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RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH

STREET VACATION – 9270 SOUTH STREET

ORDINANCE 20-07

AN ORDINANCE MODIFYING THE OFFICIAL STREET MAP OF SANDY BY VACATING 29,512 SQUARE FEET OF STREET RIGHT-OF-WAY LOCATED ALONG 9270 SOUTH STREET FROM APPROXIMATELY STATE STREET TO BENSON WAY; ALSO ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Sandy City Council has been granted specific authority to regulate, plan and establish public streets within Sandy City and may amend such regulations and plans or vacate a street according to the provisions of Sections 10-8-8 and 10-9a-609.5, Utah Code Annotated; and

WHEREAS, a modification to the official street map has been proposed to vacate 29,512 sq. ft. of street right-of-way located at 9270 South Street from approximately State Street to Benson Way; and

WHEREAS, the Planning Commission held a public meeting on July 16, 2020, to consider the vacation, which meeting was preceded by publication of the meeting agenda by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, and on the property on July 6, 2020, also mailed out to residents within 500 feet and to affected entities of the portion to be vacated; and

WHEREAS, the Planning Commission determined that good cause exists for vacation and that there is neither material injury to either the public interest nor any person by the requested vacation, and forwarded a positive recommendation to the City Council; and

WHEREAS, a public hearing was held by the Sandy City Council on July 28, 2020 and continued to August 11, 2020, to consider adoption of the proposed vacation, which meeting was preceded by posting in Sandy City Hall, the Sandy City Parks & Recreation Building, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov>, on July 17, 2020, also mailed to residents within 500 feet and to affected entities, and posted on or near the street of right-of-way; and

WHEREAS, the City Council has determined that upon completion of construction of Sandy City's 9270 Realignment Project good cause exists for vacation of said street and that neither the public interest nor any person will be materially injured by the vacation; and

WHEREAS, vacation of the portion of 9270 South Street from approximately State Street to Benson Way, is in the best interest of the health, safety and welfare of the City's residents.

SANDY CITY
10000 CENTENNIAL PARKWAY
SANDY UT 84070
BY: ADA, DEPUTY - MA & P

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, that , upon recording of this Ordinance, the Official Street Map of Sandy City will be modified by vacating 29,512 square feet of street right-of-way along 9270 South Street from approximately State Street to Benson Way, as described in **Exhibit “A”** and shown on **Exhibit “B”**, which are attached hereto and by this reference made a part hereof.

Section 1. Effect of Vacation. Upon recording of this Ordinance, the vacation herein shall operate as a relinquishment of the City’s fee in the vacated portion of street. Pursuant to section 10-9a-609.5, Utah Code Annotated, the City Council’s vacation of the right-of-way described herein operates to the extent to which it is vacated as a revocation of the acceptance of and the relinquishment of the City’s fee in the vacated street right-of-way and may not be construed to impair any right-of-way or easement of any lot owner, easement holder or the franchise rights of any public utility.

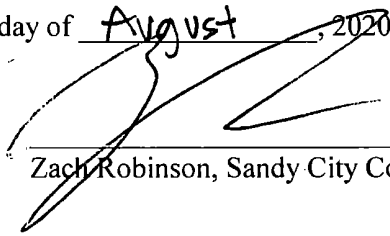
Section 2. Reservation of Easement. Sandy City hereby specifically retains and reserves unto itself an easement for all utility purposes over the entire portion of the vacated street right-of-way.

Section 3. Recording of Ordinance. the City Recorder is hereby directed to file a certified copy of this Ordinance with the Salt Lake County Recorder only after and upon verification by the City Engineer that Sandy City’s 9270 Realignment Project is complete.

Section 4. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 5. Effective. This ordinance shall become effective upon being recorded with the Salt Lake County Recorder.

PASSED AND APPROVED this 11th day of August, 2020.



Zach Robinson, Sandy City Council

ATTEST:

Wendy D.
City Recorder



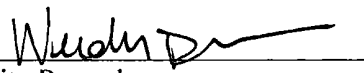
PRESENTED to the Mayor of Sandy City for his approval this 2ND day of MARCH, 2020.

APPROVED this 2ND day of MARCH, 2020.



Kurt Bradburn, Mayor

ATTEST:


City Recorder

PUBLISHED this 24 day of August, 2020.



EXHIBIT "A"

Beginning at a Point on the easterly right-of-way line of State Street as described in that certain Special Warranty Deed, recorded February 28, 2005 as Entry No. 9308753 in Book 9093 at Pages 7719-7721 in the office of the Salt Lake County Recorder, said Point lies, North 54.76 feet, East 140.32 feet (record = 140.23 feet), North 0°02'40" East 783.92 feet and North 89°49'34" East 3.50 feet from the Southwest Corner of Section 6, Township 3 South, Range 1 East, Salt Lake Base and Meridian;

thence North 0°02'40" East 101.62 feet, more or less, to intersect the northerly-right of way line of 9270 South Street (formerly known as 9250 South Street);

thence along said northerly right-of-way line, North 89°57'24" East (record = East) 374.59 feet, more or less, to a point of curvature;

thence along the boundary of that parcel of land conveyed to Sandy City by Corrective Quit-Claim Deed, recorded November 16, 1999 as Entry No. 7513919 in Book 8323 at Pages 3654-3656, Northeasterly 7.64 feet along the arc of a tangent curve to the left, having a radius of 10.00 feet, a central angle of 43°45'21" and a chord bearing and length of North 68°04'44" East 7.45 feet to intersect the arc of a curve on the southwesterly right-of-way line of the realigned 9270 South Street;

thence along said southwesterly right-of-way line the following five (5) courses:

- (1) Southeasterly 22.36 feet along the arc of a non-tangent curve to the left whose center bears North 39°06'55" East, has a radius of 319.00 feet, a central angle of 4°00'57" and a chord bearing and length of South 52°53'34" East 22.35 feet;
- (2) South 12°38'21" West 12.51 feet;
- (3) South 60°47'34" East 61.00 feet;
- (4) North 45°00'17" East 12.74 feet;
- (5) Southeasterly 52.32 feet along the arc of a non-tangent curve to the left whose center bears North 22°51'21" East, has a radius of 319.00 feet, a central angle of 9°23'52" and a chord bearing and length of South 71°50'35" East 52.26 feet to intersect the southerly right-of-way line of said 9270 South Street;

thence along said southerly right-of-way line, South 89°49'34" West 145.24 feet;

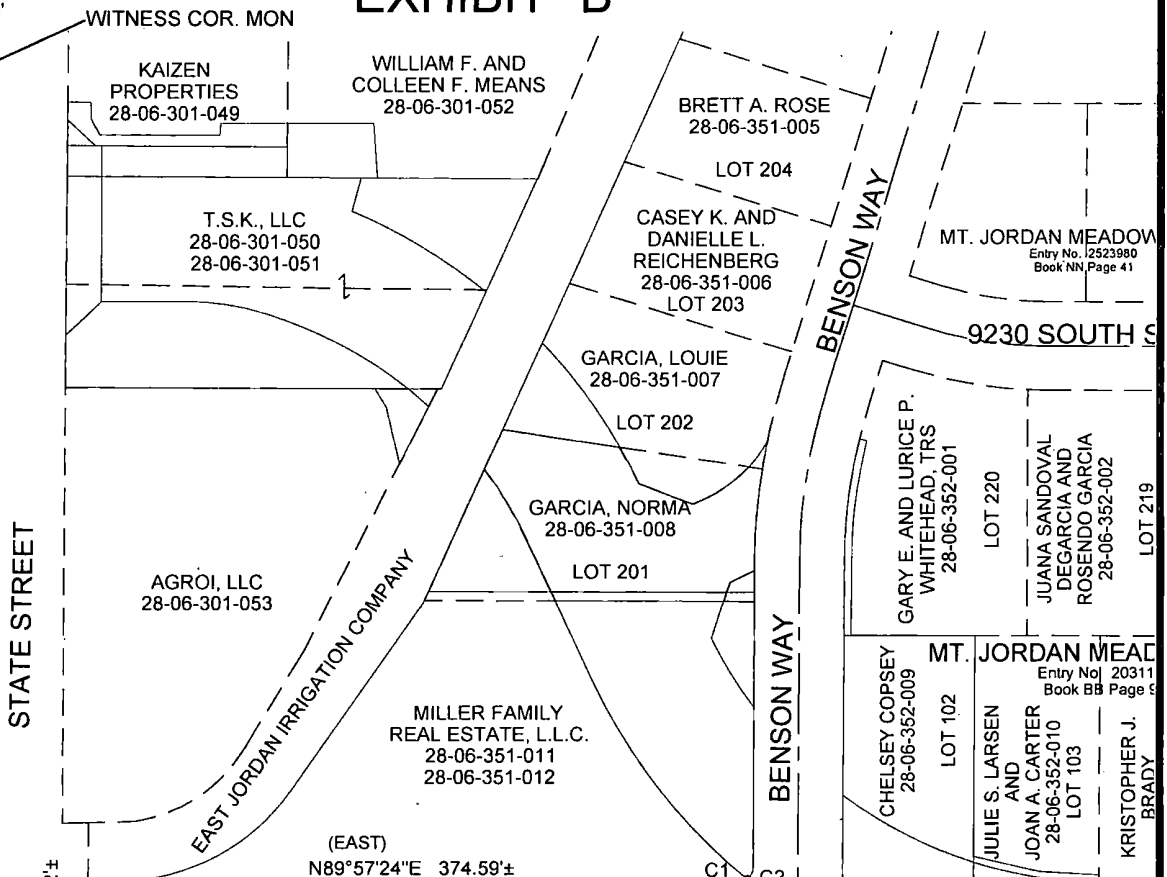
thence along the southerly right-of-way line of said 9270 South Street as acquired by said Special Warranty Deed, Entry No. 9308753, the following four (4) courses:

- (1) South 86°01'34" West 201.40 feet;
- (2) Southwesterly 19.90 feet along the arc of a tangent curve to the right, having a radius of 300.00 feet, a central angle of 3°48'00" and a chord bearing and length of South 87°55'34" West 19.89 feet;
- (3) South 89°49'34" West 116.13 feet;
- (4) Southwesterly 41.53 feet along the arc of a tangent curve to the left, having a radius of 26.50 feet, a central angle of 89°46'54" and a chord bearing and length of South 44°56'07" West 37.41 feet to the Point of Beginning.

The above-described area to be vacated contains approximately 29,512 square feet in area or 0.678 acre.

EXHIBIT "B"

SCALE: 1" = 100'



N89°49'34"E 2739.58'
 N0°02'40"E 101.62'±
 N0°02'40"E 783.92'
 N89°49'34"E 3.50'

LINE TABLE		
	BEARING	DISTANCE
L1	S12°38'21"W	12.51'
L2	S60°47'34"E	61.00'
L3	N45°00'17"E	12.74'

CURVE TABLE					
	LENGTH	RADIUS	DELTA	CHORD BRG.	LENGTH
C1	7.64'	10.00'	43°45'21"	N68°04'44"E	7.45'
C2	22.36'	319.00'	4°00'57"	S52°53'34"E	22.35'
C3	52.32'	319.00'	9°23'52"	S71°50'35"E	52.26'
C4	19.90'	300.00'	3°48'00"	S87°55'34"W	19.89'
C5	41.53'	26.50'	89°46'54"	S44°56'07"W	37.41'

PREPARED BY:
 NOLAN C. HATHCOCK
 SANDY CITY SURVEYOR
 UTAH LICENSE NO. 166346
 8775 S. 700 W
 SANDY, UTAH 84070
 PHONE: 801-568-2965
 JULY 9, 2020

VACATION OF A PORTION OF 9270 SOUTH STREET

EXHIBIT TO ACCOMPANY THE DESCRIPTION
 OF A PORTION OF 9270 SOUTH STREET TO BE
 VACATED, LOCATED IN THE SOUTHWEST
 QUARTER OF SECTION 6, TOWNSHIP 3
 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND
 MERIDIAN IN THE CITY OF SANDY,
 SALT LAKE COUNTY, UTAH

(EAST 140.23')
 EAST 140.32'
 NORTH 54.76'

S89°59'03"E 90.77'
 WITNESS COR. MON
 SOUTHWEST CORNER OF
 SECTION 6, TOWNSHIP 3
 SOUTH, RANGE 1 EAST, SALT
 LAKE BASE & MERIDIAN

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PAGE