

**CITY OF LOGAN, UTAH  
ORDINANCE NO. 20-09**

**AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS BETWEEN**

**PARCELS 05-107-0028 and 05-107-0027**

**PARCELS 05-107-0026 and 05-107-0025**

**PARCELS 05-107-0025 and 05-107-0024**

**PARCELS 05-107-0024 and 05-107-0023**

**PARCELS 05-107-0023 and 05-107-0005**

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 \_\_\_\_\_, 2020 by the following vote:

Ayes:

Nays:

Absent:

\_\_\_\_\_  
Amy Z. Anderson, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Amy Z. Anderson, Chair

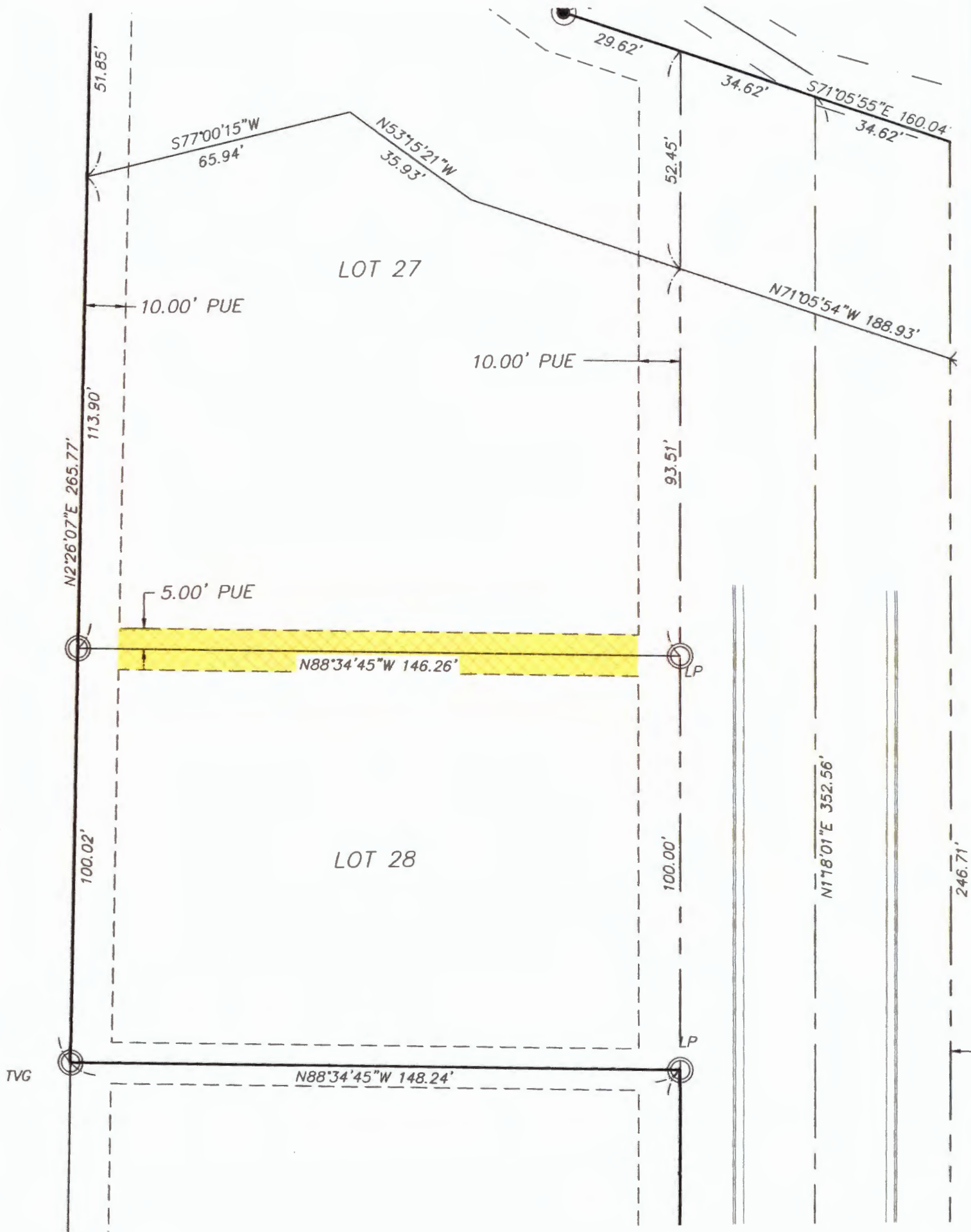
#### MAYOR'S APPROVAL OR DISAPPROVAL

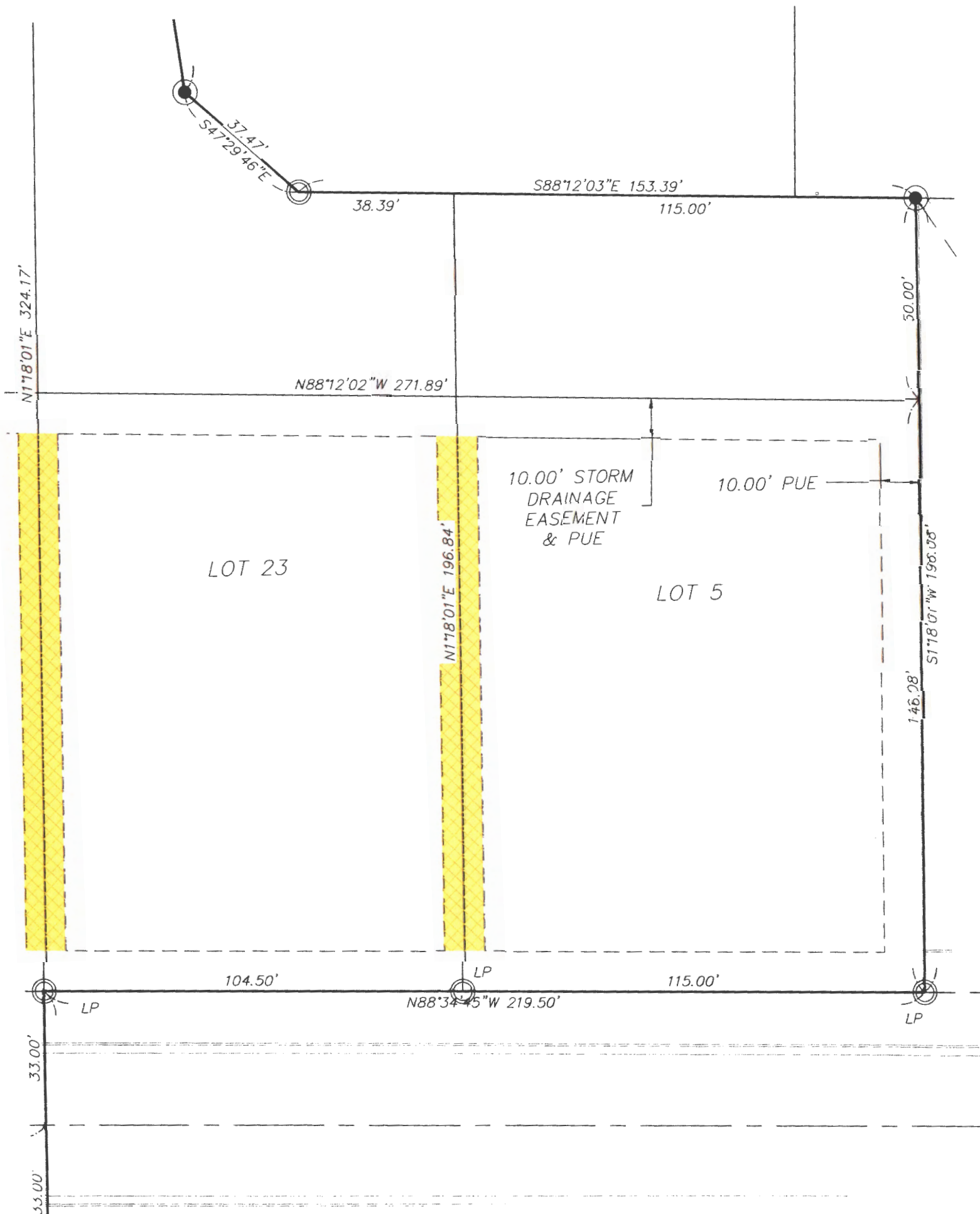
The foregoing ordinance is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Holly H. Daines, Mayor



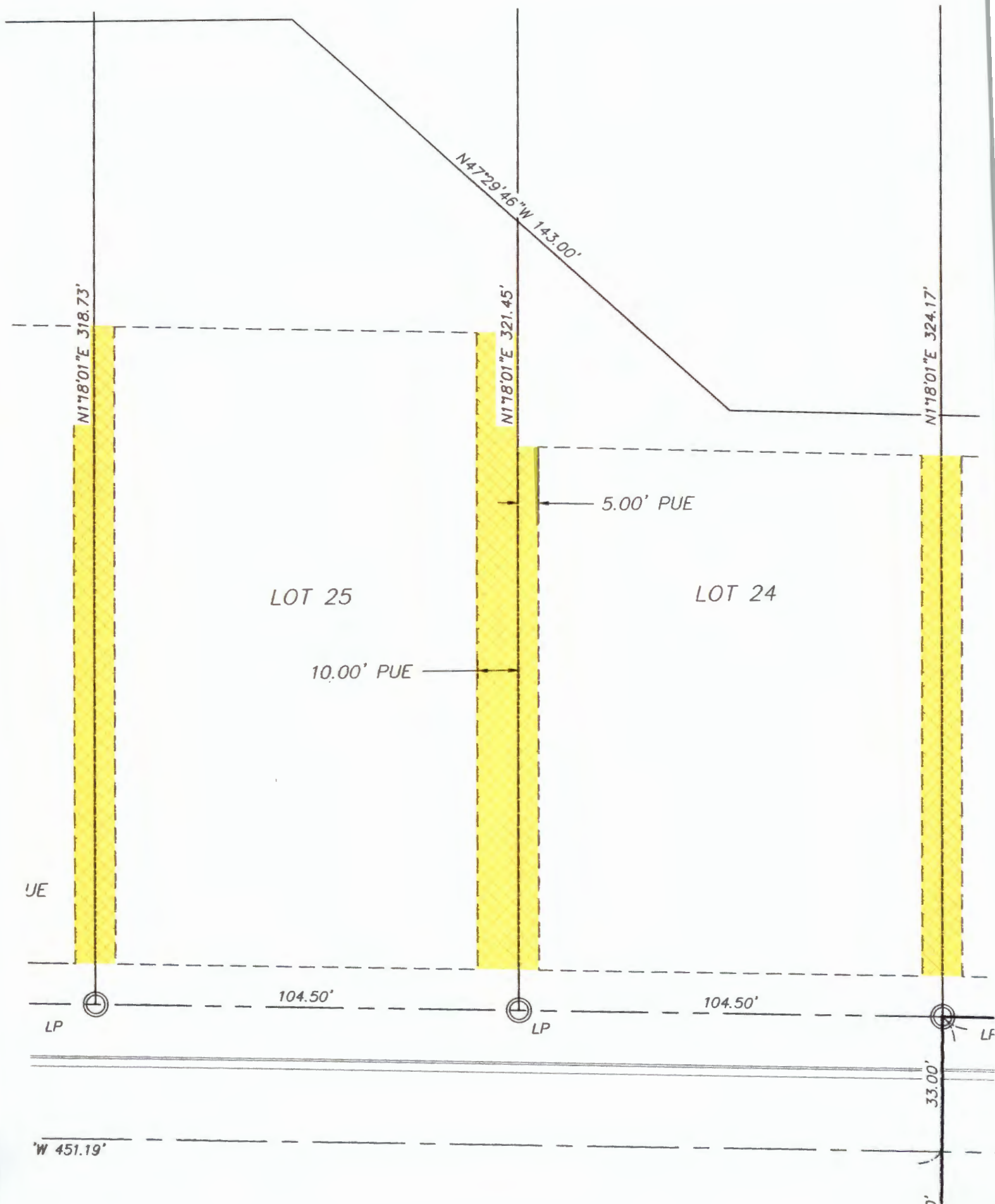
## **EXHIBIT B**













S89°55'48"W 195.02'

N1°18'01"E 318.73'

LOT 26

LOT 25

156.00'

10.00' PUE —

10.00' PUE

199.19'

104.50'

LP

N88°34'45"W 451.19'

PUE Lot 27 and 28:

Commencing at the Northeast Corner of Lot 28, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N88°34'45"W 10.00 Feet along the north line of said Lot 28 to the point of beginning;

Thence S1°18'02"W 5.00 Feet;

Thence N88°34'45"W 126.36 Feet;

Thence N02°26'07"E 10.00 Feet;

Thence S88°34'45"E 126.16 Feet;

Thence S1°18'02"W 5.00 Feet to the point of beginning.

PUE Lot 5 and 23:

Commencing at the Southwest Corner of Lot 5, Westfield Subdivision, Phase 1 recorded December 7, 2004 under Entry No. 878901;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 5 to the point of beginning;

Thence N88°34'45"W 5.00 Feet;

Thence N1°18'01"E 126.87 Feet;

Thence S88°12'02"E 10.00 Feet;

Thence S1°18'01"W 126.80 Feet;

Thence N88°34'45"W 5.00 Feet to the point of beginning.

PUE Lot 23 and 24:

Commencing at the Southwest Corner of Lot 23, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 23 to the point of beginning;

Thence N88°34'45"W 5.00 Feet;

Thence N1°18'01"E 127.56 Feet;

Thence S88°12'02"E 10.00 Feet;

Thence S1°18'01"W 127.49 Feet;

Thence N88°34'45"W 5.00 Feet to the point of beginning.

PUE Lot 24 and 25:

Commencing at the Southwest Corner of Lot 24, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 24 to the point of beginning;

Thence N88°34'45"W 10.00 Feet;

Thence N1°18'01"E 156.01 Feet;

Thence S88°34'45"E 5.00 Feet;

Thence S1°18'01"W 27.85 Feet;

Thence S88°12'02"E 5.00 Feet;

Thence S1°18'01"W 127.49 Feet;

Thence N88°34'45"W 5.00 Feet to the point of beginning.

PUE Lot 25 and 26:

Commencing at the Southwest Corner of Lot 25, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 25 to the point of beginning;

Thence N88°34'45"W 5.00 Feet;

Thence N1°18'01"E 156.02 Feet;

Thence S88°34'45"E 10.00 Feet;

Thence S1°18'01"W 156.02 Feet;

Thence N88°34'45"W 5.00 Feet to the point of beginning.

**A PETITION TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS LOCATED  
BETWEEN WESTFIELD SUBDIVISION PHASE 2 LOTS 5 AND 23, 23 AND 24, 24 AND  
25, 25 AND 26, 27 AND 28, LOCATED AT APPROXIMATELY 1115 WEST 130 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 Westfield Subdivision Phase 2 between Lots 05 (Tax ID 05-107-0005) and 23 (Tax ID 05-107-0023), Lots 23 and 24 (Tax ID 05-107-0024), Lots 24 and 25 (Tax ID 05-107-0025), Lots 25 and 26 (Tax ID 05-107-0026), Lots 27 (Tax ID 05-107-0027) and 28 (Tax ID 05-107-0028) all located at approximately 1115 West 130 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:

Owner	Address	City/State/Zip
GARY KNIGHTON	630 FOXRIDGE DR	PROVIDENCE, UT 84332-9677
TANDON LLC	2960 C ST STE 202	ANCHORAGE, AK 99503-3970
CAROLYN TAYLOR TR CUSHMAN	1652 W BONITA BAY DR	ST GEORGE, UT 84790-4916
JAMES L SPINDLER COMPANY LLC	PO BOX 3225	LOGAN, UT 84323-3225
GENENE R, SUC TR FUHRMAN	241 W 775 N	LOGAN, UT 84321-3101
LOGAN CITY CORP	PO BOX 527	LOGAN, UT 84323-0527
WAYNE K & SUZANNE B TRS CRABB	529 W 300 S	OREM, UT 84058-5398
VRUGG HOLDINGS LLC	302 MEADOW VIEW LN	NIBLEY, UT 84321-7944
BRENT JACE SKABELUND	1156 E 100 S	LOGAN, UT 84321-4968
RUDIE ENTERPRISES LLC	1110 W 130 S	LOGAN, UT 84321-5276
GLENN L & REBECCA C TRS HOLLAND	355 S 100 E	MANTUA, UT 84324-4403
WESTFIELD PROPERTY OWNERS ASSOC	302 MEADOW VIEW LN	NIBLEY, UT 84321-7944
APG REAL ESTATE INVESTMENTS LLC	29088 AIRPARK DR	EASTON, MD 21601-7000
KRISTINE & GARRET FRONK	890 W 2465 S	NIBLEY, UT 84321-5713
VEREIT REAL ESTATE LP	5225 W 2400 S	WEST VALLEY CITY, UT 84120-1264
INFINITE HOLDINGS LLC	111 S 1200 W	LOGAN, UT 84321-5864



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:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

Printed Name:

Date:

---

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: April 21, 2020

Time: 5:30 PM

Location: This meeting will be held virtually, please see Logan City's website for more information.

[https://www.loganutah.org/government/city\\_council/index.php](https://www.loganutah.org/government/city_council/index.php)

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

Date: May 5, 2020

Time: 5:30 PM

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

\*This meeting may be held virtually, please see Logan City's website for meeting location details and more information. [https://www.loganutah.org/government/city\\_council/index.php](https://www.loganutah.org/government/city_council/index.php)

Due to current City Hall reduction in public walk-in hours if you support the vacation of the public utility easement, please sign the petition and mail it to the below listed address. If you would rather sign in person please contact the Engineering Office at (435) 716-9153 to schedule a time to sign the petition at City Hall. Signed petitions need to be in the possession of the Logan City Engineer no later than 5:00 PM on the date indicated for the public hearing.

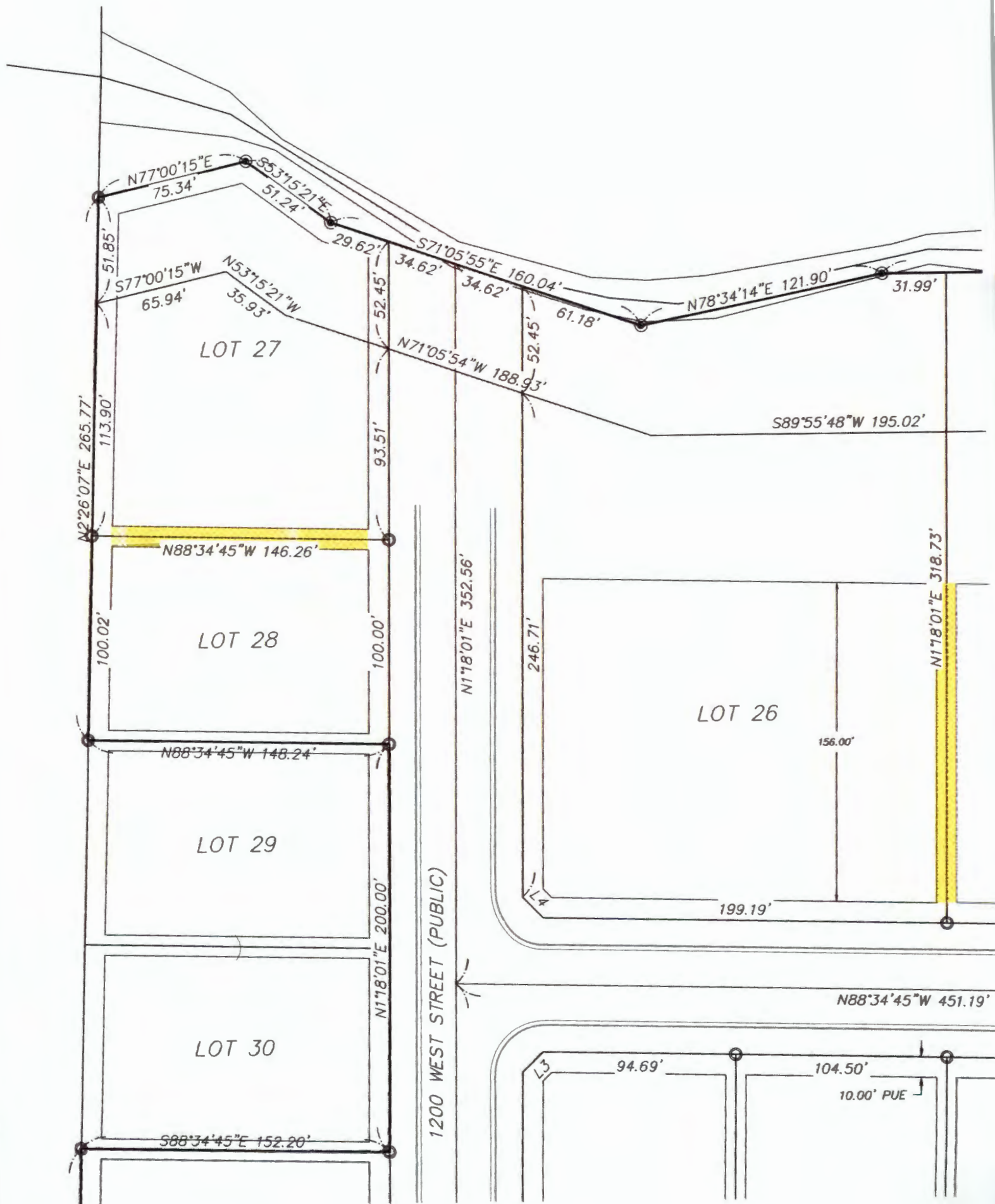
Logan City Engineer  
290 North 100 West  
Logan, UT 84321

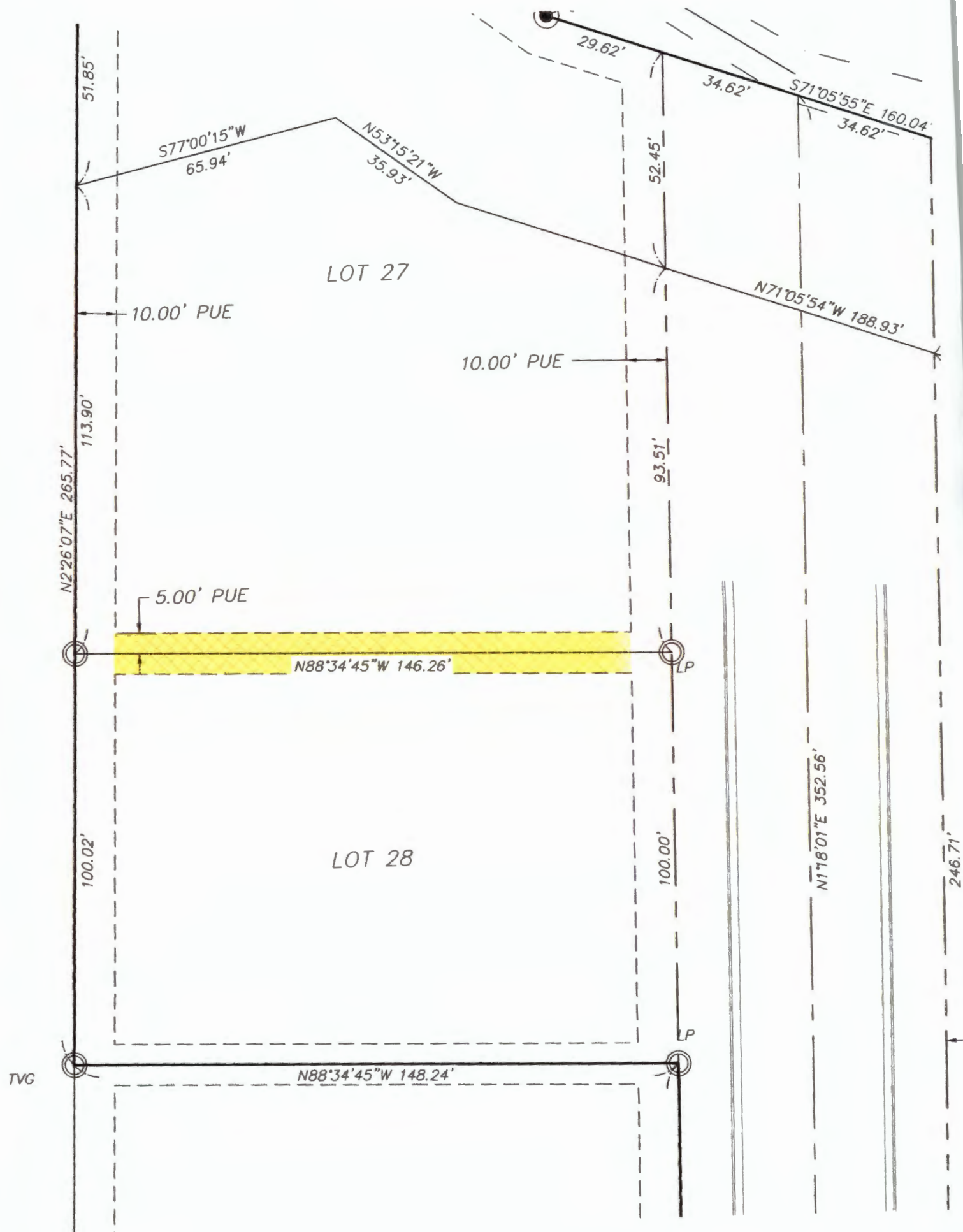
If you have any additional questions, please call the City Engineer (Bill Young) at (435)716-9160.

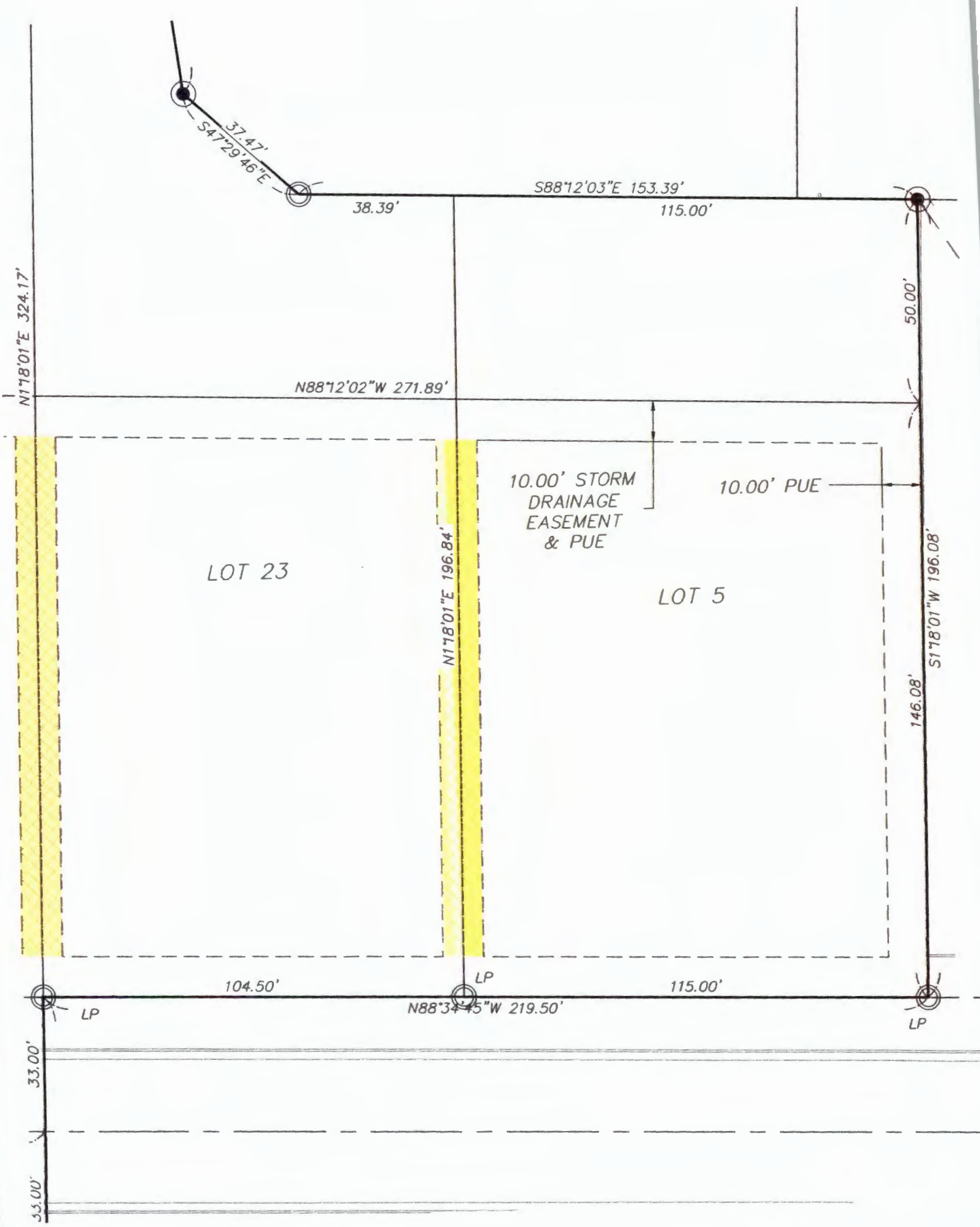
[illegible]

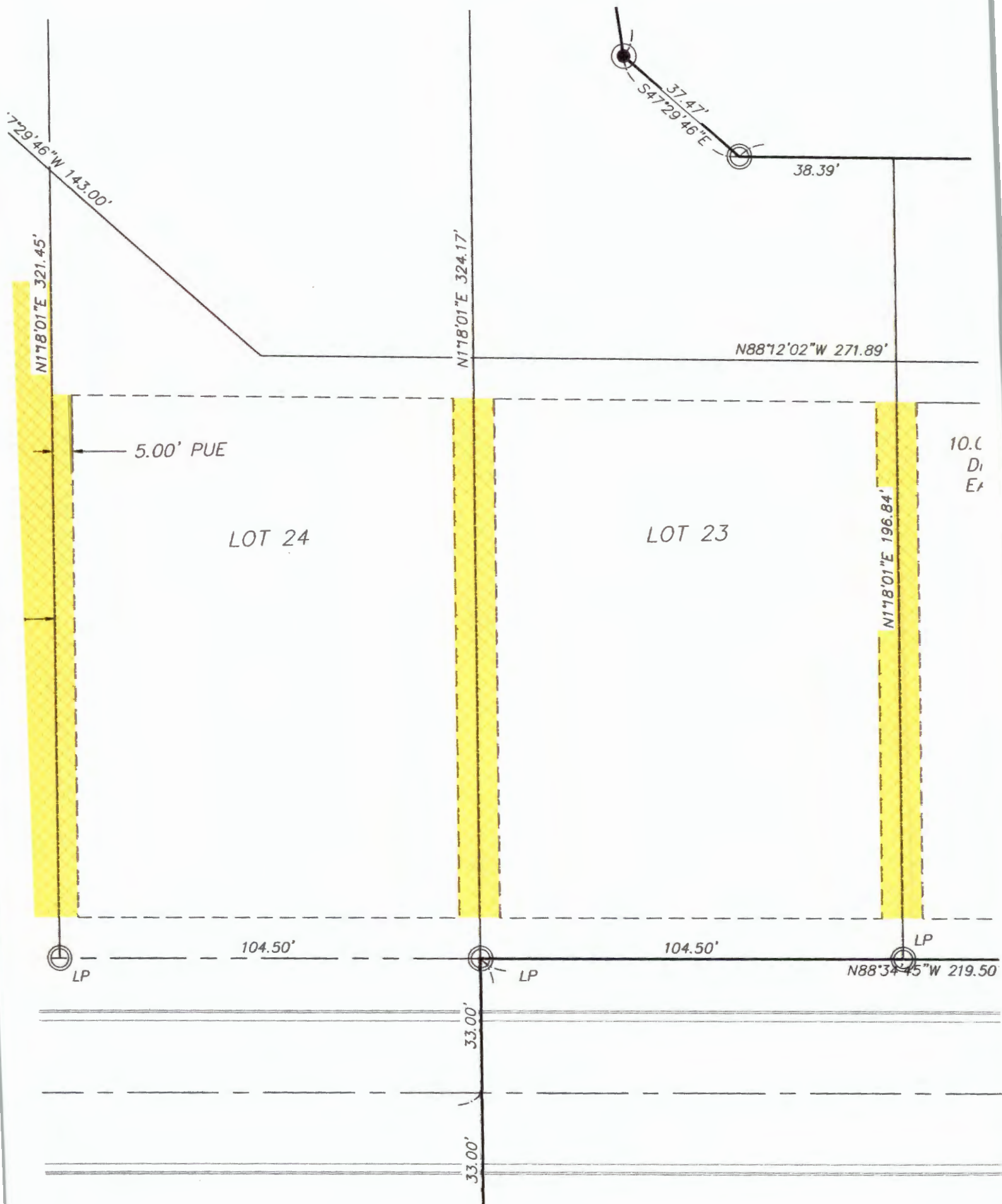
## **EXHIBIT B**



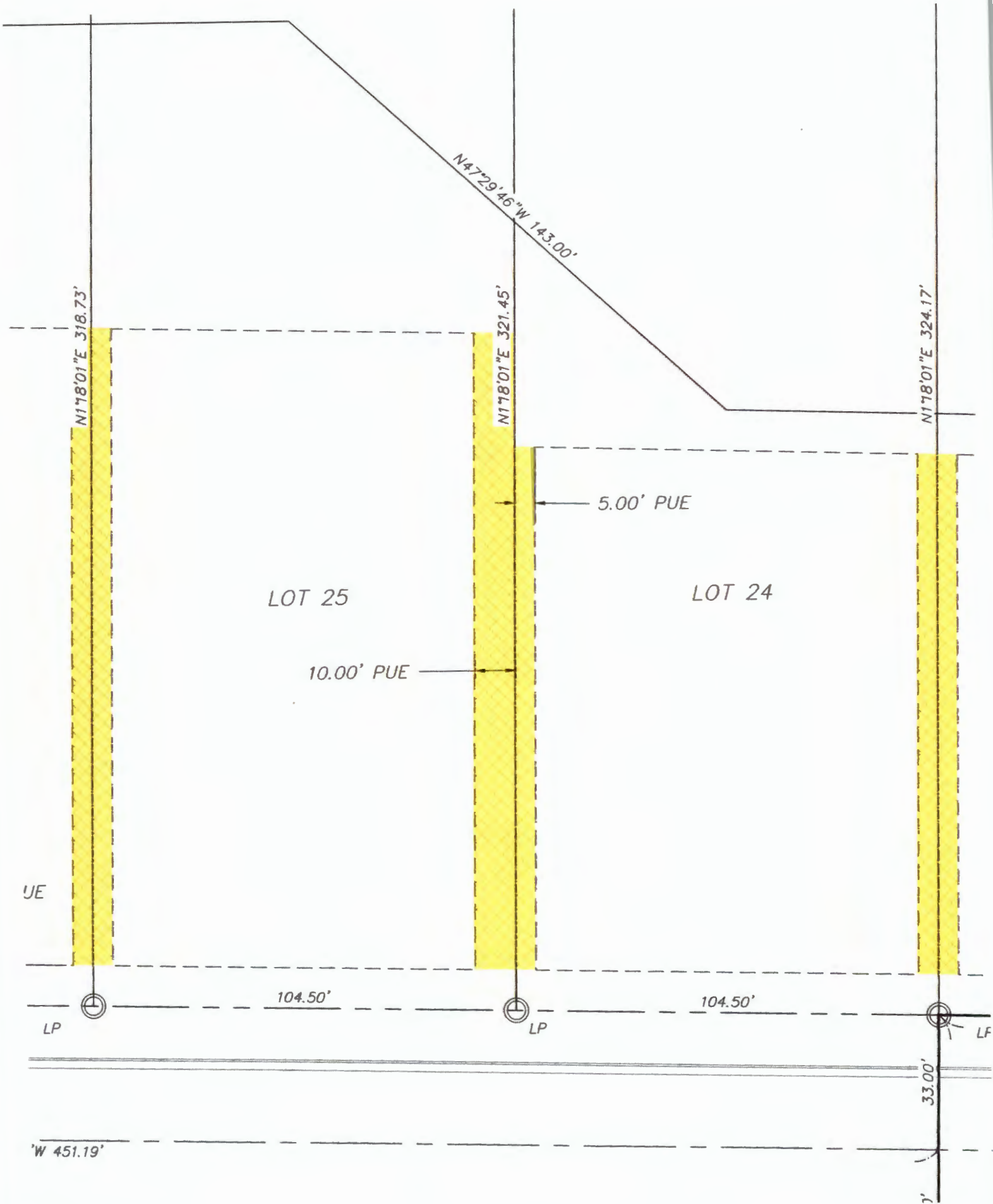




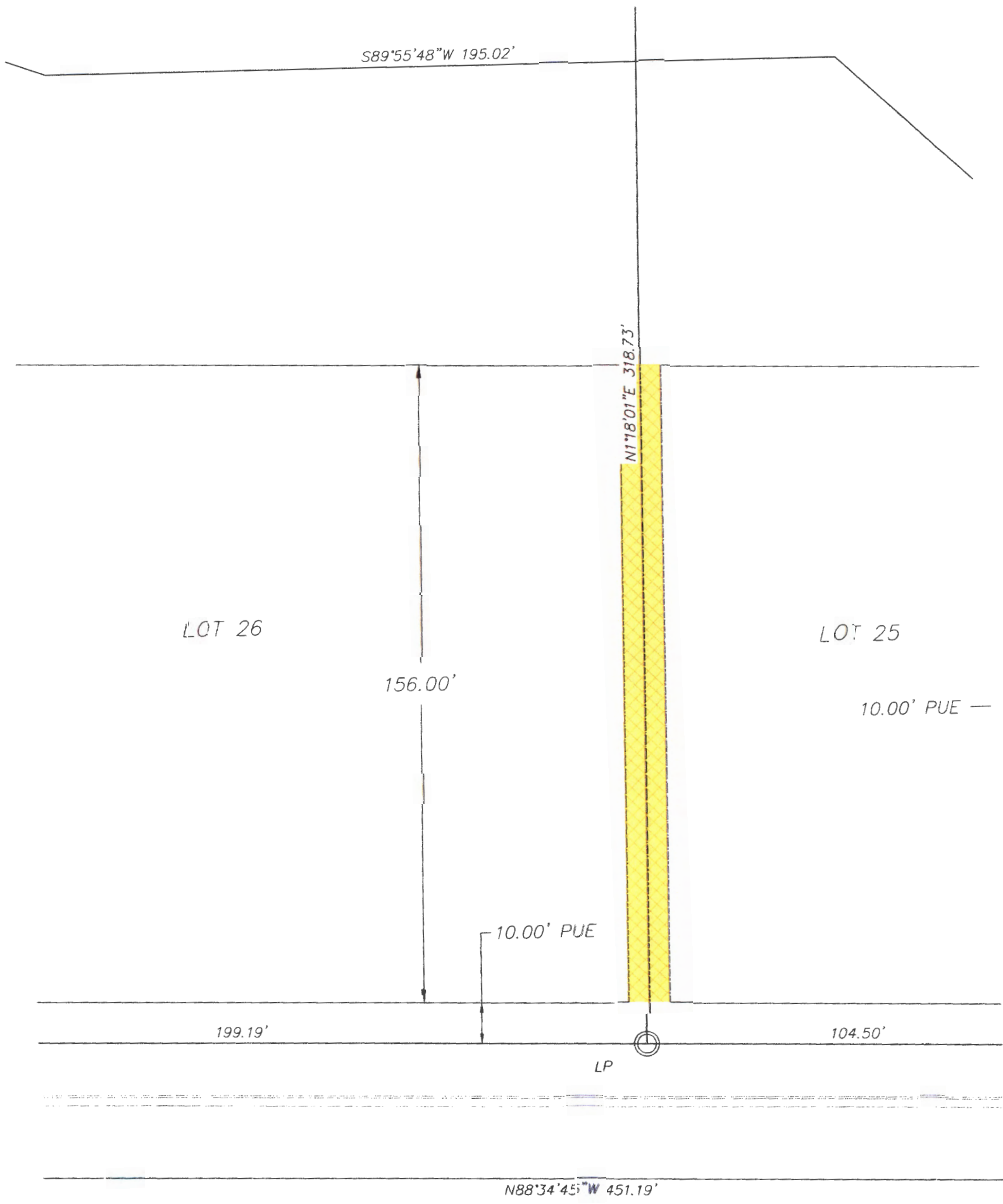












PUE Lot 27 and 28:

Commencing at the Northeast Corner of Lot 28, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N88°34'45"W 10.00 Feet along the north line of said Lot 28 to the point of beginning;  
Thence S1°18'02"W 5.00 Feet;  
Thence N88°34'45"W 126.36 Feet;  
Thence N02°26'07"E 10.00 Feet;  
Thence S88°34'45"E 126.16 Feet;  
Thence S1°18'02"W 5.00 Feet to the point of beginning.

PUE Lot 5 and 23:

Commencing at the Southwest Corner of Lot 5, Westfield Subdivision, Phase 1 recorded December 7, 2004 under Entry No. 878901;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 5 to the point of beginning;  
Thence N88°34'45"W 5.00 Feet;  
Thence N1°18'01"E 126.87 Feet;  
Thence S88°12'02"E 10.00 Feet;  
Thence S1°18'01"W 126.80 Feet;  
Thence N88°34'45"W 5.00 Feet to the point of beginning.

PUE Lot 23 and 24:

Commencing at the Southwest Corner of Lot 23, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 23 to the point of beginning;  
Thence N88°34'45"W 5.00 Feet;  
Thence N1°18'01"E 127.56 Feet;  
Thence S88°12'02"E 10.00 Feet;  
Thence S1°18'01"W 127.49 Feet;  
Thence N88°34'45"W 5.00 Feet to the point of beginning.

PUE Lot 24 and 25:

Commencing at the Southwest Corner of Lot 24, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 24 to the point of beginning;  
Thence N88°34'45"W 10.00 Feet;  
Thence N1°18'01"E 156.01 Feet;  
Thence S88°34'45"E 5.00 Feet;  
Thence S1°18'01"W 27.85 Feet;  
Thence S88°12'02"E 5.00 Feet;  
Thence S1°18'01"W 127.49 Feet;  
Thence N88°34'45"W 5.00 Feet to the point of beginning.

PUE Lot 25 and 26:

Commencing at the Southwest Corner of Lot 25, Westfield Subdivision, Phase 2 recorded June 18, 2015 under Entry No. 1127389;

Thence N1°18'01"E 10.00 Feet along the west line of said Lot 25 to the point of beginning;  
Thence N88°34'45"W 5.00 Feet;  
Thence N1°18'01"E 156.02 Feet;  
Thence S88°34'45"E 10.00 Feet;  
Thence S1°18'01"W 156.02 Feet;  
Thence N88°34'45"W 5.00 Feet to the point of beginning.