CITY OF LOGAN
ORDINANCE NO. 18-10

AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS BETWEEN PARCELS 05-109-0045 and 05-109-0044

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 parcels 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 7TH DAY OF JUNE, 2018 by the following vote:

Ayes: Anderson, Bradford, Simmons, Jensen, Olsen
Nays: None
Absent: None

Thomas C. Jensen, Chair

ATTEST:

Teresa Harris, City Recorder
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the _17_ day of __________, 2016.

Thomas C. Jensen, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this _17_ day of __________, 2016.

Holly H. Daines, Mayor
PUBLIC UTILITY EASEMENT TO BE VACATED
A PETITION TO VACATE CERTAIN PUBLIC UTILITY AND WALKWAY EASEMENTS LOCATED ON PARCELS 05-109-0044 and 05-109-0045 AT 2018 & 2030 CRESTWOOD LN, LOGAN, UTAH

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

Certain public utility vacation on Parcel 05-109-004 and 05-109-0045 located at 2018 and 2030 Creestwood Lane 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>OWNERNAME</th>
<th>OWN_ADDRSS</th>
<th>OWNER_CITY</th>
<th>STATE</th>
<th>OWNER_ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOGAN CITY CORP</td>
<td>PO BOX 527</td>
<td>LOGAN</td>
<td>UT</td>
<td>84321</td>
</tr>
<tr>
<td>JAY A &amp; JANE B TRS MONSON</td>
<td>1645 N ASPEN DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>SOLARE LAND HOLDINGS LLC</td>
<td>2834 MILITARY AVE</td>
<td>LOS ANGELES</td>
<td>CA</td>
<td>90064</td>
</tr>
<tr>
<td>JOHN EDWIN &amp; LINDA NAVE HARRISON</td>
<td>1693 ASPEN DR AVE</td>
<td>LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>FRANCIS INNOVATION DEVELOPMENT CORP</td>
<td>2834 MILITARY AVE</td>
<td>LOS ANGELES</td>
<td>CA</td>
<td>90064</td>
</tr>
<tr>
<td>JOHN EDWIN &amp; LINDA NAVE HARRISON</td>
<td>1693 ASPEN DR</td>
<td>LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>FRANCIS FORCE FOUNDATION</td>
<td>1835 E 1850 N</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>BRANDON &amp; BRITTNEY HENDRICKSON</td>
<td>1758 N 2000 E</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>D CRAIG &amp; PATRICIA L TRS ASTON</td>
<td>2065 E 1780 N</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>JOHN &amp; KI SUN BITWINSKI</td>
<td>1716 N 2000 EAST</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
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<tr>
<td>KATHRYN S TR POWERS</td>
<td>2055 E 1730 N</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
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<tr>
<td>PAUL M TR JAKUS</td>
<td>2018 E 1730 N</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
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<tr>
<td>THOMAS H CLARK</td>
<td>2068 E 1730 N</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
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<td>TODD &amp; SUSAN JACKMAN</td>
<td>149 LEMBI DR</td>
<td>FOLSOM</td>
<td>CA</td>
<td>95630</td>
</tr>
<tr>
<td>MICHAEL LEFEVRE</td>
<td>1731 N 2000 E</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
</tr>
<tr>
<td>JOSEPH V II &amp; NAN G KOEBBE</td>
<td>1715 N 2000 E</td>
<td>NORTH LOGAN</td>
<td>UT</td>
<td>84341</td>
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<tr>
<td>Printed Name</td>
<td>Signature</td>
<td>Date:</td>
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The City of Logan has received a petition to vacate a portion of public utility easement on Parcel 05-109-004 and 05-109-0045 located at 2018 and 2030 Creestwood Lane in Logan, UT. 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, showing the easement to be vacated.

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

   Date: June 19, 2018
   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: July 17, 2017
   Time: 5:30 PM
   Location: City Hall, 290 North 100 West, Logan, UT 84321

If you support the vacation of the public utility easement, 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. You may also sign the petition and return it to:

   Logan City Engineer
   290 North 100 West
   Logan, UT 84321

If you have any additional questions, please call the City Engineer (Bill Young) at (435)716-9160.
EXHIBIT A

PUE TO BE VACATED BETWEEN PARCELS
05-109-0044 AND 05-109-0045
LOCATED AT 2018 & 2030 CRESTWOOD LANE, LOGAN, UT

Public Utility Easement to be Vacated
STATE OF UTAH
COUNTY OF CACHE, ss

On this 6th day of July, A.D. 2018 personally appeared
before me Jennifer Birch who being first being duly sworn, deposes and says that
she is the Principal Legal Clerk of the PNG Media LLC, 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:
07/05/2018

Jennifer Birch, Principal Legal Clerk

Subscribed and sworn to before me on this 6th day of July, A.D. 2018

Laurie Jackson, Notary Public
Commissioned in the State of Utah
My Commission expires 10/16/2019

NOTICE OF PUBLIC HEARING VACATION OF
PUBLIC UTILITY EASEMENT

The City of Logan has received a petition to vacate public utility easements between parcels 05-109-0039, 05-109-0040, 15-109-0005, 05-109-0006 of the communities in the Deer Crest Subdivision.

The City of Logan has received a petition to vacate public utility easements between parcels 05-109-0044 and 05-109-0045 at 2018 & 2030 Crestwood Lane.

The Logan Municipal Council will hold a public hearing on July 17, 2018 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. Petitions 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
Published July 5, 2018

NOTARY PUBLIC
LAURIE JACKSON
My Commission # 685300
My Commission Expires
October 18, 2019
STATE OF UTAH
STATE OF UTAH
COUNTY OF CACHE, ss

Civil
PROOF OF PUBLICATION

On this 30th day of July, A.D. 2018 personally appeared before me Jennifer Birch who being first being duly sworn, deposes and says that (s)he is the Principal Legal Clerk of the PNG Media LLC, 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:
07/22/2018

Jennifer Birch, Principal Legal Clerk
Subscribed and sworn to before me on this 30th day of July, A.D. 2018

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 July 17, 2018.
ORD. 18-10 An ordinance vacating Public Utility Easements between Parcels 05-109-0044 and 05-109-0045 at 2018 & 2030 Crestwood Lane.

These ordinances are effective immediately upon publication. Full text of the ordinances 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
Published July 22, 2018 Ref. No. 1789572