

MILLCREEK, UTAH
ORDINANCE NO. 24-57

**AN ORDINANCE OF MILLCREEK VACATING THE WESTERLY THREE FEET OF
THE OLYMPUS WAY (3250 EAST) PUBLIC STREET OR RIGHT OF WAY,
GENERALLY LOCATED AT 3239 EAST 3900 SOUTH**

WHEREAS, the Millcreek City Council (“Council”) met in a regular meeting on December 9, 2024, to consider, among other things, approving the vacation of the westerly three feet of the Olympus Way (3250 East) public street or right of way, generally located at 3239 East 3900 South, as depicted within the below map and as described in the below legal description; and

WHEREAS, Utah Code Section 72-5-105 provides in part that all public streets or roads shall continue to be public streets or roads until formally abandoned by ordinance of a highway authority having jurisdiction and the ordinance has been duly recorded in the of the county recorder where the street or road is located; and

WHEREAS, Utah Code Section 10-9a-609.5 provides in part that the City Council may approve a petition to vacate a public street in accordance with the requirements of Utah Code Section 10-9a-609.5 and

WHEREAS, on or about August 3, 2024, a petition to vacate a portion of the Olympus Way (3250 East) public street or right of way was filed by Sue Lui, as the Applicant, and it included all the elements required by Utah Code, Section 10-9a-609.5; and

WHERAS, Utah Code Section 10-9a-609.5 provides that if a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a public hearing in accordance with Utah Code Section 10-9a-208 and determine whether good cause exists for the vacation and neither the public interest nor any person will be materially injured by the proposed vacation; and

WHERAS, on November 21, 2024, the City gave notice of the date, place, and time of the required public hearing as required by Section 10-9a-208 council held; and

WHEREAS, on December 9, 2024, the Council held a public hearing in which public comment was received regarding the proposed vacation; and

WHEREAS, staff has advised the Council that good cause exists for the vacation because, among other things, the petition and process do not apply to or affect a public utility easement, and it will result in a more favorable alignment of the Olympus Way (3250 East) public street or right of way and that neither the public interest nor any person will not be materially injured by the proposed vacation because among other things the area of the proposed vacation is not needed as a part of the street right of way or otherwise need for public improvements; and

WHEREAS, based on the public hearing and staff report, the Council finds that good cause exists for the vacation and that neither the public interest nor any person will be materially injured by the proposed vacation.

NOW, THEREFORE, BE IT ORDAINED by the Council that the portion of the Olympus Way (3250 East) public street or right of way generally located at 3239 East near 3900 South is hereby vacated as described within **Exhibit A** and depicted within **Exhibit B**. The same is no longer necessary as a public street, alley, or right of way. The Mayor and Recorder are hereby directed to record a copy of this ordinance in the Salt Lake County Recorder office.

PASSED AND APPROVED this 16th day of December 2024.

MILLCREEK COUNCIL



By: _____

Jeff Silvestrini, Mayor

ATTEST:



Elyse Sullivan, City Recorder

Roll Call Vote:

Silvestrini	☒ Yes	☐ No
Catten	☒ Yes	☐ No
DeSirant	☒ Yes	☐ No
Jackson	☒ Yes	☐ No
Uipi	☒ Yes	☐ No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 24-57: AN ORDINANCE OF MILLCREEK VACATING THE WESTERLY THREE FEET OF THE OLYMPUS WAY (3250 EAST) PUBLIC STREET OR RIGHT OF WAY, GENERALLY LOCATED AT 3239 EAST 3900 SOUTH was adopted the 16th day of December, 2024 and that a copy of the foregoing Ordinance 24-57 was posted in accordance with Utah Code 10-3-711 this 17 day of December, 2024.



Elyse Sullivan, City Recorder

Exhibit A

Legal Description (Vacated Area)

A PART OF THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND BRASS CAP MONUMENT AT THE SOUTH QUARTER CORNER OF SAID SECTION 35; AND RUNNING THENCE NORTH 0°02'41" EAST 1770.80 FEET ALONG THE MONUMENT LINE OF 3100 EAST STREET TO A FOUND BRASS CAP MONUMENT IN THE INTERSECTION OF 3900 SOUTH STREET AND 3100 EAST STREET; THENCE SOUTH 89°57'00" EAST 933.91 FEET ALONG THE MONUMENT LINE OF 3900 SOUTH STREET; THENCE NORTH 0°03'00" EAST 40.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 3900 SOUTH STREET AND THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE;

THENCE NORTHEASTERLY 39.29 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°03'00" AND A LONG CHORD BEARING NORTH 45°01'30" EAST 35.37 FEET TO A POINT OF TANGENCY;

THENCE NORTH 149.93 FEET;

THENCE EAST 3.00 FEET;

THENCE SOUTH 149.93 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY 39.29 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°03'00" AND A LONG CHORD BEARING SOUTH 45°01'30" WEST 35.37 FEET TO A POINT OF TANGENCY AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 3900 SOUTH STREET;

THENCE NORTH 89°57'00" WEST 3.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

CONTAINS 524 SQ. FT. OR 0.012 ACRES

Exhibit B

