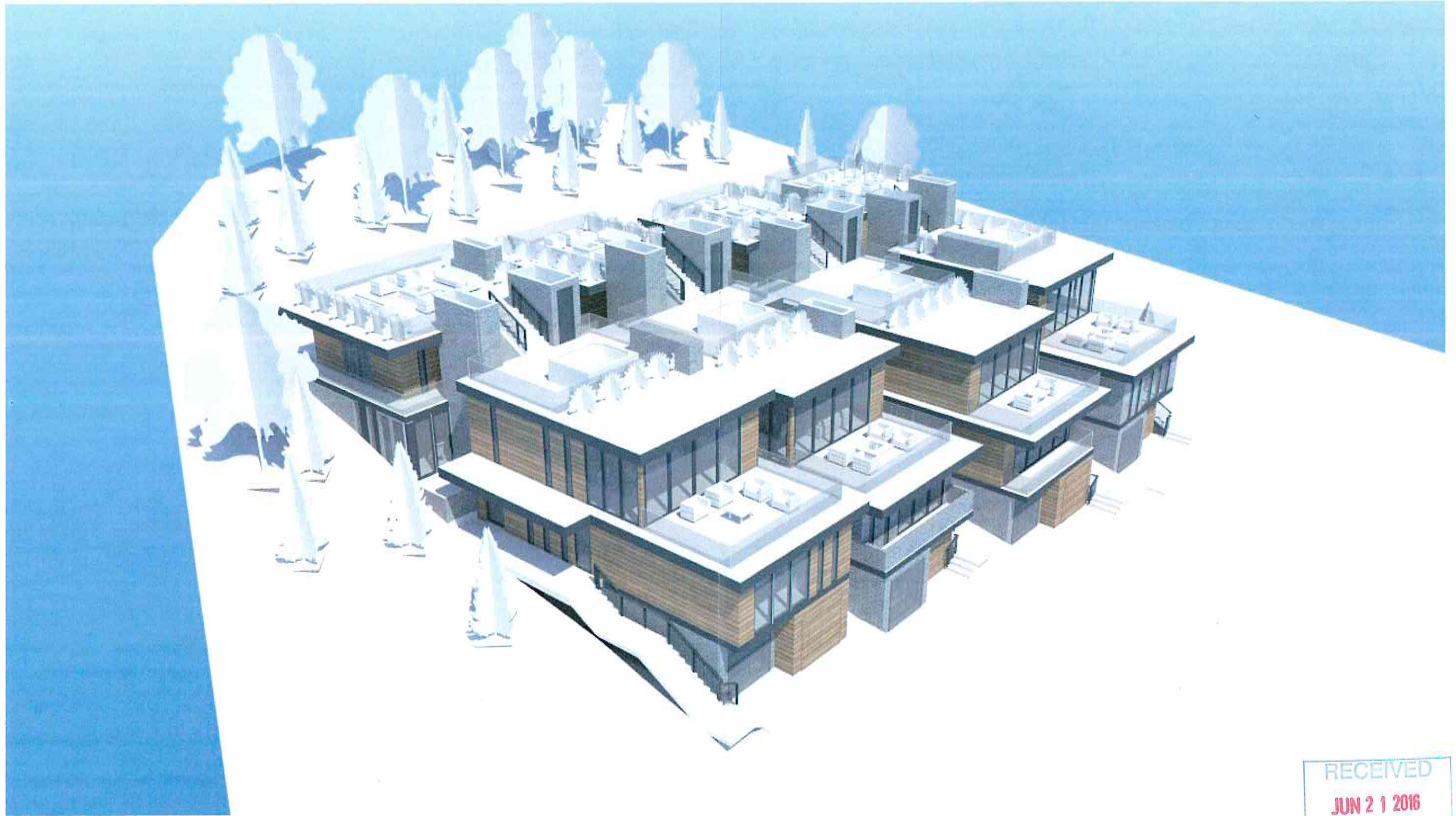
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PARK CITY
MAYOR'S OFFICE

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PARK CITY
PLANNING DEPT.

 JAFFA GROUP



RECEIVED
JUN 21 2016
PARK CITY
PLANNING DEPT.

 JAFFA GROUP

Planning Commission Work Session

Subject: 1061/1063 Lowell Avenue Subdivision
Address: 1061 and 1063 Lowell Avenue
Author: Makena Hawley, Planner
Project Number: PL-16-03221
Date: January 11, 2017
Type of Item: Legislative

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for the 1061/1063 Lowell Avenue Subdivision located at 1061 and 1063 Lowell Avenue, discuss and consider whether findings of Good Cause can be made and continue this item to February 8, 2017.

Description

Applicant: Illuminus Property Holdings represented by Jon Turkula,
Jaffa Group Architecture
Location: 1061 & 1063 Lowell Avenue
Lot 1, Northstar Subdivision
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and
City Council review and action

Proposal

The property owner is requesting to subdivide the existing Lot 1 of Northstar Subdivision into four (4) lots of record. This application proposal is only a possibility if the vacation of Lot 1 of the Northstar Subdivision is approved beforehand. In order to create a new subdivision (subdividing the existing lot into four (4) lots of record) the Lot must first be vacated from its current subdivision. The new proposed subdivision is dependent on the vacation application under application PL-16-03328.

Background

On July 1, 2016 the City received a completed application for the 1061/1063 Lowell Avenue Subdivision. Additional research was required for the plat and it was determined that the application to subdivide into 4 lots would be pending review of the vacation of Lot 1 from the Northstar Subdivision application. The property is located at 1061 and 1063 Lowell Avenue within the HR-1 District. The subject property consists of Lot 1 of the Northstar Subdivision. A deed line bifurcates the existing platted lot with a duplex structure on it (Parcels NR-1 & NR-1-A) (Please see Exhibit F) however this was never formally subdivided and sanctioned by Park City Municipal Corporation. In addition, at the time the deed line was created in 1999, this was a violation of the Associations Protective Covenants as was the duplex which was built on it. The CCR's state this lot is not subject to the Subdivision Declaration as of February 2010 (Please see Exhibit L).

Per the provided survey, the lot is 0.44 acres or approx. 19,484 square feet in area. The proposed vacation plat amendment would allow Lot 1 to be removed from the Northstar Subdivision and the concurrent proposed subdivision would create four (4) lots of record from Lot 1.

In 1983 a building permit was approved for the duplex to be built on Lot 1 of the Northstar Subdivision. The Land Management Code at the time (1981 LMC) permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 district. The City does not enforce CC&R's. In addition, the Land Management Code at the time (1981 LMC) permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 district. Conversely, with an illegal subdivision and breach of the association's protective covenants, it is unclear how the Duplex was built and went un-noticed by the HOA until 1999. In addition, the CC&R's were later changed to allow Duplex dwellings.

A duplex dwelling is now a Conditional Use in the HR-1 District, however the current duplex would be described as a non-conforming use since it never received a CUP. Though this lot has not been designated as a duplex lot the non-conforming use was lawfully constructed with a permit prior to a contrary change in the LMC may be used and maintained, subject to the standards and limitations of Chapter 15-9 'Non-Conforming Uses and Non-complying Structures'.

According to recorded documents from 2008, the reason that the Northstar HOA voted to remove Lot 1 from the HOA was due to the non-compliances that were continuing on the lot which included the duplex and the deed line which was put through the center of the lot (recognized by the County but not the City because it was illegally subdivided). The HOA and the owners of Lot 1 signed and recorded a Release, Waiver, and Agreement in 2010 which officially release Lot 1 from the HOA. However inside the agreement in the recorded document the owner was made aware of the need to obtain the approvals of Park City as well, in order to remove the Lot from the actual Subdivision (not just the HOA) which was never executed.

The City determined that in order for the applicant to subdivide their lot, first the lot would need to be removed from the current subdivision. On October 12, 2016, the applicant submitted a complete application to vacate the current subdivision of Northstar and the review of this plat is based on the approval of the vacation (PL-16-03328). If the vacation is not approved, this subdivision proposal will not move forward.

District Purpose

The purpose of the Historic Residential HR-I District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,

- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

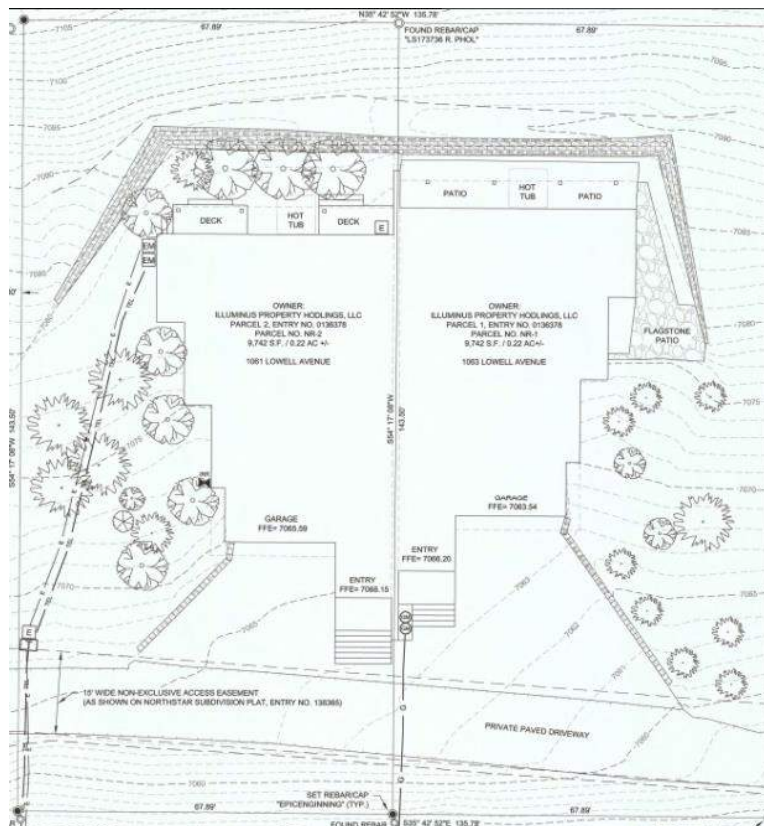
Plat Vacation and New Subdivision Analysis

The subdivision of current Northstar Lot 1 is dependent on the vacation of Northstar Subdivision; vacating Lot 1 will allow the application to move forward with the concurrent plat subdivision which will create 4 lots. Presently, an existing duplex is proposed to be torn down and 4 new single family homes built; 1 home per lot. These applications should be reviewed in conjunction with each other.

Existing House

Currently lot 1 contains 19,484 sq. ft. with a legal non-complying duplex on it which has an approved building permit from 1983 (when the code allowed duplex's in the HR-1 zone). If the Northstar plat is vacated and the new subdivision for 1061 and 1063 Lowell Ave is approved the duplex will be torn down.

Existing Conditions:



Proposed Homes

A single-family dwelling is an allowed use in the HR-1 District. The minimum Lot Area is 1,875 square feet for a Single Family Dwelling and 3,750 square feet for a Duplex. Lots 1-4 for the proposed subdivision (PL-16-03221) would be approximately .11 acres each or approx. 4871 square feet.

All lots would be approx. 143.5 square feet in length and approx. 33.95 square feet in width. With the concurrent proposed subdivision, all 4 lots have the ability to meet code requirements under Land Management Code (LMC) Chapter 2.2 Historic Residential (HR-1) District for use, density, setbacks, height, and parking. An SFD requires a minimum of two (2) parking spaces. There is also the possibility that 2 or more lots will require a Steep Slope Conditional Use Permit per 15-2.2-6. All lots are subject to the Historic District Design Guidelines.

If Lot 1 stays as it currently exists the property would be subject to the following criteria:

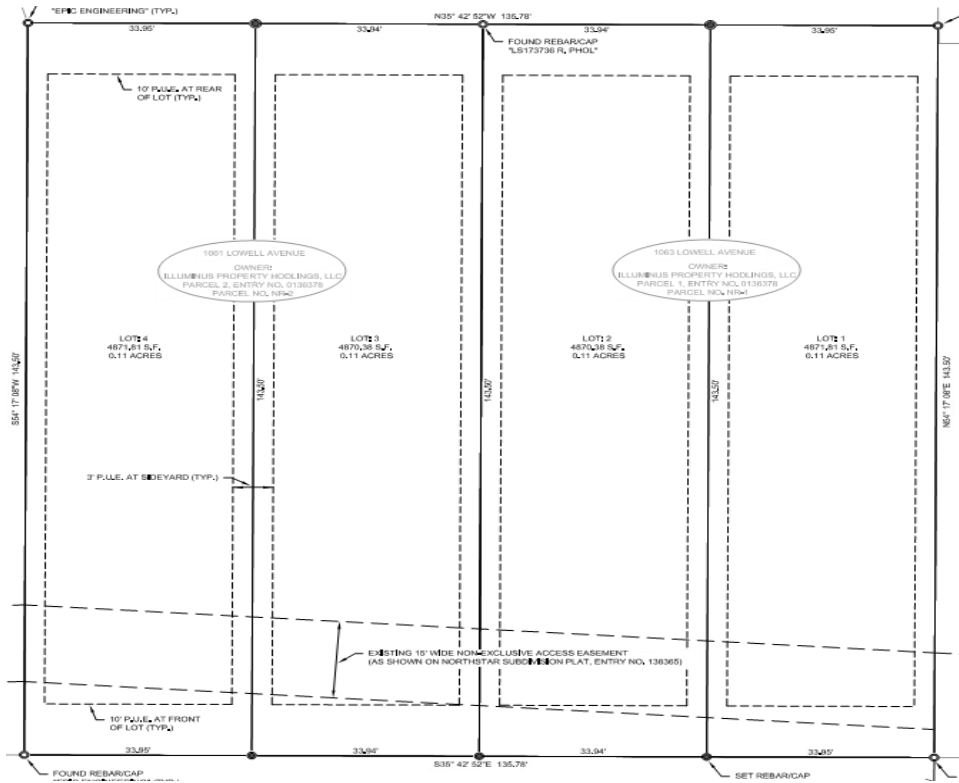
LMC Regulation	Requirements
Building Footprint	3,500 square feet. A Conditional Use Permit is required for all Structures with a proposed footprint of greater than 3,500 square feet. The maximum would be 4,500 square feet; with an exemption allowance of 400 square feet, per dwelling unit, for garage floor area.
Front/Rear Yard Setbacks	15 feet minimum, 30 feet total.
Side Yard Setbacks	10 feet minimum, 30 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery.
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

If the 4 lots are approved the properties are subject to the following criteria:

LMC Regulation	Requirements
Building Footprint	1852.04 square feet, maximum based on lot size.

Front/Rear Yard Setbacks	15 feet minimum, 30 feet total.
Side Yard Setbacks	3 feet minimum, 6 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery.
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

Proposed Conditions:



CC&Rs

The City does not enforce Subdivision Covenants, Conditions, & Restrictions (CC&Rs). Furthermore, per the 2010 recorded Release, Waiver, and agreement between the Northstar Association and the owners of Lot 1; Lot 1, the subject site, is not subject to the Subdivision Declaration (Please see Exhibit L).

Access Easement for Fire District

This has been preliminarily reviewed by Scott Adams of the Fire Department and Matt Cassel, City Engineer. Currently a 15' wide road access easement exists beginning at Lowell Avenue going across Lot 1 to reach a turnaround on Lot 2 and a portion of Lot 3. Currently a gate exists on Lot 2 and Lot 2 utilizes Lot 2 and 3 for access to Lowell. This easement is substandard and needed to be revised to meet current Fire Codes. The issue was preliminarily addressed by the applicant with two possible solutions. The first solution is to provide each proposed lot with its own drive directly to Lowell Avenue. The second solution is to continue to use the existing drive in the 15 foot wide easement but to remove the existing gate (on Lot 2) and extend the access easement back to the Lowell Avenue to Lot 3 the way it is currently recorded. This easement would accommodate the additional units being proposed for the 4 Lot subdivision but at this time no additional density could be added without reviewing the access easement further.

Character & Compatibility

The Northstar Subdivision was platted in 1977. It contains a total of 10 lots and is approx. 7 acres. The Northstar lots are platted differently ranging from the smallest platted lot of 9,015 sq. ft. and the largest being 62,663 sq. ft.

<u>Lot</u>	<u>Acres</u>	<u>Square feet</u>
Lot 1	.44 acres	19,484 sq. ft.
Lot 2	.33 acres	1,4374.8 sq. ft.
Lot 3	.25 acres	1,0890 sq. ft.
Lot 4	.21 acres	9,147.6 sq. ft.
Lot 5	.20 acres	8,712 sq. ft.
Lot 6	.63 acres	27,442.8 sq. ft.
Lot 7	.68 acres	29,620.8 sq. ft.
Lot 8	1.03 acres	44,866 sq. ft.
Lot 9	.96 acres	41,817.6 sq. ft.
Lot 10	1.44 acres	62,726 sq. ft.

The density of the Northstar Subdivision was originally one Unit per lot but has since changed to allow duplexes within their subdivision (it is still a Conditional Use per the LMC).

The west side of Lowell and the east side provide 2 different characters and compatibility factors. The west side of the street is uphill topography with an average width of the lots at approximately 153 feet while the east side of Lowell has downhill topography and an average width of 33 feet. The average lot on the west side is larger, with big single family homes, duplexes, and more natural vegetation. Across the street on the east side, smaller single family homes on smaller lots create a character of its own.

Additionally, when reviewing the purpose statements of the Historic Residential 1 Zone, Staff finds that the plat proposals are mixed as to the two purpose statements. Given purpose statement C: **“encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods.”** Staff finds that the 4 smaller lots would be able to read more alike to the homes and lots on the east side of the street. While conversely, given purpose statement D to **“encourage single family Development on combinations of 25' x 75' Historic Lots”** the existing lot would maintain the compatibility that already exists and keep the certainty of the West side of Lowell Avenue. These statements could almost correlate directly to the East side of Lowell (small lot sizes) and the West side of Lowell (larger lot sizes).



Above shows the Subdivision outlined in red, Lot 1 outlined in purple, and the blue numbers (with yellow ticks around them) reflect the approximate lot size width down the west and east sides of Lowell Ave.

In conclusion, the proposal of 4 smaller sized lots can be viewed as a compatible design and lot size when looking to the East side of Lowell Avenue and to the purpose statement of the Historic District. Conversely, on the West side of Lowell, the larger houses and lot sizes would conflict with the proposed subdivision of Lot 1. In terms of compatibility, the existing lot creates a fluidity to Lowell in terms of lot size and density and the overall change in lot size would be inconsistent with what exists on the West side of Lowell Avenue. With this said, the subdivision would create more consistent structures with the Historic District Design Guidelines as future houses would be more compatible in width, size, and general massing.

Good Cause

Good Cause is required for plat approval as stated in 15-7.1-3 (B) describing a plat amendment in terms of Classification of Subdivisions. The definition for Good Cause is as follows:

1.116 GOOD CAUSE. Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

The application proposal to subdivide Lot 1 into 4 Lots is able to meet all aspects of LMC HR-1 requirements, however finding Good Cause is also a requirement in order to approve the plat amendment. Increase in density is always more difficult to mitigate negative impacts than decreasing density. The expectations of neighbors are changed; there is an increase of traffic and additional hardscape, extra use of roads and public services. Staff finds the proposal, at this time, does not provide a positive benefit which furthers the health, safety and welfare of the Park City community.

Staff requests discussion of Good Cause

Staff is requesting the Planning Commission discuss the finding of Good Cause. The discussion can be based around the questions posed below in addition to any applicant provided information or public comment points that have been brought up, or finally, any inquiries the Commission may have.

Questions to consider:

- Are there mitigations that can be considered that would contribute to positive community benefits?
 - o Such as a decrease in housing size/footprint?
 - o Restrictions on accessory apartments as being only for long term rentals?
 - o Restricting each lot to only one single family house eg dis-allowing duplexes to be built on the new lots.
 - o Green Building standards.
 - o Owner offering one lot for a deed restricted affordable dwelling.
 - o The option of dis-allowing duplexes to be built on the new lots.
 - o Trail dedications.
- How does the addition of two units further the health, safety and welfare of the Park City community?
- How does this address issues related to density?
- Does this project providing positive benefits and mitigate all negative impacts?

Process

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

Department Review

This project has gone through an interdepartmental review. The issues raised by the departments or service providers regarding this proposal that have been addressed by the conditions of approval. The only discussion that has not been resolved is whether Staff could find Good Cause to increase the density and whether that would have a positive or negative affect on Lowell Avenue and its residents.

Notice

On December 22, 2016 the property was posted and notice was mailed to property owners within 300 feet. On December 24, 2016 legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input

Public input has not been received by the time of this report.

Significant Impacts

Some significant impacts that have been brought up interdepartmentally for this application are as follows:

1. Additional density leads to additional traffic and additional wear and tear on Lowell Ave.
2. Additional Residences call for added amenities (water, sewer) provided by the City.
3. More development creates more hardscape which creates greater potential for storm water runoff.
4. Managing the expectations of the neighborhood and the original subdivision regarding the currently platted density.

Consequences of not taking the Planning Commission's Recommendation

The lot would remain as is and no construction could take place at this time. The applicant's would be able to request a CUP for a duplex in the case they wanted to increase the size of the existing duplex.

Summary Recommendation

Staffs recommends the Planning Commission hold a public hearing for the 1061/1063 Lowell Avenue Subdivision located at 1061 and 1063 Lowell Avenue, discuss and consider whether findings of Good Cause can be made and continue this item to February 8, 2017.

Exhibits

- Exhibit A – Proposed Northstar Plat Vacation
- Exhibit B – Proposed Subdivision of Northstar Vacated Lot 1
- Exhibit C – Snyders Addition Map reflecting Northstar
- Exhibit D – Northstar Subdivision

- Exhibit E – Applicants Letters of Intent for Vacation and Subdivision
- Exhibit F – 1061 and 1063 Lowell Ave Existing Record of Survey and Topography
- Exhibit G - Aerial Photographs
- Exhibit H – Recorded Memo of Summit County designating 1061 Lowell a Parcel Number (NR-1-A)
- Exhibit I – Second Amendment to Northstar CC&Rs Allowing Additional Density (But No More Than 2 Family Units Per Lot)
- Exhibit J – Notice of Non-Compliance with Protective Covenants
- Exhibit K – CC&R Release, Waiver and Agreement
- Exhibit L – Notice of Removal of Protective Covenants
- Exhibit M – Water Reclamation District Letter of Approval for Increased Density
- Exhibit N – Site Photographs
- Exhibit O – Preliminary (not reviewed or approved) HDDR submittal Photographs

NORTHSTAR SUBDIVISION - AMENDED

LOCATED IN THE: NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD (1061 AND 1063 LOWELL AVENUE - PARCEL(S) NO. NR-1 AND NR-1-A)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - ILLUMINUS PROPERTY HOLDINGS, LLC.

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1049 AND 1025 LOWELL AVENUE - PARCEL(S) NO. NR-2 AND NR-3)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - SEA AND SKI PROPERTIES, LP.

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1001 LOWELL AVENUE - PARCEL NO. NR - 4)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MICHAEL GRIMME

BY: _____ DATE: _____ PAMELA GRIMME

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MICHAEL GRIMME AND PAMELA GRIMME, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (939 LOWELL AVENUE - PARCEL NO. NR-5)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ J. MICHAEL KELLY - TRUSTEE OF THE J. MICHAEL KELLY REVOCABLE TRUST

BY: _____ DATE: _____ SUSAN L. RUEBUSH - TRUSTEE OF THE J. MICHAEL KELLY REVOCABLE TRUST

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION J. MICHAEL KELLY AND SUSAN L. RUEBUSH, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (911 LOWELL AVENUE - PARCEL NO. NR-6)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ DAVID S. VAN DENBURGH - TRUSTEE OF THE DENBURGH REVOCABLE LIVING TRUST

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION DAVID S. VAN DENBURGH, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (923 NORTHSTAR DRIVE - PARCEL NO. NR-7)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - PC3, LLC.

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - PC3, LLC, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (947 NORTHSTAR DRIVE - PARCEL NO. NR-8)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ WILLIAM W. TRUXES III

BY: _____ DATE: _____ SUSAN W. TRUXES

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION WILLIAM W. TRUXES III AND SUSAN W. TRUXES, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1013 NORTHSTAR DRIVE - PARCEL NO. NR-9)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - SULGRAVE INVEST & TRADE S.A.

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - SULGRAVE INVEST & TRADE S.A., WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (923 NORTHSTAR DRIVE - PARCEL NO. NR-7)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - RIDGELAND BUSINESS LTD.

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - RIDGELAND BUSINESS LTD., WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

OWNER'S DEDICATION AND CONSENT TO RECORD (1037 NORTHSTAR DRIVE - PARCEL NO. NR-10)

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREOF DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID PLAT NORTHSTAR SUBDIVISION - AMENDED, AND DO HEREBY DEDICATE, FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF, I/WE HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2016, AD.

BY: _____ DATE: _____ MANAGER - BURGH PARK CITY TEN, LLC.

ACKNOWLEDGMENT

STATE OF UTAH)) : SS. COUNTY OF _____)

ON THE _____ DAY OF _____, 2016 A.D., PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION MANAGER - BURGH PARK CITY TEN, LLC, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

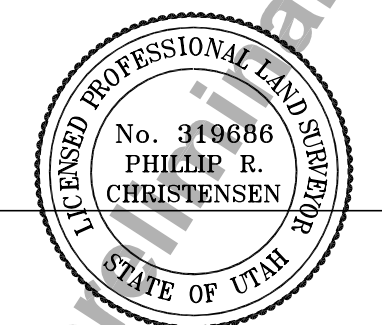
NOTARY PUBLIC MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

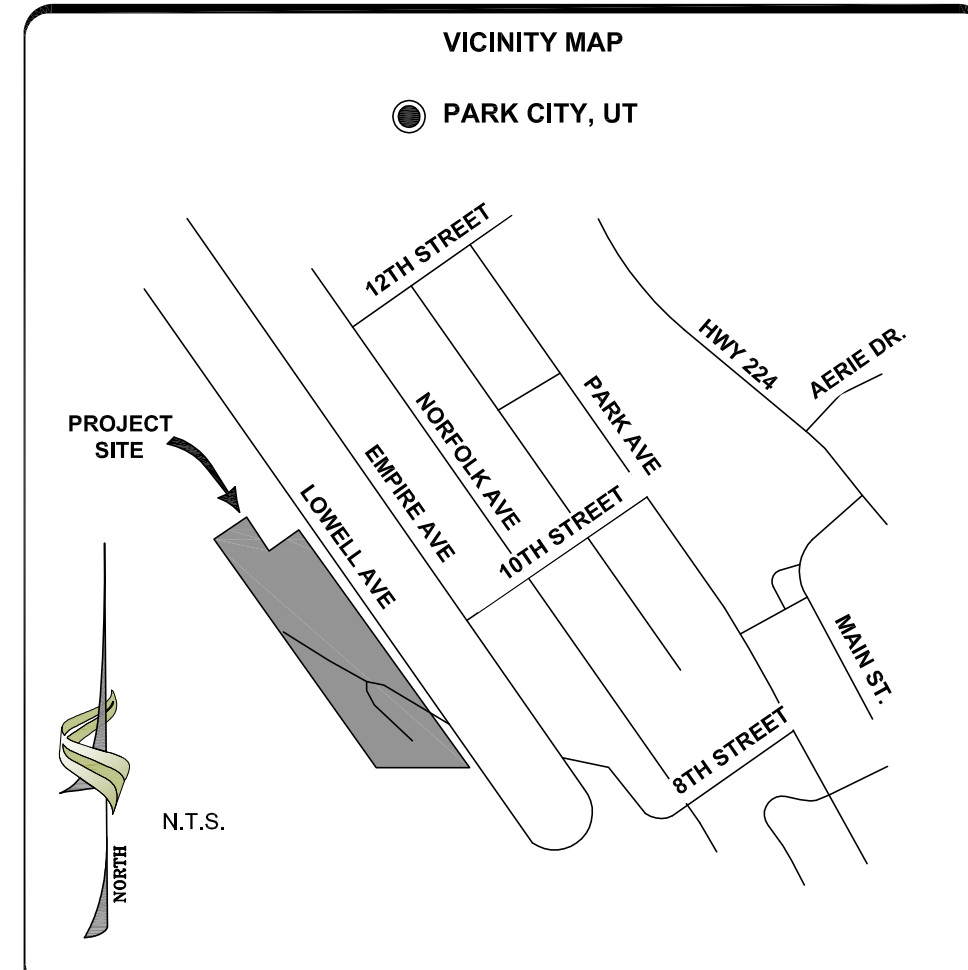
A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, FORMERLY KNOWN AS THE NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT EAST QUARTER CORNER OF SAID SECTION 16, THENCE SOUTH 89°53'05" WEST 2637.36 FEET ALONG THE CENTER SECTION LINE TO A POINT ON THE WEST RIGHT-OF-WAY OF LOWELL AVENUE AND THE POINT OF BEGINNING; THENCE SOUTH 89°53'05" WEST 462.75 FEET ALONG THE CENTER SECTION LINE; THENCE NORTH 35°59'00" WEST 675.15 FEET; THENCE NORTH 54°01'00" EAST 231.50 FEET; THENCE SOUTH 35°59'00" EAST 135.79 FEET; THENCE NORTH 54°01'00" EAST 143.50 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF SAID LOWELL AVENUE; THENCE SOUTH 35°59'00" EAST 810.50 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINS: 284,534.1 S.F. / 6.5 AC +/-

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREOF, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS BOSWELL SUBDIVISION - AMENDED AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



PHILLIP R. CHRISTENSEN P.L.S. 319686 DATE _____



NORTHSTAR SUBDIVISION - AMENDED NW1/4 SEC. 16, T.2S., R.4E., SLB&M., PARK CITY, SUMMIT COUNTY, UTAH

Project information including EPIC Engineering logo, project number 16SM1891.14, date 11/28/2016, and sheet number 1 OF 2.

COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016, A.D. MAYOR

NORTH SUMMIT FIRE DISTRICT APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D.

ROCKY MOUNTAIN POWER APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D.

QUESTAR GAS COMPANY APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D.

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016 A.D. BY: _____ S.B.W.R.D.

PLANNING COMMISSION APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. CITY PLANNING DIRECTOR

APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2016, A.D. CITY ATTORNEY

CERTIFICATE OF ATTEST I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL. THIS _____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY RECORDER

PARK CITY ENGINEER APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. CITY ENGINEER

SUMMIT COUNTY HEALTH DEPARTMENT APPROVED AND ACCEPTED THIS _____ DAY OF _____, 2016, A.D. BY: _____

SUMMIT COUNTY RECORDER ENTRY # _____ STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ BY: _____ SUMMIT COUNTY RECORDER

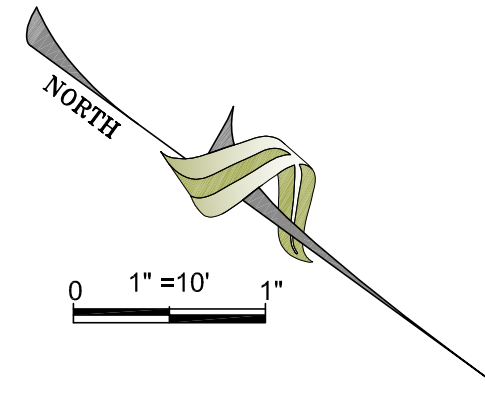
1061 LOWELL AVENUE SUBDIVISION

Exhibit B - Proposed Subdivision of Vacated Northstar Lot 1

LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

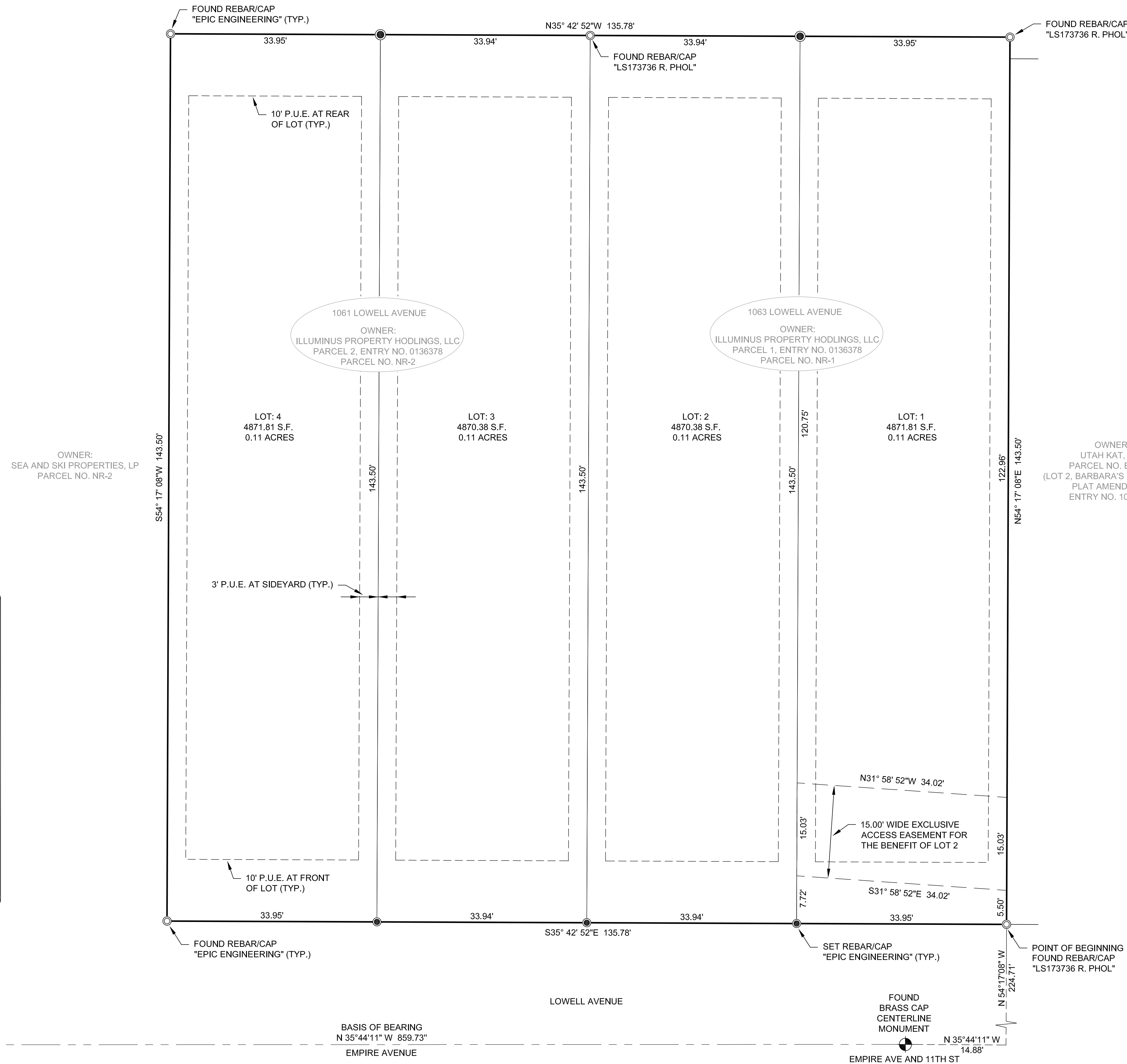
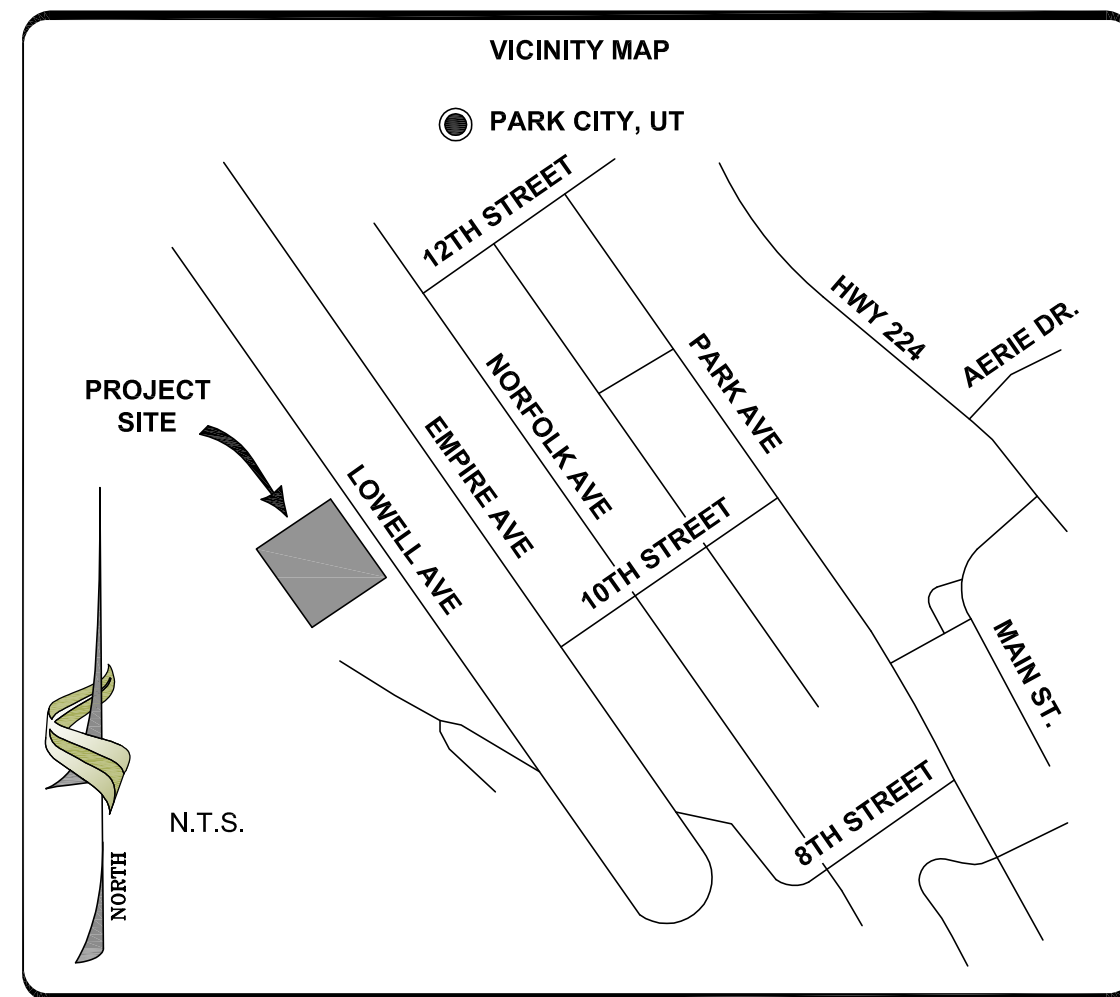
OWNER:
BURGH PARK CITY TEN, LLC
PARCEL NO. NR-10

OWNER:
NASTAR, LLC
PARCEL NO. SA-321



ADDRESS TABLE	
LOT	ADDRESS
1	LOWELL AVENUE
2	LOWELL AVENUE
3	LOWELL AVENUE
4	LOWELL AVENUE

LEGEND	
PROPERTY LINE	—————
LOT LINE	—————
SET MONUMENT "EPIC ENGINEERING"	●
FOUND MONUMENT (AS NOTED)	○
PUBLIC UTILITY EASEMENT (P.U.E.)	-----
ACCESS EASEMENT	-----



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOWN ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS DUNCAN SUBDIVISION, AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

AS WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 2016

ILLUMINUS PROPERTY HOLDINGS, LLC. DATE _____

ACKNOWLEDGMENT

ON THIS ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNERS DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC IN AND FOR THE STATE OF UTAH

RESIDING IN _____, UTAH

STATE OF UTAH } SS
COUNTY OF _____

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

TWO PARCELS OF LAND, FORMERLY KNOWN AS LOT 1 OF THE NORTHSTAR SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MONUMENT, LOCATED AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH, THENCE NORTH 35°44'11" WEST 14.88 FEET, THENCE SOUTH 54°17'08" WEST 224.71 FEET TO THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 35°42'52" EAST 135.78 FEET; THENCE SOUTH 54°17'08" WEST 143.50 FEET; THENCE NORTH 35°42'52" WEST 135.78 FEET; THENCE NORTH 54°17'08" EAST 143.50 FEET TO THE POINT OF BEGINNING.

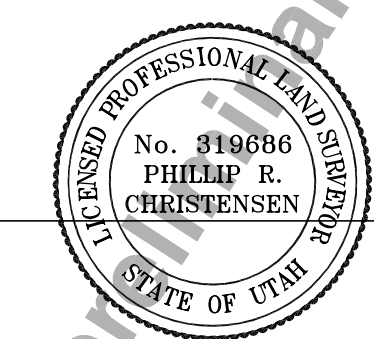
CONTAINS: 19,484 S.F. / 0.44 AC +/-

NOTES

1. A 15 FOOT WIDE EXCLUSIVE ACCESS EASEMENT IS CREATED ACROSS THE FRONT OF LOT 1, FOR THE BENEFIT OF LOT 2, AS DEPICTED ON THIS PLAT.
2. ALL LOTS ARE SUBJECT TO A PUBLIC UTILITY EASEMENT, 10 FEET ALONG THE FRONT AND REAR AND 3 FEET ALONG THE SIDE YARDS, AS DEPICTED ON THIS PLAT.

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS THE 1061 LOWELL AVENUE SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



PHILLIP R. CHRISTENSEN
P.L.S. 319686

DATE _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS

ON THIS ____ DAY OF _____, 2016 A.D.

BY: _____ S.B.W.R.D.

PLANNING COMMISSION

APPROVAL BY THE PARK CITY PLANNING COMMISSION

THIS ____ DAY OF _____, 2016 A.D.

BY: _____ CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE.

THIS ____ DAY OF _____, 2016 A.D.

BY: _____ PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM

THIS ____ DAY OF _____, 2016 A.D.

BY: _____ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL

THIS ____ DAY OF _____, 2016 A.D.

BY: _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL

THIS ____ DAY OF _____, 2016. AD.

BY: _____ MAYOR

RECORDED

ENTRY # _____

STATE OF UTAH, COUNTY OF SUMMIT

RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____

BY: _____ SUMMIT COUNTY RECORDER

1061 LOWELL AVENUE SUBDIVISION

1061 AND 1063 LOWELL AVENUE
SE1/4NW1/4 SEC. 16, T.2S., R.4E., SLB&M
PARK CITY, SUMMIT COUNTY, UTAH

3341 South 4000 West
West Valley, Utah 84120
(801) 955-0505
90 East 100 South
P.O. Box 1000
(435) 954-4900

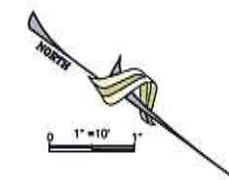
PROJECT #: 16SM1891.14
DATE: 11/28/2016
SHEET NO: 1 OF 1

DRAWN: JD
CHECKED: PC

1061 LOWELL AVENUE SUBDIVISION

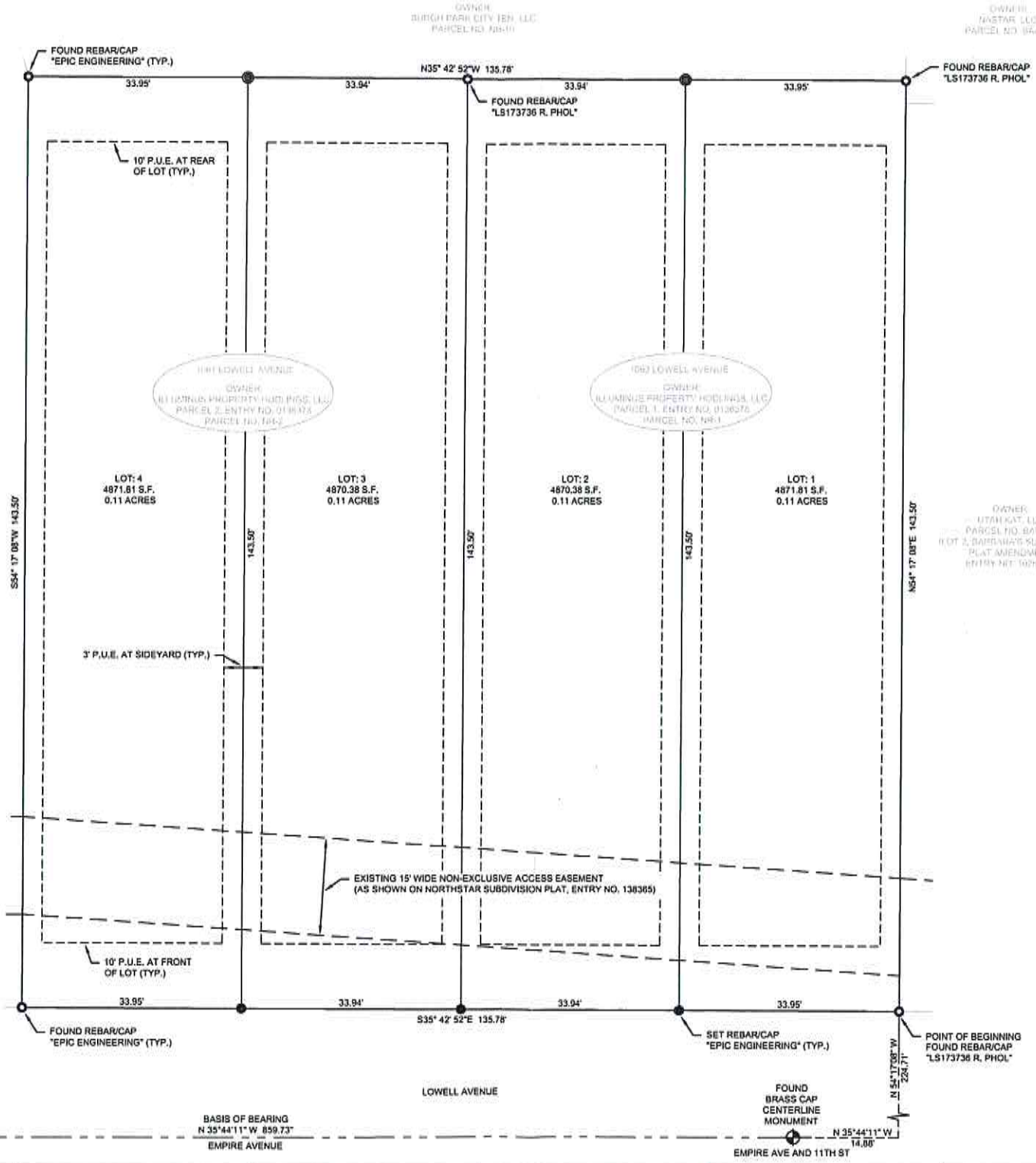
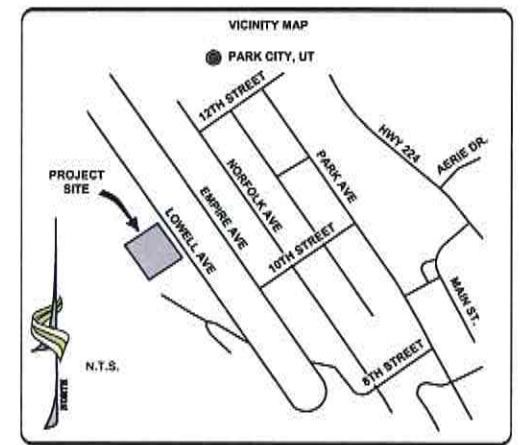
LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

Exhibit B - Proposed Subdivision of Vacated Northstar Lot 1



ADDRESS TABLE	
LOT	ADDRESS
1	LOWELL AVENUE
2	LOWELL AVENUE
3	LOWELL AVENUE
4	LOWELL AVENUE

LEGEND	
PROPERTY LINE	—————
LOT LINE	-----
SET MONUMENT "EPIC ENGINEERING"	●
FOUND MONUMENT (AS NOTED)	○
PUBLIC UTILITY EASEMENT (P.U.E.)	- - - - -



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOWN ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS DUNCAN SUBDIVISION, AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

AS WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 2016

ILLUMINUS PROPERTY HOLDINGS, LLC. DATE _____

ACKNOWLEDGMENT
ON THIS ____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNERS DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC IN AND FOR THE STATE OF UTAH
RESIDING IN _____, UTAH
STATE OF UTAH } SS
COUNTY OF _____

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION
TWO PARCELS OF LAND, FORMERLY KNOWN AS LOT 1 OF THE NORTHSTAR SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MONUMENT, LOCATED AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH, THENCE NORTH 35°44'11" WEST 14.88 FEET, THENCE SOUTH 54°17'08" WEST 224.71 FEET TO THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 35°42'52" EAST 135.78 FEET; THENCE SOUTH 54°17'08" WEST 143.50 FEET; THENCE NORTH 35°42'52" WEST 135.78 FEET; THENCE NORTH 54°17'08" EAST 143.50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A FIFTEEN (15) FOOT WIDE NON-EXCLUSIVE ACCESS EASEMENT, AS SHOWN ON SAID RECORD NORTHSTAR SUBDIVISION PLAT.

CONTAINS: 19,484 S.F. / 0.44 AC +/-

SURVEYOR'S CERTIFICATE
I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS THE 1061 LOWELL AVENUE SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



PHILLIP R. CHRISTENSEN P.L.S. 319686 DATE _____

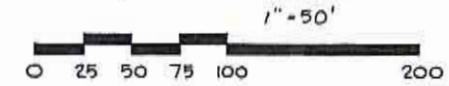


<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2016 A.D. BY: _____ S.B.W./D.</p>	<p>PLANNING COMMISSION APPROVAL BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2016 A.D. BY: _____ CHAIRMAN</p>	<p>ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS ____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THAT THIS RECORD OF SURVEY WAS APPROVED BY THE PARK CITY COUNCIL. THIS ____ DAY OF _____, 2016 A.D. BY: _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2016, AD. BY: _____ MAYOR</p>	<p>RECORDED ENTRY # _____ STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ DATE ____ TIME ____ BOOK ____ PAGE ____ FEE _____ BY: _____ SUMMIT COUNTY RECORDER</p>	<p>1061 LOWELL AVENUE SUBDIVISION 1061 AND 1063 LOWELL AVENUE SE1/4NW1/4 SEC. 16, T.2S., R.4E., S1B&M PARK CITY, SUMMIT COUNTY, UTAH</p> <p>epic ENGINEERS 3041 South 4000 West West Valley, Utah 84119 (801) 963-8800 10 East 100 South Summit, UT, Utah 84302 (435) 433-8800</p> <p>PROJECT #: 16SM1091.14 DATE: 04/26/2016 DRAWN: JD CHECKED: PC SHEET NO: 1 OF 1</p>
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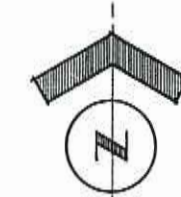
Exhibit D- Northstar Subdivision

NORTHSTAR SUBDIVISION

LOCATED IN N.W. 1/4 SEC. 16 T25 R4E SLB 4 M



①-Denotes 3' non-exclusive utilities & improvements easement
②-Denotes non-exclusive utilities, improvements & access easement



OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS TO BE HEREAFTER KNOWN AS NORTHSTAR SUBDIVISION DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE...

Signature of Joseph E. Bernolfo III, dated February 16, 1977.

ACKNOWLEDGMENT

STATE OF UTAH COUNTY OF SUMMIT ON THIS 16th DAY OF February A.D. 1977 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN FOR SAID STATE AND COUNTY, JOSEPH E. BERNOLFO III WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY.

Signature of Notary Public, My Commission Expires 11-10-80.

SURVEYOR'S CERTIFICATE

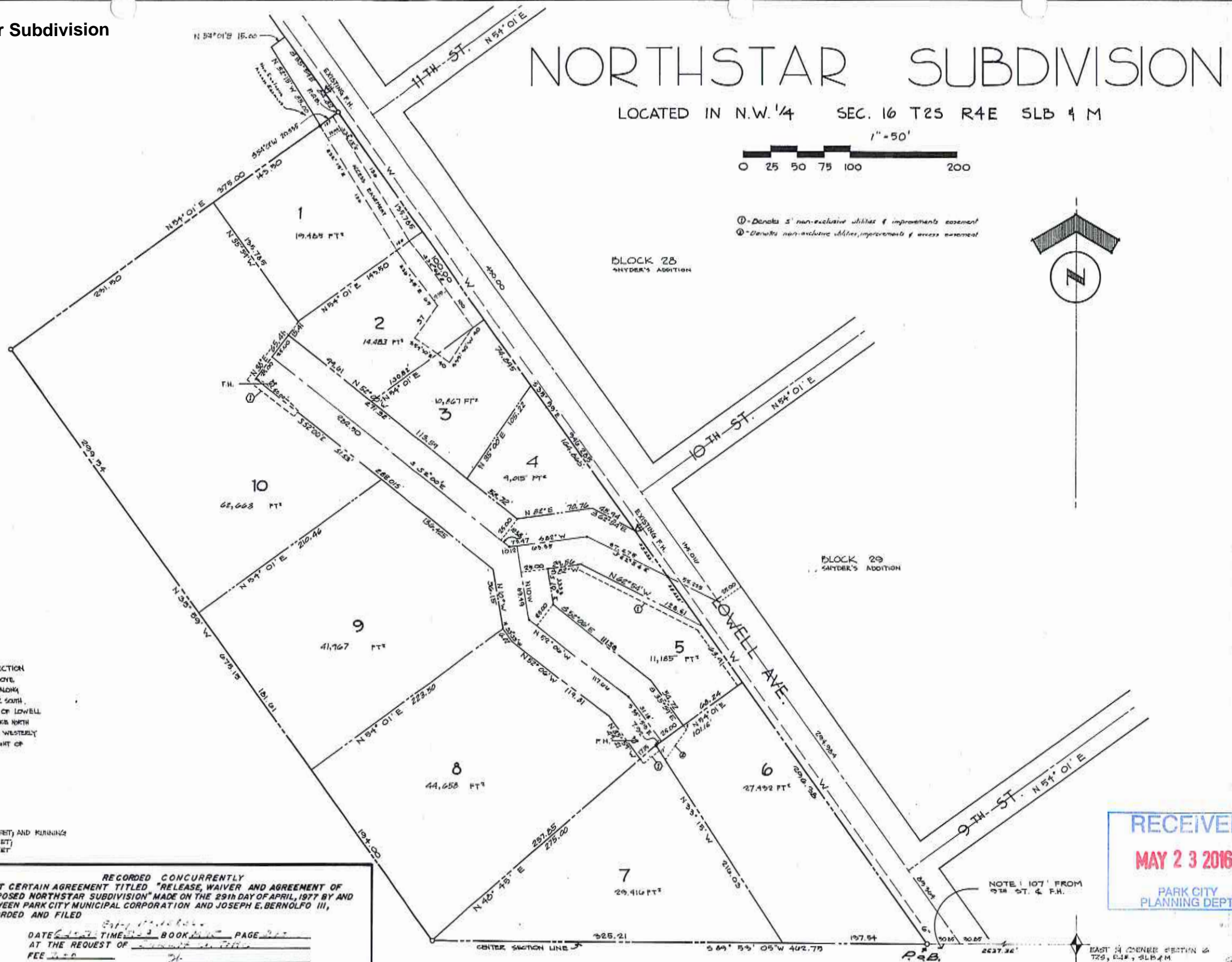
I JACK J. JOHNSON DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4496 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS NORTHSTAR SUBDIVISION AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BLOCKS 31, 32, 33, 40 AND 41 OF SNYDER'S ADDITION TO PARK CITY, UTAH TOGETHER WITH THE FOLLOWING VACATED STREETS AND AVENUES: CRESCENT STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER LINE OF QUAKING ASP AVENUE; HALLAMPT STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER LINE OF QUAKING ASP AVENUE; SHEPHERD STREET FROM LOWELL AVENUE SOUTH WESTERLY TO THE CENTER SECTION LINE OF SECTION 16, THE EASTERLY ONE-HALF OF QUAKING ASP AVENUE FROM THE CENTER SECTION LINE NORTHWESTERLY TO THE NORTHERLY LINE OF CRESCENT STREET; FACING AVENUE FROM THE CENTER SECTION LINE NORTHWESTERLY TO THE NORTHWESTERLY LINE OF CRESCENT STREET. ALL THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING AT A POINT SOUTH 89°55'00" WEST ALONG THE CENTER SECTION LINE 2697.36 FEET FROM THE EAST QUARTER CORNER OF SECTION 16 TOWNSHIP 2 SOUTH, THENCE A EAST SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY OF LOWELL AVENUE, BEING THERE, SOUTH 89°55'00" WEST ALONG SAID CENTER SECTION LINE 462.75 FEET; THENCE NORTH 95°59'00" WEST 675.15 FEET; THENCE NORTH 94°01'00" EAST 495.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LOWELL AVENUE, THENCE SOUTH 94°59'00" EAST ALONG SAID RIGHT OF WAY LINE 946.285 FEET TO THE POINT OF BEGINNING, CONTAINS 6.98 ACRES.

TOGETHER WITH AN EASEMENT FOR ACCESS BEGINNING AT A POINT WHICH IS SOUTH 89°55'00" WEST ALONG THE CENTER OF SECTION LINE 2637.36 FEET FROM THE EAST QUARTER CORNER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND NORTH 88°51' WEST ALONG THE WESTERLY RIGHT OF WAY LINE OF LOWELL AVENUE 746.285 FEET; AND RUNNING THENCE SOUTH 84°01' WEST 2036 FEET; THENCE NORTH 82°15' WEST 255.20 FEET; THENCE NORTH 89°51' EAST 15.00 FEET; THENCE SOUTH 88°51' EAST 34.88 FEET TO THE POINT OF BEGINNING.

Signature of Jack J. Johnson, dated February 16, 1977.

RECORDED CONCURRENTLY THAT CERTAIN AGREEMENT TITLED "RELEASE, WAIVER AND AGREEMENT OF PROPOSED NORTHSTAR SUBDIVISION" MADE ON THE 29th DAY OF APRIL, 1977 BY AND BETWEEN PARK CITY MUNICIPAL CORPORATION AND JOSEPH E. BERNOLFO III, RECORDED AND FILED DATE 2-17-77 TIME 11:23 AM BOOK 210 PAGE 31 AT THE REQUEST OF SUMMIT COUNTY RECORDER FEE \$10.00



RECEIVED MAY 23 2016 PARK CITY PLANNING DEPT.

Table with 7 columns: PREPARED BY (J.J. Johnson & Associates), CITY PLANNING COMMISSION (Approved), ENGINEERS CERTIFICATE (Approved), APPROVAL AS TO FORM (Approved), CERTIFICATE OF ATTEST (Attested), COUNCIL APPROVAL & ACCEPTANCE (Approved), and RECORDED (Recorded).



June 06, 2016

Park City Planning Department and Committee

Re: 1061/1063 Lowell Avenue (Northstar Lot 1) Vacation from Northstar Subdivision

We are looking to vacate Lot 1 from the Northstar Subdivision. This process has been started by the previous owner and recorded at the county. We understand that said vacation and amendment is required by Utah state law to be filed with and approved by the land use authority. In this case that would be you the Park City Planning Department and Committee, as well as a Public hearing. We have attached all documentation from the Northstar Subdivision for this action.

Sincerely,

Scott Jaffa, A.I.A.





June 06, 2016

Park City Planning Department and Committee

Re: 1061/1063 Lowell Avenue

We are looking to subdivide the previously North Star lot 1, That has been parceled into 2 lots, and released from the subdivision (see attached documentation).

There is currently a duplex on the two lots that was constructed in 1983. Our Client Illuminus, LLC has recently purchased both halves of the duplex. We are looking to Subdivide the property in to 4 equal lots stretching from Lowell Avenue to the back of the property, each with approximately 33' of frontage on Lowell Avenue. The Intent is to develop 4 independent units at a scale closet to the scale and intent of the original Historic Scale. The end result will be to develop 4 autonomous high end homes with a similar character, but varying interior options and varying elevations.

Sincerely,

Scott Jaffa, A.I.A.



1061 & 1063 LOWELL AVENUE RECORD OF SURVEY AND TOPOGRAPHY

LOCATED IN THE:
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

RECORD LEGAL DESCRIPTION

PARCEL NO. 1:
BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE SOUTH 3559' EAST 67.89 FEET; THENCE SOUTH 5401' WEST 143.5 FEET; THENCE NORTH 3559' WEST 67.89 FEET; THENCE NORTH 5401' EAST 143.5 FEET TO THE POINT OF BEGINNING.
TOGETHER WITH AN ACCESS EASEMENT AS SHOWN ON THE RECORDED PLAT OF NORTHSTAR SUBDIVISION.

PARCEL NO. 2:
BEGINNING AT THE MOST EASTERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE SOUTH 5401' WEST 143.5 FEET; THENCE NORTH 3559' WEST 67.89 FEET; THENCE NORTH 5401' EAST 143.5 FEET; THENCE SOUTH 3559' EAST 67.89 FEET TO THE POINT OF BEGINNING.
TOGETHER WITH AN ACCESS EASEMENT AS SHOWN ON THE RECORDED PLAT OF NORTHSTAR SUBDIVISION.

AS-SURVEYED DESCRIPTION

TWO PARCELS OF LAND, FORMERLY KNOWN AS LOT 1 OF THE NORTHSTAR SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A FOUND BRASS CAP MONUMENT AT THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET, PARK CITY, UTAH, THENCE NORTH 35°44'11" WEST 14.88 FEET, THENCE SOUTH 54°17'08" WEST 224.71 FEET TO THE MOST NORTHERLY CORNER OF LOT 1, NORTHSTAR SUBDIVISION, ENTRY NUMBER 138365, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE SOUTH 35°42'52" EAST 135.78 FEET; THENCE SOUTH 54°17'08" WEST 143.50 FEET; THENCE NORTH 35°42'52" WEST 135.78 FEET; THENCE NORTH 54°17'08" EAST 143.50 FEET TO THE POINT OF BEGINNING.
CONTAINS: 19,844 S.F. / 0.44 AC +/-

NARRATIVE

EPIC ENGINEERING WAS HIRED TO LOCATE AND MONUMENT THE BOUNDARY FOR TWO PARCELS OF LAND KNOWN AS PARCEL NUMBERS NR-1 AND NR-2, SAID PARCEL BEING FURTHER DESCRIBED IN A WARRANTY DEED, ENTRY NUMBER 1036378, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE.

IN ADDITION, A TOPOGRAPHIC SURVEY WAS COMPLETED TO LOCATE EXISTING IMPROVEMENTS AND CREATE CONTOURS UPON SAID PARCELS.

IN PERFORMING THIS SURVEY, MULTIPLE DOCUMENTS WERE OBTAINED FROM THE SUMMIT COUNTY SURVEYOR'S AND RECORDER'S OFFICE, TO INCLUDE ENTRY NUMBER(S): 1036378, 891323, 891326, 830412, 891325, 866671, 891327, S-5709, S-5840, 138365, 1015023, AND 1026767.

THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN TWO FOUND CENTERLINE MONUMENTS, A BRASS CAP MONUMENT, AT THE INTERSECTION OF EMPIRE AVENUE AND 9TH STREET AND THE INTERSECTION OF EMPIRE AVENUE AND 11TH STREET WITH A MEASURED BEARING AND DISTANCE OF NORTH 35°44'11" WEST 859.73'.

A TITLE REPORT WAS NOT OBTAINED, PURSUANT TO AND IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR AMERICAN LAND TITLE ASSOCIATION (ALTA) / NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS) LAND TITLE SURVEYS, DATED 2/23/2016. AS SUCH, THE PARCEL SURVEYED MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAYS, AGREEMENTS, CONVEYANCES, AND SURVEYS THAT MAY NOT BE REFLECTED ON THIS PLAT.

THE UTILITIES SHOWN ON THIS MAP HAVE BEEN LOCATED FROM FIELD OBSERVATIONS ONLY. NO GUARANTEES ARE MADE OR IMPLIED THAT ALL UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.

THE EXISTING HOME ON THE ADJACENT PARCEL TO THE SOUTH WAS LOCATED AS DEPICTED ON THIS DRAWING. HOWEVER, THE FOUNDATION WALLS OF A HOME UNDER CONSTRUCTION ON THE PARCEL TO THE NORTH, WAS NOT LOCATED.

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 319686 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE CLIENT, A SURVEY OF THE TRACT OF LAND DESCRIBED HEREIN, WAS PERFORMED UNDER MY DIRECTION.

PHILLIP R. CHRISTENSEN
P.L.S. 319686

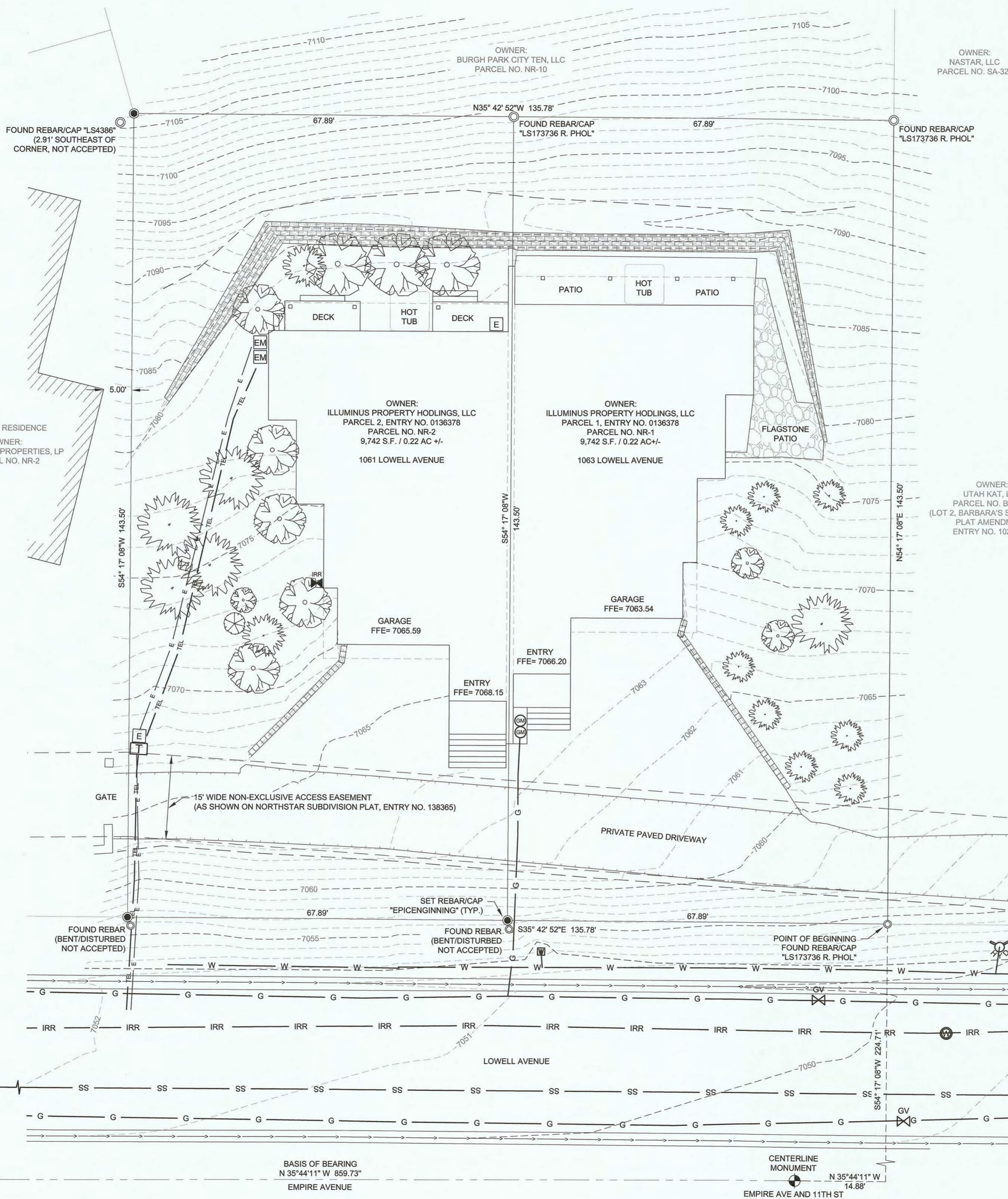
DATE: May 16, 2016

PROFESSIONAL LAND SURVEYOR
No. 319686
PHILLIP R. CHRISTENSEN
5-16-16
STATE OF UTAH

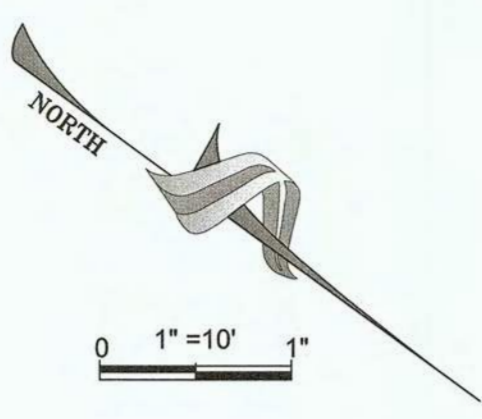
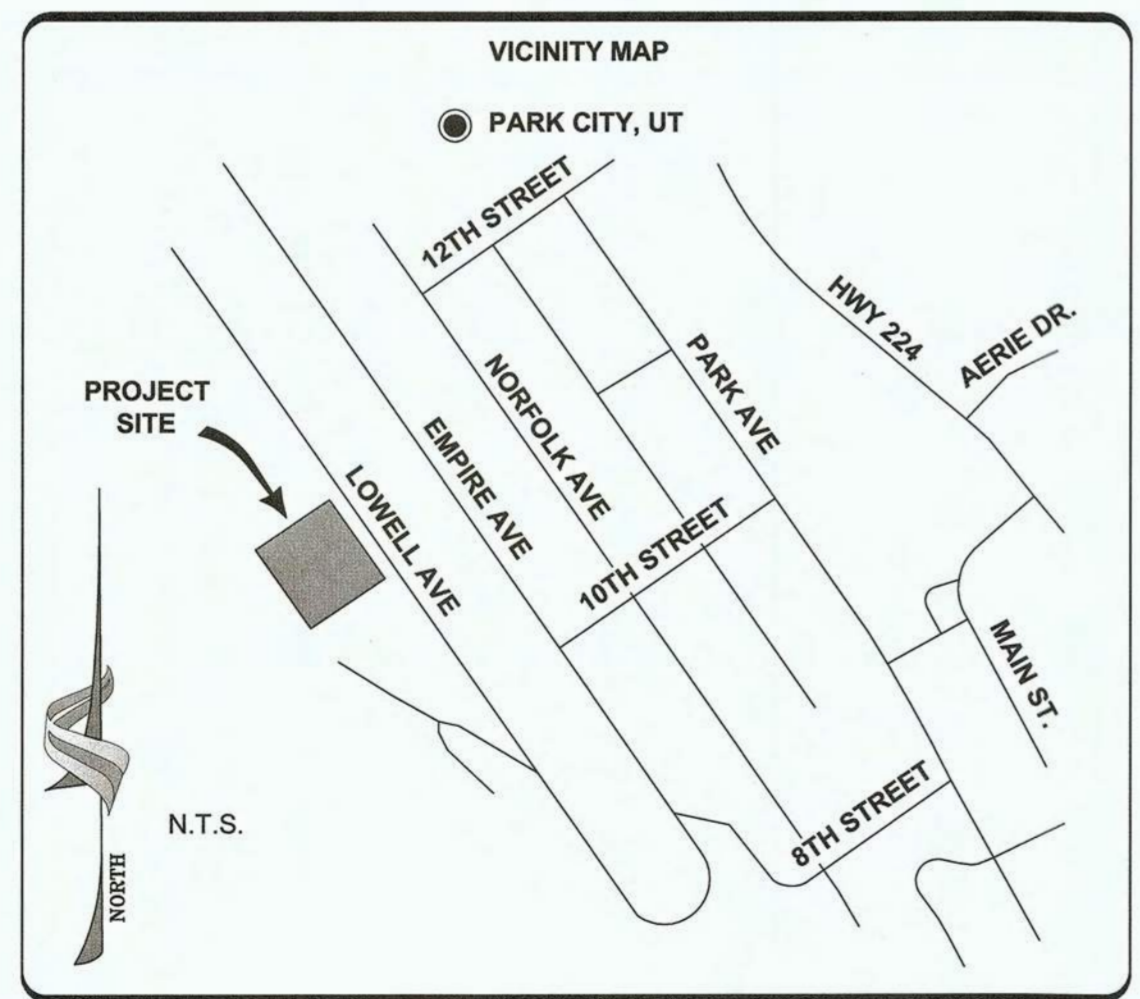
1061 & 1063 LOWELL AVENUE
RECORD OF SURVEY AND TOPOGRAPHY
SE1/4NW1/4 OF SEC.16, T.2S., R.4E, SLB&M,
1061 AND 1063 LOWELL AVENUE
PARK CITY, SUMMIT COUNTY, UTAH

epic ENGINEERING
3341 South 4000 West
West Valley, Utah 84120
801958-5605
50 East 100 South
Haber City, Utah 84032
630954-6603

PROJECT #: 16SM1891.14
DRAWN: JD DATE: 05/16/2016
CHECKED: PC SHEET NO: 1 OF 1



LEGEND	
PROPERTY LINE	—
SET MON (AS NOTED)	●
FOUND MON (AS NOTED)	○
FLOWLINE/SWALE	→
RETAINING WALL	▬▬▬▬▬▬
EDGE OF ASPHALT	▬▬▬▬▬▬
GAS LINE	—G—
GAS VALVE	⊗
GAS METER	⊗
IRRIGATION VALVE	⊗
ELECTRIC METER	⊗
ELECTRIC PANEL/BOX	⊗
ASPEN TREE	⊗
PINE TREE	⊗
WATER MANHOLE	⊗
WATER LINE	—W—
WATER METER	⊗
SANITARY SEWER MANHOLE	⊗
SANITARY SEWER LINE	—SS—
TELEPHONE PEDESTAL	⊗



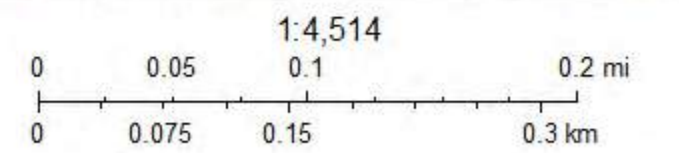
N:\PROJECTS\1061 AND 1063 LOWELL AVE LOT 1 BOUNDARY & TOPOGRAPHIC SURVEY\1061 AND 1063 LOWELL AVE LOT 1 BOUNDARY & TOPOGRAPHIC SURVEY.DWG

Tax Parcels

Exhibit G - Aerial Photographs



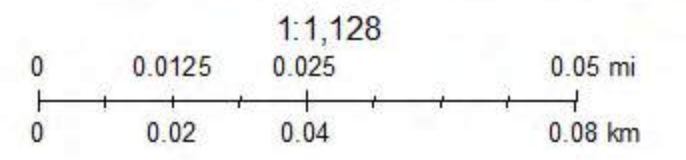
June 21, 2016



Tax Parcels



June 21, 2016



Memorandum

Date: September 13, 2004
To: Recorder's Office
From: Information Technology
Jeff Ward
GIS Specialist

00710558 Bk01645 Pg01593-01593
ALAN SPRIGGS, SUMMIT CO RECORDER
2004 SEP 13 14:40 PM FEE \$1.00 BY GGB
REQUEST: SUMMIT COUNTY GIS SPECIALIST

RE: New Address / Change in Addresses

Serial #	New / Change	Address
PI-D-79	New	1626 W. Elk Road
PI-E-3	New	2197 W. Willow Way
RCCS-13	Change	Old: 3379 Tatanka Trail New 3279 Tatanka Trail
NR-1	Change	Old: 1061 Lowell Avenue New: 1063 Lowell Avenue
NR-1-A	New	1061 Lowell Avenue
NS-116-F	New	384 E. 1400 South (Hoytsville)

Thanks, if you have any questions, please call me at ext 3145.



BK1645 PG1593

**Exhibit I – Second Amendment to Northstar CC&Rs Allowing
Additional Density (But No More Than 2 Family Units Per Lot)**

WHEN RECORDED PLEASE RETURN TO:

Thomas T. Billings
VanCott, Bagley, Cornwall & McCarthy
50 South Main, Suite 1600
Salt Lake City, Utah 84144

ENTRY NO. 00806996

03/14/2007 11:22:47 AM B: 1852 P: 1838

Amendment PAGE 1 / 5

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 28.00 BY VAN COTT BAGLEY CORNWALL MCCARTHY



Parcel I.D. Nos. NR-1, NR-1A, NR-2, NR-3,
NR-4, NR-5, NR-6, NR-7, NR-8, NR-9, NR-10

**SECOND AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS
FOR THE NORTHSTAR SUBDIVISION**

At the Annual Meeting of the Northstar Homeowners Association held on December 28, 2006, the Owners of the Subdivision Lots subject to the Declaration of Protective Covenants for the Northstar Subdivision, dated July 19, 1977, and recorded as Entry No. 139189 in Book M97 at Pages 387 to 404 of the official records of Summit County, Utah, as amended from time to time, amended said Declaration of Protective Covenants as follows:

Section 5.3 is amended and restated in its entirety to read as follows:

“Section 5.3 Annual Assessment. The amount of the annual assessment for 1997 is \$500.00 per Lot. The amount of the annual assessment for succeeding years shall be set by the Governing Board based upon the financial status of the Association and an expectation of expenses for the ensuing calendar year. However, in no year shall the Governing Board set the annual assessment at an amount greater than 120 percent of the amount (maximum annual assessment) for the year immediately preceding the year for which the assessment is being set. At no time shall the Governing Board set the annual assessment above \$1,500.00 (assessment cap). The annual assessment may be increased above said maximum annual assessment or assessment cap by an affirmative vote of 2/3 of the votes cast at the annual meeting or special meeting duly called for this purpose.”

Section 5.4 is amended and restated in its entirety to read as follows:

“Section 5.4 Special Assessments For Capital Improvements. In addition to the annual assessments authorized above, the Association may levy, in any assessment year, a special assessment applicable to that year only for the purposes of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of any paved street located within the Subdivision not maintained by the City, upon an affirmative vote of 2/3 of all votes entitled to be cast by the Association members.”

Section 6.2 is amended and restated in its entirety to read as follows:

“Section 6.2 Approval by Architectural Committee. No improvements of any kind, including but not limited to dwelling houses, swimming pools, ponds, building pads, parking areas, fences, walls, tennis courts, garages, drives, bridges, antennae, flag poles, curbs, and walks shall ever be erected, altered or permitted to remain on any Subdivision Lot or Property, nor shall any excavating, alteration of any stream, clearing, removal of trees, or shrubs, or landscaping be done on any Subdivision Lot or Property, unless the complete plans and specifications therefore are approved by the Architectural Committee prior to the commencement of such work. An architectural review fee shall be paid to the Architectural Committee in an amount the Architectural Committee shall set from time to time. Any improvements to be done after the initial improvements shall be submitted as directed to the Architectural Committee for approval and be subject to an architectural review fee. The Architectural Committee shall consider the materials to be used on the exterior features of said buildings and structures, including exterior colors, harmony of external design with existing structures within said Subdivision, location with respect to topography and finished grade elevations and harmony of landscaping with the natural setting and surrounding native trees, bushes and other vegetation. The complete architectural plans and specifications must be submitted in triplicate, must include at least four different elevation views. In the event the Architectural Committee fails to take any action within 45 days after the complete plans for such work have been submitted to it, then all of such submitted plans shall be deemed to be approved. In the event the Architectural Committee shall disapprove any plans, the person submitting such plans may appeal the matter at the next annual or special meeting of the members of the Association, where an affirmative vote of at least 2/3 of the membership shall be required to change the decision of the Architectural Committee.”

Section 7.2 is amended and restated in its entirety to read as follows:

“Section 7.2 Business Uses. The Subdivision Lots or Property shall be used exclusively for residential living purposes and such other uses as are not inconsistent with the exclusive purpose and are permitted by the zoning regulations applicable thereto validly in force from time to time, such purposes to be confined to approved residential Buildings within the Property. No Subdivision Lot or Property shall ever be occupied or used for any commercial or business purposes, provided, however, that nothing in this Paragraph 7.2 shall be deemed to prevent (a) Declarant, Park City Development Company, Inc., or their duly authorized agents from using any Subdivision Lot owned by Declarant or Park City Development Company, Inc. as a sales office, sales model, property management office, rental office, or maids quarters, or (b) any Owner or his duly authorized agent from renting or leasing said owner’s residential Building from time to time, subject to all of the provisions of this Declaration, or (c) the construction of a double family (duplex) unit as permitted by Section 8.1 hereof. Notwithstanding the foregoing, an Owner may use any portion of a building constructed on the Lot as an home office provided, however, that such home office does not generate any vehicle or pedestrian traffic to the Subdivision.”

Section 8.1 is amended and restated in its entirety to read as follows:

“Section 8.1 Number and Location of Buildings. No Building or structures shall be placed, erected, altered, or permitted to remain on any Subdivision Lot other than one single

family or one double family dwelling, and one garage together with related nonresidential structures and improvements of the types described in Section 6.2 hereof. Each Subdivision Lot must be improved with a garage with at least a two-car capacity at the time of construction of the single family or one double family dwelling on the Subdivision Lot. In the event a double family dwelling is constructed on any Lot, such building must have a minimum of a two-car garage for each living unit.

The location of the building for all such Buildings and structures shall be established by the Architectural Committee. In approving or disapproving the building site, the Architectural Committee shall take into consideration the locations with respect to topography, trees, brush, and finished grade elevations and the effect thereof on the setting and surrounding of the Subdivision.”

Section 8.7 is amended and restated in its entirety to read as follows:

“Section 8.7 Towers and Antennae. No towers, and no exposed or outside radio, television or other electrical antennae, with the exception of television receiving antennae shall be allowed or permitted to remain on any Subdivision Lot. The Architectural Committee shall have the discretion to allow mini satellite dishes and similar unobtrusive receiving antennae if requested by an owner.”

Section 8.13 is added to the Declaration and reads as follows:

“Section 8.13 Condominium Use of a Building. An Owner may construct or establish a double family dwelling on any Lot and in the event such an Owner desires to create a condominium under the laws of the State of Utah in order to allow multiple owners with separate legal interests in a Lot and double family unit, then such Owner or Owners shall submit to the Governing Board and the Architectural Committee at the Owner’s sole cost and expense, a proposed declaration of condominium for the Lot which complies with the laws of the State of Utah and any applicable ordinances or regulations of Park City Municipal Corporation. Such submission shall include a proposed declaration of condominium, articles of incorporation and by-laws for the condominium association. The Owner shall bear any fees or expenses incurred by the Governing Board and Architectural Committee for its review of the condominium documents. **Upon approval by the Governing Board, the Owner may declare a condominium for its Lot, provided, however, that the Lot shall have only one vote in the Northstar Homeowners Association regardless of the number of Owners in the Condominium. In no instance shall there be more density than two family units on any Lot.**”

Certificate of Secretary

Annie Lewis Garda hereby certifies that she is the duly elected, qualified and acting Secretary of the Northstar Homeowners Association, a non-profit corporation duly organized and existing under the laws of the State of Utah, that the amendments contained in the preceding Second Amendment to the Declaration of Protective Covenants for the Northstar Subdivision were adopted by the Owners of the Northstar Subdivision Lots at the Annual Meeting of the Northstar Homeowners Association held on December 28, 2006, by the requisite votes of the Lot Owners in attendance thereat, as evidenced by the Minutes of said Annual Meeting and the written ratifications and approvals of said Minutes executed by the respective Owners, which Minutes and written ratifications and approvals are on file and made a part of the records of the Northstar Homeowners Association.

Dated: January 4, 2007

Annie Lewis Garda
Annie Lewis Garda, Secretary

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

On this 4th day of January, 2007, personally appeared before me, Annie Lewis Garda personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the above instrument, and acknowledged to me that she executed the same in her authorized capacity, and that she signed the same of her own free act and deed.

[Signature]
NOTARY PUBLIC
Residing at: Provo, UT
8/31/07

My Commission Expires: _____

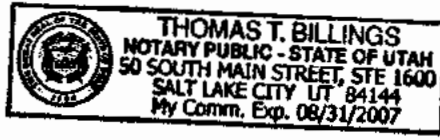


EXHIBIT A

(Legal Description of the Property)

PROPERTY located in Summit County, Utah, more particularly described as follows:

Blocks 31, 32, 33, 40 and 41 of Snyder's Addition to Park City; Park City, Utah, together with the following vacated streets and avenues: Crescent Street from Lowell Avenue Southwesterly to the center line of Quaking Asp Avenue; Halladay Street from Lowell Avenue Southwesterly to, the center line of Quaking Asp Avenue; Shepherd Street from Lowell Avenue Southwesterly to the center section line of Section 16; the Easterly one-half of Quaking Asp Avenue from the center section line Northwesterly to the Northerly line of Crescent Street; Pacific Avenue from the center section line Northwesterly to the Northwesterly line of Crescent Street. All the above being more particularly described as follows: Beginning at a point South 89°53'05" West along the center section line 2637.36 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian. said point also being on the Westerly right of way of Lowell Avenue, running thence South 89°53'05" West along said center section line 462.75 feet; then North 35°59'00" West 675.15 feet; thence North 54°01'00" East 375.00 feet to a point on the Westerly right of way line of Lowell Avenue; thence South 35°59'00" East along said right of way line 946.285 feet to the point of beginning. Together with an easement for access beginning at a point which is South 89°53'05" West along the center of section line 2637.36 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian and North 35°59' West along the Westerly right of way line of Lowell Avenue 946.285 feet; and running thence South 54°01' West 20.535 feet; thence North 32°15' West 85.00 feet; thence North 54°01' East 15.00 feet; thence South 35°59' East 84.82 feet to the point of beginning.

Exhibit K - CC&R Release, Waiver and Agreement

WHEN RECORDED, RETURN TO:

Northstar Subdivision Homeowners Association
c/o Thomas T. Billings, Esq.
Van Cott, Bagley, Cornwall & McCarthy
36 South State Street, Suite 1900
Salt Lake City, UT 84111

ENTRY NO. 00891323
02/02/2010 11:14:09 AM B: 2019 P: 1318
Release PAGE 1/5
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE 18.00 BY VAN COTT BAGLEY CORNWALL MCCARTHY

Affects Parcel ID No. NR-1

RELEASE, WAIVER, AND AGREEMENT

THIS RELEASE, WAIVER, AND AGREEMENT ("Release") is entered into as of the 25 day of Jan, 2016, by and between WILLIAM P. KAUFMAN AND HIS SPOUSE IF APPLICABLE (collectively, "Property Owner"), and NORTHSTAR HOMEOWNERS ASSOCIATION (the "Association").

RECITALS:

WHEREAS, Property Owner is the owner of Lot 1, Parcel ID No. NS-1 (the "Lot"), which has been a part of the Northstar Subdivision in Park City, Summit County, Utah as described in the Plat of Record as Entry No. 138365 in the Official Records of Summit County, Utah (the "Subdivision"), and a member of the Association; and

WHEREAS, the Association, pursuant to the currently effective versions of the Articles of Incorporation, Declaration of Protective Covenants, and By-Laws of the Association, has had certain rights, powers and obligations with regard to the Lot as well as all common areas, access easements, and/or paved streets within the Lot and/or that portion of the access easement described in the Subdivision immediately adjacent to the northeast corner of Lots 1 and/or 1A (collectively, the "Related Areas"); and

WHEREAS, Property Owner desires to remove the Lot from the Subdivision and withdraw from the Association; and

WHEREAS, in connection with removal of the Lot from the Subdivision, the parties desire to execute this mutual Release.

NOW, THEREFORE, in consideration of the foregoing and the mutual release contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree and covenant as follows:

1. Except for the obligations of Property Owner contained herein, each party, on behalf of itself and anyone claiming by, through or under it, does hereby irrevocably and unconditionally release, waive and forever discharge each other from and against any and all claims demands, damages, costs, expenses, liabilities, obligations, actions and causes of action, now existing or hereafter arising, whether known or unknown, contingent or absolute, of

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whatsoever kind or character that either party may have against the other as of the date of this Release.

2. Property Owner hereby represents and warrants to the Association that Property Owner is the sole owner of the Lot and has full legal authority to enter into this Release.

3. This Release shall be binding upon the parties and their heirs, legal representatives, successors and assigns. If Property Owner is comprised of more than one person or entity, the terms of this Release shall be joint and several.

4. This Release constitutes the entire agreement between the parties with respect to the subject matter hereof and there are no written or oral representations or agreements between the parties other than those expressly set forth herein. It is expressly understood and agreed that this Release may not be altered, amended, modified or otherwise changed in any respect whatsoever except by a writing duly executed by both parties. This Release shall be construed and interpreted in accordance with, and governed and enforced in all respects by the laws of the State of Utah without giving effect to the conflict of laws principles of such state. If any term, provision or covenant contained in this Release is held by a tribunal of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions hereof shall remain in full force and effect and shall not in any way be affected, impaired or invalidated. This Release may be executed in counterparts, each of which shall be an original and be fully effective as to the party or parties signing the counterpart, but all such counterparts shall together constitute one instrument. In any action to enforce or interpret this release the prevailing party shall, in addition to all other relief, be entitled to an award for its attorneys' fees and costs.

5. The Property Owner expressly acknowledges the applicability of the provisions of that certain "Release, Waiver, and Agreement of Proposed Northstar Subdivision" dated April 29, 1977, and recorded as Entry No. 138366 Book M95, Page 290-293, of the official records of Summit County, Utah, to the Lot and expressly assumes any and all obligations that the Association may have with regard to snow removal, garbage and refuse collection, and any and all other services as to the Lot, as well as any maintenance or other obligations that the Association may have with regard to the Related Areas. It is the intention of the parties that all of these obligations shall no longer be obligations of the Association, but shall be obligations of successive owners and/or purchasers of the Lot and such obligations shall run with the land. Furthermore, property owner agrees to use best efforts to obtain the agreement of Park City Municipal Corporation, which agreement shall be duly executed and recorded, to amend the above referenced "Release, Waiver, and Agreement of Proposed Northstar Subdivision" to provide that the Association shall no longer have any such obligations.

6. The Property Owner agrees to indemnify and hold the Association harmless as to any and all fees and costs (including reasonable attorneys' fees and costs), expenses, damages, liabilities and/or claims of any kind that may be asserted against the Association regarding or relating to any and all interests in and/or obligations regarding or relating to the Lot and/or the Related Areas.

State of California

County of LOS ANGELES

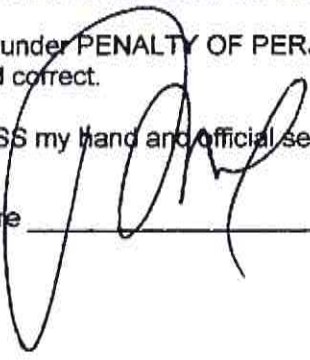
On January 25, 2010 before me, Michael L. Covey, Notary Public
(here insert name and title of the officer)

personally appeared William P. Kaufman

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)

OPTIONAL INFORMATION

Law does not require the information below. This information could be of great value to any person(s) relying on this document and could prevent fraudulent and/or the reattachment of this document to an unauthorized document(s)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Release, Waiver, and Agreement

Document Date: January 25, 2010 Number of Pages: 3

Signer(s) if Different Than Above: _____

Other Information: _____

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name(s): _____

- Individual
- Corporate Officer

(Title(s))

- Partner
- Attorney-in-Fact
- Trustee
- Guardian/Conservator
- Other: _____

SIGNER IS REPRESENTING:

Name of Person(s) or Entity(ies): _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

On January 27, 2010 before me, Helen Harrison, Notary Public,
personally appeared J. Michael Kelly

who proved to me on the basis of satisfactory evidence
to be the person whose name is subscribed to the
within instrument and acknowledged to me that he
executed the same in his authorized capacity, and that
by his signature on the instrument
the person, or the entity upon behalf of which the
person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws
of the State of California that the foregoing is true and
correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Helen Harrison
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document
and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Release, Waiver, and Agreement

Document Date: January 25, 2010 Number of Pages: 3

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

Signer is representing:

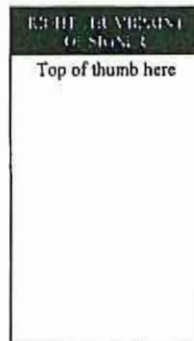


Exhibit L – Notice of Removal of Protective Covenants

WHEN RECORDED, RETURN TO:

Northstar Subdivision Homeowners Association
c/o Thomas T. Billings, Esq.
Van Cott, Bagley, Cornwall & McCarthy
36 South State Street, Suite 1900
Salt Lake City, UT 84111

ENTRY NO. 00891326

02/02/2010 11:14:09 AM B: 2019 P: 1331

Notice PAGE 1/2

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 16.00 BY VAN COTT BAGLEY CORNWALL MCCARTHY



Affects Parcel ID Nos. NR-1, NR-1A, NR-2, NR-3

NOTICE OF REMOVAL OF PROTECTIVE COVENANTS

PLEASE TAKE NOTICE that the following-described parcels of real property are no longer subject to the provisions of and/or the beneficiaries of any obligations of the Northstar Homeowners Association pursuant to the Declaration of Protective Covenants for the Northstar Subdivision dated July 19, 1977 and recorded as Entry No. 139189 in Book M97 at Pages 387 through 404 of the official records of Summit County, Utah, as amended by a First Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00497969 in Book 01113 at Pages 00248 through 00249 of the official records of Summit County, Utah, and as further amended by a Second Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00806996, in Book 1852 at Pages 1838 through 1841 of the official records of Summit County, Utah, and as may be further amended from time to time. Said real properties are more particularly described as follows:

Lot 1, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1.

Lot 1A, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1A.

Lot 2, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-2.

Lot 3, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-3.

All common areas, access easements, and paved streets within said real properties or adjacent to Lots 1 and/or 1A.

DATED this 14th day of JANUARY, 2010.

NORTHSTAR HOMEOWNERS
ASSOCIATION, a Utah nonprofit corporation

By: Annie Lewis J. Beale
Its: Secretary

Exhibit M - SBWRD Approval letter



SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
2800 HOMESTEAD RD, PARK CITY, UT 84098 WWW.SBWRD.ORG T 435-649-7993 F 435-649-8040

December 1, 2016

Jon Turkula
Jaffa Group
1960 Sidewinder Dr, Ste. 101
Park City, UT 84060

Subject: 1061 Lowell Avenue
Plat Approval & Lateral Construction Requirements

Dear Mr. Turkula,

Snyderville Basin Water Reclamation District (SBWRD) has reviewed the referenced plat with regard to increased density, future lateral connections, and the subdivision plat:

- **Increased Density:**
Increasing the density to 4 lots will not adversely affect our system and is acceptable to SBWRD
- **Lateral Connections:**
There is currently only one lateral stub provided off of the main line in Lowell Avenue. If the plat is approved, 3 additional laterals will need to be extended from the main line. As part of the Lowell Avenue Reconstruction Project, scheduled for the Summer of 2017, the three additional lateral stubs will be provided if the plat is approved by Park City Municipal. Please advise us of the progress of the plat so design drawings can be modified as necessary.
- **Subdivision Plat:**
SBWRD has determined that the plat confirms to District regulations.

Please contact me with any questions or to schedule a time to sign the plat after the Owner's Dedication has been signed.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: Makena Hawley, PCMC
Plat Review File

Exhibit N - Site Photographs

LOWELL AVENUE RESIDENCE SUBDIVISION

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MAP OF PANORAMA LOCATIONS

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DEPARTMENT



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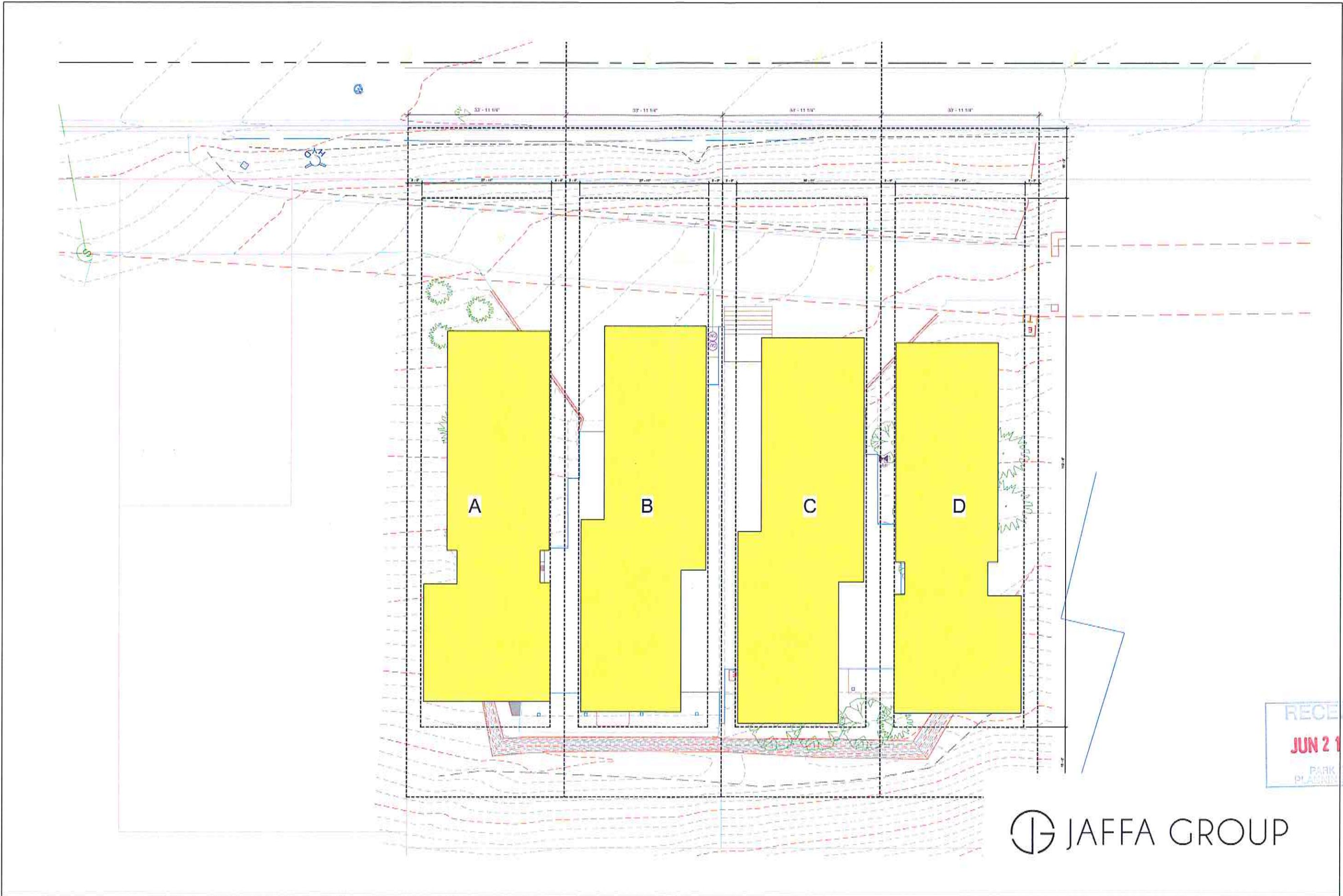
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Exhibit O - Preliminary (not review or approved) HDDR Submittal Photographs

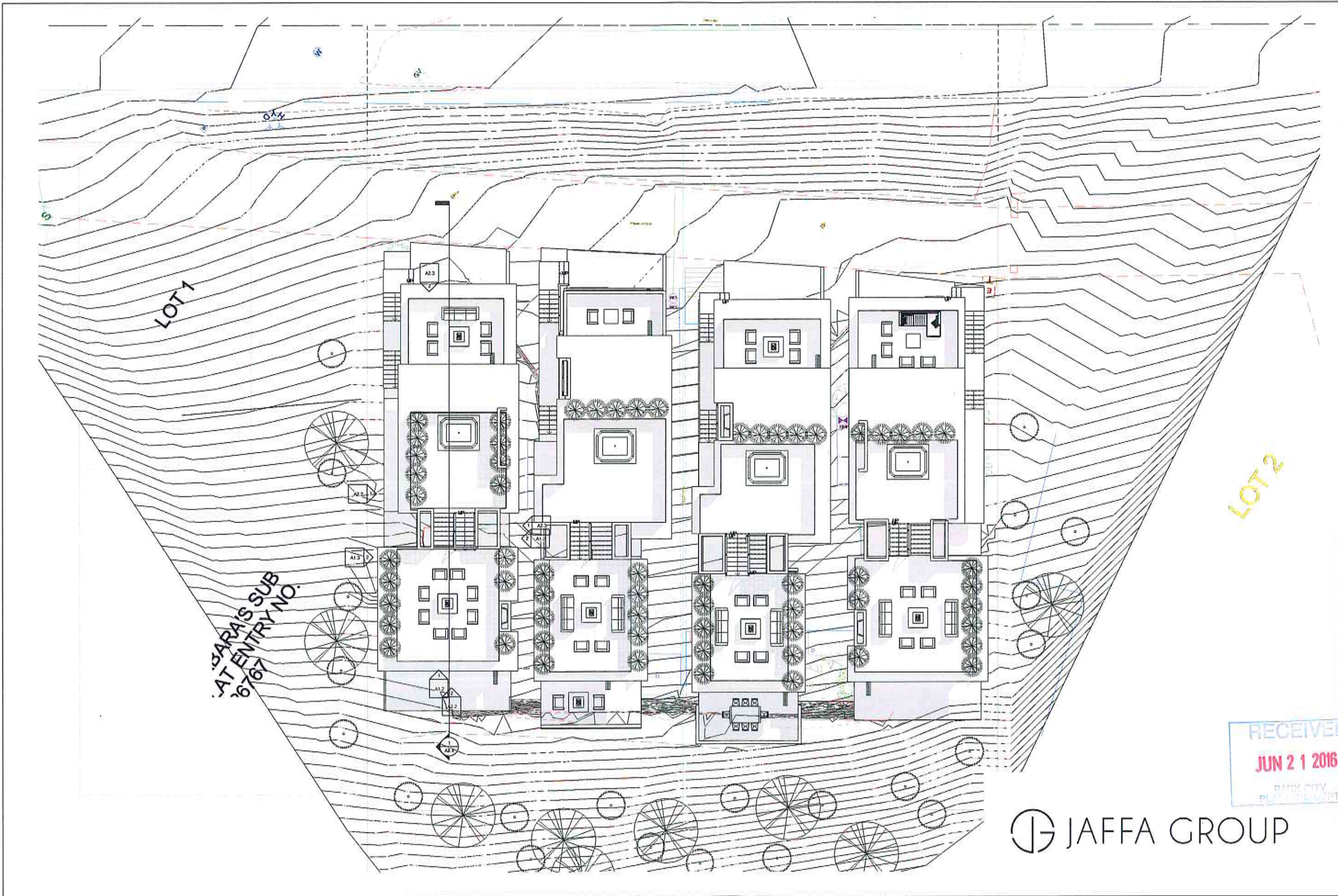
LOWELL RESIDENCES

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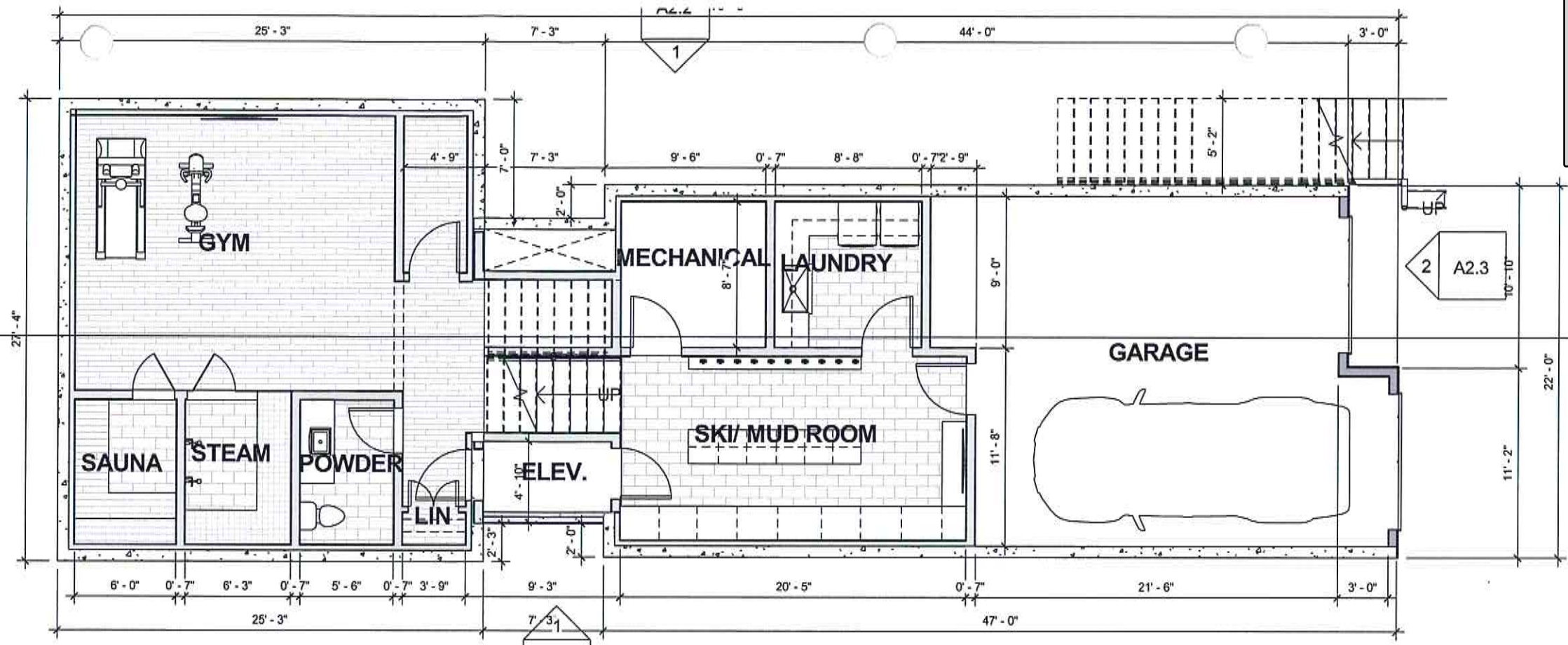
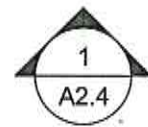
LOT 1

LOT 2

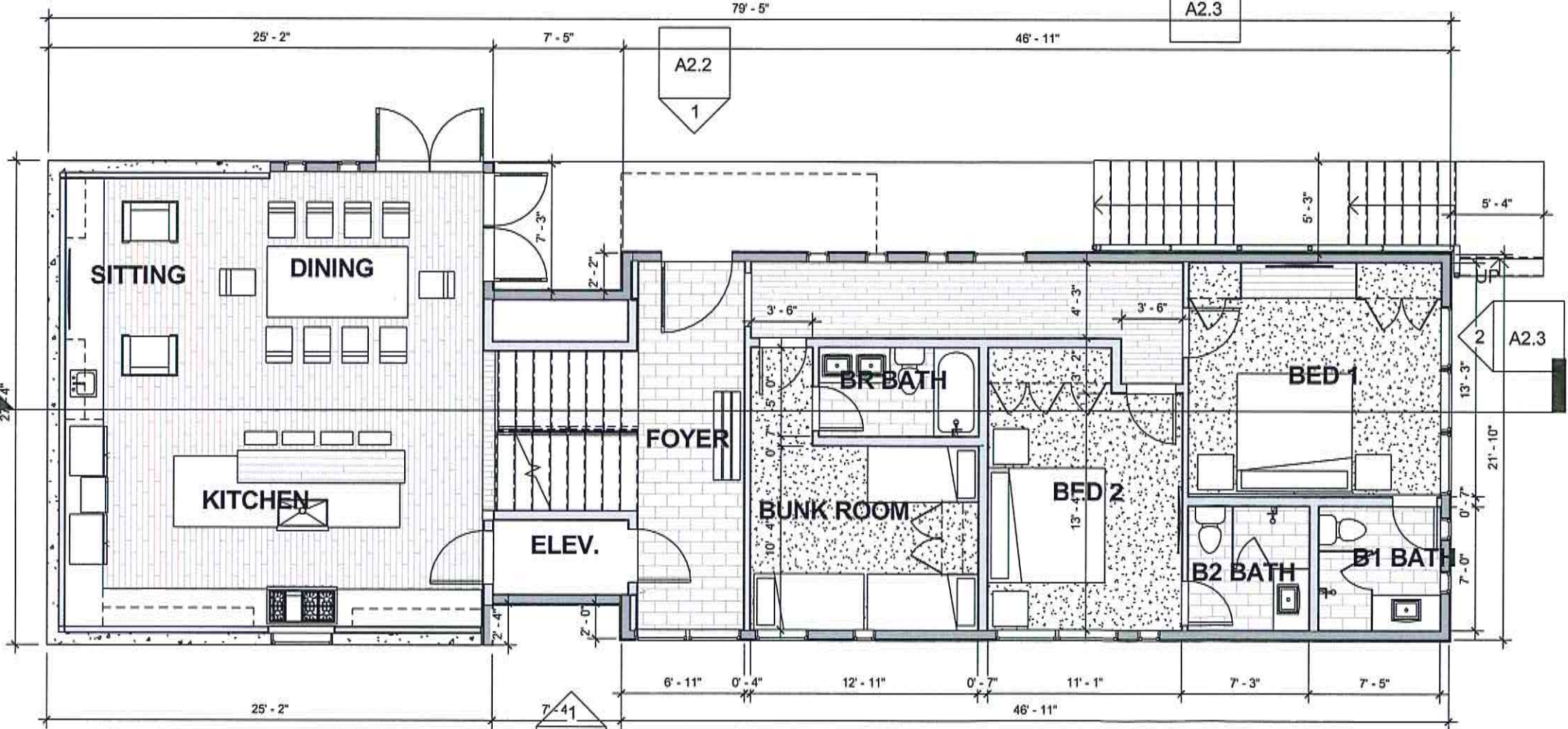
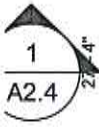
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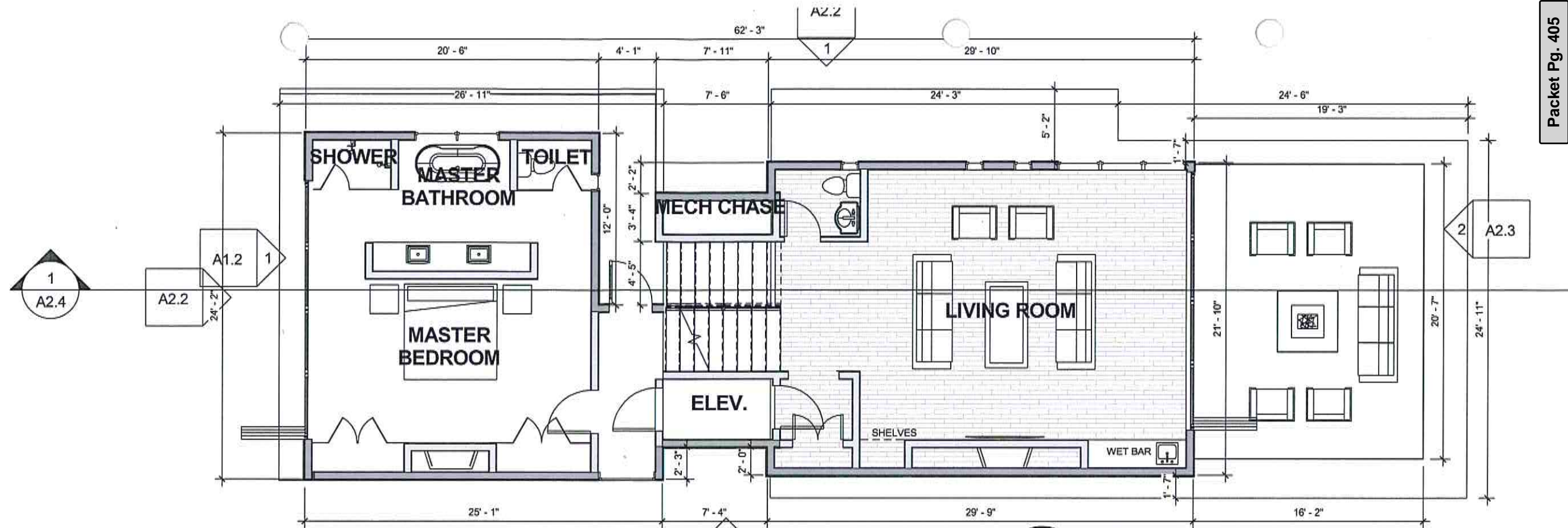
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1/8" = 1'-0"



② LEVEL 2A - 1/8" SCALE
1/8" = 1'-0"



A2.0



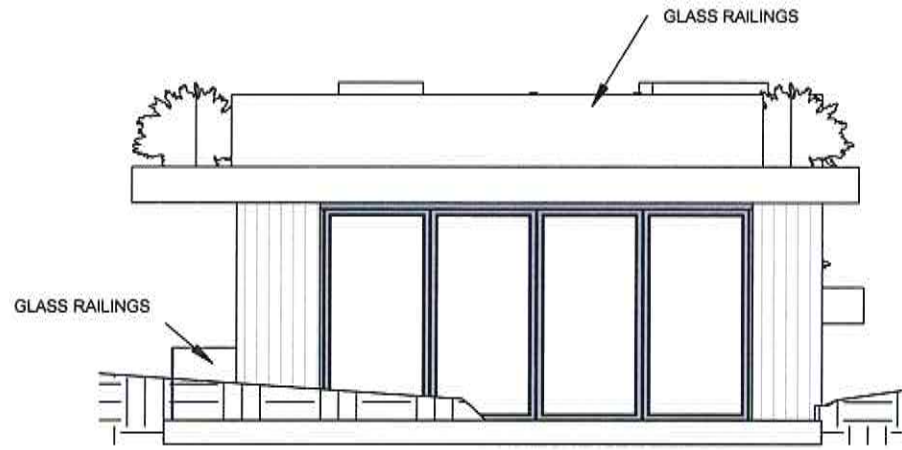
① LEVEL 3A - 1/8" SCALE
1/8" = 1'-0"



② LEVEL 4A - 1/8" SCALE
1/8" = 1'-0"

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A2.1

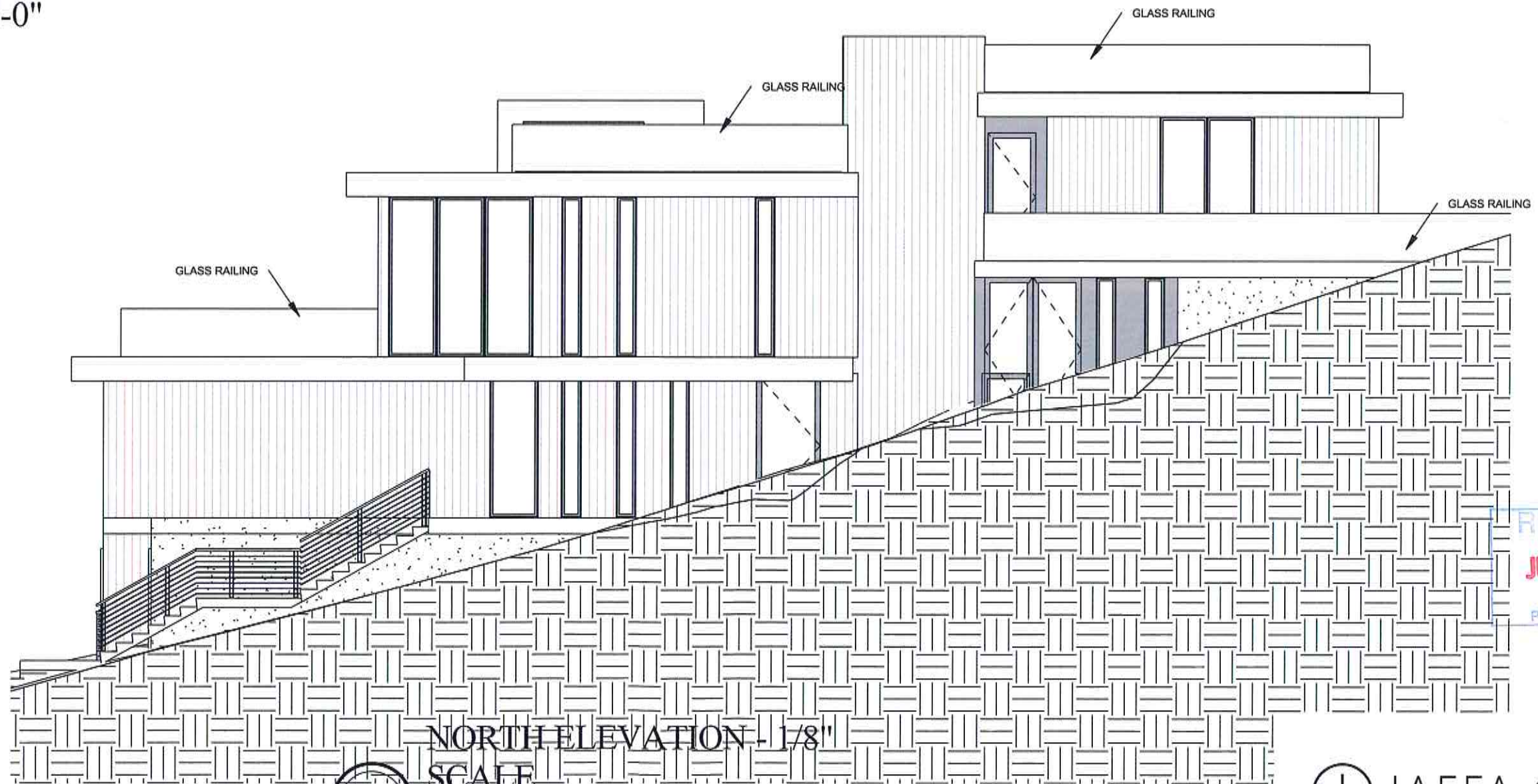


WEST ELEVATION - 1/8"

SCALE

2

1/8" = 1'-0"



NORTH ELEVATION - 1/8"

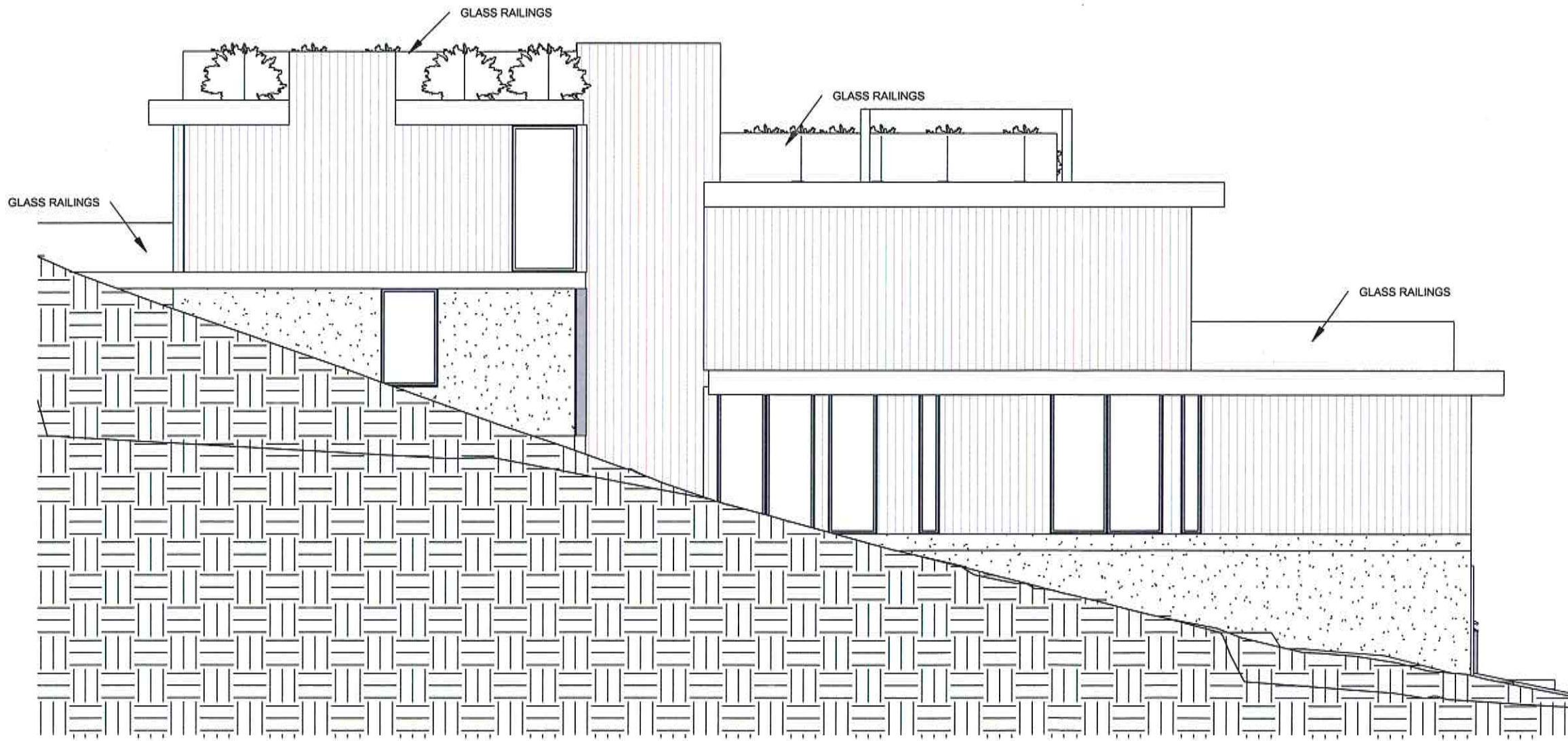
SCALE

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1/8" = 1'-0"

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SOUTH ELEVATION - 1/8"

SCALE

①

1/8" = 1'-0"



EAST ELEVATION - 1/8"

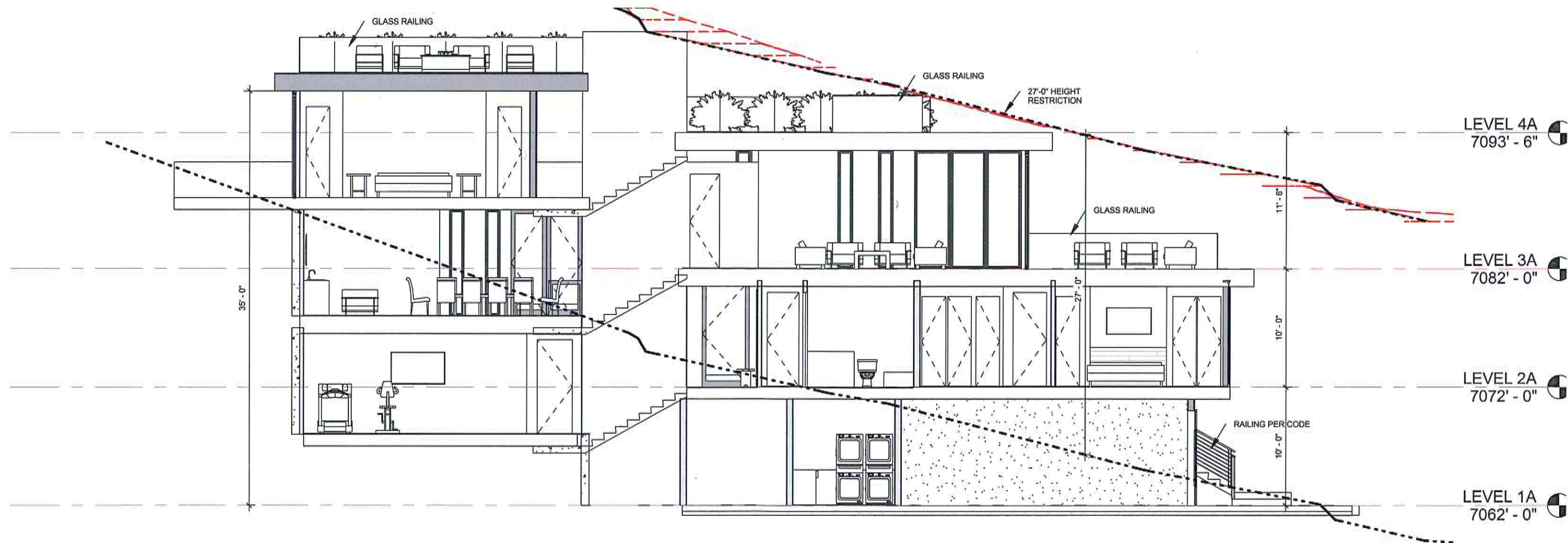
SCALE

1/8" = 1'-0"

②

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A2.3



1 SECTION A - 1/8
1/8" = 1'-0"

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PARK PLANNING

A2.4



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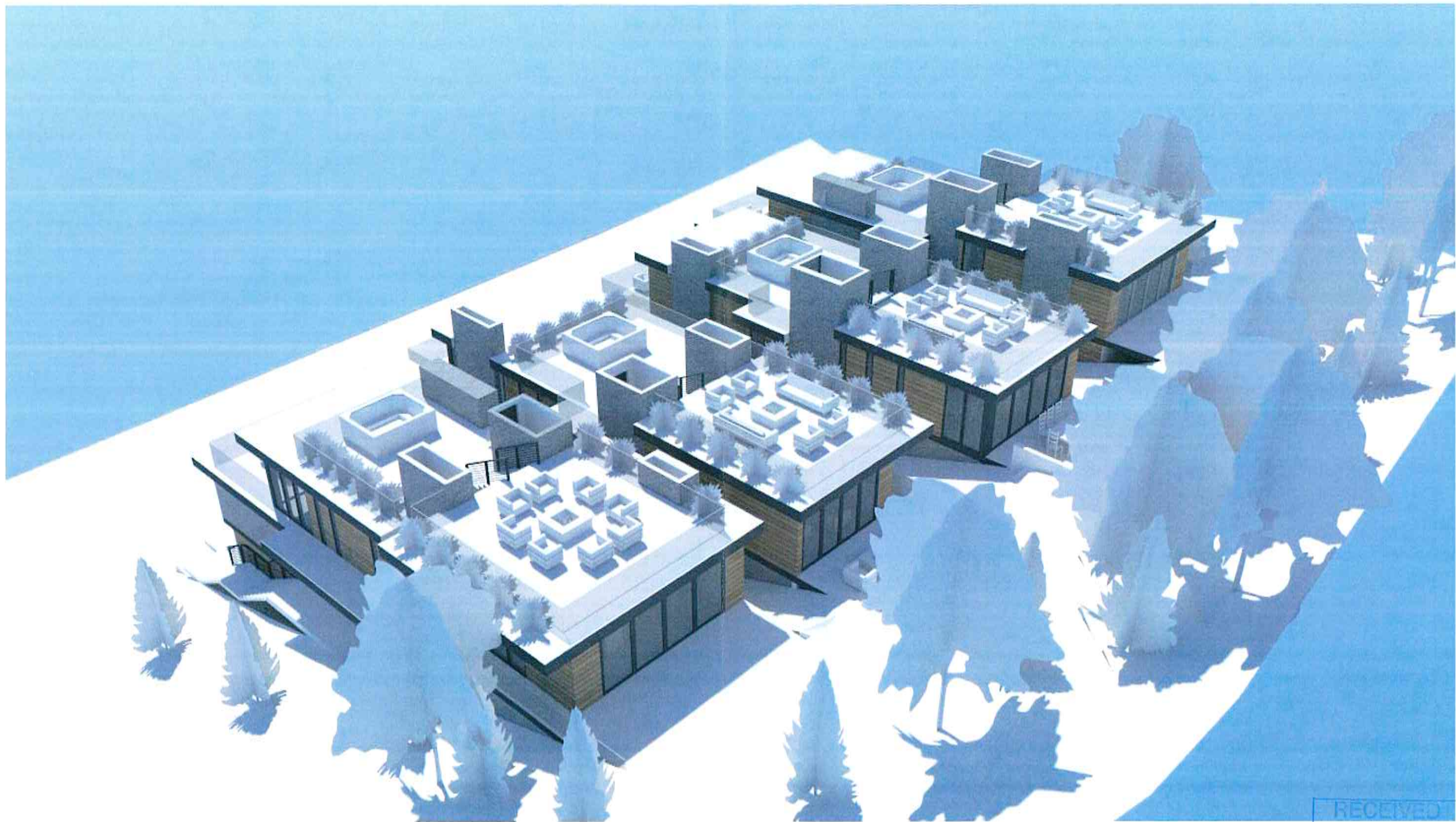
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 JAFFA GROUP



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 JAFFA GROUP



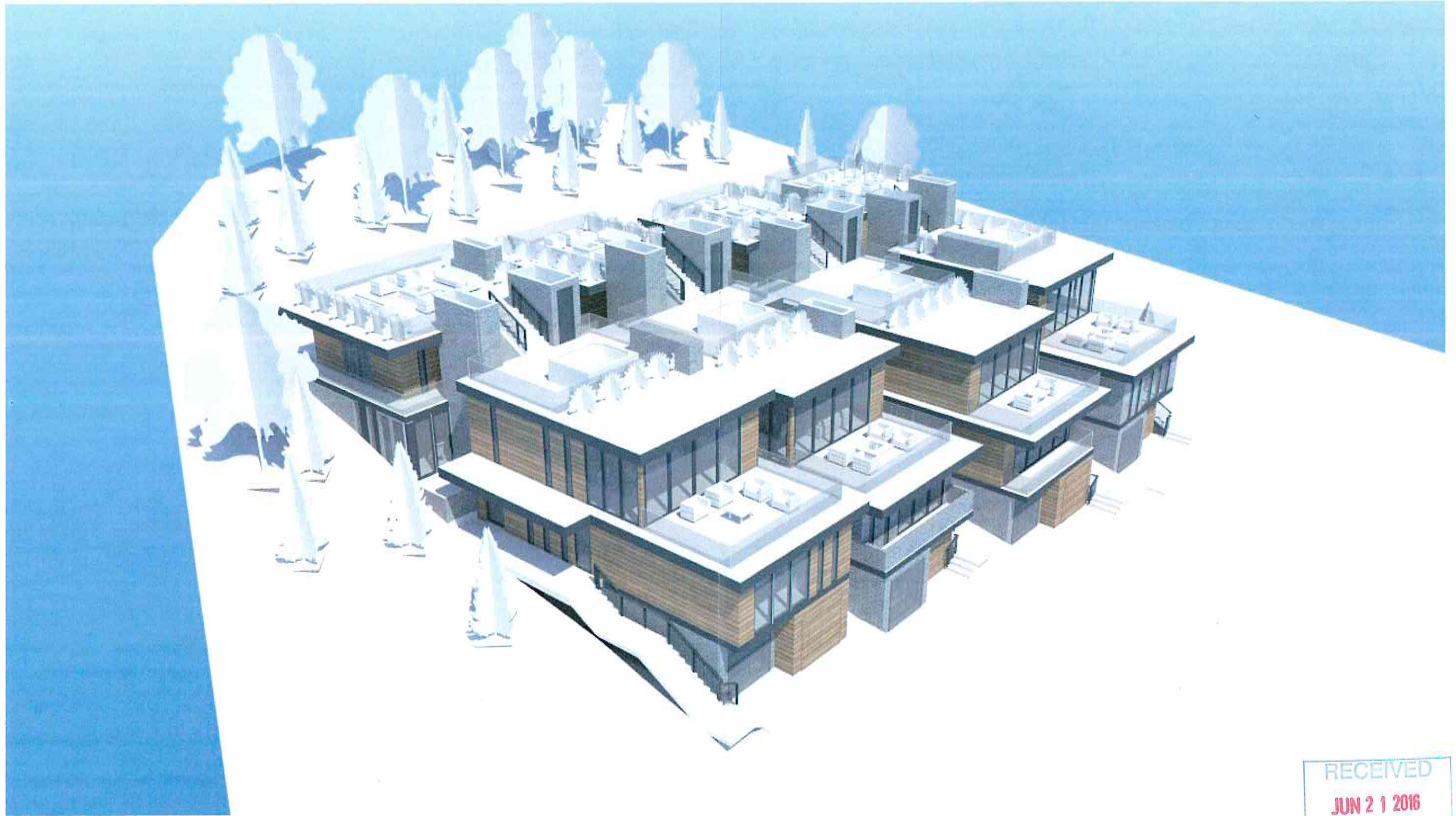
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MAYOR'S OFFICE

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