




Vacation of Right of Way

980 N Juniper St.

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- Legal process by which a public right of way, such as a road or pathway, is permanently closed or abandoned.
 - Code Reference:
 - Utah Code: 17-27a-609.5.
Petition to vacate a public street.

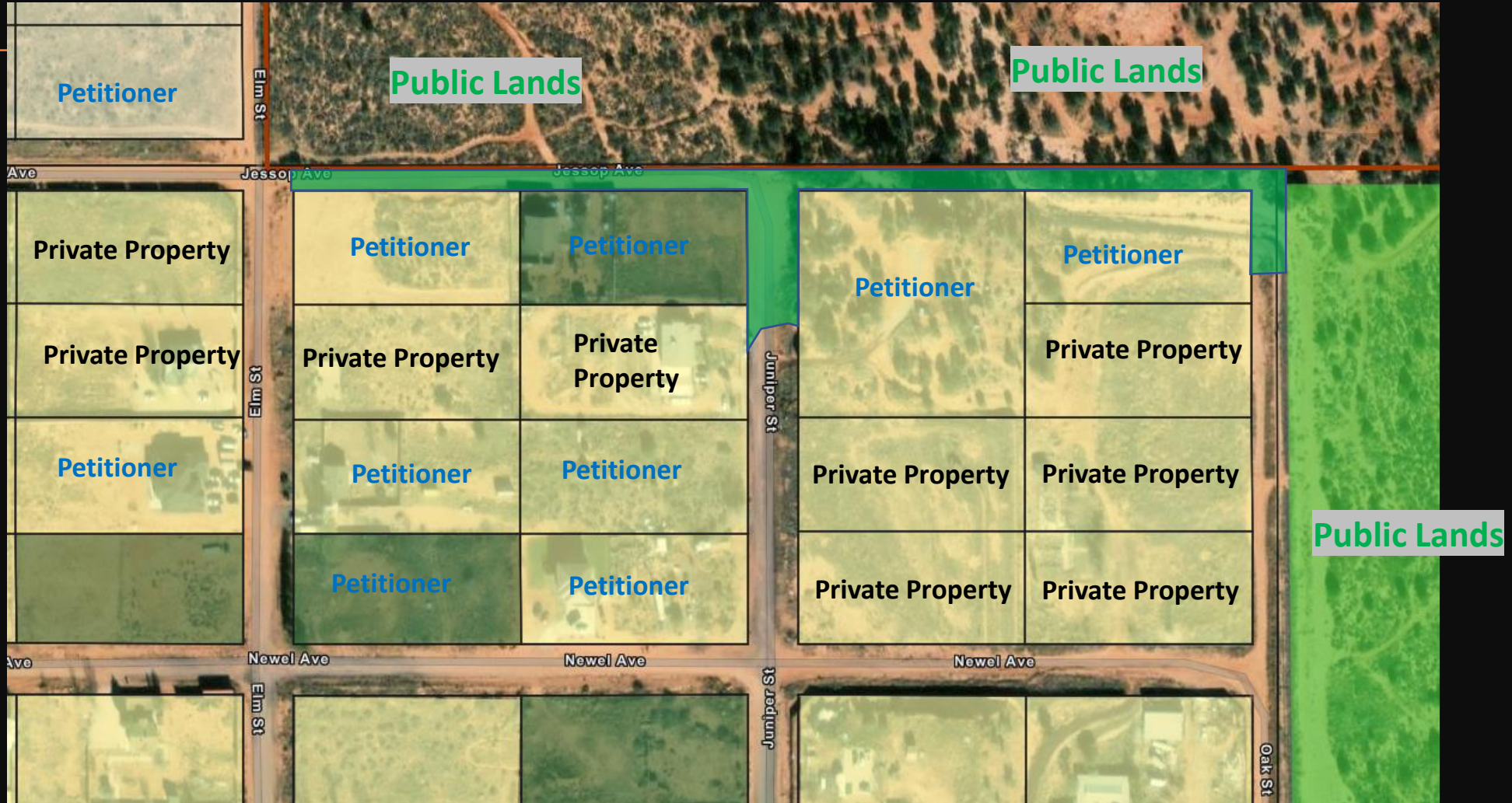
Process

- Petition is Received by City Staff
- Public Notice to Affected Property Owners
- Governing Board Approval/Disapproval
- If approved, property is abandoned to original owners and/or equal adjacent owners

Approval Criteria: 17-27a-609.5.(3)

- If a petition is submitted containing a request to vacate some or all of a public street or county utility easement, the legislative body shall hold a public hearing in accordance with Section 17-27a-208 and determine whether:
 - (a) **good cause exists** for the vacation; and
 - (b) the public interest or any person will be **materially injured** by the proposed vacation.

Proposed Vacation



List of Petitioner Property Owners In Support

- Williams Daniel HD-SHCR-3-12
- Richard Lee Barlow HD-SHCR-3-45; HD-SHCR-3-46; HD-SHCR-3-10
- Kevin Bateman HD-SHCR-3-42
- Zane Barlow HD-SHCR-3-4
- Darlene Dockstader HD-SHCR-3-13
- Brigham Holm, Megan Cooke HD-SHCR-3-9
- Uzona Holdings (Lee Barlow)- HD-SHCR-3-41
- Gary Mills Tooke, Shane & Kaleia HD-SHCR-3-14
- Ray Chatwin HD-SHCR-3-15
- South Zion Estates (Travis Jessop)* HD-SHCR-13-37; HD-SHCR-13-36
- Paul Barlow HD-SHCR-3-5

Comments from Affected Entities

- Garkane- Request to provide recorded utility easement prior to vacation of right-of-way
- South Central- doesn't have existing facilities in this area except for possibly some copper facilities that are no longer being used to provide service. The proposed plan would make it difficult for us to provide service to Lot 10 – Parcel #HD-SHCR-3-10 owned by Richard Lee Barlow, without acquiring a private easement from one of Mr. Barlow's neighbors, should Mr. Barlow or a future owner request service at that location. The proposed vacation would not have a negative affect on our ability to provide service to any other property in the area.
- Hildale Utilities- The sewer main extends through the proposed cul-de-sac on Juniper. I would suggest moving the cul-de-sac north about 100ft to leave the end manhole in the street right-of-way. Water mains and meters extend north into the road vacation area as well.
- Bureau of Land Management- No comment.

Staff Guidance

Staff recommends that the City Council considers the application with the following criteria:

- Evidentiary testimony of material injury to the public
- Support/opposition to affected property owners
- Material benefit to the public

