**Development Services Department**

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| **Henline Plat B Lot 2 Public Utility Easement Vacation Request:** Connor Lindstrom from KM Engineering requests on behalf of Jacksons Food Stores Inc. the vacation of a public utility easement upon Utah County Parcel #41:736:0008 at 1250 West 800 South, Payson, UT. |

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| **Applicant:**  Connor Lindstrom,  For Jacksons Food Stores Inc.  **Staff Coordinator:**  Michael Bryant  **Citywide Application:**  None  **Commission/Council Action Required:**  Yes  **Alternative Actions:**   1. Approval of the request as presented by the applicant 2. Denial of the request 3. Table the request with guidance to the applicant and staff regarding what additional information the city council would like to see. | **Relevant History:** Jacksons Food Stores Inc. owns the Utah County parcel #41:736:0008 located at 1250 West 800 South. The property is lot 2 of the Henline Plat B Subdivision, recorded in the Utah County Recorder’s office on 7, 22, 2010. The Henline Plat B Subdivision is a vacation of an earlier subdivision titled Henline Plat A. The public utility easement that is requested for vacation was established when recording the Henline Plat A Subdivision. Upon creation of the Henline Plat B Subdivision this easement remained. This easement crossed through the center of lot 2, in its current location.  On August 2, 2023, a new subdivision was proposed to the city council titled Payson Jacksons Subdivision. This subdivision proposed to modify some property lines owned by Jacksons Food Stores Inc. and the Utah Department of Transportation (UDOT). This new subdivision also would have removed the public utility easement through the middle of parcel #41:736:0008 also known as Lot 2 in the Henline Plat B Subdivision. City Council voted to approve the subdivision as presented with the new property boundaries and the easement vacation.  Since August 2, 2023, it has been the desire of Jacksons Food Stores Inc. to get this new subdivision plat recorded. However, UDOT refused to sign the plat citing reasons that the department typically does not sign plats. The transfer of property between the two entities (Jacksons Food Stores Inc. and Utah Department of Transportation) proceeded through a quit claim deed process and was recorded at the Utah County Recorder’s Office.  At this time, it is the request of Jacksons Food Stores to get the public utility easement removed, either by a plat recording or other instrument acceptable by Utah County Recorder’s Office. |
| **Applicant Request:** To vacate the public utility easement that bisects Lot 2 of the Henline Plat B Subdivision. (See attachments) |
| **Development Review Committee Concerns:** None |
| **Summary of Key Issues:**   * Staff are agreeable to the requested public utility easement vacation * The following affected entities are in favor of the easement vacation   Enbridge Gas Company  Century Link  Nebo School District  United States Postal Service  Comcast Cable  Utopia |
| **Staff Comments:**  *Public Works:* **Favorable recommendation.**  *Power Dept:* **Favorable recommendation.**  *Development Services:* **Favorable recommendation.** |
| **Staff Recommendation:**  Staff have a positive recommendation for approval of the following requested easement vacation |

**FINDINGS OF FACTS**

1. No concern amongst Payson City Power Department
2. No concern amongst Payson City Public Works Department
3. No concern amongst Payson City Development Services Department
4. No concerns for the above listed affected entities

**STAFF ANALYSIS**

The proposed easement vacation will not have any impact on any Payson City department. Additionally, the various entities that typically utilize the public utility easements have no concerns with the request. Public notice was sent to all affected entities within the area. No opposition to the requested easement vacation has come to Payson City staff since the public hearing notices were prepared and mailed out on January 26, 2026.

**CITY COUNCIL ACTIONS**

1. **Staff Recommendation:** As presented by staff and submitted by the applicant, staff recommend approval of the public utility easement vacation on Utah County parcel #41:736:0008. This recommendation is contingent upon there being no opposition from affected entities noted on or in advance of the public hearing of February 18, 2026.
2. The City Council may deny the request for the vacation of the public utility easement.
3. If concerns arise or are presented with facts at the public hearing then, the council may choose to table the requested vacation of the public utility easement until such time as these concerns are addressed.

**ATTACHMENTS**

* Attachment #1 Proposed Easement Vacation
* Attachment #2 Henline Plat B (current subdivision plat showing easement)