



ORDINANCE NO. 2004-7

AN ORDINANCE OF OGDEN CITY, UTAH VACATING A PORTION OF JEFFERSON AVENUE BETWEEN 22ND AND 23RD STREET BY VACATING A 2.5' STRIP ALONG THE WEST SIDE AND A 3.5' STRIP ALONG THE EAST SIDE; 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; DIRECTING THE CITY RECORDER TO RECORD THIS ORDINANCE IN THE OFFICE OF THE COUNTY RECORDER; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION AFTER FINAL PASSAGE.

WHEREAS, the Planning Commission has recommended that a portion of Jefferson Avenue between 22nd Street and 23rd Street be vacated, without petition by the abutting property owners;

WHEREAS, after holding public hearings as required by State law the City Council has determined that good cause exists for such vacation and that neither the public nor any person will be injured if such petition is granted.

NOW, THEREFORE, the Council of Ogden City hereby ordains:

SECTION 1. That portion of Jefferson Avenue 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 dedication thereof is hereby vacated; reserving, however, a public utility easement for any utilities presently existing in said portion of such street. The portion of Jefferson Avenue hereby vacated and closed is generally described as a portion of Jefferson Avenue between 22nd Street and 23rd Street, including a 2.5' strip along the west side and a 3.5' strip along the east side, and more particularly described as follows:

WEST SIDE

PART OF PLAT A, OF OGDEN CITY SURVEY, WEBER COUNTY, BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 41, AND RUNNING THENCE EAST 2.5', THENCE SOUTH AND

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DOUG CROFTS, WEBER COUNTY RECORDER
30-MAR-04 8:41 AM FEE \$0.00 DEP SGC
REC FOR: OGDEN-CITY

PARALLEL TO THE EAST LOT LINES OF LOTS 7, 8, 9, 10 AND 1 OF BLOCK 41 TO A POINT 2.5' EAST OF THE SOUTHEAST CORNER OF LOT 1, BLOCK 41, THENCE, WEST 2.5' TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 41, THENCE NORTH ALONG THE EAST LOT LINE OF LOTS 1, 10, 9, 8 and 7 OF BLOCK 41 TO THE POINT OF BEGINNING.

EAST SIDE

PART OF PLAT A, OF OGDEN CITY SURVEY, WEBER COUNTY, BEGINNING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 42, AND RUNNING THENCE WEST 3.5', THENCE SOUTH AND PARALLEL TO THE WEST LOT LINES OF LOTS 6 AND 5 OF BLOCK 42 TO A POINT 3.5' WEST OF THE SOUTHWEST CORNER OF LOT 5, BLOCK 42, THENCE EAST 3.5' TO THE SOUTHWEST CORNER OF LOT 5, BLOCK 42, THENCE NORTH ALONG THE WEST LOT LINE OF LOTS 5 AND 6 OF BLOCK 42 TO THE POINT OF BEGINNING.

SECTION 2. 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 Jefferson Avenue 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.

SECTION 3. The City Recorder of Ogden City is authorized and directed to cause a copy of this ordinance to be recorded in the office of the Weber County Recorder.

SECTION 4. Effective date. This ordinance shall be effective immediately upon publication after final passage.

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PASSED, ADOPTED AND ORDERED PUBLISHED by the Council

of Ogden City, Utah this 24th day of February, 2004.

[Signature]
CHAIR - ACTING

ATTEST:

[Signature]
CITY RECORDER

TRANSMITTED TO THE MAYOR ON: 3/2/04

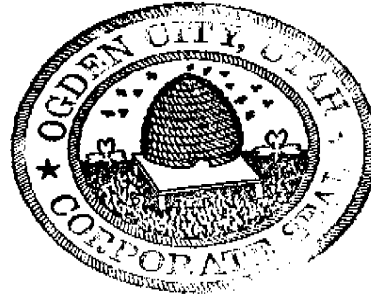
MAYOR'S ACTION: Approved Vetoed

[Signature]
MAYOR

PUBLICATION DATE: 3/10/04

EFFECTIVE DATE: 3/10/04

APPROVED AS TO FORM: [Signature] 1/14/04
Legal Date



ATTEST:

[Signature]
City Recorder



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