CITY OF LOGAN
ORDINANCE NO. 04-54

AN ORDINANCE VACATING 33 FEET ON NORTH SIDE OF 500 NORTH RIGHT-OF-WAY
ADJACENT OF PARCEL TAX IDENTIFICATION NUMBER 05-066-0018 LOCATED AT 305
WEST 500 NORTH

WHEREAS, The Logan Municipal Council finds there is good cause for vacating a
portion of a certain right-of-way located on north side of 500 North adjacent to parcel tax
identification number 05-066-0018; and

WHEREAS, The Council finds such action shall not materially injure the public or any
person.

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

SECTION 1: Pursuant to Sections 10-8-8.2 and 10-8-8.3, Utah Code Annotated,
1953, the property below is hereby abandoned and vacated:

BEG AT PT 6 RDS N OF THE NE COR BLK 43 PLAT A LOGAN CITY SVY TH W 9
RDS TH S 33 FT M/L TO LN OF 500 N ST TH E 9 RDS TH N 33 FT M/L TO BEG.
CONT 0.11 AC +/- IN ALL

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

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS 3rd
DAY OF MAY, 2004 by the following vote:

Ayes: Needham, Pyfer, Taylor, Swenson, S. Thompson

Nays: None

Absent: None

Tami W. Pyfer, Chairman

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 5th day of AUGUST, 2004.

Tami W. Pyfer, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 5th day of AUGUST, 2004.

Douglas E. Thompson, Mayor
July 20, 2004

Arona B. Dattage  
945 East 320 North  
Logan, UT 84321  

RE: Right of Way Abandonment at 305 West 500 North  

Dear Arona,  

The City of Logan proposes the abandonment of 33 feet of right of way at 305 West 500 North as described in the attached resolution and county plat. In accordance with Utah State Law (UCA §10-8-8.3) written approval of each adjacent property owner is required in lieu of giving a 30 day public notice of the intent to abandon the right of way.  

The original City right of way on 500 North was 99 feet. Over the years, this right of way has been reduced to 66 feet and all lots that are currently developed have had this right of way abandoned by the City and dedicated to the property owners. A search of the County records has not produced any record that acts as a blanket abandonment of this right of way. At the request of the property owner of parcel 05-066-0018, the City is abandoning the identified 33-foot right of way.  

The City is requesting that you, as an adjacent property owner, sign this letter giving the City your consent to abandon the referenced right of way and transfer it to the property owner of parcel number 05-066-0018. If you have any questions, please contact Mr. Bill Young at 716-9160.  

Sincerely,  

William Young  
Logan City Engineer  

[Signature]

I, Arona B. Dattage, consent to the abandonment of right of way as described in City Ordinance 04-054.  

[Signature]  

Arona B. Dattage  

[Date]  

7-26-04
July 20, 2004

Mr. John Phillips
1213 East 2800 North
North Logan, UT 84341

RE: Right of Way Abandonment at 305 West 500 North

Dear Mr. Phillips,

The City of Logan proposes the abandonment of 33 feet of right of way at 305 West 500 North as described in the attached resolution and county plat. In accordance with Utah State Law (UCA §10-8-8.3) written approval of each adjacent property owner is required in lieu of giving a 30 day public notice of the intent to abandon the right of way.

The original City right of way on 500 North was 99 feet. Over the years, this right of way has been reduced to 66 feet and all lots that are currently developed have had this right of way abandoned by the City and dedicated to the property owners. A search of the County records has not produced any record that acts as a blanket abandonment of this right of way. At the request of the property owner of parcel 05-066-0018, the City is abandoning the identified 33-foot right of way.

The City is requesting that you, as an adjacent property owner, sign this letter giving the City your consent to abandon the referenced right of way and transfer it to the property owner of parcel number 05-066-0018. If you have any questions, please contact Mr. Bill Young at 716-9160.

Sincerely,

William Young
Logan City Engineer

I, John E. Phillips, consent to the abandonment of right of way as described in City Ordinance 04-054.

John E. Phillips

7-27-04
June 9, 2004

To whom it may concern,

Comcast Cable Communications, Inc. hereby disclaims and releases any rights, title or interest which it may have in the 33 foot public right of way, which exists parallel and adjacent to the south property line of 305 West 500 North, located in Logan, Utah.

Sincerely,

Randy Porter
Technical Supervisor
January 21, 2004

Mr. Bill Young
Logan City Engineer
255 North Main St.
Logan, Utah 84321

RE: Vacating of City Right of Way

Dear Mr. Young:

This letter is in response to your request to vacate 33 feet of the road Right of Way at 305 West 500 North. This would take the Street Right of Way from a 99 foot Street to a 66 foot Street.

When Questar Gas Company, (formerly Mountain Fuel) brought natural gas to Logan in 1957 the information we had on 500 North Street showed a 66 foot Right of Way. We designed our distribution system according to this information. Our gas main is on the south side of the Street, and with our records already showing this as a 66 foot Street, we do not have any issues with this vacation of right of way.

Thank you for considering the effect of this vacation on our utility.

Sincerely,

Brent F. Bryner
Questar Gas
Ogden, Utah
February 10, 2004

Bill Young
Logan City Engineer
255 North Main Street
Logan, Utah 84321

RE: Vacation of City Right-of-Way

Dear Mr. Young:

I have examined our records regarding Qwest’s facilities at 305 West 500 North (parcel number 05-066-0018). Our facilities, a pole line, are within the recognized 66-foot wide street right-of-way. Therefore, Qwest would have no objection to vacating the north 33 feet of the plated 99-foot wide road.

If you have any questions or if you need additional information, please call me on 801-675-0680.

Sincerely,

Michael Johnson
Manager/Right of Way
June 23, 2004

RE: Right of Way Abandonment on 500 North at 300 West

Bill,

After reviewing our water line schematics and discussions internal, we do not see a problem with abandoning the right of way as proposed.

Sincerely,

Lance E. Houser, P.E.
Waster & Wastewater Division Manger
From: Garth Turley
To: Bill Young
Date: 6/8/2004 4:13:34 PM
Subject: Re: ROW Abandonment

I have no issue with abandonment of ROW as long as a PUE is granted (as you indicated).

>>> Bill Young 6/7/2004 4:23:38 PM >>>
Gentlemen, the attached file shows a 33' section of ROW on 500 North at 300 West that has been requested we abandon. Many of you are aware of this request as part of the Planning Commission review for the Garden Way Project last fall. I hope to have all non-city utility approvals by Thursday and need the City approvals by this Thursday. If I can pull this together, I would like to workshop at council next Tuesday. Please send me something in writing so that I can place it in the folder regarding this matter.

Thanks,
Bill Young
On this 16th day of August, 2004, personally appeared before me Rachelle S. Thomas, 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 is a copy of which is hereto attached, was published in said newspaper for one (1) issue commencing August 15, 2004 and ending August 15, 2004. Signed Rachelle S. Thomas. Subscribed and sworn to before me, the day and year above written. Signed Cynthia K. Fulton Notary Public. My Commission expires September 7, 2007.

LEGAL NOTICE

LOGAN MUNICIPAL COUNCIL

SUMMARIES OF ORDINANCES amending the Logan Municipal Code, 1989, adopted August 3, 2004 and approved August 5, 2004 by the Logan Municipal Council and Mayor are as follows:

ORD. 04-65. An ordinance amending the Zoning Map of Logan City, Utah rezoned 36 acres at approx. 1400 North 400 East from Commercial General (CG) to Multi-Family Medium (MFM) for Tax ID Nos. 04-081-0016, 0018, 0019, 0020, 0021. Also identified as “Bridgerland Rezone.”

ORD. 04-64. An ordinance vacating 33 feet of property on the north side of 500 North right-of-way adjacent to parcel Tax Identification No. 05-066-0016 located at 905 West 500 North.

ORD. 04-66. An ordinance amending Section 17.55.030, Public Notice, clarifies notice requirements to affected property owners relative to changes to the Zoning Map, Land Development Code or General Plan. Among other things, the ordinance stipulates that the Logan Municipal Council shall comply with the public notice requirements as specified in Utah Law in adopting an amendment to the Official Zoning Map, Land Development Code, or the General Plan.


The ordinance, among other things, requires conditional use permits for all new or expanding group living structures; limits occupancy by gross finished dwelling unit area; and requires provision of useable open space based on sq ft. of lot area. Parking requirement are also set forth.

These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, during regular business hours.

Lois Price, Recorder
Publication Date: August 15, 2004