

**CITY OF LOGAN
ORDINANCE NO. 22-23**

**AN ORDINANCE VACATING PUBLIC RIGHT OF WAY
ALONG THE EAST RIGHT OF WAY LINE OF HWY 89/91
(AT 2000 WEST HWY 89/91)**

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 street intersection is being constructed by the Utah Department of Transportation (UDOT);

WHEREAS, the portion of Public Right of Way being dedicated to the UDOT will continue to be used as Public Right of Way after the intersection construction;

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, 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 is 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 _____,
2022 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 _____, 2022.

Jeannie F. Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

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

Holly H. Daines, Mayor

EXHIBIT A

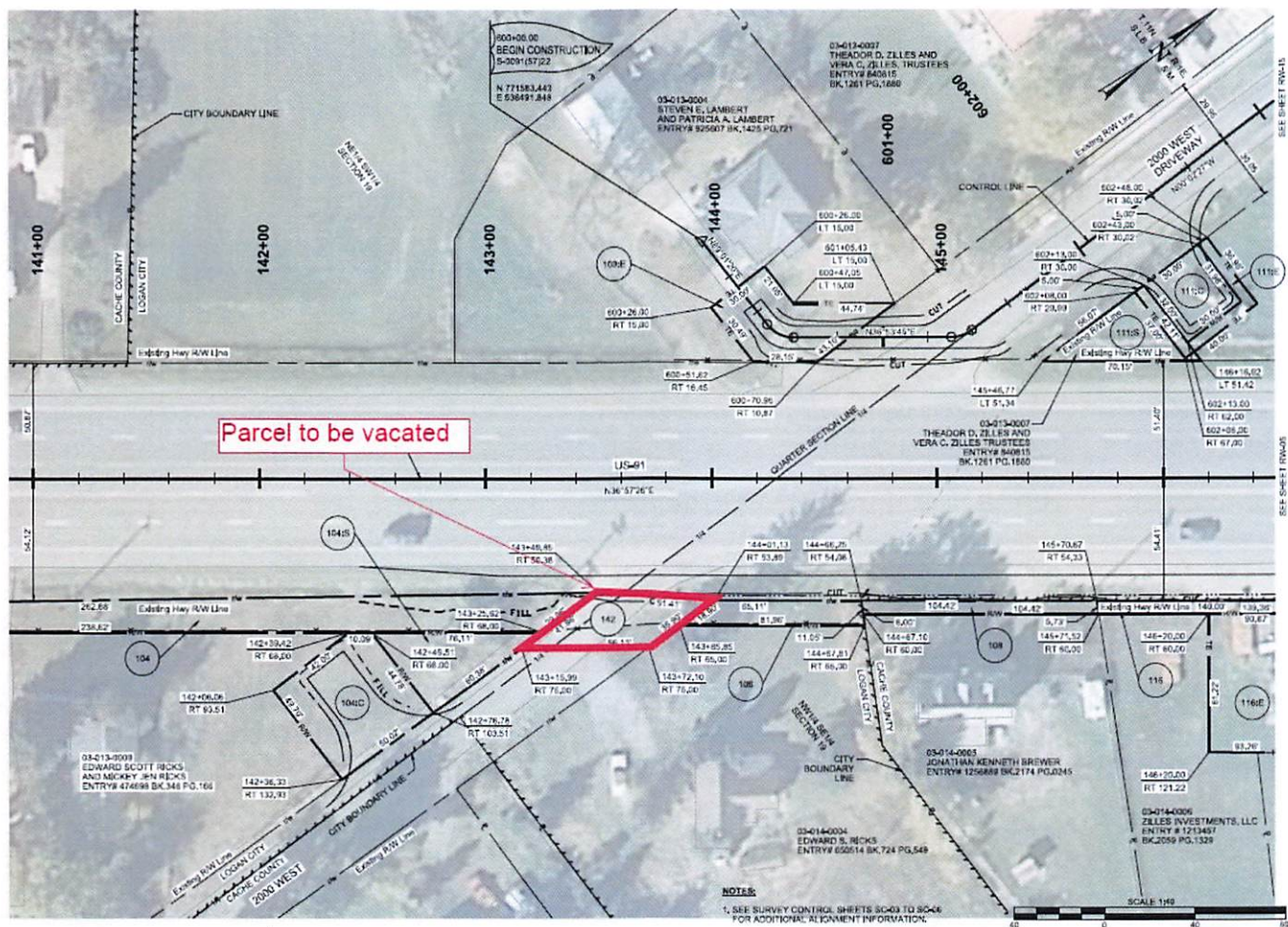
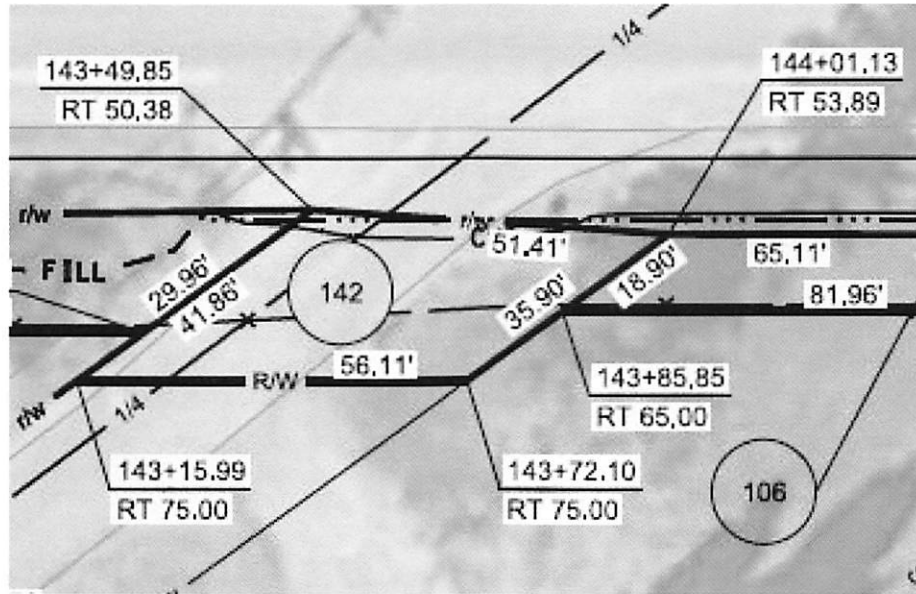


EXHIBIT B



2000 West US 89/91 Right of Way Vacation:

A tract of land in fee, being part of an entire tract situated in the NE1/4 SW1/4 and NW1/4 SE1/4 of Section 19, T.11N., R.1E., S.L.B.&M., in Cache County, State of Utah, for the construction of a signalized intersection at the US Highway 91, 3200 South, and 2000 West intersection realignment, known as Project S-0091(57)22. The boundaries of said tract of land are described as follows:

Beginning at a point 428.65 feet S.00°00'24"W. along the Center Section line of said Section 19 and 26.55 feet East, from the Center Quarter corner of said Section 19; point being 53.89 feet perpendicularly distant southeasterly from the US-91 control line of said project opposite Engineer Station 144+01.13, point also being on the easterly right of way line of 2000 West, and running thence S.00°56'00"W. 35.90 feet along said line, to a point being 75.00 feet perpendicularly distant southeasterly from the US-91 control line of said project opposite Engineer Station 143+72.10; thence S.36°57'26"W. 56.11 feet, to a point being 75.00 feet perpendicularly distant southeasterly from the US-91 control line of said project opposite Engineer Station 143+15.99, point also being on the westerly right of way line of said 2000 West; thence N.00°56'00"E. 41.86 feet along said line, to a point being 50.38 feet perpendicularly distant southeasterly from the US-91 control line of said project opposite Engineer Station 143+49.85, point also being on the easterly right of way of US Highway 91; thence N.40°52'16"E. 51.41 feet along said line, to the point of beginning, as shown on the map of said project on file in the office of the Utah Department of Transportation.

**A PETITION TO VACATE CERTAIN RIGHT OF WAY LOCATED ALONG THE EAST
RIGHT OF WAY OF HWY 89/91, AT 2000 WEST, 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 along the east Right of Way of Hwy 89/91, at 2000 West in Logan, UT, as 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	CityStateZip
GORDON A ZILLES	3038 S HIGHWAY 89	LOGAN, UT 84321-6311
ZILLES INVESTMENTS LLC	1835 W 3200 S	LOGAN, UT 84321-7959
JONATHAN KENNETH BREWER	3070 S HIGHWAY 89	LOGAN, UT 84321-6311
ZILLES INVESTMENTS LLC	1835 W 3200 S	LOGAN, UT 84321-7959
JONATHAN KENNETH BREWER	3070 S HIGHWAY 89	LOGAN, UT 84321-6311
LYNN R & CYNTHIA A ZOLLINGER	2082 W 3000 S	WELLSVILLE, UT 84339-9688
EDWARD S RICKS	2400 S 2400 W	WELLSVILLE, UT 84339-9628
DOYLE & SHANNA TRS ZOLLINGER	PO BOX 286	MILLVILLE, UT 84326-0286
EDWARD SCOTT RICKS	2400 S 2400 W	WELLSVILLE, UT 84339-9628
JAMES D & MARY ANN HUBBELL	3136 S 2000 W	LOGAN, UT 84321-6375
THEADOR D & VERA C TRS ZILLES	3021 S 2000 W # 2	WELLSVILLE, UT 84339-9623
RAY JACOB & GLENDA D TRS ZILLES	2044 W 3000 S	WELLSVILLE, UT 84339-9688
THEADOR D & VERA C TRS ZILLES	3021 S 2000 W # 2	WELLSVILLE, UT 84339-9623
STEVEN E & PATRICIA A LAMBERT	3075 S HIGHWAY 89	WELLSVILLE, UT 84339-9778

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

Printed Name:
Date:

Printed Name:
Date:

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The City of Logan has received a petition to vacate a portion of public Right of Way along the east Right of Way of Hwy 89/91, at 2000 West 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 EXHIBIT A and, EXHIBIT B showing the Public Right of Way to be vacated.

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

Date: November 15, 2022

Time: 5:30 PM

Location: Logan City Hall, 290 North 100 West, Logan, Utah

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

Date: December 6, 2022

Time: 5:30 PM

Location: Logan City Hall, 290 North 100 West, Logan, Utah

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.

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 (Darren Farar) at (435)716-9160.

EXHIBIT A

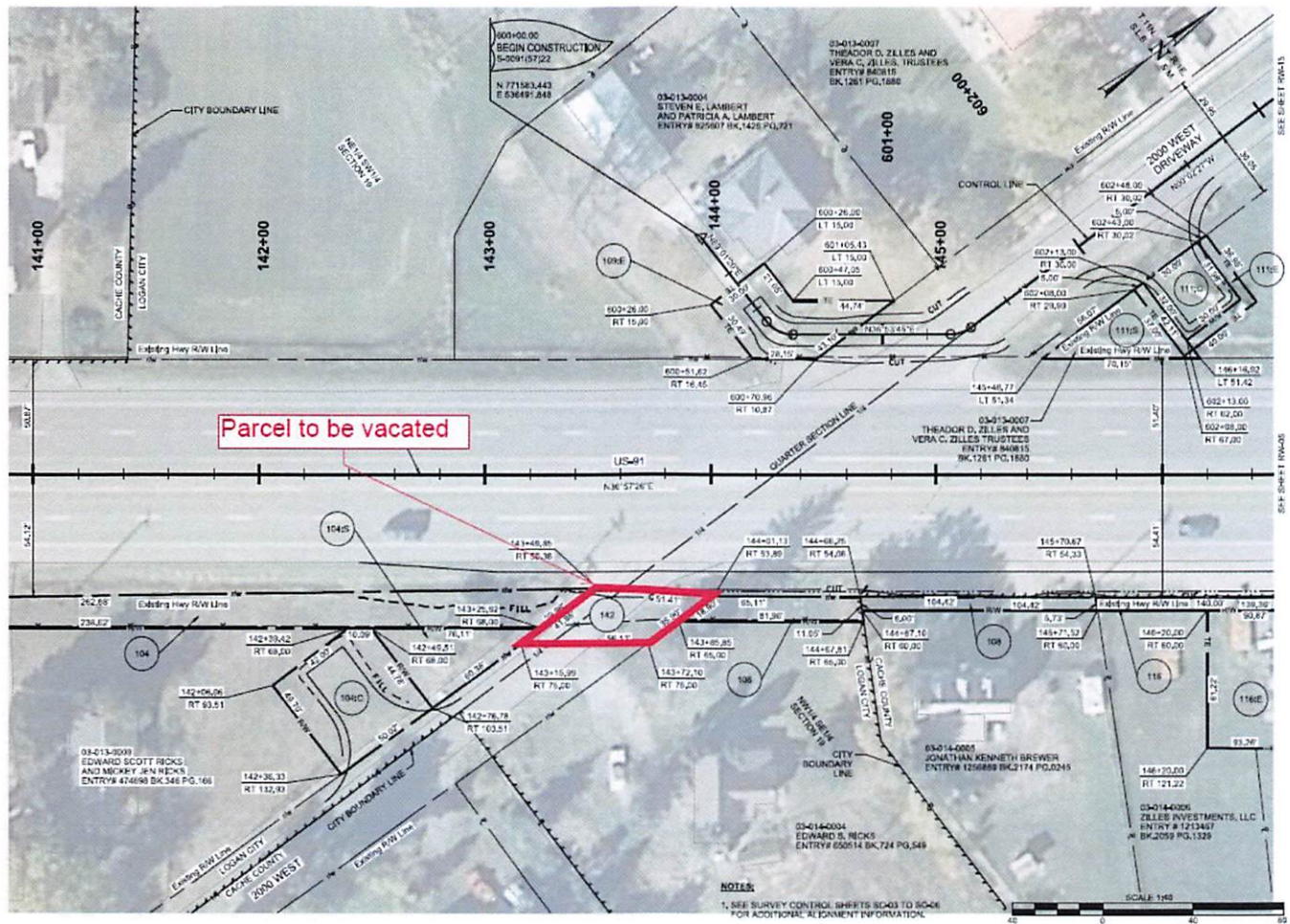
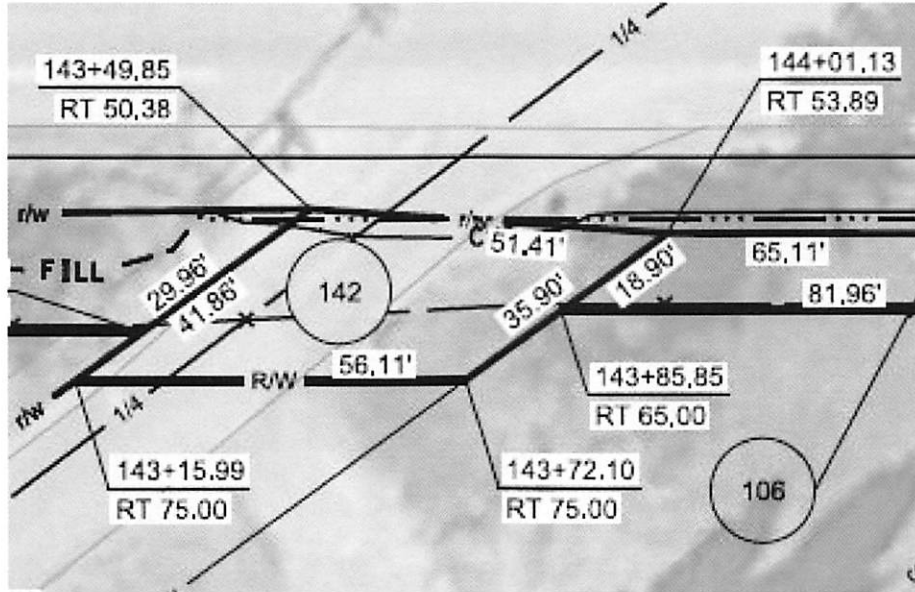


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