



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A public hearing to consider and take action on a request to vacate a public utility easement located to the west of Weber Industrial Park (lots 19, 20, 21, and lot 2 of GL Subdivision) measuring 35' wide, and reestablishing a public utility easement 10' in width, running north and south from 2700 North to 2550 North.

Agenda Date: June 11, 2019

Applicant: Orloff Opheikins

File Number: EV2019-02

Property Information

Approximate Address: 1600 W02700 N, Farr West, UT 84405

Project Area: 0.32 Acres

Zoning: Manufacturing Zone (M-1)

Existing Land Use: Manufacturing

Proposed Land Use: Manufacturing

Parcel ID: 19-041-0019

Township, Range, Section: T7N, R2W, Section 36 N

Adjacent Land Use

| | |
|-----------------------------|-----------------------------|
| North: 2700 North St | South: 2550 North St |
| East: Manufacturing | West: Manufacturing |

Staff Information

Report Presenter: Tammy Aydelotte
taydelotte@co.weber.ut.us
801-399-8794

Report Reviewer: RG

Background and Summary

The applicant has submitted a request to vacate a public utility easement located to the west of Weber Industrial Park (lots 19, 20, 21, and lot 2 of GL Subdivision) measuring 35' wide, and reestablishing a public utility easement 10' in width, running north and south from 2700 North to 2550 North.

The applicant has proposed to vacate the public utility easement by ordinance. Under the state code, Section 17-27a-609.5, 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.

The following is staff's analysis of the vacation request.

Analysis

General Plan: Vacating this easement will not have a negative effect on the Western Weber General Plan.

Additional Standards: Weber Industrial Park Subdivision was recorded in 1976. At that time a 35 foot public utility and water line easement was placed on the subdivision plat along both the front and rear property lines. The proposed vacation will be for the easement along the rear property line. The following utility companies/municipalities have consented to the vacation proposal: Bona Vista Water Improvement District, Central Weber Sewer District, Farr West City and Farr West City Engineer, Century Link, Rocky Mountain Power (Miradi comment from RMP), Dominion Energy.

Notices have been provided as outlined in state code Section 17-27a-208.

Staff Recommendation

Staff recommends approval of the request to vacate the 35 foot public utility and water line easement, and replace it with a 10 foot wide public utility easement along northwest corner of parcel # 19-138-0002, extending to the southwest corner of parcel 19-059-0010 in Farr West, UT. This recommendation for approval is based on the following findings:

1. Vacating the proposed easement will not have a negative effect on the Western Weber General Plan.
2. The public interest or any person will not be materially injured by the proposed vacation.
3. The proposed vacation will not be detrimental to the public health, safety, or welfare.
4. The proposed vacation will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Weber Industrial Park Subdivision
- B. Utility Easement Exhibit
- C. Utility provider approval letters
- D. Vacation ordinance

Area Map



Exhibit A - Weber Industrial Park Subdivision

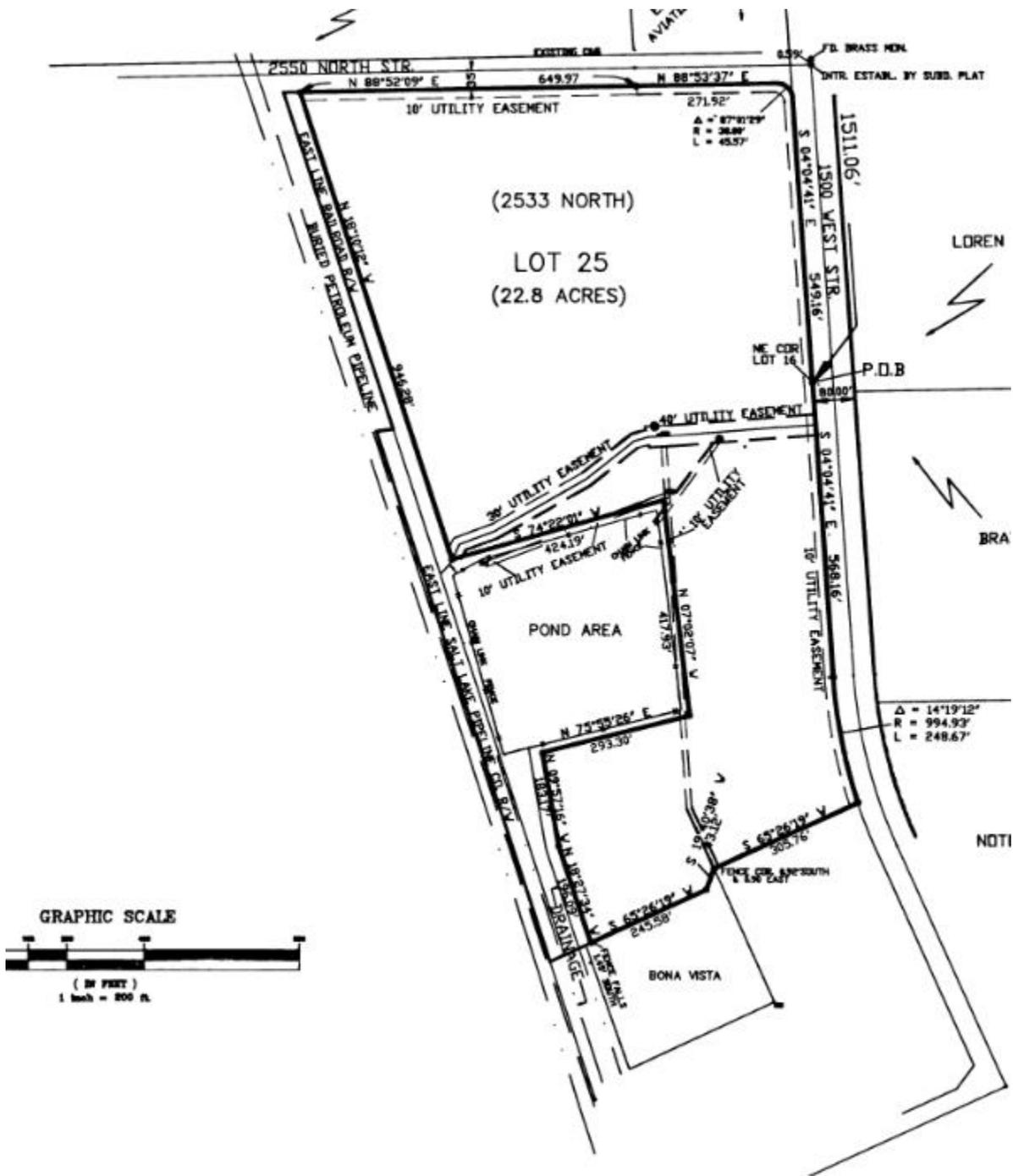


Exhibit B - Utility Easement Exhibit

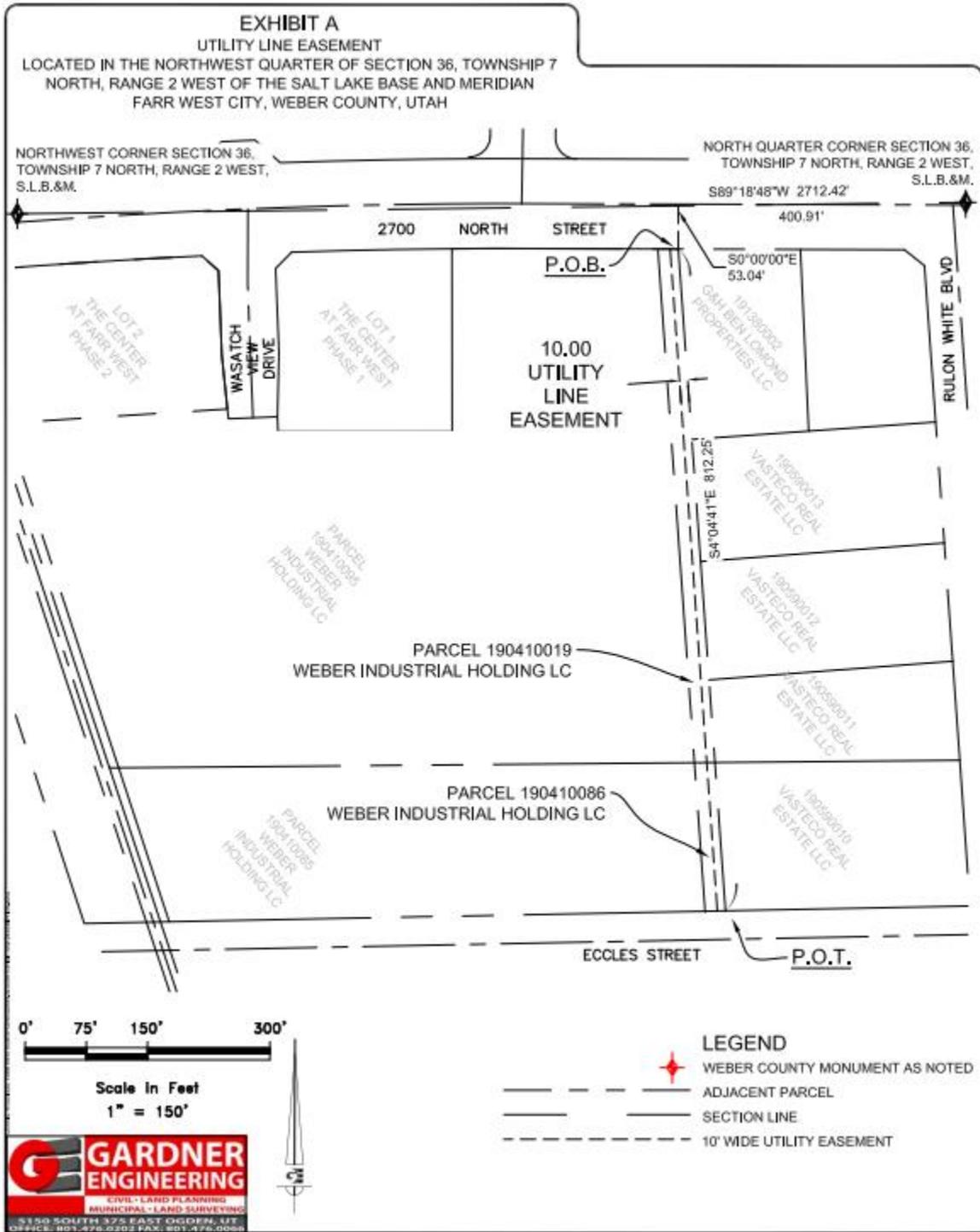


Exhibit C – Utility Provider Approval Letters



Central Weber Sewer Improvement District

February 12, 2019

RE: Vacation of Easement in Farr West
Letter of Support

To Whom It May Concern,

At the request of Gardner Engineering Central Weber Sewer Improvement District is providing this letter of support for the vacation of a public utility easement owned by Weber County.

The easement as describe by Gardner Engineering is 35 feet wide and begins at the Northwest corner of parcel number 191380002 and extends south to the southwest corner of parcel 190590010 in Farr West, Utah. The purpose of the easement was for a water line that has since then been abandoned, which indicates there is no longer a need for the easement.

The location of the easement is in Farr West, Utah in part of the northwest quarter of section 36, Township 7 north Range 2 west, Salt Lake base and meridian, U.S. survey. Beginning at the northwest corner of Lot 22, Weber industrial park, Plat "A", said point being north 89°18'48" east (State Plane Bearing Basis) 2307.74 feet and south 4°04'41" east 33.06 feet more or less form the northwest corner of said section 36, and running thence south 4°04'41" east 832.45 feet more or less to the southwest corner of lot 19 of the Industrial Park.

Central Weber Sewer Improvement District supports the plan to vacate the easement described above so that the land may be used for future development and/or construction.

Sincerely,

CENTRAL WEBER SEWER IMPROVEMENT DISTRICT

A handwritten signature in blue ink that reads "Lance L. Wood".

Lance L. Wood, P.E.
General Manager

Dominion Energy Utah Dominion Energy Wyoming Dominion Energy Idaho
Property & Right-of-Way
1140 West 200 South, Salt Lake City, UT 84104
Mailing Address:
P.O. Box 45360, Salt Lake City, UT 84145-0360
DominionEnergy.com



February 7, 2019

Ryan Isaacson
5150 South 375 East
Washington Terrace, Utah 84405

RE: Weber County Water Line Easement Vacation
1600 W. 2700 N., Farr West Utah

To Whom It May Concern;

As per your request, QUESTAR GAS COMPANY, a corporation of the State of Utah, dba Dominion Energy Utah, consents to the vacation of the public utility easement owned by Weber County.

The easement is 35 feet wide and begins at the Northwest corner of parcel number 191380002 and extends south to the southwest corner of parcel 190590010 in Farr West, Utah.

The location of the easement is in Farr West, Utah in part of the northwest quarter of section 36, Township 7 north Range 2 west, Salt Lake base and meridian, U.S. survey. Beginning at the northwest corner of Lot 22, Weber industrial park, Plat "A", said point being north 89°18'48" east (State Plane Bearing Basis) 2307.74 feet and south 4°04'41" east 33.06 feet more or less from the northwest corner of said section 36, and running thence south 4°04'41" east 832.45 feet more or less to the southwest corner of lot 19 of the Industrial Park.

Dominion Energy Utah has an existing 2" Intermediate High Pressure Natural Gas line which runs along the south side of 2700 South Street. Although this gas line is not within the boundaries of the subject easement that would be vacated, it is important to be aware of the location of this gas line. It is for this reason that consent is contingent upon compliance with Utah blue stakes law and that no excavation shall occur within three (3) feet of any natural gas pipelines.

If you have any questions please feel free to give me a call at 801-324-3437.

Sincerely,

A handwritten signature in cursive script that reads "Pauline Caraveo".

Pauline Caraveo
Property Technician



Bona Vista Water Improvement District

2020 West 1300 North, Farr West, Utah 84404
Phone (801) 621-0474 Fax (801) 621-0475

January 25, 2019

To Whom It May Concern:

The purpose of this letter is to provide support for the vacation of a public utility easement owned by Weber County. The easement is 35 feet wide and begins at the Northwest corner of parcel number 191380002 and extends south to the southwest corner of parcel 190590010 in Farr West, Utah. The purpose of the easement was for a water line that has since then been abandoned, which indicates there is no longer a need for the easement.

The location of the easement is in Farr West, Utah in part of the northwest quarter of section 36, Township 7 north Range 2 west, Salt Lake base and meridian, U.S. survey. Beginning at the northwest corner of Lot 22, Weber industrial park, Plat "A", said point being north 89°18'48" east (State Plane Bearing Basis) 2307.74 feet and south 4°04'41" east 832.45 feet more or less to the southwest corner of lot 19 of the Industrial Park.

We Bona Vista Water Improvement District provide our support to vacate the easement described above so that the land may be used for future development and/or construction.

Sincerely,



Blake Carlin

Assistant Manager

Board of Directors

Ronald Stratford, Chairman – Unincorporated Area
Scott VanLeeuwen, Co-Chairman – Marriott/Slaterville
Z. Lee Dickmore – Farr West
Michelle Tsit – Harrisville
Jon Beesley – Plain City

Management

Jerry Allen, Manager
Blake Carlin, Assistant Manager
Marci Doolan, Office Manager



FARR WEST CITY

1896 North 1800 West
Farr West City, UT 84404

Ph: 801-731-4187
Fax: 801-731-7732

MAYOR
Z. Lee Dickemore

COUNCIL
Tom Burkland
Boyd Ferrin
Matt Gwynn
David Jay
Ken Phippen

RECORDER
Lindsay Afuvai

CLERK
Andrea Ortgiesen

To Whom It May Concern,

The purpose of this letter is to provide support for the vacation of a public utility easement owned by Weber County. The easement is 35 feet wide and begins at the Northwest corner of parcel number 191380002 and extends south to the southwest corner of parcel 190590010 in Farr West, Utah. The purpose of the easement was for a water line that has since then been abandoned, which indicates there is no longer a need for the easement.

The location of the easement is in Farr West, Utah in part of the northwest quarter of section 36, Township 7 north Range 2 west, Salt Lake base and meridian, U.S. survey. Beginning at the northwest corner of Lot 22, Weber Industrial park, Plat "A", said point being north 89°18'48" east (State Plane Bearing Basis) 2307.74 feet and south 4°04'41" east 33.06 feet more or less from the northwest corner of said section 36, and running thence south 4°04'41" east 832.45 feet more or less to the southwest corner of lot 19 of the Industrial Park.

We Farr West City provide our support to vacate the easement described above so that the land may be used for future development and/or construction.

Sincerely,



Lee Dickemore, Mayor



February 5, 2019

To Whom it may Concern,

The purpose of this letter is to provide support for the vacation of a public utility easement owned by Weber County. The easement is 35 feet wide and begins at the Northwest corner of parcel number 191380002 and extends south to the southwest corner of parcel 190590010 in Farr West, Utah. The purpose of the easement was for a water line that has since then been abandoned, which indicates there is no longer a need for the easement.

The location of the easement is in Farr West, Utah in part of the northwest quarter of section 36, Township 7 north Range 2 west, Salt Lake base and meridian, U.S. survey. Beginning at the northwest corner of Lot 22, Weber industrial park, Plat "A", said point being north 89°18'48" east (State Plane Bearing Basis) 2307.74 feet and south 4°04'41" east 33.06 feet more or less from the northwest corner of said section 36, and running thence south 4°04'41" east 832.45 feet more or less to the southwest corner of lot 19 of the Industrial Park.

As the Consulting City Engineers for Farr West City, we provide our support to vacate the easement described above so that the land may be used for future development and/or construction.

Sincerely,

JONES AND ASSOCIATES
Consulting Engineers, Inc.

By:

Kent L. Jones, P.E.
Farr West City Engineer

Cc: Farr West City Corporation
Gardner Engineering



CenturyLink

3/6/2019

Gardner Engineering
ATTN: Ryan Isaacson
5150 South 375 East
Washington Terrace, Utah 84405

WITH Reservations

**SUBJECT: Vacation of a 35' Utility Easement – Lot 1, Weber Industrial Park, West Addition – Plat A, Part of the NW ¼ of Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, State of Utah.
APN: 190410095**

To Whom It May Concern:

Qwest Corporation, d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject vacation and has determined that in order to protect its facilities CenturyLink must reserve its rights.

Please SAVE AND EXCEPT a 10' PUE EASEMENT for Utilities over the following area/s:

A 10' wide PUE along the easterly property line of lot 1, as further described and/or depicted on the attached Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that the Developer Blue Stake the proposed 10' PUE to identify if CenturyLink existing facilities fall within the proposed PUE. if CenturyLink facilities are found outside the proposed 10' PUE and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

Sincerely yours,
Tommy Sassone
Network Infrastructure Services
CenturyLink

P812150

To Whom it may Concern,

The purpose of this letter is to provide support for the vacation of a public utility easement owned by Weber County. The easement is 35 feet wide and begins at the Northwest corner of parcel number 191380002 and extends south to the southwest corner of parcel 190590010 in Farr West, Utah. The purpose of the easement was for a water line that has since then been abandoned, which indicates there is no longer a need for the easement.

The location of the easement is in Farr West, Utah in part of the northwest quarter of section 36, Township 7 north Range 2 west, Salt Lake base and meridian, U.S. survey. Beginning at the northwest corner of Lot 22, Weber industrial park, Plat "A", said point being north 89°18'48" east (State Plane Bearing Basis) 2307.74 feet and south 4°04'41" east 33.06 feet more or less from the northwest corner of said section 36, and running thence south 4°04'41" east 832.45 feet more or less to the southwest corner of lot 19 of the Industrial Park.

We Rocky Mountain Power provide our support to vacate the easement described (Except for 10' running parallel with 2700 N) above so that the land may be used for future development and/or construction.

Sincerely,

Landon Lucero.



1-25-18

Ordinance _____

An ordinance of Weber County vacating a 25 feet of a 35 foot public utility and drainage easement on Lot 5 of Weber Industrial Park Addition.

Whereas, ~~Orluff Opheikins~~, President of Weber Industrial Holdings, LLC, the owner of part Lot 5 of Weber Industrial Park Addition, has filed a petition to vacate 25 feet of an existing 35 foot wide public utility and drainage easement (“PUE”) located along the eastern property line of lot 5 of the Weber Industrial Park Addition; and

Whereas, after providing proper public notice, a public hearing was held before the Weber County Commission on June 11, 2019, regarding the vacation of a portion of the PUE; and

Whereas, The Weber County Engineering Department has been notified and has provided written approval of vacation of a portion of the PUE; and

Whereas, the Commission finds good cause exists to vacate the PUE in that it will not substantially affect the West Central Weber County General Plan and that neither the public interest nor any person will be materially injured;

NOW THEREFORE, the Board of County Commissioners of Weber County vacates the following:

25 feet of an existing 35 foot wide public utility and drainage easement located along the east property line of Lot 5 of Weber Industrial Park Addition, as platted and recorded in the Weber County Recorder’s Office.

Adopted and ordered published this _____ day of _____, 2019.

Weber County Commission

By _____
James H. "Jim" Harvey, Chair

Commissioner Froerer Voted _____
Commissioner Harvey Voted _____
Commissioner Jenkins Voted _____

ATTEST:

Ricky Hatch, CPA Weber County Clerk