



W2958113

Abutter's Alley Closure

EN 2958113 PG 1 OF 5
LEANN H KILTS, WEBER COUNTY RECORDER
20-DEC-18 447 PM FEE \$18.00 DEP JKC
REC FOR: DAVE GOODE

Please print legibly and complete all areas:

Subdivision developers sometimes chose that all property-owners next to an alley owned the alley in common. This is called an *abutter's alley*. Since the owners of the lots next to the alley have rights to the full length of the alley, only an agreement reached by all those owners can close, or vacate all, or portions of, the alley.

Property owners have the right to vacate an abutter's alley in order to discontinue its use as an accessible way of transit to the public—provided that such property owner abuts the alley targeted for closure. When property owners give up their rights to the alley, they will no longer be able to use the alley for access but will be deeded a 1/2 portion of the alley—the width of their lot.

These are the steps to vacate and close an abutter's alley:

Contact information

Name: Dave Goode - Managing Member for D2 Investments, LLC

Address: 2450 Wall Avenue, Ogden, UT 84401

Phone: 801-686-8650

E-mail: dave@goode.com

Identify the alley to be vacated. Provide a legal description of the abutter's alley.

See attached

Determine which properties have rights to use the alley. Identify all properties which abut, or are touching, any portion of the alley.

See attached

Decide how much of the alley should be vacated. Some or all of an abutter's alley may be vacated. However, all property owners abutting the alley must consent to the vacation. If there are hold-outs who still want to use a portion of the alley, the option of closing a portion of the alley and keeping part of it open for those properties which need use of the alley is possible—provided that all abutting property owners agree to the plan.

Entire Alley

Decide what to do with the alley once it is vacated. When vacated, the alley ownership is divided evenly down the middle and given to the adjoining property. All owners of property should know in advance what they will do with the alley once it is vacated: How will the land be used? Is the abutting property owner willing to integrate the portion of the alley into his/her lot?

This Alley already has improvements made on it.

Sign and notarize the request for closure. All property owners abutting the alley must sign and date the request for closure. All owners must sign, even if only a portion of the alley is closed. Each signature must be notarized. Ownership name must be stated and spelled the same way it appears on the ownership deed recorded by the Weber County Recorder. One of the owners of property abutting the alley should take charge by making sure all signatures are notarized, and he/she should take all documentation to the Weber County Recorder at 2380 Washington Boulevard, Ogden, Utah 84401, Suite 370.

Done on 12/20/2018

Record the request for closure with the Weber County Recorder. Once the request for closure has been signed, dated and notarized by all adjoining property owners, it must be recorded at the Weber County Recorder. Charges include a \$10 fee for the first page, \$2 for each additional page, and \$1 per lot. Any other fee assessed by Weber County must be paid by the abutting property owners.

Understood. Just let me know how much the final amount is.

****Disclaimer: Ogden City serves only as a resource for information and will not provide legal advice in regards to alley closures.****

To: WEBER COUNTY RECORDER

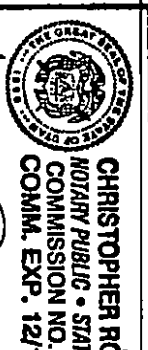
The undersigned, being all of the owners of property abutting upon the abutter's alley lying within* All of Lots 1 through 12, inclusive, in Block 1, NEVADA ADDITION to Ogden City, Weber County, Utah.

EXCEPTING, HOWEVER, those portions thereof condemned in fee simple by Utah State Road Commission for highway purposes by instrument recorded in Book 1090 of Records, Page 365. Tax ID # 03-014-0009

In Ogden City, Weber County, State of Utah, hereby consent to closing the mentioned alley and to vacate the same and quitclaim the lands embraced therein to the abutting property owners as their interest may appear. And the undersigned—abutting property owners—covenant and agree with each other that they have surrendered and they do hereby surrender to each other as their separate interests may appear any and all rights-of-way which they may have for passage on or over the lands included in said alley by reason of their ownership of property abutting thereto.

*Insert Legal Description of block through which the alley runs.

All names must be as shown on the recorded plat. All signatures must be notarized. Owners of all properties abutting the alley must sign in order to have the alley vacated, regardless of how much of the alley is vacated.

Print Name	Signature	Address	APN #	Date	Notary Seal
Dave Goode, Managing Member D2 Investments, LLC	<i>[Signature]</i> D2 Investments, LLC	2450 Wall Avenue Ogden, UT 84401		12/20/2018	 <p>CHRISTOPHER ROBERTS NOTARY PUBLIC • STATE of UTAH COMMISSION NO. 692631 COMM. EXP. 12/16/2020</p>
On the ___ day of ___, 20___, the above signed personally appeared before me and duly acknowledged to me that they executed the same. STATE OF UTAH ss. COUNTY OF WEBER					
On the ___ day of ___, 20___, the above signed personally appeared before me and duly acknowledged to me that they executed the same. STATE OF UTAH ss. COUNTY OF WEBER					
On the ___ day of ___, 20___, the above signed personally appeared before me and duly acknowledged to me that they executed the same. STATE OF UTAH ss. COUNTY OF WEBER					
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[Signature]

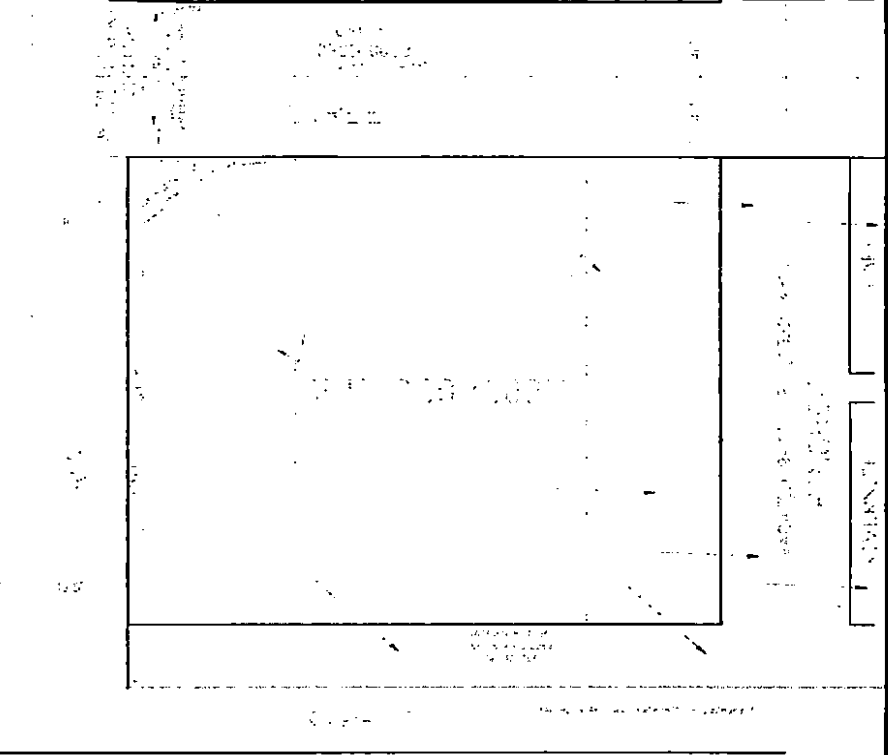
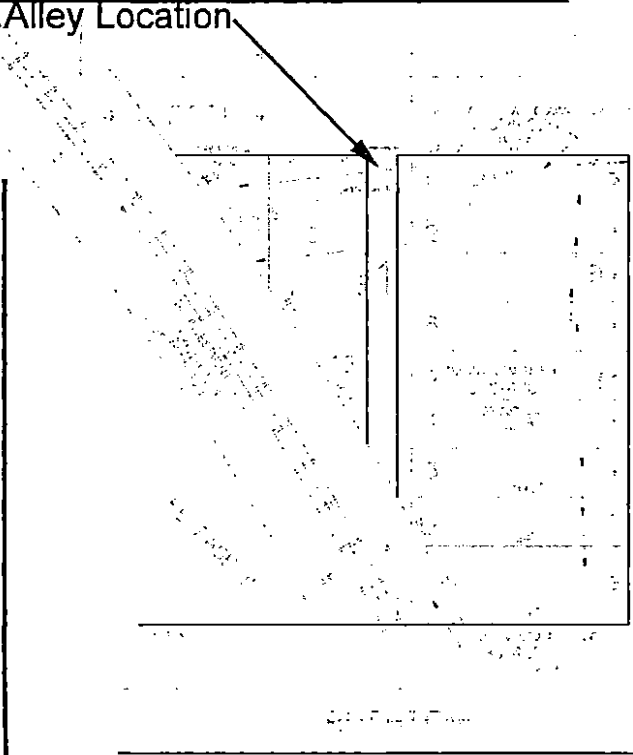
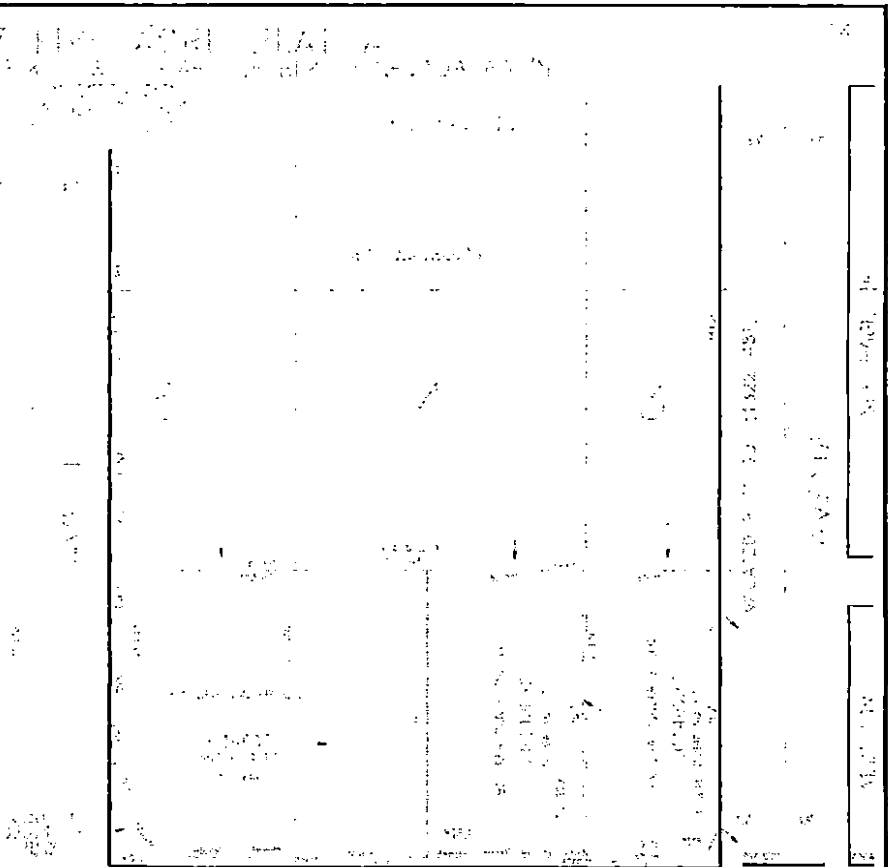
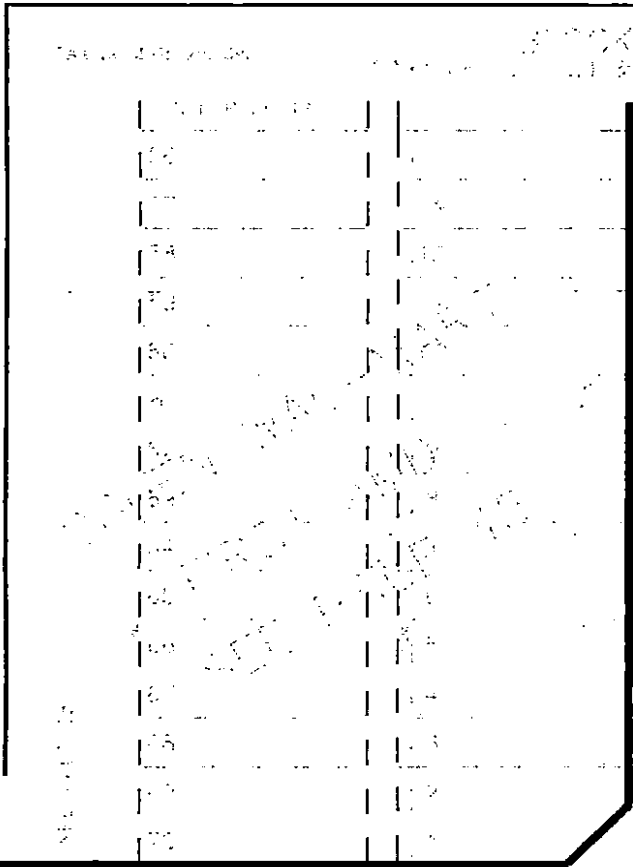


Exhibit "A"

All of Lots 1 through 12, inclusive, in Block 1, NEVADA ADDITION to Ogden City, Weber County, Utah.

~~EXCEPTING, HOWEVER, those portions thereof condemned in fee simple by Utah State Road Commission for highway purposes by instrument recorded in Book 1090 of Records, Page 365.~~

Tax ID # 03-014-0009