

CITY OF MOAB ORDINANCE NO. 2022-10

Ordinance #2022-10, An Ordinance approving the Abandoned Sewer Main Easement on property located at 315 N Main Street, Moab UT 84532. AN ORDINANCE APPROVING RELINQUISHMENT OF THE ABANDONED SEWER MAIN EASEMENT ON PROPERTY LOCATED AT 315 N MAIN STREET, MOAB, UT 84532.

WHEREAS, the following describes the intent and purpose of this ordinance:

- a. Applicant, NAVTEC Expeditions, submitted an application to vacate the abandoned sewer main easement on Parcel 01-0001-0176 at approximately 315 North Mian Street, Moab UT, described as:

AN EASEMENT RECORDED MARCH 28, 1940 IN BOOK 4D AT PAGE 309, FOR THE PURPOSE OF A SEWER LINE IN GRAND COUNTY, STATE OF UTAH, DESCRIBED AS FOLLOWS:

A STRIP OF LAND THREE FEET WIDE ON EACH SIDE OF A LINE BEGINNING AT A POINT 561 FEET NORTH AND 126.5 FEET WEST OF THE NORTHEAST CORNER OF BLOCK 25, THENCE FOLLOWING A 13°44' CURVE APPROXIMATELY 200 FEET TO P.T.7-04.5; THENCE NORTH 5°53' EAST 92.9 FEET.

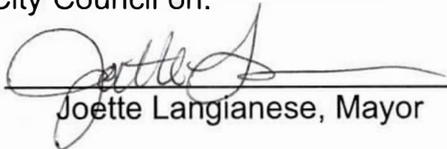
- b. The Abandoned Sewer Main Easement exists on property located at 315 N Main Street, Moab UT 84532, of which the subject parcel is zoned C-3 Central Commercial Zone, and is approximately 0.57 acres; and
- c. The subject parcel has frontage on Main Street. Surrounding Zoning includes: C-3 Central Commercial on all sides
- d. The applicant provided the Planning Commission with an application and the appropriate documents as required in public hearing 10-9a-609.5. The Planning Commission reviewed the application in a duly advertised held on June 9, 2022, where the item was positively recommend for approval to City Council; and
- e. A duly notice public hearing was held on June 9, 2022; and
- f. The Planning Commission determined that the Relinquishing the Abandoned Sewer Main Easement was in accordance with state law and met the criteria found in 10-9a-609.5.(4) of the Utah State Code. Having evaluated the staff report, statements from the applicant and the public, the Planning Commission concluded that the proposed change in zoning for this property was an acceptable amendment to the Official Zoning Map; and
- g. The Planning Commission has determined that the review standards in Utah State Code chapter 10-9a-609.5.(4), easement vacation approval criteria, have been met as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, having considered public comment, staff comments, and discussion of the pertinent aspects of the proposed Relinquishment of the Abandoned Sewer Main Easement, by adoption of Ordinance #2022-10, does hereby find, determine, and declare, that the applicable provisions of the Utah State Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, the City Council APPROVES the application to Relinquish the Abandoned Sewer Main Easement on property located at approximately 315 North Main Street, Moab UT 84532.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on.

SIGNED:



Joette Langianese, Mayor

ATTEST:



Sommar Johnson, Recorder