CITY OF LOGAN
ORDINANCE NO. 2000-49

AN ORDINANCE VACATING A STREET RIGHT-OF-WAY AT LEGRAND AVENUE AND
STATE HIGHWAY 165

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN AS
FOLLOWS:

SECTION 1: In the opinion of the Logan Municipal Council there is cause for vacating a
certain right-of-way at Legrand Avenue and State Highway 165 in the City of Logan, and such
action shall not materially injure the public or any person. Therefore, pursuant to Sections 10-8-
8.1 and 10-8-8.2, Utah Code Annotated, 1953, the following property is hereby abandoned and
vacated:

Parcel No. 1: Part of Block 4, Plat “B”, Providence Farm Survey, Also part of the Northeast
Quarter of Section 9, T11N, R1E of the SLB&M, further described as follow:

Beginning at the intersection of the Southeast right-of-way line of the old alignment of Legrand
Street and the westerly right-of-way line of State Road 165, said point begin 60.00 feet westerly
and said point being a right-of-way fence corner, said point also being by record North, 615.50
feet; North, 358.00 feet; and North 22°39' West, 18.00 feet from the Southeast Corner of Lot 1,
of said Block 4; whence North 76°33'20" West, 44.55 feet; whence North 82°23'49" East, 33.80
feet; whence South 33°32'36" East, 17.79 feet to the beginning. Containing 0.01 acres, more or
less.

Parcel No. 2: Part of Block 4, Plat “B”, Providence Farm Survey, also part of the Northeast
Quarter of Section 9, T11N, R1E of the SLB&M further described as follows:

Commencing at the intersection of the Southeast right-of-way line of the old alignment of
Legrand Street and the westerly right-of-way line of State Road 165, said point begin 60.00 feet
westerly and perpendicularly from engineer station 1183+48.26 of State Road 165, said point
being a right-of-way fence corner, said point also being by record North, 615.50 feet; North,
358.00 feet; and North 22°30' West, 18.00 feet from the Southeast Corner of Lot 1 of said Block
4; and running whence North 76°33'20" West, 81.40 feet; whence South 44°14'12" West, 33.11 feet
to the true point of beginning; and whence South 44°14'12" West, 298.19 feet; whence North
46°06'00" West, 16.17 feet; whence North 43°51'14" East, 211.52 feet; whence 89.17 feet along a
curve to the right with a radius of 215.81 feet, included angle of 23°40'16" and a long chord that
bears North 55°41'27" East, 88.54 feet to the beginning. Containing 0.11 acres, more or less.

Part of Block 4, Plat “B”, Providence Farm Survey as recorded in the Office of the Cache County
Recorder;

Commencing at the Southeast Corner of Section 4, Township 11 North, Range 1 East of the Salt
Lake Base and Meridian and whence North 00°28'49" East, 49.5 feet by record; whence South
89°58'18" West, 499.04 feet by record to a point on the West right-of-way line of State Road 165
said point begin 65.00 feet from the centerline of said State Road; whence South 00°28'49" West
along the West line of State Road 165, 187.73 feet; thence 333.17 feet along the West line of State Road 165 on a curve to the left, with radius of 2929.93 feet, included angle of 6°30'55" and a long chord that bears South 02°46'38" East, 332.99 feet to the true point of beginning.

And thence 32.87 feet along the West right-of-way line of State Road 165, on a curve to the left with a radius of 2929.93 feet, included angle of 0°38'34" and a long chord that bears South 06°18'51" East, 32.87 feet; thence South 39°22'25" West 23.79 feet; thence South 82°23'49" West, 24.65 feet; thence 68.82 feet along a curve to the left with a radius of 281.81 feet, included angle of 13°59'34" and a long chord that bears South 75°24'02" West; thence North 55°01'01" East, 124.92 feet to the beginning. Containing 0.05 acres, more or less.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS 23rd day of August, 2000 by the following vote:

Ayes:

Nays:

Absent

ATTEST:

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 23rd day of August, 2000.

Janice Pearce, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 23rd day of August, 2000.

Douglas P. Thompson, Mayor
INTRODUCTION

The intersection of Legrand Avenue at Highway 165 is constructed at an angle. This creates limited visibility and potentially dangerous traffic movement for traffic entering Highway 165 from Legrand Avenue.

FACTS AND FINDINGS

The Public Works staff has worked with the owners on both sides of Legrand Avenue to reach a solution that would increase the safety at the intersection at Legrand Avenue and Highway 165. The proposed alignment is shown on Attachment A and B. Attachment A shows the existing alignment of Legrand Avenue and also the proposed parcel to be vacated on the north side of Legrand Avenue. Attachment B shows the proposed area to be vacated on the south side of Legrand Avenue and a small parcel to be dedicated as right-of-way to complete the proposed alignment.

This new alignment will be a definite advantage for the City for the following reasons:

1. It will make the intersection of Legrand Avenue and Highway 165 safer. The new alignment also has sufficient right-of-way to meet City's present standards.

2. The property owners on each side of the street will be responsible to construct curb gutter and sidewalk. This will enhance pedestrian traffic safety, storm drainage control, and access control.

RECOMMENDATION

It is the recommendation of the Public Works staff the City Council set a public hearing for the vacation of the subject parcels.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On this 29th day of August, 2000, personally appeared before me Jean Willmore, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County, Utah, and that the advertisement was published in said newspaper for One (1) issue commencing August 29, 2000 and ending August 29, 2000.

Signed Jean Willmore

Subscribed and sworn to before me, the day and year above written.

Signed Cynthia K. Fulton

Notary Public


LEGAL NOTICE

SUMMARIES OF AN ORDINANCES passed by the Logan Municipal Council are as follows:

ORD. 00-49. An ordinance vacating a street right-of-way at LeGrand Avenue and State Highway 165 was adopted August 23, 2000 after appropriate notice and public hearing. The vacation or abandonment of this right-of-way will permit realignment of and improvements to the intersection that will increase traffic safety.

ORD. 00-52. Amendment #229 to the Zoning Map of the City of Logan adopted and approved August 2, 2000 rezoned approx. 0.99 acres at 316 North 850 West from Commercial General (CG) to Industrial (IND) owned by Bin-drup Properties, LLC. Also identified by Cache County Tax Identification #05-094-0003.

Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main. Lois Price, Recorder Publication Date: August 29, 2000.
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On the .... day of August, 200... presented to me, Anne Williams, the original of a newspaper

headings, and same to be hereafter known as the Cache Valley Publishing Co, Publishers of the Herald Journal

a daily newspaper published at Logan, City, Cache County, Utah, and conducted by herself

personally appeared before me, Anne Williams, who being first duly sworn

I do hereby certify that the above is true and correct.

Sworn to before me this .... day of August, 200...

Anne Williams

My Commission expires: September 3, 200...