

ORDINANCE NO. 1392

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY FOR A STREET KNOWN AS 540 EAST LOCATED BETWEEN 12000 SOUTH AND DAY DAIRY

WHEREAS, the City has received a request by the adjacent property owners requesting a portion of real properties known as the 540 East right-of-way between 12000 South and Day Dairy be vacated as a public street; and

WHEREAS, the City Council has reviewed the request for the street vacation and has found there is not a current or future demand for the right-of-way; and

WHEREAS, the proposed street vacation set forth herein has been reviewed by the City Council, and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed public interest in the section of street.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH:

Section 1. Findings: The City Council finds that neither the public interest nor any person will be materially injured by the vacation and there is good cause for the vacation.

Section 2. Street Vacation. The following described portion of the 540 East right-of-way located approximately between 12000 South and Day Dairy and as shown on the attached map, no longer serves a public purpose and can be vacated as a public right of way:

See EXHIBIT A and EXHIBIT B

Section 3. Severability Clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or 30 days after final passage, whichever is closer to the date of final passage and the quitclaim deed has been recorded with the Salt Lake County Recorder.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 7th DAY OF MAY 2019.

ATTEST:

By: 
Laura Oscarson, City Recorder



DRAPER CITY

By: 
Mayor Troy K. Walker

VOTE TAKEN:

YES

NO

Councilmember Lowery

✓

Councilmember Green

✓

Councilmember Summerhays

✓

Councilmember Vawdrey

✓

Councilmember Weeks

✓

Mayor Walker

EXHIBIT A
Legal Description

VACATION PARCEL #1

BEGINNING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 26, DRAPERVILLE PLAT, AND RUNNING THENCE SOUTH 0°26'58" WEST 594.00 FEET ALONG THE WEST LINE OF BLOCK 26 TO THE NORTHERLY LINE OF 12100 SOUTH STREET; THENCE NORTH 89°33'02" WEST 82.50 FEET ALONG 12100 SOUTH RIGHT OF WAY TO THE EAST LINE OF BLOCK 26A; THENCE NORTH 0°26'58" EAST 594.00 FEET ALONG THE EAST LINE OF BLOCK 26A TO THE SOUTHERLY RIGHT OF WAY OF 12000 SOUTH STREET; THENCE SOUTH 89°33'02" EAST 82.50 FEET ALONG THE SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

CONTAINS 49,005 S.F.

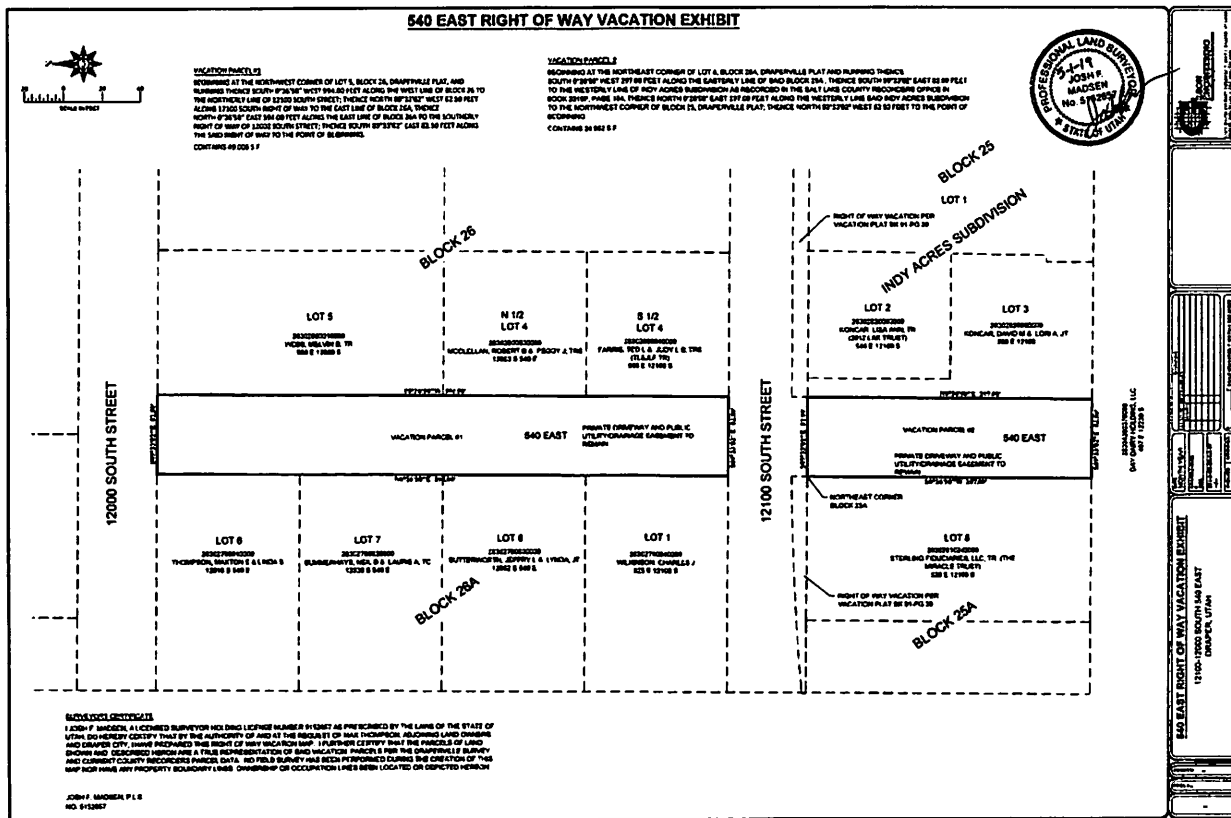
VACATION PARCEL 2

BEGINNING AT THE NORTHEAST CORNER OF LOT 8, BLOCK 25A, DRAPERVILLE PLAT AND RUNNING THENCE SOUTH 0°26'58" WEST 297.00 FEET ALONG THE EASTERLY LINE OF SAID BLOCK 25A; THENCE SOUTH 89°33'02" EAST 82.50 FEET TO THE WESTERLY LINE OF INDY ACRES SUBDIVISION AS RECORDED IN THE SALT LAKE COUNTY RECORDERS OFFICE IN BOOK 2015P, PAGE 154; THENCE NORTH 0°26'58" EAST 297.00 FEET ALONG THE WESTERLY LINE SAID INDY ACRES SUBDIVISION TO THE NORTHWEST CORNER OF BLOCK 25, DRAPERVILLE PLAT; THENCE NORTH 0°26'58" EAST 16.50 FEET TO THE SOUTHERLY RIGHT OF WAY OF 12100 SOUTH STREET PER THE ROAD VACATION PLAT RECORDED IN THE SALT LAKE COUNTY RECORDERS OFFICE IN BOOK 91 PAGE 30; THENCE SOUTH 89°33'02" EAST 42.27 FEET ALONG SAID RIGHT OF WAY TO A 2814.03 FOOT RADIUS CURVE TO THE LEFT; THENCE 40.23 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°49'09"(CHORD BEARS NORTH 89°57'36" WEST 40.23 FEET); THENCE SOUTH 0°26'58" WEST 16.21 FEET TO THE POINT OF BEGINNING.

CONTAINS 25,860 S.F.

EXHIBIT B

540 EAST RIGHT OF WAY VACATION EXHIBIT



STATE-LEVEL CERTIFICATION
 I, JOSEPH WADSON, A LICENSED SURVEYOR HOLDING LICENSE NUMBER 512827 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH DO HEREBY CERTIFY THAT BY THE AUTHORITY OF MEASUREMENT OF THE INDICATED HOLDINGS LAND OWNERS AND GRANTED CITY, I HAVE RECORDED THIS RIGHT OF WAY VACATION MAP. I FURTHER CERTIFY THAT THE PARCELS OF LAND SHOWN AND DESCRIBED HEREON ARE A TRUE REPRESENTATION OF SAID VACATED PARCELS FOR THE DRAPEVILLE PLAT AND SAN JUAN COUNTY RECORDS PARCEL DATA. NO FIELD SURVEY HAS BEEN PERFORMED DURING THE CREATION OF THIS MAP NOR HAVE ANY PROPERTY BOUNDARY LINES, OWNERSHIP OR OCCUPATION LINES BEEN LOCATED OR DEPICTED HEREON.

JOSEPH WADSON, P.L.S.
 NO. 512827



540 EAST RIGHT OF WAY VACATION EXHIBIT
 12100 SOUTH 540 EAST
 DRAPEVILLE PLAT

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPR. BY: _____

UTAH COUNTY RECORDS OFFICE
 SAN JUAN COUNTY, UTAH
 BOOK _____ PAGE _____