



ORDINANCE No. 14-13

ENT 7790:2014 PG 1 of 7
JEFFERY SMITH
UTAH COUNTY RECORDER
2014 Feb 04 2:08 pm FEE 0.00 BY ED
RECORDED FOR TITLE WEST TITLE CO

ROLL CALL

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

I MOVE this ordinance be adopted: Council member Leifson

I SECOND the foregoing motion: Council member Scoubes

ORDINANCE No. 14-13

AN ORDINANCE VACATING CHAPPEL DRIVE

WHEREAS, Chappel Drive runs north and south for approximately one mile commencing at US Highway 6 and proceeding north; and

WHEREAS, commercial development around Chappel Drive, as well as a proposed major hospital facility, is creating a need for vacating and rerouting of a portion of Chappel Drive; and

WHEREAS, the commercial development is expected to create a substantial tax base for both property taxes and sales tax and, together with the proposed hospital

facility and related developments, a substantial employment base, which will provide a substantial benefit to the residents of the City; and

WHEREAS, a large portion of Chappel Drive is adjoined by vacant property; and

WHEREAS, the current commercial development, known as Canyon Creek and the proposed commercial, hospital, and related developments have no need for Chappel Drive in the locations where it is adjacent to vacant property and, in fact, such property can be better utilized and the property made more productive if that portion of Chappel Drive is vacated; and

WHEREAS, property owners in the area have already granted, or agreed to grant, a street dedication plat to the City for new streets to be built in conjunction with the proposed commercial, hospital, and related developments, including proposed phases; and

WHEREAS, IHC Health Services, Inc., and Tenedor LLC, the adjacent property owners, have requested a vacation of a portion of Chappel Drive; and

WHEREAS, Chappel Drive provides access to a number of businesses at the far end of Chappel Drive, as well as some utility services, which are located within the Chappel Drive right-of-way; and

WHEREAS, the property owners have agreed to provide temporary easements and/or licenses to the City to continue that access and utility service until the new streets are constructed; and

WHEREAS, a public hearing to vacate a street was held on Tuesday, the 3rd day of September, 2013, with notice given in accordance with Utah Code Annotated §10-9a-

208; and

WHEREAS, the Council finds it is in the best interest of the City and its residents to vacate a portion of Chappel Drive;

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

I.

A portion of Chappel Drive, as shown on the attached Exhibit A, and more particularly described as follows:

A portion of the Northeast Quarter of Section 18 and the Southeast Quarter of Section 7, Township 8 South, Range 3 East, Salt Lake Base and Meridian described as follows:

Beginning at a point located S0°18'06"E along the Section Line 1661.48 feet and West 1464.79 feet from the Northeast Corner of Section 18, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence S45°35'11"W 166.68 feet to the easterly line of DFCU Subdivision according to the official plat thereof; thence northeasterly along the arc of a 467.00 foot radius non-tangent curve to the left (radius bears: N57°41'40"W) 114.94 feet through a central angle of 14°06'08" (chord: N25°15'16"E 114.65 feet); thence N88°35'15"W 1.92 feet to the existing west line of Chappel Drive; thence northeasterly along the arc of a 467.00 foot radius non-tangent curve to the left (radius bears: N72°38'08"W) 155.16 feet through a central angle of 19°02'12" (chord: N7°50'46"E 154.45 feet); thence N1°20'32"W 2673.26 feet; thence N89°53'55"E 66.02 feet; thence S1°20'32"E 2671.45 feet; thence southwesterly along the arc of a 533.00 foot radius non-tangent curve to the right (radius bears: S88°19'40"W) 143.24 feet through a central angle of 15°23'54" (chord: S6°01'37"W 142.81 feet) to the point of beginning.

is hereby vacated, including any public utility easements (and associated facilities and improvements relating thereto) contained within (or near, adjacent, or contiguous to) the street right-of-way, specifically including the following easements:

Easement dated June 7, 1995, recorded in the Utah County Recorder's Office as Entry No. 36048, Book 3694, Page 25

Easement dated June 7, 1995, recorded in the Utah County Recorder's Office as Entry No. 38900, Book 3702, Page 7

Easements dated September 8, 1995, recorded in the Utah County Recorder's Office as Entry No. 61042, Book 3766, Page 535

II.

IHC Health Services, Inc., being the adjacent property owner to the north, shall own the north portion of the vacated street, described below, and the mayor is authorized to deed the property, including the associated facilities and improvements, to IHC Health Services, Inc.:

A portion of the Northeast Quarter of Section 18 and the Southeast Quarter of Section 7, Township 8 South, Range 3 East, Salt Lake Base and Meridian described as follows:

Beginning at a point located $S0^{\circ}18'06''E$ along the Section Line 570.60 feet and West 1466.28 feet from the Northeast Corner of Section 18, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence $S45^{\circ}35'11''W$ 90.35 feet; thence $N1^{\circ}20'32''W$ 1785.47 feet; thence $N89^{\circ}53'55''E$ 66.02 feet; thence $S1^{\circ}20'32''E$ 1722.34 feet to the point of beginning.

III.

Tenedor, LLC, being the adjacent property owner to the south, shall own the south portion of the vacated street, described below, and the mayor is authorized to deed the property to Tenedor, LLC:

A portion of the Northeast Quarter of Section 18 and the Southeast Quarter of Section 7, Township 8 South, Range 3 East, Salt Lake Base and Meridian described as follows:

Beginning at a point located $S0^{\circ}18'06''E$ along the Section Line 1661.48 feet and West 1464.79 feet from the Northeast Corner of Section 18, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence $S45^{\circ}35'11''W$ 166.68 feet to the easterly line of DFCU Subdivision according to the official plat thereof; thence northeasterly along the arc of a 467.00 foot radius non-tangent curve

to the left (radius bears: N57°41'40"W) 114.94 feet through a central angle of 14°06'08" (chord: N25°15'16"E 114.65 feet); thence N88°35'15"W 1.92 feet to the existing west line of Chappel Drive; thence northeasterly along the arc of a 467.00 foot radius non-tangent curve to the left (radius bears: N72°38'08"W) 155.16 feet through a central angle of 19°02'12" (chord: N7°50'46"E 154.45 feet); thence N1°20'32"W 887.79 feet; thence N45°35'11"E 90.35 feet; thence S1°20'32"E 949.11 feet; thence southwesterly along the arc of a 533.00 foot radius non-tangent curve to the right (radius bears: S88°19'40"W) 143.24 feet through a central angle of 15°23'54" (chord: S6°01'37"W 142.81 feet) to the point of beginning.

IV.

This ordinance is effective upon receipt of temporary licenses/easements, which may all be recorded simultaneously.

DATED this 3rd day of September, 2013.



G. WAYNE ANDERSEN, Mayor

Attest:



KENT R. CLARK, City Recorder



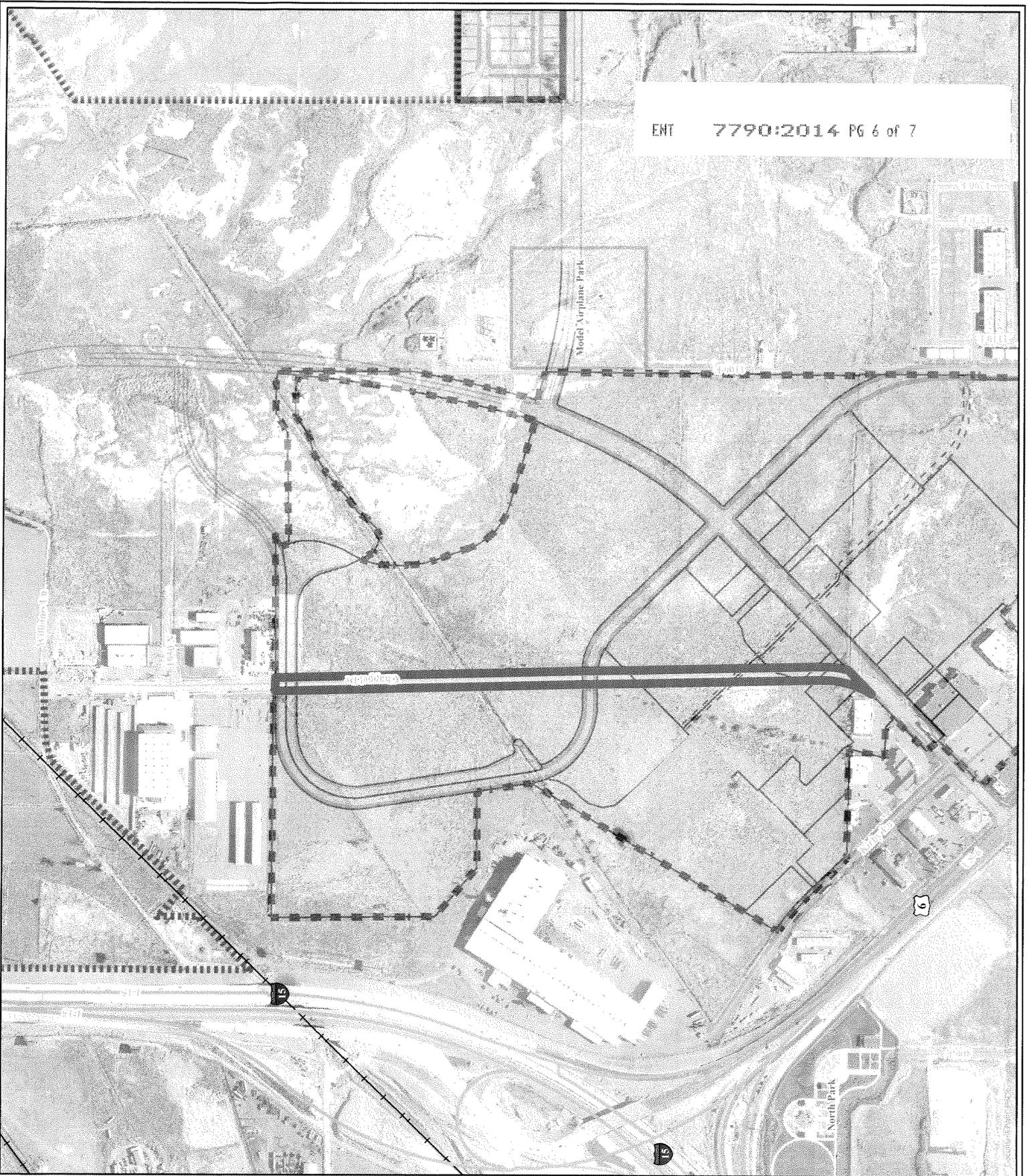


Exhibit A

(Chappel Dr Vacation)



1 inch = 624 Feet

-

Print Date: 9/10/2013



GEOGRAPHIC INFORMATION SYSTEMS

Spanish Fork City GIS
 40 South Main Street
 Spanish Fork, UT 84660

Administrator : (801) 804-4571
 Interns : (801) 804-4572
 Interns : (801) 804-4570

Disclaimer: Spanish Fork City makes no warranty with respect to the accuracy, completeness, or usefulness of the information contained herein. The City is not liable for direct, indirect, special, or consequential damages resulting from the use or reliance on these maps or any of the information contained herein. Portions may be copied for individual use, but may not be resold.

