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 a 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
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 5.00 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:

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

<table>
<thead>
<tr>
<th>Printed Name:</th>
<th>Date:</th>
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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.  

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

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.
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