

ORDINANCE No. 10-15

ROLL CALL

VOTING	YES	NO
STEVE LEIFSON <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>	ABSENT	
MIKE MENDENHALL <i>Council member</i>	X	
KEIR A. SCoubES <i>Council member</i>	ABSENT	



ENT 42474:2015 PG 1 of 3
JEFFERY SMITH
UTAH COUNTY RECORDER
 2015 May 18 12:55 PM FEE 0.00 BY EQ
 RECORDED FOR SPANISH FORK CITY CORPORATI

- I MOVE this ordinance be adopted: Council member Davis
- I SECOND the foregoing motion: Council member Mendenhall

ORDINANCE No. 10-15

ORDINANCE ABANDONING AN EASEMENT IN THE EXPRESSWAY SQUARE SHOPPING CENTER DEVELOPMENT

WHEREAS, Spanish Fork City (City) owns easement rights across property owned by UDAK Properties, L.L.C. (UDAK); and

WHEREAS, UDAK is desirous of adding a commercial pad in its existing development project known as Expressway Square Shopping Center at 825 East and Highway 6, which easement location will make development of the parcel difficult; and

WHEREAS, the commercial development is expected to create a substantial tax

base for both property taxes and sales tax and, together with an employment base, which will provide a substantial benefit to the residents of the City; and

WHEREAS, the easement has never been used and is not needed by City; and

WHEREAS, notice of the intent to abandon the easement was posted on the City webpage, on the property, and on the State of Utah Notice Website; and

WHEREAS, notice of a public hearing was published in the Provo Daily Herald, a newspaper of general circulation within Spanish Fork City; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 5th day of May, 2015, where public comment was received; and

WHEREAS, the council finds that it is in the best interest of the public to abandon the easement identified herein;

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

I.

The property dedicated as "an electric easement" as recorded in the office of the Utah County Recorder, with the plat for Expressway Square Shopping Center Plat A on the 30th day of April, 1997 as entry number 33146, Map number 7030, is hereby abandoned to UDAK Properties, L.L.C., the underlying owner of the property. The easement is more particularly described as follows:

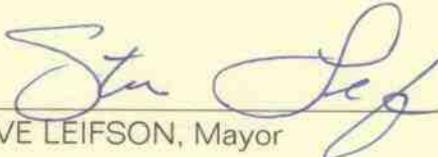
Beginning at a point being North 17.57 feet and West 37.24 feet from the Northeast Corner of Lot 6 of Plat "A", Expressway Square Shopping Center Subdivision said point of beginning also being North 31.94 feet and West 1722.71 feet from the East Quarter Corner of Section 18, Township 8 South, Range 3 East, Salt Lake base and Meridian, and running thence

South 46°20'42" West 25.96 feet; thence North 43°39'18" West 10.00 feet; thence North 46°20'42" East 25.97 feet; thence South 43°37'22" East 10.00 feet to the point of beginning.
Contains 260 square feet.

II.

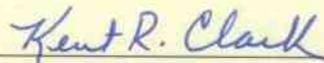
This ordinance is effective upon recordation with the Utah County Recorder.

ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH,
this 5th day of May, 2015.



STEVE LEIFSON, Mayor

Attest:



KENT R. CLARK, City Recorder

