

SALT LAKE CITY ORDINANCE

No. 59 of 2007

(Closing and abandoning a portion of 700 North between Columbus Street and Cortez Street as a public street, with conditions and time limitation)

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF 700 NORTH
BETWEEN COLUMBUS STREET AND CORTEZ STREET AS A PUBLIC STREET,
PURSUANT TO PETITION NO. 400-07-08.

WHEREAS, the City Council of Salt Lake City, Utah, finds after public hearings that the City's interest in the portion of the street described below is not necessary for use by the public as a street and that closure and abandonment of the portion of the street will not be adverse to the general public's interest; and

WHEREAS, the title to the closed portion of the street shall remain with the City until sale for fair market value or its equivalent.

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

SECTION 1. Closing and Abandoning Street. A portion of 700 North between Columbus Street and Cortez Street, which is the subject of Petition No. 400-07-08, and which is more particularly described on Exhibit "A" attached hereto, and the same hereby is, closed and abandoned and declared no longer needed or available for use as a street.

SECTION 2. Reservations and Disclaimers. The above closure and abandonment 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 closure

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Book - 9572 Pg - 1922-1928
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY RECORDER
451 S STATE ST RM 415
SALT LAKE CITY UT 84111
BY: ZJM, DEPUTY - WI 7 P.

and abandonment is also subject to any existing rights-of-way or easements of private third parties.

SECTION 3. Conditions. This street closure and abandonment is conditioned upon the following:

A. All water, sewer and stormdrain utilities must be considered official city utilities, and said utilities must be built to City requirements as determined by the City's Public Utilities Department;

B. Columbus Court must be built to public street standards as determined by the City's Public Services Department;

C. Columbus Court may be gated and considered a private street as part of the Planned Development process.

i. While Columbus Court is a private street, no City snow removal, street maintenance, trash removal and/or related services will be available to the residents thereon.

ii. Any subsequent request to make Columbus Court a public street will require that it be in good repair and meet City standards, and that the gate be removed, as determined by the City's Public Services and Community Development Departments;


D. Easements must be dedicated by the developer to the City for access to public utilities, including water, sewer and stormdrain line maintenance, as determined by the City's Public Utilities Department.

E. Payment to the City of fair market value of that portion of the street, or its equivalent, and title to the street shall remain with the City until sale for fair market value, or the receipt of the equivalent, in accordance with Salt Lake City Code Chapter 2.58.

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 the conditions identified above have been met, as certified by the Salt Lake City Director of Public Utilities, Director of Public Services, and Property Manager.

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 16th day of October, 2007.


CHAIRPERSON

ATTEST:


CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on November 8, 2007.

Mayor's Action: X Approved. Vetoed.


MAYOR


CHIEF DEPUTY CITY RECORDER



APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date November 6, 2007
By Melanie Reif

Bill No. 59 of 2007.
Published: 2-26-08

HB_ATT#1362-v1-Closing_a_portion_of_700_North_between_Columbus_and_Cortez_Streets_--_08-07-07_draft.DOC

700 North Vacation Parcel

(July 31, 2007)

Beginning at a point on the Westerly Boundary Line of Lot 3 of Ensign Downs Plat "G" recorded May 24, 1982 in Book 82-5 at Page 43 in the Office of the Salt Lake County Recorder, said point also being West 1416.52 feet and South 5013.20 feet from the North Quarter Corner of Section 30, Township 1 North, Range 1 East, Salt Lake Base and Meridian; and running thence S00°00'47"E 16.00 feet along said Westerly Boundary Line to the Southwest Corner of said Lot 3; thence S89°59'13"W 149.03 feet; thence S00°00'47"E 50.00 feet; thence S89°58'58"W 272.71 feet; thence N00°00'47"W 33.02 feet; thence S89°59'13"W 120.00 feet; thence S00°00'47"E 33.03 feet; thence S89°58'58"W 281.30 feet; thence N00°00'47"W 16.00 feet; thence N89°59'13"E 89.46 feet; thence N00°00'47"W 50.05 feet; thence N89°59'13"E 733.57 feet to the point of beginning.

Contains 38,444 Square Feet

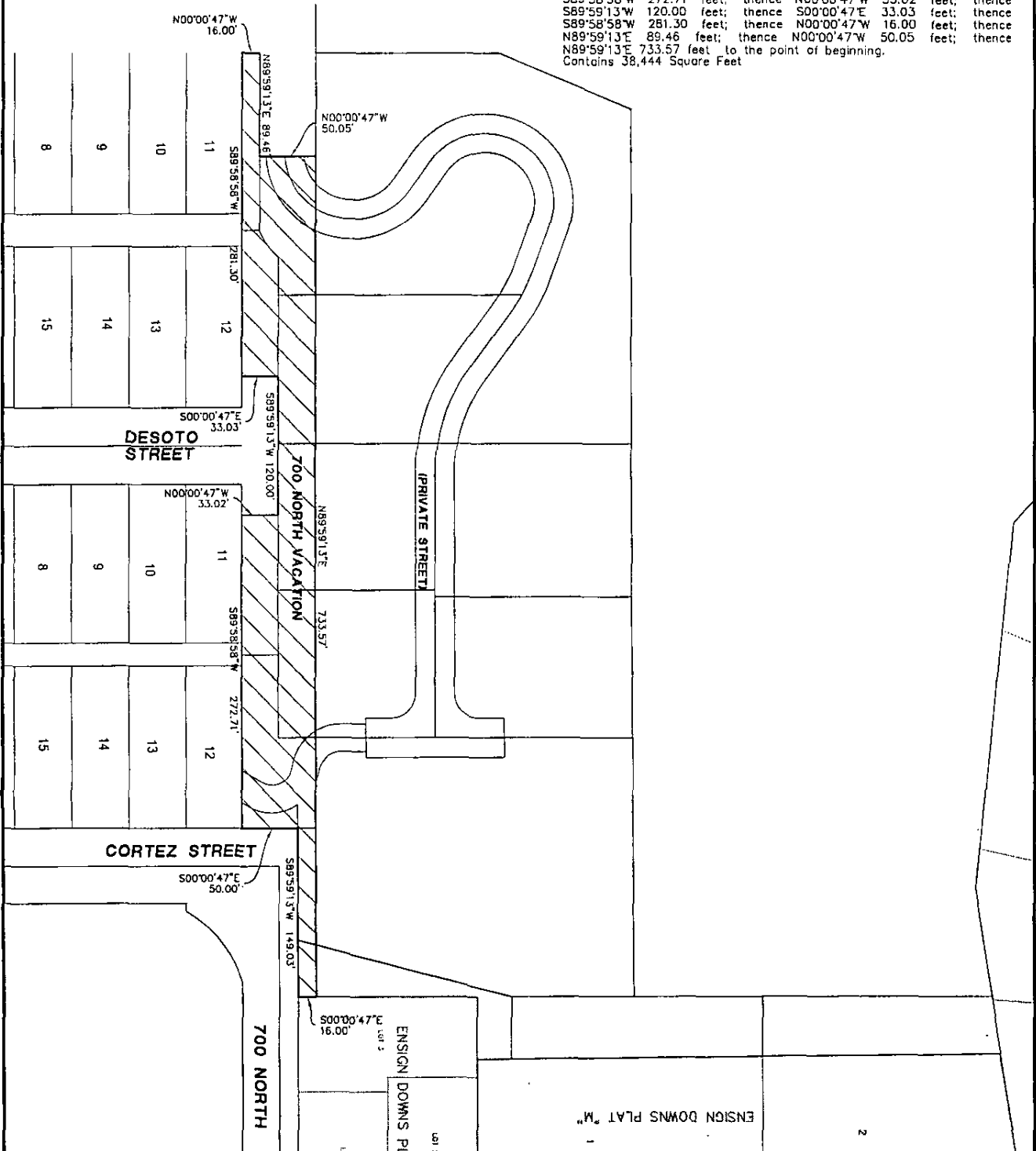
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Contains 38,444 Square Feet



PROJECT # DATE
4053 8/9/07

1 of 1

FILE:
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ENSIGN FOREGROUND
SALT LAKE CITY, UTAH

PARCEL EXHIBITS
700 NORTH VACATION EXHIBIT

FOR:
ENSIGN FOREGROUND LLC
PO BOX 540478
SALT LAKE CITY, UTAH 84054

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Midvale, UT 84047
Phone: 801.255.0529
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www.ensignutah.com



STEVE L. FAWCETT
INTERIM DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF MANAGEMENT SERVICES
CITY RECORDER

RALPH BECKER
MAYOR

STATE OF UTAH, City and County of Salt Lake,

I, Christine Meeker, Acting City Recorder of Salt Lake City, Utah, do hereby certify that the attached document, Ordinance 59 of 2007, Closing and abandoning a portion of 700 North between Columbus Street and Cortez Street as a public street, with conditions and time limitation is a true and correct copy.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 20th day of February, 2008



Christine Meeker
Acting City Recorder, Salt Lake City, Utah

LOCATION: 451 SOUTH STATE STREET, ROOM 415, SALT LAKE CITY, UTAH 84111
MAILING ADDRESS: PO BOX 145515, SALT LAKE CITY, UTAH 84114-5515
TELEPHONE: 801-535-7671 FAX: 801-535-7681