

ORDINANCE NO. 1379

**AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY FOR A STREET KNOWN AS 13800 SOUTH LOCATED APPROXIMATELY BETWEEN BANGERTER HIGHWAY AND THE DENVER & RIO GRANDE WESTERN RAILROAD**

**WHEREAS**, the City has received a request by the adjacent property owners requesting a portion of real properties known as the 13800 South Right-of-Way between Bangerter Highway and the Denver & Rio Grande Western Railroad be vacated as a public street; and

**WHEREAS**, the City Council has reviewed the request for the street vacation and has found there is not a current or future demand for the right-of-way; and

**WHEREAS**, the proposed street vacation set forth herein has been reviewed by the City Council, and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed public interest in the section of street.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH:**

**Section 1. Findings:** The City Council finds that neither the public interest nor any person will be materially injured by the vacation and there is good cause for the vacation.

**Section 2. Street Vacation.** The following described portion of the 13800 South Right-of-Way located approximately between Bangerter Highway and the Denver & Rio Grande Western Railroad and as shown on the attached map, no longer serves a public purpose and can be vacated as a public right of way:

See EXHIBIT A and EXHIBIT B

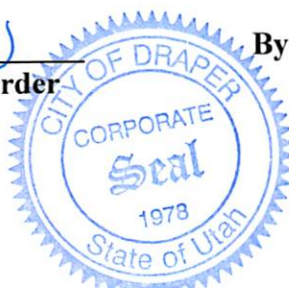
**Section 3. Severability Clause.** If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting, or 30 days after final passage, whichever is closer to the date of final passage and the quitclaim deed has been recorded with the Salt Lake County Recorder.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 8th DAY OF JANUARY 2019.**

ATTEST:

By: Laura Oscarson  
Laura Oscarson, City Recorder



DRAPER CITY

By: Troy K. Walker  
Mayor Troy K. Walker

**VOTE TAKEN:**

**YES**

**NO**

**Councilmember Lowery**

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**Councilmember Green**

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**Councilmember Summerhays**

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**Councilmember Vawdrey**

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**Councilmember Weeks**

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**Mayor Walker**

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**EXHIBIT A**  
**Legal Description**

Commencing at the Northwest Corner of Section 1, Township 4 South, Range 1 West, Salt Lake Base and Meridian, said Northwest Corner being a found 2.5" standard flat brass cap monument; thence along the north line of said Section 1 South 89°58'34" East 320.42 feet; thence departing said north line South 2575.22 feet to the intersection of the northwesterly right-of-way line of said Bangerter Highway and the northerly right-of-way line of 13800 South Street, said point also being the Point of Beginning;

Thence along said northwesterly right-of-way line South 33°27'12" West 78.73 feet to a point on the south right-of-way line of said 13800 South Street; thence North 89°35'23" West 316.32 feet parallel with and 33.00 feet southerly measured at right angles from the north line of the Southwest Quarter (SW 1/4) of said Section 1; thence South 89°32'50" West 257.28 feet parallel with and 33.00 feet southerly measured at right angles from the north line of the Southeast Quarter (SE 1/4) of said Section 2 to a point on the southeasterly right-of-way line of the Denver and Rio Grande Western Railroad; thence along said southeasterly right-of-way line North 28°45'31" East 75.62 feet to a point on the northerly right-of-way line of said 13800 South Street; thence North 89°32'50" East 220.87 feet parallel with and 33.00 feet northerly measured at right angles from the north line of the Southeast Quarter (SE 1/4) of said Section 2; thence South 89°35'23" East 359.75 feet parallel with and 33.00 feet northerly measured at right angles from the north line of the Southwest Quarter (SW 1/4) of said Section 1 to the Point of Beginning.

The above-described contains 38,089 square feet or 0.87 acres.

**BASIS OF BEARING**

South 89°58'34" East, being the bearing of the north line of the Northwest Quarter (NW 1/4) of Section 1, Township 4 South, Range 1 West, Salt Lake Base and Meridian.

# EXHIBIT B

