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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH

SL CITY RECORDER
451 S STATE ST RM 415
SALT LAKE CITY UT 84111
BY: ARG, DEPUTY - WI 17 P.

SALT LAKE CITY ORDINANCE

No. 5 of 2008

(Vacating portions of three city streets adjacent to the City Creek Center, with conditions and sunset provision)

AN ORDINANCE VACATING PORTIONS OF THE FOLLOWING THREE CITY STREETS ADJACENT TO THE NEW CITY CREEK CENTER, PURSUANT TO PETITION NO. 400-06-38:

1. West Temple Street between South Temple and 100 South
2. South Temple Street between Main Street and State Street; and
3. 100 South between Main Street and State Street.

WHEREAS, the City Council of Salt Lake City, Utah finds after public hearings that:

A. The City owns the above-referenced three city streets in fee simple absolute.

B. This ordinance relates only to those specified portions, and only to the extent specifically indicated herein, of such streets which are more particularly described below and in the attached exhibits. The City otherwise retains all portions of said streets located on all sides of the partial street vacations described herein.

C. It is in the public interest to vacate the use by the general public of the specified portions of such streets because:

1. Such portions are no longer necessary for the use by the general public as streets;
2. Partial street vacations have been requested in order to enhance pedestrian and vehicle access to the new City Creek Center;

3. The enhanced pedestrian and vehicle access accomplished through these partial street vacations is in the best interest of the public;
4. Such partial street vacations will not be adverse to the general public's interest;
and
5. Such partial street vacations are subject to the reservations, disclaimers, limitations and other conditions as set out below.

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

SECTION 1. A portion of West Temple Street, between South Temple and 100 South, which is more particularly described on Exhibit A attached hereto, shall be, and the same hereby is, vacated, to the extent described in Exhibit A, and declared to be no longer needed or available for use as a public street by the general public. This partial street closure is for the purpose of accommodating the construction of an expanded vehicle access ramp in West Temple Street.

SECTION 2. A portion of South Temple Street, between Main Street and State Street, which is more particularly described on Exhibit B-1 attached hereto, shall be, and the same hereby is, vacated, to the extent described in Exhibit B-1 and declared to be no longer needed or available for use as a public street by the general public. This partial street closure will accommodate the construction of a new parking access ramp in South Temple Street. Exhibit B-2 describes property located within the South Temple right of way which was previously transferred by the City. Exhibit B-2 is attached hereto for illustrative purposes only.

SECTION 3. A portion of 100 South Street, between Main Street and State Street, which is more particularly described on Exhibit C attached hereto, shall be, and the same hereby is, vacated, to the extent described in Exhibit C, and declared to be no longer needed or available for use as a public street by the general public. This partial street closure will accommodate the expansion of an existing parking access ramp in 100 South.

SECTION 4. Reservations and Disclaimers. The above partial street vacations are 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 these properties, 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 partial street closures are also subject to any existing rights of way or easements of private third parties.

SECTION 5. Conveyance of Title. Conveyance of title from the City for the vacated portions of the above-referenced partial street vacations shall be by separate Special Warranty Deeds from the City confirming the transfer of title (including the easements referenced) as indicated in the Exhibits attached hereto.

SECTION 6. Conditions. This ordinance and the resulting transfer are hereby expressly conditioned upon the following:

- a. Payment to the City of the fair market value of the vacated portions of these three

streets, and title to those portions of these streets shall remain with the City until sale for fair market value, or the receipt of equivalent value, in accordance with Salt Lake City Code Chapter 2.58

b. All existing public and private utility infrastructure shall be maintained in accordance with a plan approved and accepted by the City's Public Utilities Department; and

c. All above-grade level structures should be minimized and any visual obstructions to pedestrian and pedestrian crossings should be minimized in accordance with a plan approved and accepted by the Salt Lake City Planning Director.

SECTION 7. Effective Date. This ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake City Recorder. The City Recorder is instructed not to publish or record this ordinance until all conditions identified above have been met, as certified by the Salt Lake Public Utilities Department, the Salt Lake City Property Manager, and the Salt Lake City Planning Director.

SECTION 8. Sunset Provision. If the payment required as a condition above has not been made within one year after adoption, or the plans required as conditions above have not been approved 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 19th day of February, 2008.

[Signature]
CHAIRPERSON

ATTEST:

Christina Neeker
CHIEF DEPUTY CITY RECORDER



Transmitted to Mayor on 2-20-08
Mayor's action: Approved. Vetoed

[Signature]
MAYOR

Christina Neeker
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 2-14-08
By [Signature]

(SEAL)

Bill No. _____ of 2008.
Published: _____.

EXHIBIT "A"

PORTION OF WEST TEMPLE STREET BETWEEN SOUTH TEMPLE AND 100 SOUTH TO BE VACATED FOR CITY CREEK CENTER PROPOSED WEST TEMPLE STREET PARKING ACCESS RAMP

The portions of West Temple Street between South Temple and 100 South to be vacated by Section 1 of this Ordinance are depicted in the legal descriptions and diagram attached hereto and consist of a non-exclusive access easement as to the property identified as parcel 1, and fee title to the property identified as parcel 2.

CITY CREEK CENTER PROPOSED WEST TEMPLE STREET PARKING ACCESS RAMP

EXHIBIT "A"

PARCEL 1
Non-Exclusive Access Easement

Intent of Legal is to describe a "Non-Exclusive Access Easement" of that portion of ground shown in the existing right of way of West Temple Street defined as a three dimensional exhibit which includes that space from the existing surface elevation to a subsurface elevation which is four feet below the existing surface elevation within that area described as follows:

Beginning North 433.18 feet and West 330.33 feet from the Southeast Corner of Lot 3, Block 76, Flat "A", Salt Lake City Survey, (Basis of Bearing N00°01'10"W (Atlas) along monument line) said point being the intersection of the Northerly line of 1st South Street and the Westerly line of the Vacated Richard's Street, and running thence West 18.75 feet to a 26.00 foot radius curve to the left 40.84 feet, chord bearing S45°00'00"W 36.77 feet; thence South 207.82 feet; thence West 32.50 feet; thence North 207.82 feet to a 63.50 radius curve to the right 99.75 feet, chord bearing N45°00'00"E 89.80 feet; thence East 13.73 feet to the East Right of Way line of West Temple Street; thence S00°01'23"E 37.50 feet along the East Right of Way of West Temple Street to the Point of Beginning.

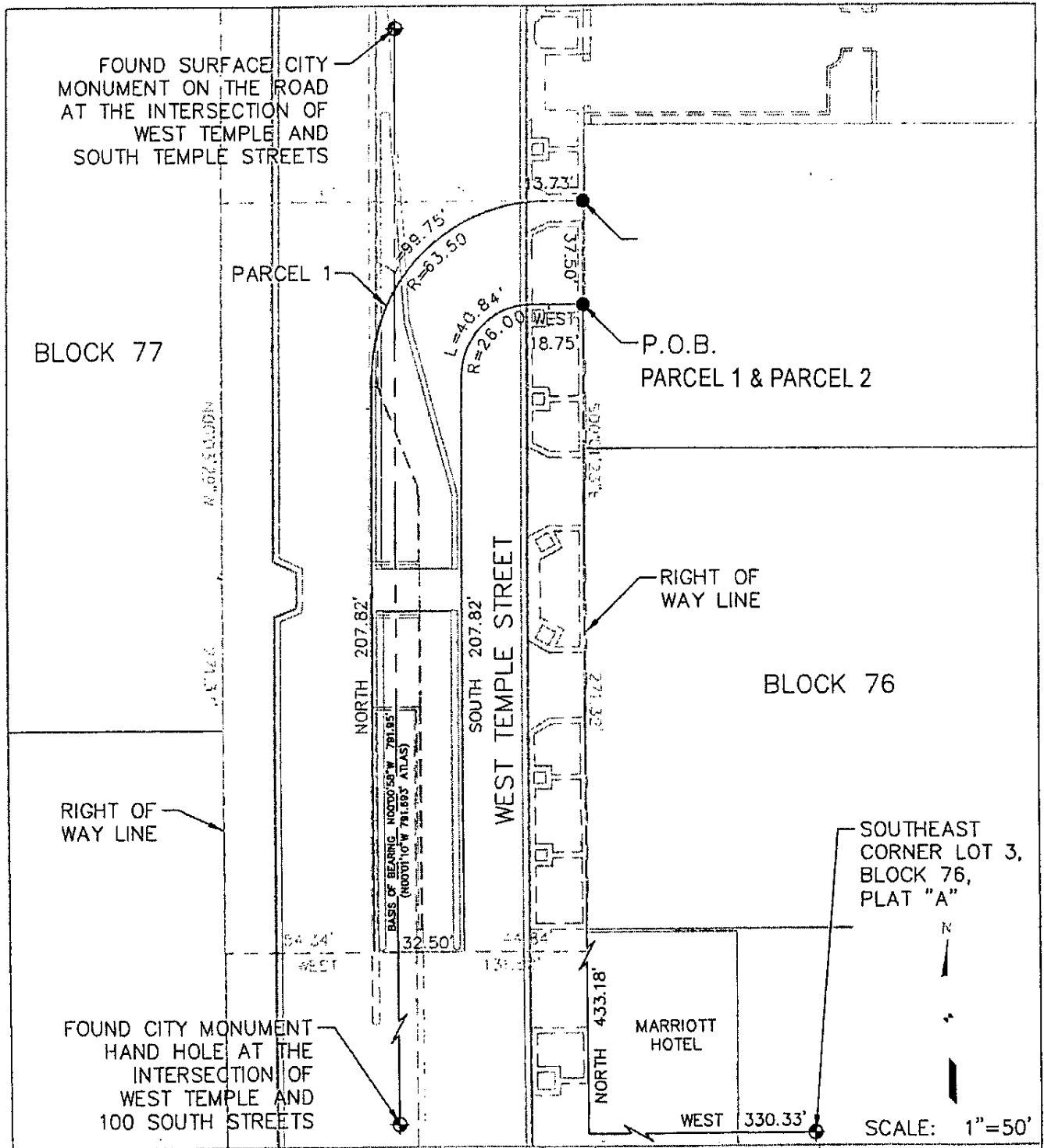
Contains 9,775.49 sq. ft. or 0.22 acres at surface elevation.

PARCEL 2
Special Warranty Deed

Intent of Legal is to describe a "Special Warranty Deed" of that portion of West Temple Right of Way shown, defined as a three dimensional exhibit which includes that space which is defined as a subsurface elevation beginning four feet below the existing surface to an indefinite subsurface elevation below described as follows:

Beginning North 433.18 feet and West 330.33 feet from the Southeast Corner of Lot 3, Block 76, Flat "A", Salt Lake City Survey, (Basis of Bearing N00°01'10"W (Atlas) along monument line) said point being the intersection of the Northerly line of 1st South Street and the Westerly line of the Vacated Richard's Street, and running thence West 18.75 feet to a 26.00 foot radius curve to the left 40.84 feet, chord bearing S45°00'00"W 36.77 feet; thence South 207.82 feet; thence West 32.50 feet; thence North 207.82 feet to a 63.50 radius curve to the right 99.75 feet, chord bearing N45°00'00"E 89.80 feet; thence East 13.73 feet to the East Right of Way line of West Temple Street; thence S00°01'23"E 37.50 feet along the East Right of Way of West Temple Street to the Point of Beginning.

Contains 9,775.49 sq. ft. or 0.22 acres at surface elevation.



WEST TEMPLE STREET RAMP
 LOCATED IN
 Block 76, Plat "A", Salt Lake City Survey
 Salt Lake Base & Meridian, U.S. Survey



DRAWN: SRP	CHECKED: KB	APPROVED: KS
DATE: 6-12-07	EXHIBIT "A"	Page 2 of 2

C:\DOCUME~1\parker\LOCALS~1\Temp\Temporary Directory 1 for Revised Legal Block 75-76 6-12-07 rev3.zip\Revised Legal Block 75-76 6-12-07 rev3.dwg Jun13,2007 - 12:00pm

EXHIBIT "B-1"

PORTION OF SOUTH TEMPLE STREET BETWEEN MAIN STREET AND STATE STREET TO BE VACATED FOR CITY CREEK CENTER PROPOSED SOUTH TEMPLE STREET PARKING ACCESS RAMP

The portions of South Temple Street between Main Street and State Street to be vacated by Section 2 of this Ordinance are depicted in the legal descriptions and diagram attached hereto and consist of a non-exclusive access easement as to the property identified as parcel 1, and fee title to the property identified as parcel 2.

CITY CREEK CENTER PROPOSED SOUTH TEMPLE STREET PARKING ACCESS RAMP

EXHIBIT "B-1"

PARCEL 1

Non-Exclusive Access Easement

Intent of Legal is to describe a "Non-Exclusive Access Easement" of that portion of ground shown in the existing right of way of South Temple Street defined as a three dimensional exhibit which includes that space from the existing surface elevation to a subsurface elevation which is four feet below the existing surface elevation within that area described as follows:

Beginning S89°59'06"W 422.18 feet from the Northeast Corner of Block 75, Plat "A", Salt Lake City Survey, (Basis of Bearing N89°58'36"E along monument line) and running thence along the North line of said Block S89°59'10"W 11.17 feet to the Southeast Corner of Parcel 3; thence S89°59'10"W along the East line of said Parcel 21.00 feet; thence N05°52'11"E 42.78 feet to a 11.00 foot radius curve to the left 18.41 feet, chord bearing N42°03'55"W 16.33 feet; thence West 67.47 feet; thence N89°57'35"W 89.43 feet; thence North 32.00 feet; thence East 162.97 feet to a 11.00 foot radius curve to the left 15.19 feet, chord bearing N50°26'30"E 14.01 feet; thence N10°53'00"E 37.74 feet more or less to the North line of Parcel 3; thence N89°58'36"E 3.57 feet along the North line of Parcel 3 to the Northeast Corner of said Parcel 3; thence N89°58'36"E 29.02 feet; thence S10°53'00"W 24.91 feet to a 21.00 foot radius curve to the left 36.93 feet, chord bearing S39°30'02"E 32.35 feet; thence S89°56'36"E 222.61 feet; thence South 20.57 feet; thence S89°56'41"W 131.22 feet; thence S77°56'24"W 36.92 feet; thence West 65.61 feet; thence S51°21'17"W 24.81 feet; thence S05°52'11"W 39.39 feet to the Point of Beginning.

Contains 16,046.15 sq. ft. or 0.37 acres more or less.

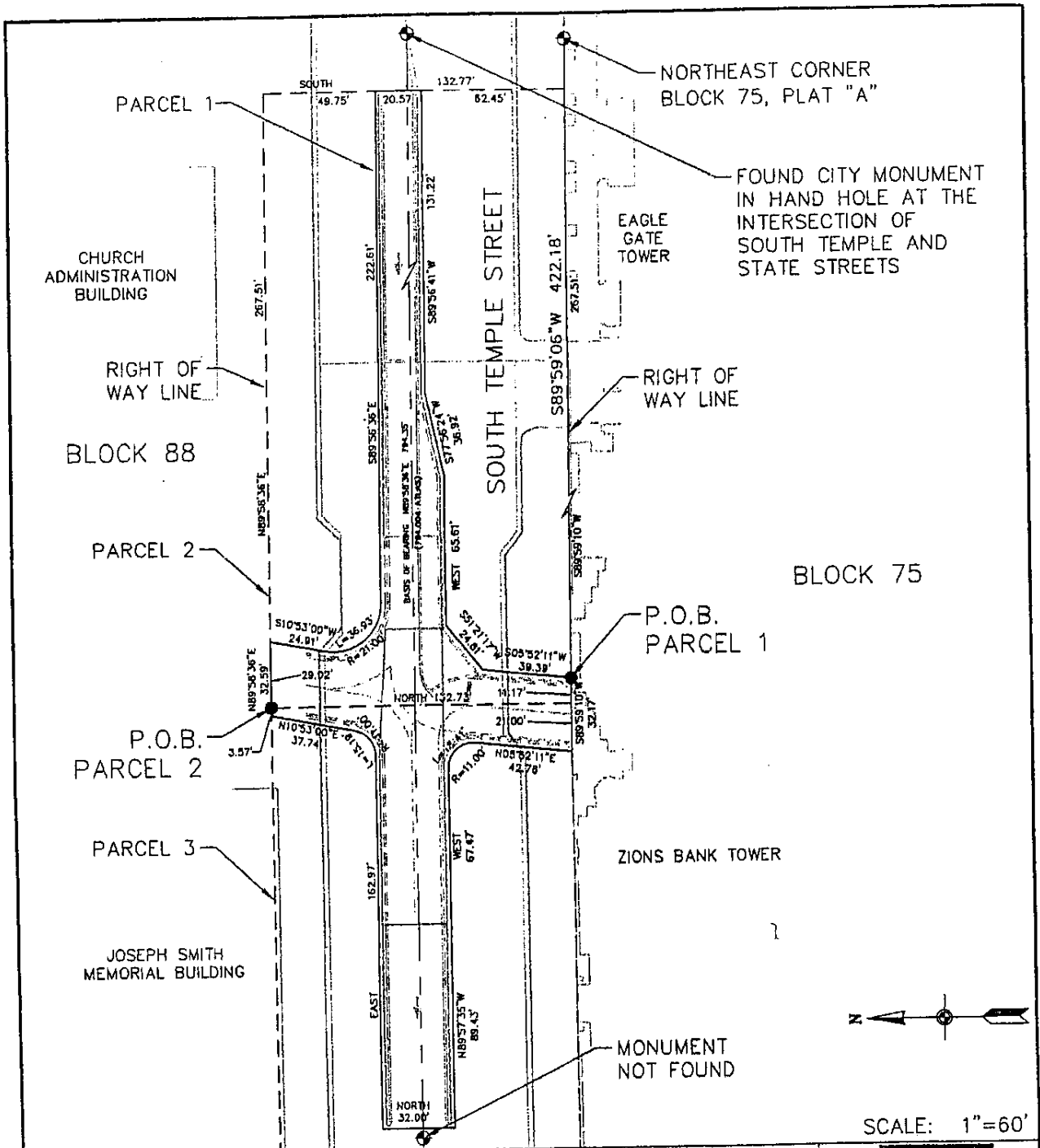
PARCEL 2

Special Warranty Deed

Intent of Legal is to describe a "Special Warranty Deed" of that portion of South Temple Right of Way shown, defined as a three dimensional exhibit which includes that space which is defined as a subsurface elevation beginning four feet below the existing surface to an indefinite subsurface elevation below described as follows:

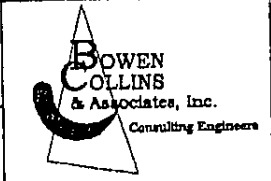
Beginning at the Northeast Corner of Parcel 3 (Main Street Parking),(Basis of Bearing N89°58'36"E along monument line) and running thence N89°58'36"E 267.51 feet along the North Right of Way Line of South Temple Street, said line also being the South line of Block 88, Plat "A", Salt Lake City Survey; thence South 132.77 feet more or less to the South Right of Way Line of South Temple Street said line also being the North line of Block 75, Plat "A", Salt Lake City Survey; thence S89°59'10"W 267.51 feet along said South Right of Way line; thence North 132.73 feet more or less to the North Right of Way Line of South Temple Street and the Point of Beginning.

Contains 35,511.56 sq. ft. or 0.82 acres more or less.



SOUTH TEMPLE STREET RAMP
 LOCATED IN

*Block 75, Plat "A", Salt Lake City Survey
 Salt Lake Base & Meridian, U.S. Survey*



DRAWN: SRP	CHECKED: KL	APPROVED: KB
DATE: 6-28-07	EXHIBIT "B-1" Page 2 of 4	

CITY CREEK CENTER PROPOSED SOUTH TEMPLE STREET PARKING ACCESS RAMP

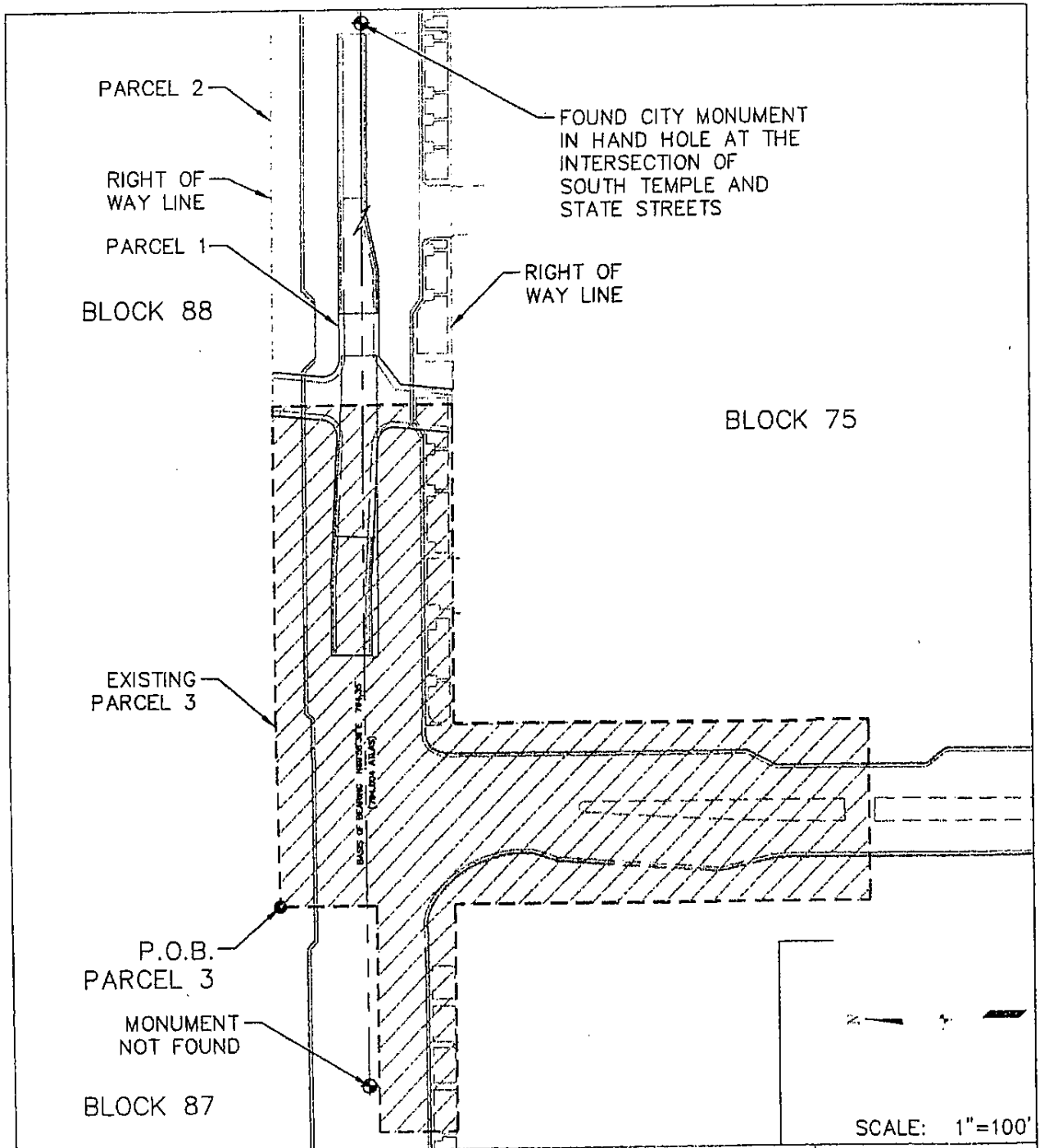
EXHIBIT "B-2"

EXISTING PARCEL 3 (MAIN STREET PARKING)

A parcel of land within the public right of way of Main Street and South Temple Street described as follows and below the following specified elevations:

Beginning at the Southeast Corner of Block 87, Plat "A", Salt Lake City Survey at subsurface elevation 4320.50, said point also being the initial point of the Salt Lake Base and Meridian, and running thence North 89°05'14" East 132.69 feet to the Southwest Corner of Block 88, Plat "A", Salt Lake City Survey, at elevation 4321.50; thence North 89°58'36" East along the South boundary line of said Block 229.10 feet at elevation 4328.50; thence South 132.73 feet to the North boundary line of Block 75, Plat "A", Salt Lake City Survey at elevation 4326.00; thence South 89°59'10" West along said North boundary line of Block 75, 231.07 to the East right of way line of Main Street as vacated by Salt Lake City 08-28-59, Ordinance No. 65 at elevation 4322.40; thence South 00°09'43" West along said East right of way line of Main Street 226.31 feet at elevation 4317.69; thence South 00°09'43" West along said East right of way line of Main Street 38.69 feet, at subsurface elevation 4316.89; thence South 89°50'17" East along said East right of way line of Main Street 1.100 feet at subsurface elevation 4316.89; thence South 00°09'43" West along said East right of way line of Main Street 38.03 feet at subsurface elevation 4316.10; thence West 130.26 feet to the East boundary line of said Block 76, Plat "A", Salt Lake City Survey, at subsurface elevation 4315.10; thence North 00°01'34" West along said East boundary line 76.72 feet, at subsurface elevation 4316.69; thence North 00°01'34" West along said East boundary line 226.78 feet to the Northeast Corner of said Block 76 at elevation 4321.40; thence South 89°59'38" West along the North boundary line of said Block 76, 165.05 feet at elevation 4315.50; thence North 58.00 feet at elevation 4316.00; thence North 89°51'34" East 164.68 at elevation 4320.00; thence North 00°08'26" West 71.72 feet to the point of beginning.

Contains 96,766 square feet or 2.22 acres.



MAIN STREET PARKING
 LOCATED IN
Block 75, Plat "A", Salt Lake City Survey
Salt Lake Base & Meridian, U.S. Survey



DRAWN: SRP	CHECKED: KB	APPROVED: KS
DATE: 6-12-07	EXHIBIT "B-2" Page 4 of 4	

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EXHIBIT "C"

**PORTION OF 100 SOUTH STREET BETWEEN MAIN STREET AND STATE STREET
TO BE VACATED FOR CITY CREEK CENTER PROPOSED EXPANSION OF
EXISTING PARKING ACCESS RAMP**

The portions of 100 South Street between Main Street and State Street to be vacated by Section 3 of this Ordinance are depicted in the legal descriptions and diagram attached hereto and consist of a non-exclusive access easement as to the property identified as parcel 1, and fee title to the property identified as parcel 2.

CITY CREEK CENTER PROPOSED 100 SOUTH STREET PARKING ACCESS RAMP

EXHIBIT "C"

PARCEL 1

Non-Exclusive Access Easement

Intent of Legal is to describe a "Non-Exclusive Access Easement" of that portion of ground shown in the existing right of way of 100 South Street defined as a three dimensional exhibit which includes that space from the existing surface elevation to a subsurface elevation which is four feet below the existing surface elevation within that area described as follows:

Beginning S89°58'02"W 79.29 feet and South 48.81' feet from the Southeast Corner Block 75, Plat "A", Salt Lake City Survey, (Basis of Bearing N89°58'22"E (Atlas) along monument line) and running thence South 28.16 feet; thence N89°57'14"W 365.73 feet; thence N00°00'10"W 27.69 feet; thence N89°44'30"E 10.03 feet to a 30.00 foot radius curve to the left 45.90 feet, chord bearing N45°54'24"E 41.56 feet; thence N02°04'18"E 4.53 feet; thence N00°06'57"W 15.31 feet to the North Right of Way line of 100 South Street; thence N89°58'02"E 109.52 feet along the North Right of Way of 100 South Street; thence South 18.59 feet to a 29.99 foot radius curve to the left 47.10 feet, chord bearing S44°58'16"E 42.41 feet; thence S89°58'08"E 186.23 feet to the Point of Beginning.

Contains 15,969.44 sq. ft. or 0.37 acres at surface elevation.

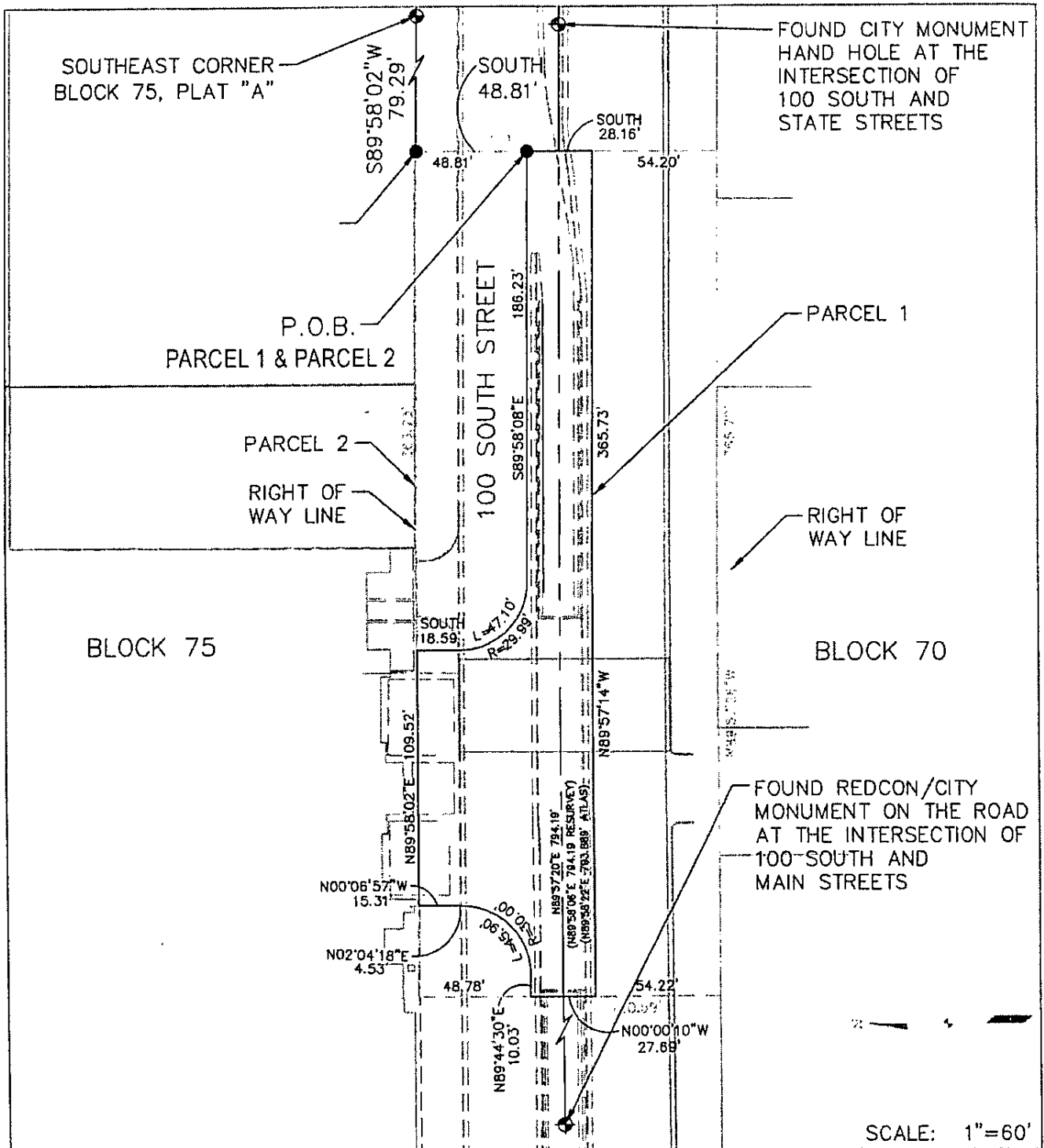
PARCEL 2

Special Warranty Deed

Intent of Legal is to describe a "Special Warranty Deed" of that portion of 100 South Street Right of Way shown, defined as a three dimensional exhibit which includes that space which is defined as a subsurface elevation beginning four feet below the existing surface to an indefinite subsurface elevation below described as follows:

Beginning S89°58'02"W 79.29 feet and South 48.81' feet from the Southeast Corner Block 75, Plat "A", Salt Lake City Survey, (Basis of Bearing N89°58'22"E (Atlas) along monument line) and running thence South 28.16 feet; thence N89°57'14"W 365.73 feet; thence N00°00'10"W 27.69 feet; thence N89°44'30"E 10.03 feet to a 30.00 foot radius curve to the left 45.90 feet, chord bearing N45°54'24"E 41.56 feet; thence N02°04'18"E 4.53 feet; thence N00°06'57"W 15.31 feet to the North Right of Way line of 100 South Street; thence N89°58'02"E 109.52 feet along the North Right of Way of 100 South Street; thence South 18.59 feet to a 29.99 foot radius curve to the left 47.10 feet, chord bearing S44°58'16"E 42.41 feet; thence S89°58'08"E 186.23 feet to the Point of Beginning.

Contains 15,969.44 sq. ft. or 0.37 acres at surface elevation.



SOUTHEAST CORNER
BLOCK 75, PLAT "A"

FOUND CITY MONUMENT
HAND HOLE AT THE
INTERSECTION OF
100 SOUTH AND
STATE STREETS

P.O.B.
PARCEL 1 & PARCEL 2

PARCEL 1

PARCEL 2

RIGHT OF
WAY LINE

RIGHT OF
WAY LINE

BLOCK 75

BLOCK 70

FOUND REDCON/CITY
MONUMENT ON THE ROAD
AT THE INTERSECTION OF
100 SOUTH AND
MAIN STREETS

SCALE: 1"=60'

100 SOUTH STREET RAMP
LOCATED IN
Block 75, Plat "A", Salt Lake City Survey
Salt Lake Base & Meridian, U.S. Survey



DRAWN: SRP	CHECKED: KB	APPROVED: KS
DATE: 6-12-07	EXHIBIT "C"	Page 2 of 2

LYN CRESWELL
DIRECTOR

SALT LAKE CITY CORPORATION

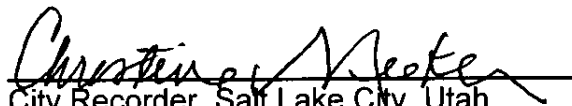
DEPARTMENT OF ADMINISTRATIVE SERVICES
City Recorder

RALPH BECKER
MAYOR

STATE OF UTAH, City and County of Salt Lake,

I, Christine Meeker, City Recorder of Salt Lake City, Utah, do hereby certify that the attached document, Ordinance 5 of 2008, vacating a portion of three city streets adjacent to the City Creek Center, with conditions and sunset provision is a true and correct copy.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 4th day of August, 2009


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

BK 9752 PG 3410