

CITY OF LOGAN
ORDINANCE NO. 14-82

AN ORDINANCE VACATING PORTIONS OF RIGHT-OF-WAY BETWEEN 400 SOUTH AND 500 WEST

WHEREAS, the City is desirous to vacate the right-of-way between 400 South and 500 West to provide an open grass area for the fairgrounds; and

WHEREAS, the existing right-of-way has not been used as a right-of-way for many years; and

WHEREAS, the Logan Municipal Council finds there is good cause for vacating a portion of said right-of-way between 400 South and 500 West and the Council finds such action shall not materially injure the public or any person.

THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH, AS FOLLOWS:

SECTION 1: Pursuant to Section 10-9a-208, Utah Code Annotated, 1953 the property described below is hereby abandoned and vacated, reserving unto the City of Logan the easements described below:

PARCEL A

A PARCEL OF LAND, BEING A PUBLIC RIGHT OF WAY BETWEEN 400 SOUTH AND 500 WEST AT THE NORTHWEST CORNER OF THE COUNTY FAIRGROUNDS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING EAST 3.95 FEET, SOUTH 55.36 FEET, AND NORTH 88°34'22" WEST 983.86 FEET FROM THE LOGAN CITY GIS/GPS MONUMENT NUMBER 359; SAID POINT OF BEGINNING ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF 400 SOUTH (BASIS OF BEARING BEING SOUTH 83°32'30" EAST BETWEEN LOGAN CITY GIS/GPS MONUMENTS 355 AND 359). RUNNING THENCE, NORTH 88°34'22" WEST 114.05 FEET ALONG SAID SOUTH RIGHT OF WAY LINE, TO A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST; THENCE, SOUTHWESTERLY 276.08 FEET ALONG SAID CURVE HAVING A RADIUS OF 1,381.45 FEET, THROUGH A CENTRAL ANGLE OF 11°27'02" (THE CHORD OF SAID CURVE BEING SOUTH 48°23'29" WEST 275.62 FEET), TO THE EAST RIGHT OF WAY LINE OF 500 WEST; THENCE, ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING THREE COURSES, SOUTH 01°25'20" WEST 37.16 FEET; THENCE, NORTH 88°34'40" WEST 9.50 FEET, TO A NON-TANGENT CURVE CONCAVE TO THE WEST; THENCE, SOUTHERLY 99.83 FEET ALONG SAID CURVE HAVING A RADIUS OF 340.00 FEET, THROUGH A CENTRAL ANGLE OF 16°49'20" (THE CHORD OF SAID CURVE BEING SOUTH 09°50'00" WEST 99.47 FEET), TO THE CUSP OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE, NORTHEASTERLY 471.62 FEET ALONG SAID CURVE HAVING A RADIUS OF 1,315.44 FEET, THROUGH A CENTRAL ANGLE OF 20°32'31" (THE CHORD OF SAID CURVE BEING NORTH 47°48'00" EAST 469.09 FEET), TO THE POINT OF BEGINNING.

CONTAINING 24,293.04 SQUARE FEET OR 0.558 ACRES

RESERVING A PUBLIC UTILITIES EASEMENT FOR EXISTING UTILITIES ACROSS THE WHOLE OF THE ABOVE DESCRIBED PROPERTY.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS _____ DAY OF _____, 2014 by the following vote:

Ayes:

Nays:

Absent:

Karl B. Ward, chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the _____ day of _____, 2014.

Karl B. Ward, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this _____ day of _____, 2014.

H. Craig Peterson, Mayor

**A PETITION TO VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY
LOCATED BETWEEN 400 SOUTH AND 500 WEST**

1. Pursuant to U.C.A. §10-9a-609.5 the undersigned do hereby formally request the vacation of the following described public right-of-way:

Certain right-of-way located between 400 South and 500 West in Logan, UT and more particularly described as:

PARCEL A

A PARCEL OF LAND, BEING A PUBLIC RIGHT OF WAY BETWEEN 400 SOUTH AND 500 WEST AT THE NORTHWEST CORNER OF THE COUNTY FAIRGROUNDS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING EAST 3.95 FEET, SOUTH 55.36 FEET, AND NORTH 88°34'22" WEST 983.86 FEET FROM THE LOGAN CITY GIS/GPS MONUMENT NUMBER 359; SAID POINT OF BEGINNING ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF 400 SOUTH (BASIS OF BEARING BEING SOUTH 83°32'30" EAST BETWEEN LOGAN CITY GIS/GPS MONUMENTS 355 AND 359). RUNNING THENCE, NORTH 88°34'22" WEST 114.05 FEET ALONG SAID SOUTH RIGHT OF WAY LINE, TO A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST; THENCE, SOUTHWESTERLY 276.08 FEET ALONG SAID CURVE HAVING A RADIUS OF 1,381.45 FEET, THROUGH A CENTRAL ANGLE OF 11°27'02" (THE CHORD OF SAID CURVE BEING SOUTH 48°23'29" WEST 275.62 FEET), TO THE EAST RIGHT OF WAY LINE OF 500 WEST; THENCE, ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING THREE COURSES, SOUTH 01°25'20" WEST 37.16 FEET; THENCE, NORTH 88°34'40" WEST 9.50 FEET, TO A NON-TANGENT CURVE CONCAVE TO THE WEST; THENCE, SOUTHERLY 99.83 FEET ALONG SAID CURVE HAVING A RADIUS OF 340.00 FEET, THROUGH A CENTRAL ANGLE OF 16°49'20" (THE CHORD OF SAID CURVE BEING SOUTH 09°50'00" WEST 99.47 FEET), TO THE CUSP OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE, NORTHEASTERLY 471.62 FEET ALONG SAID CURVE HAVING A RADIUS OF 1,315.44 FEET, THROUGH A CENTRAL ANGLE OF 20°32'31" (THE CHORD OF SAID CURVE BEING NORTH 47°48'00" EAST 469.09 FEET), TO THE POINT OF BEGINNING.

CONTAINING 24,293.04 SQUARE FEET OR 0.558 ACRES

2. The names and addresses of each owner of record of land that is adjacent to the public right-of-way or accessed exclusively by or within 300 feet of the right-of-way are as follows:

<u>TAX ID</u>	<u>OWNERS NAME</u>	<u>OWN ADDRESS</u>	<u>CITY ST ZIP</u>	<u>PROP ADDRESS</u>
02-038-0010	THANH LOC VUONG	1240 N 225 E	LOGAN, UT 84341-2337	384 S 500 W
02-038-0011	JULIE A POPPLETON	360 S 500 W	LOGAN, UT 84321-5118	360 S 500 W
02-038-0005	TREVOR RAY MONROE	439 W 400 S	LOGAN, UT 84321-5111	439 W 400 S
02-038-0004	DOUGLAS S WALKER	375 S 400 W	LOGAN, UT 84321-5131	375 S 400 W
02-038-0008	BETTY L TR SIMS	485 W 400 S	LOGAN, UT 84321-5111	485 W 400 S
02-038-0007	JAKE B & KELLIE LINDSAY	463 W 400 S	LOGAN, UT 84321	463 W 400 S
02-038-0006	BRYAN TIMOTHY LINDSAY	445 W 400 S	LOGAN, UT 84321-5111	445 W 400 S
02-038-0002	JAMON R & SHAYLA M NEILSON	425 W 400 S	LOGAN, UT 84321	425 W 400 S
02-038-0001	3M45 ALASKAN MALAMUTE RESCUE	PO BOX 70	PARADISE, UT 84328	391 S 400 W
02-038-0009	JOLENE TAYLOR	390 S 500 W	LOGAN, UT 84321-5118	390 S 500 W
02-038-0003	MYRA LEMON TR SORENSEN	385 S 400 W	LOGAN, UT 84321-5131	385 S 400 W

3. The following signatures represent those property owners who consent to the requested vacation:

Printed Name:

Date:

The City of Logan proposes to vacate a portion of a public right of way located between 400 South and 500 West. You are being notified per Utah State Law Code 10-9a-609.5 because you are listed as an owner of record of a parcel of property that is adjacent to the public right of way, or accessed exclusively by or within 300 feet of the public right of way that is being petitioned to vacate.

Please see the attached image of the area outlined in red that is being petitioned, for vacation.

A public hearing on the issue will be held on:

Date: November 18, 2014

Time: 5:30 pm

Location: City Hall 290 North 100 West Logan, UT 84321

If you support the vacation of the public right of way, the petition will be available in the Engineering office at City Hall, for signing until 5:00 PM on the date indicated for the public hearing.

If you have any additional questions, please email Tyler Munk at tyler.munk@loganutah.org

The City of Logan proposes to vacate a portion of the public right-of-way (see image) between 400 South and 500 West. You are being notified per Utah State Law Code 10-9a-208. This right-of-way has not been used in many years and is proposed to be vacated in order to use the land as lawn space for the Cache County Fairgrounds. If you support the vacation of the public right-of-way, a petition will be available in the Engineering office at City Hall for signing until 5:00 PM on the date indicated for the public hearing.

Public Hearing:

Date: November 18, 2014

Time: 5:30pm

Location: City Hall 290 North
100 West Logan, UT 84321

