**ORDINANCE NO. 01-21-2026-**

AN ORDINANCE VACATING A PORTION OF 1750 WEST APPROACHING ARROWHEAD TRAIL IN PAYSON, UTAH.

**WHEREAS,** The Payson City Council (“City”) is authorized under Utah Code §10-20-813 to vacate a public street by ordinance; and

**WHEREAS,** The City council has determined that a portion of 1750 W described below is no longer required for public use; and

**WHEREAS,** A petition to vacate a portion of 1750 W was submitted by an adjacent property owner in compliance with section 813; and

**WHEREAS,** The City provided sufficient public notice and conducted a public hearing on January 21, 2026 in accordance with Utah Code §§ 10-20-813 and 10-20-208; and

**WHEREAS,** The City Council has considered the petition, exhibits, staff reports, public comment, and evidence presented at the hearing: and

**WHEREAS,** The City Council Finds that vacating the street will not materially injury the public interest or the rights of any person, and that good cause exists for the vacation.

**NOW THEREFORE, BE IT** **ORDAINED BY THE PAYSON CITY COUNCIL AS FOLLOWS:**

**Section 1. Findings.**

The City Council hereby makes the following findings pursuant to Utah Code §10-20-813:

1. **Public Interest.** The vacated portion of 1750 West and Arrowhead Trail intersection is no longer necessary for present or future public transportation or municipal services. The vacation and realignment of this portion of 1750 West will allow for compliance with Payson City road design standards that promote safety at intersections.
2. **No Material Injury.** The vacation will not materially injure:
   1. The Public,
   2. Adjacent property owners because they have consented to the vacation, or
   3. Any person claiming a legal interest in the property.
3. **Access Preserved.** Reasonable vehicular and pedestrian access to all adjoining properties will remain available following the vacation.
4. **Utilities and Easements.** Existing public utilities, drainage facilities, and utility easements can be preserved or relocated without adverse impact.
5. **Consistency with Plans.** The vacation is consistent with the City’s General Plan and applicable design standards.

**Section 2. Vacation of Right of Way.**

The following describe portion of the public street/right of way is hereby vacated and abandoned:

Legal Description:

A portion of the Northwest Quarter Section 3, Township 9 South, Range 2 East, Salt Lake Base and Meridian and being more particularly described as follows: Beginning at a point located S0°28'54"E along the section line 2022.04 feet and East 1212.66 feet from the Northwest Corner of Section 3, Township 9 South, Range 2 East, Salt Lake Base and Meridian; thence N06°58'00"W along the easterly line of Parcels 30:009:0081 and 30:009:0129 for a distance of 427.35 feet; thence along the arc of a non-tangent curve to the left 87.22 feet with a radius of 383.00 feet through a central angle of 13°02'54", chord: S33°06'35"E 87.03 feet to the westerly line of Parcel 30:009:0088; thence S06°59'23"E along said parcel 317.27 feet to the northerly right-of-way of Arrowhead Trail; thence S43°19'45"W along said right-of-way 50.01 feet to the point of beginning.

**Section 3. Reservation of Easements.**

Pursuant to Utah Code § 10-20-813, The City hereby reserves all existing utility, drainage, and access easements within the vacated area unless otherwise expressly released in writing by the affected utility departments.

**Section 4. Vesting of Title.**

Upon recordation of this ordinance, the city will quit claim any interest it has on the vacated portion of the street to the applicant, Arrowhead Partners, LLC, subject to reserved easements, existing encumbrances of record, and applicable law.

**Section 5. Recordation**.

The City Recorder is hereby directed to record this ordinance, together with the legal description, in the Office of the Utah County Recorder as required by Utah Code § 10-20-813(5). The vacation will not be effective until recorded.

**Section 6. Severability and Effective Date.**

If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining provisions. This ordinance will take effect upon adoption by the City Council and recordation with the Utah County Recorder.

PASSED AND ADOPTED BY THE PAYSON CITY COUNCIL ON THIS 21ST DAY OF JANUARY, 2026.

William R. Wright, Mayor

ATTEST:

Amalie R. Ottley, City Recorder