

**CITY OF LOGAN
ORDINANCE NO. 22-24**

**AN ORDINANCE VACATING PUBLIC RIGHT OF WAY
ALONG THE WEST RIGHT OF WAY LINE OF HWY 89/91
(AT 3000 SOUTH 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

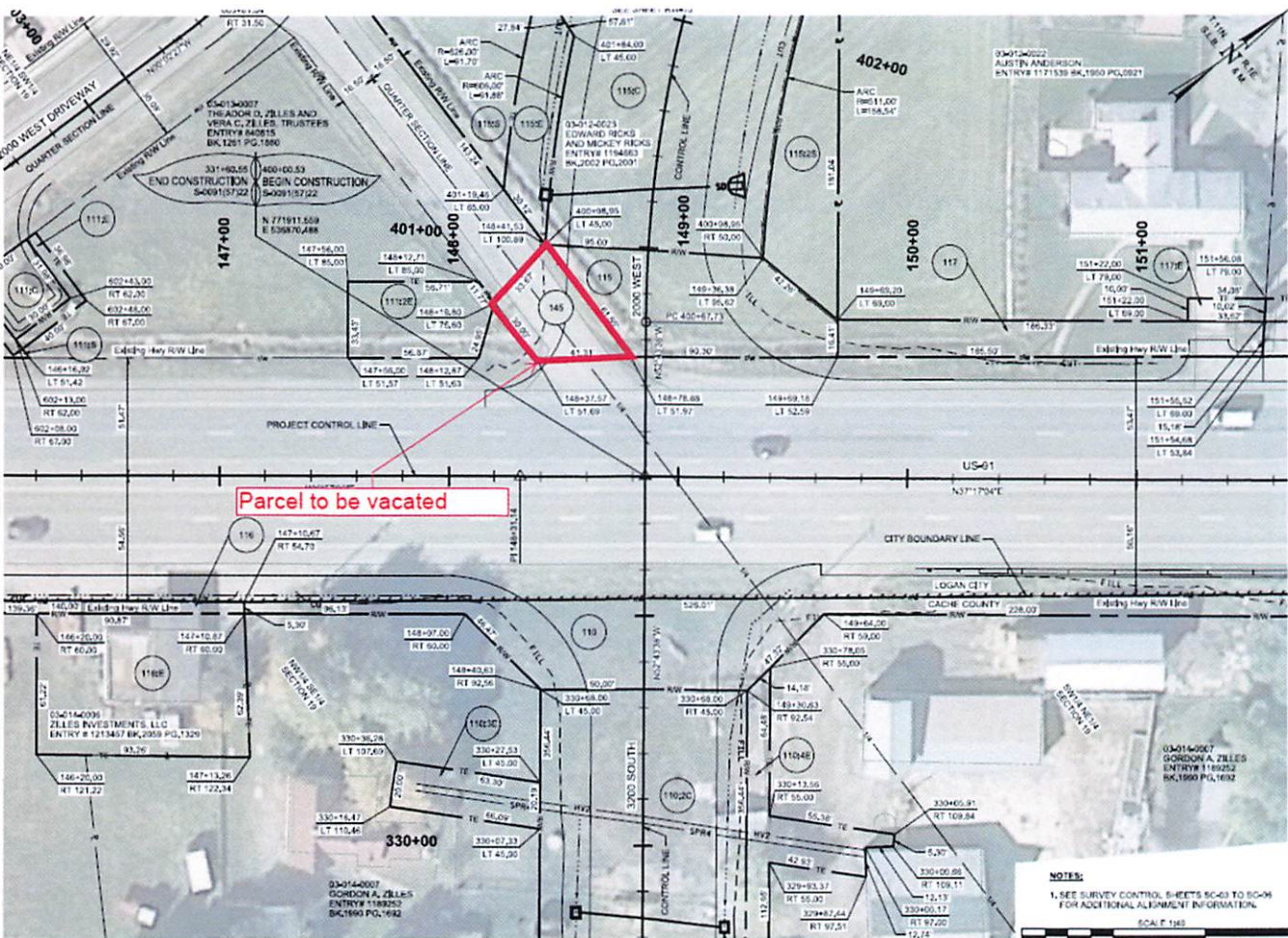
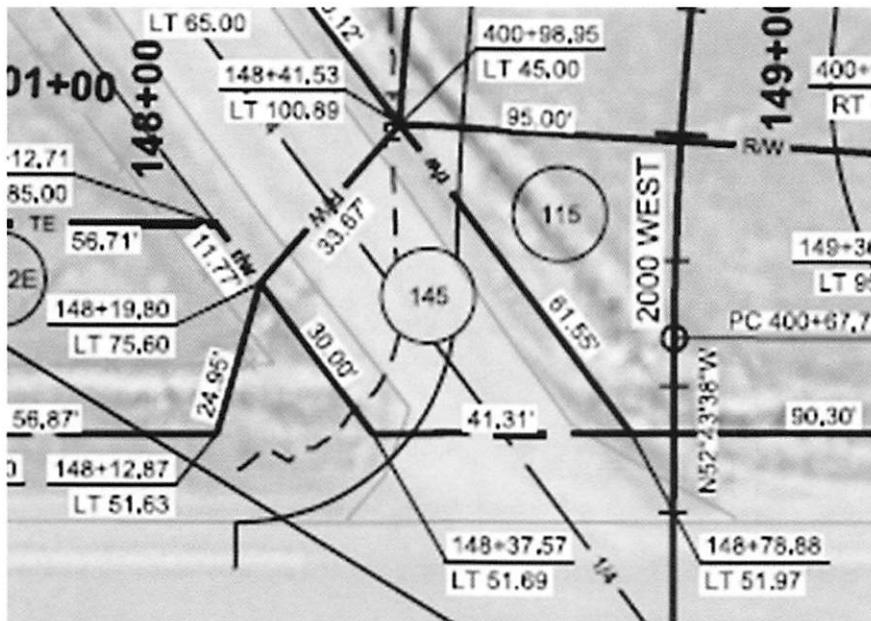


EXHIBIT B



3000 South Hwy 89/91 Right of Way Vacation:

A tract of land in fee, being part of an entire tract situated in the SW1/4 NE1/4 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 174.74 feet S.89°55'01"E. along the center line of said Section 19 and 16.50 feet South from the Center Quarter corner of said Section 19, point being 75.60 feet perpendicularly distant northwesterly from the US-91 control line of said project opposite Engineer Station 148+19.80, point also being on the southerly right of way line of 3000 South, and running thence N.11°33'31"W. 33.67 feet, to a point being 100.89 feet perpendicularly distant northwesterly from the US-91 control line of said project opposite Engineer Station 148+41.53, point also being on the northerly right of way line of 3000 South; thence N.89°55'01"E. 61.55 feet along said line, to a point being 51.97 feet perpendicularly distant northwesterly from the US-91 control line of said project opposite Engineer Station 148+78.88; thence S.36°53'45"W. 41.31 feet, to a point being 51.69 feet perpendicularly distant northwesterly from the US-91 control line of said project opposite Engineer Station 148+37.57; thence S.89°55'01"W. 30.00 feet along the south right of way line of 3000 South, to the point of beginning, as shown on the map of said project on file in the office of the Utah Department of Transportation.

The above parcel of land contains 1,511 sq ft or 0.035 acres in area

(Note: All bearings in the above described parcel are Record or Highway/Project Bearings based on the State Plane Coordinate System, NAD83, North Zone).

(Note: Engineer Stations used in the above description are based on the US Highway 91 control line for said Project No. S-0091(57)22).

**A PETITION TO VACATE CERTAIN RIGHT OF WAY LOCATED ALONG THE WEST
RIGHT OF WAY OF HWY 89/91, AT 3000 SOUTH, 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 West Right of Way of Hwy 89/91, at 3000 South 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
GORDON A ZILLES	3038 S HIGHWAY 89	LOGAN, UT 84321-6311
GORDON A ZILLES	3038 S HIGHWAY 89	LOGAN, UT 84321-6311
GORDON A ZILLES	3038 S HIGHWAY 89	LOGAN, UT 84321-6311
DAVID G & TAMMY GRANGE	2983 S 2000 W	WELLSVILLE, UT 84339-9622
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
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DAVID G & TAMMY GRANGE	2983 S 2000 W	WELLSVILLE, UT 84339-9622
AUSTIN ANDERSON	2841 S 2000 W	WELLSVILLE, UT 84339-9622
EDWARD & MICKEY RICKS	2400 S 2400 W	WELLSVILLE, UT 84339-9628
UTAH DEPT OF TRANSPORTATION	PO BOX 141510	SALT LAKE CITY, UT 84114-1510
EDWARD & MICKEY RICKS	2400 S 2400 W	WELLSVILLE, UT 84339-9628
THEADOR D & VERA C TRS ZILLES	3021 S 2000 W # 2	WELLSVILLE, UT 84339-9623

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:
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The City of Logan has received a petition to vacate a portion of public Right of Way along the West Right of Way of Hwy 89/91, at 3000 South 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

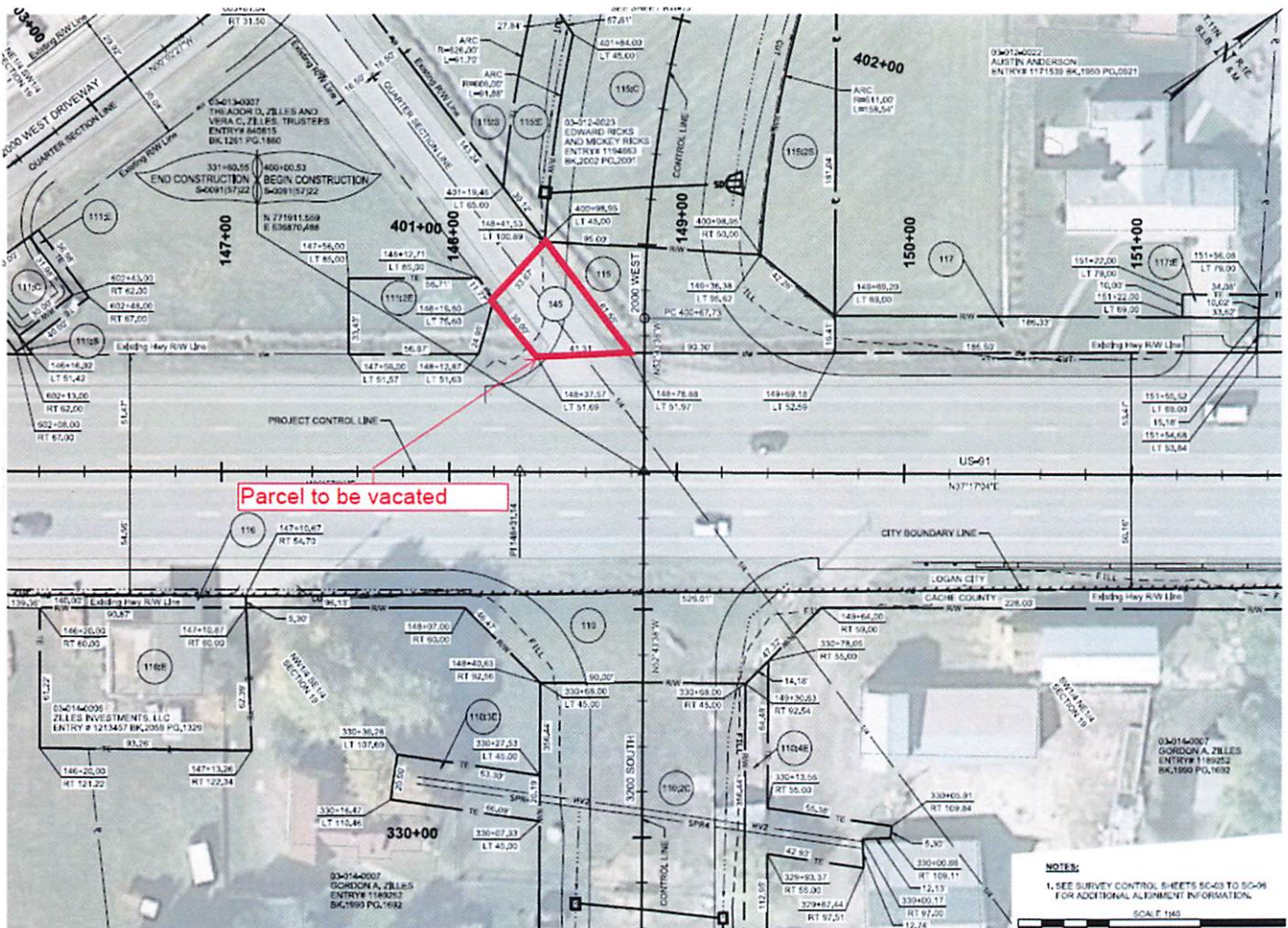
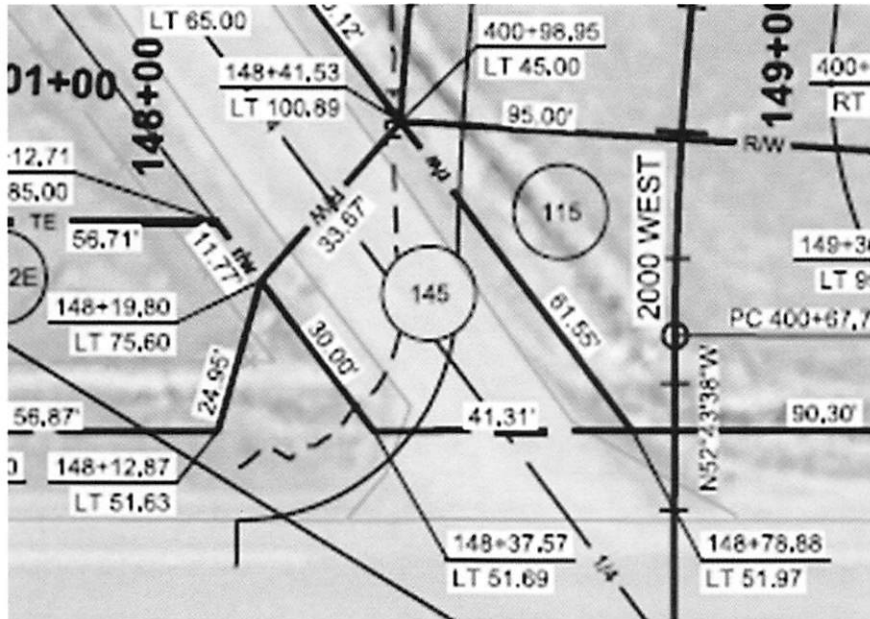


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