CITY OF LOGAN
ORDINANCE NO. 17-12

AN ORDINANCE VACATING RIGHT OF WAY ON PARCEL 06-097-0028

WHEREAS, the City has received a request submitted by the property owner of the subject public right of way, requesting that the public right of way 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 right of way being vacated is provide a right of way width that is in line with current curb and gutter and provides City standard for park strip and sidewalk;

WHEREAS, the Logan Municipal Council finds there is good cause for vacating the public right of way and finds such action shall not materially injure the public or any person; and,

WHEREAS, the proposed vacation of public right of way, 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 rights of way 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 20 DAY OF JUNE, 2017

by the following vote:

Ayes: Medham, Allen, Draines, Simmonds.
Nays: Jersen - Recessed
Absent: None

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 __ day of ___, 2017.

Holly H. Daines, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this __ day of ___, 2017.

H. Craig Peterson, Mayor
Exhibit A

AREA TO BE VACATED

En1176165 Bk 1961 Pg 1204
A PORTION OF RIGHT-OF-WAY OF 100 NORTH STREET AS DEDICATED ON THE AMENDED
HIDDEN VILLAGE SUBDIVISION UNIT NO. 1 PLAT RECORDED IN COUNTY OF CACHE AS FILING
NO. 322542.
SAID PORTION BEING SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 35, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 35;
THENCE, SOUTH 89°47'38" WEST 2667.31 FEET TO THE SOUTHWEST CORNER OF SAID
SECTION;
THENCE, NORTH 41°56'13" EAST 1420.88 FEET TO THE BEGINNING POINT FOR JENSEN GROVE
SUBDIVISION RECORDED IN THE COUNTY OF CACHE, UTAH AS FILING NO. 1160723;
THENCE, NORTH 78°18'33" WEST 331.74 FEET TO A REBAR WITH STEVEN EARL CAP ON THE
SOUTH RIGHT OF WAY OF 100 NORTH STREET BEING THE POINT OF BEGINNING;
THENCE, RUNNING NORTHWESTERLY ON SAID RIGHT OF WAY 69.13 FEET ALONG A CURVE TO
THE LEFT WITH A RADIUS OF 329.00 FEET, THROUGH A CENTRAL ANGLE OF 12°02'18" (THE
CHORD BEING NORTH 62°14'08" WEST 69.00 FEET) TO A NON-TANGENT LINE;
THENCE, RUNNING PARALLEL WITH AND 13 FEET SOUTH OF THE EXISTING TOP BACK OF CURB
AND GUTTER THE NEXT TWO COURSES:
SOUTH 76°54'32" EAST 41.20 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
THENCE, SOUTHEASTERLY 17.39 FEET ALONG SAID CURVE WITH A 144.71 FOOT RADIUS,
THROUGH A CENTRAL ANGLE OF 6°53'02" (THE CHORD BEING SOUTH 74°25'56" EAST 17.38
FEET) TO A POINT ON THE WEST BANK OF THE LOGAN / PROVIDENCE CANAL;
THENCE, SOUTH 15°24'11" EAST 7.80 FEET ALONG SAID WEST BANK TO A POINT;
THENCE, SOUTH 11°14'42" EAST 10.83 FEET ALONG SAID WEST BANK TO THE POINT OF
BEGINNING.

CONTAINING 424.80 SQUARE FEET OR 0.01 ACRES
A PETITION TO VACATE CERTAIN PUBLIC RIGHT OF WAY LOCATED ON PARCEL 06-097-0028 AT 1020 EAST 100 NORTH, LOGAN, UTAH

1. Pursuant to U.C.A. §10-9a-609.5 the undersigned do hereby formally request the vacation and relocation of the following described public utility easements and vacation of the following described public right-of-way:

Certain public right of way vacations on Parcel 06-097-0028 at 1020 East 100 North in Logan, UT shown in Exhibit A.
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>First Name</th>
<th>Last Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>JONI B TR</td>
<td>AXTELL</td>
<td>80 CONIFER PL</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>JAMES S &amp; SHELLEY S</td>
<td>Dyer</td>
<td>985 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-4825</td>
</tr>
<tr>
<td>JONI B TR</td>
<td>AXTELL</td>
<td>80 CONIFER PL</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6714</td>
</tr>
<tr>
<td>MICHAEL L &amp; LAURIE I</td>
<td>BALLAM</td>
<td>53 CANTERBURY LANE</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>MICHAEL L &amp; LAURIE I</td>
<td>BALLAM</td>
<td>53 CANTERBURY LANE</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6714</td>
</tr>
<tr>
<td>MICHAEL</td>
<td>BRIMLEY</td>
<td>33 N CANTERBURY LN</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>JAMES S &amp; SHELLEY S</td>
<td>Dyer</td>
<td>985 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-4825</td>
</tr>
<tr>
<td>RONALD MARK &amp; LEISA</td>
<td>FIRTH</td>
<td>1015 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-4873</td>
</tr>
<tr>
<td>BOYD L &amp; CAROLYN</td>
<td>FULLMER</td>
<td>1016 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-4828</td>
</tr>
<tr>
<td>RODNEY L &amp; JANA M CO</td>
<td>GITTINS</td>
<td>950 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-4804</td>
</tr>
<tr>
<td>TRS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAMES</td>
<td>HARPS</td>
<td>1005 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>RUSTY</td>
<td>HOTH</td>
<td>1167 N 320 W</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>JACOB</td>
<td>HUNSAKER</td>
<td>975 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>THOMAS C &amp; RONNA L</td>
<td>JENSEN</td>
<td>1000 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>CRAIG R &amp; TERESA C</td>
<td>JOHNSON</td>
<td>936 SUMAC DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>FREDERICK MARK</td>
<td>JONES</td>
<td>965 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>JOHN A &amp; PATTY G</td>
<td>LEAKE</td>
<td>982 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>JOEL N &amp; KIM F</td>
<td>LUNDSTROM</td>
<td>996 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>RICK J &amp; JEAN</td>
<td>MAYER</td>
<td>27 CANTERBURY LN</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>R</td>
<td>MOHR</td>
<td>1050 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>DARIN</td>
<td>PARTRIDGE</td>
<td>19 CANTERBURY LN</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>GENE J &amp; TIFFANY BYERS</td>
<td>PINTOR</td>
<td>995 THRUSHWOOD DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>BRIAN TR</td>
<td>SEAMONS</td>
<td>1065 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
<tr>
<td>BRIAN</td>
<td>SEAMONS</td>
<td>1065 E 100 N</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321-6700</td>
</tr>
</tbody>
</table>
The City of Logan has received a petition to vacate a portion of public right of way on Parcel 06-097-0028 located at 1020 East 100 North. 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 right of way, or accessed exclusively by or within 300 feet of the public right of way that is being petitioned to vacate.

Please see attached images, Exhibit A, showing the easements to be vacated and established.

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

Date: June 6, 2017
Time: 5:30 PM
Location: City Hall 290 North 100 West Logan, UT 84321

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

Date: June 20, 2017
Time: 5:30 PM
Location: City Hall 290 North 100 West Logan, UT 84321

If you support the vacation of the public utility and trail easements, 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 the City Engineer (Bill Young) at (435)716-9160.
A PORTION OF RIGHT-OF-WAY OF 100 NORTH STREET AS DEDICATED ON THE AMENDED HIDDEN VILLAGE SUBDIVISION UNIT NO. 1 PLAT RECORDED IN COUNTY OF CACHE AS FILING NO. 322542. SAID PORTION BEING SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALUT LAKE BASE AND MERIDIAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 35;
THENCE, SOUTH 89°47'38" WEST 2667.31 FEET TO THE SOUTHWEST CORNER OF SAID SECTION;
THENCE, NORTH 41°56'13" EAST 1420.88 FEET TO THE BEGINNING POINT FOR JENSEN GROVE SUBDIVISION RECORDED IN THE COUNTY OF CACHE, UTAH AS FILING NO. 1160723;
THENCE, NORTH 78°18'33" WEST 331.74 FEET TO A REBAR WITH STEVEN EARL CAP ON THE SOUTH RIGHT OF WAY OF 100 NORTH STREET BEING THE POINT OF BEGINNING;
THENCE, RUNNING NORTHWESTERLY ON SAID RIGHT OF WAY 69.13 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 329.00 FEET, THROUGH A CENTRAL ANGLE OF 12°02'18" (THE CHORD BEING NORTH 62°14'08" WEST 69.00 FEET) TO A NON-TANGENT LINE;
THENCE, RUNNING PARALLEL WITH AND 13 FEET SOUTH OF THE EXISTING TOP BACK OF CURB AND GUTTER THE NEXT TWO COURSES:
SOUTH 76°54'32" EAST 41.20 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
THENCE, SOUTHEASTERLY 17.39 FEET ALONG SAID CURVE WITH A 144.71 FOOT RADIUS, THROUGH A CENTRAL ANGLE OF 6°53'02" (THE CHORD BEING SOUTH 74°25'56" EAST 17.38 FEET) TO A POINT ON THE WEST BANK OF THE LOGAN / PROVIDENCE CANAL;
THENCE, SOUTH 15°24'11" EAST 7.80 FEET ALONG SAID WEST BANK TO A POINT;
THENCE, SOUTH 11°14'42" EAST 10.83 FEET ALONG SAID WEST BANK TO THE POINT OF BEGINNING.

CONTAINING 424.80 SQUARE FEET OR 0.01 ACRES
RIGHT OF WAY AREA TO BE VACATED
3. The following signatures represent those property owners who consent to the requested vacation:

<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Signature</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Printed Name</td>
<td>Signature</td>
<td>Date:</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------</td>
<td>------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
STATE OF UTAH
COUNTY OF CACHE, ss

On this 27th day of June, A.D. 2017 personally appeared
before me MONICA CHRISTENSEN 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:
06/25/2017

_________________________, Principal Legal Clerk

Subscribed and sworn to before me on this 27th day of June, A.D. 2017

_________________________, Notary Public

My Commission expires 10/18/2019

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL
SUMMARY OF AN ORDINANCE-The following ordinances
were adopted and approved by the Logan Municipal Council,
Logan, Utah on June 20, 2017

ORD. 17-08 An ordinance amending the Land Development
Code Chapters 17.57 Appeals and 17.27 Historic District
Overlay Zone.

ORD. 17-10 An ordinance amending the Logan Municipal
Code Section 5.18 regarding Itinerant or Transient
Merchants.

ORD. 17-12 An ordinance vacating a Public Right of Way on
Parcel 06-097-0028 at 1020 East 100 North, Logan, Utah.

ORD. 17-13 An ordinance vacating a portion of Public Utility
and Walkway Easements on Parcel 07-052-0011 located at
1986 Sumac Drive, Logan, Utah.

ORD. 17-14 An ordinance vacating a portion of Public Right
of Way on Parcel 02-058-0056 located at approximately 500
South 500 West, Logan, Utah.

These ordinances are effective immediately upon publication.
Full texts of the ordinances can be reviewed at the office of
the Logan City Recorder, City Hall, 280 North 100 West,
Logan, Utah during regular business hours.

Teresa Harris, City Recorder
Publication Date: June 25, 2017
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 8th day of June, A.D. 2017 personally appeared
before me DESTINEE 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:
06/04/2017

__________________________________________
Principal Legal Clerk

Subscribed and sworn to before me on this 8th day of June, A.D. 2017

__________________________________________
Notary Public

Commissioned in the State of Utah

My Commission expires 10/18/2019

NOTICE OF PUBLIC HEARING

VACATION OF PUBLIC RIGHT OF WAY

The City of Logan has received a petition to vacate a portion of public right of way on Parcel 06-097-0028 located at 1020
East 100 North. The Logan Municipal Council will hold a
public hearing on June 20, 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 5:30 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: June 4, 2017