

# ORDINANCE NO. 26-10

## ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN MAYOR <i>(votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
JENS P. NIELSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Councilmember Dart

I SECOND the foregoing motion: Councilmember Nielson

## ORDINANCE 26-10

### ORDINANCE VACATING A DEDICATED STREET LOCATED WITHIN RIVER COVE SUBDIVISION PLAT E

WHEREAS, River Cove Subdivision, Plat E dedicated a right of way to the city for a street, which street is known as Sandbar Way in Spanish Fork; and

WHEREAS, due to a downturn in the national and local economy, the subdivision improvements, including the portion of Sandbar Way withing River Cove Subdivision, Plat E, were never constructed; and

WHEREAS, River Cove Subdivision, Plat E has been vacated; and

WHEREAS, the developer of River Cove Subdivision, Plat E is the adjacent property owner; and

WHEREAS, the Planning and Zoning Commission considered the vacation of the portion of Sandbar Way within River Cove Subdivision, Plat E on Wednesday, the 1<sup>st</sup> day of December, 2010 and recommended it be vacated; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 21<sup>st</sup> day of December, 2010, 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;

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

I.

The property dedicated for a street within River Cove Subdivision, Plat E known as Sandbar Way is hereby vacated as a street, which property is more particularly described as follows:

BEGINNING AT A POINT WHICH IS LOCATED S89°20'15"W ALONG THE SECTION LINE 572.15 FEET AND SOUTH 1001.02 FEET FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE N78°17'35"E 61.49 FEET; THENCE ALONG THE ARC OF A 345.00 FOOT RADIUS CURVE TO THE LEFT 242.80 FEET (CHORD BEARS: S18°10'02"E 237.82 FEET); THENCE S38°19'43"E 312.54 FEET; THENCE S24°39'23"W 67.91 FEET; THENCE ALONG THE ARC OF A 270.00 FOOT RADIUS CURVE TO THE LEFT 16.47 FEET (CHORD BEARS: N36°34'53"W 16.47 FEET); THENCE N38°19'43"W 84.76 FEET; THENCE N83°19'43"W 2.83 FEET; THENCE S51°40'17"W 111.15 FEET; THENCE N32°30'47"W 60.31 FEET; THENCE N51°40'17"E 105.04 FEET; THENCE N06°40'17"E 2.83 FEET; THENCE N38°19'43"W 178.17 FEET; THENCE ALONG THE ARC OF A 405.00 FOOT RADIUS CURVE TO THE RIGHT 270.46 FEET (CHORD BEARS: N19°11'52"W 265.46 FEET) TO THE POINT OF BEGINNING.  
CONTAINING: 0.956 ACRES

II.

The property is vacated to the abutting land owner, Westfield Development.

DATED this 21<sup>st</sup> day of December, 2010

  
G. WAYNE ANDERSEN, Mayor

Attest:

  
KENT R. CLARK, City Recorder

