

Alexander Cohen  
PO Box 4272  
Park City, UT 84060

WHEN RECORDED, MAIL TO:  
City Recorder  
Park City Municipal Corporation  
P. O. Box 1480  
Park City, Utah 84060

**ENTRY NO. 01072690**

07/05/2017 01:39:21 PM B: 2417 P: 0165

Agreement PAGE 1/53

MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER

FEE 114.00 BY ALEXANDER COHEN



## **ENCUMBRANCE AND AGREEMENT FOR HISTORIC PRESERVATION FOR 243 Daly AVENUE**

**PROJECT ADDRESS/PARCEL NUMBER: 243 Daly Avenue, Park City, UT (PC-627-A)**

**APPLICANT'S NAME: Alexander and Elizabeth Cohen**

**APPLICANT'S MAILING ADDRESS: PO Box 4272, Park City, UT 84060**

**APPLICANT'S PHONE: 719.216.6376**

**HISTORIC PRESERVATION PLAN APPROVED BY: Anya Grahm**

**DATE OF AGREEMENT: 6/27/17**

**HISTORIC PRESERVATION GUARANTEE AMOUNT: \$96,506.00**

**Exhibits A (Trust Deed Note and Trust Deed), B (Historic Preservation Plan), and C (Guarantee Amount Determination) must be attached prior to signing this Agreement.**

This Agreement is made by and between **Alexander and Elizabeth Cohen** ("Applicant") and Park City Municipal Corporation ("City") (collectively the "Parties"). Applicant has proposed a building, construction, or development project affecting a historic structure. Applicant's project has a street address of 243 Daly Avenue, Park City, Utah and a legal description:

**PC-627-A**

A PARCEL OF LAND ON THE E SIDE OF DALY AVE IN THE WASHINGTON MILLSITE RESERVATION PREVIOUSLY DESC AS THE 29TH HOUSE ON THE E SIDE OF EMPIRE CANYON; ALSO DESC AS BEG AT A PT WH IS S 89°57'W ALONG THE N BOUNDARY OF THE WASHINGTON MILLSITE RESERVATION 86.12 FT & S 18°57'58" W 84.886 FT FROM THE NE COR OF SD RESERVATION SD PT ALSO BEING S 1400.04 FT & W 1053.30 FT FROM THE SE COR OF SEC 16 T2SR4E SLBM (BASIS OF BEARING SE CORSEC 16 TO E 1/4 COR SEC 16 N); & RUN TH N 70°46'21" W 52.45 FT; TH N 66°02'02" W 21.80 FT TO THE E LINE OF DALY AVE; TH N 18°57'58" E ALONG SD E LINE 27.80 FT; TH S 71°02'02" E 28.00 FT; TH N 18°57'58" E 5.00 FT; TH S 71°02'02" E 46.166 FT; TH S 18°57'58" W 34.939 FT TO THE PT OF BEG CONT 2419.2 SQ FT OR 0.06 ACM259-764 743-101 783-659 1433-378 1441-916 1593-1023 (1593-1023 CORRECTED BY 2154-120) 2222-118-131

Applicant has requested that the City grant the necessary permit, or permits, required by the Municipal Code and the Land Management Code ("LMC") for the building, construction, or development project to proceed. Pursuant to the LMC, all construction shall be completed according to the approved building plans on which the building permits are issued. In order to secure and ensure that all reconstruction, development, demolition or other activity that affects a historic structure is conducted according to the provisions of the International Building Code,

Municipal Code and the LMC, the City requests, and the Applicant agrees to provide, a sufficient financial guarantee ensuring the satisfactory completion of the development.

WHEREAS 243 Daly Avenue has been identified as a Landmark Structure in the Historic Site Inventory; and

WHEREAS the Parties intend that the Applicant will have an obligation to ensure that the building project be completed according to the approved Historic Preservation Plan, the Historic District Design Review (HDDR) and the Building Plans; and

WHEREAS the Applicant desires to desires to rehabilitate the historic house and reconstruct the historic house; and

WHEREAS the City will not permit the historic house to be rehabilitated and the historic porch reconstruction without security to guarantee that the proposed work will not damage the historic house and will accept an encumbrance against the land to satisfy the security requirement; and

WHEREAS the Applicant is willing to grant such an encumbrance with the provision that the encumbrance will be reconveyed if Applicant, its assigns or successors post a cash deposit, escrow agreement or a letter of credit in the future for the historic preservation guarantee amount;

NOW THEREFORE, in consideration of the mutual promises, terms, and conditions hereof, City and Applicant agree as follows:

1. Applicant covenants and warrants to perform all construction, development, demolition or other activity affecting the historic structure in accordance with the specific measures set forth in the Historic Preservation Plan attached hereto as Exhibit B and incorporated into this Agreement by reference. Applicant, for itself and for its successors and assigns, grants to the Chief Building Official, the Planning Director or their designees, the right of entry on the project for the purposes of inspecting the project and assessing compliance with the approved Historic Preservation Plan.
2. The Historic Preservation Plan has been approved by the Planning Director and the Chief Building Official, or their designees. The Historic Preservation Plan documents the historic character of the structure and the specific aspects of the structure that Applicant will preserve.
3. In addition to making the foregoing covenants, Applicant herewith grants the City an encumbrance in the amount of \$96,506.00 against the 243 Daly Avenue (A PARCEL OF LAND ON THE E SIDE OF DALY AVE IN THE WASHINGTON MILLSITE

RESERVATION PREVIOUSLY DESC AS THE 29THHOUSE ON THE E SIDE OF EMPIRE CANYON; ALSO DESC AS BEG AT A PT WH IS S 89\*57'W ALONG THE N BOUNDARY OF THE WASHINGTON MILLSITE RESERVATION 86.12 FT & S 18\*57'58" W 84.886 FT FROM THE NE COR OF SD RESERVATION SD PT ALSO BEING S 1400.04 FT & W 1053.30 FT FROM THE SE COR OF SEC 16 T2SR4E SLBM (BASIS OF BEARING SE CORSEC 16 TO E1/4 COR SEC 16 N); & RUN TH N 70\*46'21" W 52.45 FT; TH N 66\*02'02" W21.80 FT TO THE E LINE OF DALY AVE; TH N 18\*57'58" E ALONG SD E LINE 27.80 FT; TH S 71\*02'02" E 28.00 FT; TH N 18\*57'58" E 5.00 FT; TH S 71\*02'02" E 46.166 FT;TH S 18\*57'58" W 34.939 FT TO THE PT OF BEG CONT 2419.2 SQ FT OR 0.06 ACM259-764 743-101 783-659 1433-378 1441-916 1593-1023 (1593-1023 CORRECTED BY 2154-120) 2222-118-131), PC-627-A as evidenced by a copy of the Trust Deed Note and Trust Deed in Exhibit A. This encumbrance shall satisfy the Applicant's guarantee and security obligation to the City and shall apply to any subsequent heirs, assignees or successors. The encumbrance will be released if Applicant, its assigns or successors post a cash deposit, escrow agreement or a letter of credit for this amount in the future.

4. After project is complete, and prior to the Certificate of Occupancy, the Chief Building Official, and the Planning Director, or their designees, will determine whether the Applicant has complied with the Historic Preservation Plan. If the Applicant has complied with the Historic Preservation Plan to the City's satisfaction, the City shall, upon written request by the Applicant, release all claim to the funds described in the encumbrance.
5. If, at the completion of the project, or at any time prior to that point, the Chief Building Official or the Planning Director, or their designees, determines that the Applicant has not complied with the Historic Preservation Plan, the Chief Building Official, or the Planning Director or their designees, shall give written notice that the building project is in a state of non-compliance, or that the Applicant has defaulted on the terms of this Agreement, or both.
6. The Chief Building Official, or his designee, may also declare default or non-compliance if the Applicant does not have Certificate of Occupancy in accordance with the Historic Preservation Plan within 24 months of obtaining a building permit for the rehabilitation of the historic house and reconstruction of the historic porch.
7. The Parties agree that a strict liability standard will apply to any failure to comply with the Historic Preservation Plan which leads to a determination of non-compliance or default. The applicant will have 20 calendar days after receiving notice of default or non-compliance to cure the default or non-compliance.
8. In the event of a declaration of default or non-compliance, the Applicant agrees that the

Lien Agreement 01-03-13

City shall have right and claim to all of the funds described by the encumbrance. It is the intent of the Parties that all funds claimed by the City because of default or non-compliance shall be used, in the City's discretion, for historic preservation projects within the City or to enhance the Applicant's project.

9. It is the intent of the Parties that the Applicant will have the obligation to ensure that the building project be completed according to the Historic Preservation Plan. The Applicant accepts responsibility for the actions or omissions of any contractors, sub-contractors, or other individuals working on or for the building project which result in a declaration of default or non-compliance.
10. The Parties agree that the Applicant will make written demand for the release of the encumbrance within one year from the date that the City issues a Certificate of Occupancy.
11. Applicant agrees to make the conditions of this Agreement applicable to its successors and assigns. If Applicant sells, assigns or otherwise transfers ownership of 243 Daly Avenue, the encumbrance will be converted at the time of sale to a cash deposit, escrow agreement, a letter of credit or a new lien agreement. The conditions of this Agreement shall continue to apply.
12. Applicant will record this Agreement with the Summit County Recorder within ten (10) business days after executing this Agreement. A Building Permit will not be issued until proof of recordation is provided.
13. The Parties understand that none of the terms herein abrogate or affect the City's right to pursue criminal sanctions for any violation or violations of City ordinances.
14. This Agreement is made for the benefit of the City. Subsequent purchasers of interest in the project, lien holders and other third parties shall have no interest of any kind in the proceeds of the encumbrance. The Applicant agrees to hold harmless and indemnify the City for any damage or loss suffered by the City because of any judgment or cause of action against the City by any person or property, including the Applicant, as a result of damage, loss or personal injury to any person or property, including the Applicant, as a result of the work of any contractor hired by the Applicant on behalf of the City. The Applicant further agrees to indemnify the City for any loss or judgment suffered by the City from enforcement of a mechanic's or materialman's lien as a result of the work of any contractor (including subcontractors and materialmen of any such contractor) hired by the City on behalf of the Applicant.
15. In the event the City gives written notice of non-compliance or default, the City shall be entitled thirty (30) days after any cure period to seize the property secured hereby and sell

it at public auction to satisfy the Trust Deed Note created in the amount of \$96,506.00.

16. The person conducting the sale for the City may, for any cause he deems expedient postpone the sale from time to time until it shall be completed and in every such case, notice of postponement shall be given by public declaration thereof by such person at the time and place last appointed for the sale; provided, if the sale is postponed for longer than one day beyond the day designated in the notice of sale, notice thereof shall be given in the same manner as the original notice of sale, notice thereof shall be given in the same manner as the original notice of sale. The City's agent shall execute and deliver to the purchaser the Deed for the property without any covenant of warranty, express or implied. The City's agent shall apply the proceeds of the sale to payment of (1) costs and expenses of the sale including attorneys' fees; (2) the \$96,506.00 to the City; and (3) the remainder of the funds shall go to the Applicant.
17. Upon the occurrence of any default hereunder, the City may proceed in the manner provided by law for the foreclosure of mortgages on real property and the City shall be entitled to recover in such proceedings all costs and expenses incident thereto, including a reasonable attorneys' fee.
18. This Agreement, together with all documents incorporated herein by reference, constitutes the entire and only agreement between the Parties and cannot be altered except by written instrument signed by both Parties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed this

Fifteen day of July 2017

Sign: 

Print Name: Alexander Cohen

Title: Homeowner

APPLICANT

Sign: 

Print Name: Elizabeth Cohen

Title: Homeowner

Mailing Address:

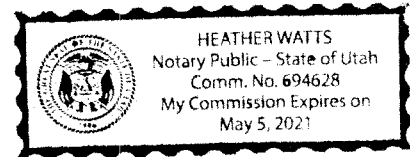
**ACKNOWLEDGMENT**

STATE OF UTAH )

COUNTY OF SUMMIT )

On this 5<sup>th</sup> day of JULY, 2017, ALEXANDER COHEN (name of document signer) personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he/she acknowledged to me that he/she executed the AGREEMENT FOR HISTORIC PRESERVATION (name of document being signed).

Heather Watts  
Notary Public



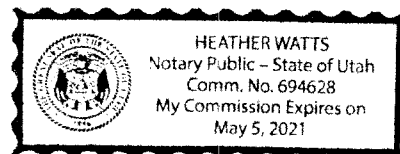
**ACKNOWLEDGMENT**

STATE OF UTAH )

COUNTY OF SUMMIT )

On this 5<sup>th</sup> day of JULY, 2017, ELIZABETH COHEN (name of document signer) personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he/she acknowledged to me that he/she executed the AGREEMENT FOR HISTORIC PRESERVATION (name of document being signed).

Heather Watts  
Notary Public



**PARK CITY MUNICIPAL CORPORATION**

Sign: Anya Grahn

Print Name: Anya Grahn

Title: Historic Preservation Planner

I have attached Exhibits A (Trust Deed and Trust Deed Note), B (Approved Historic Preservation Plan), and C (Guarantee Amount Determination) to this Agreement. AG  
(initial)

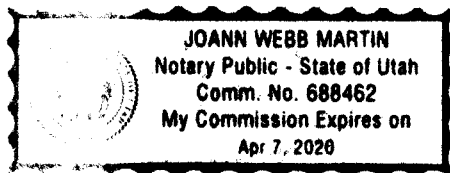
**ACKNOWLEDGMENT**

STATE OF Utah )

COUNTY OF Summit )

On this 27<sup>th</sup> day of June, 2017, Anya Grahn (name of document signer) personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he/she acknowledged to me that he/she executed the Encumbrance & Agreement (name of document being signed).

Joann Webb Martin  
Notary Public



## TRUST DEED NOTE

DO NOT DESTROY THIS NOTE: When paid, this note, with Trust Deed securing same, must be surrendered to Trustee for cancellation, before re-conveyance will be made.

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\$96,506.00

Park City, Utah

WHEREAS, Alexander and Elizabeth Cohen, "Grantor" have entered into an Encumbrance and Agreement for Historic Preservation ("Agreement") and a Historic Preservation Plan which this trust deed is attached hereto, with PARK CITY MUNICIPAL CORPORATION, "Grantee"; and

WHEREAS 243 Daly Avenue has been identified as a Landmark Structure; and

WHEREAS the Parties intend that the Grantor will have an obligation to ensure that the building project be completed according to approved Historic Preservation Plan, the Historic District Design Review (HDDR) and the Building Plans; and

WHEREAS the Grantor desires to rehabilitate the historic house and reconstruct the historic house; and

WHEREAS the City will not permit the historic house to be rehabilitated and the historic porch reconstruction without security to guarantee that the proposed work will not damage the historic house and will accept an encumbrance against the land to satisfy the security requirement; and

WHEREAS the Grantor is willing to grant such an encumbrance with the provision that the encumbrance will be reconveyed if Grantor, its assigns or successors post a cash deposit, escrow agreement or a letter of credit in the future;

NOW, THEREFORE, the undersigned Grantor, FOR VALUE RECEIVED, promises to pay to the order of PARK CITY MUNICIPAL CORPORATION, the amount set forth below, pursuant to the Agreement:

\$96,506.00 (Ninety-six thousand five-hundred six dollars)

This note shall inure to the benefit of and shall be binding upon respective successors and assigns of the Grantor and Grantee.

If this note is collected by an attorney after default in the payment of principal or interest, either with or without suit, the undersigned agrees to pay all costs and expenses of collection including a reasonable attorney's fee.



The makers, sureties, guarantors and endorsers hereof severally waive presentment for payment, demand and notice of dishonor and nonpayment of this note, and consent to any and all extensions of time, renewals, waivers or modifications that may be granted by the holder hereof with respect to the payment or other provisions of this note, and the release of any security, or any part thereof, with or without substitution.

This note is secured by a Trust Deed of even date herewith. Grantee shall release the Note and Trust Deed upon a written demand for release by Grantor after the City issues a certificate of occupancy in accordance with the Agreement.

This note shall be construed in accordance with the laws of the State of Utah.

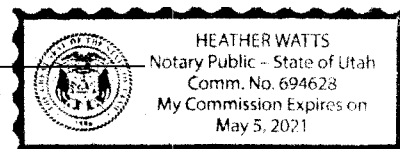
  
\_\_\_\_\_  
Grantor

STATE OF UTAH )

COUNTY OF SUMMIT )

On this 5<sup>th</sup> day of JULY, 2017, ALEXANDER COTTEN  
(name of document signer) personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he/she acknowledged to me that he/she executed the  
TRUST DEED NOTE (name of document being signed).

  
\_\_\_\_\_  
Notary Public

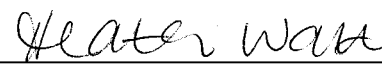


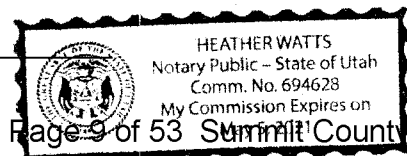
  
\_\_\_\_\_  
Grantor

STATE OF UTAH )

COUNTY OF SUMMIT )

On this 5<sup>th</sup> day of JULY, 2017, ELIZABETH COTTEN  
(name of document signer) personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he/she acknowledged to me that he/she executed the  
TRUST DEED NOTE (name of document being signed).

  
\_\_\_\_\_  
Notary Public



WHEN RECORDED, MAIL TO:  
City Recorder  
Park City Municipal Corporation  
P. O. Box 1480  
Park City, Utah 84060

## TRUST DEED

THIS TRUST DEED, made this 27 day of June, 2017, between Alexander and Elizabeth Cohen, as Trustor, whose mailing address is PO Box 4272, Park City, UT 84060, POLLY SAMUELS MCLEAN, ESQ., a member of the Utah State Bar, as Trustee, and PARK CITY MUNICIPAL CORPORATION, a municipal corporation of the state of Utah, as Beneficiary.

WITNESSETH: That Trustor conveys and warrants to Trustee in trust, with power of sale, 243 Daly Avenue, Park City, UT 84060, the following described property, situated in Summit County, state of Utah:

### PC-627-A

A PARCEL OF LAND ON THE E SIDE OF DALY AVE IN THE WASHINGTON MILLSITE RESERVATION PREVIOUSLY DESC AS THE 29TH HOUSE ON THE E SIDE OF EMPIRE CANYON; ALSO DESC AS BEG AT A PT WH IS S 89°57'W ALONG THE N BOUNDARY OF THE WASHINGTON MILLSITE RESERVATION 86.12 FT & S 18°57'58" W 84.886 FT FROM THE NE COR OF SD RESERVATION SD PT ALSO BEING S 1400.04 FT & W 1053.30 FT FROM THE SE COR OF SEC 16 T2SR4E SLBM (BASIS OF BEARING SE COR SEC 16 TO E1/4 COR SEC 16 N); & RUN TH N 70°46'21" W 52.45 FT; TH N 66°02'02" W 21.80 FT TO THE E LINE OF DALY AVE; TH N 18°57'58" E ALONG SD E LINE 27.80 FT; TH S 71°02'02" E 28.00 FT; TH N 18°57'58" E 5.00 FT; TH S 71°02'02" E 46.166 FT; TH S 18°57'58" W 34.939 FT TO THE PT OF BEG CONT 2419.2 SQ FT OR 0.06 ACM259-764 743-101 783-659 1433-378 1441-916 1593-1023 (1593-1023 CORRECTED BY 2154-120) 2222-118-131

Together with all buildings, fixtures and improvements thereon and all water rights, rights of way, easements, rents, issues, profits, income, tenements, hereditaments, privileges and appurtenances thereunto belonging, now or hereafter used or enjoyed with said property, or any part thereof. Subject, however, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents and profits;

For the purpose of securing (1) payments of the indebtedness evidenced by a Trust Deed Note of even date herewith, in the principal sum of \$96,506.00 made by Trustor, payable to the order of Beneficiary at the times, in the manner and with interest as therein set forth, and any extensions and/or renewals or modifications thereof; (2) the performance of each agreement of Trustor herein contained; and (3) the payment of all sums expended or advanced by Beneficiary under or pursuant to the terms hereof, together with interest thereon as herein provided.

TO PROTECT THE SECURITY OF THIS TRUST DEED, TRUSTOR AGREES:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon other than as permitted by the approved Historic Preservation Plan, to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon in accordance with the approved Historic Preservation Plan; to comply with all laws and covenants and restrictions affecting said property; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; and to do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general. Trustor further agrees:

(a) To commence construction promptly and to pursue same with reasonable diligence to completion satisfactory to Beneficiary in accordance with the approved Historic Preservation Plan, the Historic District Design Review (HDDR) and the Building Plans; and

(b) To allow Beneficiary to inspect said property at all times during construction.

Trustee, upon presentation to it of an affidavit signed by Beneficiary, setting forth showing a default by Trustor under this numbered paragraph, is authorized to accept as true and conclusive all facts and statements therein, and to act thereon hereunder.

2. To faithfully perform all obligations under a certain Trust Deed Note by and between the Trustor and Beneficiary dated of even date herewith.
3. To provide and maintain insurance on the improvements now existing or hereafter erected or placed on said property.

IT IS MUTALLY AGREED THAT:

4. Time is of the essence hereof. Upon default by Trustor in the performance of or adherence to the Encumbrance and Agreement for Historic Preservation and a Historic Preservation Plan secured hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of such default, Beneficiary may execute or cause Trustee to execute a written notice of default and of election to cause said property to be sold to satisfy the obligations hereof, and Trustee shall file such notice for record in Summit County wherein said property is situated. Beneficiary also shall deposit with Trustee, the note and all documents evidencing expenditures secured hereby.
5. After the lapse of such time as may then be required by law following the recordation of said notice of default, and notice of default and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell property on the date and at the time and place designated in said notice of sale, either as a whole or in separate parcels, and in such order as it may determine (but subject to any statutory right of Trustor to direct the order in which such property, if consisting of several known lots or parcels, shall be sold) at a public auction to the highest bidder, the purchase price payable in lawful money of the United States at

the time of sale. The person conducting the sale may, for any cause he deems expedient, postpone the sale from time to time until it shall be completed and, in every case, notice of postponement shall be given by public declaration thereof by such person at the time and place last appointed for the sale; provided, if the sale is postponed for longer than one day beyond the day designated in the notice of sale, notice thereof shall be given in the same manner as the original notice of sale. Trustee shall execute and deliver to the purchaser its Deed conveying said property so sold, but without any covenant or warranty, express or implied. The recitals in the Deed of any matters or facts shall be conclusive proof as to the truthfulness thereof. Any person, including Beneficiary, may bid at the sale. Trustee shall apply the proceeds of the sale to payment of (1) the costs and expenses of exercising the power of sale and of the sale, including the payment of the Trustee's and attorney's fees; (2) cost of any evidence of title procured in connection with such sale and revenue stamps on Trustee's Deed; (3) all sums expended under the terms hereof, not then repaid, with accrued interest at one percent (1%) per month from date of expenditure; (4) all other sums then secured hereby; and (5) the remainder, if any, to the person or persons legally entitled thereto, or the Trustee, in its discretion, may deposit the balance of such proceeds with the county clerk of the county in which the sale took place.

6. Upon the occurrence of any default hereunder, Beneficiary shall have the option to declare all sums secured hereby immediately due and payable and foreclose this Trust Deed in the manner provided by law for the foreclosure of mortgage on real property and Beneficiary shall be entitled to recover in such proceeding all costs and expenses incident thereto, including a reasonable attorney's fee in such amount as shall be fixed by the court.
7. Beneficiary may appoint a successor Trustee at any time by filing for record in the office of the county recorder of each county in which said property or some part thereof is situated, a substitution of Trustee. From the time the substitution is filed for record, the new Trustee shall succeed to all the powers, duties, authority and title of the Trustee named herein or of any successor Trustee. Each such substitution shall be executed and acknowledged, and notice thereof shall be given and proof thereof made, in the manner provided by law.
8. This Trust Deed shall apply to, inure to the benefit of, and bind all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. All obligations of Trustor hereunder are joint and several. The term "Beneficiary" shall mean the owners and holders, including any pledgee, of the note secured hereby. In this Trust Deed, whenever the context requires, the masculine gender includes the feminine and/or neuter, and the singular includes the plural.
9. Trustee accepts this Trust when this Trust Deed duly executed and acknowledged is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other Trust Deed or of any action or proceeding in which Trustor, Beneficiary or Trustee shall be a party, unless brought by Trustee. Upon request of Trustor, and consent of Beneficiary, Trustee is authorized to execute legal instruments subordinating this Trust Deed to subsequent security interests.

10. The failure on the part of Beneficiary to promptly enforce any right hereunder shall not operate as a waiver of such right and the waiver by Beneficiary of any default shall not constitute a waiver of any other or subsequent default.
11. This Trust Deed shall be construed according to the laws of the State of Utah.
12. The undersigned Trustor requests that a copy of any notice of default and of any notice of sale hereunder be mailed to them at the address hereinbefore set forth.

TRUSTOR:

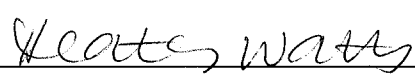
  
Name: \_\_\_\_\_

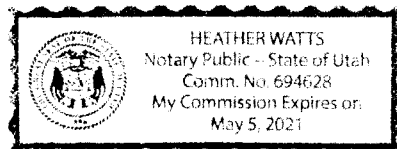
STATE OF UTAH                    )  
  ) ss.  
COUNTY OF SUMMIT        )

STATE OF UTAH                    )

COUNTY OF SUMMIT                    )

On this 5<sup>th</sup> day of JULY, 2017, ALEXANDER COHEN  
(name of document signer) personally appeared before me, whose identity is  
personally known to me or proven on the basis of satisfactory evidence, and who by me  
duly sworn/affirmed, that he/she acknowledged to me that he/she executed the  
TRUST DEED (name of document being signed).

  
Notary Public



TRUSTOR:

Name: \_\_\_\_\_

STATE OF UTAH )

) ss.

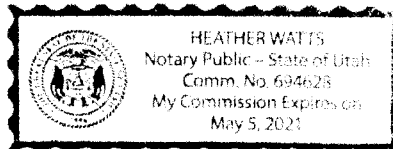
COUNTY OF SUMMIT )

STATE OF UTAH )

COUNTY OF SUMMIT )

On this 5<sup>th</sup> day of JULY, 2017, ELIZABETH COHEN  
(name of document signer) personally appeared before me, whose identity is  
personally known to me or proven on the basis of satisfactory evidence, and who by me  
duly sworn/affirmed, that he/she acknowledged to me that he/she executed the  
TRUST DEED (name of document being signed).

Heather Watts  
Notary Public



# Exhibit B

PARK CITY MUNICIPAL CORPORATION  
PLANNING DEPARTMENT  
445 MARSAC AVE - PO BOX 1480  
PARK CITY, UT 84060  
(435) 615-5060

**PARK CITY**

## HISTORIC PRESERVATION PLAN

For Use with the *Historic District/Site Design Review Application*

For Official Use Only

PLANNER: PLANNING Anya Grahm APPLICATION #: PC-16-03172  
DATE RECEIVED: 1.12.17  
PLANNING DIRECTOR [Signature] CHIEF BUILDING OFFICIAL [Signature]  
APPROVAL DATE/INITIALS: 1.26.17 APPROVAL DATE/INITIALS: 1.26.17

### PROJECT INFORMATION

☒ LANDMARK

☐ SIGNIFICANT

DISTRICT: \_\_\_\_\_

NAME: 243 Daly  
ADDRESS: 243 Daly Avenue  
Park City, Utah 84060

TAX ID: PC-627-A OR

SUBDIVISION: \_\_\_\_\_ OR

SURVEY: \_\_\_\_\_ LOT #: \_\_\_\_\_ BLOCK #: \_\_\_\_\_

### APPLICANT INFORMATION

NAME: ALEXANDER AND ELIZABETH COHEN  
PHONE #: (719) 216-6376 FAX #: ( ) -  
EMAIL: alexander.cohen@usoc.org

### Site Design

Use this section should describe the scope of work and preservation treatment for landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use supplemental pages if necessary.

Element/Feature: Historic Shed/ Front Landscaping

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The goal during the design and construction phase is to reconstruct the storage shed/garage located at the front of the property as well as beautify the landscaping in the front.

### Structure

Use this section to describe scope of work and preservation treatment for the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Historic Structure

This involves: ☒ Preservation ☒ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The majority of the exterior wall structure appears to be intact and structurally sound because it was upgraded when the basement foundation was constructed. See below for roof scope of work.

The non historic additions at the rear of the building will be removed.

JAN 12 2017



## Roof

Use this section to describe the proposed scope of work and preservation treatment for the roofing system, flashing, drainage such as downspouts and gutters, skylights, chimneys, and other rooftop features. Use supplemental pages if necessary.

Element/Feature: Roofs

This involves: ☒ Preservation ☒ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The main gable roofs will require some preservation work to bring the roofs up to current structural codes. The existing structure which exists under several layers of overbuilds will remain as is, and will be reinforced per structural engineer design. The porch roof structure will be restored to its original state by removing the overbuilds which currently create a single slope roof from ridge to eave, though historically, there was a slope change at the porch. The non historic roof over the exterior stairs will also be rebuilt to correctly tie into the rebuilt historic roof and provide proper drainage.

Non historic roof overbuilds at the East side will be removed.

## Chimney

Use this section to describe the proposed scope of work and preservation treatment for any existing chimneys. One box should be devoted to each existing chimney. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Not Applicable

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

### Exterior Walls

Use this section to describe the proposed scope of work and preservation treatment for the exterior wall construction, finishes, and masonry. Please describe the scope of work for each individual exterior wall, use supplemental pages if necessary.

Element/Feature: West Wall

This involves: ☒ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

West Wall - Only minor repairs will be required to the West wall.

Element/Feature: North Wall

This involves: ☒ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

North Wall - The original historic North wall will required only minor repairs, however, there will be demolition and removal of the additions to the original structure.

Element/Feature: East Wall

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☒ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The East wall of the building is currently an interior wall within the house. A portion of the wall will be refinished to an exterior wall with siding to match the historic applied at the connection to the addition.

Element/Feature: South Wall

This involves: ☒ Preservation ☒ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The majority of the South wall is in good shape, however, there is a non historic window which exists that will be removed and replaced with a new window to match the historic size. Additionally, another historic window which is now sided over will be cut back in to the wall. Both of the windows described above can clearly be seen on the wall as the siding transitions at clear cut lines.

### Foundation

Use this section to describe the proposed scope of work and preservation treatment for the foundation including its system, materials, perimeter foundation drainage, and other foundation-related features. Use supplemental pages if necessary.

Element/Feature: Foundation

This involves: ☒ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The historic home has a new concrete basement/foundation below it, so no additional foundation work will be required other than as necessary to connect the new foundation for the addition into it, or repairs as discovered during construction.

### Porches

Use this section to describe the proposed scope of work and preservation treatment for all porches. Address decorative features including porch posts, brackets, railing, and floor and ceiling materials.

Element/Feature: Porch

This involves: ☒ Preservation ☐ Restoration  
☐ Reconstruction ☒ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The existing porch floor is a new concrete floor over the basement, and will remain. The porch posts are consistent in their location to their historic location, however overloading has caused them to be structurally unsound, so they may be replaced with new 4x4 posts. The roof structure will be reinforced and returned to its original form by removing the overbuilds which exist over the original slope. There is additional structure which was added under the soffits to help with the inadequate main structure which will be removed, and the structure exposed. There are and never were brackets or other ornamentation. Additionally, the railing around the porch will be removed as it wasn't historic. The railing around the basement stair will remain for code compliance.

## Doors

Use this section to describe the proposed scope of work and preservation treatment for all exterior doors, door openings, and door parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior door, use supplemental pages if necessary.

Element/Feature: Door #1

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Door is not historic, and will be demo'd and removed prior to the construction of the new addition.

Element/Feature: Door #2

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new door will be re-built to meet the requirements of the code - style, and materials will match the existing.

## Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: Window #1

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new all wood double hung window will be installed matching the existing window.

Element/Feature: Window #2

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new all wood double slider window will be installed matching the existing window.

## Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: Window #3

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new all wood double hung window will be installed matching the existing window.

Element/Feature: Window #4

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new all wood double slider window will be installed matching the existing window.

JAN 12 2017

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at [www.parkcity.org](http://www.parkcity.org) Updated 10/2014.

## Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: Window #5

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new all wood double hung window will be installed matching the historic window proportions as noted by the cuts in the siding.

Element/Feature: Window #6

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

A new all wood double hung window will be installed matching the historic window proportions as noted by the cuts in the siding.



## Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: Window #7

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Window will be removed during the demo phase of the project.

Element/Feature: Window #8

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Window will be removed during the demo phase of the project.

## Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: Window #9

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Window will be removed during the demo phase of the project.

Element/Feature: Window #10

This involves: ☒ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Window will remain intact.

### **Mechanical System, Utility Systems, Service Equipment & Electrical**

*Use this section to describe proposed scope of work and preservation treatment for items such as the existing HVAC system, ventilation, plumbing, electrical, and fire suppression systems. Supplemental pages should be used to describe additional elements and features. Use supplemental pages if necessary.*

Element/Feature: Mechanical System, Utility Systems, Service Equipment & Electrical

This involves: ☐ Preservation ☐ Restoration  
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

All existing systems will be upgraded. Electrical will be run underground from the power pole to a new meter and panel. The gas meter will remain. Water will most likely be upsized in order to provide the required fire suppression systems. A new boiler will be added as the source of radiant heating for the historic home and the addition.

### **Additions**

*Use this section to describe the proposed scope of work for any additions. Describe the impact and the preservation treatment for any historic materials. Supplemental pages should be used to describe additional elements and features. Use supplemental pages if necessary.*

Element/Feature: Rear Addition

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The proposed is a two story addition at the rear (East) of the home. The main level addition is 700 square feet and will house the kitchen, bathroom, laundry and a bedroom. The upper level addition is a 566 square foot addition master suite. Additionally, there is a deck of the second level on the west side to partially serve as the transition between the historic home and the new addition. There will also be a deck off the rear.

#### 4. PROJECT TEAM

List the individuals and firms involved in designing and executing the proposed work. Include the names and contact information for the architect, designer, preservation professional, contractor, subcontractors, specialized craftspeople, specialty fabricators, etc...

Provide a statement of competency for each individual and/or firm listed above. Include a list or description of relevant experience and/or specialized training or skills.

Will a licensed architect or qualified preservation professional be involved in the analysis and design alternatives chosen for the project? Yes or No. If yes, provide his/her name.

Will a licensed architect or other qualified professional be available during construction to ensure the project is executed according to the approved plans? Yes or No. If yes, provide his/her name.

#### 5. SITE HISTORY

Provide a brief history of the site to augment information from the Historic Site Form. Include information about uses, owners, and dates of changes made (if known) to the site and/or buildings. Please list all sources such as permit records, current/past owner interviews, newspapers, etc. used in compiling the information.

#### 6. FINANCIAL GUARANTEE

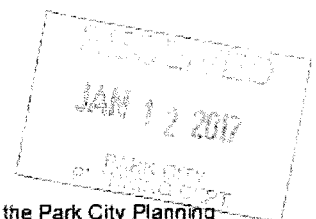
The Planning Department is authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan. (See Title 15, LMC Chapter 11-9) Describe how you will satisfy the financial guarantee requirements.

#### 7. ACKNOWLEDGMENT OF RESPONSIBILITY

I have read and understand the instructions supplied by Park City for processing this form as part of the Historic District/Site Design Review application. The information I have provided is true and correct to the best of my knowledge.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014.

**Supplemental Sheets**

Supplemental Page \_\_\_\_ of \_\_\_\_

*Supplemental pages should be used to describe the scope of work and preservation treatment for any additional elements and features not previously described in this packet.*

Element/Feature: \_\_\_\_\_

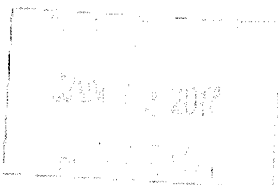
This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Element/Feature: \_\_\_\_\_

This involves: ☐ Preservation ☐ Restoration  
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014.

## PARK CITY

### PHYSICAL CONDITIONS REPORT

For Use with the *Historic District Design Review (HDDR)* Application

For Official Use Only

PLANNER: Anya Grahm APPLICATION #: PC-16-0372  
DATE RECEIVED: 1.12.17

#### PROJECT INFORMATION

NAME: Alexander and Elizabeth Cohen  
ADDRESS: 243 Daly Avenue  
Park City, Utah 84060  
TAX ID: PC-627-A OR  
SUBDIVISION: \_\_\_\_\_ OR  
SURVEY: \_\_\_\_\_ LOT #: \_\_\_\_\_ BLOCK #: \_\_\_\_\_  
HISTORIC DESIGNATION: ☒ LANDMARK ☐ SIGNIFICANT ☐ NOT HISTORIC

#### APPLICANT INFORMATION

NAME: ALEXANDER AND ELIZABETH COHEN  
MAILING ADDRESS: PO BOX 4272  
PARK CITY, UT 84060  
PHONE #: (719) 216 - 6376 FAX #: ( ) -  
EMAIL: ALEXANDER.COHEN@USOC.ORG

#### APPLICANT'S REPRESENTATIVE INFORMATION

NAME: CHIMSO ONWUEGBU  
PHONE #: (801) 712 - 4078  
EMAIL: CHIMSO@BE-WOW.COM

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning  
Staff at (801) 712-4078 or visit us online at [www.parkcity.org](http://www.parkcity.org) Updated 1/1/2014

## ACKNOWLEDGMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: \_\_\_\_\_  
Name of Applicant: ALEXANDER COHEN  
Mailing Address: PO BOX 4272  
PARK CITY, UT 84060  
Phone #: (719 ) 216 - 6376 Fax #: ( ) -  
Email: ALEXANDER.COHEN@USOC.ORG  
Type of Application: HDDR APPLICATION

## AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner: ALEXANDER COHEN  
Mailing Address: PO BOX 4272  
PARK CITY, UTAH 84060  
Street Address/ Legal: 243 DALY AVE, PARK CITY, UT 84060  
Description of Subject Property: SINGLE FAMILY RESIDENCE

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.
4. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

For any questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at 435-633-2222 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

JAN 17 2017

## PHYSICAL CONDITIONS REPORT

**Detailed Description of Existing Conditions.** Use this page to describe all existing conditions. Number items consecutively to describe all conditions, including building exterior, additions, site work, landscaping, and new construction. Provide supplemental pages of descriptions as necessary for those items not specifically outlined below.

### 1. Site Design (A)

This section should address landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use as many boxes as necessary to describe the physical features of the site. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Exterior Stairs

This involves:

☐ An original part of the building

☒ A later addition

Estimated date of construction: 1994

Describe existing feature:

An existing set of concrete stairs provide access to a basement constructed in 1994.

Describe any deficiencies:

Existing Condition: ☒ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: 1, 14

Illustration Numbers: 1, 2

If you have questions regarding the requirements of this application or process please contact a member of the Park City Planning Staff at (435) 515-5060 or e-mail us online at [www.parkcity.org](http://www.parkcity.org). Updated 10.2014

JAN 12 2017



## PHYSICAL CONDITIONS REPORT

**Detailed Description of Existing Conditions.** Use this page to describe all existing conditions. Number items consecutively to describe all conditions, including building exterior, additions, site work, landscaping, and new construction. Provide supplemental pages of descriptions as necessary for those items not specifically outlined below.

### 1. Site Design (B)

This section should address landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use as many boxes as necessary to describe the physical features of the site. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Front Yard Landscaping/ Non existent structure

This involves:

- ☒ An original part of the building  
☐ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

The existing front yard landscaping is limited to a small area of gathered rocks on the south side of the property. The balance of the front yard is a gravel drive.

Historic photos show a small shed building typical to existing buildings along Daly Ave which is no longer standing

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☒ Fair ☐ Poor

Photo Numbers: 1,2 Illustration Numbers: \_\_\_\_\_

For more information regarding the requirements on this application or process please contact a member of the Park City Planning Staff at 435-636-6667 or visit the online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

## PHYSICAL CONDITIONS REPORT

**Detailed Description of Existing Conditions.** Use this page to describe all existing conditions. Number items consecutively to describe all conditions, including building exterior, additions, site work, landscaping, and new construction. Provide supplemental pages of descriptions as necessary for those items not specifically outlined below.

### 1. Site Design (C)

This section should address landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use as many boxes as necessary to describe the physical features of the site. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Rear Yard

This involves: ☐ An original part of the building  
☐ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

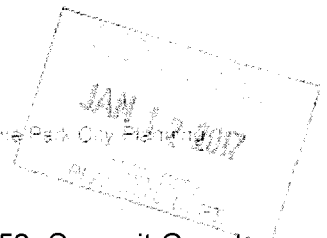
The existing rear yard has been partially excavated for a planned (and abandoned) remodel of the home. The initial 22 feet of the site behind the existing structure has been severely cut and an addition 15' has been sloped up to the existing mountainside in anticipation of the remodel.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

Photo Numbers: 9 Illustration Numbers: 2, 4

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at 435-635-8060 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014



## 2. Structure (A)

Use this section to describe the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Historic Structure

This involves: ☒ An original part of the building  
☒ A later addition

Estimated date of construction: c 1900

Describe existing feature:

In the early 1990's the original "L" shaped structure was stabilized and set on a new concrete foundation wall/ basement wall. It consists of 2x4 wood framed walls and a 2x8 framed floor set on the concrete walls. The roof structure consists of 2x4 trusses with 1x8 collar ties at 24" on center. Currently, there is an overbuild on the West side of the roof beginning at the ridge and continuing down to the edge of the porch which is not historic. there are also non historic soffit members. The original framed walls and historic framing are in good shape, however, the overbuilds and porch framing are failing and deteriorated.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

The main roof structure is undersized and will required additional stabilization to bring it up to current codes. The porch roof structure is failing and will also need to be reinforced for safety.

Photo Numbers: 12, 13, 27, 34

Illustration Numbers: 1, 2, 3, 5

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Station (435) 638-5080 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/28/14

## 2. Structure (B)

Use this section to describe the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Basement Structure/ Deck

This involves: ☐ An original part of the building  
☒ A later addition

Estimated date of construction: c 1994

Describe existing feature:

In 1994 a basement/ foundation was added under the original historic structure, along with exterior concrete stairs and a concrete deck was added in place of the historic porch.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☒ Fair ☐ Poor

The concrete porch has a couple areas where water seeps through, which will need to be sealed to keep the basement dry. The roof over the stairs was improperly constructed and its connection to the main roofline is failing, causing undue stress to both the historic structure and the supporting columns due to excessive snow and ice build-up. This will need to be address during the initial re-roof phase.

Photo Numbers: 34,35, Illustration Numbers: 5

## 2. Structure (C)

Use this section to describe the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Non historic/existing addition off the back

This involves:

- ☐ An original part of the building  
☒ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

There is a plywood faced addition on the rear of the historic building, as well as a rough pour concrete ice box in the rear of the building which sit directly on a wood floor on the ground

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☒ Poor

The entire addition is non historic and in poor shape.

Photo Numbers: 8,25 Illustration Numbers: 2, 3, 4

For more questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at 435-638-5360 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2011

### 3. Roof

Use this section to describe the roofing system, flashing, drainage such as downspouts and gutters, skylights, chimneys, and other rooftop features. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Existing Roof

This involves: ☒ An original part of the building ☐ A later addition Estimated date of construction: c1900 + Addition

Describe existing feature:

The original roof structure is in place and in good condition (though structurally undersized) with an overbuild addition on both slopes as well as a shed addition over the exterior stairs. The existing porch roof is not the original slope or configuration, as it is an overbuild from the ridge of the main roof. The roof is covered in a combination of different sheet metal profiles, including flat sheet metal, corrugated panels and bent flashing. There are not gutters or downspouts on the existing roof. The only current penetration is for an attic mounted furnace and a fascia mounted dryer exhaust. The soffits over the existing porch have been added in later years at a pitch different than the original structure, which are open to structure and painted.

Describe any deficiencies: Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

The flashing and drainage are major issues on this home. The additional roof over the stairs causes a damming issue at the valley, which is causing the porch columns and roof to fail. Additionally, the roof over the non historic addition is shallow and causes problems for the historic gable due to its overbuild construction.

The soffits are sagging, and not original and will need to be remedied.

Photo Numbers: 26, 27, 30 Illustration Numbers: 2, 4, 5

#### 4. Chimney

Use this section to describe any existing chimneys. One box should be devoted to each existing chimney. Supplemental pages should be used to describe additional elements and features.

Element/Feature: None

This involves:

☐ An original part of the building

☐ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Photo Numbers: \_\_\_\_\_ Illustration Numbers: \_\_\_\_\_

## 5. Exterior Walls

Use this section to describe exterior wall construction, finishes, and masonry. Be sure to also document other exterior elements such as porches and porticoes separately. Must include descriptions of decorative elements such as corner boards, fascia board, and trim. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Historic Exterior Walls

This involves:

- ☒ An original part of the building  
☐ A later addition

Estimated date of construction: c 1900

Describe existing feature:

The original historic building has been raised and set on a concrete foundation with the exterior walls stabilized. The walls are sided in 1x6 shiplap siding painted white. The corner and top trim boards are 1x6 trim piece on each face. The fascia is a 1x6 board with a 2x2 cap piece. Window and door trims are 1x4 on the side casing with a 1x4 head casing and 1x2 crown. At the base is a 2x2 stool and 1x4 apron. The siding is in fairly good shape, though the reinstallation of the walls on the foundations left the exterior finish not level in some locations.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

The majority of the existing walls are in acceptable/good form, however, the soffits and fascias are deficient at all the areas of the porch as well as the connections to the earlier addition.

Photo Numbers: 1, 2, 4, 5, 6, 7, 11, 12, 13, 16

Illustration Numbers: 1, 2, 3, 4



Element/Feature: Porch and Porch Structure

This involves:

☐ An original part of the building

☒ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

The existing porch is a concrete slab poured over the basement addition, and the structural posts for the porch roof sit on this slab. The porch railings are a vertical 2x2 picket railing which is also not historic.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☒ Fair ☐ Poor

There are water leaks at the wall/slab joint which will need to be remedied.

Photo Numbers: 11, 12, 13, 31, 35

Illustration Numbers: 1, 4, 5

3000.1.2 2007

If you have questions regarding the requirements of this application or process please contact a member of the Park City Planning Staff at 435-635-5050 or email us at [planning@pcplanning.org](mailto:planning@pcplanning.org). Updated 10/2014

Element/Feature: Rear Additions

This involves:

☐ An original part of the building

☒ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

There is an existing addition to the original "L" structure which is clearly denoted by the change of materials. This addition sits on a wood floor without a foundation.

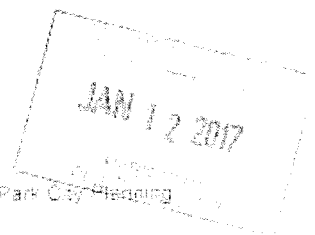
At the far east side, there is a rough formed concrete "ice box" which is also simply set on dirt with no historical relevance at all, and is used as a mechanical space.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☒ Fair ☐ Poor

The walls of both addition sit on grade, and the roof is an overbuild on top of the historic home, covering the majority of the historic east gable. The roof of the ice box is a shed tied in to the first addition.

Photo Numbers: 7,8,9,25 Illustration Numbers: 2,3,4,5,



## 6. Foundation

Use this section to describe the foundation including its system, materials, perimeter foundation drainage, and other foundation-related features. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Basement Foundation/ Non historic addition foundation

This involves: ☐ An original part of the building

☒ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

The historic structure sits on top of a new basement/foudnation, which is in good shape, however, the addition at the rear of the historic structure, has no foundation.

Describe any deficiencies:

Existing Condition: ☒ Excellent

☐ Good

☐ Fair

☒ Poor

The non existent foundation at the addition is not acceptable.

Photo Numbers: 34, 35 Illustration Numbers: 5

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If you have questions regarding the requirements on this application process, please contact a member of the Park City Planning Staff at 435-813-5000 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

## 7. Porches

Use this section to describe the porches. Address decorative features including porch posts, brackets, railing, and floor and ceiling materials. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Porch

This involves: ☐ An original part of the building  
☐ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

The existing porch is a concrete slab poured over the basement addition, and the structural posts for the porch roof sit on this slab. The porch is located in the historic location of the original porch. Porch posts are 4x4 posts with a header connecting them. The porch railings are not historic, and consist of simple vertical 2x2 pickets with 2x4 top and bottom rails and 2x2 bracing rails top and bottom. The ceiling soffits of the porch are additions which were built underneath the original open ceiling, and at varying slopes. There is no ornamentation or brackets to speak of on the porch.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

The soffits have been repaired and reconstructed at various times, however, they are falling again due to insufficient roof structure. Additionally, the posts supporting the porch roof are failing (a number of them have been replaced already).

Photo Numbers: 11, 12, 13, 31

Illustration Numbers: 1,4,5

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at 435-610-5000. Visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

### 8. Mechanical System, Utility Systems, Service Equipment & Electrical

Use this section to describe items such as the existing HVAC system, ventilation, plumbing, electrical, and fire suppression systems. Supplemental pages should be used to describe additional elements and features.

Element/Feature: MEP and Utilities

This involves:

☐ An original part of the building

☒ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

The home is currently served by the following:

A 100A electrical system fed from an adjacent power pole to a meter located on the front wall of the house. It has a gas meter on the SW corner of the home, and the water meter is in the front yard.

It is heated by a furnace located in the attic with attic ductwork. No fire suppression exists. Plumbing is in place with a pump for the basement level.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☒ Fair ☐ Poor

The locations of the power lines and electrical meters are not ideal, and a higher efficiency heating system should be installed.

Photo Numbers: 2, 7, 27 Illustration Numbers: 1,2

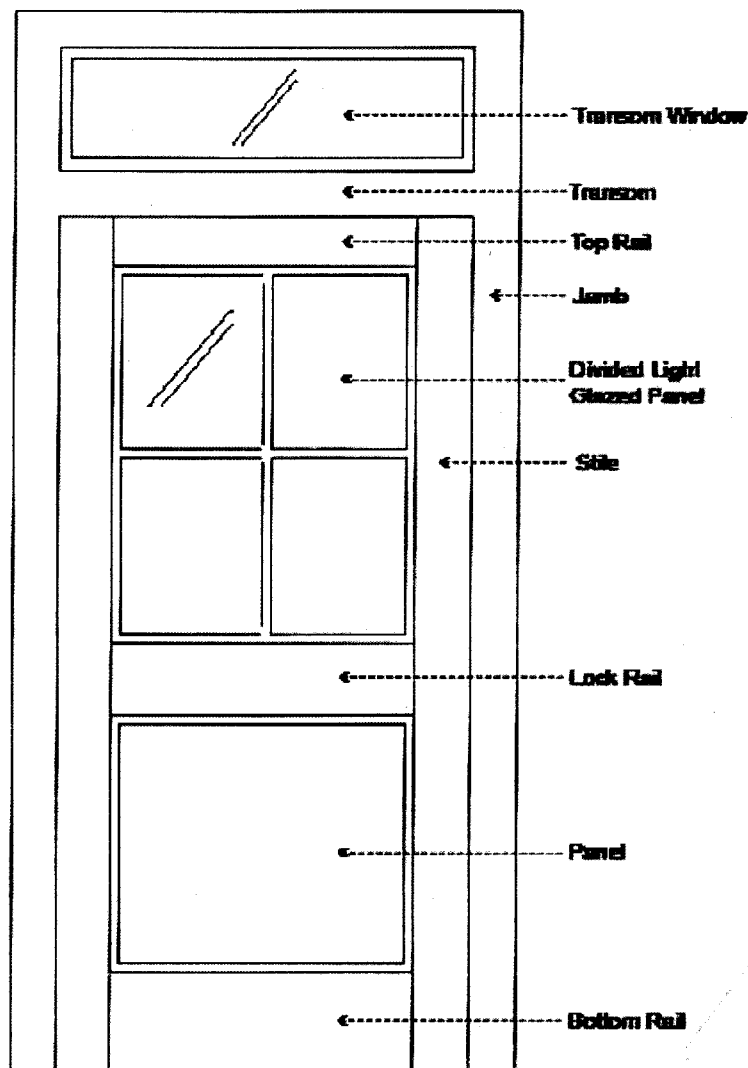
1001122017  
If you have questions regarding the requirements on this application or to access please contact a member of the Park City Planning Staff at 435-615-5253 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

## 9. Door Survey

### Basic Requirements

1. All door openings on the exterior of the structure should be assigned a number and described under the same number in the survey form. Doors in pairs or groupings should be assigned individual numbers. Even those not being replaced should be assigned a number corresponding to a photograph or drawing of the elevation, unless otherwise specified specifically by the planner.
2. Describe the issues and conditions of each exterior door in detail, referring to specific parts of the door. Photographs depicting existing conditions may be from the interior, exterior, or both. Additional close-up photos documenting the conditions should be provided to document specific problem areas.
3. The Planning Department's evaluation and recommendation is based on deterioration/damage to the door unit and associated trim. Broken glass and normal wear and tear are not necessarily grounds for approving replacement.
4. The condition of each door should be documented based on the same criteria used to evaluate the condition of specific elements and features of the historic structure or site: Good, Fair, Poor.

*Don't forget to address service, utility, and garage doors where applicable.*



If you have a question regarding the above items on the application or process please contact a member of the Park City Planning Staff at (435) 815-5000 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 12/2014

Total number of door openings on the exterior of the structure: 2

Number of historic doors on the structure: 1

Number of existing replacement/non-historic doors: 1

Number of doors completely missing: 0

Please reference assigned door numbers based on the Physical Conditions Report.

Number of doors to be replaced: 2

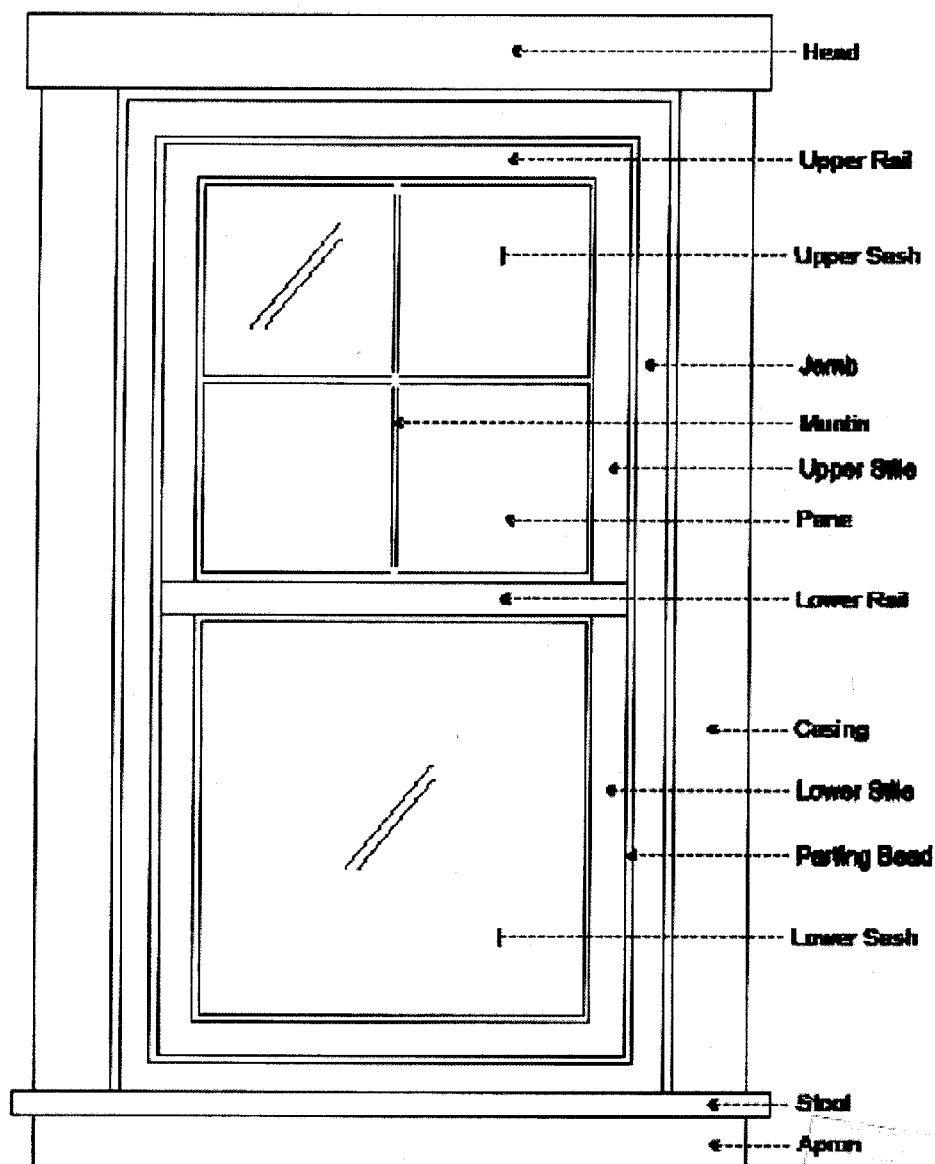
Door #:	Existing Condition (Excellent, Good, Fair, Poor):	Describe any deficiencies:	Photo #:	Historic (50 years or older):
1	Poor	Not code compliant (not tall enough) and the frame is warped.	31	n
2	Fair	Not code compliant (not tall enough) and the frame is warped.	16	y
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at 435-616-6120 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

## 10. Window Survey

### Basic Requirements

1. All window openings on the structure should be assigned a number and described under the same number in the survey form. Windows in pairs or groupings should be assigned individual numbers. Even those not being replaced should be assigned a number corresponding to a photograph or drawing of the elevation, unless otherwise specified specifically by the planner.
2. Describe the issues and conditions of each window in detail, referring to specific parts of the window. Photographs depicting existing conditions may be from the interior, exterior, or both. Additional close-up photos documenting the conditions should be provided to document specific problem areas.
3. The Planning Department's evaluation and recommendation is based on deterioration/damage to the window unit and associated trim. Broken glass and windows that are painted shut alone are not grounds for approving replacement.



If you have questions regarding the requirements of this application or process please contact a member of the Planning Department Staff at (435) 815-5080 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated: 10/2014



Total number of window openings on the exterior of the structure: 10

Number of historic windows on the structure: 3

Number of existing replacement/non-historic windows: 6

Number of windows completely missing: 1 (infill)

Please reference assigned window numbers based on the Physical Conditions Report.

Number of windows to be replaced: 5 (includes 2 of different proportions than existing window/infill)

Window #:	Existing Condition (Excellent, Good, Fair, Poor):	Describe any deficiencies:	Photo #:	Historic (50 years or older):
1	Poor	Window frame is warped, track doesn't allow for operation, failing hardware and poor insulation	15	Y
2	Poor	Window frame is warped, track doesn't allow for operation, failing hardware and poor insulation, broken glass	36	Y
3	Poor	Window frame is warped, track doesn't allow for operation, failing hardware and poor insulation	37	Y
4	Poor	Window frame is warped, track doesn't allow for operation, failing hardware and poor insulation, rotting wood	40	Y
5	Poor	non existent - framed and filled in	6	Y
6	Poor	non historic window (original window size apparent by siding infill)	25	N
7	Poor	Window frame is warped, track doesn't allow for operation, failing hardware and poor insulation	8	N
8	Poor		10	N
9	Poor		10	N
10	Excellent		39	N
	Fair			
	Fair			
	Fair			

If you have questions regarding the requirements on this application or process please contact a member of the Fair City Planning staff at 455-075-5030 or visit us online at [www.faircity.org](http://www.faircity.org). Updated 10/2014

### 11. Interior Photographs

Use this section to describe interior conditions. Provide photographs of the interior elevations of each room. (This can be done by standing in opposite corners of a square room and capturing two walls in each photo.)

Element/Feature: Historic Home Interior

This involves: ☒ An original part of the building  
☐ A later addition

Estimated date of construction: c 1900

Describe existing feature:

The interior of the historic home is currently used as a bedroom and the living area. It is in relatively good condition, with the exception of some floor deflection.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

The floor structure may need to be stabilized.

Photo Numbers: 41, 42, 43, 44, 45, 46

Illustration Numbers: 6

Element/Feature: Basement

This involves: ☐ An original part of the building  
☒ A later addition

Estimated date of construction: c 1994

Describe existing feature:

The existing basement is an unfinished space with furring studs attached to the concrete foundation.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

There is some water infiltration issues due to the exterior grading and roof drainage issues.

Photo Numbers: 55, 56

Illustration Numbers: 7

JAN 12 2017  
If you have questions regarding the requirements of this application or process please contact a member of the Park City Planning Staff at 435-612-5180 or visit us online at [www.parkcity.org](http://www.parkcity.org). Updated 10/2014

Element/Feature: Additions

This involves:

- ☐ An original part of the building  
☒ A later addition

Estimated date of construction: \_\_\_\_\_

Describe existing feature:

The additions to the historic home currently house a bedroom as well as the kitchen and bath, along with a storage/mechanical room. The floors are simply wood framed over natural grade, and the walls weren't properly constructed or weatherproofed

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☒ Poor

Lack of foundations  
Insufficient structure  
Inadequate waterproofing on the walls  
Floor structure sits on grade

Photo Numbers: 47,48,49,50,51,52,53,54 Illustration Numbers: 6

# Exhibit C

## HISTORIC SITES FINANCIAL GUARANTEE

Planning Project # PL-16-03172

Address: 243 Daly Avenue, Park City, UT

Landmark Structure ☐

Significant Structure ☐

Preservation Plan includes:

☐

Full Reconstruction

☐

Full Panelization

☐

Partial Panelization: How many facades \_\_\_\_\_

☐

The applicant proposes to remove non-historic additions, construct a new addition, and rebuild the existing front porch.

Square footage of Historic Structure 382.78 SF x \$200 /s.f. = \$76,556.00

Square footage of Historic Structure porch 133 SF x \$150/s.f. = \$19,950.00

Square footage of Historic Accessory Structure \_\_\_\_\_ x \$ \_\_\_\_\_ /s.f. = \$ \_\_\_\_\_

Salvaged Material \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL GUARANTEE AMOUNT**

**\$96,506.00**

Method of Guarantee:

☐

Cash

☐

Letter of Credit

☐

Escrow

☐

Other (Lien)

Planner:

Anna E. Hahn

Date 6.26.17

Planning Director (or designee)

[Signature]

Date 6.26.2017

Chief Building Official (or designee)

[Signature]

Date 6.26.2017