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EH 2183346 PG 1 OF 2  
DOUG CROFTS, WEBER COUNTY RECORDER  
31-MAY-06 1030 AM FEE \$0.00 DEP JKC  
REC FOR: OGDEN CITY

**RESOLUTION NO. 2006-15**

**A RESOLUTION OF THE OGDEN CITY COUNCIL APPROVING THE VACATION OF A PORTION OF 23RD STREET BETWEEN KIESEL AND GRANT AVENUE; QUIT CLAIMING THE PROPERTY WITHIN THE VACATED PORTION OF SAID STREET TO THE ABUTTING PROPERTY OWNERS AS THEIR INTEREST MAY APPEAR; RESERVING A RIGHT-OF-WAY FOR ALL UTILITIES THAT MAY NOW EXIST IN SAID PORTION OF SUCH STREET; AND DIRECTING THE CITY RECORDER TO RECORD THIS RESOLUTION IN THE OFFICE OF THE COUNTY RECORDER.**

**WHEREAS**, there has been filed with the Council of Ogden City a petition requesting that a portion of 23rd Street between Grant Avenue and Kiesel Avenue be vacated;

**WHEREAS**, the petition was reviewed by the Ogden City Planning Commission and recommended that the petition be granted;

**WHEREAS**, after notice and public hearing as acquired by State law, the City Council finds that good cause exists for such vacation and that neither the public interest nor any person will be materially injured if such petition is granted.

**NOW, THEREFORE**, the Council of Ogden City hereby resolves as follows:

A. The portion of 23rd Street described herein, as said street has heretofore been dedicated to Ogden City and the use of the public, is hereby closed to the public pursuant to law and the platting and/or dedication thereof is hereby vacated; reserving, however, an easement for any utilities presently existing in said portion of such street, which easements may be terminated if such utilities are relocated or removed. The portion of 23rd Street hereby vacated and closed is generally described as the southernmost 12 feet of the south side of 23rd Street extending from Kiesel Avenue west to the parking structure and more particularly described as follows:

BEGINNING AT THE NORTHEAST CORNER OF LOT 10, OGDEN ENTERTAINMENT SUBDIVISION PHASE 2, WEBER COUNTY, UTAH; RUNNING THENCE NORTH 88°42'50" WEST 301.53 FEET, THENCE NORTH 01°16'39" EAST 12 FEET, THENCE SOUTH 88°42'50"E 301.53 FEET, THENCE SOUTH 01°16'39" WEST 12 FEET TO THE POINT OF BEGINNING

B. Ogden City hereby relinquishes and quit claims to the abutting property owners, as their interests may appear, all of its right, title and interest in and to the land within said portion of 23rd Street is hereby closed and vacated; provided, however, that said vacation is subject to all utilities that may now exist in said vacated portion, including, but not limited to watermains, sanitary sewer mains, storm sewer lines, gas lines, electric lines, telephone lines and cable lines, said easement to provide full right of ingress and egress for maintenance, repairs or replacement of any and all such utility lines.

C. The City Recorder of Ogden City is authorized and directed to cause a copy of this resolution to be recorded in the office of the Weber County Recorder.

APPROVED AND ADOPTED this 30 day of May, 2006.

Jesse M. B.  
CHAIR

ATTEST:

Sarah Marshall  
CITY RECORDER

APPROVED AS TO FORM:

Ang 5/26/06  
LEGAL DATE

