



# SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN  
COMMUNITY DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

## MEMORANDUM

July 31, 2018

**To:** City Council via Planning Commission  
**From:** Community Development Department  
**Subject:** Partial Street Vacation of 10080 South  
(2,902 square foot Street Vacation)  
[South Town, Community #9]

MISC-06-18-5430  
Vacating 2,902 Square  
Feet or 0.07 Acres

**HEARING NOTICE:** *This item has been noticed to property owners within 500 feet of the subject area, and posted on the property.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
SPR#95-01	South Town Marketplace Site Plan Approval. Approved by PC
SPR#97-08	South Town Marketplace Lot 5. Withdrawn by Applicant
SPR#06-28	Centennial Parkway Plaza. Withdrawn by Applicant

### DESCRIPTION OF REQUESTS

The applicant, Nick Duerksen Sandy City Economic Development Director, is requesting a partial street vacation of 10080 South. If vacated, a portion of 10080 South could then be transferred to the two adjacent properties to the south (Parcel #: 27-12-476-035-0000 and Parcel #: 27-13-226-010-0000) (See Exhibit #1 – Application Material).

### NOTICE

Notices were mailed to property owners within a 500-foot radius of the subject parcel to notify of the Planning Commission meeting. The property was also posted with a public notice sign and published in the newspaper. No neighborhood meeting was required by the Community Development Director.

### PLANNING COMMISSION

The Planning Commission heard this case on July 5, 2018. The Planning Commission sent a unanimous positive recommendation to the City Council to approve the partial street vacation.

## ANALYSIS

The reason for the partial street vacation is because the right-of-way was dedicated to Sandy City in 2004. In 2016 Sandy City realigned 10080 South at Centennial Parkway, which created a remnant parcel of right-of-way, which is not used for public use. The adjacent property owner is interested in obtaining this remnant parcel for future development of parcel 27-12-476-035-0000. However, in effort to square up parcels 27-12-476-035-0000 and 27-13-226-010-0000, Sandy City would transfer portions of the remnant right-of-way to both properties.

The overall size of the parcel to be vacated is 2,902 square feet. The vacated parcel may be transferred to the two adjacent properties to the south. 2,874 square feet will be transferred to parcel 27-12-476-035-0000, and 28 square feet will be transferred to parcel 27-13-226-010-0000 (*See Exhibit #2 – Vacation Rendering*).

The impact associated with this vacation will be minimal, with additional land being transferred to the adjacent parcels. The vacation will remove excess right-of-way from 10080 South, and remove the requirement for Sandy City to maintain this area of right-of-way.

## REQUIRED DETERMINATIONS AND FINDINGS

There are three determinations that need to be made by The City Council in considering a request for street vacation.

1. Consent of the abutters. Sandy City staff have agreed to this vacation. The City has received no objection from any property owner that abuts the existing road segment.
2. If good cause exists for the street vacation. The requested action will allow for future development on Parcel #: 27-12-476-035-0000. The Public Works Department has determined that the property is no longer needed for right-of-way or public use (*See Exhibit #3 – Staff Recommendation*).
3. That neither the public interest nor any person will be materially injured by the vacation. No injury to the public will occur due to this partial street vacation.

## STAFF RECOMMENDATION

Staff recommends that The City Council approve the partial street right-of-way vacation of a portion of 100800 South Street as shown in the attached exhibits, based on the following findings and subject to the following conditions of approval:

### Findings

1. The partial street vacation action by the City will transfer the ownership of the subject property to the abutting property owners who will use the area in future development of the property, or agree to own and maintain the property. Therefore, good cause for the action exists.
2. That there is neither material injury to either the public interest nor any person by the requested vacation.
3. Staff has not received any objection from the abutting property owners.

**Conditions**

1. That the approval is conditioned upon the City proceeding through the vacation process through action by the City Council.
2. That the recording of the street vacation ordinance be done with the Salt Lake County Recorder's Office.

Planner: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Wade Sanner, Planner

File Name: S:\USERS\PLN\STAFFRPT\2018\MISC-06-18-5430 10080 Street Vacation

**Exhibit #1 – Application Material**



# SANDY CITY ECONOMIC DEVELOPMENT

NICK DUERKSEN  
ECONOMIC DEVELOPMENT  
DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

**\*\*MEMORANDUM\*\***

TO: Wade Sanner  
FROM: Nick Duerksen   
DATE: June 11, 2018  
RE: Street Vacation - 10080 South and Centennial Parkway

This remnant parcel was part of the dedication of 10080 South to the City in 2004. In 2016 the City realigned 10080 at Centennial Parkway creating a remnant parcel of right-of-way that is not needed for public use. The adjacent owner (MAC Development) of the remnant parcel is interested in obtaining this property.

Public Works has determined that this property is not needed for right-of-way or public use, but is useful and better suited for the adjacent owner (MAC Development). This property will aid MAC Development in developing the property according to the Cairns Master Plan, specifically for access and parking.

**Exhibit #2 – Vacation Rendering**

**DESCRIPTIONS OF A PORTION OF 10080 SOUTH STREET VACATED BY  
SANDY CITY**

**OVERALL DESCRIPTION OF A PORTION OF 10080 SOUTH STREET LOCATED IN THE  
SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT  
LAKE BASE AND MERIDIAN, TO BE VACATED BY SANDY CITY, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:**

Beginning at a point which lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street,  
North 0°07'35" West 847.85 feet along said westerly right-of-way line,  
North 89°59'01" West 280.57 feet,  
South 86°50'50" West 266.48 feet,  
North 89°57'20" West 519.88 feet and  
South 0°00'36" West 53.33 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South, (Basis of Bearing for this description is South 0°01'50" East along the monument line in State Street defined by said witness monument at 10200 South and a Salt Lake County monument on the centerline of State Street at 10600 South);  
thence North 89°55'00" East 121.45 feet along the southerly edge of an existing concrete sidewalk to intersect the southerly right-of-way line of 10080 South Street as dedicated by that certain plat titled NEFF'S GROVE AND 10080 SOUTH STREET DEDICATION PLAT, recorded October 18, 2004 as Entry No. 9200501 in Book 2004P of plats at Page 304 in the office of the Salt Lake County Recorder; thence along said southerly right-of-way line the following four (4) courses:  
(1) South 65°32'54" West 70.283 feet to a point of curvature;  
(2) Southwesterly 30.925 feet along the arc of a 70.00 foot radius tangent curve to the right having a central angle of 25°18'45" and a chord bearing and length of South 78°12'16" West 30.674 feet to a point of tangency;  
(3) North 89°08'21" West 11.58 feet to a point of curvature;  
(4) Southwesterly 16.177 feet along the arc of a 45.00 foot radius tangent curve to the left having a central angle of 20°35'49" and a chord bearing and length of South 80°33'44" West 16.090 feet to the easterly right-of-way of Centennial Parkway;  
thence along said easterly right-of-way line, North 0°00'36" East 37.65 feet to the Point of Beginning.  
The above-described area contains approximately 2,902 square feet.

**DESCRIPTION OF A PORTION OF 10080 SOUTH STREET LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, TO BE VACATED BY SANDY CITY, WHICH LIES IMMEDIATELY ADJACENT TO THAT CERTAIN PARCEL OF LAND CURRENTLY (JUNE 2018) IDENTIFIED BY THE SALT LAKE COUNTY ASSESSOR AS PARCEL NO. 27-12-476-035, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at a point which lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street,  
North 0°07'35" West 847.85 feet along said westerly right-of-way line,  
North 89°59'01" West 280.57 feet, South 86°50'50" West 266.48 feet,  
North 89°57'20" West 519.88 feet and South 0°00'36" West 53.33 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South, (Basis of Bearing for this description is South 0°01'50" East along the monument line in State Street defined by said witness monument at 10200 South and a Salt Lake County monument on the centerline of State Street at 10600 South);  
thence North 89°55'00" East 110.278 feet along the southerly edge of an existing concrete sidewalk to intersect the northerly extension of the easterly boundary of that parcel of land described in that certain Special Warranty Deed recorded October 24, 2007 as Entry No. 10257422 in Book 9529 at Pages 6162-6163 in the office of the Salt Lake County Recorder;  
thence along said northerly extension of said easterly boundary, South 5.064 feet to intersect the southerly right-of-way line of 10080 South Street as dedicated by that certain plat titled NEFF'S GROVE AND 10080 SOUTH STREET DEDICATION PLAT, recorded October 18, 2004 as Entry No. 9200501 in Book 2004P of plats at Page 304 in the office of the Salt Lake County Recorder; thence along said southerly right-of-way line the following four (4) courses:  
(1) South 65°32'54" West 58.010 feet to a point of curvature;  
(2) Southwesterly 30.925 feet along the arc of a 70.00 foot radius tangent curve to the right having a central angle of 25°18'45" and a chord bearing and length of South 78°12'16" West 30.674 feet to a point of tangency;  
(3) North 89°08'21" West 11.58 feet;  
(4) Southwesterly 16.177 feet along the arc of a 45.00 foot radius tangent curve to the left having a central angle of 20°35'49" and a chord bearing and length of South 80°33'44" West 16.090 feet to the easterly right-of-way of Centennial Parkway;  
thence along said easterly right-of-way line, North 0°00'36" East 37.65 feet to the Point of Beginning.

The above-described area contains approximately 2,874 square feet.



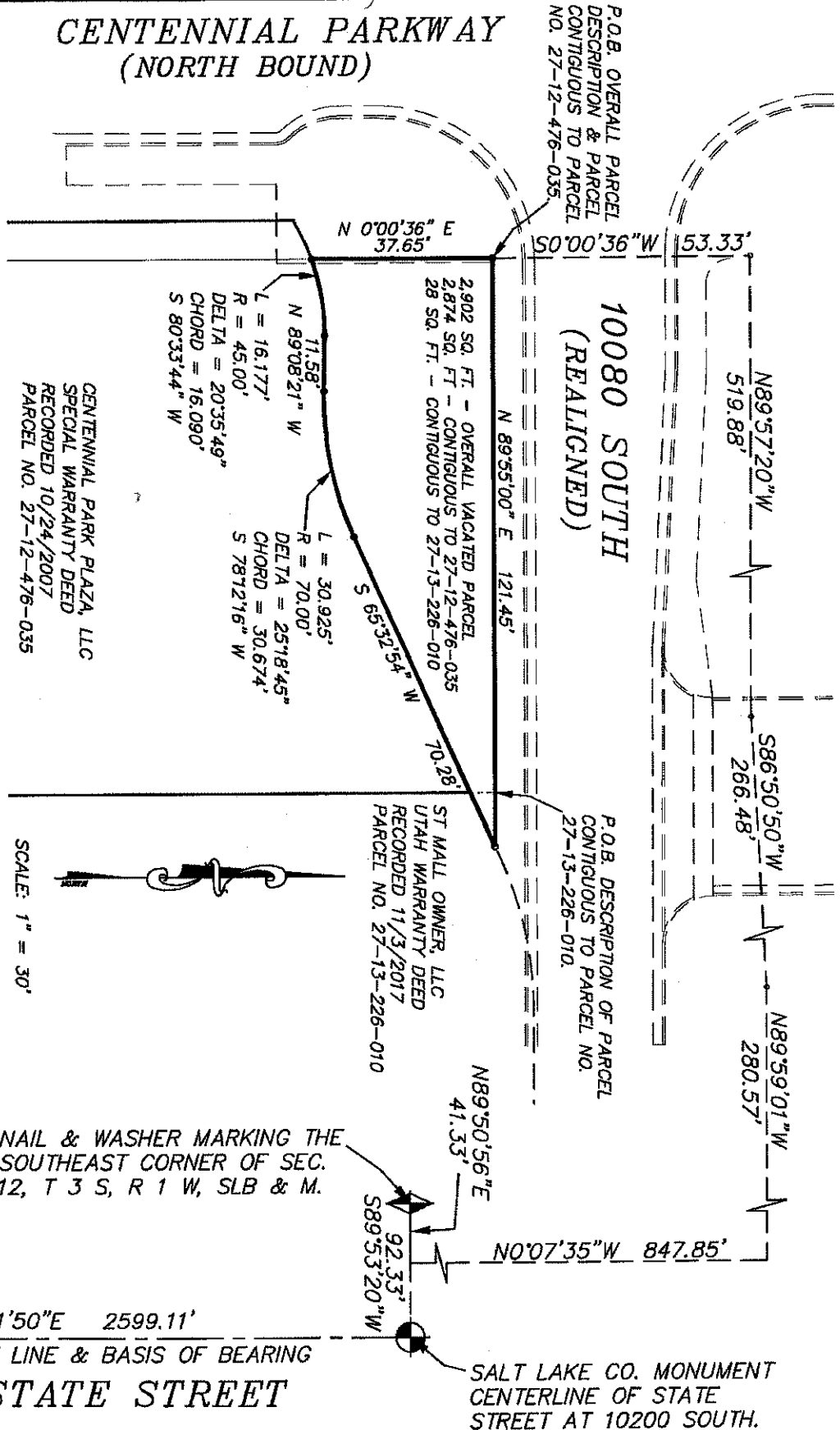
**DESCRIPTION OF A PORTION OF 10080 SOUTH STREET LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, TO BE VACATED BY SANDY CITY, WHICH LIES IMMEDIATELY ADJACENT TO THAT CERTAIN PARCEL OF LAND CURRENTLY (JUNE 2018) IDENTIFIED BY THE SALT LAKE COUNTY ASSESSOR AS PARCEL NO. 27-13-226-010, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at a point which lies North 89°50'56" East 41.33 feet to the westerly right-of-way line of State Street,  
North 0°07'35" West 847.85 feet along said westerly right-of-way line,  
North 89°59'01" West 280.57 feet,  
South 86°50'50" West 266.48 feet,  
North 89°57'20" West 519.88 feet,  
South 0°00'36" West 53.33 feet and  
North 89°55'00" East 110.278 feet from the Southeast Corner of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said Southeast Corner of Section 12 lies South 89°53'20" West 92.33 feet from a Salt Lake County brass witness monument on the centerline of State Street at 10200 South, (Basis of Bearing for this description is South 0°01'50" East along the monument line in State Street defined by said witness monument at 10200 South and a Salt Lake County monument on the centerline of State Street at 10600 South);  
thence North 89°55'00" East 11.172 feet along the southerly edge of an existing concrete sidewalk to intersect the southerly right-of-way line of 10080 South Street as dedicated by that certain plat titled NEFF'S GROVE AND 10080 SOUTH STREET DEDICATION PLAT, recorded October 18, 2004 as Entry No. 9200501 in Book 2004P of plats at Page 304 in the office of the Salt Lake County Recorder; thence along said southerly right-of-way line, South 65°32'54" West 12.273 feet to the northeast corner of that parcel of land described in that certain Special Warranty Deed recorded October 24, 2007 as Entry No. 10257422 in Book 9529 at Pages 6162-6163 in the office of the Salt Lake County Recorder;  
thence North 5.064 feet along the northerly extension of the easterly boundary of said parcel of land to the Point of Beginning.

The above-described area contains approximately 28 square feet.

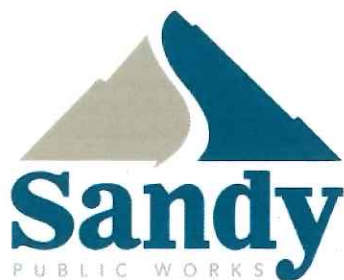
**CENTENNIAL PARKWAY  
(NORTH BOUND)**

VACATION OF A PORTION OF 10080 SOUTH STREET LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN



SALT LAKE CO. MONUMENT  
 CENTERLINE OF STATE  
 STREET AT 10600 SOUTH.

**Exhibit #3 – Staff Recommendation**



# DEPARTMENT OF PUBLIC WORKS

Tom Dolan  
Mayor

Scott Bond  
Chief Administrative Officer

Michael Gladbach, P.E.  
Director

June 20, 2018

## RECCOMENDATION FOR VACATION OF CITY RIGHT-OF-WAY

TO: Wade Sanner, Planner  
FROM: Britney Ward, PE, Transportation Engineer  
RE: 10080 South Street Vacation

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MAC Development is currently under contract to purchase parcel #27-12-476-035-0000 from Centennial Park Partners, LLC for their proposed development on the south east corner of 10080 South Centennial Parkway.

Due to the realignment of 10080 South in 2016, an unused area of right-of-way was created. This area is no longer needed for public use. MAC Development is interested in the remnant right-of-way in order to meet access and parking requirements for their planned development.

Public Works has determined that this property is no longer needed for right-of-way or public use. It is my recommendation that Sandy City vacate the unused portion of the 10080 South right-of-way and deed the property to the adjacent property owner to be used as part of future development. It is my understanding after discussions with Planning and Economic Development that this is the preferred course of action for Sandy City.