

**CITY OF LOGAN
ORDINANCE NO. 20-10**

**AN ORDINANCE VACATING PUBLIC RIGHT OF WAY
ADJACENT TO THE INTERSECTION OF 1500 WEST 2100 SOUTH**

WHEREAS, the City has received a request submitted by the property owner(s) adjacent to the subject Public Right of Way, requesting that portions of the Public Right of Way 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 subdivision (Meadowbrook Subdivision) has been submitted and approved by Planning Commission;

WHEREAS, the portions of Public Right of Way dedicated to the City in the Spring Creek Village Subdivision will not be used as Public Right of Way in the recently approved subdivision;

WHEREAS, the Logan Municipal Council finds there is good cause for vacating the Public Right of Way and finds such action shall not materially injure the public or any person; and,

WHEREAS, the proposed vacation of Public Right of Way, as shown in EXHIBIT A and described in EXHIBIT B, C and D 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 Right of Way shown in EXHIBIT A and described in EXHIBIT B, C and D 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

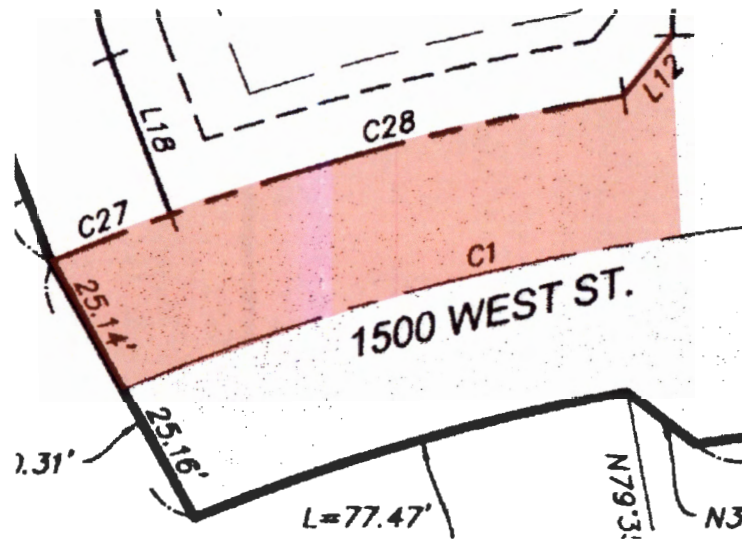
EXHIBIT A



COUNTY RECORDER'S NO. 974131
FILED BY JAMES H. GARDNER, RECORDER AND PRINTER AT THE
CLERK OF SUPERIOR COURT, DISTRICT OF COLUMBIA
JAN 10 1968

**PORTIONS
OF CITY
RIGHT OF
WAY TO BE
VACATED**

EXHIBIT B

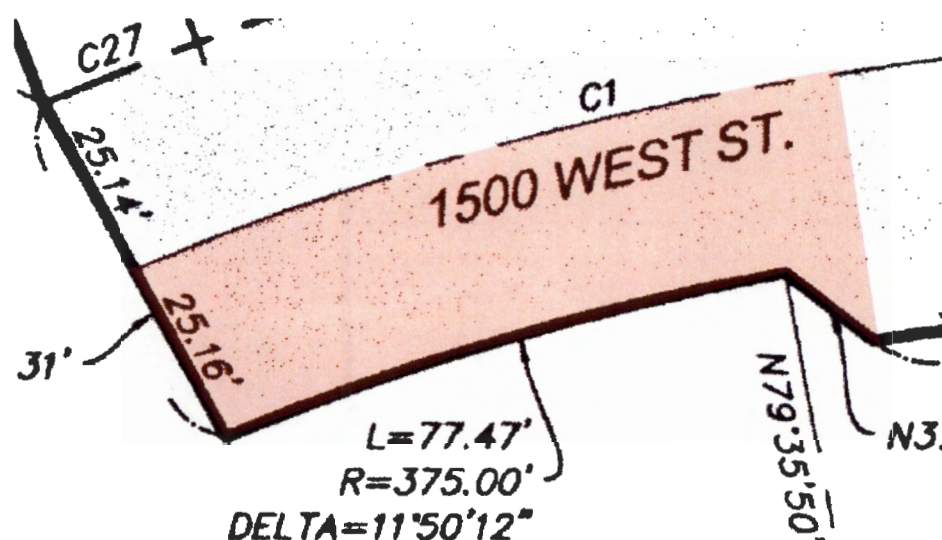


1500 East Street Vacation (East Side)

A road vacation being part of 1500 West Street locate in Spring Creek Village Logan, Phase 1 recorded in the Cache County Recorder's Office under Entry 954131 on September 7, 2007 also located in Part of the Northwest Quarter of Section 17, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian described as follows:

Commencing at the West Quarter Corner of Section 17, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a railroad spike set by Steve Earl in 2007 thence N89°44'40"E 742.50 feet along the south line of the Northwest Quarter of said Section 17; thence North 909.37 feet to the intersection of the center line of 1500 West Street and the boundary of Spring Creek Village Logan, Phase 1 said point being the POINT OF BEGINNING and running thence N 61°02'10" E 25.14 feet boundary of Spring Creek Village Logan, Phase 1; thence Southerly along the easterly right of way of 1500 West Street, a distance of 102.32 feet along a non tangent curve to the right of which the radius point lies S 66°57'59" W, with a radius of 425.00 feet, having a central angle of 13°47'38" and a chord that bears S 16°08'11" E 102.07 feet; thence S 50°18'37" E 13.17 feet; thence N 83°41'37" W 34.93 feet; thence Northerly along the center line of 1500 West Street, a distance of 94.27 feet along a non tangent curve to the left of which the radius point lies S 80°50'29" W, with a radius of 400.00 feet, having a central angle of 13°30'10" and a chord that bears N 15°54'36" W 94.05 feet to the point of beginning.

EXHIBIT C



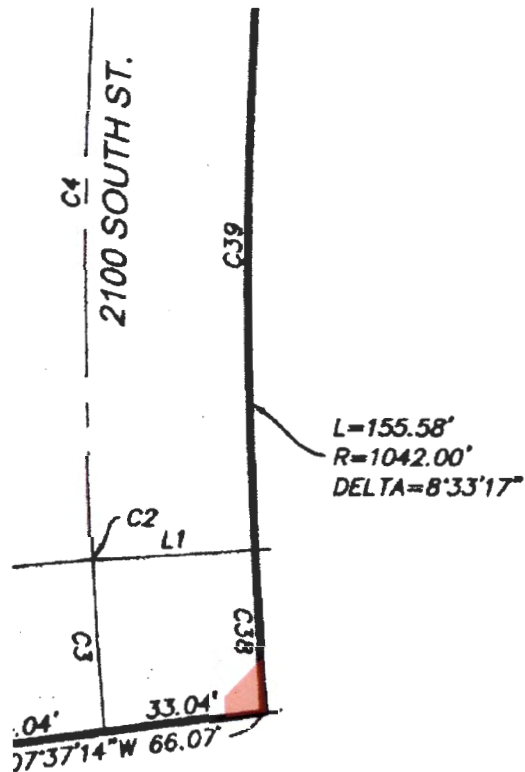
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- 1) thence N 37°18'03" E 1.80 feet;
- 2) thence Northerly, a distance of 77.47 feet along a non tangent curve to the left of which the radius point lies S 79°35'50" W, with a radius of 375.00 feet, having a central angle of 11°50'12" and a chord that bears N 16°19'16" W 77.33 feet;
- 3) thence N 61°02'10" E 25.16 feet to the point of beginning.

EXHIBIT D



2100 SOUTH VACATION

A road vacation being part of 2100 South Street locate in Spring Creek Village Logan, Phase 1 recorded in the Cache County Recorder's Office under Entry 954131 on September 7, 2007 also located in Part of the Northwest Quarter of Section 17, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian described as follows:

Commencing at the West Quarter Corner of Section 17, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a railroad spike set by Steve Earl in 2007 thence N89°44'40"E 742.02 feet along the south line of the Northwest Quarter of said Section 17; thence North 745.72 feet to a point on the boundary of Spring Creek Village Logan, Phase 1 and 2100 South Street said point being the POINT OF BEGINNING and running thence N 07°37'14" W 9.64 feet along the boundary of Spring Creek Village Logan, Phase 1; thence S 84°30'01" E 2.04 feet; thence S 44°03'51" E 12.01 feet to the boundary of Spring Creek Village Logan, Phase 1 and the south right of way line of 2100 South Street; thence Westerly along said boundary and right of way line, a distance of 9.13 feet along a non tangent curve to the left of which the radius point lies S 04°19'38" E, with a radius of 1,042.00 feet, having a central angle of 00°30'07" and a chord that bears S 85°25'18" W 9.13 feet to the point of beginning.

**A PETITION TO VACATE CERTAIN RIGHT OF WAY LOCATED ADJACENT
TO THE INTERSECTION OF 1500 WEST AND 2100 SOUTH,
IN THE SPRING CREEK VILLAGE PHASE 1 SUBDIVISION, LOGAN, UTAH**

1. Pursuant to U.C.A. §10-9a-609.5 the City of Logan has received a formal request for the vacation of the following described sections of Right of Way:

Certain public Right of Way vacation in the Spring Creek Village Phase 1 Subdivision adjacent to the intersection of 1500 West and 2100 South, in Logan, UT shown in EXHIBIT A, EXHIBIT B, EXHIBIT C and EXHIBIT D.

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
TONY R & LAUREEN H TINGEY	1467 W 2100 S	WELLSVILLE, UT 84339-6735
STERLING LAND HOLDINGS LLC	50 E 2500 N STE 101	NORTH LOGAN, UT 84341-3090
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STEVE & HILLARY PUERTAS	1461 W 2100 S	WELLSVILLE, UT 84339-6735
JUNE CURTIS & JAY D JULIEN	24934 OLD STONE WAY	STEVENSON RNH, CA 91381-1833
GEORGE & CATHERINE BRAILSFORD	2108 S 1450 W	WELLSVILLE, UT 84339-6733
KEVIN A & KELLE HARWOOD	1012 ROSE ST	LOGAN, UT 84341-2803
PRESTON & CHELSIE HAWS	970 W 530 S	LOGAN, UT 84321-5089
JED & EMILY MARCHANT	1479 W 2100 S	WELLSVILLE, UT 84339-6735
STERLING LAND HOLDINGS LLC	50 E 2500 N STE 101	NORTH LOGAN, UT 84341-3090
CYNTHIA M FELLER	2111 S 1450 W	WELLSVILLE, UT 84339-6733
JERAMIE JOHN & HEATHER ELIZABETH MURRAY	2117 S 1450 W	WELLSVILLE, UT 84339-6733
RICHARD MENDEZ	2125 S 1450 W	WELLSVILLE, UT 84339-6733
STERLING LAND HOLDINGS LLC	50 E 2500 N STE 101	NORTH LOGAN, UT 84341-3090
LAND HAVEN INC	50 E 2500 N STE 101	NORTH LOGAN, UT 84341-3090

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:

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Printed Name:

Date:

The City of Logan has received a petition to vacate a portion of Public Right of Way adjacent to the intersection of 1500 West and 2100 South in the Spring Creek Village Subdivision Phase 1, 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 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 attached image, EXHIBIT A, EXHIBIT B, EXHIBIT C, and EXHIBIT D showing the Public Right of Way to be vacated.

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

Date: April 21, 2020

Time: 5:30 PM

Location: Currently Logan City Council meetings are being held via a webinar link. To obtain this link see the Logan City Council Agenda. The agenda can be found through the following link to the Logan City 2020 Council Agendas and Packets website:
https://www.loganutah.org/government/city_council/2020_council_agendas_packets.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: Currently Logan City Council meetings are being held via a webinar link. To obtain this link see the Logan City Council Agenda. The agenda can be found through the following link to the Logan City 2020 Council Agendas and Packets website:
https://www.loganutah.org/government/city_council/2020_council_agendas_packets.php

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. Due to City offices being closed to the public, you may call 716-9160 or 716-9153 to schedule a time to come to City Hall and sign the document.

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.

EXHIBIT A

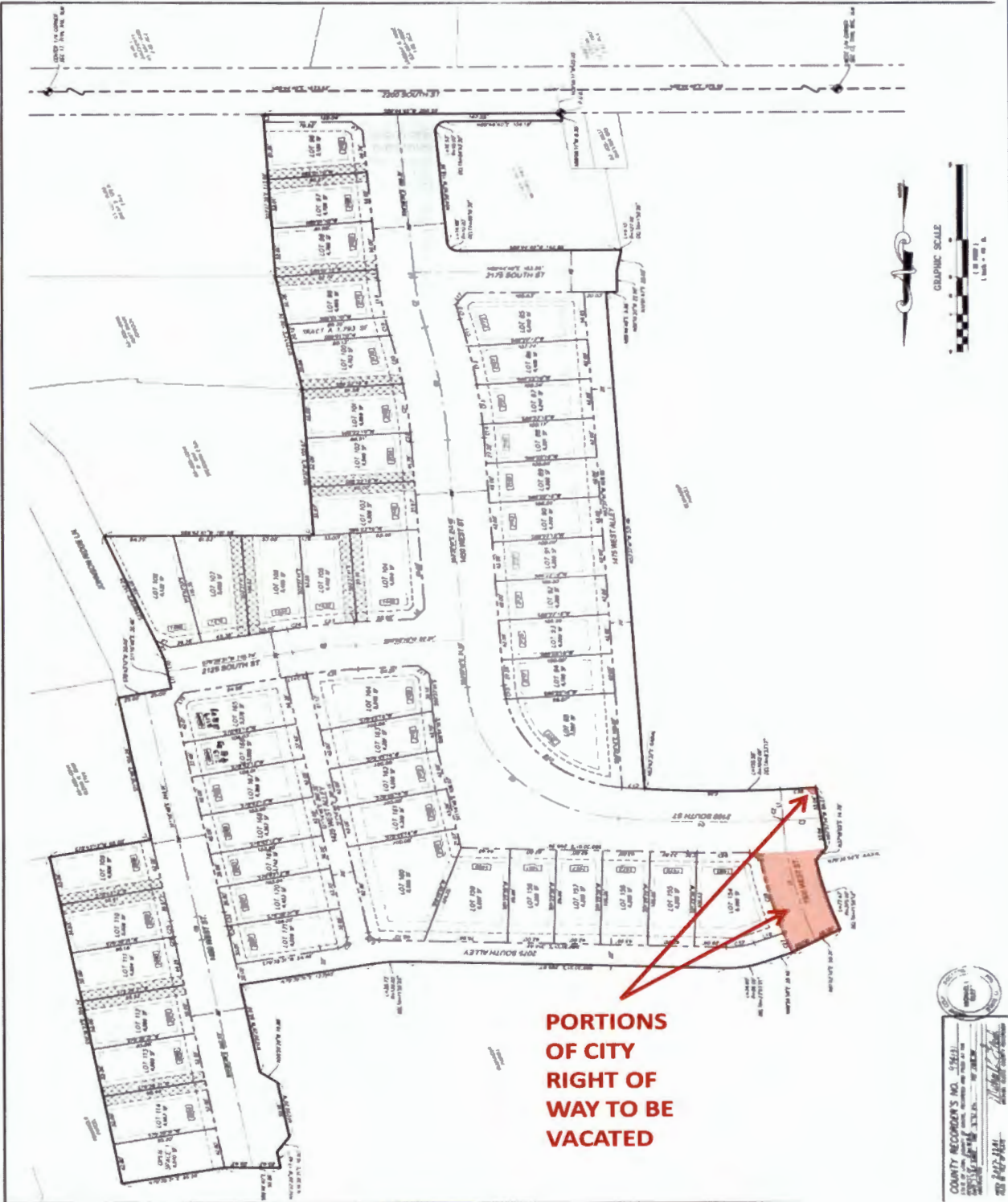
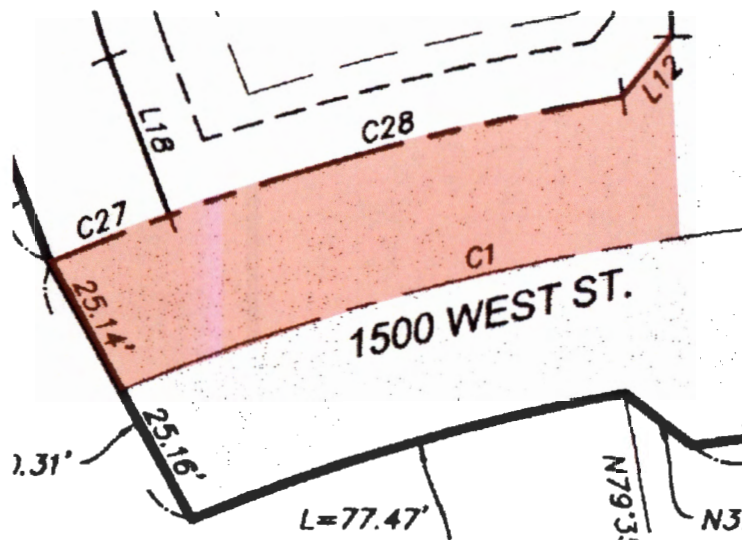


EXHIBIT B



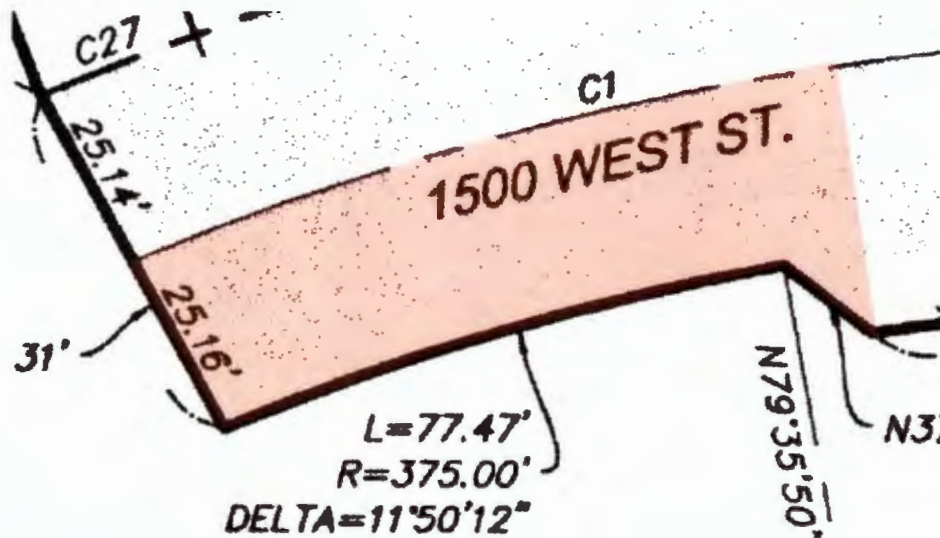
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thence $N 61^{\circ}02'10'' E$ 25.14 feet boundary of Spring Creek Village Logan, Phase 1;
thence Southerly along the easterly right of way of 1500 West Street, a distance of 102.32 feet along a non tangent curve to the right of which the radius point lies $S 66^{\circ}57'59'' W$, with a radius of 425.00 feet, having a central angle of $13^{\circ}47'38''$ and a chord that bears $S 16^{\circ}08'11'' E$ 102.07 feet;
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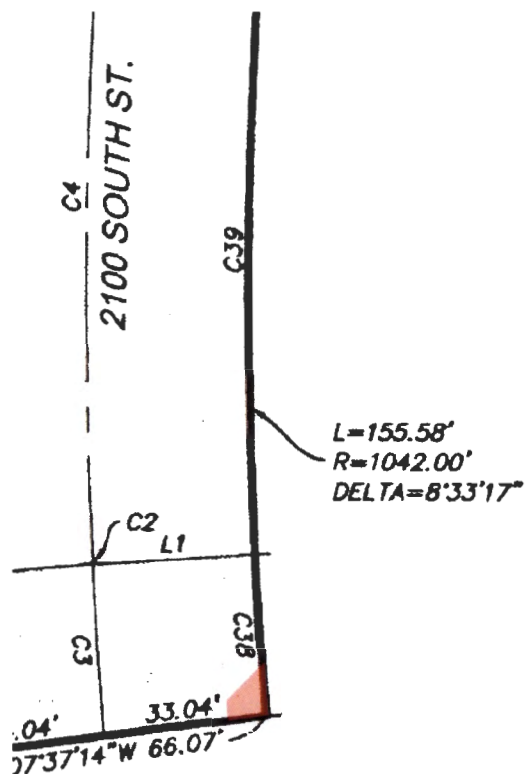
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