

## CITY OF MOAB ORDINANCE NO. 2019-21

An ordinance vacating a portion of Emma Boulevard, authorizing a conveyance of land to the City, the conveyance of an easement to the applicant, and amending the Utex Subdivision, Plat B, Lot 14, Section 36, Township 25S., Range 21E., SLBM

The following describe the intent and purpose of this ordinance:

- a. This matter comes upon the application by Prospector Village, LLC (Applicant) and negotiations with City staff. The City has reviewed the application and finds same to be in order.
- b. Utah Code Annotated § 10-9a-609 and 609.5 authorizes municipalities to vacate or amend a subdivision plat or vacate or amend a public street or right of way. The affected portions of Emma Boulevard are currently unbuilt.
- c. The application will vacate a portion of Emma Boulevard to provide an easement to the Applicant for parking and related purposes. In exchange, the Applicant will convey and dedicate to the City a portion of Lot 14 for the purpose of facilitating installation of a shared use path crossing of highway 191 and a future one-way road.
- d. The Utah Department of Transportation (UDOT) will install and pay for a HAWK crossing (pedestrian activated signal crossing) at the junction of the shared use path and Highway 191. In addition, UDOT will install and pay for a shared use path on the east side of Highway 191 in conjunction with other highway improvements.
- e. A proposed one-way access road (southbound) may be installed by the City in the future adjacent to the shared use path and along part of Emma Boulevard; the one-way road will provide connectivity to other City streets. Landscaping shall be installed as funding permits and need not wait for installation of the one-way road.
- f. A public hearing was held before the City Council on May 14, 2019 and public comment was received. City staff engaged in several different negotiations with the Applicant and engaged in redesign of the project in light of concerns expressed by several persons.
- g. The City finds that good cause exists for the application, which will improve connectivity and vehicle, pedestrian, and bicycle access. The concerns of adjacent landowners have been considered, and the City finds that none will be materially harmed by the vacation and realignment.
- h. The public interest will be served by the realignment and vacation, which will incorporate traffic control features to avoid directing highway traffic into

neighborhoods, churches, and nearby schools. The proposed vacation may assist and facilitate future plans for public parking that will benefit adjacent parcels.

- i. Utilities in the area will not be negatively affected by the vacation and realignment.

THEREFORE, the City enacts as follows:

1. The proposed Emma Boulevard realignment map, attached as Exhibit 1, is hereby approved. City staff is directed to prepare a plat conforming to Exhibit 1 and submit same for recording in the Grand County land records. The Mayor is authorized to sign the plat, which shall amend and supersede inconsistent provisions of the existing plat for the Utex Subdivision.

This ordinance was approved by the affirmative vote of a majority of the City Council. This ordinance will take effect immediately upon passage.

**City of Moab**

By: Tawny Knuteson-Boyd

Tawny Knuteson-Boyd, Mayor Pro-Tem

Attest:

By: Sommar Johnson

Sommar Johnson, Recorder

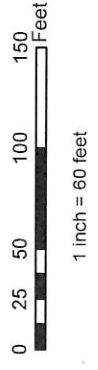
7/23/19

Date

Attachment: Exhibit 1.



# Emma Boulevard Right-of-Way Exchange Path & One Way Street



- Legend**
- Right-of-Way To City - 5,060 sq. ft.
  - Easement To Prosperator Village - 7,848 sq. ft.
  - City Limits
  - Parcels

