

ORDINANCE NO. 17-07

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>	Absent	
G. WAYNE ANDERSEN <i>Councilmember</i>	Absent	
MATTHEW D. BARBER <i>Councilmember</i>	X	
STEVE LEIFSON <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>	Absent	
CHRIS C. WADSWORTH <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Leifson

I SECOND the foregoing motion: Councilmember Wadsworth

ORDINANCE 17-07

ORDINANCE VACATING A DEDICATED STREET LOCATED AT 560 EAST

WHEREAS, the Hatfield Subdivision dedicated a right of way to the city for a street, which street is known as 560 East in Spanish Fork; and

WHEREAS, a developer has obtained options on the property on both sides of 560 East and desires to vacate the street in order to place a commercial development on the property; and

WHEREAS, the developer has exercised the options and closed on the property on both sides of 560 East, and now owns the property and is proceeding forward with the commercial project known as the North Park Project; and

WHEREAS, the adjacent property owner is interested in obtaining ownership of the vacated street; and

WHEREAS, the Planning and Zoning Commission considered the request to vacate 560 East on Wednesday, the 4th day of April, 2007 and recommended it be vacated; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 17th day of April, 2007, where public comment was received; and

WHEREAS, the council finds it is in the best interest of the public to vacate this street and has determined that no property owner needs the street for access; and

WHEREAS, the vacation was approved, subject to the developer closing on the properties and the North Park Project going forward; and

WHEREAS, the conditions of approval are now met;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

The property dedicated for a street known as 560 East is hereby vacated as a street, which property is more particularly described as follows:

BEGINNING AT A POINT WHICH IS LOCATED NORTH 41.12 FEET AND WEST 2583.71 FEET FROM THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE FOLLOWING COURSES AND DISTANCES:

N88°26'28"W 56.00'

N00°26'12"W 390.55'

THENCE ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT 40.12 FEET (CHORD BEARS: N22°33'31"E 39.06 FEET);

S44°24'06"E 100.00'

S45°35'54"W 81.41'

THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT 16.07 FEET (CHORD BEARS: S22°35'00"W 15.64 FEET);

S00°26'12"E 320.26'

TO THE POINT OF BEGINNING.

II.

That based upon the request of the abutting owners, the property is vacated to the abutting land owner, Tenedor, L.L.C.

III.

The mayor of Spanish Fork is authorized to convey to Tenedor, L.L.C. the property vacated by this ordinance.

DATED this 17th day of April, 2007.

ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 31st day of August, 2007.



JOE L. THOMAS, Mayor

ATTEST:



KENT R. CLARK, City Recorder



Proof of Publication

THE SPANISH FORK PRESS, a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper

for consecutive 1 weeks,

the first publication on the 13 day

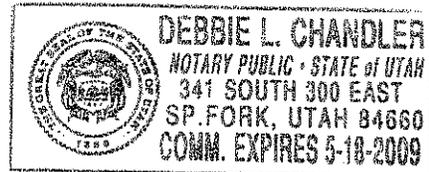
of Sept. 2007

And the last on the 13 day

of Sept. 2007

Erica Swager

PUBLIC NOTICE Ordinance 17-07. The Spanish Fork City Council has adopted an ordi-	nance vacating 560 East street. A com- plete copy of this ordinance is avail- able at the Spanish Fork City Office, 40	South Main, Span- ish Fork. Published in the Spanish Fork Press 9/13/07
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Subscribed and sworn to before me this 13th day of September 2007

Debbie L. Chandler

Notary Public