

WHEN RECORDED RETURN TO:

CITY OF SOUTH JORDAN
ATTN: PLANNING DEPARTMENT
1600 W TOWNE CENTER DRIVE
SOUTH JORDAN, UT 84095



ORDINANCE 2024-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A SEGMENT OF LAKE AVENUE FROM 7050 WEST TO THE SOUTH VALLEY WATER RECLAMATION FACILITY PROPERTY LINE, APPROXIMATELY 1,020 FEET CONTAINING 1.388 ACRES.

WHEREAS, Utah Code §§ 10-9a-608, 609, and 609.5 require that any vacation of some or all of a public street, right-of-way, or easement, including those recorded by subdivision plat, within the City of South Jordan (the “City”) be approved by the City Council of the City of South Jordan (the “City Council”); and

WHEREAS, Larry H. Miller Real Estate (the “Applicant”), petitioned the City to vacate a segment of Lake Avenue that runs west from 7050 West for approximately 1,020 ft. (1.388 ac.) (“the Right-of-Way” or “ROW”); and

WHEREAS, the City Council held a public hearing to consider Applicant’s petition to vacate the ROW; and

WHEREAS, pursuant to Utah Code § 10-9a-609.5(3), the City Council finds that there is good cause to vacate the ROW and that neither the public interest nor any person will be materially injured by vacating the ROW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Grant of Petition to Vacate. The City Council hereby adopts this ordinance granting the Applicant’s petition to vacate the ROW described in the attached and incorporated **Exhibit A**.

SECTION 2. Property Transfer. By adopting this Ordinance, ownership of the Right-of-Way is transferred by operation of law to adjacent property owners VP Daybreak Devco LLC and VP Daybreak Devco 2 Inc. as specifically described in the attached and incorporated **Exhibit A**.

SECTION 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 4. Effective Date. This Ordinance shall become effective upon recordation of this Ordinance or a subdivision plat showing the vacation of ROW.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 21 DAY OF MAY, 2024 BY THE FOLLOWING VOTE:

| | YES | NO | ABSTAIN | ABSENT |
|-------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Patrick Harris | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Kathie L. Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Donald Shelton | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tamara Zander | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jason McGuire | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Mayor: *Dawn R. Ramsey*
 Dawn R. Ramsey

Attest: *Anna Crawford*
 City Recorder

Approved as to form:

Gregory Simonson
 Gregory Simonson (Apr 30, 2024 16:18 MDT)
 Office of the City Attorney

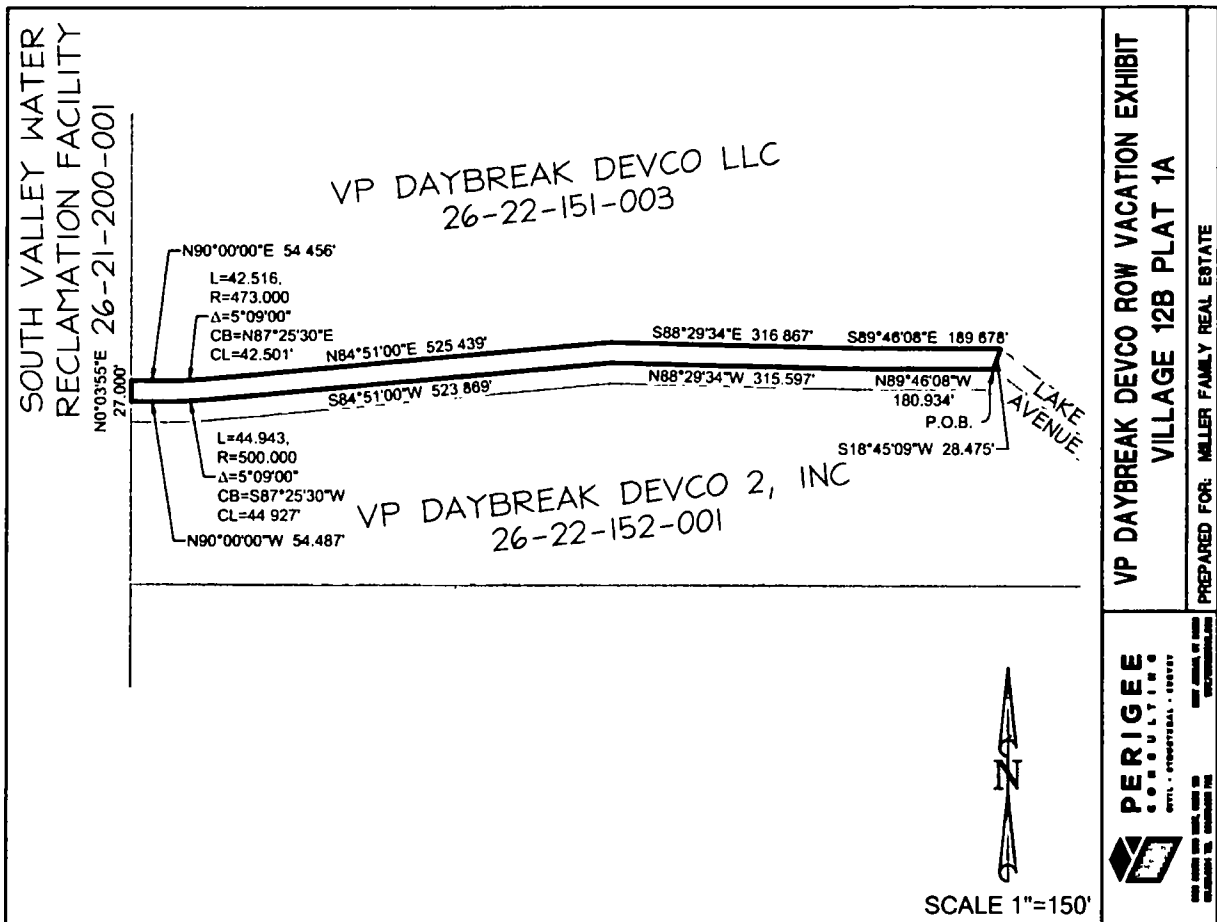


Exhibit A

V12BP1A – Split ROW Vacation - Devco Parcel

Beginning at a point on the centerline of Lake Avenue, said point lies South 89°56'37" East 1121.132 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 2925.089 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said centerline the following (5) courses: 1) North 89°46'08" West 180.934 feet; 2) North 88°29'34" West 315.597 feet; 3) South 84°51'00" West 523.869 feet to a point on a 500.000 foot radius tangent curve to the right, (radius bears North 05°09'00" West, Chord: South 87°25'30" West 44.927 feet); 4) along the arc of said curve 44.943 feet through a central angle of 05°09'00"; 5) West 54.487 feet to the West Line of Lot V5 of the Kennecott Master Subdivision #1 Amended; thence along said Lot V5 North 00°03'55" East 27.000 feet to the North Right-of-Way Line of said Lake Avenue; thence along said North Right-of-Way Line the following (5) courses: 1) East 54.456 feet to a point on a 473.000 foot radius non tangent curve to the left, (radius bears North, Chord: North 87°25'30" East 42.501 feet); 2) along the arc of said curve 42.516 feet through a central angle of 05°09'00"; 3) North 84°51'00" East 525.439 feet; 4) South 88°29'34" East 316.867 feet; 5) South 89°46'08" East 189.678 feet; thence South 18°45'09" West 28.475 feet to the point of beginning.

Property contains 0.697 acres, 30359 square feet.



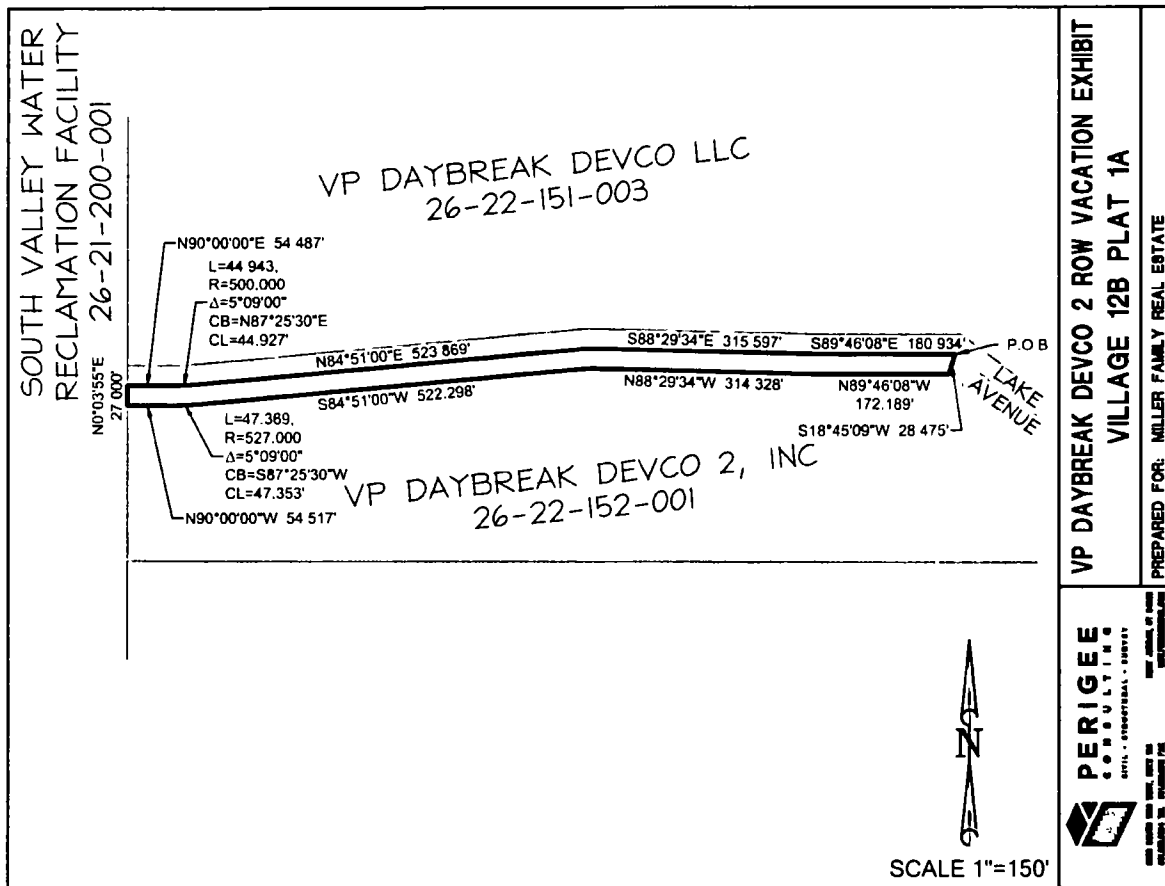
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Exhibit A to Ordinance 2024-09

V12BP1A – Split ROW Vacation – Devco 2 Parcel

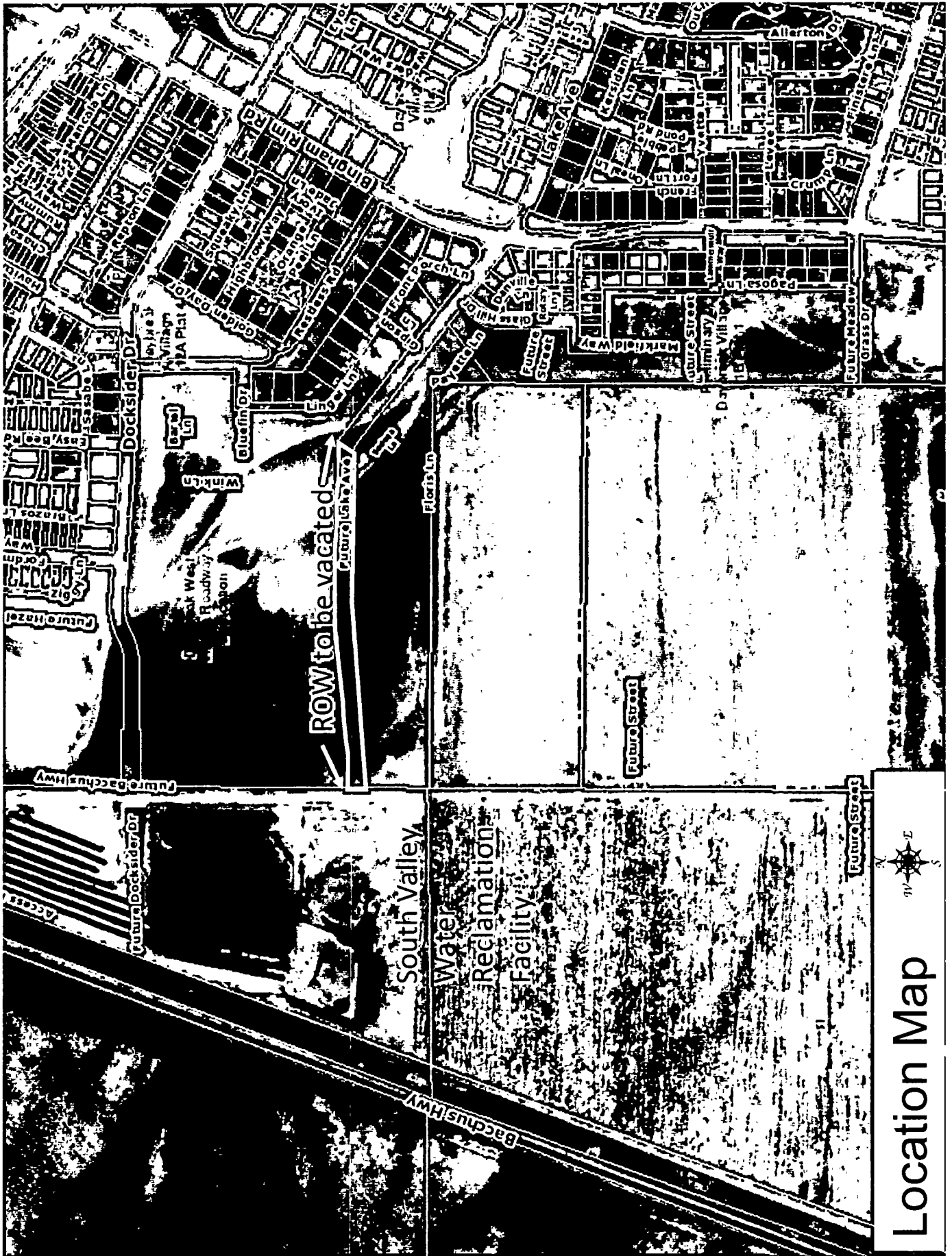
Beginning at a point on the centerline of Lake Avenue, said point lies South 89°56'37" East 1121.132 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 2925.089 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 18°45'09" West 28.475 feet to the South Right-of-Way Line of said Lake Avenue; thence along said South Right-of-Way Line the following (5) courses: 1) North 89°46'08" West 172.189 feet; 2) North 88°29'34" West 314.328 feet; 3) South 84°51'00" West 522.298 feet to a point on a 527.000 foot radius tangent curve to the right, (radius bears North 05°09'00" West, Chord: South 87°25'30" West 47.353 feet); 4) along the arc of said curve 47.369 feet through a central angle of 05°09'00"; 5) West 54.517 feet to the West Line of Lot V5 of the Kennecott Master Subdivision #1 Amended; thence along said Lot V5 North 00°03'55" East 27.000 feet to said centerline of Lake Avenue; thence along said centerline the following (5) courses: 1) East 54.487 feet to a point on a 500.000 foot radius tangent curve to the left, (radius bears North, Chord: North 87°25'30" East 44.927 feet); 2) along the arc of said curve 44.943 feet through a central angle of 05°09'00"; 3) North 84°51'00" East 523.869 feet; 4) South 88°29'34" East 315.597 feet; 5) South 89°46'08" East 180.934 feet to the point of beginning.

Property contains 0.691 acres, 30112 square feet.



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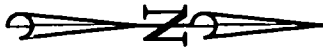
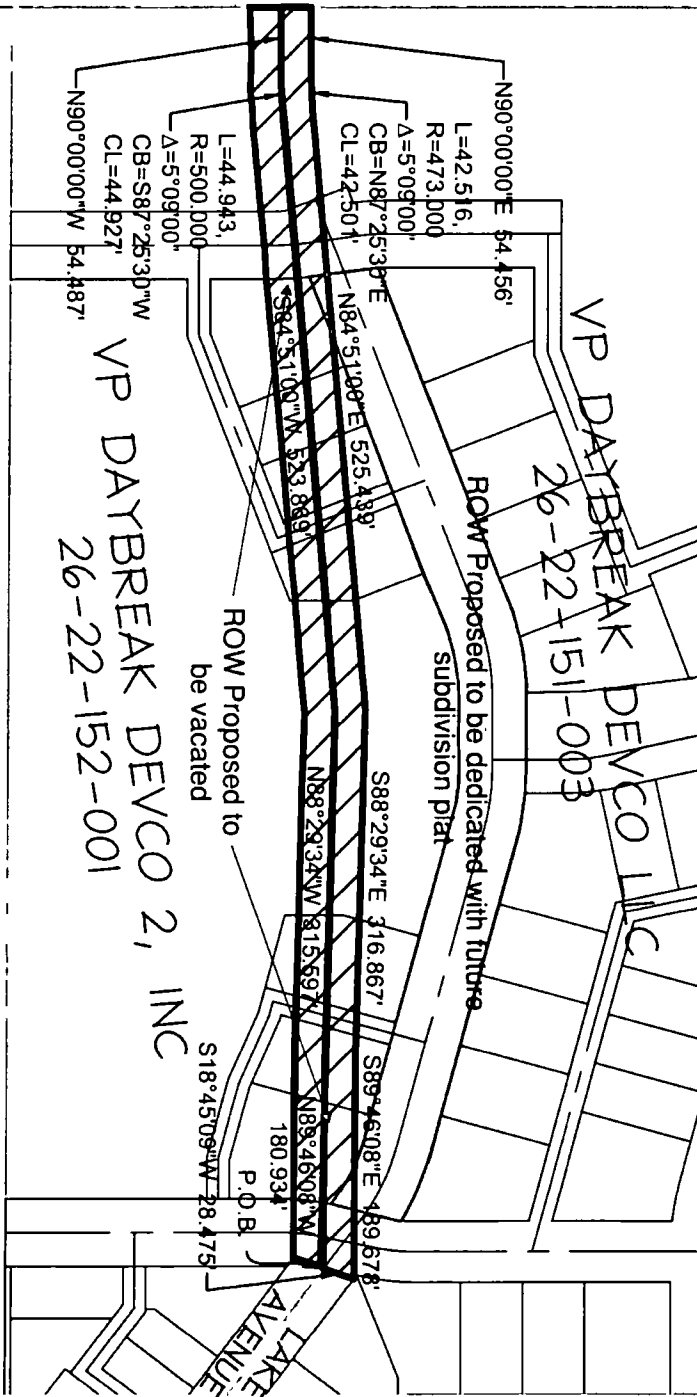
Exhibit A to Ordinance 2024-09



Location Map

SOUTH VALLEY WATER RECLAMATION FACILITY

N0°03'55"E 26-21-200-001
27,000'



SCALE 1"=150'



PERIGEE CONSULTING
CIVIL • STRUCTURAL • SURVEY

6000 SOUTH 1800 WEST, SUITE 100
SOLARIS, UTAH 84108 TEL: 801.966.0001 FAX: 801.966.0002

WEST JORDAN, UT 84008
WWW.PERIGEECONSULTING.COM

VP DAYBREAK DEVCO ROW VACATION EXHIBIT VILLAGE 12B PLAT 1A

PREPARED FOR: MILLER FAMILY REAL ESTATE