

SOUTH JORDAN CITY COUNCIL STAFF REPORT

FILE OVERVIEW

Item Name	South Station Multi Family 6 Easement Vacations
Address	11123 South Freestone Road
File Number	PLRWV20260041
Applicant	Larry H Miller Real Estate
Property Owner	VP Daybreak Operations LLC
Staff Author	Greg Schindler
City Engineer	Chris Clinger
Presenter	Brian Preece

MEETING DATE: MAY 5, 2026

ITEM SUMMARY

The applicant, Larry H Miller Real Estate, has petitioned the City to vacate a storm drain easement and an access easement that lie within Lot M-101 of the Daybreak South Station Multi Family 6 Subdivision. The property owner has submitted a preliminary subdivision application proposing 26 townhomes on the lot. The storm drain and access easements have been relocated to an area in the Lake Avenue median strip.

TIMELINE

- **On March 11, 2026** the applicant submitted a complete right-of-way vacation application to Staff for review. The application was revised a total of 2 times to address all staff comments. The application was reviewed by the following departments:
 - Planning
 - Engineering

FINDINGS AND RECOMMENDATION

Findings:

- Utah Code § 10-20-813(4) 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, right-of-way, or 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.

Conclusions:

- The application is in conformance with the minimum requirements of South Jordan Municipal Code [§16.14](#).
- Staff finds that there is good cause for vacating the right-of-way for the following reasons:
 - The easements are no longer necessary since the storm drain galleries and associated access are being relocated.
 - No public interest or any person will be materially injured by the vacation since the existing easements are no longer necessary.

Planning Staff Recommendation:

Staff recommends approval of the application based on the report analysis, findings, and conclusions listed above.

CITY COUNCIL ACTION

Required Action:

Final Decision

Scope of Decision:

This is a legislative decision to be decided by the City Council.

Standard of Approval:

The City Council 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.

Motion Ready:

I move that the City Council approves:

1. Ordinance 2026-10

Alternatives:

1. Approve with conditions.
2. Deny the request.
3. Schedule the item for a decision at some future date.

SUPPORTING MATERIALS

1. Attachment A, Ordinance 2026-10
 - a. Exhibit A, Easement Vacation Descriptions and Exhibits
2. Attachment B, Aerial Map

WHEN RECORDED RETURN TO:

CITY OF SOUTH JORDAN
ATTN: PLANNING DEPARTMENT
1600 W TOWNE CENTER DRIVE
SOUTH JORDAN, UT 84095

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING A STORM DRAIN EASEMENT AND AN ACCESS EASEMENT LOCATED WITHIN LOT M-101 OF THE DAYBREAK SOUTH STATION MULTI FAMILY #6 SUBDIVISION.

WHEREAS, Utah Code §§ 10-20-811, 812, and 813 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, Larry H. Miller Real Estate (the “Applicant”), petitioned the City to vacate a storm drain easement and an access easement located within lot M-101 of the Daybreak South Station Multi Family #6 subdivision; and

WHEREAS, the City Council held a public hearing to consider Applicant’s petition to vacate the storm drain and access easements; and

WHEREAS, pursuant to Utah Code § 10-20-812(3), the City Council finds that there is good cause to vacate the easements and that neither the public interest nor any person will be materially injured by vacating the easements.

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 storm drain easement and access easement located generally on Lot M-101 of the Daybreak South Station Multi Family #6 subdivision, as more particularly shown on the attached **Exhibit A**.

SECTION 2. Property Transfer. By adopting this Ordinance, ownership of the easement being vacated by this ordinance and more particularly shown on the attached **Exhibit A**, will be transferred to VP Daybreak Operations LLC.

SECTION 3. 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 4. Effective Date. This Ordinance shall become effective upon recordation of this Ordinance or a subdivision plat showing the vacation of easements.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2026 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____

Approved as to form:

Office of the City Attorney

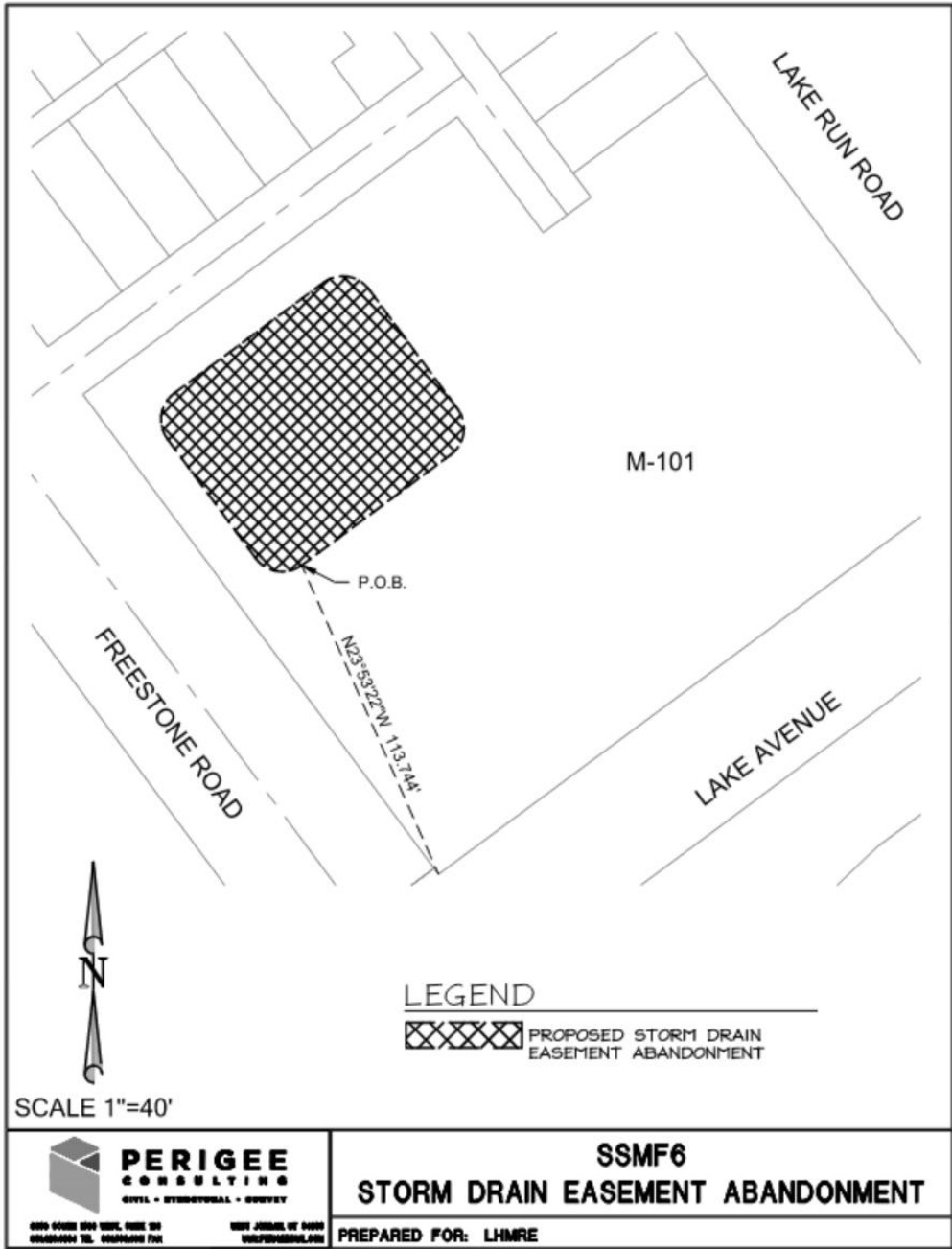
Exhibit A

SOUTH STATION MULTI FAMILY #6 STORM DRAIN EASEMENT VACATION

Abandoning all of a Storm Drain Easement as shown on Daybreak South Station Multi Family #6, recorded as Entry No. 14008680 in Book 2022P at Page 205 in the office of the Salt Lake County Recorder, said easement being more particularly described as follows:

Beginning at a point on a 11.000 foot radius non tangent curve to the right, (radius bears North 36°33'57" West, Chord: North 81°33'26" West 15.559 feet), said point also being North 23°53'22" West 113.744 feet from the South Corner of Lot M-101 of said Daybreak South Station Multi Family #6, said point lies South 89°55'30" East 2272.587 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 4530.141 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along the arc of said curve 17.282 feet through a central angle of 90°01'02"; thence North 36°32'54" West 50.039 feet to a point on a 11.000 foot radius tangent curve to the right, (radius bears North 53°27'05" East, Chord: North 08°27'03" East 15.556 feet); thence along the arc of said curve 17.278 feet through a central angle of 89°59'55"; thence North 53°26'48" East 62.490 feet to a point on a 10.998 foot radius non tangent curve to the right, (radius bears South 36°32'31" East, Chord: South 81°31'41" East 15.558 feet); thence along the arc of said curve 17.281 feet through a central angle of 90°01'40"; thence South 36°31'56" East 50.019 feet to a point on a 11.003 foot radius non tangent curve to the right, (radius bears South 53°29'32" West, Chord: South 08°28'16" West 15.554 feet); thence along the arc of said curve 17.275 feet through a central angle of 89°57'27"; thence South 53°25'39" West 62.467 feet to the point of beginning.

Property contains 0.137 acres, 5981 square feet.



SCALE 1"=40'



2020 SOUTH 1000 WEST, SUITE 200
 OGDEN, UT 84242-1000
 TEL: 435-766-1000 FAX: 435-766-1001
 WWW.PERIGEECONSULTING.COM

SSMF6
STORM DRAIN EASEMENT ABANDONMENT

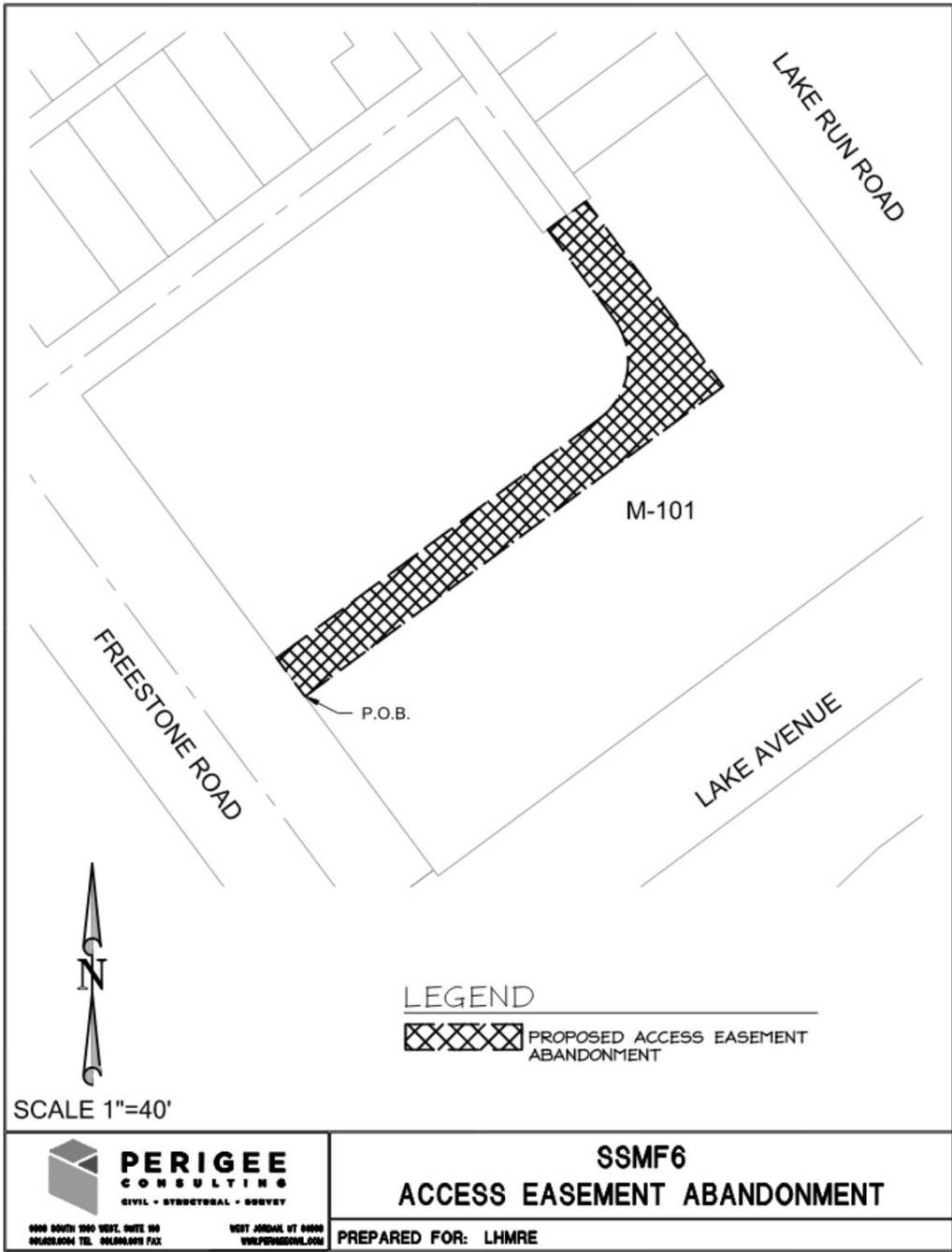
PREPARED FOR: LHMRE

SOUTH STATION MULTI FAMILY #6 ACCESS EASEMENT VACATION

Abandoning all of an Access Easement as shown on Daybreak South Station Multi Family #6, recorded as Entry No. 14008680 in Book 2022P at Page 205 in the office of the Salt Lake County Recorder, said easement being more particularly described as follows:

Beginning at a point on the Southwest Line of Lot M-101 of said Daybreak South Station Multi Family #6, said point lies South 89°55'30" East 2273.933 feet along the Daybreak Baseline Southeast (Basis of bearings is South 89°55'30" East 10641.888' between Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 4486.469 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lot M-110 North 36°32'54" West 16.000 feet; thence North 53°27'06" East 134.891 feet to a point on a 24.000 foot radius tangent curve to the left, (radius bears North 36°32'54" West, Chord: North 08°27'06" East 33.941 feet); thence along the arc of said curve 37.699 feet through a central angle of 90°00'00"; thence North 36°32'54" West 37.408 feet to the Northwest Line of said Lot M-101; thence along said Lot M- 101 North 53°27'06" East 16.000 feet; thence South 36°32'54" East 77.408 feet; thence South 53°27'06" West 174.891 feet to the point of beginning.

Property contains 0.090 acres, 3904 square feet.



Attachment B
South Station MF 6
Easements Vacation



The image is an aerial map showing a highlighted site location (Lot M-101) in blue near the intersection of Lake Run Road, Freestone Road, and Lake Ave. A red arrow points to the site. Surrounding areas include buildings, parking lots, open land, and a decorative compass rose in the lower-left corner.