

Ordinance No. 10-19

**ORDINANCE APPROVING THE PROSPECTOR SQUARE AMENDED
SUBDIVISION PLAT, LOCATED AT 1895 SIDEWINDER DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as the Park City Marriott, located at 1895 Sidewinder Drive, Lots 10A, 10B, 10C, 10D, 11, 12A, 12B, and 12C of the Prospector Square Subdivision, have petitioned the City Council for approval of the Prospector Square Amended Subdivision plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 28, 2010, to receive input on the Prospector Square Amended Subdivision plat;

WHEREAS, the Planning Commission, on April 28, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Prospector Square Amended Subdivision plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Prospector Square Amended Subdivision plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1895 Sidewinder Drive.
2. The Park City Marriott is located in the General Commercial (GC) zoning district.
3. The subject property combines Lots 10A, 10B, 10C, 10D, 11, 12A, 12B, and 12C of the Prospector Square Subdivision into one lot of record.
4. The Park City Marriott proposes to add a second story meeting space over the Common Area of the Prospector Square Property Owners Association (PSPOA).
5. The PSPOA has signed an easement granting permission for the addition.
6. Meeting space is considered Support Commercial not requiring additional parking. Parking is allowed in all Prospector Square lots (A-K); in addition Marriott has underground parking.

Conclusions of Law:

1. There is good cause for this amended record of survey.

2. The amended record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. Approval of the amended record of survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

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

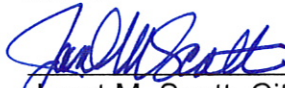
PASSED AND ADOPTED this 20th day of May, 2010.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:

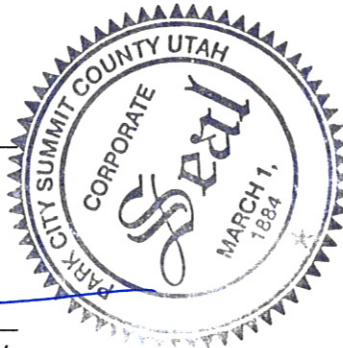


Janet M. Scott, City Recorder

Approved as to form:



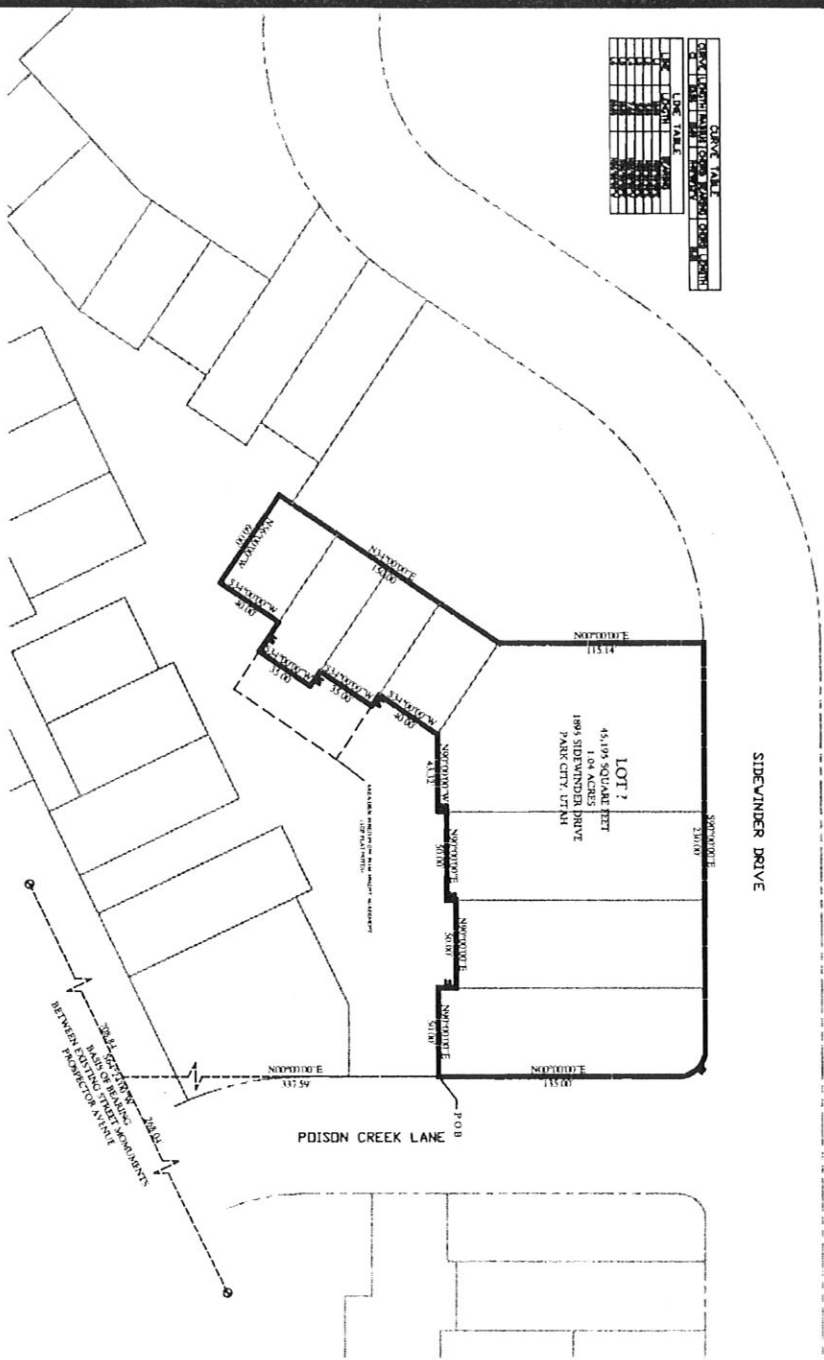
Mark D. Harrington, City Attorney



**PROSPECTOR SQUARE AMENDED PLAT
 AMENDED LOTS 10A, 10B, 10C, 10D, 11, 12A, 12B, 12C
 SUBDIVISION PLAT
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH,
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
 SUMMIT COUNTY, UTAH**

GRAVE TANK

LOT	NO.	DATE	TYPE	STATUS
1	1	10/15/08	1500 G.P.	OK
2	1	10/15/08	1500 G.P.	OK
3	1	10/15/08	1500 G.P.	OK
4	1	10/15/08	1500 G.P.	OK
5	1	10/15/08	1500 G.P.	OK
6	1	10/15/08	1500 G.P.	OK
7	1	10/15/08	1500 G.P.	OK
8	1	10/15/08	1500 G.P.	OK
9	1	10/15/08	1500 G.P.	OK
10	1	10/15/08	1500 G.P.	OK
11	1	10/15/08	1500 G.P.	OK
12	1	10/15/08	1500 G.P.	OK
13	1	10/15/08	1500 G.P.	OK
14	1	10/15/08	1500 G.P.	OK
15	1	10/15/08	1500 G.P.	OK
16	1	10/15/08	1500 G.P.	OK
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18	1	10/15/08	1500 G.P.	OK
19	1	10/15/08	1500 G.P.	OK
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35	1	10/15/08	1500 G.P.	OK
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44	1	10/15/08	1500 G.P.	OK
45	1	10/15/08	1500 G.P.	OK
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47	1	10/15/08	1500 G.P.	OK
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65	1	10/15/08	1500 G.P.	OK
66	1	10/15/08	1500 G.P.	OK
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84	1	10/15/08	1500 G.P.	OK
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86	1	10/15/08	1500 G.P.	OK
87	1	10/15/08	1500 G.P.	OK
88	1	10/15/08	1500 G.P.	OK
89	1	10/15/08	1500 G.P.	OK
90	1	10/15/08	1500 G.P.	OK
91	1	10/15/08	1500 G.P.	OK
92	1	10/15/08	1500 G.P.	OK
93	1	10/15/08	1500 G.P.	OK
94	1	10/15/08	1500 G.P.	OK
95	1	10/15/08	1500 G.P.	OK
96	1	10/15/08	1500 G.P.	OK
97	1	10/15/08	1500 G.P.	OK
98	1	10/15/08	1500 G.P.	OK
99	1	10/15/08	1500 G.P.	OK
100	1	10/15/08	1500 G.P.	OK



LEGAL DESCRIPTION

THESE LOTS ARE PART OF THE AMENDED PLAT OF PROSPECTOR SQUARE AMENDED PLAT, AMENDED LOTS 10A, 10B, 10C, 10D, 11, 12A, 12B, 12C, SUBDIVISION PLAT, LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH.

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly licensed and qualified surveyor in the State of Utah, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the same.

PLANNING

THE PLANNING COMMISSION HAS REVIEWED THIS PLAT AND HAS APPROVED IT FOR RECORDATION.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, the undersigned, being the owner of the above described property, do hereby dedicate and consent to the recording of the foregoing plat.

ACKNOWLEDGMENT

I, the undersigned, being the owner of the above described property, do hereby acknowledge the foregoing plat.

JACK JOHNSON COMPANY

1000 Main Street, Park City, Utah 84302

Scale: 1"=300'

CERTIFICATE OF ATTEST	CONSENT APPROVAL AND ACKNOWLEDGMENT	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED
I hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the same. _____ Notary Public	I, the undersigned, being the owner of the above described property, do hereby consent to the recording of the foregoing plat. _____ Owner	I, the undersigned, being the City Engineer of the City of Park City, Utah, do hereby certify that the foregoing plat complies with the requirements of the City of Park City, Utah. _____ City Engineer	I, the undersigned, being the City Planning Commission of the City of Park City, Utah, do hereby certify that the foregoing plat complies with the requirements of the City of Park City, Utah. _____ City Planning Commission	I, the undersigned, being the Recorder of Deeds for the State of Utah, do hereby certify that the foregoing plat complies with the requirements of the State of Utah. _____ Recorder of Deeds	I, the undersigned, being the Recorder of Deeds for the State of Utah, do hereby certify that the foregoing plat complies with the requirements of the State of Utah. _____ Recorder of Deeds

FEB 16 2010