

ORDINANCE NO. 564

AN ORDINANCE VACATING A CERTAIN PORTION OF THE PUBLIC RIGHT OF WAY OF FORT STREET WITHIN DRAPER CITY, STATE OF UTAH.

WHEREAS, the governing body of Draper City has received a Petition requesting that a portion of Fort Street be vacated and conveyed to the abutting property owners; and

WHEREAS, the governing body of Draper City has determined that there is good cause for the requested vacation and it will not be detrimental to the general interest of the public to grant the same; and

WHEREAS, the City Council has caused all required public notices to be given, including notice to owners or operators of underground facilities, and/or has received written consent from abutting property owners, and has held all appropriate public hearings regarding such vacation; and

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

Section 1. Street Vacation. The City Council of Draper City hereby vacates the following described real property comprising a portion of Fort Street which is no longer needed as a public right-of-way subject to the reservation of a public utility easement over and through the entire vacated portion for the purpose of installing and maintaining public utilities. The property to be vacated is located in Draper City, Salt Lake County, State of Utah, and is more particularly described as follows:

A part of Block 10-A DRAPERVILLE, which is part of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian.

Beginning at a point which is 412.96 feet North 89°55'39" West (North 89°59'55" West record) along the South Section line from the South Quarter Corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and continuing thence along said South Section line North 89°55'39" West (North 89°59'55" West record) 28.68 feet to the new East Right of Way line of Fort Street; thence along said East Right of Way North 04°34'14" East 142.64 feet; thence continuing along said East Right of Way line North 05°51'49" East 265.96 feet; thence continuing along said East Right of Way line North 04°34'14" East 500.49 feet to the North line of Block 10-A of the DRAPERVILLE Plat; thence along said North Block line South 89°46'28" East 29.24 feet to the Northwest Corner of Block 10-A of the DRAPERVILLE Plat; thence along the West line of said Block 10-A South 04°59'02" West 909.00 feet (South 04°33'00" West 910.80 feet record) to the point of beginning.

Contains 0.58 acres more or less.

Section 2. Rights not Affected. The action of the City Council vacating a portion of the public right-of-way provided herein shall operate as a relinquishment of the City's fee therein, subject to the City's reservation of a public utility easement, provided that nothing herein shall be construed to vacate, impair or otherwise affect any existing real property interest, easement, right-of-way, holding or franchise right therein of any public utility or other property owner, governmental or private.


Section 3. Quit Claim. The Mayor of Draper City is hereby authorized and directed to execute and deliver a Quit Claim Deed for the above-described property to the abutting property owner(s).

Section 4. Recorded. A certified copy of this Ordinance shall be recorded in the office of the Salt Lake County Recorder, State of Utah, and the necessary changes made on the official plats and records of the County to accomplish the purpose thereof.

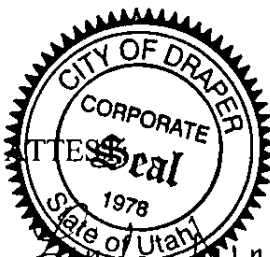

Section 5. Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 9TH DAY OF MARCH, 2004.

DRAPER CITY



Mayor

City Recorder