

**CITY OF LOGAN
ORDINANCE NO. 19-15**

AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS BETWEEN

PARCELS 03-171-0062 and 03-171-0063

WHEREAS, the City has received a request submitted by the property owner(s) of the subject public utility easement(s), requesting that the public utility easement(s) be vacated,

WHEREAS, the City has authority by State Law to vacate streets, rights of way, and public utility easements, from use by the public;

WHEREAS, a new public utility easement(s) are being reestablished for the above referenced parcels on a new property line location by an City approved Property Line Adjustment;

WHEREAS, the Logan Municipal Council finds there is good cause for vacating the public utility easement(s) and finds such action shall not materially injure the public or any person; and,

WHEREAS, the proposed vacation of public utility easement(s), as shown in EXHIBIT A and described in EXHIBIT B, has been reviewed by the City and the City Council, and all appropriate hearings, postings, and notifications have been performed in accordance with Utah law to obtain public comment regarding the proposed determination.

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-609.5, Utah Code Annotated, 1953 the public utility easement(s) shown in EXHIBIT A and described in EXHIBIT B are hereby abandoned and vacated.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS _____ DAY OF _____, 2019
by the following vote:

Ayes:

Nays:

Absent:

Jeannie F. Simmonds, 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 _____, 2019.

Jeannie F. Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this _____ day of _____, 2019.

Holly H. Daines, Mayor

EXHIBIT A

DATE _____
BY _____
1-6-68

FINAL PLAY



**PUE TO BE
VACATED.
SEE EXHIBIT B**

LOGAN CITY UTILITIES
DATE: 5/1/74
SUBJECT: WATER TREATMENT PLANT
CITY ENGINEER: W. L. HARRIS
CITY CLERK: W. L. HARRIS
CITY ATTORNEY: W. L. HARRIS
CITY MANAGER: W. L. HARRIS
CITY COMMISSIONER: W. L. HARRIS
CITY PLANNING COMMISSION: W. L. HARRIS
CITY ZONING COMMISSION: W. L. HARRIS
CITY HEALTH DEPARTMENT: W. L. HARRIS
CITY FIRE DEPARTMENT: W. L. HARRIS
CITY POLICE DEPARTMENT: W. L. HARRIS
CITY PUBLIC WORKS DEPARTMENT: W. L. HARRIS
CITY STREET DEPARTMENT: W. L. HARRIS
CITY WATER DEPARTMENT: W. L. HARRIS
CITY SEWER DEPARTMENT: W. L. HARRIS
CITY GAS DEPARTMENT: W. L. HARRIS
CITY ELECTRIC DEPARTMENT: W. L. HARRIS
CITY TELEPHONE DEPARTMENT: W. L. HARRIS
CITY POST OFFICE: W. L. HARRIS
CITY COURTHOUSE: W. L. HARRIS
CITY JAIL: W. L. HARRIS
CITY PRISON: W. L. HARRIS
CITY HOSPITAL: W. L. HARRIS
CITY MENTAL HOSPITAL: W. L. HARRIS
CITY NURSING HOME: W. L. HARRIS
CITY BOARDING HOUSE: W. L. HARRIS
CITY RESTAURANT: W. L. HARRIS
CITY BAR: W. L. HARRIS
CITY CAFE: W. L. HARRIS
CITY ICE CREAM PARLOR: W. L. HARRIS
CITY CIGAR STORE: W. L. HARRIS
CITY TOBACCO STORE: W. L. HARRIS
CITY GROCERY STORE: W. L. HARRIS
CITY MEAT MARKET: W. L. HARRIS
CITY BUTCHER SHOP: W. L. HARRIS
CITY BAKERY: W. L. HARRIS
CITY CONFECTIONERY: W. L. HARRIS
CITY CLOTHING STORE: W. L. HARRIS
CITY SHOE STORE: W. L. HARRIS
CITY FURNITURE STORE: W. L. HARRIS
CITY CARPENTER SHOP: W. L. HARRIS
CITY BLACKSMITH SHOP: W. L. HARRIS
CITY WHEELWRIGHT SHOP: W. L. HARRIS
CITY COINER: W. L. HARRIS
CITY MILLER: W. L. HARRIS
CITY BREWER: W. L. HARRIS
CITY DISTILLER: W. L. HARRIS
CITY BOTTLE WASHING PLANT: W. L. HARRIS
CITY BEER BREWERY: W. L. HARRIS
CITY WINE BREWERY: W. L. HARRIS
CITY SODA WATER BREWERY: W. L. HARRIS
CITY ICE FACTORY: W. L. HARRIS
CITY COLD STORAGE: W. L. HARRIS
CITY MEAT CANNING PLANT: W. L. HARRIS
CITY BUTTER CANNING PLANT: W. L. HARRIS
CITY CHEESE CANNING PLANT: W. L. HARRIS
CITY JAM CANNING PLANT: W. L. HARRIS
CITY MARMALADE CANNING PLANT: W. L. HARRIS
CITY PICKLE CANNING PLANT: W. L. HARRIS
CITY PRESERVED FRUIT CANNING PLANT: W. L. HARRIS
CITY CANNED MEAT PLANT: W. L. HARRIS
CITY CANNED VEGETABLE PLANT: W. L. HARRIS
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CITY CANNED SEAFOOD PLANT: W. L. HARRIS
CITY CANNED EGGS PLANT: W. L. HARRIS
C

APPROVED THIS _____ DAY OF _____ 2012
AT THE COUNTY OF _____

[Signature]

MAYOR APPROVAL

APPROVED THIS _____ DAY OF _____ 2012
AT THE COUNTY OF _____

[Signature]

CITY ATTORNEY APPROVAL

[illegible]

SURVEYOR'S CERTIFICATE
Respectfully using Surveyor, Issue Certificate
one of the books at 11/11, and do hereby
state, I have made a survey of the land
a surveyor and/or engineer, and have
and am about to be licensed under
the laws of the state of California and
the laws of the state of California.

[illegible]

and "offering" his time and life completely and in absolute freedom to God. "I have no other life," he said, "but the life of Jesus Christ."

CORPORATE ACCOUNTING JOURNAL

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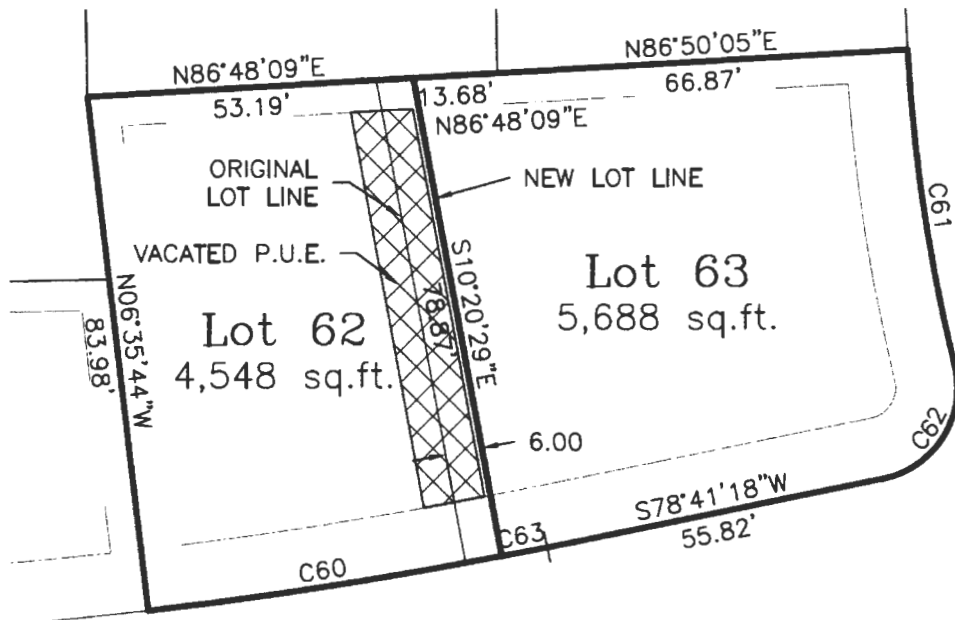
COUNTY RECORDS & CERTIFICATE
ALL NEW AND OLD RECORDS IN THE OFFICE OF THE CLERK
OF THE COUNTY OF ALABAMA
AND RECORDS OF THE STATE OF ALABAMA
Wm. L. Hall Clerk of the County
7/18/84

ALLIANCE CONSULTING
ENGINEERS

ROSEHILL PUD
PHASE 4

1

EXHIBIT B



Vacated Public Utility Easement

A public utility easement to be vacated located in Lot 62 and 63 of Rosehill PUD, Phase 4 recorded in the Cache County Recorders office under Entry No. 1220824 on June 14, 2019 also located in the Northwest Quarter of Section 17, Township 11 North, Range 1 East of the Salt Lake Meridian described as follows:

Commencing at the Northwest Corner of Lot 62, Rosehill PUD, Phase 4 thence $N86^{\circ}48'09''E$ 47.14 feet to the Northeast Corner of Lot 62; thence $S10^{\circ}20'29''E$ 5.04 feet to the POINT OF BEGINNING and running

thence $N86^{\circ}48'09''E$ 5.04 feet;
thence $S10^{\circ}20'29''E$ 63.96 feet;
thence Westerly, a distance of 10.00 feet along a non tangent curve to the right of which the radius point lies $N10^{\circ}42'15''W$, with a radius of 790.00 feet, having a central angle of $00^{\circ}43'31''$ and a chord that bears $S79^{\circ}39'31''W$ 10.00 feet;
thence $N10^{\circ}20'29''W$ 65.21 feet;
thence $N86^{\circ}48'09''E$ 5.04 feet to the point of beginning.

**A PETITION TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS LOCATED
BETWEEN ROSE HILL PHASE 4 SUBDIVISION LOTS 62 AND 63,
LOCATED AT 1413 AND 1403 WEST 1900 SOUTH, LOGAN, UTAH**

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

Certain public utility easement vacation in the Rose Hill Phase 4 Subdivision between Lots 62 (Tax ID 03-171-0062) and 63 (Tax ID 03-171-0063), located at 1403 and 1413 West 1900 South, in Logan, UT shown in EXHIBIT A and EXHIBIT B.

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:

NAME	ADDRESS	CITY/STATE/ZIP
MARLIES & LANCE V STOTT	1843 S 1365 W	LOGAN, UT, 84321-7963
MALON H & REBECCA TEEPLE	1851 S 1365 W	LOGAN, UT, 84321-7963
ROBERT B & SHARRAH EWING	1859 S 1365 W	LOGAN, UT, 84321-7963
BECKIE C & MARK C BROWNING	1869 S 1365 W	LOGAN, UT, 84321-7963
GILBERTO & TERESA ONTIVEROS	1901 S 1365 W	LOGAN, UT, 84321
JUSTIN R & VANESSA A SHEA	1905 S 1365 W	LOGAN, UT, 84321-6880
VANCE T & STEPHANIE REEDER	1911 S 1365 W	LOGAN, UT, 84321-6880
ROSEHILL LLC	601 W 1700 S	LOGAN, UT, 84321-8207
NATHAN & SHELLEY EDWARDS	1393 W 1825 S	LOGAN, UT, 84321
MICHAEL NUSS	1835 S 1395 W	LOGAN, UT, 84321-6979
TYLER & DANELLE BECKSTRAND	1853 S 1395 W	LOGAN, UT, 84321-6979
BRIAN M WALSH	1847 S 1395 W	LOGAN, UT, 84321-6979
SHANE THORPE	1857 S 1425 W	LOGAN, UT, 84321-7655
MELINDA BURNHAM	1871 S 1425 W	LOGAN, UT, 84321-7655
RAQUEL FRIDDLE	1415 W 1855 S	LOGAN, UT, 84321-6982
MARTHA E & MARIANO RODRIGUEZ	1407 W 1855 S	LOGAN, UT, 84321-6982
CAMERON JENSEN	1863 S 1425 W	LOGAN, UT, 84321-7655
RYAN B GRIGGS	1423 W 1855 S	LOGAN, UT, 84321-6982
KYLE OWENS	1406 W 1855 S	LOGAN, UT, 84321-6982
ALLISON FEINAUER	1410 W 1855 S	LOGAN, UT, 84321
KRISTI L BIRD	1870 S 1425 W	LOGAN, UT, 84321-7655
CHARLIE JOSE LOPEZ DIAZ	1398 W 1855 S	LOGAN, UT, 84321
KARTCHNER HOMES CV DIVISION INC	601 W 1700 S BLDG B	LOGAN, UT, 84321-8207
BRADLEY R & CATHY P HOGGAN	PO BOX 174	FIELDING, UT, 84311-0174

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

Printed Name:
Date:

Printed Name:
Date:

Printed Name:
Date:

Printed Name:
Date:

Printed Name:
Date:

Printed Name:
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Printed Name:

Date:

Printed Name:

Date:

The City of Logan has received a petition to vacate a portion of public utility easement between parcels Tax ID 03-171-0062 and 03-171-0063 in Logan, UT. 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 utility easement, or accessed exclusively by or within 300 feet of the public utility easement that is being petitioned to vacate.

Please see attached image, EXHIBIT A and EXHIBIT B, showing the easement to be vacated.

A City Council workshop on the issue will be held on:

Date: August 6, 2019

Time: 5:30 PM

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

A Public Hearing and City Council meeting to take action on the issue is scheduled to be held on:

Date: August 20, 2019

Time: 5:30 PM

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

If you support the vacation of the public utility easement, 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. You may also sign the petition and return it to:

Logan City Engineer
290 North 100 West
Logan, UT 84321

If you have any additional questions, please call the City Engineer (Bill Young) at (435)716-9160.

ALLIANCE CONSULTING ENGINEERS

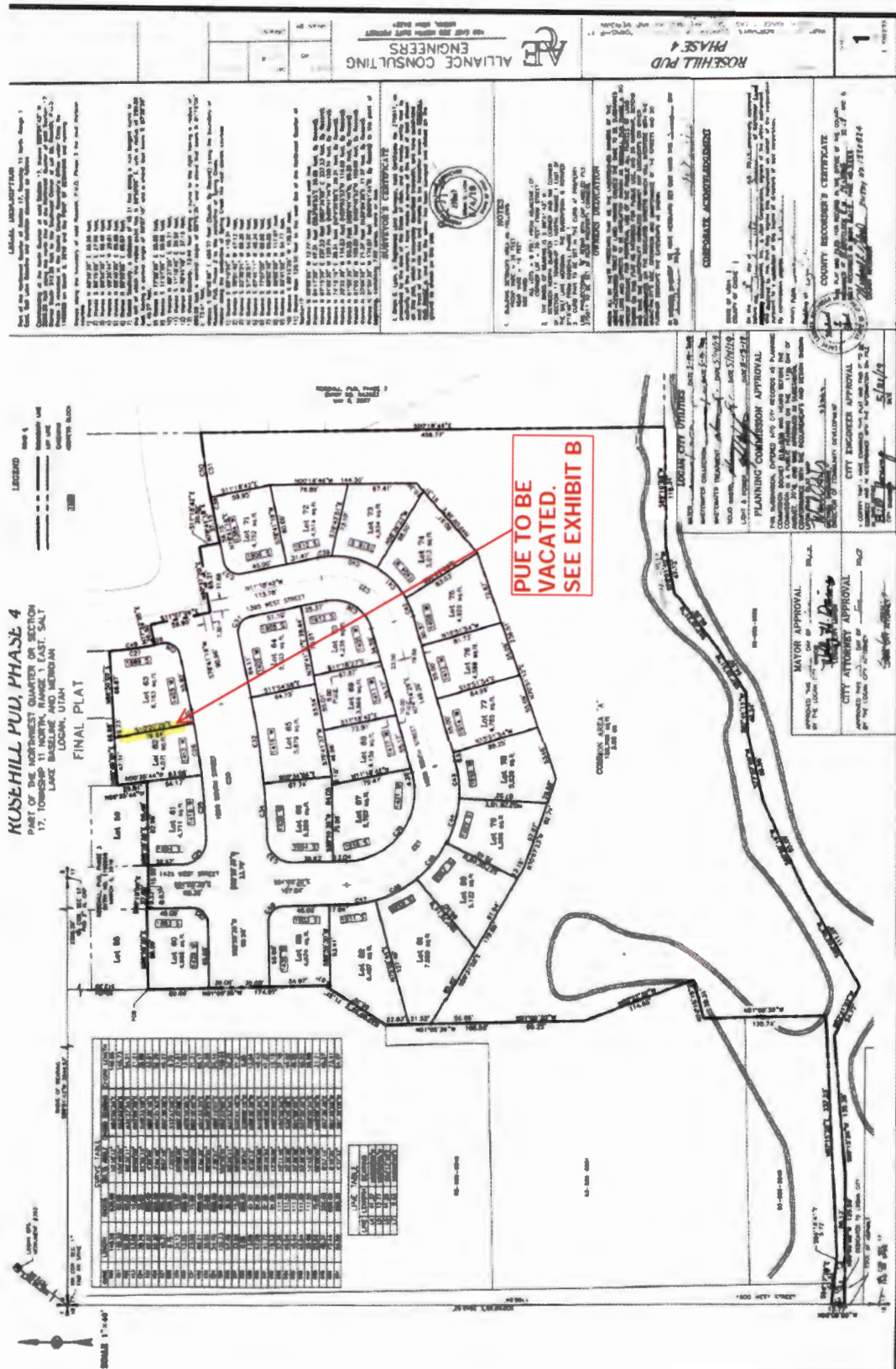
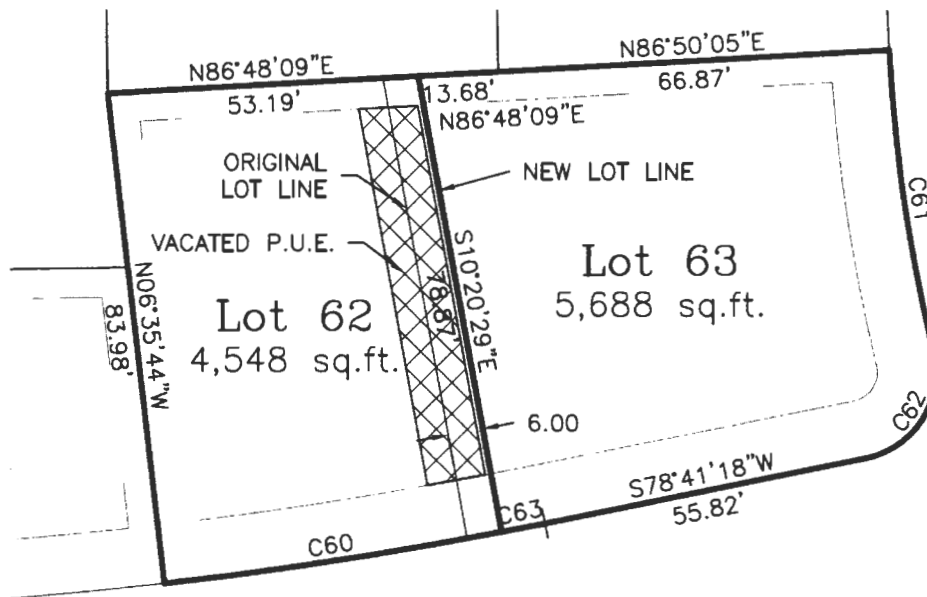


EXHIBIT B



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Commencing at the Northwest Corner of Lot 62, Rosehill PUD, Phase 4 thence N 86°48'09" E 47.14 feet to the Northeast Corner of Lot 62; thence S 10°20'29" E 5.04 feet to the POINT OF BEGINNING and running

thence N 86°48'09" E 5.04 feet;
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thence Westerly, a distance of 10.00 feet along a non tangent curve to the right of which the radius point lies N 10°42'15" W, with a radius of 790.00 feet, having a central angle of 00°43'31" and a chord that bears S 79°39'31" W 10.00 feet;
thence N 10°20'29" W 65.21 feet;
thence N 86°48'09" E 5.04 feet to the point of beginning.