

Entry No. **233352**
 REQUEST OF *Park City Municipal Corp.*
 FEE *ALAN SPRIGGS, SUMMIT COUNTY*
 \$ *U.C.* By *Summit*
 RECORDED *4-23-85* at *4:50* M

Recorded at the request of and return
 to: Park City Municipal Corp.
 P. O. Box 1480, Park City, UT 84060

Fee Exempt per Utah Code
 Annotated 1953 21-7-2

Park City, Utah
 April 18, 1985

A regular meeting of the City Council of Park City, Summit County, Utah, was held on Thursday, April 18, 1985, at the hour of 5:00 p.m. at its regular meeting place in Park City, Utah, at which meeting there were present the following members who constituted a quorum:

John C. Green	Mayor
William Coleman	Councilmember
Tom Shellenberger	Councilmember
James Doilney	Councilmember

Also Present:

Arlene Loble	City Manager
J. Craig Smith	City Recorder

Absent:

Robert Wells	Councilmember
Albert E. Horrigan	Councilmember

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following proceedings, among others, were duly had and taken:

The City Recorder notified the City Council that the Notice of Intention to establish Park City, Utah Prospector Special Improvement District (the "District"), approved by the City Council on the 21st day of February, 1985, had been published in the Park Record, a newspaper of general circulation in Park City, Utah, said notice having been published four times, once during each week for four

DEADLINE:
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consecutive weeks, the last publication being not less than five (5) nor more than twenty (20) days prior to April 4, 1985, and that the affidavit of publishing said Notice of Intention with a copy of the Notice as published was duly filed in his office; also that a copy of such Notice of Intention to create the District has been mailed by United States Main, postage prepaid, to each owner of land affected by or specially benefited by such improvements as said property is described in said Notice insofar as the names and addresses of said owners could be ascertained from the most recent available county assessment books and that it also has been mailed by the United States Mail, postage prepaid, to "Owner" at the street number of each piece of improved property to be affected by said assessment, said Notices having been mailed not later than ten (10) days after the first publication of the Notice of Intention; that the Notice of Intention has been on file in his office during all regular office hours from the 21st day of February, 1985, to the 17th day of April, 1985, for the examination of any interested parties; that said Notice directed that all persons desiring to protest and oppose the creation of the District might appear and file in writing said protests and objections.

The City Recorder then presented a statement stating that written protests against the creation of the District and the making of the proposed improvements therein were received by him in his office by 5:00 p.m. on the 4th day of

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April, 1985. No written protests have been received since that time.

The names of the protestants and descriptions of their property are as follows:

<u>Property Owner</u>	<u>Address</u>	<u>Number of Square Feet</u>
Delbert W. Argyle	2256 Sidewinder Dr. Lot 50 Prospector Village	9,000
Richard D. Cook	Prospector Village Lot 93	9,000
Umberto Villasanta	Prospector Park I Lot 23	9,000
	Prospector Park I Lot 33	9,173
	Prospector Park III Lot 110	9,007
	Prospector Park I Lot 37	9,178
	Prospector Park III Lot 115	9,017
Leonard Morgan Douglas Morgan	Prospector Village Lot 80	12,000
Louis P. Gilmore Audry Gilmore	Prospector Park I Lot 25	9,000
Doris VanGelder Geraldine Bruner	Prospector Park II Lot 91	10,233
Total square feet protesting creation of District or proposed improvements thereof:		<u>95,700</u>
Total approximate square feet affected or to be benefited:		<u>700,000</u>

In addition to the written protests, oral comments were received at the public hearing on April 4 and at the continuations of the public hearing on April 11 and April 18. The City Council determined that all interested parties had been given opportunity to comment on or protest against the creation of the District and the improvements to be

constructed within the District. Therefore, the protest hearing as continued from April 4, 1985 was closed.

After consideration of such protests and the statements of those persons heard as aforesaid, it was determined that the total square foot represented by said protest is less than fifty percent (50%) of the total square feet to be assessed within the District and is a percentage insufficient to legally protest creation of the district.

Councilmember William Coleman introduced the following resolution in writing, which was fully discussed, and moved its adoption:

RESOLUTION NO. 85-8

A RESOLUTION TO CREATE PARK CITY, UTAH PROSPECTOR SPECIAL IMPROVEMENT DISTRICT DESCRIBED IN THE NOTICE OF INTENTION CONCERNING THE DISTRICT AND AUTHORIZING THE CITY OFFICIALS TO PROCEED TO MAKE IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT

BE IT RESOLVED by the Mayor and City Council of Park City, Summit County, Utah:

Section 1. The City Council of Park City, Summit County, Utah, hereby determines that it will be in the best interest of the Municipality to construct certain improvements within the Municipality. The specific description of the nature of the improvements is more particularly set out in the Notice of Intention of the City Council which has been published and mailed as required by law.

Section 2. The City Council has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or making of any of the improvements therein or on any other matter pertinent to the District.

Section 3. The improvements proposed and described in the Notice of Intention to create the District are hereby authorized, and the District is hereby created.

Section 4. The City Recorder is hereby authorized and directed to file a copy of the Notice of Intention and resolution creating the District as finally approved in the Summit County Recorder's office within five days from the date hereof.

Councilmember Jim Doilney seconded the motion to adopt the foregoing Resolution. The resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

Those voting AYE: William Coleman
Tom Shellenberger
James Doilney

Those voting NAY: None

Thereupon the motion was approved by the Mayor and made a matter of record by the City Recorder.

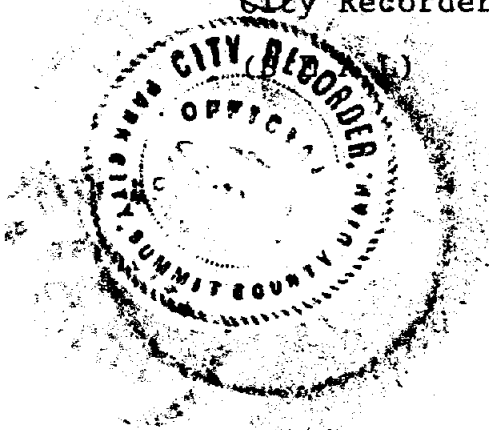
ADOPTED AND APPROVED THIS 18th day of April, 1985.

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By John C. Green, Jr.
John C. Green, Jr. Mayor

ATTEST:

J. Craig Smith
J. Craig Smith
City Recorder



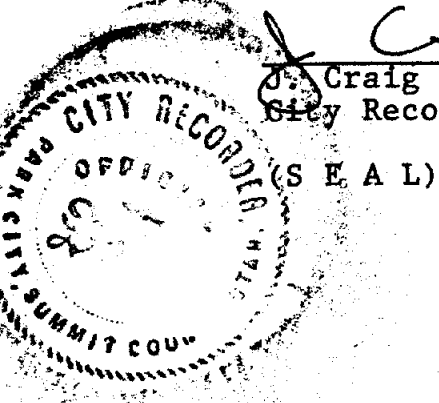
(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting adjourned.

By John C. Green, Jr.
Mayor

ATTEST:

J. Craig Smith
City Recorder



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STATE OF UTAH)

: ss. CERTIFICATE OF FILING

COUNTY OF SUMMIT)

I, J. Craig Smith, the duly qualified and acting City Recorder of Park City, Summit County, Utah do hereby certify that on the _____ day of April, 1985, pursuant to Utah Code Annotated Section 101-6-7 (1953), as amended, a copy of the Notice of Intention and resolution creating Park City, Utah Prospector Special Improvement District, as finally approved, was filed in the Summit County Recorder's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Municipality this 12 day of April, 1985.



J. Craig Smith

City Recorder



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CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, J. Craig Smith, the undersigned City Recorder of Park City, Summit County, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four hours public notice of the agenda, date, time and place of the April 18th, 1985 public meeting held by the City as follows:

- (a) By causing a Notice, in the form attached hereto as Exhibit "A", to be posted at the City's principal offices on April 16, 1985 at least twenty-four hours prior to the convening of the meeting, said Notice having continuously remained posted and available for public inspection until the completion of the meeting; and
- (b) By causing a copy of such Notice, in the form attached hereto as Exhibit "A", to be delivered to the Park Record on April 15, 1985 at least twenty-four hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 18 day of April, 1985.


J. Craig Smith

City Recorder



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EXHIBIT "A"

NOTICE OF MEETING

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PARK CITY
SUMMIT COUNTY, UTAH
APRIL 18, 1985

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Summit County, Utah will hold a regular public meeting, at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 18, 1985.

Closed Session

1:00 p.m. Litigation

Work Session

1:30 p.m. Capital Improvements Program
 Comprehensive Plan

5:00 p.m. A G E N D A

- I ROLL CALL
- II PUBLIC HEARING
 Continuanace of Hearing on Prospector Special
 Improvement District
- III PUBLIC INPUT
- IV MINUTES OF MEETING OF APRIL 18, 1985
- V CONSENT AGENDA
 - 1. Approval to Hang Banner at Park Avenue Location
 for the American Cancer Society April 22 through
 April 29, 1985
 - 2. Bus Service for Hair Dresser Convention on April
 28, 29, and 30 Requested by Normax Professional
 Beauty & Barber Supply, Inc.
 - 3. Conveyance of Title to the Park City Fire District
 for 1975 Fire Truck Dodge Superior
- VI PUBLIC COMMUNICATIONS AND PETITIONS
- VII COMMUNICATIONS AND REPORTS FROM COUNCIL
- VIII RESIGNATIONS AND APPOINTMENTS
- IX ORDINANCES

Ordinance Adopting Revised Design Standards,
Construction Specifications and Standard Drawings

X OLD BUSINESS

1. Appeal of Planning Commission Denial for Sterlingwood II as it Relates to Height and Unit Equivalency Ratio Review
2. Approval of Resolution Establishing the Prospector Special Improvement District

XI NEW BUSINESS

1. Adoption of 1985 Capital Improvements Budget
2. Adoption of 1985-1990 Six Year Capital Improvements Plan

Posted: 4/16/85

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LEGAL NOTICE

NOTICE OF INTENTION TO CREATE A SPECIAL IMPROVEMENT DISTRICT IN THE PROSPECTOR AREA OF PARK CITY, UTAH IS HEREBY GIVEN BY THE PARK CITY COUNCIL.

The boundary of the Prospector Special Improvement District is Highway 248 on the North, Park City Municipal limits on the East, the north edge of the Union Pacific Rail Road right-of-way on the South, and Bonanza Drive on the West. This area includes the Prospector Park Subdivision, Phases 1, 2, and 3; the Prospector Village Subdivision; and the Prospector Square Subdivision (except Lots 41 and 46).

Assessments will be levied for the following improvements to be separately assessed in two phases.

PHASE ONE

Throughout the Prospector Special Improvement District all property not landscaped or built upon which may contain exposed mine tailings will be covered with topsoil and seeded. The purposes of the described landscaping are to isolate mine tailings from the residents and visitors of the Prospector Area and Park City, thereby ameliorating any health risk associated with exposure to mine tailings, and to improve the appearance of the Prospector Area. Assessments will be levied to pay all costs according to the property owners square footage owned or adjacent which is actually covered and/or seeded. Cost for covering and seeding as estimated by the City engineer are twenty-seven (27¢) cents per square foot with a total cost of \$820,000 for the Special Improvement District.

PHASE TWO

In the area known as the Prospector Square Planned Unit Development and belonging to the Prospector square Homeowners Association, the following improvements will be made and assessments levied only against property owners in the Prospector Square Subdivision Planned Unit Development. (Which does not include Lots 41 and 42, 44, 45 and 46 of the Prospector Square Subdivision.)

Curb and Gutter along Highway 248 between Bonanza Drive and Sidewinder Drive. Estimated Cost: \$16,860.

Landscape and Install Irrigation System on Common Area at Bonanza Drive and Prospector Drive. Estimated Cost: \$3,700.

Landscape and Install Irrigation System on Common Area along Sidewinder Drive. Estimated Cost: \$3,700.

The following improvements are to the common area known as the walking mall in the Prospector Square Planned Unit Development:

ITEM	ESTIMATED COST
Landscape and Irrigation	\$61,525.00
Outdoor Lighting	\$126,745.00
Trees	\$33,225.00
Benches	\$36,915.00
Waste/Litter Containers	\$10,705.00
Raised Planters	\$13,780.00
Drainage	\$49,220.00

Parking strips adjacent to public parking lots located at Prospector Drive, Sidewinder Drive and Bonanza Drive landscaped and improvements to said parking lots and beautifying parking areas and enclosures of dumpsters located on parking lots. Estimated Cost: \$78,755.00.

Beautifying streets and sidewalks by enclosing utility boxes. Estimated Cost: \$36,915.00.

To improve and beautify streets and sidewalks by providing signage. Estimated Cost: \$73,830.00.

Total cost for improvements in Phase Two, Prospector Square as estimated by the City engineer is \$560,000.00. Property owners shall bear the entire \$560,000.00.

Assessments shall be levied according to square footage owned by property owners of the Prospector Square Subdivision as recorded in the records of the Summit County Records Office, except for Lots 41, 42, 44, 45 and 46, which are excepted from Phase Two improvements. Total cost for Phases One and Two is estimated at \$1,310,000.00.

A Public Hearing to hear and consider such protests as may have been made to said improvements on the formation of the Prospector Special Improvement District will be held Thursday, April 4, 1985 at 5:00 p.m. in the Park City Municipal Building located at 445 Marsac Avenue, Park City, Utah. Protests to either Phase One or Phase Two, or any improvement(s) proposed shall be made in writing to the Park City Municipal Corporation, Records Office, 445 Marsac Avenue, P.O. Box 1480, Park City, Utah 84060. Written protests must be received by the City Recorder by April 4th, 1985 before or during the Public Hearing on the proposed Special Improvement District. Written protests must be signed by the owner of the property affected or benefitted describing the same by address or legal description.

Published: March 7, 14th, 21st, 28th.