CITY OF LOGAN
ORDINANCE NO. 17-02

AN ORDINANCE VACATING A UTILITY EASEMENT BETWEEN PARCELS
02-083-0006, 02-083-0007, 02-083-0021 and 02-083-0025

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, the existing public utility easement(s) are not required due to the property owner combining the above referenced parcels into a single parcel by a City approved Boundary 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 set forth herein, 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 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 17 DAY OF February, 2017 by the following vote:

Ayes: Needham, Simmons, Olson, Linder, Daines

Nays:

Absent:

ATTEST:

Teresa Harris, City Recorder

Holly H. Daines, Chair
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 7th day of February, 2017.

Holly H. Daines, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 7th day of February, 2017.

H. Craig Petersen, Mayor
LOTS FROM ORIGINAL SUBDIVISION PLAT WITH PUBLIC UTILITY EASEMENTS BEING VACATED
LOGAN RIVER BUSINESS PARK ORIGINAL LOTS 4, 5, AND 6
INTERIOR PUBLIC UTILITY EASEMENTS
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>OWNERNAME</th>
<th>OWN_ADDRSS</th>
<th>OWNCTYSTZP</th>
</tr>
</thead>
<tbody>
<tr>
<td>MADA H LIECHTY</td>
<td>1720 S STATE HIGHWAY 89/91</td>
<td>LOGAN, UT 84321</td>
</tr>
<tr>
<td>PATRICIA B TR HANCEY</td>
<td>1453 E 1140 N</td>
<td>LOGAN, UT 84341-2815</td>
</tr>
<tr>
<td>SIDNEY THATCHER</td>
<td>1717 S 450 W</td>
<td>LOGAN, UT 84321-5752</td>
</tr>
<tr>
<td>LOGAN CITY CORP</td>
<td>PO BOX 527</td>
<td>LOGAN, UT 84321-6601</td>
</tr>
<tr>
<td>ICON HEALTH &amp; FITNESS INC</td>
<td>1500 S 1000 W</td>
<td>LOGAN, UT 84321-8206</td>
</tr>
<tr>
<td>ICON HEALTH &amp; FITNESS INC</td>
<td>1500 S 1000 W</td>
<td>LOGAN, UT 84321-8206</td>
</tr>
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<td>1500 S 1000 W</td>
<td>LOGAN, UT 84321-8206</td>
</tr>
<tr>
<td>A B WAREHOUSE LLC</td>
<td>1630 S 1220 EAST CIR</td>
<td>ST GEORGE, UT 84720</td>
</tr>
<tr>
<td>B &amp; K WAREHOUSING LLC</td>
<td>1630 S 1220 EAST CIRCLE</td>
<td>ST GEORGE, UT 84790</td>
</tr>
<tr>
<td>ZOLLINGER COLD STORAGE CORP</td>
<td>695 W 1700 S</td>
<td>LOGAN, UT 84321-6219</td>
</tr>
<tr>
<td>MARGUERITE N TR PURSER</td>
<td>248 S 250 E</td>
<td>HYDE PARK, UT 84318</td>
</tr>
<tr>
<td>REDEVELOPMENT AGENCY OF THE CITY OF LOGAN</td>
<td>PO BOX 527</td>
<td>LOGAN, UT 84321-6601</td>
</tr>
<tr>
<td>MARGUERITE N TR PURSER</td>
<td>248 S 250 E</td>
<td>HYDE PARK, UT 84318</td>
</tr>
<tr>
<td>THERMO FISHER SCIENTIFIC INC</td>
<td>1726 S HYCLONE RD</td>
<td>LOGAN, UT 84321</td>
</tr>
<tr>
<td>LOGAN RIVER ACADEMY LLC</td>
<td>PO BOX 3662</td>
<td>LOGAN, UT 84323-3662</td>
</tr>
<tr>
<td>REDEVELOPMENT AGENCY OF THE CITY OF LOGAN</td>
<td>PO BOX 527</td>
<td>LOGAN, UT 84321-6601</td>
</tr>
<tr>
<td>ICON HEALTH &amp; FITNESS INC</td>
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<td>LOGAN, UT 84321-8206</td>
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<td>695 W 1700 S</td>
<td>LOGAN, UT 84321-6219</td>
</tr>
</tbody>
</table>
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:  
Date:

Printed Name:  
Date:

Printed Name:  
Date:

Printed Name:  
Date:

Printed Name:  
Date:
The City of Logan has received a petition to vacate a portion of a public right of way, and to vacate and reestablish public utility easements located approximately 1600 South Park Avenue. 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, of the area outlined in red that is being petitioned.

A City Council workshop on the issue will be held on:

- Date: January 17, 2017
- Time: 5:30 PM
- Location: City Hall 290 North l00 West Logan, UT 84321

A Public Hearing and City Council meeting to take action on the issue is scheduled to be held on:

- Date: February 7, 2017
- Time: 5:30 PM
- Location: City Hall 290 North l00 West Logan, UT 84321

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.

If you have any additional questions, please call Bill Young at (435)716-9160.
# Entity: Logan

## Body: Municipal Council

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice Title:</td>
<td>Vacation of Utility Easement</td>
</tr>
<tr>
<td>Meeting Location:</td>
<td>290 N 100 W</td>
</tr>
<tr>
<td></td>
<td>Logan 84321</td>
</tr>
<tr>
<td>Event Date &amp; Time:</td>
<td>January 18, 2017 11:00 AM</td>
</tr>
<tr>
<td>Description/Agenda:</td>
<td>The City of Logan has received a petition to vacate a portion of public utility easements located at approximately 1600 South Park Avenue. The Logan Municipal Council will hold a public hearing on February 7, 2017 not before 5:30 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan Utah to consider the adoption of an ordinance vacating said easements. The petition will be available for signing in the City Engineering Office until 5:00 p.m. on the date indicated above. Documents pertaining to said public utility easements are available for inspection at the City Recorder's Office, 290 North 100 West, during regular office hours.</td>
</tr>
<tr>
<td>Teresa Harris, City Recorder</td>
<td></td>
</tr>
<tr>
<td>Publication Date:</td>
<td>January 22, 2017</td>
</tr>
</tbody>
</table>

### Notice of Special Accommodations:
Individuals needing special accommodations should notify Teresa Harris, 435-716-9002, at least two working days prior to the meeting. Hearing enhancement devices are available on request.

### Notice of Electronic or telephone participation:
A council member may join a meeting electronically upon proper notice of the meeting and 24-hour notice to councilmembers. A council member participating electronically will be connected to the meeting by telephone.

### Other information:

#### Contact Information:
Teresa Harris, City Recorder  
(435)716-9002  
teresa.harris@loganutah.org

#### Posted on:
January 18, 2017 11:03 AM
NOTICE OF PUBLIC HEARING VACATION OF UTILITY EASEMENT

The City of Logan has received a petition to vacate a portion of public utility easements located at approximately 1600 South Park Avenue. The Logan Municipal Council will hold a public hearing on February 7, 2017 not before 5:30 p.m. in the Logan Municipal Council Chambers, 290 North 100 West, Logan Utah to consider the adoption of an ordinance vacating said easements. The petition will be available for signing in the City Engineering Office until 5:00 p.m. on the date indicated above.

Documents pertaining to said public utility easements are available for inspection at the City Recorder's Office, 290 North 100 West, during regular office hours.

Teresa Harris, City Recorder

Publication Date: January 22, 2017
A PETITION TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS LOCATED IN
THE LOGAN BUSINESS PARK SUBDIVISION, LOCATED AT APPROXIMATELY
1600 SOUTH PARK AVENUE, 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 vacations in the Logan Business Park Subdivision located at
approximately 1600 South Park Avenue, in Logan, UT shown in Exhibit A.
3. The following signatures represent those property owners who consent to the requested vacation:

[Signature]
Printed Name: [Signature]
Date: 2/7/17

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date: 

Printed Name: 
Date:
The City of Logan has received a petition to vacate a portion of a public right of way, and to vacate and reestablish public utility easements located approximately 1600 South Park Avenue. 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, of the area outlined in red that is being petitioned.

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Date: February 7, 2017
Time: 5:30 PM
Location: City Hall 290 North 100 West Logan, UT 84321

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.

If you have any additional questions, please call Bill Young at (435)716-9160.
PUBLIC UTILITY EASEMENTS TO BE VACATED

LOGAN RIVER BUSINESS PARK ORIGINAL LOTS 4, 5, AND 6 INTERIOR PUBLIC UTILITY EASEMENTS
Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 13th day of February, A.D. 2017 personally appeared before me DESTINEE MUNSON who being first being duly sworn, deposes and says that she is the Principal Legal 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 Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same day(s) as publication in said newspaper

Commencing on the following days:
02/12/2017

Destinee Munson, Principal Legal Clerk

Subscribed and sworn to before me on this 13th day of February, A.D. 2017

Laurie Jackson, Notary Public
Commissioned in the State of Utah
My Commission expires 10/18/2019

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinance was adopted and approved by the Logan Municipal Council, Logan, Utah on February 7, 2017.

ORD. 17-02 An ordinance vacating a Utility Easement between parcels 02-083-0006, 02-083-0007, 02-083-0021 and 02-083-0025 in the Logan Business Park Subdivision located at approximately 1600 South Park Avenue.

This ordinance is effective immediately upon publication. Full text of the ordinance can be reviewed at the office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris, City Recorder
Publication Date: February 12, 2017
STATE OF UTAH
COUNTY OF CACHE, ss

On this 23rd day of January , A.D. 2017 personally appeared
before me DESTINNEE MUNSON who being first being duly sworn, deposes and says that
(s)he is the Principal Legal 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
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same day(s) as publication in said newspaper

Commencing on the following days:
01/22/2017

__________________________, Principal Legal Clerk
Destinee Munson

Subscribed and sworn to before me on this 23rd day of January , A.D. 2017

__________________________, Notary Public
Laurie Jackson
Commissioned in the State of Utah

My Commission expires 10/18/2019

NOTICE OF PUBLIC HEARING VACATION OF UTILITY
EASEMENT

The City of Logan has received a petition to vacate a portion
of public utility easements located at approximately 1800
South Park Avenue. The Logan Municipal Council will hold a
public hearing on February 7, 2017 not before 5:30 p.m. in
the Logan Municipal Council Chambers, 290 North 100 West,
Logan Utah to consider the adoption of an ordinance
vacating said easements. The petition will be available for
signing in the City Engineering Office until 5:00 p.m. on the
date indicated above.

Documents pertaining to said public utility easements are
available for inspection at the City Recorder’s Office, 290
North 100 West, during regular office hours.

Teresa Harris, City Recorder

Publication Date: January 22, 2017