

STREET VACATION – SOPHIE LANE

ORDINANCE 23-14

AN ORDINANCE MODIFYING THE OFFICIAL STREET MAP OF SANDY CITY BY VACATING 0.057 ACRES OF STREET RIGHT-OF-WAY FOR A PORTION OF SOPHIE LANE BETWEEN 285 EAST 11000 SOUTH; ALSO ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Sandy City Council has been granted specific authority to regulate, plan and establish public streets within Sandy City and may amend such regulations and plans or vacate a street according to the provisions of Sections 10-8-8 and 10-9a-609.5, Utah Code Annotated; and

WHEREAS, a modification to the official street map has been proposed to vacate 0.20 acres of street right-of-way for a portion of Sophie Lane between 285 East and 11000 South; and

WHEREAS, the Planning Commission held a public meeting on August 3, 2023, to consider the vacation, which meeting was preceded by publication of the meeting agenda by emailing to the Sandy Library and Parks & Recreation Department and posting in Sandy City Hall, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on August 15, 2023, also mailed out to residents within 500 feet and to affected entities of the portion to be vacated on August 16, 2023; and

WHEREAS, the Planning Commission determined that good cause exists for vacation and that there is neither material injury to either the public interest nor any person by the requested vacation, and forwarded a positive recommendation to the City Council; and

WHEREAS, a public hearing was held by the Sandy City Council on August 29, 2023, to consider adoption of the proposed vacation, which meeting was preceded by emailing to the Sandy Library and Parks & Recreation Department, posting in Sandy City Hall, on the Sandy City Website - <http://www.sandy.utah.gov>,

and the Utah Public Notice Website - <http://pmn.utah.gov> on August 15, 2023, also mailed to residents within 500 feet and to affected entities, and posted on or near the street of right-of-way on August 16, 2023; and

WHEREAS, vacation of the portion of Sophie Lane at approximately 285 East 11000 South, is in the best interest of the health, safety and welfare of the City's residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, that, upon recording of this Ordinance, the Official Street Map of Sandy City will be modified by vacating 0.20 acres of street right-of-way for a portion of Sophie Lane at approximately 285 East

11000 South, as described in **Exhibit “A”** and shown on **Exhibit “B”**, which are attached hereto and by this reference made a part hereof.

Section 1. Effect of Vacation. Upon recording of this Ordinance, the vacation herein shall operate as a relinquishment of the City’s fee in the vacated portion of street. Pursuant to section 10-9a-609.5, Utah Code Annotated, the City Council’s vacation of the right-of-way described herein operates to the extent to which it is vacated as a revocation of the acceptance of and the relinquishment of the City’s fee in the vacated street right-of-way and may not be construed to impair any right-of-way or easement of any lot owner, easement holder or the franchise rights of any public utility.

Section 2. Reservation of Easement. Sandy City hereby specifically retains and reserves unto itself an easement for all utility purposes over the entire portion of the vacated street right-of-way.

Section 3. Recording of Ordinance. the City Recorder is hereby directed to file a certified copy of this Ordinance with the Salt Lake County Recorder.

Section 4. Severable. If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 5. Effective. This ordinance shall become effective upon being recorded with the Salt Lake County Recorder.

PASSED AND APPROVED this _____ day of _____, 2023.

Brooke D’Sousa, Sandy City Council Chair

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for her approval this _____ day of _____, 2023.

APPROVED this _____ day of _____, 2023.

Monica Zoltanski, Mayor

ATTEST:

City Recorder

PUBLISHED this _____ day of _____, 2023.

Exhibit "A"
Street Legal Description

Sophie Lane Legal Description

BEGINNING AT A POINT WHICH IS NORTH 00°18'24" EAST 41.00 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°18'24" EAST 174.54 FEET; THENCE SOUTH 25°40'26" EAST 5.15 FEET TO THE POINT OF A 136.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 61.67 FEET THROUGH A CENTRAL ANGLE OF 25°58'50" (CHORD BEARS SOUTH 12°41'01" EAST 61.14 FEET); THENCE SOUTH 00°18'24" WEST 95.40 FEET TO THE POINT OF A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 16.05 FEET THROUGH A CENTRAL ANGLE OF 36°46'52" (CHORD BEARS SOUTH 18°04'38" EAST 15.77 FEET); THENCE NORTH 89°35'40" WEST 20.97 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,481 SQUARE FEET OR 0.057 ACRES, MORE OR LESS.

**Exhibit “B”
Street Map**

