

SALT LAKE CITY ORDINANCE

No. 70 of 2021

(Vacating a city-owned alley situated in the Amended Plat of Whitaker Subdivision of Lots 18 and 19, Block 16A, 5Acre Plat A. Big Field Survey located between lots 1-55 running from 1300 East Street and the Salt Lake & Jordan Canal)

An ordinance vacating an 11 foot wide unnamed city-owned alley situated in the Amended Plat of Whitaker Subdivision of Lots 18 and 19, Block 16A, 5Acre Plat A. Big Field Survey located between lots 1-55 running from 1300 East Street and the Salt Lake & Jordan Canal, pursuant to Petition No. PLNPCM2021-00413.

WHEREAS, an 11 foot wide public alley running east and west through Block 2 of the Amended Plat of Whitaker Subdivision of Lots 18 and 19, Block 16A, 5 Acre Plat A. Big Field Survey was dedicated for public use;

WHEREAS, the City has authority by state law to vacate public streets, including alleys;

WHEREAS, the Salt Lake City Planning Commission (the "planning commission") held a public hearing on July 28, 2021, to consider a request made by Steven Black ("Applicant") (Petition No. PLNPCM2021-00413) on behalf of the alley's 28 adjacent property owners; and

WHEREAS, at its July 28, 2021, hearing, the planning commission voted in favor of forwarding a positive recommendation on said petition to the Salt Lake City Council;

WHEREAS, the Salt Lake City Council (the "city council") held a legally notified public hearing as per section 10-9a-208 of the Utah Code on Dec. 7, 2021 ;

WHEREAS, the city council finds after holding a public hearing on this matter, that the city's interest in the city-owned alley as more particularly described in Exhibit A," attached hereto and incorporated by reference, is reflected on a plat; however, the alley has been materially blocked in a way that renders it unusable as a public right of way;

13920429 B: 11321 P: 9883 Total Pages: 8  
03/28/2022 02:48 PM By: asteffensen Fees: \$0.00  
ORDIN - ORDINANCE  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: SALT LAKE CITY RECORDER'S OFFICE  
PO BOX 14551 SALT LAKE CITY, UT 84114

WHEREAS, the City Council finds that there is good cause for the vacation of the alley and neither the public interest nor any person will be materially injured by the proposed vacation; and

WHEREAS, the City Council finds that the vacation of the alley upon the conditions set forth herein are in the best interest of Salt Lake City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Vacating City-Owned Alley. That an unnamed, city-owned alley situated in the Amended Plat of Whitaker Subdivision of Lots 18 and 19, Block 16A, 5Acre Plat A. Big Field Survey located between lots 1-55 running from 1300 East Street and the Salt Lake & Jordan Canal, which is the subject of Petition No. PLNPCM2021-00413, and which is more particularly described in Exhibit "A" attached hereto, hereby is, vacated and declared not presently necessary or available for public use.

SECTION 2. Reservations and Disclaimers. The vacation is expressly made subject to all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the city's water and sewer facilities. Said vacation is also subject to any existing rights-of-way or easements of private third parties.


SECTION 3. Conditions. This proposed alley vacation is conditioned upon the following:


- 1.) A reservation of easement, evidenced by a declaration of easement, recorded by and for the benefit of the City for purposes of the use and location of public utilities.

SECTION 4. Effective Date. This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder. The city recorder is instructed not to publish or record this ordinance until Real Estate Services certifies that the condition has been satisfied.

SECTION 5. Time. If the conditions identified above have not been met within one year after adoption, this ordinance shall become null and void. The city council may, for good cause shown, by resolution, extend the time period for satisfying the conditions identified above.

Passed by the City Council of Salt Lake City, Utah this 7<sup>th</sup> day of December, 2021 .


  
\_\_\_\_\_  
Amy Fick (Ord. # 116457)  
CHAIRPERSON


ATTEST:  
  
\_\_\_\_\_  
Cindy Triferman (Ord. # 116457)  
CITY RECORDER



Transmitted to Mayor on Dec 9, 2021 .


Mayor's Action:  Approved.  Vetoed.

  
\_\_\_\_\_  
E. Anderson (Ord. # 116457)  
MAYOR

  
\_\_\_\_\_  
Cindy Triferman (Ord. # 116457)  
CITY RECORDER

(SEAL)

Bill No. 70 of 2021  
Published: March 29, 2022

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office  
Dec 9, 2021  
  
Hannah Vickery (Dec 9, 2021)  
Hannah Vickery, Senior City Attorney

# EXHIBIT "A"

Legal description of the unnamed, city-owned alley to be vacated:

AN 11.00 FOOT WIDE ALLEY TO BE VACATED WITHIN BLOCK 2 OF WHITAKER SUBDIVISION AMENDED, SALT LAKE CITY, SALT LAKE COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE MONUMENT IN THE INTERSECTION OF KENSINGTON AVENUE & 1300 EAST STREET (POC); THENCE S89°56'37"W ALONG THE MONUMENT LINE IN KENSINGTON AVENUE (BASIS OF BEARINGS) A DISTANCE OF 6.55 FEET AND S00°10'33"W A DISTANCE OF 29.18 FEET TO THE NORTHEAST CORNER OF BLOCK 2, WHITAKER SUBDIVISION AMENDED, AND CONTINUING S00°10'33"W ALONG THE EAST LINE OF BLOCK 2 (ALSO THE EAST LINE OF LOT 55) A DISTANCE OF 105.19 FEET TO THE SOUTHEAST CORNER OF SAID LOT 55 TO THE POINT OF BEGINNING (POB).

THENCE N89°55'03"W ALONG THE SOUTH LINES OF LOTS 29-55 A DISTANCE OF 715.62 FEET TO THE SOUTHWEST CORNER OF LOT 29;

THENCE S06°32'02"W A DISTANCE OF 3.96 FEET;

THENCE S13°00'36"W A DISTANCE OF 7.25 FEET TO THE NORTHWEST CORNER OF LOT 28 OF SAID BLOCK;

THENCE S89°55'03"E ALONG THE NORTH LINES OF LOTS 1-28 A DISTANCE OF 717.67 FEET TO THE NORTHEAST CORNER OF LOT 1 AND A POINT ON THE EAST LINE OF SAID BLOCK 2;

THENCE N00°10'33"E ALONG THE EAST LINE OF BLOCK 2 A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.18 ACRES.











# Ordinance 70 of 2021 - Alley Vacation at 1200 Block of Kensington and Bryan Avenues

Final Audit Report

2021-12-13

Created:	2021-12-09
By:	Thais Stewart (thais.stewart@slcgov.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAANb5VUK3yx-3FUMMb9JQ7jGANNuGeJalz


## "Ordinance 70 of 2021 - Alley Vacation at 1200 Block of Kensington and Bryan Avenues" History

-  Document created by Thais Stewart (thais.stewart@slcgov.com)  
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-  Document emailed to Hannah Vickery (hannah.vickery@slcgov.com) for signature  
2021-12-09 - 4:43:43 AM GMT
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 Document emailed to Cindy Trishman (cindy.trishman@slcgov.com) for signature

2021-12-12 - 5:39:20 PM GMT

 Document e-signed by Cindy Trishman (cindy.trishman@slcgov.com)

Signature Date: 2021-12-13 - 3:16:31 PM GMT - Time Source: server

 Agreement completed.

2021-12-13 - 3:16:31 PM GMT



March 25, 2022

MEMORANDUM

TO: Cindy Lou Trishman,  
City Recorder

FROM: Shellie Peterson  
Real Estate Services

SUBJECT: Ordinance certification

Notice is hereby given that the conditions identified in Ordinance 070 of 2021 have now been satisfied and the City Recorder is instructed to publish and record the ordinance with the Salt Lake County Recorder.

Sincerely,

*Shellie Peterson*

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Shellie Peterson  
Real Estate Services Manager