

MILLCREEK, UTAH
ORDINANCE NO. 25-45

**AN ORDINANCE OF MILLCREEK VACATING THE EASTERLY PORTIONS OF
THE 2700 EAST PUBLIC STREET OR RIGHT OF WAY, GENERALLY LOCATED
BETWEEN 3450 AND 3550 SOUTH**

WHEREAS, the Millcreek City Council (“Council”) met in a regular meeting on October 27, 2025, to consider, among other things, approving the vacation of the easterly portion of the 2700 East public street or right of way, generally located between 3450 and 3550 South, as described in the below legal description; and

WHEREAS, Utah Code Section 72-5-105 provides in part that all public streets or roads shall continue to be public streets or roads until formally abandoned by ordinance of a highway authority having jurisdiction and the ordinance has been duly recorded in the of the county recorder where the street or road is located; and

WHEREAS, Utah Code Section 10-9a-609.5 provides in part that the City Council may approve a petition to vacate a public street in accordance with the requirements of Utah Code Section 10-9a-609.5; and

WHEREAS, on or about the month of September 2025, Millcreek City Staff petitioned to vacate a portion of the 2700 East public street or right of way which included all the elements required by Utah Code, Section 10-9a-609.5; and

WHEREAS, Utah Code Section 10-9a-609.5 provides that if a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a public hearing in accordance with Utah Code Section 10-9a-208 and determine whether good cause exists for the vacation and neither the public interest nor any person will be materially injured by the proposed vacation; and

WHEREAS, Millcreek Code Section 18.15.020.G.4. requires a formal public engagement process in the form of a public hearing, held by Millcreek’s Planning Commission as a recommending body, and a public meeting held by the City Council as the Land Use Authority, for public street or municipal utility easement vacations; and

WHEREAS, on September 27, 2025, the City Staff gave notice of the date, place, and time of the required public hearing as required by Utah Code Section 10-9a-208; and

WHEREAS, both Planning Commisison and Staff have advised the Council that good cause exists for the vacation because, among other things, removing the historic wall from the right of way also removes the city (Millcreek taxpayers) from ongoing maintenance and liability, while also preserving the historic wall along the east edge of asphalt; and

WHEREAS, neither the public interest nor any person will be materially injured by the vacation, provided that an easement is recorded securing public access on the portion of sidewalk



being vacated, and that an agreement is in place with the abutting property owner regarding the maintenance of the retaining wall; and

WHEREAS, the vacation of portions of the 2700 East will result in a more favorable alignment of the east edge of the 2700 East public street or right of way; and

WHEREAS, based on the public hearings and staff report and subject to a public access easement over the existing parkstrip, sidewalk, and historic wall, in conjunction with a maintenance agreement with the adjacent property for maintenance thereof, the Council finds that good cause exists for the vacation and that neither the public interest nor any person will be materially injured by the proposed vacation.

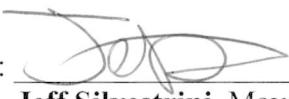
NOW, THEREFORE, BE IT ORDAINED by the Council that the portion of the 2700 East public street or right of way generally located between 3450 East and 3550 South, is hereby vacated subject to a public access easement over the existing parkstrip, sidewalk, and historic wall, in conjunction with a maintenance agreement with the adjacent property, area being vacated is described and depicted within **Exhibit A**. The same is no longer necessary as a public street, alley, or right of way. The Mayor and Recorder are hereby directed to record a copy of this ordinance in the Office of the Salt Lake County Recorder.

PASSED AND APPROVED this 27th day of October 2025.

MILLCREEK COUNCIL



By:



Jeff Silvestrini, Mayor

ATTEST:



Elyse Sullivan, City Recorder

Roll Call Vote:

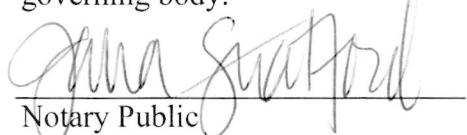
Silvestrini	<input checked="" type="radio"/> Yes	No
Catten	<input checked="" type="radio"/> Yes	No
DeSirant	<input checked="" type="radio"/> Yes	No
Jackson	<input checked="" type="radio"/> Yes	No
Uipi	<input checked="" type="radio"/> Yes	No

STATE OF UTAH)

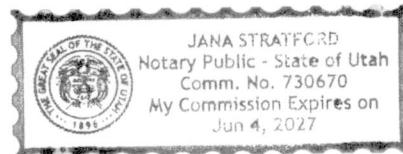
:ss.

COUNTY OF SALT LAKE)

On the 28 day of October, 2025, personally appeared before me Jeff Silvestrini, who, being by me duly sworn, did say that he is the Mayor of Millcreek, a Utah municipal corporation, and that said instrument was signed and executed on behalf of the City by authority of its governing body.



Notary Public

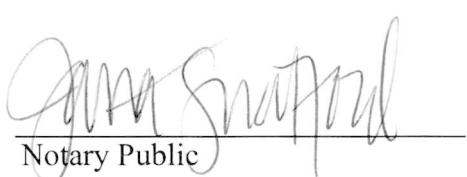


STATE OF UTAH)

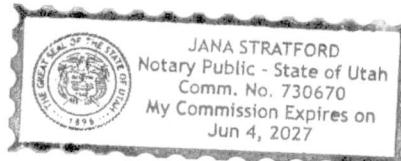
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COUNTY OF SALT LAKE)

On the 28, day of October, 2025, personally appeared before me Elyse Sullivan, who, being by me duly sworn, did say that she is the City Recorder of Millcreek, a Utah municipal corporation, and that said instrument was signed and executed on behalf of the City by authority of its governing body.



Notary Public



CERTIFICATE OF POSTING

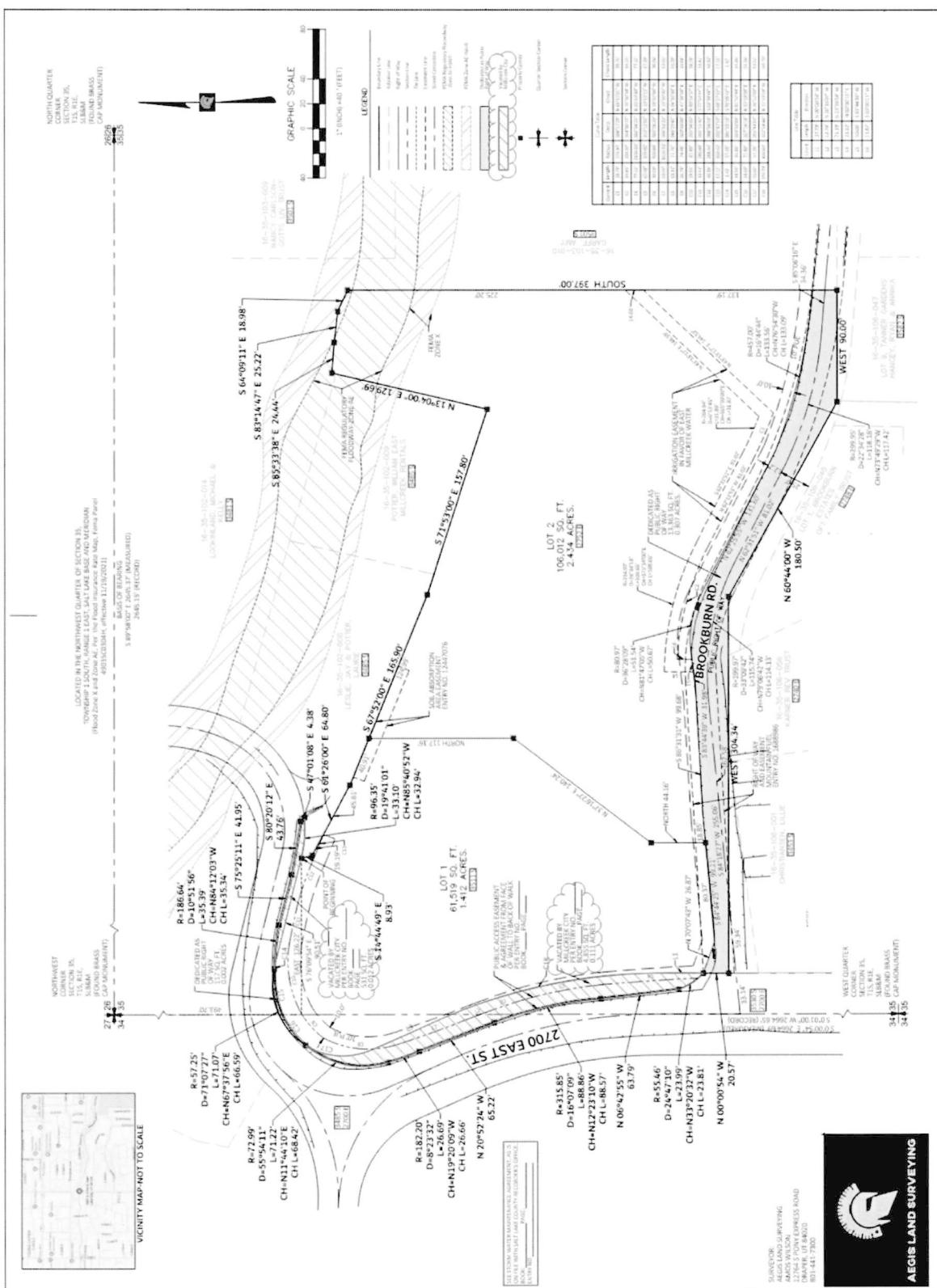
I, the duly appointed recorder for Millcreek, hereby certify that:

ORDINANCE 25-45: AN ORDINANCE OF MILLCREEK VACATING THE EASTERLY PORTIONS OF THE 2700 EAST PUBLIC STREET OR RIGHT OF WAY, GENERALLY LOCATED BETWEEN 3450 AND 3550 SOUTH was adopted the 27th day of October 2025 and that a copy of the foregoing Ordinance 25-45 was posted in accordance with Utah Code 10-3-711 this 28 day of October, 2025.



Elyse Sullivan, City Recorder

EXHIBIT A



Legal Description

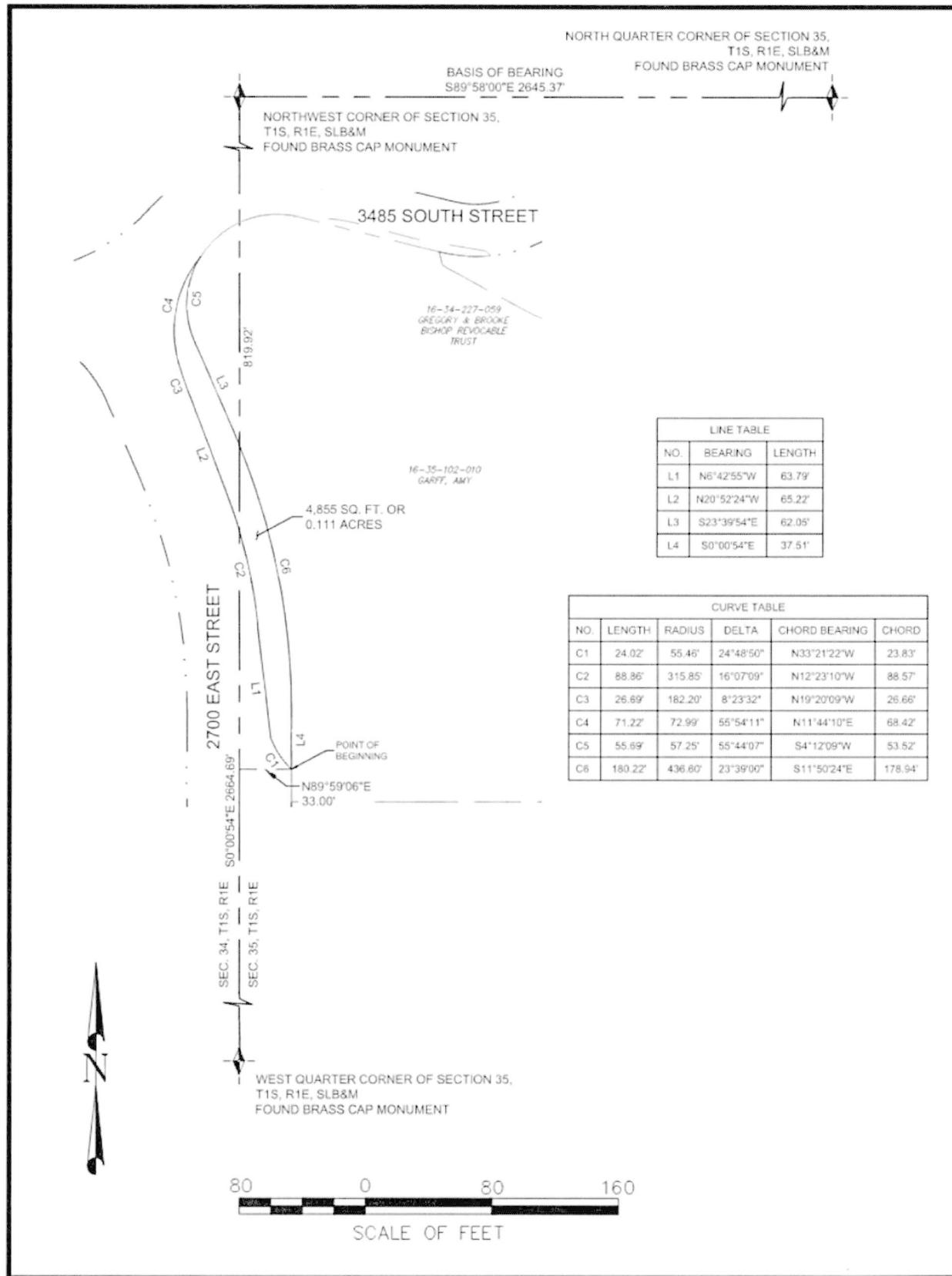
(Vacated Area)

**PROPOSED RIGHT-OF-WAY EXPANSION OF 2700 EAST STREET
FROM MILLCREEK CITY**

A part of the Northeast Quarter of Section 34 and the Northwest Quarter of Section 35, Township 1 South, Range 1 East, Salt Lake Base and Meridian, Millcreek City, Salt Lake County, Utah, more particularly described as follows:

Beginning at a point on the existing easterly right-of-way line of 2700 East Street, said point being 819.92 feet South $0^{\circ}00'54''$ East along the Section Line; and 33.00 feet North $89^{\circ}59'06''$ East from the Northwest Corner of said Section 35; and running thence along the easterly right-of-way line the following six (6) courses: (1) northwesterly 24.02 feet along the arc of a 55.46 foot radius curve to the right, through a central angle of $24^{\circ}48'50''$, chord bears North $33^{\circ}21'22''$ West 23.83 feet, (2) North $6^{\circ}42'55''$ West 63.79 feet, (3) northerly 88.86 feet along the arc of a 315.85 foot radius curve to the left, through a central angle of $16^{\circ}07'09''$, chord bears North $12^{\circ}23'10''$ West 88.57 feet, (4) North $20^{\circ}52'24''$ West 65.22 feet, (5) northerly 26.69 feet along the arc of a 182.20 foot radius curve to the right, through a central angle of $8^{\circ}23'32''$, chord bears North $19^{\circ}20'09''$ West 26.66 feet, (6) northerly 71.22 feet along the arc of a 72.99 foot radius compound curve to the right, through a central angle of $55^{\circ}54'11''$, chord bears North $11^{\circ}44'10''$ East 68.42 feet to a point being on the proposed easterly right-of-way line of said 2700 East Street; thence along said proposed easterly right-of-way line the following four (4) courses: (1) southerly 55.69 feet along the arc of a 57.25 foot radius non-tangent curve to the left, through a central angle of $55^{\circ}44'07''$, chord bears South $4^{\circ}12'09''$ West 53.52 feet (2) South $23^{\circ}39'54''$ East 62.05 feet, (3) southerly 180.22 feet along the arc of a 436.60 foot radius curve to the right, through a central angle of $23^{\circ}39'00''$, chord bears South $11^{\circ}50'24''$ East 178.94 feet, (4) South $0^{\circ}00'54''$ East 37.51 feet to the Point of Beginning.

Contains 4,855 sq. ft. or 0.111 acres



PROPOSED RIGHT-OF-WAY EXPANSION OF 3485 SOUTH STREET

FROM MILLCREEK CITY

A part of the Northwest Quarter of Section 35, Township 1 South, Range 1 East, Salt Lake Base and Meridian, Millcreek City, Salt Lake County, Utah, more particularly described as follows:

Beginning at a point on the existing southerly right-of-way line of 3485 South Street, said point being 471.73 feet South $0^{\circ}00'54''$ East along the Section Line; and 36.96 feet North $89^{\circ}59'06''$ East from the Northwest Corner of said Section 35; and running thence along said existing right-of-way line of 3485 South Street the following four (4) courses: (1) easterly 35.39 feet along the arc of a 186.64 foot radius curve to the right, through a central angle of $10^{\circ}51'56''$, chord bears South $84^{\circ}12'03''$ East 35.34 feet (2) South $75^{\circ}25'11''$ East 41.95 feet; (3) South $80^{\circ}20'12''$ East 43.76 feet; and (4) South $47^{\circ}01'08''$ East 4.38 feet to a point being on the proposed right-of-way line of said 3485 South Street; thence along said proposed southerly right-of-way line the following three (3) courses: (1) westerly 33.10 feet along the arc of a 96.35 foot radius non-tangent curve to the right, through a central angle of $19^{\circ}41'01''$, chord bears North $85^{\circ}40'52''$ West 32.94 feet, (2) North $76^{\circ}09'54''$ West 90.51 feet, (3) westerly 1.42 feet along the arc of a 57.25 foot radius curve to the left, through a central angle of $1^{\circ}25'15''$, chord bears North $76^{\circ}05'43''$ West 1.42 feet to the Point of Beginning.

Contains 531 sq. ft. or 0.012 acres

