



ORDINANCE NO. 2021- 19

AN ORDINANCE VACATING A PORTION OF WENTWORTH AVENUE LOCATED APPROXIMATELY BETWEEN 125 WEST AND 155 WEST, A PUBLIC RIGHT-OF-WAY OF LAND CONTAINED WITHIN THE LIMITS OF BLOCK 39, TEN ACRE PLAT "A", BIG FIELD SURVEY IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AS MORE PARTICULARLY DESCRIBED AS HEREIN.

WHEREAS, the City Council has authority to vacate streets, rights of way, and easements, from use by the public through a petition to vacate pursuant to Utah Code Ann. § 10-9a-609.5; and

WHEREAS, the City received a petition to vacate a portion of Wentworth Avenue located approximately between 125 West and 155 West, more particularly described in the attached legal description (Exhibit 1) and corresponding visual (Exhibit 2); and

WHEREAS, the Planning Commission held a properly noticed public hearing pursuant to Utah Code Ann. § 10-9a-208 of the Utah Code on December 2, 2021 to review the petition and afford the public an opportunity to be heard; and

WHEREAS, the City Council held a properly noticed public hearing pursuant to Utah Code Ann. § 10-9a-209.5 of the Utah Code on December 8, 2021 to review the petition and afford the public an opportunity to be heard; and

WHEREAS, the City Council finds that: (i) good cause exists for the vacation, and (ii) neither the public interest nor any person will be materially injured by the proposed vacation; and

WHEREAS, the City Council finds that the public right-of-way vacation is in the best interest of the City; and

WHEREAS, the City Council finds that the right-of-way vacation is in harmony with the general plan of the City;

NOW THEREFORE, be it ordained, by the City Council of the City of South Salt Lake that the portion of Wentworth Avenue located approximately between 125 West and 155 West, more particularly, the public right-of-way located within Lot 11, Block 39, Ten Acre Plat "A", Big Field Survey in Salt Lake City, Salt Lake County, Utah as specifically described in the following attached legal description in Exhibit 1 and visual in Exhibit 2 of this ordinance is hereby vacated as described.

This ordinance will take effect upon execution by the Mayor or after fifteen days from transmission to the office of Mayor if neither approved nor disapproved by the Mayor.

(signatures appear on separate page)

DATED this 8th day of December 2021.

BY THE CITY COUNCIL:

Sharla Bynum
Sharla Bynum, Council Chair

ATTEST:

Craig D. Burton
Craig D. Burton, City Recorder

City Council Vote as Recorded:

| | | |
|---------|------------|-----------|
| Bynum | <u>YES</u> | |
| deWolfe | <u>YES</u> | |
| Huff | <u>YES</u> | |
| Mila | <u>YES</u> | |
| Pinkney | | <u>NO</u> |
| Siwik | <u>YES</u> | |
| Thomas | <u>YES</u> | |

Transmitted to the Mayor's office on this 9th day of DECEMBER, 2021.

Craig D. Burton
Craig D. Burton, City Recorder

MAYOR'S ACTION: Approve

Dated this 10th day of December, 2021.

Cherie Wood
Cherie Wood, Mayor

ATTEST:

Craig D. Burton
Craig D. Burton, City Recorder



EXHIBIT 1

VACATED PROPERTY

The Vacated Property is in Salt Lake County, Utah and is more particularly described:

A PORTION OF WENTWORTH AVENUE LOCATED IN BLOCK 39, TEN ACRE PLAT "A", BIG FIELD SURVEY IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WENTWORTH AVENUE, WHICH IS 125.00 FEET S. 00°11'58" W. AND 130.00 FEET N. 89°48'02" W. FROM THE NORTHEAST CORNER OF SAID LOT 11, BLOCK 39, TEN ACRE PLAT "A", BIG FIELD SURVEY, SAID POINT IS ALSO 731.52 FEET S. 00°22'28" W. AND 162.88 FEET N. 89°48'02" W. FROM A STREET MONUMENT AT THE INTERSECTION OF 2100 SOUTH AND WEST TEMPLE STREET; THENCE S. 00°11'58" W. 37.10 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WENTWORTH AVE; THENCE N. 89°48'02" W. 200.00 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF WENTWORTH AVENUE TO THE EASTERLY LINE OF LOT 2, BOWERS SUBDIVISION RECORDED JUNE 1, 1994 AS ENTRY NO. 5838360 IN BOOK 94-6, AT PAGE 159 IN THE OFFICE OF SAID RECORDER; THENCE N. 00°11'58" E. (PLAT = N. 0°00'28" E.) 37.10 FEET ALONG THE EASTERLY LINE OF SAID BOWERS SUBDIVISION TO THE NORTHERLY RIGHT-OF-WAY LINE OF WENTWORTH AVENUE; THENCE S. 89°48'02" E. 200.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF WENTWORTH AVENUE TO THE POINT OF BEGINNING.

CONTAINS: 7,420± S.F.

EXHIBIT 2

