CITY OF LOGAN
ORDINANCE NO. 19-15

AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS BETWEEN

PARCELS 03-171-0062 and 03-171-0063

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, a new public utility easement(s) are being reestablished for the above referenced parcels on a new property line location by an City approved Property 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 20 DAY OF August, 2019

by the following vote:

Ayes: Anderson, Johnson, Simmonds, Osborn

Nays: none

Absent: Bradfield

Teresa Harris, City Recorder

[signature]

Enrolled by: Michael Gleed, Rec. - Filed By MLG
For LOGAN CITY
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 20 day of August, 2019.

Jeannie F. Simmonds, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 20 day of August, 2019.

Holly H. Daines, Mayor
PUE TO BE VACATED. SEE EXHIBIT B.
A PETITION TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS LOCATED BETWEEN ROSE HILL PHASE 4 SUBDIVISION LOTS 62 AND 63, LOCATED AT 1413 AND 1403 WEST 1900 SOUTH, 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 vacation in the Rose Hill Phase 4 Subdivision between Lots 62 (Tax ID 03-171-0062) and 63 (Tax ID 03-171-0063), located at 1403 and 1413 West 1900 South, 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>NAME</th>
<th>ADDRESS</th>
<th>CITY/STATE/ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>MARLIES &amp; LANCE V STOTT</td>
<td>1843 S 1365 W</td>
<td>LOGAN, UT, 84321-7963</td>
</tr>
<tr>
<td>MALON H &amp; REBECCA TEEPLE</td>
<td>1851 S 1365 W</td>
<td>LOGAN, UT, 84321-7963</td>
</tr>
<tr>
<td>ROBERT B &amp; SHARRAH EWING</td>
<td>1859 S 1365 W</td>
<td>LOGAN, UT, 84321-7963</td>
</tr>
<tr>
<td>BECKIE C &amp; MARK C BROWNING</td>
<td>1869 S 1365 W</td>
<td>LOGAN, UT, 84321-7963</td>
</tr>
<tr>
<td>GILBERTO &amp; TERESA ONTIVEROS</td>
<td>1901 S 1365 W</td>
<td>LOGAN, UT, 84321</td>
</tr>
<tr>
<td>JUSTIN R &amp; VANESSA A SHEA</td>
<td>1905 S 1365 W</td>
<td>LOGAN, UT, 84321-6880</td>
</tr>
<tr>
<td>VANCE T &amp; STEPHANIE REEDER</td>
<td>1911 S 1365 W</td>
<td>LOGAN, UT, 84321-6880</td>
</tr>
<tr>
<td>ROSEHILL LLC</td>
<td>601 W 1700 S</td>
<td>LOGAN, UT, 84321-8207</td>
</tr>
<tr>
<td>NATHAN &amp; SHELLEY EDWARDS</td>
<td>1393 W 1825 S</td>
<td>LOGAN, UT, 84321</td>
</tr>
<tr>
<td>MICHAEL NUSS</td>
<td>1835 S 1395 W</td>
<td>LOGAN, UT, 84321-6979</td>
</tr>
<tr>
<td>TYLER &amp; DANIELLE BECKSTRAND</td>
<td>1853 S 1395 W</td>
<td>LOGAN, UT, 84321-6979</td>
</tr>
<tr>
<td>BRIAN M WALSH</td>
<td>1847 S 1395 W</td>
<td>LOGAN, UT, 84321-6979</td>
</tr>
<tr>
<td>SHANE THORPE</td>
<td>1857 S 1425 W</td>
<td>LOGAN, UT, 84321-7655</td>
</tr>
<tr>
<td>MELLINDA BURNHAM</td>
<td>1871 S 1425 W</td>
<td>LOGAN, UT, 84321-7655</td>
</tr>
<tr>
<td>RAQUEL FRIDDL</td>
<td>1415 W 1855 S</td>
<td>LOGAN, UT, 84321-6982</td>
</tr>
<tr>
<td>MARTHA E &amp; MARIANO RODRIGUEZ</td>
<td>1407 W 1855 S</td>
<td>LOGAN, UT, 84321-6982</td>
</tr>
<tr>
<td>CAMERON JENSEN</td>
<td>1863 S 1425 W</td>
<td>LOGAN, UT, 84321-7655</td>
</tr>
<tr>
<td>RYAN B GRIGGS</td>
<td>1423 W 1855 S</td>
<td>LOGAN, UT, 84321-6982</td>
</tr>
<tr>
<td>KYLE OWENS</td>
<td>1406 W 1855 S</td>
<td>LOGAN, UT, 84321-6982</td>
</tr>
<tr>
<td>ALLISON FEINAUER</td>
<td>1410 W 1855 S</td>
<td>LOGAN, UT, 84321</td>
</tr>
<tr>
<td>KRISTI L BIRD</td>
<td>1870 S 1425 W</td>
<td>LOGAN, UT, 84321-7655</td>
</tr>
<tr>
<td>CHARLIE JOSE LOPEZ DIAZ</td>
<td>1398 W 1855 S</td>
<td>LOGAN, UT, 84321</td>
</tr>
<tr>
<td>KARTCHNER HOMES CV DIVISION INC</td>
<td>601 W 1700 S BLDG B</td>
<td>LOGAN, UT, 84321-8207</td>
</tr>
<tr>
<td>BRADLEY R &amp; CATHY P HOGGAN</td>
<td>PO BOX 174</td>
<td>FIELDING, UT, 84311-0174</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:  

Printed Name:  
Date:  

Printed Name:  
Date:  

The City of Logan has received a petition to vacate a portion of public utility easement between parcels Tax ID 03-171-0062 and 03-171-0063 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: August 6, 2019
   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: August 20, 2019
   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.
Vacated Public Utility Easement

A public utility easement to be vacated located in Lot 62 and 63 of Rosehill PUD, Phase 4 recorded in the Cache County Recorders office under Entry No. 1220824 on June 14, 2019 also located in the Northwest Quarter of Section 17, Township 11 North, Range 1 East of the Salt Lake Meridian described as follows:

Commencing at the Northwest Corner of Lot 62, Rosehill PUD, Phase 4 thence N 86°48'09" E 47.14 feet to the Northeast Corner of Lot 62; thence S 10°20'29" E 5.04 feet to the POINT OF BEGINNING and running

thence N 86°48'09" E 5.04 feet;
thence S 10°20'29" E 63.96 feet;
thence Westerly, a distance of 10.00 feet along a non tangent curve to the right of which the radius point lies N 10°42'15" W, with a radius of 790.00 feet, having a central angle of 00°43'31" and a chord that bears S 79°39'31" W 10.00 feet;
thence N 10°20'29" W 65.21 feet;
thence N 86°48'09" E 5.04 feet to the point of beginning.
NOTICE OF PUBLIC HEARING VACATION OF PUBLIC UTILITY EASEMENT

The City of Logan has received a petition to vacate a portion of public utility easement located between Rose Hill Phase 4 Subdivision Lots 62 and 63, located at 1413 and 1403 West 1900 South, Logan, Utah. The Logan Municipal Council will hold a public hearing on August 20, 2019 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 August 9, 2019

Ref. No. 1931551
SALESPERSON: LAURIE JACKSON

Acct #: 180841

LOGAN CITY LEGAL
290 NORTH 100 WEST
LOGAN UT 84321

Start: 08/09/2019
Stop: 08/09/2019

Times Ord: 1
Times Run: ***

LEGL 2.00 X 27.00
Total LEGL 54.00

Class: 0006 GOVERNMENT NOTICES
Rate: LG
Cost: 59.09

# Affidavits: 1

Contact: lor.mathys@loganutah.org
Phone: (435)716-9797
Fax#: (435)716-9797
Agency: PUB ZONE

Ad # : 1931533
Status: New WHOLD

Printed at 08/07/19 12:53 by lja13

Stop : 08/09/2019
Times Run :

Words : 158

Class : 0006 GOVERNMENT NOTICES
Rate : LG
Cost : 59.09

# Affidavits : 1

Ad Descrpt : TERESA HARRIS
Given by : *
Created : lja13 08/07/19 12:51
Last Changed : lja13 08/07/19 12:53

PUB ZONE EDT TP RUN DATES
HJ A 96 S 08/09
HJWN A 97 S 08/09

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type) Name (signature)

(CONTINUED ON NEXT PAGE)
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 10th day of August, A.D. 2019 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:
08/09/2019

Jennifer Birch, Principal Legal Clerk

Subscribed and sworn to before me on this 10th day of August, A.D. 2019

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

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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 August 9, 2019
ORDER CONFIRMATION

Salesperson: LAURIE JACKSON

Acct #: 180841

LOGAN CITY LEGAL
290 NORTH 100 WEST
LOGAN UT 84321

Contact:
Phone: (435) 716-9797
Fax#: (435) 716-9797
Email: lori.mathys@loganutah.org
Agency: PUB ZONE

Printed at 08/21/19 11:25 by bjo13

Ad #: 1937204 Status: New CHOLD
Start: 08/23/2019 Stop: 08/23/2019
Times Ord: 1 Times Run: ***
LEGL 2.00 X 22.00 Words: 105
Total LEGL 44.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG Cost: 52.90
# Affidavits: 1

PUB ZONE EDT TP RUN DATES
HJ A 96 S 08/23
HJWN A 97 S 08/23

AUTHORIZATION

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Name (print or type) __________________________ Name (signature) __________________________

LEGAL NOTICE

LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinance was adopted and approved by the Logan Municipal Council, Logan, Utah on August 20, 2019.

ORD. 19-15 - An ordinance to vacate certain Public Utility Easements located between Rose Hill Phase 4 Subdivision Lots 62 and 63, located at 1413 and 1403 West 1900 South, Logan Utah.

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
Published August 23, 2019 Ref. No.1937204
### ORDER CONFIRMATION

**Salesperson:** Brianna Johnson  
**Acct #:** 180841  
**Ad #:** 1937196  
**Status:** New WHOLD

**LOGAN CITY LEGAL**  
**290 NORTH 100 WEST**  
**LOGAN UT 84321**

**Contact:**  
**Phone:** (435) 716-9797  
**Fax #:** (435) 716-9797  
**Email:** lori.mathys@loganutah.org  
**Agency:** PUB ZONE  
**PUB ZONE EDT TP RUN DATES**  
**HJ A** 96 S 08/23  
**HJWN A** 97 S 08/23

**Start:** 08/23/2019  
**Stop:** 08/23/2019  
**Times Ord:** 1  
**Times Run:** ***  
**LEGL 2.00 X 25.00**  
**Total LEGL:** 50.00  
**Class:** 0006 GOVERNMENT NOTICES  
**Rate:** LG  
**Cost:** 55.41  
**Words:** 139  
**# Affidavits:** 1  
**Ad Descrpt:** TERESA HARRIS  
**Given by:** *  
**Created:** bjol3 08/21/19 11:14  
**Last Changed:** bjol3 08/21/19 11:19

### AUTHORIZATION

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**Name (print or type)**  
**Name (signature)**

(CONTINUED ON NEXT PAGE)
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 23rd day of August , A.D. 2019 personally appeared
before me Brianna Johnson 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:
08/23/2019

[Signature]
Principal Legal Clerk

Subscribed and sworn to before me on this 23rd day of August , A.D. 2019

[Signature]
Notary Public
Commissioned in the State of Utah
My Commission expires 10/18/2019

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Easements located between Rose Hill Phase 4 Subdivision
Lots 62 and 63, located at 1413 and 1403 West 1900 South,
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text of the ordinance can be reviewed at the office of the
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Teresa Harris, City Recorder
Published August 23, 2019       Ref. No.1937204