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2 **Ordinance No. 2016-008**

3 AN ORDINANCE VACATING A PORTION OF 1250 SOUTH LOCATED IN THE PROVIDENCE HIGHLANDS
4 SUBDIVISION BETWEEN PARCELS 02-203-0015 AND 02-203-0016, (LOT 15, 1249 HIDDEN VIEW LANE AND
5 LOT 16, 634 EAST 1250 SOUTH, RESPECTIVELY).
6

7 WHEREAS UCA § 10-3-702 states "The governing body may pass any ordinance to regulate, require,
8 prohibit, govern, control or supervise any activity, business, conduct or condition authorized by this act or
9 any other provision of law. . ." and

10
11 WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the
12 prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its
13 present and future inhabitants and businesses, to protect the tax base, to secure economy in
14 governmental expenditures, to foster the state's agricultural and other industries, to protect both urban
15 and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide
16 fundamental fairness in land use regulation, and to protect property values in areas that may be
17 considered sensitive, including but not limited to fire danger, slope, soil content.
18

19 WHEREAS Providence City received a request to vacate a portion of 1250 South located in the Providence
20 Highlands Subdivision between Parcels 02-203-0015 and 02-203-0016, (Lot 15, 1249 Hidden View Lane
21 and Lot 16, 634 East 1250 South, respectively).

- 22 • Pursuant to UCA 10-9a-609.5(2) the Providence City Council held a public hearing to receive
23 public comment on a petition to vacate a portion of 1250 South located in the Providence
24 Highlands Subdivision between Parcels 02-203-0015 and 02-203-0016, (Lot 15, 1249 Hidden View
25 Lane and Lot 16, 634 East 1250 South, respectively).
- 26 • The Providence City Council feels good cause exists for the vacation; and neither the public
27 interest nor any person will be materially injured by the vacation.
 - 28 ○ The existing right-of-way was dedicated with the intent that 1250 South would extend
29 west to Hillsborough Drive. Efforts to purchase property in the Hillsborough Subdivision
30 for the right-of-way to connect with Hillsborough Drive have been unsuccessful.
 - 31 ○ If the right-of-way is vacated, the lot lines for Lot 15, 1249 Hidden View Lane and Lot 16,
32 634 East 1250 South will be adjusted and Hidden View Drive will be modified to provide
33 frontage access for Lot 16.
34

35 THEREFORE be it ordained by the Providence City Council

- 36 • The Providence City Council finds that there is good cause for the vacation; and neither the
37 public interest nor any person will be materially injured by the vacation.
- 38 • The right-of-way, as indicated on the attached map, shall be vacated.
- 39 • This ordinance shall become effective immediately upon passage and posting.
40

41 Ordinance adopted by vote of the Providence City Council this 26 day of April 2016.
42

43 Council Vote:

44 Allen, Kirk	(X) Yes	() No	() Excused	() Abstained	() Absent
45 Baldwin, Jeff	(X) Yes	() No	() Excused	() Abstained	() Absent
46 Drew, John	(X) Yes	() No	() Excused	() Abstained	() Absent
47 Giles, Dennis	(X) Yes	() No	() Excused	() Abstained	() Absent
48 Sneddon, Roy	(X) Yes	() No	() Excused	() Abstained	() Absent

49

50 Signed by Mayor Don W Calderwood this 22 day of July 2016.
51

52 Providence City

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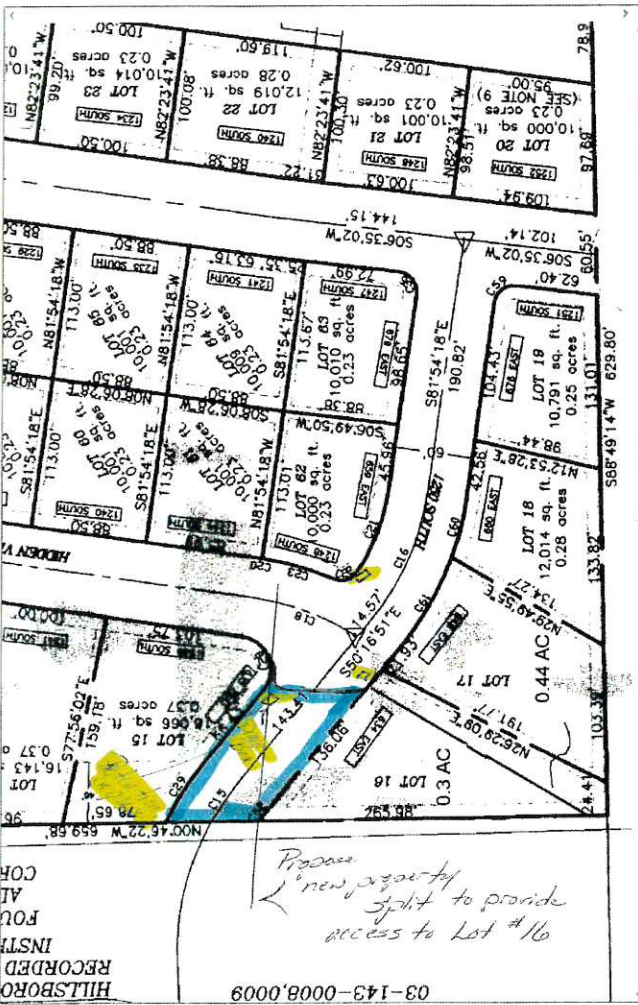

Don W. Calderwood, Mayor



Attest:

Skarlet Bankhead, Recorder

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