

ORDINANCE 2024-04

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL VACATING A PORTION
OF THE LESTER STREET RIGHT-OF-WAY**

WHEREAS, the portion of Lester Street that is located west of 1075 East was platted, constructed, and stubbed for access to future development; and

WHEREAS, the City’s General Plan shows the need to connect Lester Street to 7375 South, which reconfiguration leaves a portion of Lester Street outside of the new street alignment; and

WHEREAS, the City has reviewed and determined that there is no current or future need for this portion of Lester Street to remain as public right-of-way; and

WHEREAS, the City, through the Development Agreement for Kastlecove Phase 1 (recorded as Entry #3546468), agreed to the vacation of the said portion of Lester Street; and

WHEREAS, the proposed street vacation set forth herein has been reviewed by the City Council and a public hearing has been held in accordance with Utah law to obtain public input regarding the proposed public interest in the section of the street.

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

Section 1. Findings: The City Council finds that neither the public interest nor any person will be materially injured by the vacation and there is good cause for the vacation.

Section 2. Street Vacation: The following description of a portion of the Lester Street right-of-way, no longer serves a public purpose and is hereby vacated as a public right-of-way:

See Exhibit “A” and “B”


The vacated right-of-way shall be conveyed back to the previous owner(s) of the property. Said owners being Kastle Rock Excavation & Development, LLC (Layne Kap), Calvin Kap, and Keith Kap, with each having an equal and proportionate share.


Section 3. Reservation of Easements: South Weber City, for and on behalf of itself and all public utilities providing service within South Weber City, hereby reserves a permanent and perpetual municipal utility easement occupying the entire parcel being vacated, as shown in **Exhibit “B.”**


Section 4. Severability Clause: If any 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 provisions, clauses and words of this Ordinance shall be severable.

Section 5. Effective Date: This Ordinance shall become effective immediately upon passage and will be recorded with the Davis County Recorder.

PASSED AND ADOPTED by the City Council of South Weber City, Utah, this 12th day of March 2024.


MAYOR: Rod Westbrook


ATTEST: Lisa Smith City Recorder



Roll call vote is as follows:

Council Member Halverson	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Petty	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Dills	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Davis	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Winsor	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST

CERTIFICATE OF POSTING

I hereby certify that Ordinance 2024-04 was passed and adopted on the 12th day March 2024 and that complete copies of the ordinance were posted in the following locations within the City this 13th day of March 2024.

1. South Weber City Building, 1600 E. South Weber Drive
2. City Website www.southwebercity.com
3. Utah Public Notice Website Utah.gov/pmn



Lisa Smith, City Recorder



EXHIBIT A
JOB NO. 5918-18
6-30-2023

LESTER STREET VACATION

PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 33, SAID POINT BEING NORTH 89°49'39" WEST 934.28 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 33; (NORTHEAST CORNER BEING SOUTH 89°49'39" EAST [SOUTH 89°28'34" EAST NAD83] 2660.05 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 33); THENCE SOUTH 51°39'54" EAST 23.91 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 235.00 FEET, AN ARC LENGTH OF 73.97 FEET, A DELTA ANGLE OF 18°02'03", A CHORD BEARING OF SOUTH 60°40'56" EAST, AND A CHORD LENGTH OF 73.66 FEET; THENCE SOUTH 00°10'21" WEST 19.85 FEET; THENCE ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 10.50 FEET, AN ARC LENGTH OF 16.49 FEET, A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF NORTH 44°49'39" WEST, AND A CHORD LENGTH OF 14.85 FEET; THENCE NORTH 89°49'39" WEST 95.52 FEET; THENCE NORTH 00°28'30" EAST 60.00 FEET; THENCE SOUTH 89°49'29" EAST 22.57 FEET TO THE POINT OF BEGINNING.

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EXHIBIT B

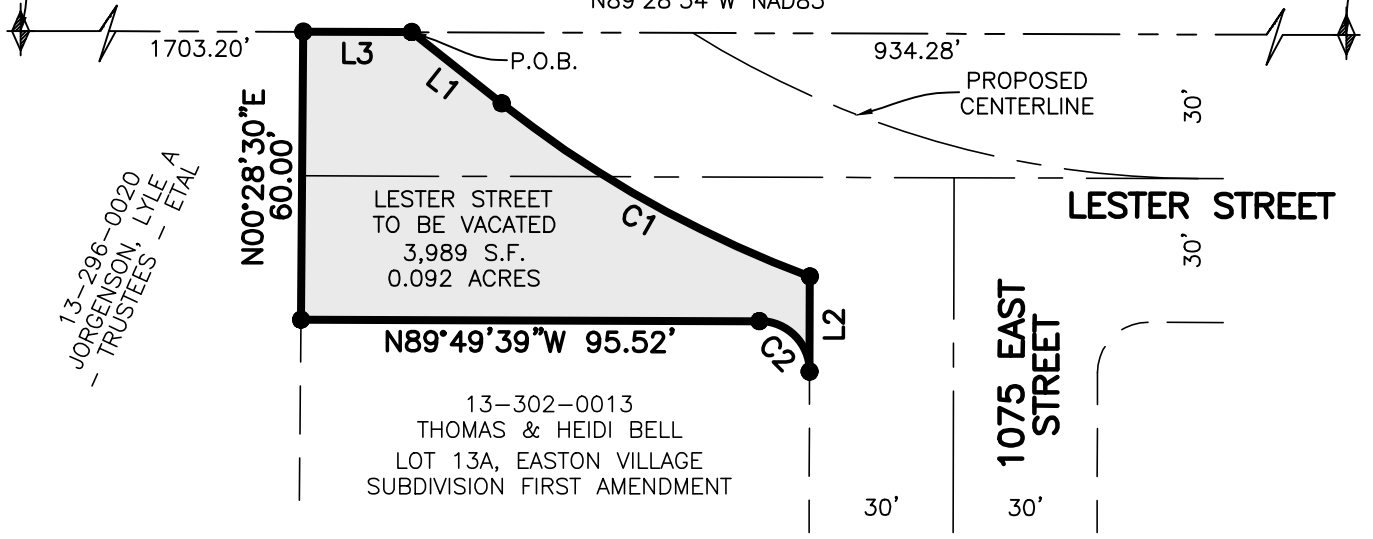
SOUTH WEBER CITY
LESTER STREET VACATION

NORTHEAST CORNER OF
SECTION 33, TOWNSHIP 5
NORTH, RANGE 1 WEST, SALT
LAKE BASE AND MERIDIAN,
U.S. SURVEY, FOUND BRASS
CAP MONUMENT

NORTH QUARTER CORNER OF
SECTION 33, TOWNSHIP 5
NORTH, RANGE 1 WEST, SALT
LAKE BASE AND MERIDIAN,
U.S. SURVEY, FOUND BRASS
CAP MONUMENT

PROPOSED KASTLECOVE
SUBDIVISION

N89°49'39"W (BASIS OF BEARINGS) 2660.05'
N89°28'34"W NAD83



13-296-0020
JORGENSEN, LYLE, A
- TRUSTEES - ETAL

CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	235.00'	73.97'	73.66'	37.29'	S60°40'55"E	18°02'04"
C2	10.50'	16.49'	14.85'	10.50'	N44°49'39"W	90°00'00"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S51°39'54"E	23.91'
L2	S00°10'21"W	19.85'
L3	S89°49'39"E	22.57'



VICINITY MAP
NOT TO SCALE

LEGEND

- = SECTION CORNER
 - = SET 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
 - = BOUNDARY LINE
 - = ADJOINING PROPERTY
 - = ROAD CENTERLINE
 - = SECTION TIE LINE
 - = STREET VACATION (ALONG WITH PERMANENT MUNICIPAL UTILITY EASEMENT)
- 1"=40'



Reeve & Associates, Inc.

5160 S 1500 W, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve.co
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TRAFFIC ENGINEERS * STRUCTURAL ENGINEERS * LANDSCAPE ARCHITECTS

Project Info.

Designer: N. ANDERSON
Date: 6-30-2023
Name: EXHIBIT B
Number: 5918-18
Scale: 1"=40'