CITY OF LOGAN
ORDINANCE NO. 18-22

AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS BETWEEN PARCELS 05-107-0029 and 05-107-0030

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 shown in EXHIBIT A and described in EXHIBIT B, 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 and described in EXHIBIT B 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 __ DAY OF ____________, 2018 by the following vote:

Ayes: Anderson, Bradford, Jenson, Olson, Simmons

Nays:

Absent:

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 18th day of December, 2018.

Thomas C. Jensen, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 18th day of December, 2018.

Holly H. Daines, Mayor
WESTFIELD SUBDIVISION PHASE 2

PART OF SECTION 32, TOWNSHIP 12 NORTH,
RANGE 1 EAST, SALT LAKE BASELINE AND MERIDIAN,
ALSO
PART OF LOT 1 AND LOT 5, BLOCK 26,
PLAT "E", LOGAN FARM SURVEY,
LOGAN, UTAH

PROJECT LOCATION

LINE TABLE

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<tr>
<th>LINE</th>
<th>LENGTH</th>
<th>BEARING</th>
</tr>
</thead>
<tbody>
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<td>48.00</td>
<td>E 90°</td>
</tr>
<tr>
<td>2</td>
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<td>E 90°</td>
</tr>
<tr>
<td>3</td>
<td>40.00</td>
<td>E 90°</td>
</tr>
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</table>

VICINITY MAP

LOGAN CITY UTILITIES
WATER
WATERMAIN COLLECTION, 24" W. 6-29-13

Sewer
Sewermain Collection, 36" W. 6-29-13

CITY ATTORNEY APPROVAL
APPROVED THIS DATE OF
[Signature] [Date]
LOGAN CITY ATTORNEY

CITY ENGINEER APPROVAL
I HEREBY APPROVE THIS PLAN AND FIND IT TO BE
CORRECT AND ACCORDING TO THE INFORMATION ON FILE IN
THIS OFFICE.
[Signature] [Date]
LOGAN CITY ENGINEER
EXHIBIT B

The public utility easements along the Southerly 5.00 feet of Lot 29 and the Northerly 5.00 feet of Lot 30, shown on Westfield Subdivision, Phase 2 recorded in the Cache County Recorder’s Office under Entry No. 1127389 on June 18, 2015 described as follows:

Commencing at the Northeast Corner of Lot 30, Westfield Subdivision, Phase 2, thence N88°34'45" W 10.00 feet along the north line of said Lot 30 to the POINT OF BEGINNING and running
thence S 01°18'02" W 5.00 feet;
thence N 88°34'45" W 130.32 feet;
thence N 02°26'07" E 10.00 feet;
thence S 88°34'45" E 130.13 feet;
thence S 01°18'02" W 5.00 feet to the point of beginning.
A PETITION TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS LOCATED IN INFINITE HOLDINGS LLC, LOCATED AT 111 AND 133 SOUTH 1200 WEST, 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 Westfields Subdivision Phase 2 located at approximately 100 South 1200 West in Logan, UT shown in EXHIBIT A and EXHIBIT B.
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>OWNER NAME</th>
<th>OWNER ADDRESS</th>
<th>OWNER CITY</th>
<th>STATE</th>
<th>ZIP</th>
<th>PROPERTY ADDRESS</th>
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<td>JAMES L SPINDLER COMPANY LLC</td>
<td>PO BOX 3225</td>
<td>LOGAN, UT</td>
<td>84323</td>
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<td>165 S 1000 W</td>
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<tr>
<td>LOGAN CITY CORP</td>
<td>PO BOX 527</td>
<td>LOGAN, UT</td>
<td>84321</td>
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<td>Empty Lot</td>
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<tr>
<td>VRUGG HOLDINGS LLC</td>
<td>302 MEADOW VIEW LN</td>
<td>NIBLEY, UT</td>
<td>84321</td>
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<td>67 S 1200 W</td>
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<td>Empty Lot</td>
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<tr>
<td>INFINITE HOLDINGS LLC</td>
<td>580 N 570 E</td>
<td>SMITHFIELD, UT</td>
<td>84335</td>
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<td>111 S 1200 W</td>
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<td>INFINITE HOLDINGS LLC</td>
<td>580 N 570 E</td>
<td>SMITHFIELD, UT</td>
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<td>1217 W 200 S</td>
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</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:  

Printed Name:  
Date:
The City of Logan has received a petition to vacate a portion of public utility easement between parcels 05-107-0029 and 05-107-0030 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 and EXHIBIT B, showing the easement to be vacated.

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

- Date: December 4, 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: December 18, 2018
- 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.
LOT 29
14,923 sq. ft.
0.34 acres

LOT 30
15,121 sq. ft.
0.35 acres

PUBLIC UTILITY EASEMENT PROPOSED TO BE VACATED
Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 7th day of December, 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:
12/07/2018

Jennifer Birch,
Principal Legal Clerk

Subscribed and sworn to before me on this 7th day of December, A.D. 2018

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

NOTICE OF PUBLIC HEARING VACATION OF PUBLIC UTILITY EASEMENT

The City of Logan has received a petition to vacate a part of public utility easement between parcels 05-107-0029 and 05-107-0030 in Logan, Utah. The Logan Municipal Council will hold a public hearing on December 18, 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. 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 easement are available for inspection at the City Recorder's Office, 290 North 100 West, during regular office hours.
Teresa Harris, City Recorder
Published December 7, 2018 Ref. No. 1844663
Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 27th day of December, 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:
12/22/2018

Jennifer Birch, Principal Legal Clerk

Subscribed and sworn to before me on this 27th day of December, A.D. 2018

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 ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on December 18, 2018.

ORD. 18-22 - An ordinance approving a vacation of Public Utility Easements between Parcels 06-107-0029 and 05-107-0030 in the Westfields Subdivision Phase 2 located at approximately 100 South 1200 West in Logan, Utah.

ORD. 18-23 - An ordinance approving a zone change from Neighborhood Residential to Mixed Residential on approximately 33 acres located at 2200 South 1400 West, Meadow Creek Subdivision in Logan, Utah.

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 December 22, 2018 Ref. No. 1849675