

When recorded please return to:
Park City Municipal Corporation
Attn: City Engineer
PO Box 1480
Park City UT 84060

Ordinance No. 13-51

**AN ORDINANCE APPROVING THE VACATION OF A SECTION OF THE PLATTED
WOODSIDE AVENUE ADJACENT TO LOTS 1 TO 6, BLOCK 7 OF SNYDERS ADDITION,
PARK CITY, UTAH**

WHEREAS, the owner of the property known as Park City Municipal Corporation has petitioned the City Council for approval of a revision to Block 7 of Snyders Addition; and

WHEREAS, Park City Municipal Corporation has petitioned the City Council for a vacation of 7,500 square feet of platted Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the requirements of State Code 10-9a-609.5 Vacating a Street, Right-of-Way, or Easement were followed; and

WHEREAS, the guideline provided in Resolution 08-98 was followed in analyzing the request for vacation; and

WHEREAS, on December 12, 2013 the City Council held a public hearing to receive input on the proposed vacation; and

WHEREAS, the City Council voted on December 12, 2013 to amend portions of Block 7 of the Snyders Addition; and

WHEREAS, it is the best interest of Park City, Utah to approve the vacation.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. 7,500 square feet (0.172 acres) portion of right-of-way is located adjacent to Lots 1 through 6, Block 7 of Snyders Addition.
2. The lots immediately adjacent to the vacated section of Woodside Avenue are Park City Municipal Corporation owned property.
3. The right-of-way is currently being used as an entry plaza for the library.
4. The section of Woodside Avenue immediately north and adjacent to lots 7 through 22, Block 7 of Snyders Addition was vacated on March 9, 1940.
5. Resolution 08-98 sets forth review criteria for the vacation of City right-of-ways.
6. Resolution 08-98 requires the applicant to demonstrate that there is no density

increase; the project is compatible with the neighborhood; the City is compensated for the vacated right-of-way; and the utility of the existing ROW.

- a. No Increase in Density - The property will be used similarly to its current use. There is no building addition proposed on this section of property so density will not be increased.
- b. Neighborhood Compatibility – The proposal was analyzed according to the seventeen (17) criteria provided in Resolution 08-98 and was determined that the application complies with these criteria for neighborhood compatibility.
- c. Consideration - With this section of Woodside Avenue being changed from a public right-of-way to City property, there is no consideration for the transaction.
- d. Utility of Existing Right-of-Way - This section of Woodside Avenue Right-of-Way has not been used as a street or utility corridor since at least 1961). Neither the 1984 or the 2011 Transportation Master Plans indicated that this section of Woodside Avenue’s status is useable but un-built Right-of-Way. Current improvements within this section of right-of-way include a plaza area with gardens. Utility service lines pass through this section of ROW providing service to the Carl Winter’s School but no main utility lines exist in this section of the Woodside Avenue Right-of-Way. Therefore, this section of ROW is not considered to be of significant utility to the City.

SECTION 2. CONCLUSIONS OF LAW. The following Conclusions of Law are hereby adopted.

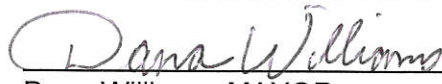
- 1. The vacation request is consistent with the City’s standards for vacation of public right-of-way as set forth in Resolution 08-98
- 2. No increase in density will result from the right-of-way vacation.
- 3. The proposed project is compatible with the neighborhood.
- 4. Neither the public interest nor any person will be materially injured by the vacation.
- 5. Good cause exists for the vacation.

SECTION 3. VACATION APPROVAL. The vacation is approved as shown on Exhibit A.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of December, 2013.

PARK CITY MUNICIPAL CORPORATION



 Dana Williams, MAYOR

ATTEST:



 Marc S. Heil, CITY RECORDER

APPROVED AS TO FORM:



 Mark D. Harrington, CITY ATTORNEY

WOODSIDE AVENUE VACATED BY ORDER OF THE PARK CITY COUNCIL MARCH 9, 1940, ENTRY NO. 66551 LEGAL DESCRIPTION:

It is hereby ordered: that the plat of Snyder's Addition to Park City, Utah on file in the office of the County Recorder in the city of Coalville, County of Summit, State of Utah be and the same is hereby amended, altered and vacated as follows:

All that portion of said plat of said Snyder's Addition to Park City, Utah known and designated and dedicated on said plat as Woodside Avenue, lying between and intersecting Blocks 6 and 7, in said Snyder's Addition and described as:

Beginning at the Northwest corner of Lot 23, in said Block 6 as shown on the plat of Snyder's Addition to Park City, Summit County, State of Utah as recorded in the office of the County Recorder in Coalville, Utah and running thence Southeasterly along the West end lines of Lots 23 and 38, inclusive, 400 feet to the Northwest Corner of Lot 39 in said Block 6, Snyder's Addition to Park City; thence Southwesterly 50 feet to the Northeast Corner of Lot 6, in Block 7, Snyder's Addition Park City; thence Northwesterly along the East end lines of Lots 7 to 22 inclusive in said Block 7, 400 feet to the Northwest Corner of Lot 22, in said Block 7; thence Northeasterly 50 feet to the to the place of beginning.

Contains 0.459 acres more or less

WOODSIDE AVENUE TO BE VACATED LEGAL DESCRIPTION:

A portion of Woodside Avenue, being more particularly described as follows:

Beginning at the Northwest corner of Lot 39, Block 6, Snyder's Addition to the Park City Survey on file and of record in the office of the Recorder, Summit County, Utah; thence along the Westerly line of said Block 6 South 35°59'00" East 150 feet, to the Southwest corner of Lot 44, Block 6 of said Snyder's Addition to the Park City Survey; thence South 54°01'00" West 50 feet to the Northeast corner of Lot 1, Block 7 of said Snyder's Addition to the Park City Survey; thence North 35°59'00" West 150 feet along the Easterly line of said Block 7, to the Northeast corner of Lot 6, of said Snyder's Addition; thence North 54°01'00" East 50 feet to the to the Point of Beginning.

Contains 0.172 acres more or less

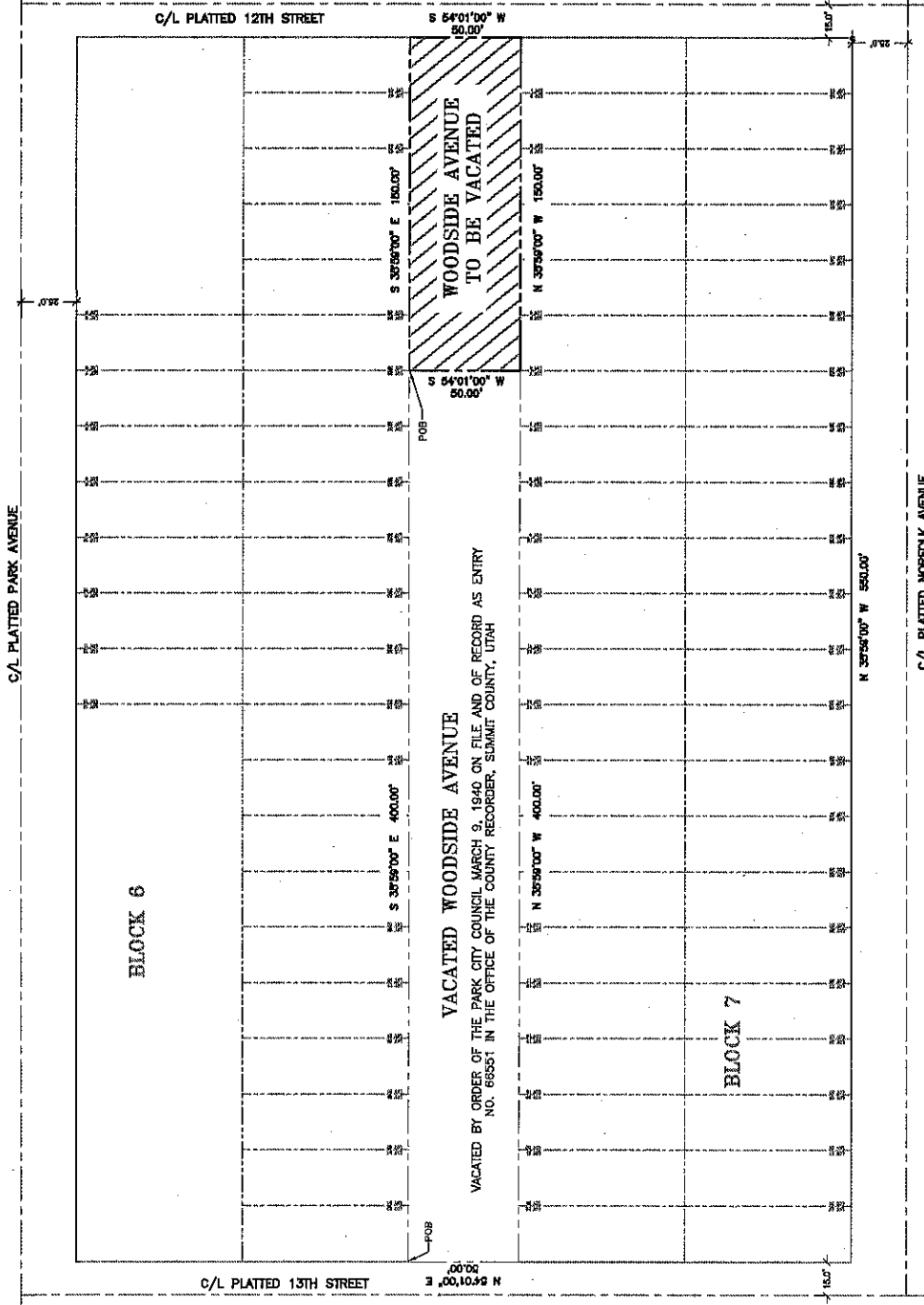


EXHIBIT A WOODSIDE AVENUE ROW VACATION

DATE: OCTOBER 14, 2013
 DRAWN BY: RJMC
 JOB NO.: 08-13-03

FOR: PARK CITY MUNICIPAL CORP

ALTA ENGINEERING INC.
 CIVIL ENGINEERING • LAND PLANNING
 SURVEYING • PROJECT MANAGEMENT
 PO BOX 28664 PARK CITY, UTAH 84060 435-549-8191