



ORDINANCE NO. 765



W2496955

E# 2496955 PG 1 OF 5
ERNEST D ROWLEY, WEBER COUNTY RECORDER
15-OCT-10 1119 AM FEE \$18.00 DEP LF
REC FOR: FOUNDERS TITLE

F-78766W

AN ORDINANCE VACATING A PORTION OF 1275 WEST STREET FROM THE INTERSECTION AT 1500 WEST AND PROCEEDING A NORTH-EAST DIRECTION FOR APPROXIMATELY 820 FEET TO THE INTERSECTION WITH 1275 WEST STREET, JUST EAST OF THE CINEDOME PROPERTY LINE, RESERVING EASEMENTS FOR ALL UTILITIES, WATER, STORM WATER AND SEWER LINES; ALL LOCATED WITHIN THE CORPORATE LIMITS OF RIVERDALE CITY

WHEREAS, Riverdale City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah; and

WHEREAS, Utah Code empowers municipalities to abandon roads or other real property within the incorporated boundaries of the municipality; and

WHEREAS, any future proposed developments in the affected section would be best served by abandoning a portion of this proposed road in order to clear title to the pieces and allow for the transfer and/or development of said ground; and

WHEREAS, the City has maintained the lands for over twenty years; and

WHEREAS, all requirements of local and state codes have been satisfied; and

WHEREAS, since to do so will promote health, safety and the general welfare of the community.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RIVERDALE:

Section 1. The Riverdale City Council finds that good cause exists to grant the petition to vacate that portion of the street known as 1275 West Street, aka Cinedome property road, from the intersection at 1500 West and proceeding in a meandering north-east direction through the Cinedome property parking lot approximately 820 feet until it connects with 1275 West just east of the Cinedome property line, more specifically described in Exhibit "A" attached hereto and by this reference made a part hereof. Further the Council finds that the public interest is best served by the vacation and that no person is materially injured by the vacation.

Section 2. Vacation of Street. Be it hereby ordained by the Riverdale City Council that the portion of the street(s) known as 1275 West Street, aka Cinedome property road, from the intersection at 1500 West Street and proceeding in a meandering north-east direction through the Cinedome property parking lot approximately 820 feet until it connects with 1275 West just east of the Cinedome property line, more specifically described in Exhibit "A", be and is hereby vacated reserving thereto easements for any and all utility lines including, but not limited to, Sanitary Sewer, Storm Drains and Water as more specifically described in Exhibit "B" attached

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hereto and by this reference made a part hereof. Said described road portion is located within the City of Riverdale, county of Weber, State of Utah, and is hereby vacated and granted, transferred and conveyed, without warranty, as per Utah law, subject to the reserved easements.

Section 3. Authorization of Deed. The Mayor of the City of Riverdale is hereby authorized to sign an appropriate deed necessary to carry out the provisions of this ordinance.

Section 4. Repealer. Any provision of the Riverdale Municipal Ordinance Code found to be in conflict with this ordinance is hereby repealed.

Section 4. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 5. This ordinance shall take effect immediately upon its adoption and posting as required by law.

PASSED, ADOPTED AND ORDERED POSTED this 3rd day of August, 2010.


Bruce Burrows, Mayor

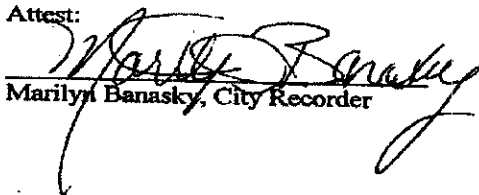
Attest:

Marilyn Banasky, City Recorder



EXHIBIT "A"
AS-SURVEYED DESCRIPTION

FOR

CITY OF RIVERDALE PROPERTY

BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, CITY OF RIVERDALE, WEBER COUNTY, UTAH AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE SOUTH $00^{\circ}36'34''$ WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 1326.18 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE DEPARTING SAID WEST LINE SOUTH $89^{\circ}59'57''$ EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, 450.33 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $89^{\circ}59'57''$ EAST, ALONG SAID SOUTH LINE 215.00 FEET; THENCE SOUTH $00^{\circ}39'26''$ WEST, 104.49 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 62.19 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 105.43 FEET THROUGH A CENTRAL ANGLE OF $97^{\circ}08'34''$; THENCE NORTH $83^{\circ}30'52''$ EAST, 89.64 FEET; THENCE SOUTH $06^{\circ}25'16''$ EAST, 171.10 FEET; THENCE SOUTH $0^{\circ}00'35''$ WEST, 3.48 FEET TO THE NORTHERLY LINE OF VALLEY SIDE SUBDIVISION; THENCE NORTH $89^{\circ}59'15''$ WEST, ALONG SAID NORTHERLY LINE, 60.00 FEET; THENCE DEPARTING SAID NORTHERLY LINE NORTH $06^{\circ}25'16''$ WEST, 107.26 FEET; THENCE SOUTH $83^{\circ}34'44''$ WEST, 12.10 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 120.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 102.37 FEET THROUGH A CENTRAL ANGLE OF $48^{\circ}52'41''$; THENCE SOUTH $00^{\circ}39'29''$ WEST, 67.00 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 120.00 FEET, THE RADIUS BEARS AT SAID POINT (NORTH $28^{\circ}18'44''$ EAST); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 129.39 FEET THROUGH A CENTRAL ANGLE OF $61^{\circ}46'46''$; THENCE NORTH $00^{\circ}05'30''$ EAST, 44.60 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 20.00 FEET, THE RADIUS BEARS AT SAID POINT (NORTH $89^{\circ}53'48''$ WEST); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 31.42 FEET THROUGH A CENTRAL ANGLE OF $90^{\circ}00'42''$; THENCE NORTH $89^{\circ}54'30''$ WEST, 218.57 FEET; THENCE SOUTH $54^{\circ}18'26''$ WEST, 40.01 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 184.95 FEET, THE RADIUS BEARS AT SAID POINT (NORTH $76^{\circ}53'47''$ WEST); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, 60.60 FEET THROUGH A CENTRAL ANGLE OF $18^{\circ}46'24''$; THENCE SOUTH $31^{\circ}52'37''$ WEST, 17.16 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 64.24 FEET, THE RADIUS BEARS AT SAID POINT (SOUTH $58^{\circ}07'14''$ EAST); THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, 38.26 FEET THROUGH A CENTRAL ANGLE OF $34^{\circ}07'27''$; THENCE SOUTH $02^{\circ}14'41''$ EAST,

160.69 FEET; THENCE SOUTH $89^{\circ}49'30''$ WEST, 38.88 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 610.85 FEET, THE RADIUS BEARS AT SAID POINT ($SOUTH\ 89^{\circ}09'28''\ WEST$); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, 49.97 FEET THROUGH A CENTRAL ANGLE OF $04^{\circ}41'15''$; THENCE NORTH $88^{\circ}49'30''$ EAST, 9.69 FEET; THENCE NORTH $02^{\circ}14'41''$ WEST, 110.19 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 94.24 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, 56.13 FEET THROUGH A CENTRAL ANGLE OF $34^{\circ}07'27''$; THENCE NORTH $31^{\circ}52'37''$ EAST, 17.16 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 154.95 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, 9.92 FEET THROUGH A CENTRAL ANGLE OF $03^{\circ}40'06''$; THENCE SOUTH $54^{\circ}18'28''$ WEST, 45.19 FEET; THENCE SOUTH $21^{\circ}07'38''$ WEST, 41.14 FEET; THENCE NORTH $18^{\circ}24'58''$ EAST, 101.79 FEET; THENCE NORTH $58^{\circ}29'33''$ EAST, 217.00 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 1.454 ACRES OR 63,321.46 SQUARE FEET MORE OR LESS.

Exhibit B

