

WHEN RECORDED RETURN TO:

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



ORDINANCE 2024-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A PORTION OF RIGHT-OF-WAY ON THE WEST SIDE OF PROSPERITY ROAD RUNNING SOUTH FROM LAKE AVENUE APPROXIMATELY 163 FEET

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”) may only 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 portion of Prosperity Road right-of-way (ROW) running south of Lake Avenue for approximately 163 ft. (9,438 sq. ft.); and

WHEREAS, the City Council held a public hearing to consider Applicant’s petition to vacate the portion of 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 grants the Applicant’s petition to vacate the portion of ROW by adopting this Ordinance, more particularly shown on the attached **Exhibit A**.

SECTION 2. Property Transfer. By adopting this Ordinance, ownership of the right-of-way being vacated by this ordinance and more particularly shown on the attached **Exhibit A**, will be transferred to VP Daybreak Investco 4 LLC.

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]

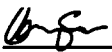
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 19 DAY OF March, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	___	___	___
Kathie Johnson	<u>X</u>	___	___	___
Donald Shelton	<u>X</u>	___	___	___
Tamara Zander	<u>X</u>	___	___	___
Jason McGuire	<u>X</u>	___	___	___

Mayor: 
 Dawn R. Ramsey

Attest: 

Approved as to form:


 Gregory Simonsen (Mar 13, 2024 15:23 MDT)
 Office of the City Attorney

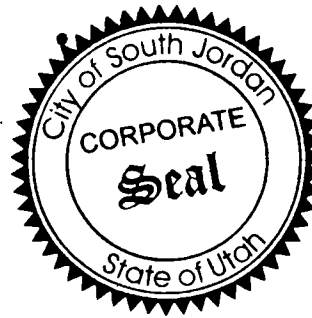
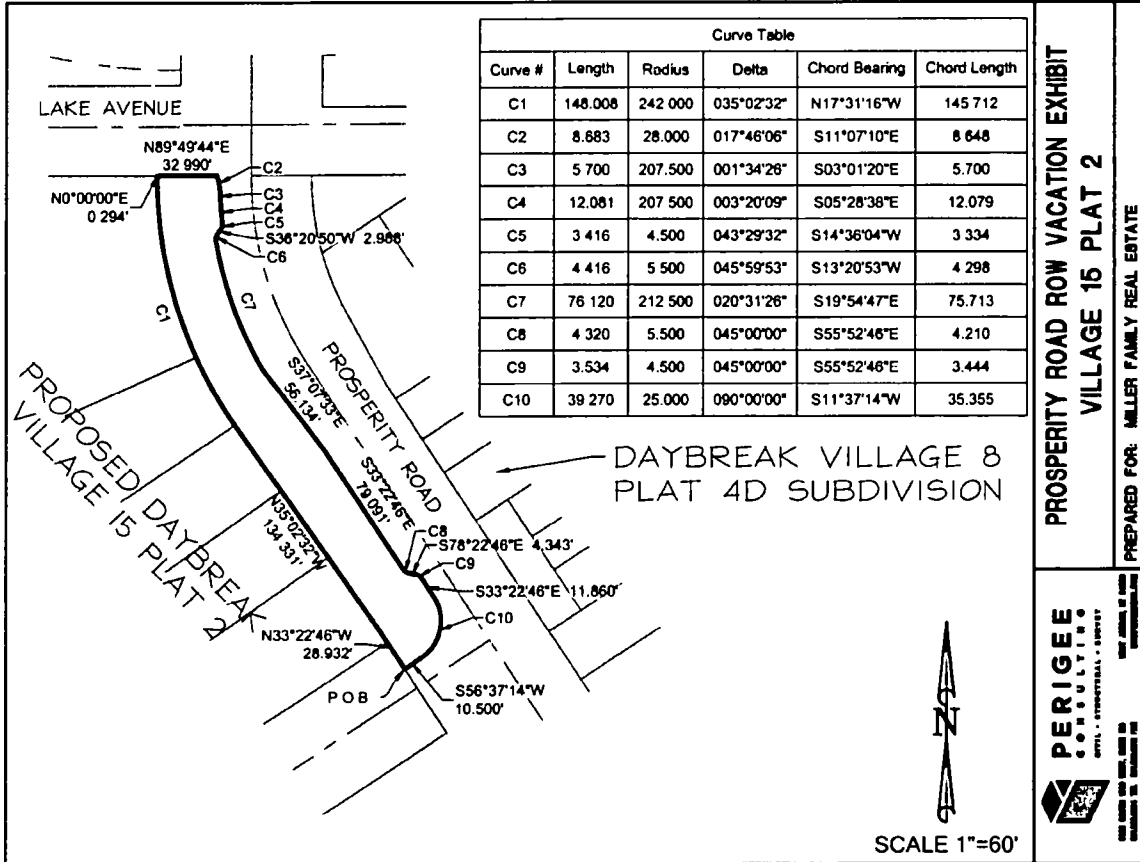


Exhibit A



Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	148.008	242.000	035°02'32"	N17°31'16"W	145.712
C2	8.683	28.000	017°46'06"	S11°07'10"E	8.648
C3	5.700	207.500	001°34'26"	S03°01'20"E	5.700
C4	12.081	207.500	003°20'09"	S05°28'38"E	12.079
C5	3.416	4.500	043°29'32"	S14°36'04"W	3.334
C6	4.416	5.500	045°59'53"	S13°20'53"W	4.298
C7	76.120	212.500	020°31'28"	S19°54'47"E	75.713
C8	4.320	5.500	045°00'00"	S55°52'46"E	4.210
C9	3.534	4.500	045°00'00"	S55°52'46"E	3.444
C10	39.270	25.000	090°00'00"	S11°37'14"W	35.355

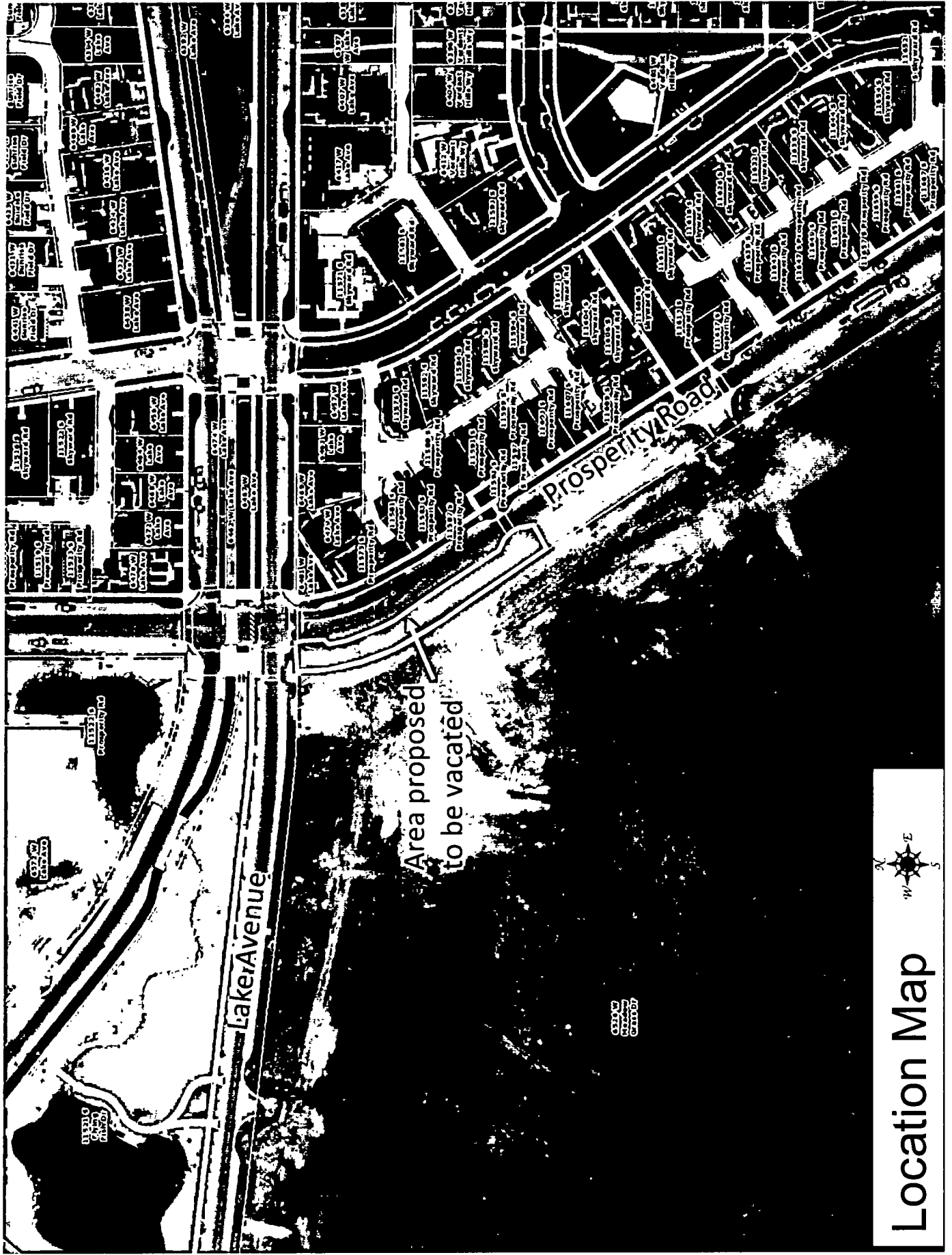
PROSPERITY ROAD ROW VACATION EXHIBIT
VILLAGE 15 PLAT 2
 PREPARED FOR: MILLER FAMILY REAL ESTATE
PERIGEE CONSULTING
 CIVIL • SURVEYING • DESIGN
 1000 W. 10th St., Suite 100
 Lincoln, NE 68502
 (402) 441-1111
 www.perigeeconsulting.com

N:\00182 Daybreak\Cadd\Survey\Master\15P2\Exhibit\2024-02-22 V15P2 ROW Vacation Exhibit.dwg, 2/22/2024 4:31:59 PM, DWG To PDF.pcl

V15P2 – Prosperity Road ROW Vacation Description

Beginning at a point on the Westerly Right-of-Way Line of Prosperity Road, said point lies South 89°56'37" East 4833.606 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 1299.797 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Prosperity Road the following (4) courses: 1) North 33°22'46" West 28.932 feet; 2) North 35°02'32" West 134.331 feet to a point on a 242.000 foot radius tangent curve to the right, (radius bears North 54°57'28" East, Chord: North 17°31'16" West 145.712 feet); 3) along the arc of said curve 148.008 feet through a central angle of 35°02'32"; 4) North 0.294 feet to the South Right-of-Way Line of Lake Avenue; thence along said Lake Avenue extended North 89°49'44" East 32.990 feet to a point on a 28.000 foot radius non tangent curve to the right, (radius bears South 69°59'47" West, Chord: South 11°07'10" East 8.648 feet); thence along the arc of said curve 8.683 feet through a central angle of 17°46'06" to a point of reverse curvature with a 207.500 foot radius tangent curve to the left, (radius bears North 87°45'53" East, Chord: South 03°01'20" East 5.700 feet); thence along the arc of said curve 5.700 feet through a central angle of 01°34'26" to a point of compound curvature with a 207.500 foot radius tangent curve to the left, (radius bears North 86°11'27" East, Chord: South 05°28'38" East 12.079 feet); thence along the arc of said curve 12.081 feet through a central angle of 03°20'09" to a point of reverse curvature with a 4.500 foot radius tangent curve to the right, (radius bears South 82°51'18" West, Chord: South 14°36'04" West 3.334 feet); thence along the arc of said curve 3.416 feet through a central angle of 43°29'32"; thence South 36°20'50" West 2.988 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears South 53°39'10" East, Chord: South 13°20'53" West 4.298 feet); thence along the arc of said curve 4.416 feet through a central angle of 45°59'53" to a point of compound curvature with a 212.500 foot radius tangent curve to the left, (radius bears North 80°20'56" East, Chord: South 19°54'47" East 75.713 feet); thence along the arc of said curve 76.120 feet through a central angle of 20°31'26"; thence South 37°07'33" East 56.134 feet; thence South 33°22'46" East 79.091 feet to a point on a 5.500 foot radius tangent curve to the left, (radius bears North 56°37'14" East, Chord: South 55°52'46" East 4.210 feet); thence along the arc of said curve 4.320 feet through a central angle of 45°00'00"; thence South 78°22'46" East 4.343 feet to a point on a 4.500 foot radius tangent curve to the right, (radius bears South 11°37'14" West, Chord: South 55°52'46" East 3.444 feet); thence along the arc of said curve 3.534 feet through a central angle of 45°00'00"; thence South 33°22'46" East 11.860 feet to a point on a 25.000 foot radius tangent curve to the right, (radius bears South 56°37'14" West, Chord: South 11°37'14" West 35.355 feet); thence along the arc of said curve 39.270 feet through a central angle of 90°00'00"; thence South 56°37'14" West 10.500 feet to the point of beginning.

Property contains 0.217 acres, 9438 square feet.



Laker Avenue

Prosperity Road

Area proposed
to be vacated



Location Map

PROSPERITY ROAD ROW VACATION EXHIBIT VILLAGE 15 PLAT 2

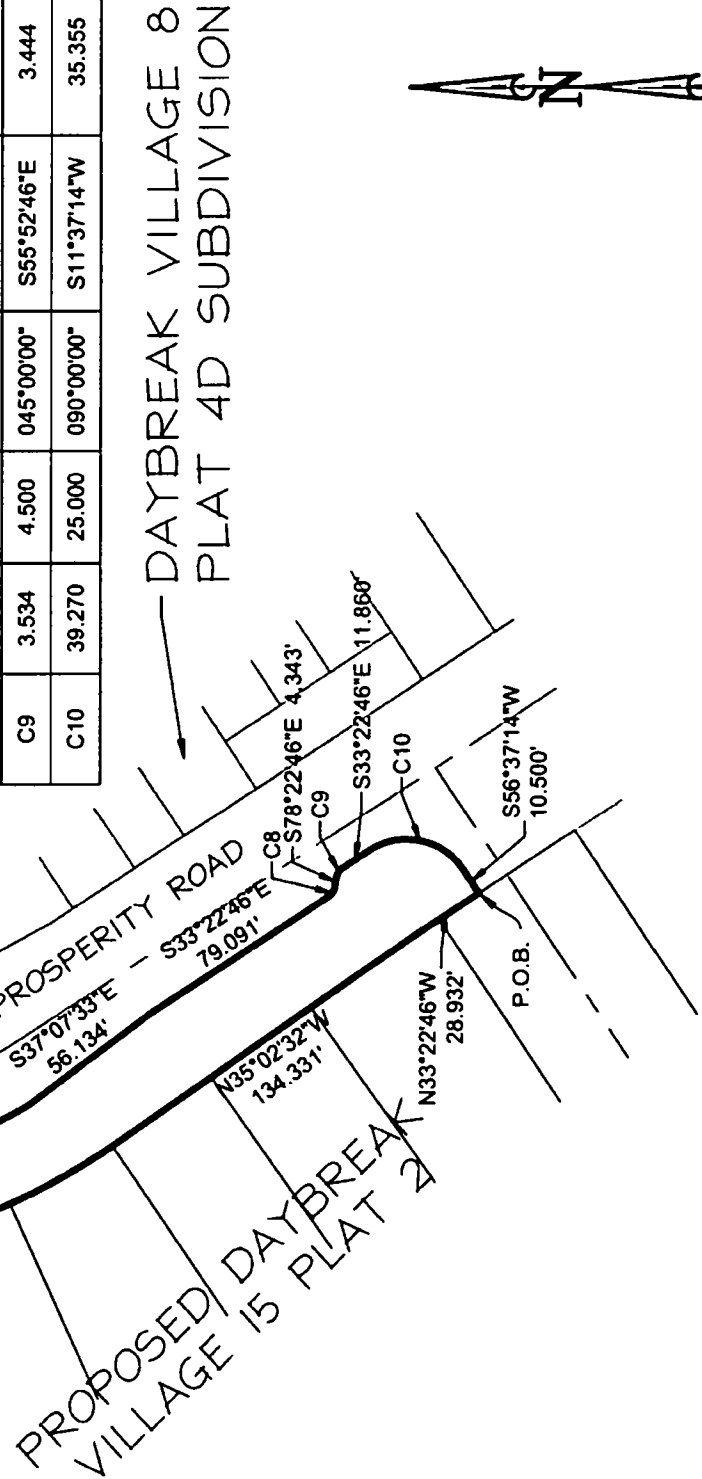
PREPARED FOR: MILLER FAMILY REAL ESTATE



PERIGEE CONSULTING
CIVIL - SURVEYING - DESIGN
1000 NORTH 10TH AVE, SUITE 200
DENVER, CO 80202
303.733.8888

Curve Table

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SCALE 1"=60'

PROPOSED DAYBREAK
VILLAGE 15 PLAT 2

DAYBREAK VILLAGE 8
PLAT 4D SUBDIVISION