

SOUTH JORDAN CITY COUNCIL STAFF REPORT

MEETING DATE:

FILE OVERVIEW

Item Name	Daybreak South Mixed Use Plat 3 Electric Avenue ROW Vacation
Address	Approx. 5800 West 11200 South
File Number	PLRWV202600124
Applicant	Larry H Miller Real Estate
Property Owner	VP Daybreak Devco 2 Inc
Staff Author	Greg Schindler (City Planner)
City Staff Engineer	
Presenter	Brian Preece

ITEM SUMMARY

The applicant is requesting to vacate the Rosary Way right-of-way that begins on the west side of Mountain View Corridor at approximately 11200 South. Staff is recommending approval.

TIMELINE

- On June 17, 2026, the applicant submitted a complete right-of-way vacation application to Staff for review. The application was reviewed twice by staff. After the second review, there were no corrections required. The application was reviewed by the following departments:
 - Planning
 - Engineering

REPORT ANALYSIS

The applicant, Larry H. Miller Real Estate, has petitioned the City to vacate Rosary Way, an unconstructed right-of-way that runs west from Mountain View Corridor. The area proposed for vacation is approximately 1.933 acres. This portion of Rosary Way, formerly known as Electric Avenue, was originally dedicated to South Jordan with the recordation of the Daybreak West Villages Roadway Dedication Plat. The current location of the Rosary Way right-of-way will not work with future development of the adjacent property.

FINDINGS AND RECOMMENDATION

Findings:

- Utah Code § 10-20-813(4) provides standards of approval for vacating a public right-of-way or 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:

- It is necessary to vacate the right-of-way because the future development of the adjacent property will not work with the current location of the street right-of-way. If the ROW vacation is approved, it will be replaced by other streets when the property is further developed.
- No public interest or any person will be materially injured by the vacation since the current location of the ROW is surrounded property owned by the applicant.

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 2026-21 vacating the undeveloped Rosary Way right-of-way.

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 2026-21
 - a. Exhibit A, Street Vacation Exhibit
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 2026-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, VACATING THE ROSARY WAY RIGHT-OF-WAY.

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 all of the Rosary Way right-of-way (ROW) that runs west of Mountain View Corridor approximately 1,276 ft. (1.933 ac.); and

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

WHEREAS, pursuant to Utah Code § 10-20-812(3), 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 portion of Rosary Way ROW that runs west of Mountain View Corridor for approximately 1,276 Ft. as more particularly shown on the attached **Exhibit A**.

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

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 ROW.

[SIGNATURE PAGE FOLLOWS]

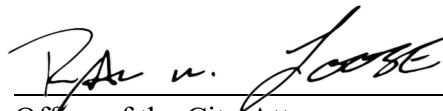
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2026 BY THE FOLLOWING VOTE:

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

Mayor: _____
Dawn R. Ramsey

Attest: _____
Anna Crookston, City Recorder

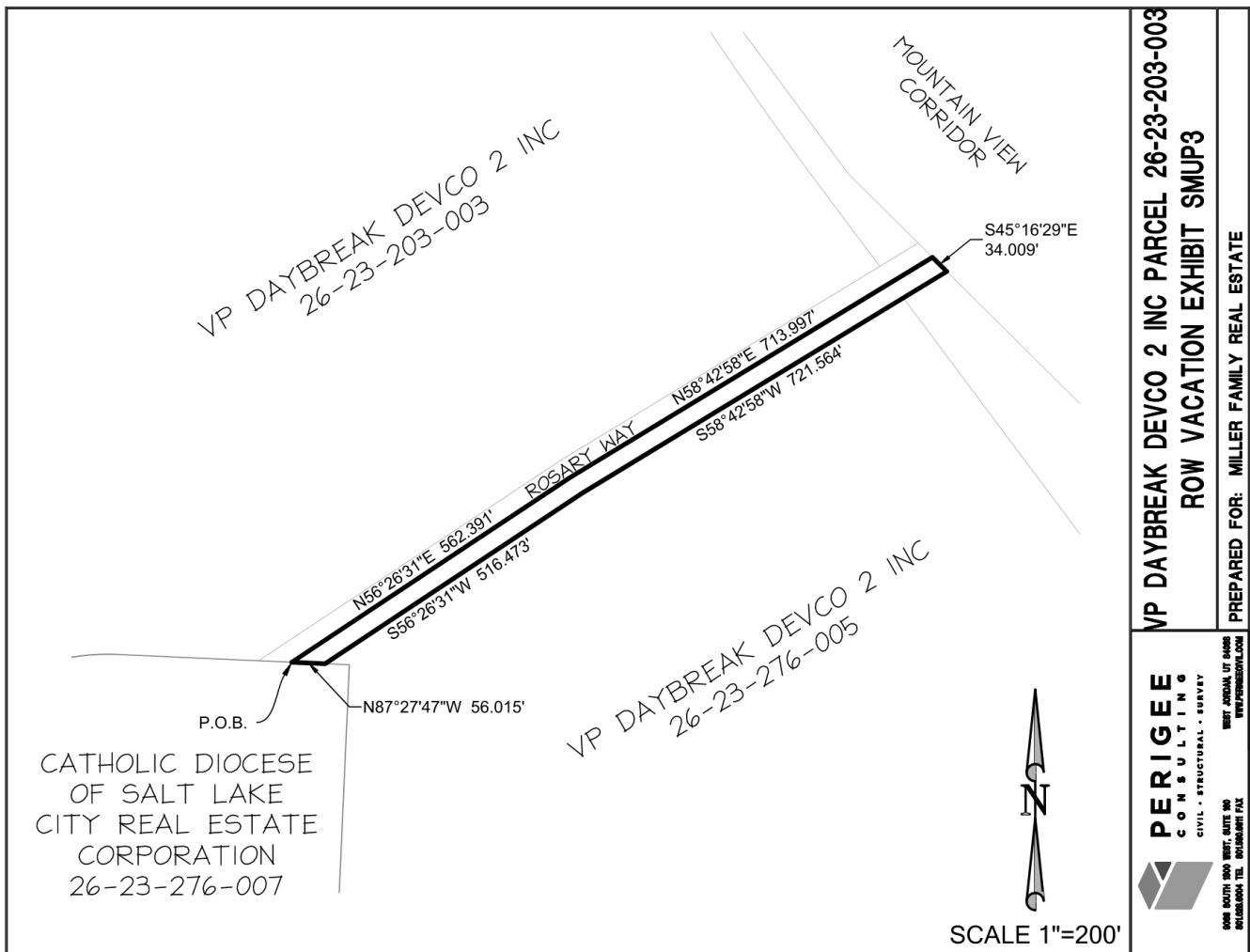
Approved as to form:



Office of the City Attorney

Beginning at the intersection of the North Line of Daybreak South Mixed Use Plat 2 and the centerline of Rosary Way, said point lies South 89°56'37" East 8615.959 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 3444.097 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Daybreak South Mixed Use Plat 2 North 87°27'47" West 56.015 feet to the Northwest Right-of-Way Line of said Rosary Way; thence along said Rosary Way the following (2) courses: 1) North 56°26'31" East 608.308 feet; 2) North 58°42'58" East 706.430 feet to the Southwesterly Right-of-Way Line of Mountain View Corridor; thence along said Mountain View Corridor South 45°16'29" East 34.009 feet to said centerline of Rosary Way; thence along said centerline the following (2) courses: 1) South 58°42'58" West 713.997 feet; 2) South 56°26'31" West 562.391 feet to the point of beginning.

Exhibit A to Ordinance 2026-21



VP DAYBREAK DEVCO 2 INC 26-23-276-005 - Right-of-Way Vacation

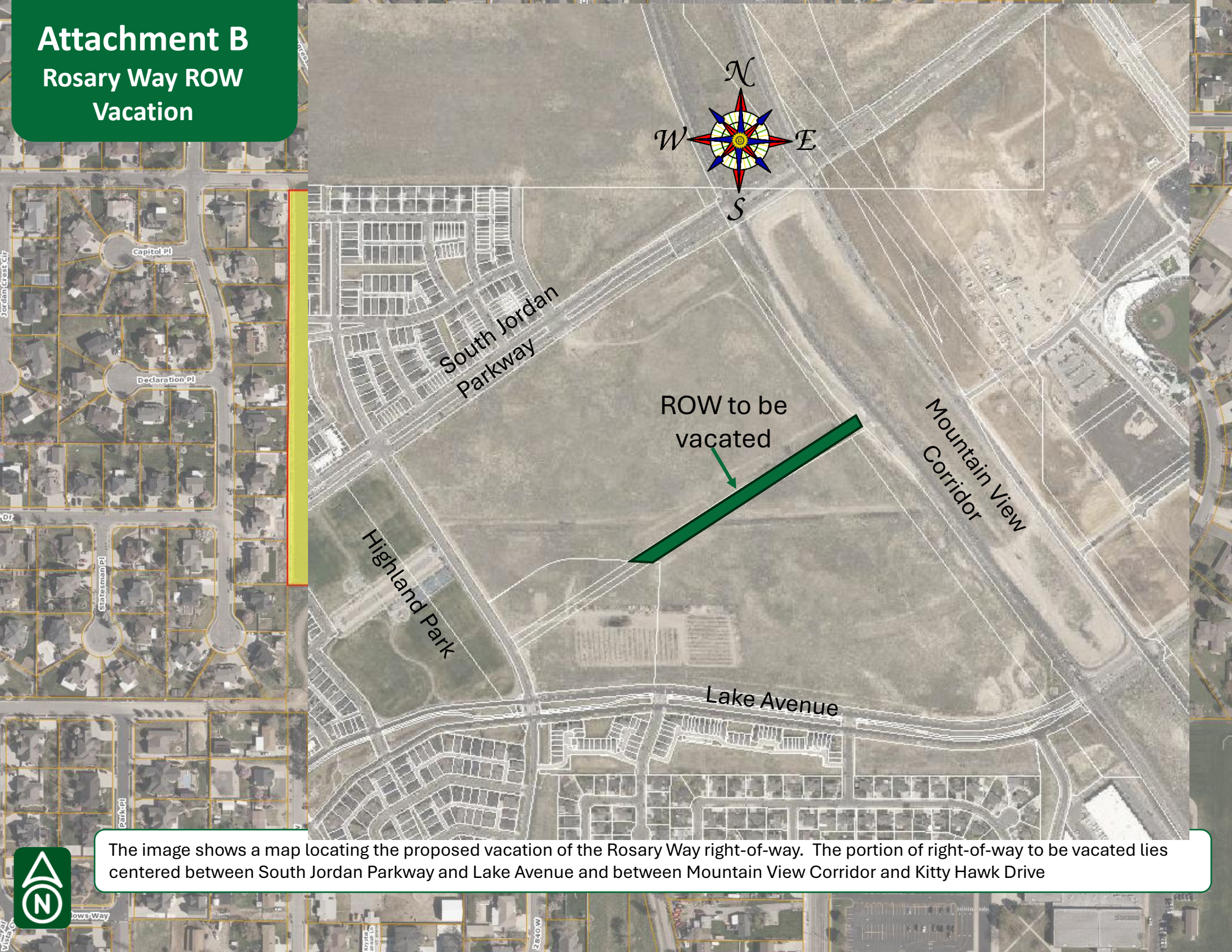
Beginning at the intersection of the North Line of Daybreak South Mixed Use Plat 2 and the centerline of Rosary Way, said point lies South 89°56'37" East 8615.959 feet along the Daybreak Baseline Southwest (Being South 89°56'37" East 10583.405 feet between the Southwest Corner of Section 22, T3S, R2W and the Southeast Corner of Section 23, T3S, R2W) and North 3444.097 feet from the Southwest Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said centerline the following (2) courses: 1) North 56°26'31" East 562.391 feet; 2) North 58°42'58" East 713.997 feet to the Southwesterly Rightof-Way Line of Mountain View Corridor; thence along said Mountain View Corridor South 45°16'29" East 34.009 feet to the Southeast Right-of-Way Line of said Rosary Way; thence along said Rosary Way the following (2) courses: 1) South 58°42'58" West 721.564 feet; 2) South 56°26'31" West 516.473 feet to said North Line of Daybreak South Mixed Use Plat 2; thence along said Daybreak South Mixed Use Plat 2 North 87°27'47" West 56.015 feet to the point of beginning.

Property contains 0.952 acres, 41488 square feet.

Attachment B

Rosary Way ROW

Vacation



The image shows a map locating the proposed vacation of the Rosary Way right-of-way. The portion of right-of-way to be vacated lies centered between South Jordan Parkway and Lake Avenue and between Mountain View Corridor and Kitty Hawk Drive