



Hildale City Public Hearing Notice

Wednesday, May 17, 2023 at 7:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Agenda

Notice is hereby given to the members of the Hildale City Council and the public, that the City Council will hold a public meeting on **Wednesday, May 17, 2023 at 7:00 p.m. (MDT)**, at 320 East Newel Avenue, Hildale City, Utah 84784.

Councilmembers may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Facebook Live under Hildale's City page. Members of the public may also watch the City of Hildale through the scheduled Zoom meeting.

Join Zoom Meeting

<https://zoom.us/j/95770171318?pwd=aUVSU0hRSFFHcGQvcUIPT3ZYK0p5UT09>

Meeting ID: 957 7017 1318
Passcode: 993804

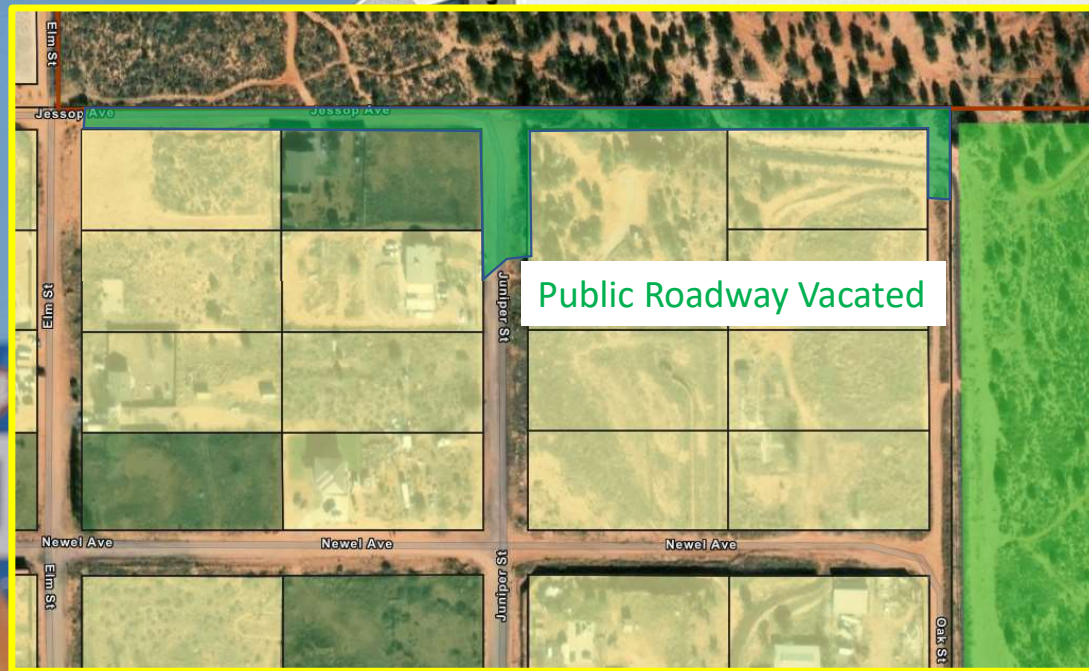
or

<https://www.facebook.com/hildalecity/live/>

Comments during the public comment or public hearing portions of the meeting may be emailed to manager@hildalecity.com or privately messaged to Hildale City's Facebook page. All comments sent before the meeting may be read during the meeting and messages or emails sent during the meeting may be read at the Mayor's discretion.

Public Hearing: NONE

1. [Public Hearing Notice- Petition to Vacate Public Roadway 980 N Juniper](#)



Petition to Vacate ROW

980 N Juniper

- Vacated property is then given to surrounding landowners
- Council needs to find good cause exists for the vacation; and neither the public interest nor any person will be materially injured by the vacation

Staff Report- Street Vacation

Applicant Name: Various Owners
Agent: John Barlow
Project Address: 980 N Juniper Street
Date: May 2, 2023
Prepared by: Harrison Johnson

Summary

The applicant(s) are seeking to vacate the city street as indicated in exhibit A. Once the application is received, property owners within 300 feet of the proposed street vacation are notified by mail. The staff reviews the application for completion.

If granted, the property assigned to the public right-of-way would be transferred to the adjacent property owners.

Governing Body

The City Council is the governing body that approves/disapprove the application.

Approval/Disapproval Criteria

17-27a-609.5. Petition to vacate a public street.

The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or county utility 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.*

Staff Recommendation Considerations

Staff recommends that the City Council considers the applications the following criteria:

- Evidentiary testimony of material injury to the public
- Support/opposition to affected property owners
- Material benefit to the public

Mayor: Donia Jessop

Councilmembers: Lawrence Barlow, JVar Dutson, Brigham Holm, Terrill Musser, Stacy Seay

City Manager: Eric Duthie

Comments from JUC

Hello Harrison,

South Central doesn't have existing facilities in this area except for possibly some copper facilities that are no longer being used to provide service. The proposed plan would make it difficult for us to provide service to Lot 10 – Parcel #HD-SHCR-3-10 owned by Richard Lee Barlow, without acquiring a private easement from one of Mr. Barlow's neighbors, should Mr. Barlow or a future owner request service at that location. The proposed vacation would not have a negative affect on our ability to provide service to any other property in the area.



Mike Savage
OSP Engineer

Phone 435-676-0508
Mobile 435-616-0508

250 E Center St • Panguitch, UT
84759
SoCen.com • SCBroadband.com

Petition to Vacate Public Right-of-Way

The sewer main extends through the proposed cul-de-sac on Juniper. I would suggest moving the cul-de sac north about 100ft to leave the end manhole in the street right-of-way. Water mains and meters extend north into the road vacation area as well.

--Weston

Mayor: Donia Jessop
Councilmembers: Lawrence Barlow, JVar Dutson, Brigham Holm, Terrill Musser, Stacy Seay
City Manager: Eric Duthie



🕒 435-874-2323

📞 435-874-2603

🌐 www.hildalecity.com

Item 1.

Harrison,

Garkane has existing facilities serving the homes on Jessop and Juniper. Garkane respectfully requests that Garkane be provided with recorded utility easement for our facilities prior to granting the request to vacate the road/public utility right of way. Please contact me to work out the details.

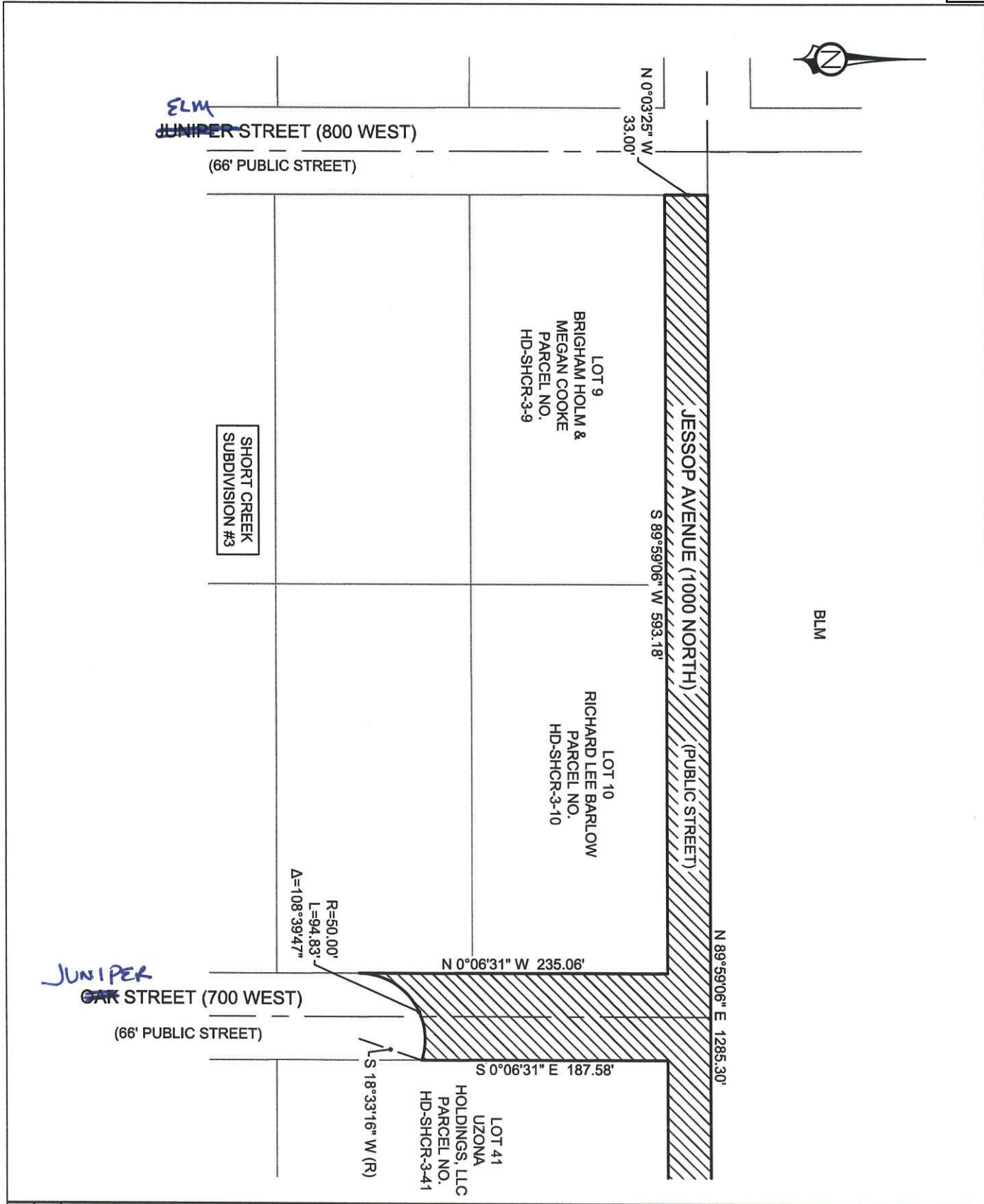
Best Regards,

Bryant Shakespear

Mayor: Donia Jessop

Councilmembers: Lawrence Barlow, JVar Dutson, Brigham Holm, Terrill Musser, Stacy Seay

City Manager: Eric Duthie



SHEET 2 OF 2

EXHIBIT B

ROAD VACATION

CivilScience

1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100



☎ 435-874-2323
☎ 435-874-2603
🌐 www.hildalecity.com

Item 1.

PETITION TO VACATE A PUBLIC STREET OR UTILITY EASEMENT

Fee: \$500

For Office Use Only:
File No. _____
Receipt No. _____

Name: Various Owners, See Diagram Telephone: 801.824.4232
Address: 880 North Hildale Street #2742, Hildale, UT 84784 Fax No. _____

Email: johnroybarlow@gmail.com

Agent (If Applicable): John Barlow Telephone: 801.824.4232

Address/Location of Subject Property: 980 North Juniper

Tax ID of Subject Property: Various Effected Properties (See Diagram) Number of Lots: 5

Subdivision Name: Short Creek Phase: _____

Submittal Requirements:

- 1. 1 paper copy 24x36 (may be 11x17 if all writing is legible) and 1 digital copy sent to planning@hildalecity.com of plans showing the following:
 - a. Highlighted area of proposed vacation
 - b. All properties within 300 feet of proposed vacation
 - c. Legal description of property to be vacated
- 2. Petition with names, signatures, and addresses of all owners of land adjacent (between nearest intersections), accessed exclusively by, or within 300 feet of the public street or easement.
- 3. Envelopes addressed and stamped for all owners of land accessed by or within 300 feet of proposed vacation, as well as all operators of utilities located within the bounds of the proposed vacation.

Note: Petitions to vacate are subject to council approval and additional conditions may be required. An amended plat that includes the abandonment of a dedicated road or for a subdivision that is not fully improved requires a different application and procedure

(Office Use Only)

Date Received: _____ Application Complete: YES NO

Date application deemed to be complete: _____ Completion determination made by: _____

XBP Confirmation Number: 143464638

Receipt for Payment to:
Hildale City

Date/Time: 04/28/2023 4:43:18 PM
Transaction #: 197048419
Payment Method: Visa
Transaction Status: Successful

Items

LAND USE	100.00
LAND USE	300.00
LAND USE	500.00

Total: 900.00

Jeff J Barlow 84737

Payment Service Provided By
www.xpressbillpay.com



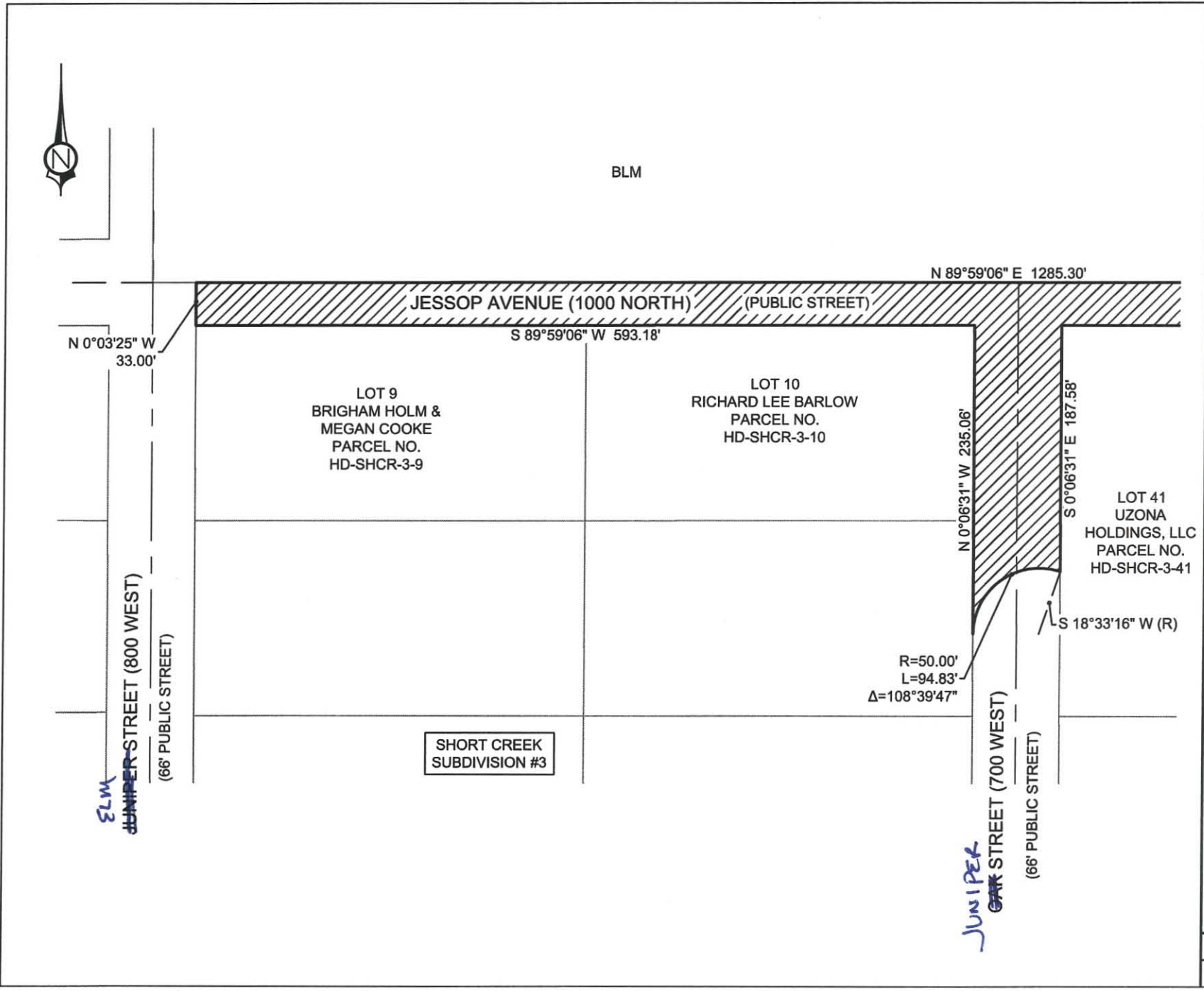
1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100

EXHIBIT B

ROAD VACATION

IF23118

SHEET 2 OF 2



SLM

JUNIPER



BLM

CN 1/16 CORNER OF SEC 33,
T43S, R10W, SLB&M (FOUND
BLM 3" ALUMINUM CAP 1996)

POINT OF BEGINNING

N 89°59'06" E 1285.30'

JESSOP AVENUE (1000 NORTH)

(PUBLIC STREET)

S 89°59'06" W 593.13'

N 0°04'51" W
101.58'

LOT 42
KEVIN BATEMAN
PARCEL NO.
HD-SHCR-3-42

R=50.00'
L=33.63'
Δ=38°32'23"

S 19°47'46" W (R)

S 0°04'51" E 134.89'

BLM

LOT 10
RICHARD LEE BARLOW
PARCEL NO.
HD-SHCR-3-10

N 0°06'31" W 235.06'

S 0°06'31" E 187.58'

LOT 41
UZONA HOLDINGS, LLC
PARCEL NO.
HD-SHCR-3-41

S 18°33'16" W (R)

LOT 11
MARY LOU BARLOW,
SARIAH RAE HAMMON
PARCEL NO.
HD-SHCR-3-11

R=50.00'
L=94.83'
Δ=108°39'47"

JUNIPER STREET (800 WEST)
(PUBLIC STREET)

LOT 43
KEVIN BATEMAN
PARCEL NO.
HD-SHCR-3-43

OAK STREET (700 WEST)
(PUBLIC STREET)
(1323.45' CORNER TO CORNER)

SHORT CREEK
SUBDIVISION #3

CENTER CORNER OF SEC 33,
T43S, R10W, SLB&M



1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100

EXHIBIT B

ROAD VACATION

IF 23118

SHEET 1 OF 2



1453 S Dixie Drive, Suite 150

St. George, UT 84770

435-986-0100

EXHIBIT "A"
ROAD VACATION LEGAL DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF SHORT CREEK SUBDIVISION #3, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, SAID POINT ALSO BEING THE CENTER NORTH 1/16 CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 10 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S 0°04'51" E 134.89 FEET, ALONG THE EAST BOUNDARY OF SAID SUBDIVISION, TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 19°47'46" W; THENCE ALONG THE ARC OF SAID CURVE 33.63 FEET THROUGH A CENTRAL ANGLE OF 38°32'23", TO A POINT ON THE EAST LINE OF LOT 42 OF SAID SUBDIVISION; THENCE N 0°04'51" W 101.58 FEET, ALONG SAID LINE, TO THE NORTHEAST CORNER OF SAID LOT 42; THENCE S 89°59'06" W 593.13 FEET, ALONG THE NORTH LINE OF SAID LOT 42 AND THE NORTH LINE OF LOT 41 OF SAID SUBDIVISION, TO THE NORTHWEST CORNER OF LOT 41; THENCE S 0°06'31" E 187.58 FEET, ALONG THE WEST LINE OF SAID LOT 41 AND THE WEST LINE OF LOT 41 OF SAID SUBDIVISION, TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 18°33'16" W; THENCE ALONG THE ARC OF SAID CURVE 94.83 FEET THROUGH A CENTRAL ANGLE OF 108°39'47", TO A POINT ON THE EAST LINE OF LOT 11 OF SAID SUBDIVISION; THENCE N 0°06'31" W 235.06 FEET, ALONG SAID LINE AND ALONG THE EAST LINE OF LOT 10 OF SAID SUBDIVISION, TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE S 89°59'06" W 593.18 FEET, ALONG THE NORTH LINE OF SAID LOT 10 AND THE NORTH LINE OF LOT 9 OF SAID SUBDIVISION, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF JUNIPER STREET, AS SHOWN ON SAID SUBDIVISION; THENCE N 0°03'25" W ALONG SAID LINE 33.00 FEET, TO A POINT ON THE NORTH BOUNDARY OF SAID SUBDIVISION; THENCE N 89°59'06" E 1285.30 FEET ALONG SAID LINE, TO THE POINT OF BEGINNING.

CONTAINS 58,471 SQ FT OR 1.34 ACRES MORE OR LESS


TWS
23118



SIG-SHEET #1

PETITION TO VACATE A PUBLIC EASEMENT OR RIGHT OF WAY

Address of proposed vacation: JESSOP AVE FROM Elm TO OAK
LOTS 3-9, 3-10, 3-41, 3-42, 3-43,

Name:	Address/Parcel:	Signature:
Williams, Daniel	HD-SHCR-3-12	SEE SHEET #3
Bateman, Kevin	HD-SHCR-3-42	
Barlow, Zane and Darger, Eleene	HD-SHCR-3-4	Zane 4-28-23
Barlow, Richard	HD-SHCR-3-45	SEE SHEET #2
BATEMAN KEVIN	HD-SHCR-3-43	
BARLOW MARYLOU, HAMMON SARIAH RAE	HD-SHCR-3-11	
BARLOW RICHARD LEE	HD-SHCR-3-46	SEE SHEET #2
STEED LEE	HD-SHCR-3-44	
DOCKSTADER E DARLENE	HD-SHCR-3-13	SEE SHEET #4 SIG F
HOLM BRIGHAM, COOKE MEGAN	HD-SHCR-3-9	SEE SHEET #4 SIG C
KNODEL FRANK & MARGEE	HD-SHCR-3-3	
UZONA HOLDINGS LLC	HD-SHCR-3-41	SEE SHEET #2
STEED LEE	HD-SHCR-3-47	
TIMPSON RICHARD	HD-SHCR-3-16	
TOOKE MILLS GARY SHANE & KALIE LEA TRS	HD-SHCR-3-14	SEE SHEET #4 SIG B
CHATWIN MARVIN RAY & JESSICA RAE TRS	HD-SHCR-3-15	SEE SHEET #4 SIG A
Barlow, Richard	HD-SHCR-3-10	SEE SHEET #2
Roundy, Kamlah	HD-SHCR-3-2	
South Zion Estates, LLC	HD-SHCR-13-37	SEE SHEET #4 SIG E
South Zion Estates, LLC	HD-SHCR-13-36	SEE SHEET #4 SIG E
Barlow, Paul	HD-SHCR-3-5	 4-28-23

SHEET.
#2

PETITION TO VACATE A PUBLIC EASEMENT OR RIGHT OF WAY

Address of proposed vacation: 980 N. ELM 980 N. JUNIPER
995 N. ~~ELM~~ JUNIPER 985 N. OAK
965 N. OAK
 HD-SHCR-3-9, 3-10, 3-41, 3-42, and 3-43

Name:	Address/Parcel:	Signature:
Williams, Daniel	HD-SHCR-3-12	
Bateman, Kevin	HD-SHCR-3-42	
Barlow, Zane and Darger, Eleene	HD-SHCR-3-4	DocuSigned by: Richard Lee Barlow 40FBAE0769D74AF...
Barlow, Richard	HD-SHCR-3-45	
BATEMAN KEVIN	HD-SHCR-3-43	
BARLOW MARYLOU, HAMMON SARIAH RAE	HD-SHCR-3-11	DocuSigned by: Richard Lee Barlow 40FBAE0769D74AF...
BARLOW RICHARD LEE	HD-SHCR-3-46	
STEED LEE	HD-SHCR-3-44	
DOCKSTADER E DARLENE	HD-SHCR-3-13	
HOLM BRIGHAM, COOKE MEGAN	HD-SHCR-3-9	
KNODEL FRANK & MARGEE	HD-SHCR-3-3	DocuSigned by: Richard Lee Barlow 40FBAE0769D74AF...
UZONA HOLDINGS LLC	HD-SHCR-3-41	
STEED LEE SETH BARLOW	HD-SHCR-3-47	
TIMPSON RICHARD	HD-SHCR-3-16	
TOOKE MILLS GARY SHANE & KALIE LEA TRS	HD-SHCR-3-14	
CHATWIN MARVIN RAY & JESSICA RAE TRS	HD-SHCR-3-15	DocuSigned by: Richard Lee Barlow 40FBAE0769D74AF...
Barlow, Richard	HD-SHCR-3-10	
Roundy, Kamlah	HD-SHCR-3-2	
South Zion Estates, LLC	HD-SHCR-13-37	
South Zion Estates, LLC	HD-SHCR-13-36	

SHEET #3

PETITION TO VACATE A PUBLIC EASEMENT OR RIGHT OF WAY

Address of proposed vacation: 980 N. ELM 980 N. JUNIPER
985 N. JUNIPER 985 N. OAK
965 N. OAK
 HD-SHCR-3-9, 3-10, 3-41, 3-42, and 3-43

Name:	Address/Parcel:	Signature by:
Williams, Daniel	HD-SHCR-3-12	<i>Dan Williams</i> <small>5FC592AA0860493...</small>
Bateman, Kevin	HD-SHCR-3-42	
Barlow, Zane and Darger, Eleene	HD-SHCR-3-4	
Barlow, Richard	HD-SHCR-3-45	
BATEMAN KEVIN	HD-SHCR-3-43	
BARLOW MARYLOU, HAMMON SARIAH RAE	HD-SHCR-3-11	
BARLOW RICHARD LEE	HD-SHCR-3-46	
STEED LEE	HD-SHCR-3-44	
DOCKSTADER E DARLENE	HD-SHCR-3-13	
HOLM BRIGHAM, COOKE MEGAN	HD-SHCR-3-9	
KNODEL FRANK & MARGEE	HD-SHCR-3-3	
UZONA HOLDINGS LLC	HD-SHCR-3-41	
STEED LEE	HD-SHCR-3-47	
STEED LEE SETH BARLOW TIMPSON RICHARD	HD-SHCR-3-16	
TOOKE MILLS GARY SHANE & KALIE LEA TRS	HD-SHCR-3-14	
CHATWIN MARVIN RAY & JESSICA RAE TRS	HD-SHCR-3-15	
Barlow, Richard	HD-SHCR-3-10	
Roundy, Kamlah	HD-SHCR-3-2	
South Zion Estates, LLC	HD-SHCR-13-37	
South Zion Estates, LLC	HD-SHCR-13-36	

TAX_ID	FIELD5	FIELD6	FIELD7	FIELD8	FIELD9	FIELD10
HD-SHCR-3-12	WILLIAMS DANIEL	PO BOX 842112		HILDALE	UT	84784-2112
HD-SHCR-3-42	BATEMAN KEVIN	PO BOX 976		COLORADO CITY	AZ	86021-0976
HD-SHCR-3-4	BARLOW ZANE, DARGER ELEENE	PO BOX 842051		HILDALE	UT	84784
HD-SHCR-3-45	BARLOW RICHARD LEE	485 E NEWEL AVE		HILDALE	UT	84784
HD-SHCR-3-43	BATEMAN KEVIN	PO BOX 976		COLORADO CITY	AZ	86021-0976
HD-SHCR-3-11	BARLOW MARYLOU, HAMMON SARIAH RAE	PO BOX 842696		HILDALE	UT	84784
HD-SHCR-3-46	STEED LEE	PO BOX 843185	845 N OAK ST	HILDALE	UT	84784-3185
HD-SHCR-3-44	BARLOW RICHARD LEE	485 E NEWEL AVE		HILDALE	UT	84784
HD-SHCR-3-13	DOCKSTADER E DARLENE	PO BOX 2395		COLORADO CITY	AZ	86021-2395
HD-SHCR-3-9	HOLM BRIGHAM, COOKE MEGAN	PO BOX 843251		HILDALE	UT	84784-3251
HD-SHCR-3-3	KNODEL FRANK & MARGEE	PO BOX 1941		HILDALE	UT	84784-1941
HD-SHCR-3-41	UZONA HOLDINGS LLC	PO BOX 841518		HILDALE	UT	84784-1518
HD-SHCR-3-47	STEED LEE	PO BOX 843185	845 N OAK ST	HILDALE	UT	84784-3185
HD-SHCR-3-16	TIMPSON RICHARD	PO BOX 733		COLORADO CITY	AZ	86021
HD-SHCR-3-14	TOOKE MILLS GARY SHANE & KALIE LEA TRS	840 N ELM ST # 2372		HILDALE	UT	84784
HD-SHCR-3-15	CHATWIN MARVIN RAY & JESSICA RAE TRS	PO BOX 841464		HILDALE	UT	84784-1464
HD-SHCR-3-10	BARLOW RICHARD LEE	485 E NEWEL AVE		HILDALE	UT	84784
HD-SHCR-3-2	ROUNDY KAMLAH	653 E 2500 N		MONTEVIEW	ID	83435
HD-SHCR-13-37	SOUTH ZION ESTATES LLC	11951 S 645 E		DRAPER	UT	84020
HD-SHCR-13-36	SOUTH ZION ESTATES LLC	11951 S 645 E		DRAPER	UT	84020

AN ORDINANCE TO VACATE A PUBLIC RIGHT-OF-WAY IN HILDALE, UTAH

WHEREAS, the City Council of Hildale, Utah has determined that it is in the best interests of the City and its residents to vacate a certain public right-of-way as described herein; and

WHEREAS, notice of a public hearing on the proposed vacation of the right-of-way has been provided as required by law;

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

SECTION 1. VACATION OF RIGHT-OF-WAY.

The following public right-of-way is hereby vacated:

BEGINNING AT THE NORTHEAST CORNER OF SHORT CREEK SUBDIVISION #3, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, SAID POINT ALSO BEING THE CENTER NORTH 1/16 CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 10 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S 0°04'51" E 134.89 FEET, ALONG THE EAST BOUNDARY OF SAID SUBDIVISION, TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 19°47'46" W; THENCE ALONG THE ARC OF SAID CURVE 33.63 FEET THROUGH A CENTRAL ANGLE OF 38°32'23", TO A POINT ON THE EAST LINE OF LOT 42 OF SAID SUBDIVISION; THENCE N 0°04'51" W 101.58 FEET, ALONG SAID LINE, TO THE NORTHEAST CORNER OF SAID LOT 42; THENCE S 89°59'06" W 593.13 FEET, ALONG THE NORTH LINE OF SAID LOT 42 AND THE NORTH LINE OF LOT 41 OF SAID SUBDIVISION, TO THE NORTHWEST CORNER OF LOT 41 ; THENCE S 0°06'31" E 187.58 FEET, ALONG THE WEST LINE OF SAID LOT 41 AND THE WEST LINE OF LOT 41 OF SAID SUBDIVISION, TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH A RADIUS WHICH BEARS S 18°33'16" W; THENCE ALONG THE ARC OF SAID CURVE 94.83 FEET THROUGH A CENTRAL ANGLE OF 108°39'47", TO A POINT ON THE EAST LINE OF LOT 11 OF SAID SUBDIVISION; THENCE N 0°06'31" W 235.06 FEET, ALONG SAID LINE AND ALONG THE EAST LINE OF LOT 10 OF SAID SUBDIVISION, TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE S 89°59'06" W 593.18 FEET, ALONG THE NORTH LINE OF SAID LOT 10 AND THE NORTH LINE OF LOT 9 OF SAID SUBDIVISION, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF JUNIPER STREET, AS SHOWN ON SAID SUBDIVISION; THENCE N 0°03'25" W ALONG SAID LINE 33.00 FEET, TO A POINT ON THE NORTH BOUNDARY OF SAID SUBDIVISION; THENCE N 89°59'06" E 1285.30 FEET ALONG SAID LINE, TO THE POINT OF BEGINNING.
CONTAINS 58,471 sq FT OR 1.34 ACRES MORE OR LESS

SECTION 2. EFFECT OF VACATION.

The vacation of the right-of-way described in Section 1 hereof shall be effective upon the recording of a certified copy of this ordinance with the Washington County Recorder's Office. Upon the effective date of this ordinance, the vacated right-of-way shall revert to the owners of the abutting property.

SECTION 3. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective immediately upon its passage and adoption in accordance with law.

PASSED AND ADOPTED by the City Council of Hildale, Utah this _____ day of _____, **20**.

Mayor

ATTEST:

City Recorder