



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: January 21, 2025
NAME OF PROJECT: Cospers Subdivision – Plat Vacate
NAME OF APPLICANT: Cari Lane LLC
AUTHORIZED REPRESENTATIVE: Berg Engineering
AGENDA ITEM: Plat Vacation
LOCATION: 515 West Cari Lane
ZONING DESIGNATION: R-1-15

ITEM: 11

Cospers Subdivision / Plat Vacation – Discuss and possibly approve a plat map vacation of the Cospers Subdivision located at 515 West Cari Lane (R-1-15).

BACKGROUND:

Berg Engineering, representative for Cari Lane LLC, has made a request to vacate the Cospers Subdivision plat so that the proposed Whispering Creek can be recorded. The Cospers Subdivision is a one lot small-scale subdivision that was recorded on May 31, 2017. No primary or secondary structures have been built in the Cospers Subdivision since the recording of the plat. The Cospers Subdivision is owned by the applicant so the plat vacation can proceed without a public hearing.

The applicant has supplied the following information:

The Cospers Subdivision is proposed to be vacated. The 1.57 acres will be included in the Whispering Creek Subdivision that also includes parcels 06-1817 and 20-0483.

Water rights that were dedicated to the City for the Cospers Subdivision will be credited to the required water rights for the Whispering Creek Subdivision.

A plat vacation is a legislative item, and the City Council is not obligated to allow the vacation even if they feel that the applicant is complying with the requirements of the Code. This decision is entirely at the discretion of the City Council.

ANALYSIS:

10-9a-609. Land use authority approval of vacation or amendment of plat -- Recording the amended plat.

- (1) The land use authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the land use authority finds that:
 - (a) there is good cause for the vacation or amendment; and
 - (b) no public street or municipal utility easement has been vacated or amended.
- (2)
 - (a) The land use authority shall ensure that the amended plat showing the vacation or amendment is recorded in the office of the county recorder in which the land is located.
 - (b) If the amended plat is approved and recorded in accordance with this section, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat of the same land.
- (3)
 - (a) A legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated.
 - (b) The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.
- (4) An amended plat may not be submitted to the county recorder for recording unless it is:
 - (a) signed by the land use authority; and
 - (b) signed, acknowledged, and dedicated by each owner of record of the portion of the plat that is amended.
- (5) A management committee may sign and dedicate an amended plat as provided in Title 57, Chapter 8, Condominium Ownership Act.
- (6) A plat may be corrected as provided in Section 57-3-106.

State Code requires that the Land Use Authority finds two separate items:

1. There is good cause for the vacation or amendment; and
2. No public street or municipal utility easement has been vacated or amended

The duration of a plat vacation approval shall be for one year from the date of approval of the plat vacation by the City Council. Should the plat vacation ordinance not be recorded by the County Recorder within the one-year period of time, the plat vacation's approval shall be voided, and approval must be re-obtained, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

PROPOSED FINDINGS:

- The proposal will vacate the Cospers Subdivision plat.
- Dedicated water rights for the Cospers Subdivision will be credited to the Whispering Creek Subdivision.
- No public streets or municipal easements will be vacated or altered as part of this vacation.

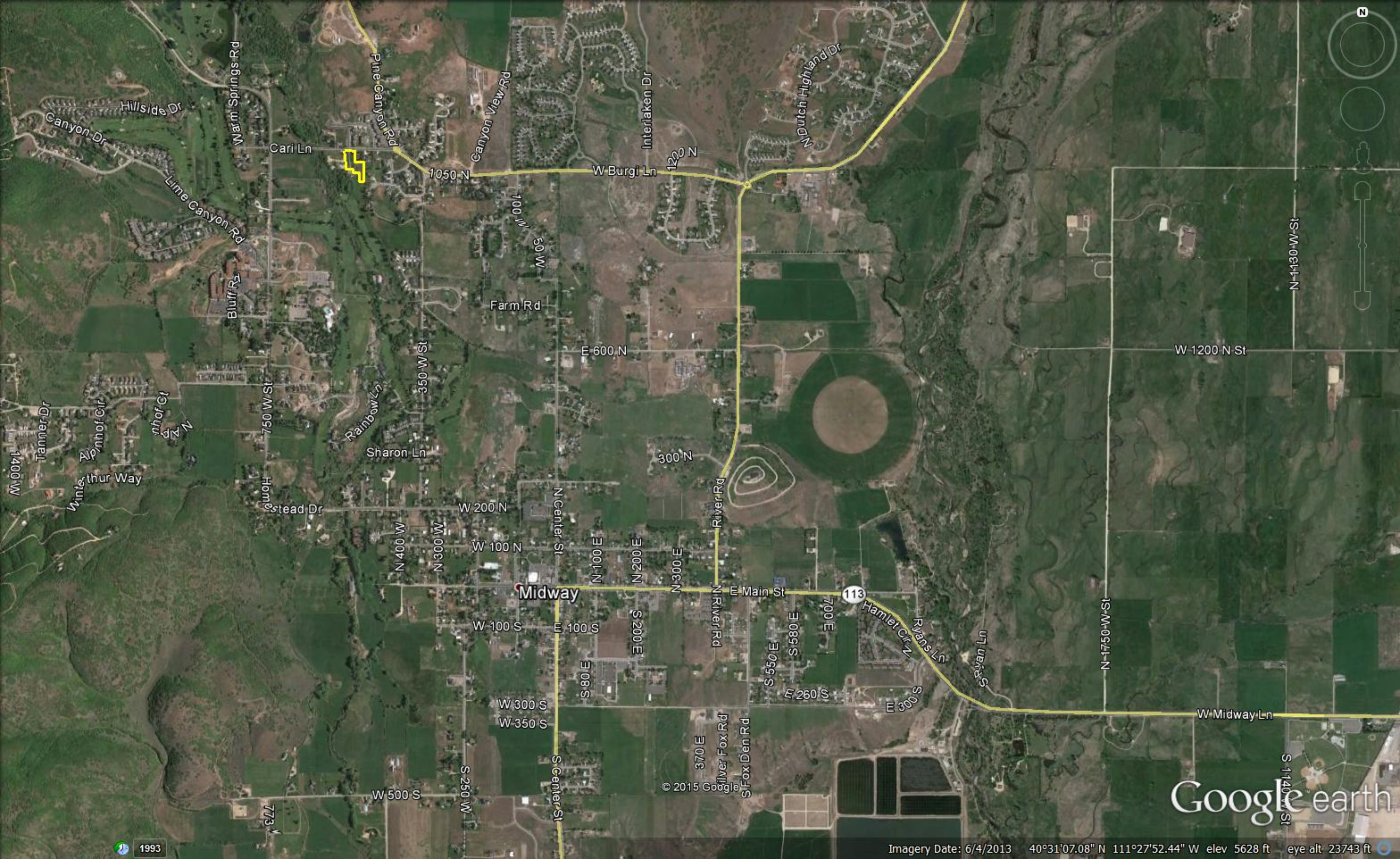
ALTERNATIVE ACTIONS:

1. Approval (Conditional). This action can be taken if the City Council feels there is good cause to approve the proposal.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed
2. Continuance. This action can be taken if the City Council feels that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. No proposed conditions.



Midway

113

Canyon Dr

Warm Springs Rd

Cari Ln

Pine Canyon Rd

Canyon View Rd

Interlaken Dr

N Dutch Highland Dr

1050 N

W Burgi Ln

1200 N

Lime Canyon Rd

Bluff Rd

Farm Rd

100 W

50 W

E 600 N

350 W St

Rainbow Ln

Sharon Ln

300 N

River Rd

Tanner Dr

Alphof Cir

Alphof Ct

750 W St

Homestead Dr

W 200 N

N 400 W

N 300 W

W 100 N

N Center St

E 100 N

E 200 N

E 300 N

E Main St

W 100 S

E 100 S

S 200 E

S 80 E

S 550 E

S 580 S

E 260 S

E 300 S

Hamlet Cir

Ryans Ln

S Ryan Ln

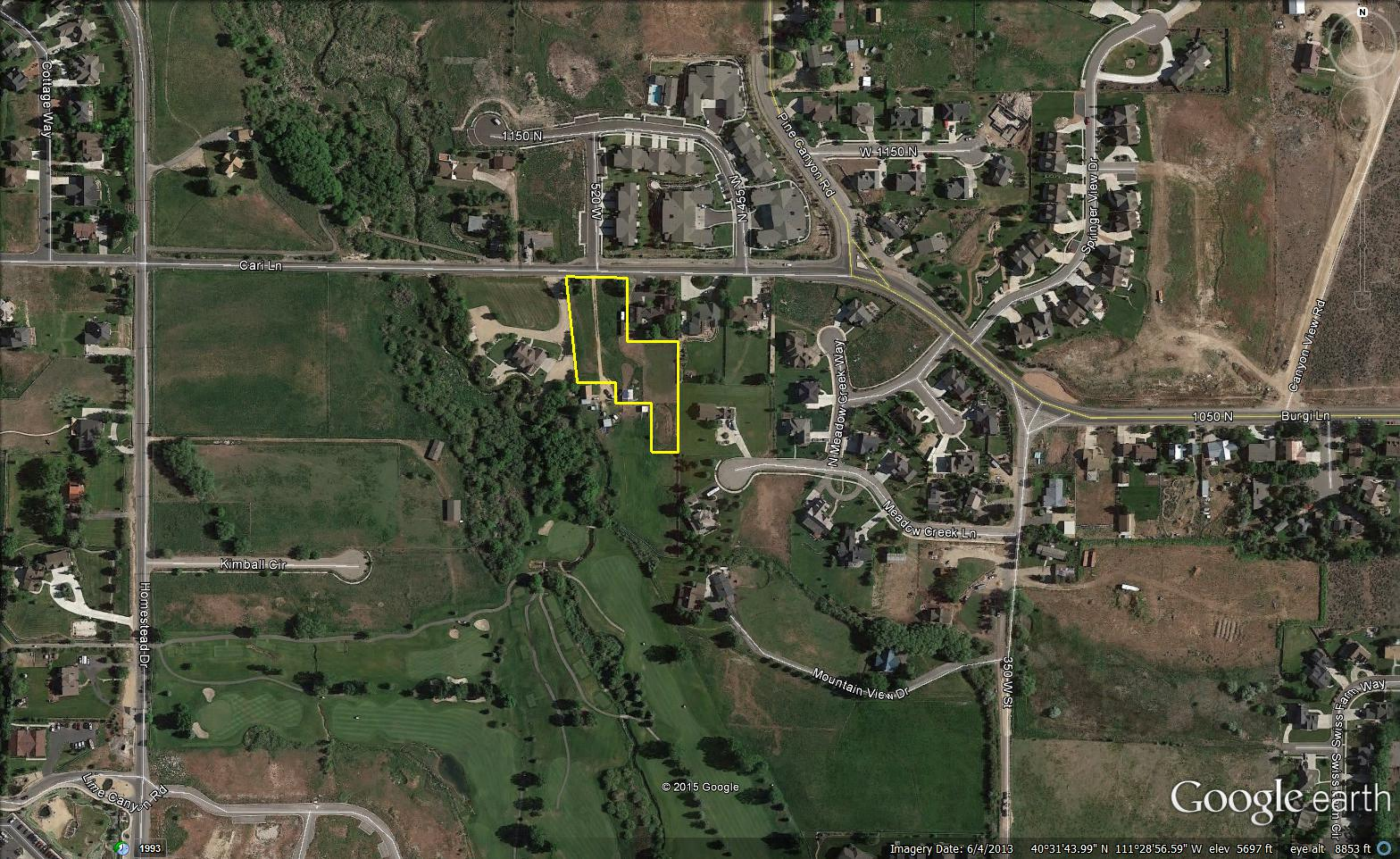
W 1200 N St

S 1130 W St

S 1140 W St

W Midway Ln

S 1140 W St



Collage Way

Cari Ln

1150 N

520 W

N 455 E

Pine Canyon Rd

W 1150 N

Springer View Dr

Canyon View Rd

1050 N

Burgi Ln

Kimball Cir

Homeslead Dr

N Meadow Creek Way

Meadow Creek Ln

Mountain View Dr

350 W St

Line Canyon Rd

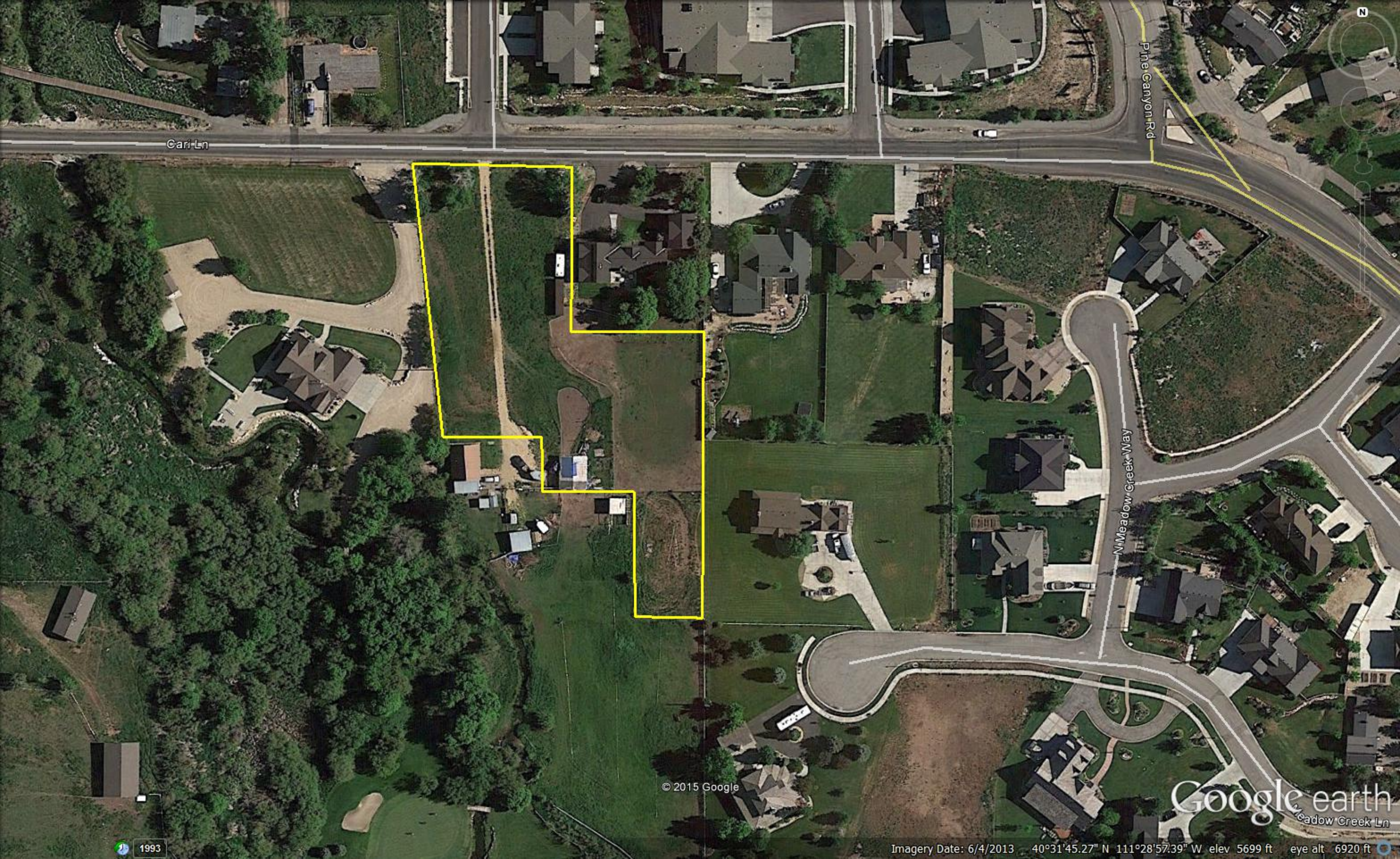
Swiss Farm Way
Swiss Farm Cir

© 2015 Google

Google earth

1993

Imagery Date: 6/4/2013 40°31'43.99" N 111°28'56.59" W elev 5697 ft eye alt 8853 ft



Cari Ln

Pine Canyon Rd

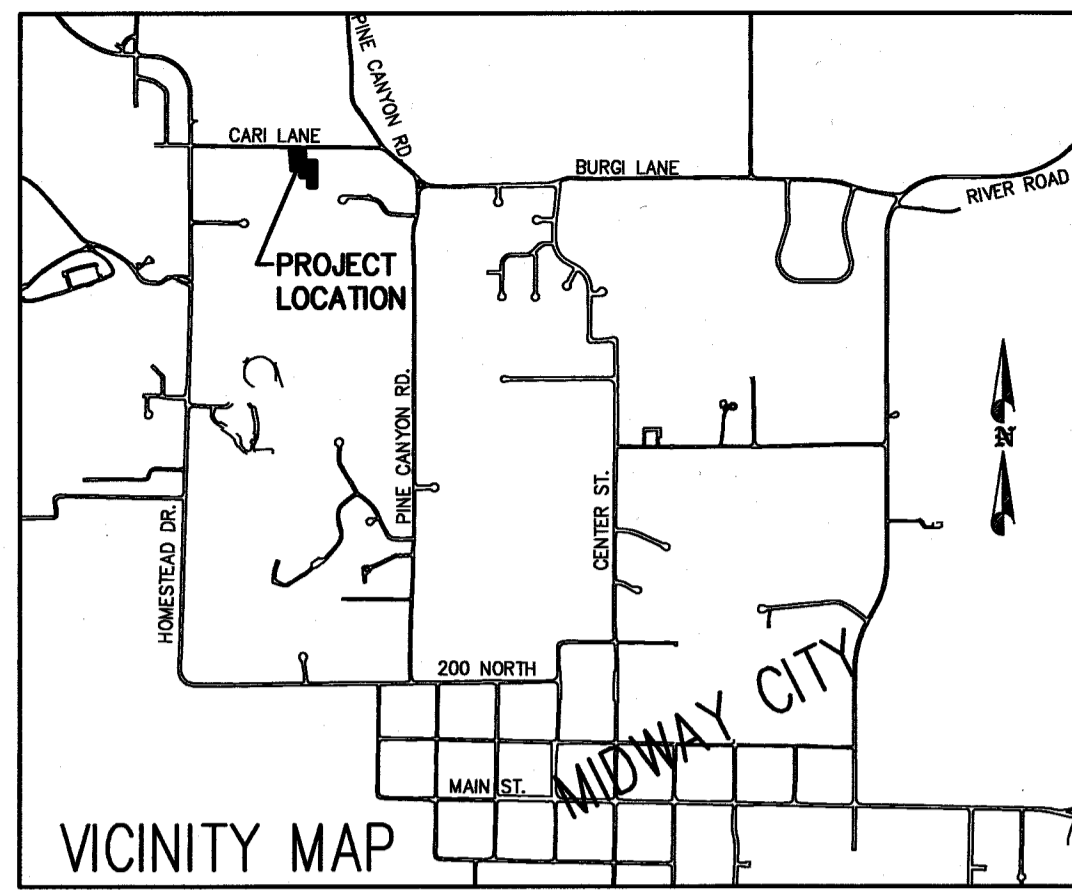
N Meadow Creek Way

© 2015 Google

Google earth
Meadow Creek Ln

1993

Imagery Date: 6/4/2013 40°31'45.27" N 111°28'57.39" W elev 5699 ft eye alt 6920 ft

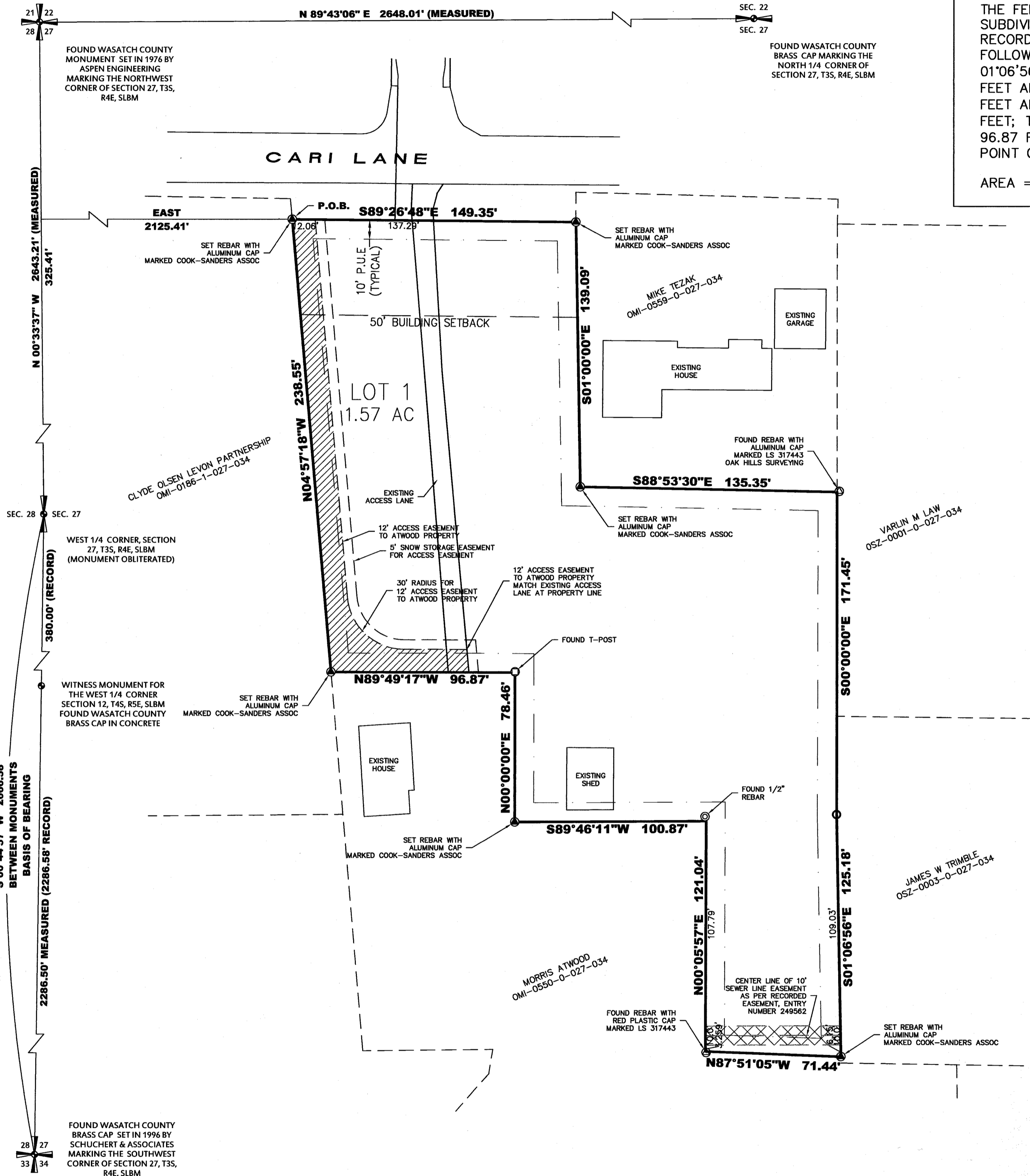


LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE MERIDIAN.

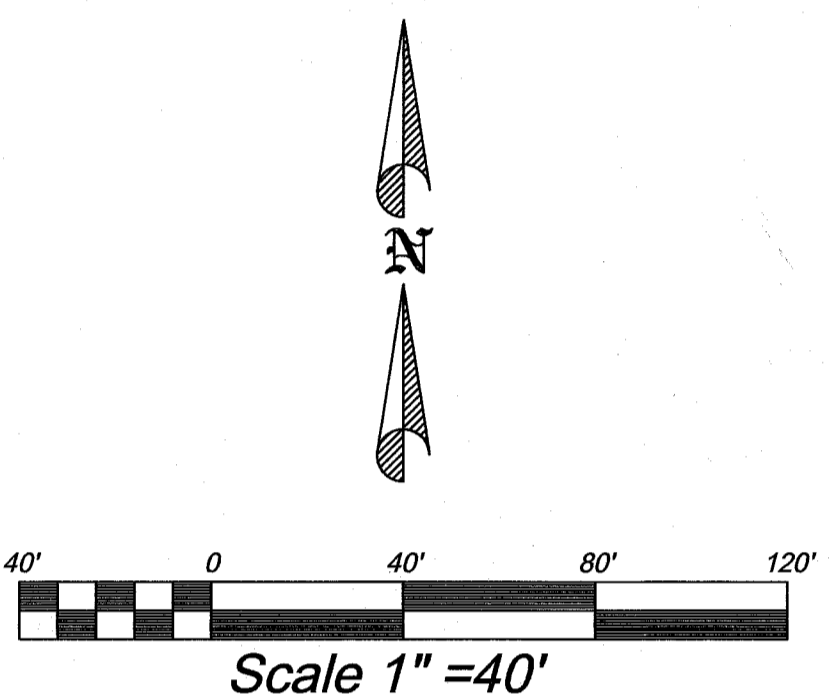
DRIVEWAY REQUIREMENTS

LOT 1 SHALL HAVE ONLY 1 DRIVEWAY. ACCESS EASEMENT AND DRIVEWAY FOR LOT 1 SHALL BE COMBINED BEFORE CONNECTING ON TO CARI LANE.

THE DRIVEWAY FOR LOT 1 SHALL HAVE A TURNAROUND ON THE LOT TO AVOID VEHICLES BACKING INTO TRAFFIC ON CARI LANE.



BOUNDARY DESCRIPTION
 BEGINNING AT A POINT BEING LOCATED NORTH 00°44'57" EAST ALONG THE SECTION LINE 380.00 FEET TO THE OBLITERATED CORNER MARKING THE WEST 1/4 CORNER OF SECTION 27, AND NORTH 00°33'37" WEST ALONG THE SECTION LINE 325.41 FEET AND EAST 2125.41 FEET FROM THE FOUND WITNESS CORNER SET FOR THE WEST 1/4 CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE MERIDIAN; THENCE SOUTH 89°26'48" EAST 149.35 FEET; THENCE SOUTH 01°00'00" EAST 139.09 FEET TO A FENCE LINE; THENCE SOUTH 88°53'30" EAST 135.35 FEET ALONG THE FENCE LINE TO THE WEST LINE OF THE STEVE WHITE SMALL SUBDIVISION, OF RECORD AND ON FILE AT THE WASATCH COUNTY RECORDERS OFFICE; THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING 2 (TWO) CALLS, SOUTH 171.45 FEET, AND SOUTH 01°06'56" EAST 125.18 FEET; THENCE NORTH 87°51'05" WEST 71.44 FEET ALONG A FIELD FENCE; THENCE NORTH 00°05'57" EAST 121.04 FEET ALONG A FIELD FENCE; THENCE SOUTH 89°46'11" WEST 100.87 FEET; THENCE NORTH 78.46 FEET; THENCE NORTH 89°49'17" WEST 96.87 FEET; THENCE NORTH 04°57'18" WEST 238.55 FEET TO THE POINT OF BEGINNING.
 AREA = 1.57 ACRES



ADDRESS TABLE

LOT	ADDRESS
1	515 WEST CARI LANE

A TEN FOOT (10') PUBLIC UTILITY EASEMENT IS DEDICATED ALONG THE BOUNDARY OF THE SUBDIVISION.

- LEGEND**
- 12.0' ACCESS EASEMENT
 - 10' SEWER EASEMENT ENTRY# 249562

COSPER SUBDIVISION PLAT - 12 APRIL 2017

SURVEYOR
 TROY L. TAYLOR, PLS
 COOK SANDERS ASSOCIATES
 331 SOUTH RIO GRANDE AVE
 SALT LAKE CITY, UT 84101
 PHONE (801) 364-4051

DATE OF SURVEY: APRIL 2015

Steve Farrell DATE: 5/22/17
 MIDWAY IRRIGATION COMPANY
Jim Brown DATE: 5-22-17
 MIDWAY SANITATION DISTRICT
 COUNTY RECORDER

ENTRY # 438767 BOOK 1191 PAGE 1846-1855
 DATE 05-31-2017 TIME 2:24 PM FEE \$31.00
 FOR COSPER STEPHANIE
 BY LA WASATCH COUNTY RECORDER PEGGY FOY SULSER

COUNTY SURVEYOR
 APPROVED AS TO FORM ON THIS 20th DAY OF April, 2017
 ROS # 2763
James C. Kivimaa
 COUNTY SURVEYOR

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, KYLE A COOK, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 270852 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
 I FURTHER CERTIFY THAT COOK-SANDERS ASSOCIATES HAS COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

4/13/17 DATE
James C. Kivimaa SURVEYOR (SEE SEAL BELOW)

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 00°44'57" EAST 2666.58 FEET (MEASURED) FROM A FOUND WASATCH COUNTY BRASS CAP MARKING THE WITNESS MONUMENT FOR THE WEST 1/4 CORNER OF SECTION 27, T3S R4E, AND THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHWEST CORNER OF SECTION 27, T3S R4E SALT LAKE BASE MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS 31 DAY OF May, A.D. 2017
 BY: *Stephanie Cosper* Owner
 COSPER INVESTMENT COMPANY LLC

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 COUNTY OF WASATCH }
 ON THE 31st DAY OF May, A.D. 2017, PERSONALLY APPEARED BEFORE ME, *Stephanie Cosper*, Clerk of County Court, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
 MY COMMISSION EXPIRES 12/31/18 *Becky Chalk* NOTARY PUBLIC

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
 THIS 18th DAY OF May, A.D. 2017
 APPROVED *Colleen Brown* ATTEST *Brad Wilson*
 MAYOR CLERK-RECORDER (SEE SEAL BELOW)
 APPROVED *Stephanie Cosper* APPROVED *Carrie Dea*
 CITY ENGINEER CITY ATTORNEY (SEE SEAL BELOW)

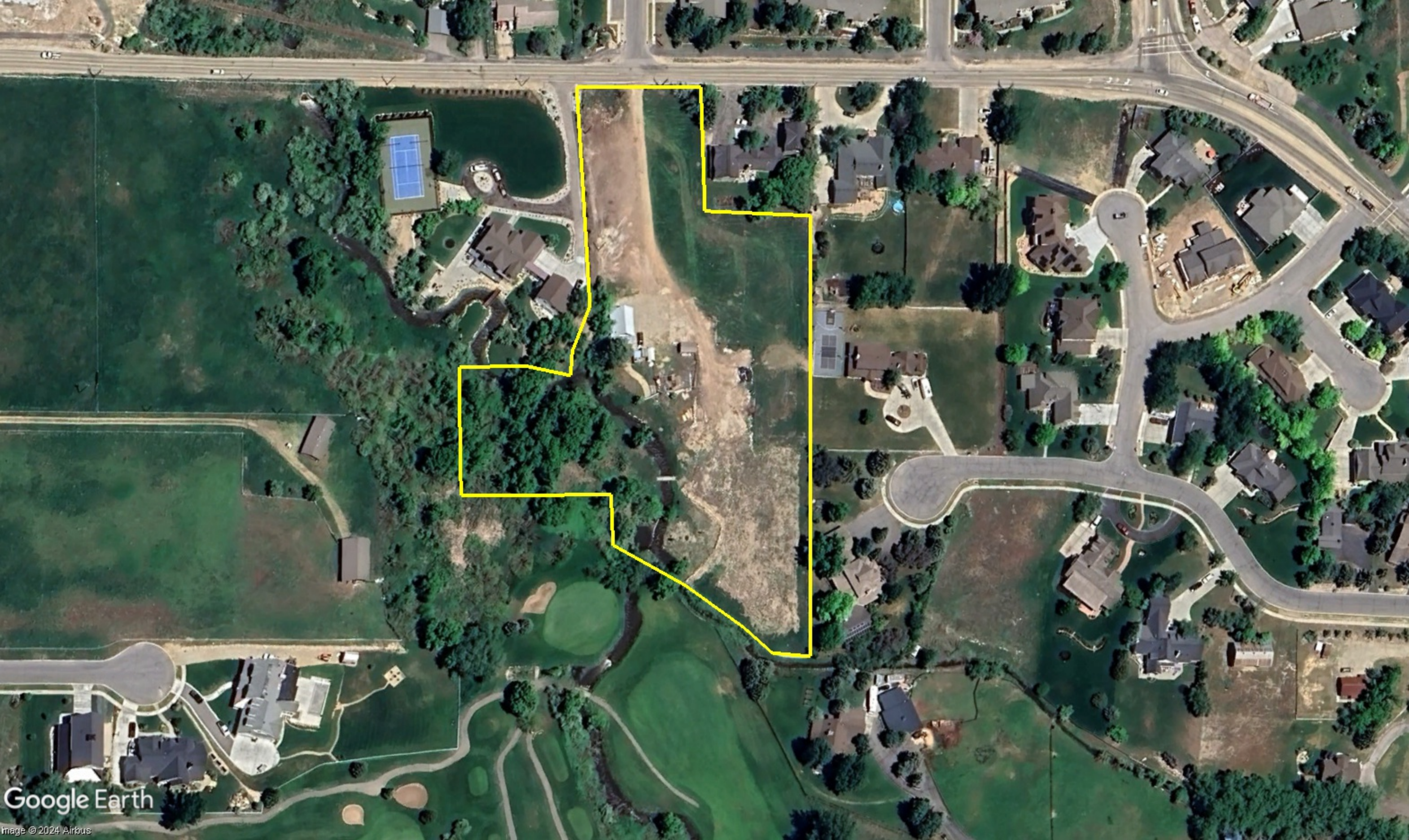
PLANNING COMMISSION APPROVAL

APPROVED THIS 11th DAY OF May, A.D. 2017 BY THE
 MIDWAY CITY PLANNING COMMISSION
Michael K. Neuber *Star Neuber*
 PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

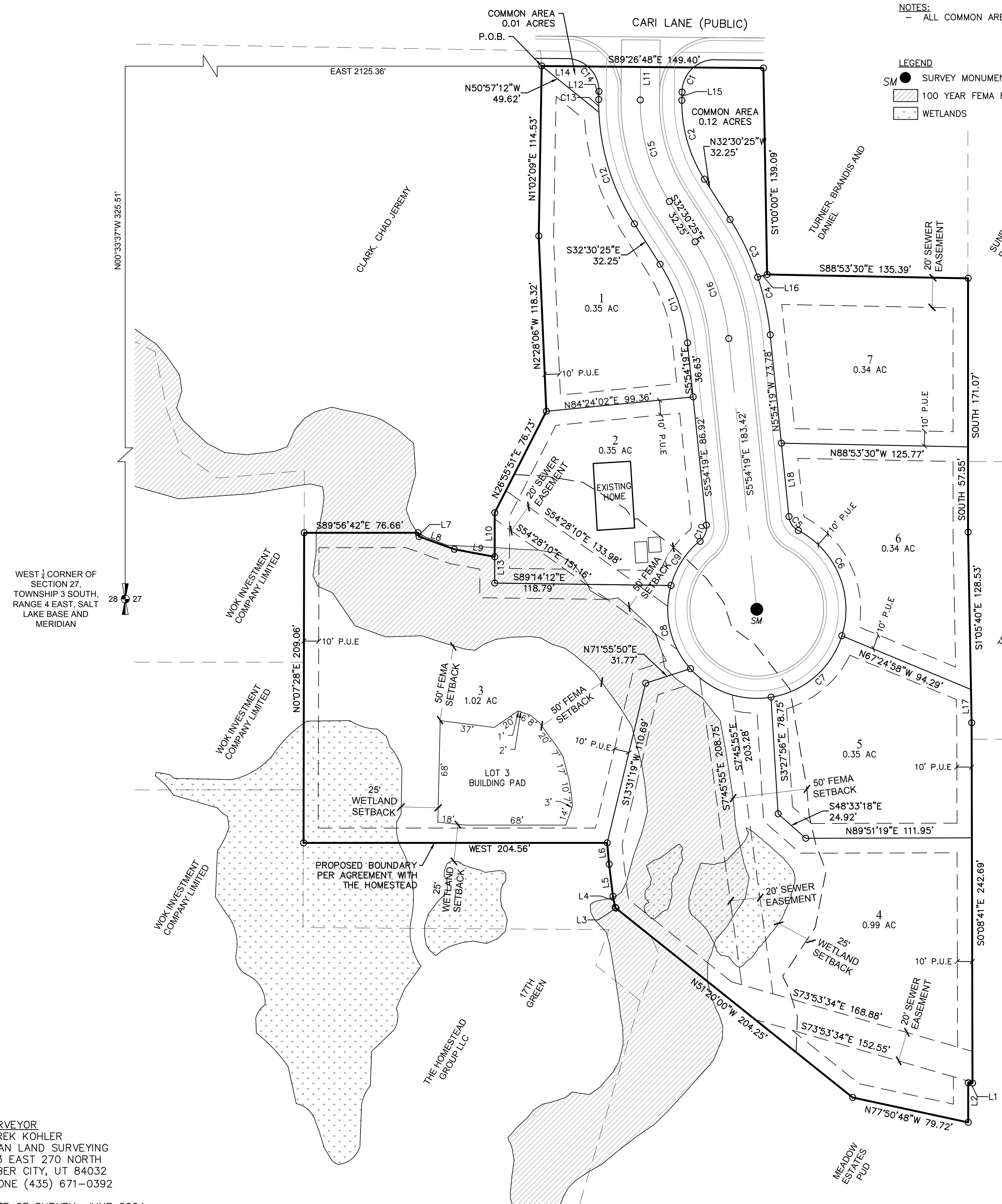
COSPER SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE MERIDIAN.
 SCALE: 1" = 40 FEET

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL

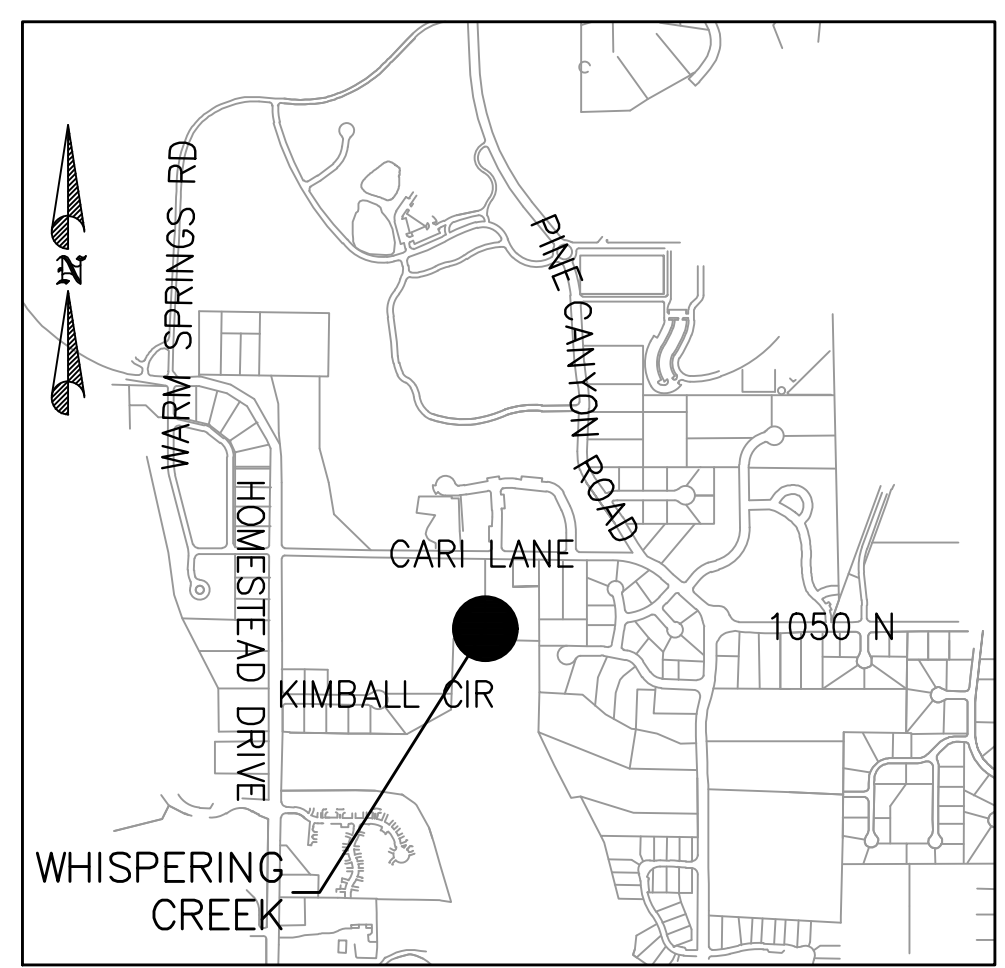
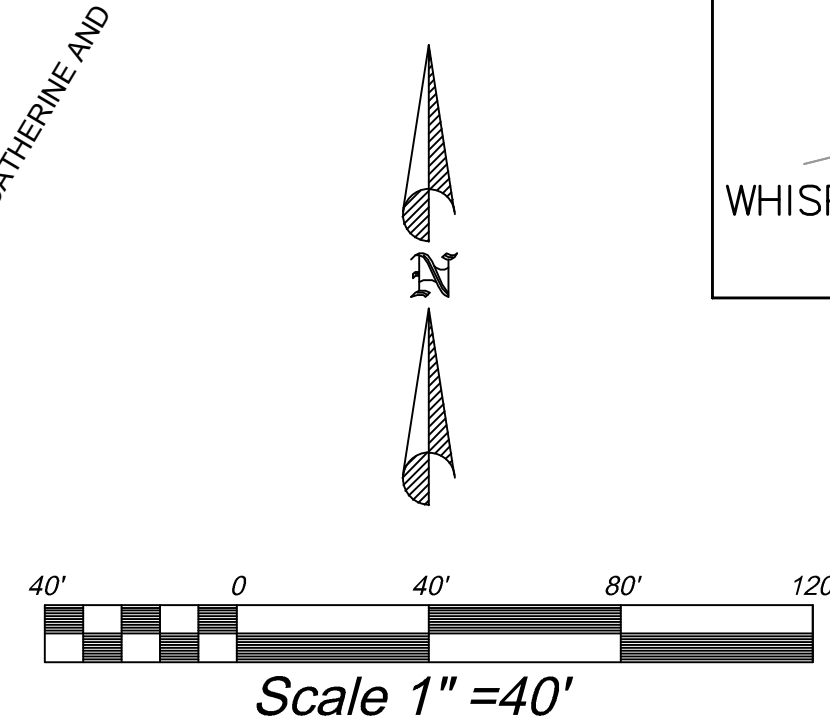


WHISPERING CREEK SUBDIVISION



NOTES:
- ALL COMMON AREAS ARE A PUBLIC UTILITY EASEMENT

LEGEND
 SM ● SURVEY MONUMENT
 100 YEAR FEMA FLOODPLAIN
 WETLANDS



VICINITY MAP

BOUNDARY DESCRIPTION

BEGINNING N00°33'37"W 325.51 FEET AND EAST 2125.36 FEET FROM THE MONUMENT FOR THE WEST 1/4 CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE COSPER SUBDIVISION THE FOLLOWING THREE (3) COURSES: (1) S89°26'48"E 149.40 FEET, (2) THENCE S01°00'00"E 139.09 FEET, (3) S88°53'30"E 135.39 FEET; THENCE ALONG THE COMMON BOUNDARY LINE BETWEEN COSPER SUBDIVISION AND THE STEVE WHITE SMALL SUBDIVISION THE FOLLOWING TWO (2) COURSES: (1) THENCE SOUTH 171.07 FEET, (2) S01°05'40"E 128.53 FEET; THENCE S00°08'41"E 242.69 FEET ALONG THE MEADOW CREEK SUBDIVISION; THENCE N86°40'41"W 2.89 FEET; THENCE S00°00'13"E 26.74 FEET; THENCE N77°50'48"W 79.72 FEET; THENCE N51°20'00"W 204.25 FEET; THENCE ALONG THE BOUNDARY LINE AGREEMENT 111TH THE HOMESTEAD THE FOLLOWING FIVE (5) COURSES: (1) N39°19'53"W 0.74 FEET, (2) N11°33'31"W 7.64 FEET, (3) N06°56'13"W 21.77 FEET, (4) N05°11'40"W 14.37 FEET, (5) THENCE WEST 204.56 FEET; THENCE N00°07'28"E 209.06 FEET; THENCE ALONG A BOUNDARY LINE AGREEMENT FOR THE FOLLOWING EIGHT (8) COURSES: (1) S89°56'42"E 76.66 FEET; (2) S15°57'07"E 2.58 FEET; (3) S70°09'10"E 25.25 FEET; (4) S79°25'51"E 27.72 FEET; (5) N00°01'18"W 29.62 FEET; (6) N26°55'51"E 76.73 FEET; (7) N02°28'06"W 118.32 FEET; (8) N01°02'09"E 114.53 FEET TO THE POINT OF BEGINNING. CONTAINING: 4.53 ACRES

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS SURVEY IS ESTABLISHED AS NORTH 00°33'37" WEST 2643.31 BETWEEN THE WEST 1/4 CORNER AND THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AS SHOWN HEREON AND IN CONFORMANCE WITH UTAH STATE PLANE COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

SURVEYOR'S CERTIFICATE

I, DEREK KOHLER, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 11725351 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREET AND EASEMENTS.

DATE _____ SURVEYOR (SEE SEAL BELOW)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, COMMON AREA, PUBLIC STREETS, AND EASEMENTS, AND HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20__

BY: CARI LANE L.L.C.

ACKNOWLEDGMENT

STATE OF UTAH }
 COUNTY OF WASATCH } S.S.
 ON THE _____ DAY OF _____, A.D. 20__, PERSONALLY APPEARED BEFORE ME, _____, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, COMMON AREA, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
 THIS _____ DAY OF _____, A.D. 20__

APPROVED _____ MAYOR ATTEST _____ CLERK-RECORDER (SEE SEAL BELOW)
 APPROVED _____ CITY ENGINEER (SEE SEAL BELOW) APPROVED _____ CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20__ BY THE _____ MIDWAY CITY PLANNING COMMISSION
 _____ PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION

WHISPERING CREEK SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH

SCALE: 1" = 40 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL

LINE #	LENGTH	DIRECTION
L1	2.89	N86°40'41"W
L2	26.74	S00°00'13"E
L3	0.74	N39°19'53"W
L4	7.64	N11°33'31"W
L5	21.77	N06°56'13"W
L6	14.37	N05°11'40"W
L7	2.58	S15°57'07"E
L8	25.25	S70°09'10"E
L9	27.72	S79°25'51"E
L10	29.62	N00°01'18"W
L11	22.28	S00°34'14"W
L12	5.41	S00°34'14"W
L13	17.71	S00°01'18"E
L14	30.74	N89°26'48"W
L15	5.56	N00°34'14"E
L16	6.60	S74°36'25"W
L17	22.51	N01°05'40"W
L18	49.77	N05°54'19"W

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	19.01'	22.00'	049°30'05"	18.42'	S25°19'16"W
C2	56.00'	97.00'	033°04'39"	55.22'	S15°58'05"E
C3	43.09'	178.00'	013°52'10"	42.98'	N25°34'20"W
C4	39.56'	178.00'	012°43'56"	39.47'	N12°16'17"W
C5	11.78'	12.00'	056°15'04"	11.31'	S34°01'50"E
C6	85.86'	60.00'	081°59'24"	78.72'	N21°09'40"W
C7	121.98'	60.00'	116°28'54"	102.03'	N78°04'53"E
C8	62.03'	60.00'	059°14'18"	59.31'	S14°02'37"E
C9	36.41'	60.00'	034°46'13"	35.86'	S32°57'39"W
C10	11.78'	12.00'	056°15'04"	11.31'	N22°13'13"E
C11	56.64'	122.00'	026°36'06"	56.14'	N19°12'22"W
C12	79.71'	153.00'	029°50'55"	78.81'	S17°34'57"E
C13	8.62'	153.00'	003°13'43"	8.62'	S01°02'38"E
C14	19.21'	22.00'	050°01'09"	18.60'	N24°26'20"W
C15	72.16'	125.00'	033°04'39"	71.17'	S15°58'05"E
C16	69.64'	150.00'	026°36'06"	69.02'	N19°12'22"W

COUNTY RECORDER

COUNTY SURVEYOR'S CERTIFICATE

APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20__
 ROS# _____
 COUNTY SURVEYOR

DATE: _____
 MIDWAY IRRIGATION COMPANY
 DATE: _____
 MIDWAY SANITATION DISTRICT

LOT 2
 EXISTING HOME AND OUT BUILDINGS IN THE 50' FEMA FLOODPLAIN SETBACK ARE GRANDFATHERED USES. NO BUILDING EXPANSION IS ALLOWED INTO THE FEMA SETBACK.

FLOOD HAZARD NOTES:
 1. THE 100 YEAR FEMA FLOODPLAIN AND THE MIDWAY CITY REQUIRED 50 FOOT SETBACK ARE SHOWN ON THIS PLAT. LOTS 2, 4 AND 5 ARE ALSO IN THE 500 YEAR FLOOD HAZARD AREA.
 2. LANDSCAPING IS ALLOWED IN THE FEMA AE FLOOD AREA WHICH INCLUDES PLANTING GRASS, PLANTS AND TREES BUT NOTHING IS ALLOWED THAT WILL MODIFY THE FEMA FLOOD ZONE. THIS INCLUDES NOT GRADING OR PLACING ROCKS OR FILL OF ANY TYPE IN THIS AREA THAT IMPACTS THE TOPOGRAPHY OF THE FLOODPLAIN.



Midway

ORDINANCE

2024-_____

**AN ORDINANCE TO VACATE THE COSPER
SUBDIVISION PLAT MAP.**

WHEREAS, pursuant to Utah Code Section 10-9a-609 the Midway City Council may formally initiate proceedings to vacate or amend plats; and

WHEREAS, the Cosper Subdivision plat was recorded on May 31, 2017; and

WHEREAS, Berg Engineering, representative for Cari Lane LLC, has requested to vacate the Cosper Subdivision plat in order to record the Whispering Creek Subdivision plat; and

WHEREAS, no primary or secondary structures have been built in the Cosper Subdivision since the recording of the plat, and the 1.57 acres comprising the Cosper Subdivision will now be included in the Whispering Creek Subdivision.

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

The Cosper Subdivision plat is hereby vacated. The 1.57 acres comprising the Cosper Subdivision will be included in the Whispering Creek Subdivision that also includes Wasatch County Parcel Nos. 06-1817 and 20-0483. Water rights that were dedicated to the City for the Cosper Subdivision will be credited to the required water rights for the Whispering Creek Subdivision. No public streets or municipal easements will be vacated or altered as part of this vacation.

This ordinance shall take effect upon publication as required by law.

///

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this ____ day of _____, 2025.

	AYE	NAY
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member Craig Simons	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)