

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 01/04/2021

Issue: WOODLAND PARK ESTATES – 10755 SOUTH STREET
PARTIAL ROW VACATION
Address: 3148 W. 10755 S.
File No: PLPP202100224
Applicant: David Jenkins, Ensign Engineering

Submitted by: Damir Drozdek, Planner III
Jared Francis, Senior Engineer
Presented by: Steven Schaefermeyer, Director of Planning

Staff Recommendation (Motion Ready): I move the City Council **approve** Ordinance 2022-02 vacating a portion of the 10755 South street Right-of-Way.

BACKGROUND:

The applicant seeks to vacate a portion of the 10755 South Street right-of-way (ROW). The ROW was dedicated to the City with the Majestic Heights subdivision plat. The language on the subdivision plat labeled the dedication as “10755 South Street” and it terminated in a cul-de-sac.

The actual street improvements, however, do not currently match the plat. The existing cul-de-sac, or turn-around area, was constructed further west from the cul-de-sac shown on the plat. The current application seeks to amend the plat to reflect accurately the location of the current cul-de-sac. The cul-de-sac bulb shown on the Majestic Heights Subdivision will be vacated and a new cul-de-sac bulb will be recorded at its existing location. This is all in conjunction with a new subdivision plat that will be recorded north of the Majestic Height Subdivision, and which will incorporate the north side of the vacated ROW into surrounding lots.

To be clear, regardless of whether the City Council approves or rejects the proposed ROW vacation, 10755 South Street will continue to be a dead-end street and will not connect to any adjacent properties.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Utah Code § 10-9a-609.5(3) provides standards of approval for vacating a public easement: The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.

- Staff finds there is a good cause to vacate the ROW because the proposed changes will accurately reflect the existing cul-de-sac bulb and will lead to better use of land in the adjacent subdivision.
- Staff also finds that the proposed ROW vacation is not expected to cause any material injury to any person or the public interest because the cul-de-sac bulb currently shown on the Majestic Heights plat has never been used as a public street, and vacating will not change the access that anyone currently has to their property.

Conclusion:

- The proposed ROW vacation will benefit the applicant and the future development and it will not materially injure the public interest nor any person.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the City Council take comments at the public hearing and **approve** the petition to vacate the ROW, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Majestic Heights Subdivision Plat
- Woodland Park Estates Proposed Subdivision Plat
- Road Vacation Exhibit
- Ordinance 2022-02

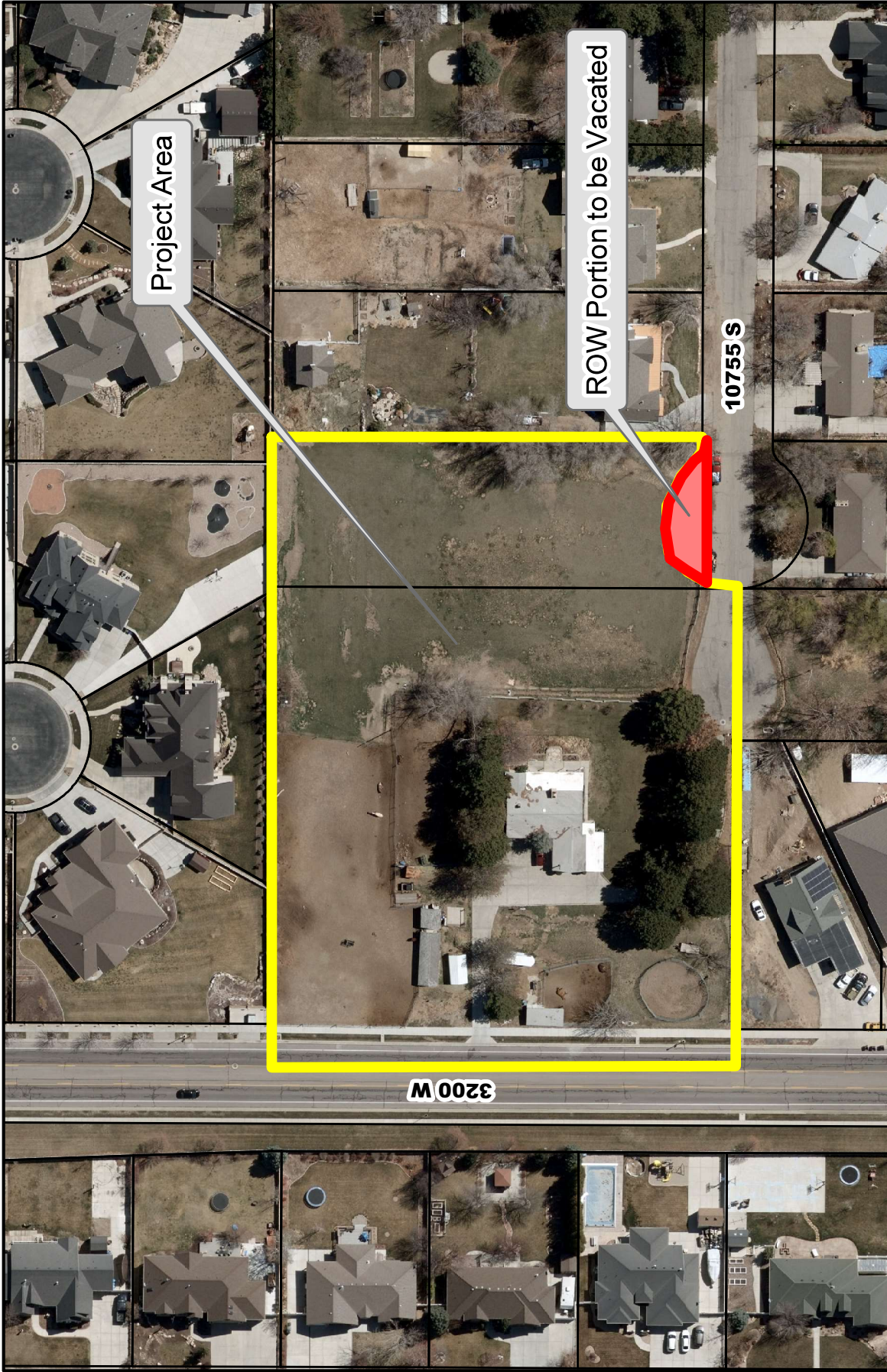
Approved by:

Steven Schaefermeyer
Steven Schaefermeyer (Dec 28, 2021 08:40 MST)

Steven Schaefermeyer
Director of Planning

Submitted by:

Damir Drozdek, AICP
Planner III, Planning Department



Legend

- STREETS
- PARCELS

Aerial Map
City of South Jordan

Aerial Imagery
2021



GG 47

SURVEYOR'S CERTIFICATE

I, James L. Leary, do hereby certify that I am a Registered Professional Engineer and/or Land Surveyor, and that I hold certificate No. 2172, as prescribed under the laws of the State of Utah. I further certify that by authority of the laws of the State of Utah, I have caused a survey of the plot of land shown on this plat and described below and have caused the same to be laid out into lots and streets, hereafter to be known as MAJESTIC HEIGHTS, and that same has been correctly surveyed and staked on the ground as shown on this plat.

COURSE	DIST	BOUNDARY DESCRIPTION
1634.0'	1634.0'	From Town Section 16, Range 13 S., E. 1/4 Sec. 34 N.
214.31'	214.31'	Thence S. 1/4 Sec. 34 N.
311.20'	311.20'	Thence S. 1/4 Sec. 34 N.
1372.0'	1372.0'	Thence S. 1/4 Sec. 34 N.
1466.0'	1466.0'	Thence S. 1/4 Sec. 34 N.
279.65'	279.65'	Thence S. 1/4 Sec. 34 N.
1179.0'	1179.0'	Thence S. 1/4 Sec. 34 N.
50.0'	50.0'	Thence S. 1/4 Sec. 34 N.
50.0'	50.0'	Thence S. 1/4 Sec. 34 N.

OWNERS DEDICATION

Know all men by these presents that we, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

MAJESTIC HEIGHTS

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

I, James L. Leary, Surveyor, do hereby certify that on the 1st day of March, A.D. 1962

ACKNOWLEDGMENT

STATE OF UTAH }
County of SALT LAKE }
On the 1st day of March, A.D. 1962, personally appeared before me, the undersigned Notary Public, in and for said County of SALT LAKE, the above named James L. Leary, who acknowledged to me that he is the owner of the above described tract of land, and that he has caused the same to be subdivided into lots and streets, hereafter to be known as MAJESTIC HEIGHTS, and that same has been correctly surveyed and staked on the ground as shown on this plat.

My commission expires June 23, 1969

NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

MAJESTIC HEIGHTS

A SUBDIVISION OF THE SW 1/4 SEC. 16 T.35. S. R. 14. E.

COUNTY COMMISSION APPROVAL & ACCEPTANCE

PRESENTED TO THE BOARD OF James L. Leary COUNTY COMMISSIONER THIS 6 DAY OF MARCH, A.D. 1962, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED A.D. 1962.

ATTEST: James L. Leary COUNTY CLERK

CO. BOARD OF HEALTH APPROVAL

APPROVED THIS 6 DAY OF MARCH, A.D. 1962

CHIEF OF HEALTH
James L. Leary

COUNTY PLANNING COMMISSION APPROVAL

APPROVED THIS 6 DAY OF MARCH, A.D. 1962

CHIEF OF PLANNING
James L. Leary

COUNTY SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE HAD THIS MAP AND SUBDIVISION EXAMINED BY THE OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THE OFFICE.

COUNTY SURVEYOR
James L. Leary

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 6 DAY OF MARCH, A.D. 1962

COUNTY ATTORNEY
James L. Leary

COUNTY COMMISSION APPROVAL & ACCEPTANCE

PRESENTED TO THE BOARD OF James L. Leary COUNTY COMMISSIONER THIS 6 DAY OF MARCH, A.D. 1962, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED A.D. 1962.

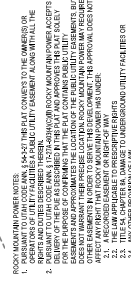
ATTEST: James L. Leary COUNTY CLERK

COUNTY COMMISSION APPROVAL & ACCEPTANCE

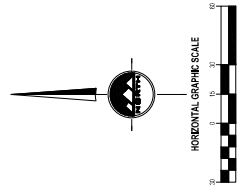
PRESENTED TO THE BOARD OF James L. Leary COUNTY COMMISSIONER THIS 6 DAY OF MARCH, A.D. 1962, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED A.D. 1962.

ATTEST: James L. Leary COUNTY CLERK

COMMENDING LOT 25 OF MAJESTIC HEIGHTS REVISED
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH



CURVE TABLE			CHORD	
CURVE	ANGLE	LENGTH	BEARINGS	DELTA
C1	15.63	23.67	S 64° 11' P E	71.25
C2	18.89	13.37	S 60° 11' P E	66.65
C3	18.89	13.37	S 60° 11' P E	66.65
C4	81.50	72.83	S 67° 50' P E	58.91
C5	81.50	72.83	S 67° 50' P E	58.91
C6	81.50	72.83	S 67° 50' P E	58.91
C7	18.89	13.37	S 60° 11' P E	66.65
C8	15.63	23.67	S 64° 11' P E	71.25
C9	48.00	65.12	N 60° 07' P E	72.67
C10	48.00	65.12	N 60° 07' P E	72.67
C11	15.63	23.67	S 64° 11' P E	71.25
C12	15.63	23.67	S 64° 11' P E	71.25

[illegible]

OWNER NOTICE: THE PURPOSE OF SOFTWALLS/SEWER DETENTION ON-PLAT IS TO PREVENT THE EMISSION OF UNDESIRABLE GASES, UNDESIRABLE LIQUIDS, AND UNDESIRABLE SOLIDS FROM ANY EXISTING OR ANTICIPATED SANITARY SEWER SERVICE TO THE PROPERTY OR ANY APPROVAL OF NEW LINES OR FACILITIES. THE OWNERS/DESIGNER OF THE PROPERTY MUST PROVIDE SATISFACTORY PLANS TO THE SEWER DISTRICT FOR REVIEW AND APPROVAL BEFORE CONNECTING TO THE DISTRICT'S SEWER SYSTEM AND WILL BE REQUIRED TO COMPLY WITH THE DISTRICT'S RULES AND REGULATIONS.

SHALLOW SEWER DEPTHS: CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. BALDWIN BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.

DEVELOPER
PAUL SHOEMAKER
800-450-3798

SHEET 1 OF 1

PROJECT NAME: 1632

MANAGER: CAL

OWNER: KVM

CHECKED BY: PHH

DATE: 1/22/21

SOUTH VALLEY SEWER DISTRICT APPROVAL

APPROVED THIS _____ DAY OF _____

BY _____ BY THE BOARD OF HEALTH

BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____

BY _____ BY THE BOARD OF HEALTH

SOUTH VALLEY SEWER DISTRICT APPROVAL

APPROVED THIS _____ DAY OF _____

BY _____ BY THE BOARD OF HEALTH

BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____

BY _____ BY THE BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY PLANNER.	CITY PLANNER
APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY PLANNER.	CITY PLANNER

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THE PLAT AND
IT IS CORRECT IN ACCORDANCE WITH NORMAN TOWN ORDINANCE
THIS OFFICE AND I HEREBY APPROVED.

SOUTH JORDAN CITY ENGINEER DATE

OFFICE OF THE CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____

ATTORNEY FOR SOUTH AFRICAN CITY

SOUTH JORDAN CITY MAYOR

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____

ATTEST: CITY CLERK

MAYOR

RECORDED & INDEXED

STATE OF CALIF. COUNTY OF SAN JUAN, RECORDED AND FILED AT THE
REQUEST OF: _____

DATE: _____ TIME: _____ PAGE: _____

FEES: _____ DEPUTY CLERK COUNTY RECORDER

SURVEYOR'S CERTIFICATE

I, **PAULINE M. WALKERS**, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I have been duly admitted to practice in accordance with the provisions of the Utah Professional Land Surveyor Act, in accordance with the provisions of the Utah Professional Engineers and Land Surveyors Act. I have certified to the Attorney of the Owner of the property described on this subdivision plat in accordance with Section 13-2-11 and have written all measurements, that the balance is returned shown on this plat as located as indicated and as shown on the attached survey plat.

I have also examined the original and correct representations of the same, described above, and said plat as shown on the attached survey plat and a true and correct representation of the same, described above, and said plat as shown on the attached survey plat, and the same are correct and true and are in accordance with the applicable zoning Ordinance.

BOUNDARY DESCRIPTION

A parcel of land situated in the Southwest Quarter of Section 10, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

three East 94552 feet along the Southern Boundary Line of said Bloom Ridge Subdivision to the Northwest corner of Lot 25 of Block 6, Township 3 North, Range 3 South, T10N R3S W1E, Sd Lake State Meridian, and running

three South 105.0 feet along the Eastern Boundary Line of said Miquette Heights Revised to the Northern Right-of-Way Line
of 1675th South Street.
thence West 98.30 feet;
thence Northwesterly 25.48 feet along the arc of a 50.00 foot radius curve to the left (center bears South 89°09'00" East and
distance 15.9700 feet); thence Northwesterly 15.9700 feet; thence Northwesterly 15.9700 feet; thence Northwesterly 15.9700 feet;
thence Northwesterly 15.9700 feet; thence Northwesterly 15.9700 feet; thence Northwesterly 15.9700 feet; thence Northwesterly 15.9700 feet;

Contains 164,211 Square Feet at 1,311 Acres and 41.0ds
three North (0°/10°) East 328.22 feet along said section line to the point of beginning.



DATE _____ PATRICIA HARRIS

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OWNER'S DEDICATION

I, _____, owner of the above described tract of land, having caused same to be known all men by these presents that I am, the undersigned owner(s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

WOODLAND PARK ESTATES

in witness whereof I have hereunto set our hand (s) this _____ day of _____ A.D. 20____.

1

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH § 8,
County of Salt Lake

On this _____ day of _____ A.D. 20_____, personally appeared before me, the undersigned Notary public, in and for said County of _____ in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication _____ in number, filed and

MY COMMISSION EXPIRES _____

RESIDING IN _____

COUNTY _____

WOODI AND PARK ESTATES

AMENDING LOT 25 OF MAJESTIC HEIGHTS REVISED
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 20 NORTH, RANGE 4 WEST, GALT & LEE T142 AND R20224N

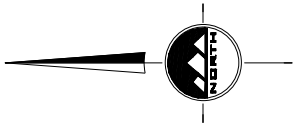
RECORDED # _____

SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

STATE OF UTAH, COUNTY OF SALT LAKE, RESIGNED AND FILED AT THE
REQUEST OF: _____

DATE	TIME	BY WHOM	CLERK

FEES	DEPUTY SALT LAKE COUNTY RECORDER
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LOT 23

MAJESTIC HEIGHTS
REVISED
BK JJ, PG 33

LOT 24

ROADWAY VACATION AREA
1,544 SQ.FT.

LOT 3

10755 SOUTH STREET

MAJESTIC HEIGHTS
REVISED
BK JJ, PG 33

LOT 26

NORMAN & MARIEL
STEELE TRUST
27-16-302-002

LOT 4

PROJECT # 10632 DATE 11/2/21

1 OF 1

FILE:
SID/ROAD VACATION

WOODLAND PARK ESTATES

3200 WEST WOODLAND PARK COVE
SOUTH JORDAN CITY, UTAH
ROAD VACATION EXHIBIT

FOR:
PAUL SHOEMAKER
801-450-8798

45 W. 10000 S. Ste 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
www.ensigneng.com



ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A PORTION OF THE 10755 SOUTH STREET RIGHT-OF-WAY LOCATED AT THE WEST END OF SAID STREET RIGHT—OF-WAY.

WHEREAS, Utah Code §§ 10-9a-608, 609, and 609.5 require that any vacation of some or all of a public street, right-of-way, or easement, including those recorded by subdivision plat, within the City of South Jordan (the “City”) may only be approved by the City Council of the City of South Jordan (the “City Council”); and

WHEREAS, David Jenkins (the “Applicant”), petitioned the City to vacate a portion of the 10755 South street Right-of-Way (the “ROW”); and

WHEREAS, the City Council held a public hearing to consider Applicant’s petition to vacate the ROW; and

WHEREAS, the City Council finds that there is good cause to vacate the ROW and that neither the public interest nor any person will be materially injured by vacating the ROW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Grant of Petition to Vacate. The City Council hereby grants the Applicant’s petition to vacate the ROW by adopting this Ordinance, more particularly described as follows:

A parcel of land situate in the Southwest Quarter of Section 16, Township 3 South, Range 1 West Salt Lake Base and Meridian, said parcel being more particularly described as follows:

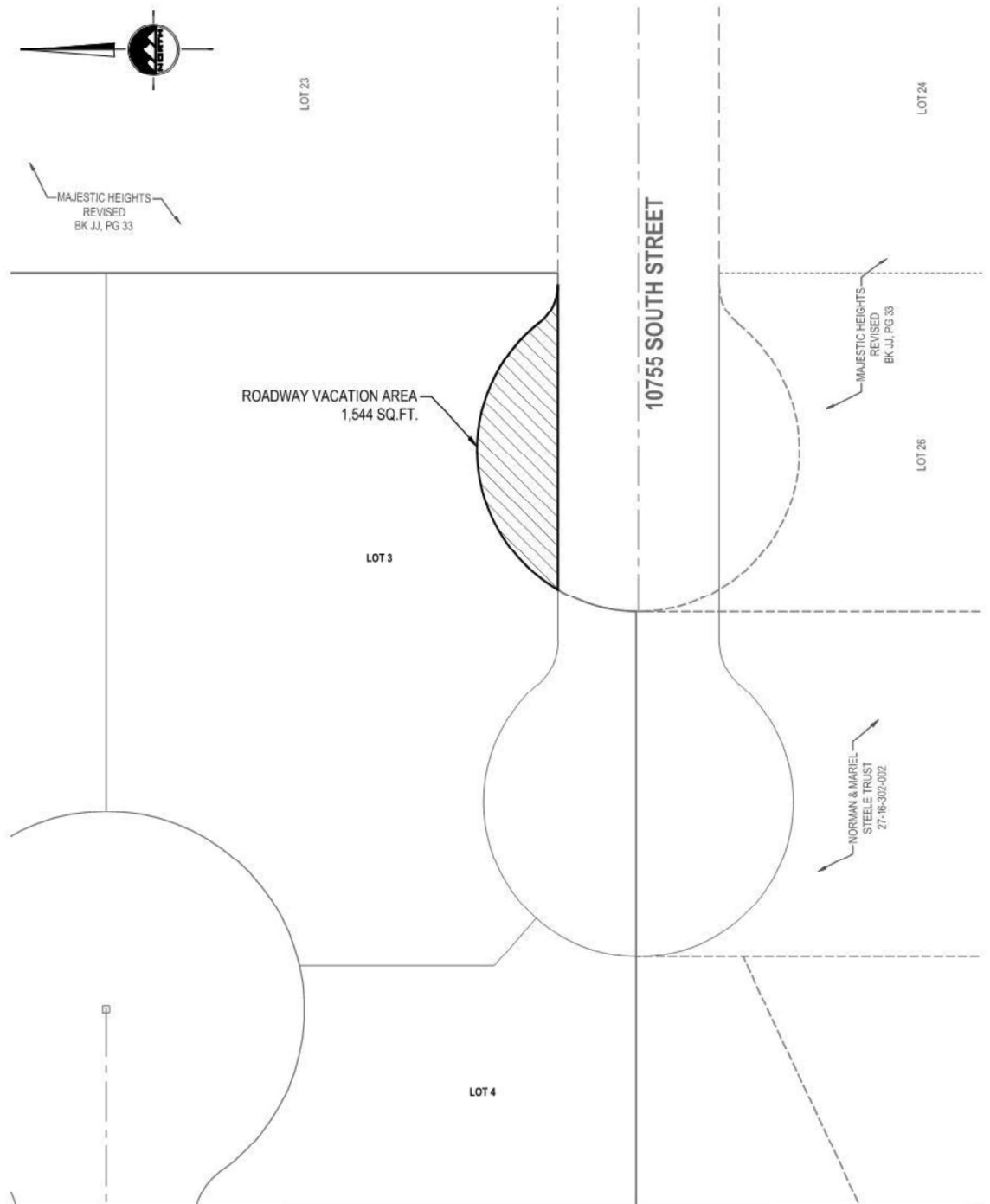
Beginning at a point being South 00°01’00” West 965.20 feet along the section line and East 347.31 feet from the West Quarter Corner of Section 16, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence Northeasterly 97.76 feet along the arc of a 50.00 foot radius curve to the right (center bears South 60°00’00" East and the chord bears North 86°00’36" East 82.91 feet with a central angle of 112°01’12");

thence Southeasterly 13.62 feet along the arc of a 15.00 foot radius curve to the left (center bears North 52°01’12" East and the chord bears South 63°59’24" East 13.16 feet with a central angle of 52°01’12");

thence West 94.54 feet to the point of beginning.

Contains 1,544 Square Feet or 0.035 Acres



PROJECT # 10632 DATE 11/2/21 1 OF 1 <small>FILE: S:\ROAD VACATION</small>	WOODLAND PARK ESTATES 3200 WEST WOODLAND PARK COVE SOUTH JORDAN CITY, UTAH ROAD VACATION EXHIBIT	FOR: PAUL SHOEMAKER 801-450-8798	45 W. 10000 S. Ste 500 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449 www.ensigneng.com <div style="text-align: right;">  ENSIGN </div>
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SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective upon recordation of this Ordinance or a subdivision plat showing the vacation of ROW.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2022 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason T. McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:


Gregory Simonsen (Dec 28, 2021 10:53 MST)

Office of the City Attorney