

SALT LAKE CITY COUNCIL STAFF REPORT

DATE: September 4, 2007

SUBJECT: Petition No. 400-06-47 – A request by Blue Tee Corporation, to close a portion of 800 South from Chestnut Street (2500 West) to approximately 2700 West, and to allow the property to be sold to the applicant.

STAFF REPORT BY: Jennifer Bruno, Policy Analyst

AFFECTED COUNCIL DISTRICTS: District 2

**ADMINISTRATIVE DEPT:
AND CONTACT PERSON:** Community Development
Nick Britton, Principal Planner

NOTICE REQUIREMENTS: Newspaper advertisement once a week for 4 weeks prior to the Public Hearing

****Note: Council Staff has expedited the processing of this petition to the extent possible, as the applicant is facing the end of a current lease. The Council has therefore already set the date of September 18 for a public hearing. If the Council wishes more time to consider this petition, the Council could close the public hearing and defer a decision to a later date.****

KEY ELEMENTS:

- A. The City Attorney's Office has prepared an ordinance for Council consideration that, if adopted, would close and abandon a segment of 800 South from Chestnut Street (2500 West) to approximately 2700 West.
1. The petitioner could then purchase the abandoned property for fair market value, and incorporate it into their property.
 2. The petitioner has indicated that their development will be a steel manufacturing and storage facility.
- B. Key points in the Administration's transmittal are the following:
1. This segment of 800 South is currently unimproved right-of-way, and is not scheduled for improvement. It is not currently accessible to vehicles or pedestrians.
 2. The subject portion of right-of-way is bordered on the south by an active rail line, and is otherwise entirely bounded by the petitioner's property (it dead ends at the west within the petitioner's property). The petitioner has indicated that they will use this active rail line in their business operations.
 3. No current City plans, including the Transportation Master Plan, indicate the desire or need to extend this road further to the west, or connect it to other properties.
 4. The subject portion of right-of-way is 33 feet in width and approximately 759 feet in length (approximately 25,000 square feet / .58 acres).
 5. Should the Council approve this ordinance, allowing the petitioner to purchase the property, the petitioner would dedicate a portion of this right-of-way, as well as a portion of their existing property back to the City in order to create a cul-de-sac at the terminus of Chestnut Street (**see Attachment** at the end of this report – *solid line*

denotes proposed street closure, dashed line denotes proposed cul-de-sac and area to be dedicated to the City).

- i. The frontage requirements in the M-2 zone require this cul-de-sac formation.
 - ii. If the Council approves the street closure and the applicant purchases the property and dedicates the cul-de-sac as discussed, there will actually be a net decrease to the petitioner, in terms of total land area (26.32 acres before dedication and 26.04 acres after dedication).
 - iii. The cul-de-sac will be required to meet Transportation and Fire Department standards (96 feet in diameter).
 6. The Planning staff report notes the following findings related to the Council's adopted policy guidelines for street closures (*the Council's adopted policy guidelines can be found in the Master Plan/Policy Considerations section*):
 - i. Closing the subject portion of 800 South would not deny access to any adjacent property. It does not currently accommodate vehicular or pedestrian traffic.
 - ii. The applicant is willing to purchase the property at fair market value and is working with Property Management to determine that value.
 - iii. The subject portion of 800 South is an unimproved right-of-way and does not connect to any other streets except for Chestnut (2500 West). The sale of this portion of right-of-way will not impact traffic flow in the area. The proposed cul-de-sac will provide better access to the petitioner's parcel, and the curb and gutter improvements will enhance the area.
- C. The petitioner's property is zoned M-2 (Heavy Manufacturing). The properties immediately to the north, south, east and west of the petitioner's property are also zoned M-2 (Heavy Manufacturing). The properties to the north and south are vacant. The property to the east is industrial manufacturing, and to the west is agricultural production. It should be noted that there is an active rail line separating the petitioner's property from the adjacent property to the south.
- D. All necessary City departments and divisions reviewed the proposal and recommended approval of the street closure subject to City standards and specific requirements. The Building Services and Transportation Divisions and Public Utilities had no further comments beyond the recommended approval.
 1. The Fire Department had no objections to the subject street closure, providing that the applicant construct an approved cul-de-sac at what will be the terminus of Chestnut street (minimum 96 feet in diameter), and that all roads on-site be at least 20 feet wide and provide access to any building located on the interior of the site.
 2. The Airport indicated that this site is in the Airport Influence Zone B, and would require an aviation easement. The petitioner's proposed development of the site does not present an issue with this requirement.
- E. The Poplar Grove Community Council was notified of this petition on November 2, 2006. No response was received.
- F. On April 25, 2007, the Planning Commission held a public hearing and voted unanimously to forward a favorable recommendation for the proposed street closure.

1. An abutting property owner to the west testified at the hearing that the proposed street closure would eliminate access to their property.
 2. Planning staff indicated however, that as the subject right of way does not currently extend all the way through the petitioner's property, nor is it currently improved as a right-of-way, the proposed closure would not eliminate access to that particular property. Staff noted that the property owner to the west has other routes to access their parcel.
- G. If adopted, the City Recorder is instructed not to record the ordinance until the conditions have been met and certified by the Planning Director and the City Property Manager.
- H. As noted by the Administration, both the Utah Code and local ordinances regulate review and approval of street closure applications and the disposition of surplus property. The Planning Commission must consider and make a recommendation to the Mayor regarding the disposition of the surplus property. According to Salt Lake City Code, the City shall retain title to the surplus property until the land is sold at fair market value or other acceptable compensation is provided.

MATTERS AT ISSUE:

1. The Council may wish to clarify with the Administration when and how the cul-de-sac requirement will be enforced, as it is not currently a stated condition in the ordinance.
2. Council Members may wish to consider adjusting the Council's street closure policy to ensure a consistent policy direction with streets and alleys. (Please refer to the next section for the Council's street closure policy.) Planning staff has indicated to Council staff that the current street closure procedure does not require Community Council notification and review. In this case, though, the Community Council did review the issue. (Currently, the Planning Commission agenda is mailed to Community Council Chairs. A Planning Commission hearing notice is mailed to property owners within a 300-foot radius of a proposed street closure.) During the Council's alley policy discussions, Council Members adopted the following modifications for alley closures or vacations:
 - a. Shift the focus to consideration of a proposed request with demonstrated public benefit rather than supporting closure/vacation whenever possible.
 - b. Require an evaluation and documented demonstration of public interest versus private interest. The standard should be to demonstrate an over-riding public purpose, rather than an over-riding private interest.
 - c. Include neighborhood and community council review and comment as part of the public process prior to the Administration formalizing their recommendation to the City Council.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Council's street closure policy includes the following:
1. It is Council policy to close public streets and sell the underlying property. The Council does not close streets when that action would deny all access to other property.
 2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential or commercial.

3. There are instances where the City has negotiated with private parties to allow the parties to make public improvements in lieu of a cash payment. The Council and the Administration consider these issues on a case-by-case basis.
 4. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the petitioner that the sale and/or closure of the street would accomplish the stated public policy reasons.
 5. The City Council should determine whether the stated public policy reasons outweigh alternatives to the sale or closure of the street.
- B. The West Salt Lake Master Plan (1995) identifies this area as "Industrial District." The plan calls for "planning influences that will result in an improved urban pattern."
- C. The Salt Lake City Transportation Master Plan does not identify this portion of 800 South as a local street. This portion of 800 South is not identified as critical to the urban pattern or circulation of the area.
- D. The Salt Lake City Major Street Plan also does not identify this portion of 800 South as a public right-of-way.
- E. The purpose of the Heavy Manufacturing (M-2) district is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate, for a nuisance free environment.
- F. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. is aesthetically pleasing;
 2. contributes to a livable community environment;
 3. yields no negative net fiscal impact unless an overriding public purpose is served;
 - and
 4. Forestalls negative impacts associated with inactivity.

BUDGET RELATED FACTS:

- A. The Administration's transmittal notes that the applicant has stated an intent to purchase the property at fair market value in order to secure the property. It is the responsibility of the applicant to obtain an appraisal report. Property Management is currently working with the applicant to identify this value.
1. The recommendation from applicable City departments, is that the applicant construct an appropriate cul-de-sac at the new terminus of Chestnut Street. However, this condition is not included in the prepared ordinance.
 2. The City Recorder is directed to not publish or record the ordinance until all conditions identified are met and certified by the appropriate City Divisions.

CHRONOLOGY:

Please refer to the Administration's transmittal for a complete chronology of events relating to the proposed street closure:

- November 20, 2006 petition received by Planning Division

- January 31, 2007 additional information was requested from applicant
- March 2007 additional information from applicant received
- April 25, 2007 Planning Commission Public Hearing
- May 22, 2007 Ordinance received from Attorney's Office
- June 8, 2007 Ordinance received in Council Office

cc: Lyn Creswell, Sam Guevara, Janneke House, Chief Burbank, Rick Graham, LeRoy Hooton, Tim Harpst, Max Peterson, Louis Zunguze, George Shaw, Doug Wheelwright, Cheri Coffey, Nick Britton, Barry Esham, Gwen Springmeyer, Janice Jardine

File Location: Community Development Dept., Planning Division, Street Closures, Blue Tee Corporation, 800 South (2500 West to approximately 2700 West)



0° 40' 80' 160'
SCALE: 1" = 80'

PARCEL # 1508128002
SHAW, JEFFREY L

PARCEL # 1508128003
SHAW, JEFFREY

SALT LAKE BASE AND MERIDIAN

NORTH 9.22

SOUTH 346.50
337.28

POINT OF BEGINNING

R = 651.18
ARC = 297.48
DELTA = 26°10'27"

PARCEL # 1508128004

TOTAL PROPERTY CONTAINS
1,146,687 SQ. FT. OR 26.32 ACRES

AFTER DEDICATION CONTAINS
1,134,456 SQ. FT. OR 26.04 ACRES

N 41°38'13" E

S 48°15'30" E 448.24

S 38°02'37" W

R = 743.85
ARC = 232.88
DELTA = 17°56'17"

R = 56.00
ARC = 230.37
DELTA = 235°41'45"

AREA PURPORTED TO BE DEDICATED
FOR A PUBLIC RIGHT OF WAY FOR
SALT LAKE COUNTY OWNERSHIP
PLAT AND DOLE'S ADDITION SUBDIVISION
CONTAINS 24,387 SQ. FT.

MONUMENT TO BE SET

MONUMENT TO BE SET

PARCEL # 1508128006
LOS ANGELES & SALT LAKE R.R. CO.

WEST 1810.03

800 SOUTH

CHESTNUT STREET

PARCEL # 1508178001
PACIFIC RAILROAD & FUR DEPOT

PIONEER RD

(258.85)

(694.43)

42° W 1948.63)
OF BEARING
JTH STREET

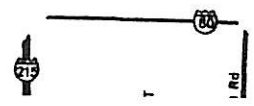
END

Monument

Monument

Star Line

THERE ARE NO WATER, SEWER OR STORM DRAINAGE FACILITIES TO SUPPORT DEVELOPMENT ON THIS SUBDIVISION. ANY FUTURE DEVELOPMENT WILL REQUIRE



A. LOUIS ZUNGUZE
DIRECTOR

BRENT B. WILDE
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

TRANSMITTED

JUN 08 2007

TO CITY COUNCIL

 CITY COUNCIL TRANSMITTAL

TO: Lyn Creswell, Chief Administrative Officer **DATE:** June 5, 2007
FROM: Louis Zunguze, Community Development Director
RE: Petition 400-06-47: by Blue Tee Corporation, requesting the closure of 800 South from Chestnut Street (2500 West) to approximately 2700 West and to allow the property to be sold to the applicant

STAFF CONTACTS: Nick Britton, Principal Planner, at 535-7932 or
nick.britton@slcgov.com

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: The fair market value of the surplus property has not been determined. Blue Tee Corporation is currently working with Property Management to determine that value.

DISCUSSION:

Issue Origin: In response to discussions with Planning staff regarding how to properly develop the applicant's property, the petitioner, Blue Tee Corporation, has requested that the City close a segment of 800 South from approximately Chestnut Street (2500 West) to approximately 2700 West and sell the property to the applicant at fair market value. The subject property would be incorporated into the petitioner's property in order to develop the site into a steel manufacturing and distribution facility.

Analysis: The subject right-of-way is approximately 33 feet in width and approximately 759 feet in length, ends at approximately 2700 West, and does not connect with any other rights-of-way. It abuts a railroad right-of-way to the south and otherwise is entirely bounded by property owned by Blue Tee Corporation. This segment of 800 South is an unimproved right-of-way and is not scheduled for improvement. The Salt Lake City Council has authority to approve street closures. The applicant is currently working with Property Management to determine a value for the segment of the street, should the City Council approve the closure.

In order to meet the frontage requirements of the M-2 (Heavy Manufacturing) Zoning District, Blue Tee Corporation will dedicate some of its property to be combined with a portion of the 800 South right-of-way retained by Salt Lake City to be used for a cul-de-sac at the northern terminus of Chestnut Street (see Exhibit 5-b for an area map and the preliminary plat). Blue Tee Corporation will be required by the Engineering Division to extend public way improvements along Chestnut Street to the site of the proposed cul-de-sac.

As a result of this proposed closure, all traffic heading northbound on Chestnut Street will need to use the proposed cul-de-sac to turn around. The closure of 800 South and creation of a cul-de-sac would provide Blue Tee Corporation with the means to further develop their property. The cul-de-sac would also provide potential access to parcels that are currently landlocked to the east of the Blue Tee Corporation property. The closure of this segment of 800 South would not prevent any property owners in the vicinity from accessing their property. This portion of the road is not used by or accessible to vehicular or pedestrian traffic. The Salt Lake City Transportation Master Plan does not identify this segment of 800 South as a right-of-way and there are no plans to upgrade or improve the right-of-way.

The City Council has adopted the following policy considerations to guide the decision-making process for requests to close and vacate City-owned street rights-of-way (Section E.2 of the Salt Lake City Council Policy Guidelines):

1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.
2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential, commercial or industrial.
3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.
4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.

The Planning Commission Staff Report includes discussion and findings relating to each of these policies (see Exhibit 5-b, page 5).

All of the comments received by Planning Staff from other City Departments were generally supportive of the proposed closure (see Exhibit 5b, pages 3-5). Blue Tee Corporation will be required by the Engineering Division to extend public way improvements along Chestnut Street to the site of their proposed cul-de-sac and to work with the Utah Department of Transportation to address the rail crossing south of their property along Chestnut Street. The proposed cul-de-sac must also meet the requirements outlined by the Transportation Division and the Fire Department.

Master Plan Considerations: The applicable master plan for this area is the West Salt Lake Master Plan, adopted in 1995. The subject right-of-way and parcels fall into the “West Salt Lake Industrial District,” which has a pattern of land utilization that is “not well organized and poorly interrelated.” The Master Plan calls for “planning influences that will result in an improved

urban pattern.” Because 800 West is not identified in the Salt Lake City Transportation Master Plan nor the Major Street Plan (adopted in 2006) as a public right-of-way.

PUBLIC PROCESS:

Abutting property owners and interested individuals, including Community Council chairs and business groups, were notified of the proposed closure and invited to attend the Planning Commission public hearing on the matter held on April 25, 2007. Planning staff received calls from nearby property owners inquiring whether or not this street closure would impact their access. No objections were raised by abutting property owners. Street closures are not required to be presented to applicable Community Councils.

No issues were raised by the public at the Planning Commission hearing. The Planning Commission unanimously voted to forward a positive recommendation to the City Council regarding the proposed closure and to declare the subject property surplus.

RELEVANT ORDINANCES:

Utah State Code, Title 10-9a-609.5: Vacating or altering a street or alley

City Code, Section 2.58- Sale of Real Property-Notice and Hearing

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6. Original Petition

Exhibit 1 Chronology

Chronology

Petition 400-06-47

November 20, 2006: Petition received by Planning Division.

November 30, 2006: Petition assigned to Nick Britton.

December 15, 2006: Information routed to applicable City staff.

January 31, 2007: Discrepancies with the public record and the applicants' preliminary plat were identified in the routing process and brought to the attention of the applicants. A meeting was scheduled with the applicants on January 31, 2007, and all of the updated information requested of the applicants was not received by the Planning Division until mid-March 2007.

April 10, 2007: Notice of Planning Commission public hearing mailed.

April 25, 2007: Planning Commission voted to forward a positive recommendation to City Council regarding the closure of 800 South from Chestnut Street to approximately 2700 West and to declare the subject right-of-way surplus.

May 1, 2007: The ordinance was requested from the City Attorney's Office.

May 22, 2007: The final stamped ordinance was received from the City Attorney's Office.

Exhibit 2
Proposed Ordinance

SALT LAKE CITY ORDINANCE

No. _____ of 2007

(Closing and abandoning a portion of 800 South between Chestnut Street and 2700 West)

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF 800 SOUTH FROM APPROXIMATELY CHESTNUT STREET TO 2700 WEST, PURSUANT TO PETITION NO. 400-06-47.

WHEREAS, the City Council of Salt Lake City, Utah, finds after public hearings that the City's interest in the portion of the street described below is not necessary for use by the public as a street and that closure and abandonment of the portion of the street will not be adverse to the general public's interest; and

WHEREAS, the title to the closed portion of the street shall remain with the City until sale for fair market value.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Closing and Abandoning Street. A portion of 800 South from approximately Chestnut Street to 2700 West, which is the subject of Petition No. 400-06-47, and which is more particularly described on Exhibit "A" attached hereto, and the same hereby is, closed and abandoned and declared no longer needed or available for use as a street.

SECTION 2. Reservations and Disclaimers. The above closure and abandonment is expressly made subject to all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the City's water and sewer facilities. Said closure and abandonment is also subject to any existing rights-of-way or easements of private third parties.

SECTION 3. Conditions. This street closure and abandonment is conditioned upon payment by petitioner, to the City, of fair market value of that portion of the street, or its equivalent, and title to the street shall remain with the City until sale for fair market value, or the receipt of the equivalent value, in accordance with Salt Lake City Code Chapter 2.58.

SECTION 4. Effective Date. This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder. The City Recorder is instructed not to publish or record this ordinance until the conditions identified above have been met, as certified by the Salt Lake City property manager.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2007.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date May 22, 2007
By Melanie Beif

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2007.

Published: _____.

I:\Ordinance 07\Closing a portion of street at 800 South between Chestnut Street and 2700 West - 05-15-07 draft.doc

EXHIBIT A

Legal description of that portion of 800 South located within the boundaries of the Blue Tee Subdivision, a subdivision being part of Section 9, Township 1 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Commencing at a point on the South line of the Blue Tee Subdivision, a subdivision being located in Section 9, Township 1 South, Range 1 West, Salt Lake Base and Meridian, said point being described as being located South Along A quarter Section Line 337.28 Feet From The North Quarter Corner Of said Section 9, Township 1 South, Range 1 West, Salt Lake Base & Meridian, Said Point Also Being On A 651.18 Foot Radius Curve To The Right, (The Center Point Of Which Bears South 15°25'46" West); And Running Thence Southeasterly Along Said Westerly Right Of Way The Following 4 Courses: 1) Thence Southeasterly Along The Arc Of Said Curve 297.48 Feet Through A Central Angle Of 26°10'27"; Thence South 48°15'30" East 446.24 Feet To A Point On A 743.85 Foot Radius Curve To The Right, (The Center Point Of Which Bears South 39°02'37" West); Thence Southeasterly Along The Arc Of Said Curve 232.88 Feet Through A Central Angle Of 17°56'17"; Thence South 32°41'31" East 211.19 Feet; Thence West 102.46 Feet; TO THE POINT OF COMMENCEMENT and running thence West along said South line 677.72 feet; thence North 33.00 feet; thence East 626.67 feet to a point on a 56.00 foot radius non-tangent curve to the left, the radius point of which bears North 65°45'01" East; thence Southeasterly 64.26 feet along the arc of said curve to a point of tangency and to said point of commencement

Contains 21,153 sq. ft.

imb
5/8/07
as per
Lynn Curll's
approval

Exhibit 3
City Council Public Hearing Notice

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing and consider adopting an ordinance to close a portion of 800 South from Chestnut Street (2500 West) to approximately 2700 West. The street closure has been requested by Blue Tee Corporation. If approved Blue Tee Corporation will purchase the land at fair market value and incorporate the land into their property in order to develop the site into a steel manufacturing and distribution facility.

The City Council hearing will be held:

Date:

Time: 7:00 PM

Place: Room 315 (City Council Chambers)
Salt Lake City and County Building
451 South State Street
Salt Lake City, UT 84111

You are invited to attend this hearing, ask questions, or provide input concerning the topic listed above. If you have any questions, contact Nick Britton at 535-7932 between the hours of 8:00 AM and 5:00 PM, or send an e-mail to nick.britton@slcgov.com.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact City Council ADA Coordinator at (801) 535-7971; TDD (801) 535-6021.

Exhibit 4
Mailing List



15095030060000 UNION PACIFIC RR CO 1400 DOUGLAS ST STOP 1640 OMAHA NE 84179	15044510010000 CASE, RON 9288 S JANALEE DR WEST JORDAN UT 84088	15091760060000 B & G UTAH PROPERTIES LLC 2750 W 900 S SALT LAKE CITY UT 84104
15092020030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115	15091270010000 KAP 724 S 300 E SALT LAKE CITY UT 84111	15091760070000 UTAH STEEL COMPANY INC 2750 W 900 S SALT LAKE CITY UT 84104
15092020040000 MAXWELL PRODUCTS, INC 650 S DELONG ST SALT LAKE CITY UT 84104	15091280010000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT 84084	15092010030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115
15092020050000 SKOLA, RICHARD C & 2020 E 1700 S SALT LAKE CITY UT 84108	15091280020000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT 84084	15092010040000 CASE, RONNIE W A; TR 440 S REDWOOD RD SALT LAKE CITY UT 84104
15092030010000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT 84165	15091280030000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT 84084	15092010050000 TRI VAL INC 2900 W TESS AVE WEST VALLEY UT 84119
15092040010000 TREVIZO, CARLOS 799 S CHESTNUT ST SALT LAKE CITY UT 84104	15091280050000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT 84165	15092010060000 I P I, INC 2581 S REDWOOD RD # 1 WEST VALLEY UT 84119
15092040030000 LOS ANGELES & SALT LAKE RR CO 1700 FARNAM ST #10TH FL-S OMAHA NE 68102	15091280060000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT 84165	15092040050000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115
15092040040000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115	15091280070000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT 84165	15092050010000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115
15043800030000 H M DRAPER & SONS PLANING MILL PO BOX 16030 SALT LAKE CITY UT 84116	15091280080000 LOS ANGELES & SALT LAKE RR CO 1700 FARNAM ST # 10S-FL OMAHA NE 68102	15092050010000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken. Feb2006Page 1 of 2

15043780040000 COTTON, JOSEPH O 792 W 3400 S BOUNTIFUL UT	84010	15092070010000 O W M COMPANY 2733 E PARLEYS WY # 300 SALT LAKE CITY UT	84109	15043800010000 H M DRAPER & SONS PLANING MILL PO BOX 16030 SALT LAKE CITY UT	84116
15092050010000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT	84115	15092070020000 O W M COMPANY 2733 E PARLEYS WY # 300 SALT LAKE CITY UT	84109	15043800030000 H M DRAPER & SONS PLANING MILL PO BOX 16030 SALT LAKE CITY UT	84116
15092050010000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT	84115	15092510010000 EMP REAL ESTATE LLC 4800 YORK ST DENVER CO	80216	15044510010000 CASE, RON 9288 S JANALEE DR WEST JORDAN UT	84088
15092050020000 UTAH POWER & LIGHT CO 700 NE MULTNOMAH ST #700 PORTLAND OR	97232	15092510040000 EMP REAL ESTATE LLC 4800 YORK ST DENVER CO	80216	15091040050000 COZZENS AND DANFORS 3358 W LADY DOVE LN SOUTH JORDAN UT	84095
15092050030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT	84115	15092510050000 EMP REAL ESTATE LLC 4800 YORK ST DENVER CO	80216	15091050050000 COZZENS AND DANFORS 3358 W LADY DOVE LN SOUTH JORDAN UT	84095
15092050040000 UTAH POWER & LIGHT CO 700 NE MULTNOMAH ST #700 PORTLAND OR	97232	15092520010000 DAZLEY PROPERTIES,LLC 2595 E 3300 S SALT LAKE CITY UT	84109	15091260030000 AAM INVESTMENTS LTD 5365 S COTTONWOOD LN HOLLADAY UT	84117
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15092050050000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT	84115	15095030050000 UNION PACIFIC RR CO 1400 DOUGLAS ST STOP 1640 OMAHA NE	68179	15091260050000 AAM INVESTMENTS LTD 5365 S COTTONWOOD LN HOLLADAY UT	84117
15092060010000 SANG YUN NAM FAMILY LIMITED 1860 E SPRING LN HOLLADAY UT	84117	15095030060000 UNION PACIFIC RR CO 1400 DOUGLAS ST STOP 1640 OMAHA NE	68179	15091270010000 KAP 724 S 300 E SALT LAKE CITY UT	84111

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see instruction sheet
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15091280020000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT	84084	15091760060000 B & G UTAH PROPERTIES LLC 2750 W 900 S SALT LAKE CITY UT	84104
15091280030000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT	84084	15091760070000 UTAH STEEL COMPANY INC 2750 W 900 S SALT LAKE CITY UT	84104
15091280040000 MARKOSIAN, ABRAHAM & 5365 S COTTONWOOD LN HOLLADAY UT	84117	15092010030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT	84115
15091280050000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT	84165	15092010040000 CASE, RONNIE W A; TR 440 S REDWOOD RD SALT LAKE CITY UT	84104
15091280060000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT	84165	15092010050000 TRI VAL INC 2900 W TESS AVE WEST VALLEY UT	84119
15091280070000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT	84165	15092010060000 I P I, INC 2581 S REDWOOD RD # 1 WEST VALLEY UT	84119
15091280080000 LOS ANGELES & SALT LAKE RR CO 1700 FARNAM ST # 10S-FL OMAHA NE	68102	15092020030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT	84115
15091510030000 ROCKY MOUNTAIN RECYCLING 2950 W 900 S SALT LAKE CITY UT	84104	15092020040000 MAXWELL PRODUCTS, INC 650 S DELONG ST SALT LAKE CITY UT	84104

Val Killian
P.O. Box 81
Provo, Ut. 84603-0081

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SALT LAKE COUNTY
2001 S STATE ST # N4500
SALT LAKE CITY UT 84115

15092510010000
EMP REAL ESTATE LLC
4800 YORK ST
DENVER CO 80216

Nick Britton, Planning
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Room 406
Salt Lake City, UT 84111

15092050020000
UTAH POWER & LIGHT CO
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PORTLAND OR 97232

15092510040000
EMP REAL ESTATE LLC
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DENVER CO 80216

Lee Sadler
Construction Plus
9469 South 500 West
Sandy, UT 84070

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SALT LAKE COUNTY
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EMP REAL ESTATE LLC
4800 YORK ST
DENVER CO 80216

15092050040000
UTAH POWER & LIGHT CO
700 NE MULTNOMAH ST #700
PORTLAND OR 97232

15092520010000
DAZLEY PROPERTIES,LLC
2595 E 3300 S
SALT LAKE CITY UT 84109

15092050040000
UTAH POWER & LIGHT CO
700 NE MULTNOMAH ST #700
PORTLAND OR 97232

15095030040000
LOS ANGELES & SALT LAKE RR CO
1700 FARNAM ST #10TH FL-S
OMAHA NE 68102

15092050050000
SALT LAKE COUNTY
2001 S STATE ST # N4500
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UNION PACIFIC RR CO
1400 DOUGLAS ST STOP 1640
OMAHA NE 68179

15092060010000
SANG YUN NAM FAMILY LIMITED
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Commence CRG
175 East 400 South
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ATTN: RIC HORGAN

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15095030060000 UNION PACIFIC RR CO 1400 DOUGLAS ST STOP 1640 OMAHA NE 68179	15044510010000 CASE, RON 9288 S JANALEE DR WEST JORDAN UT 84088	15091760060000 B & G UTAH PROPERTIES LLC 2750 W 900 S SALT LAKE CITY UT 84104
15092020030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115	15091270010000 KAP 724 S 300 E SALT LAKE CITY UT 84111	15091760070000 UTAH STEEL COMPANY INC 2750 W 900 S SALT LAKE CITY UT 84104
15092020040000 MAXWELL PRODUCTS, INC 650 S DELONG ST SALT LAKE CITY UT 84104	15091280010000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT 84084	15092010030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115
15092020050000 SKOLA, RICHARD C & 2020 E 1700 S SALT LAKE CITY UT 84108	15091280020000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT 84084	15092010040000 CASE, RONNIE W A; TR 440 S REDWOOD RD SALT LAKE CITY UT 84104
15092030010000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT 84165	15091280030000 SHARP, JEFFREY L 2723 W BROWER CIR WEST JORDAN UT 84084	15092010050000 TRI VAL INC 2900 W TESS AVE WEST VALLEY UT 84119
15092040010000 TREVIZO, CARLOS 799 S CHESTNUT ST SALT LAKE CITY UT 84104	15091280050000 MAGNA INVESTMENT & PO BOX 65827 SALT LAKE CITY UT 84165	15092010060000 I P I, INC 2581 S REDWOOD RD # 1 WEST VALLEY UT 84119
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15043800030000 H M DRAPER & SONS PLANING MILL PO BOX 16030 SALT LAKE CITY UT 84116	15091280080000 LOS ANGELES & SALT LAKE RR CO 1700 FARNAM ST # 10S-FL OMAHA NE 68102	15092050010000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115

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15092050020000 UTAH POWER & LIGHT CO 700 NE MULTNOMAH ST #700 PORTLAND OR 97232	15092510040000 EMP REAL ESTATE LLC 4800 YORK ST DENVER CO 80216	15091040050000 COZZENS AND DANFORS 3358 W LADY DOVE LN SOUTH JORDAN UT 84095
15092050030000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115	15092510050000 EMP REAL ESTATE LLC 4800 YORK ST DENVER CO 80216	15091050050000 COZZENS AND DANFORS 3358 W LADY DOVE LN SOUTH JORDAN UT 84095
15092050040000 UTAH POWER & LIGHT CO 700 NE MULTNOMAH ST #700 PORTLAND OR 97232	15092520010000 DAZLEY PROPERTIES,LLC 2595 E 3300 S SALT LAKE CITY UT 84109	15091260030000 AAM INVESTMENTS LTD 5365 S COTTONWOOD LN HOLLADAY UT 84117
15092050040000 UTAH POWER & LIGHT CO 700 NE MULTNOMAH ST #700 PORTLAND OR 97232	15095030040000 LOS ANGELES & SALT LAKE RR CO 1700 FARNAM ST #10TH FL-S OMAHA NE 68102	15091260040000 BURBS LLC 911 S RIO GRANDE ST SALT LAKE CITY UT 84101
15092050050000 SALT LAKE COUNTY 2001 S STATE ST # N4500 SALT LAKE CITY UT 84115	15095030050000 UNION PACIFIC RR CO 1400 DOUGLAS ST STOP 1640 OMAHA NE 68179	15091260050000 AAM INVESTMENTS LTD 5365 S COTTONWOOD LN HOLLADAY UT 84117
15092060010000 SANG YUN NAM FAMILY LIMITED 1860 E SPRING LN HOLLADAY UT 84117	15095030060000 UNION PACIFIC RR CO 1400 DOUGLAS ST STOP 1640 OMAHA NE 68179	15091270010000 KAP 724 S 300 E SALT LAKE CITY UT 84111

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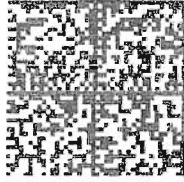
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Exhibit 5-a
Planning Commission Hearing
Original Notice and Postmark

PUBLIC HEARING NOTICE

US POSTAGE
Mailed From 84111
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Master

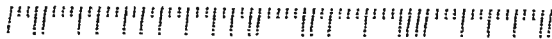


Salt Lake City Planning Division
451 South State Street, Room 406
Salt Lake City UT 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, the Chair may limit the time each person may have to address the Commission, per item. A spokesperson who has already been asked by a group to summarize their concerns may be given additional time. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting.
Written comments should be sent to:

Salt Lake City Planning Commission
451 South State Street, Room 406
Salt Lake City UT 84111

4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. The Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6220.



84107-6398 0000

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, April 25, at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

- 1. APPROVAL OF MINUTES FROM WEDNESDAY, APRIL 11, 2007**
- 2. REPORT OF THE CHAIR AND VICE CHAIR**
- 3. REPORT OF THE DIRECTOR**
- 4. PRESENTATION**
 - a. Presentation by the University of Utah Planning students, regarding the land use component of the Foothill Drive transportation study.
- 5. PUBLIC HEARING**
 - a. **Petitions 400-06-47 and 490-06-52**—requests by Blue Tee Corporation to close a portion of 800 South between Chestnut Street (2500 West) and approximately 2700 West and to combine four parcels generally located at 800 Chestnut Street into a new one lot subdivision, in order to develop a steel distribution facility. The proposal is located in the Heavy Manufacturing (M-2) Zoning District. (Staff—Nick Britton at 535-7932 or nick.britton@slcgov.com).
 - b. **Petition 490-07-08**—a request by Ken Milo for approval of a proposed routine and uncontested Lot Line Adjustment/Minor Subdivision for property located at approximately 678 North "F" Street, located in a Special Development Pattern Residential (SR-1A) Zoning District. (Staff—Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).
- 6. UNFINISHED BUSINESS**

Exhibit 5-b
Planning Commission Hearing
Staff Report: April 25, 2007

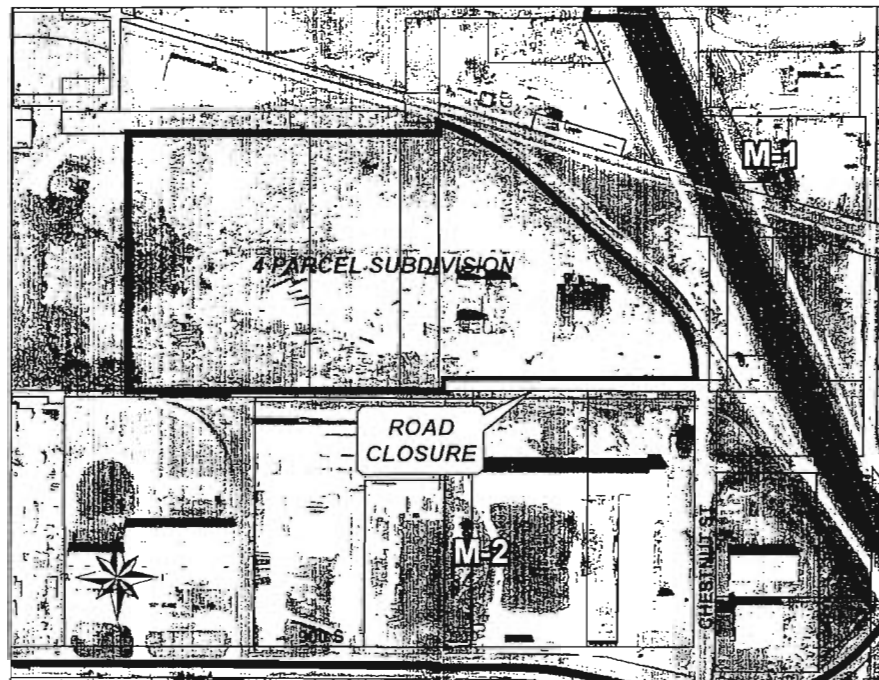
DATE: April 19, 2007
TO: Salt Lake City Planning Commission
FROM: Nick Britton, Principal Planner
RE: Staff Report for the April 25, 2007 Planning Commission Meeting

CASE #: 400-06-47 and 490-06-52

APPLICANT: Blue Tee Corporation (d.b.a. Brown Strauss Steel)

STATUS OF APPLICANT: The applicant is the owner of the properties north of the proposed street closure and of the properties to be combined.

REQUESTED ACTION: That four parcels located at approximately 800 South Chestnut Street be combined and that the 800 South Street right-of-way from Chestnut Street to approximately 2700 West be closed and declared surplus and sold to the applicant for fair market value. The Planning Commission is the decision-maker for subdivision amendments and forwards a recommendation to the City Council regarding the street closure.



PROJECT LOCATION: 800 South from Chestnut Street (2500 West) to approximately 2700 West. The parcels to be combined are located at 800 S. Chestnut Street and approximately 2935 West 700 South.

PROPERTY SIZE: 26.32 acres (right-of-way is approximately 0.58 acres)

COUNCIL DISTRICT: District 2, Councilmember Van Blair Turner

COMMUNITY COUNCIL: Poplar Grove Community Council

SURROUNDING ZONING DISTRICTS:

North	M-2 (Heavy Manufacturing)
South	M-2 (Heavy Manufacturing)
East	M-2 (Heavy Manufacturing)
West	M-2 (Heavy Manufacturing)

SURROUNDING LAND USES AND OWNERS:

North	Vacant (Jeffery Sharp)
South	Vacant, Industrial Manufacturing (EMP Real Estate, B&G Utah Properties, Pacific Hide & Fur)
East	Railroad, Industrial Manufacturing (OWM Company, Sang Yun Nam)
West	Agricultural Production (Abraham Markosian)

PROJECT DESCRIPTION:

Blue Tee Corporation is requesting that the City close a segment of 800 South from approximately Chestnut Street (2500 West) to approximately 2700 West (see Exhibit A). The easternmost portion of this right-of-way will be retained by the city as a small part of a cul-de-sac dedication from Blue Tee Corporation. The right-of-way is not improved and is not accessible to vehicular or pedestrian traffic. The applicant is requesting that the right-of-way be declared surplus and sold at fair market value. The only potential buyer for the right-of-way would be the applicant as the land abutting the right-of-way to the south is railroad tracks.

Blue Tee Corporation is also requesting that the Planning Commission approve a preliminary subdivision request that would combine four parcels into a single parcel (see Exhibit B). Three of the four parcels do not currently have frontage on any public rights of way. Frontage for the requested combined parcel would come in the way of a public cul-de-sac, approximately 0.28 acres in size) dedicated from Blue Tee Corporation to Salt Lake City.

APPLICABLE LAND USE REGULATIONS:

Salt Lake City Code:

- Chapter 2.58 regulates the disposition of surplus City-owned real property.
- Section 20.08.210 defines a Minor Subdivision
- Section 20.20.020 outlines required conditions and improvements for minor subdivisions

Utah Code:

- Section 10-8-8 regulates a request for action to vacate, narrow, or change the name of a street or alley.

MASTER PLAN SPECIFICATIONS:

The applicable master plan for this area is the West Salt Lake Master Plan, adopted in 1995. The subject right-of-way and parcels fall into the “West Salt Lake Industrial District,” which has a pattern of land utilization that is “not well organized and poorly interrelated.” The master plan calls for “planning influences that will result in an improved urban pattern.” 800 West is not identified in the Salt Lake City Transportation Master Plan or Major Street Plan (adopted in 2006), and is therefore not required if it is not utilized as a public street.

COMMENTS:

The comments received from pertinent City Departments/Divisions and the Community Council are attached to this staff report for review (see Exhibit C). The following is a summary of the comment and concerns received.

City Department/Division Comments

A. Airport (Allen McCandless)

Mr. McCandless noted that this site is in Airport Influence Zone B and any new development in this zone would require an aviation easement. However, neither the street closure request nor the subdivision request created any observed impacts to airport operations.

B. Building Services (Alan Hardman)

Building Services conducted a Zoning Review of the project and provided Planning staff with a copy of the list of comments. Building Services requires approval of plans from Public Utilities, Transportation, and Engineering. Building Services also asked for a subdivision plat, site plan, parking calculations, and landscaping plans that show a 25 foot front yard and perimeter and interior parking lot landscaping.

C. Engineering (Scott Weiler)

Engineering noted that Chestnut Street is a paved public street with no curb, gutter or sidewalk between Indiana Avenue and 900 South. North of that point, Chestnut Street is a dirt road and the railroad spur that crosses Chestnut has no signal arms. New roadway improvements are required for Chestnut, including

curb, gutter and sidewalk, with approval from UDOT for the new rail crossing. The developer must also enter into a subdivision improvement construction agreement which requires a payment of a 5% fee based on the estimated cost of the public roadway improvements. Engineering also noted that the proposed public cul-de-sac must be designed in accordance with City design standards and that Transportation approval is required for street geometrics and street lighting. The proposed subdivision plat must conform to the requirements of the redlined review and plat checklist and the developer must enter into agreements required by Public Utilities and pay the required fees. Finally, the construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution plan must also be submitted to Randy Peterson in Salt Lake City Public Utilities.

D. Fire (Wayne Leydsman)

The Fire Department stated that they require access to all structures and buildings that may be on the property more than 150 feet from a road access point. New water mains and fire hydrants may be required as well. The proposed cul-de-sac shall be a minimum of 96' in diameter and access to buildings on the property shall be by all-weather surface roads with a minimum width of 20 feet and appropriate turn-arounds as required by Fire Code.

E. Police

No comments were received from the Police Department.

F. Property Management

No comments were received from Property Management. Blue Tee Corporation is currently discussing the fair market value of the subject property with Property Management.

G. Public Utilities (Jason Brown)

Public Utilities noted that there are no recorded public utilities located within the portion of right-of-way requested for closure and they have no objection to the request. Subdivision approval is conditioned on design and installation to public utility standards for extensions of water, storm drain and sanitary sewer facilities with the possibility of lift stations. As high ground water can be expected in this area, all future parking, detention, docks and finished floor elevations must be a minimum 1-foot above the historical high ground water elevation as determined by historical well records of 1 foot above the water elevation in the Surplus canal as determined by the "Jordan River and Surplus Canal Operations Manual" and hydraulically connected to the property.

H. Transportation (Barry Walsh)

The Transportation Division noted that the closure of 800 West would present no conflict with the transportation corridors in the area. The final site development is

subject to plan reviews to determine compliance with city standards for full roadway development, including property frontage and geometrics.

Community Council Comments

A. Poplar Grove Community Council

Mike Harman, Chairperson of the Poplar Grove Community Council, was notified via e-mail on November 2, 2006 of the petition and asked if he wanted the Community Council to review this petition. Street closures do not require Community Council notification. No response was received from the Poplar Grove Community Council.

ANALYSIS AND FINDINGS:

The subject portion of the right-of-way, 800 South, is not identified in the Salt Lake City Transportation Master Plan because it is unimproved right-of-way. It is not currently accessible to any traffic. Because 800 South is not used by traffic and does not lead anywhere, it is believed that the proposed closure will have virtually no impact on traffic circulation in the area.

The Planning Commission will need to review the street closure request and make findings based on the following Salt Lake City Council Policy Guidelines for Street Closures.

Salt Lake City Council Policy Guidelines for Street Closures and Findings:

- 1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.**

Discussion: No property owners would be denied access to their property should 800 South be closed. There are a number of parcels that are currently landlocked northeast of the terminus of Chestnut Street at 800 South that could potentially benefit from the development of these parcels and the proposed cul-de-sac. Blue Tee's property abuts the street to the north and railroad tracks lie to the south. Primary access to Blue Tee's property would be via Chestnut Street and the proposed cul-de-sac. Most of the underlying property would be sold to Blue Tee; the remainder would be retained as public right-of-way of the aforementioned cul-de-sac.

Finding: The proposed street closure will not deny access to any adjacent properties and most of the underlying property will be sold to Blue Tee Corporation. The rest will be retained by the City for a public cul-de-sac to provide frontage for Blue Tee Corporation's parcel and access to the surrounding properties.

- 2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential, commercial or industrial.**

Discussion: The applicant is interested in purchasing the property at fair market value. Blue Tee Corporation would be the only purchaser of the portion of the 800 South right-of-way.

Finding: The right-of-way will be sold at fair market value to be determined by the Salt Lake City Property Management Division.

- 3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.**

Discussion: The portion of 800 South in question is an unimproved right of way that runs from Chestnut Street to approximately 2700 West. It does not connect with any other rights-of-way aside from Chestnut Street. The street is not accessible to vehicular or pedestrian traffic as the right-of-way is fenced off from Chestnut Street. The proposed cul-de-sac will provide better access to the subject parcels and the public way improvements along Chestnut Street will encourage proper development of the subject parcel and the surrounding area. Improvements to the area as a result of this closure may encourage surrounding development and improved land development as per the West Salt Lake Master Plan

Finding: This right-of-way is not utilized as a street and its closure and sale will not impact traffic flow in the area. There is sufficient public policy to justify the closure and sale of the subject right-of-way.

- 4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.**

Discussion: The alternatives to closure are to leave the right-of-way as is (unimproved) or to improve the right-of-way to its terminus at approximately 2700 West. Either alternative would provide the applicant with access to his property. However, the road is not scheduled for improvements and the right-of-way is currently inaccessible to traffic. Development of a public cul-de-sac at the terminus of Chestnut Street would provide the applicant and neighboring properties with improved access. Furthermore, allowing the applicant and the other adjacent property owner to close the street and purchase the property will allow for better development of their properties.

Finding: While the alternatives still provide the applicant with access to his property, it is the finding of Staff that the public policy reasons outweigh those alternatives. This request complies with this standard.

Staff finds the following regarding petition 400-06-47, requesting 800 South to be closed from Chestnut Street to approximately 2700 West in the M-2 district:

1. The Salt Lake City Transportation Master Plan does not identify this portion of 800 South and there are no plans to extend or otherwise improve it.
2. Closing and selling the right-of-way will provide the applicant, Blue Tee Corporation, with the means to better develop the property.
3. No other property owners would be impacted in any way by this closure and the proposed cul-de-sac and public way improvements along Chestnut Street will improve access to the surrounding properties.
4. This segment of 800 South is not used as a public right-of-way and is not accessible to pedestrian or vehicular traffic.

Minor Subdivision Required Conditions and Improvements:

Regarding the subdivision request, a minor subdivision shall be approved only if it meets all of the following standards outlined in Section 20.20.020, “Required Conditions And Improvements”:

- A. The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character.**

Discussion: The surrounding area is primarily zoned M-2 and the land uses are typically industrial manufacturing or warehousing. There is a considerable amount of vacant land. Parcels are typically multiple acres in size. The proposed subdivision is in keeping with the general character of the area.

Finding: Staff finds that the proposed subdivision conforms to the general character of the surrounding area.

- B. Lots created shall conform to the applicable requirements of the zoning ordinances of the city.**

Discussion: The created lot, after the cul-de-sac dedication, is approximately 26.04 acres and will have approximately 230 feet of frontage along the cul-de-sac (see Exhibit B). This meets the parcel and frontage requirements of the M-2 Zoning District.

Finding: Staff finds that all proposed lots will comply with all applicable zoning standards.

C. Utility easements shall be offered for dedication as necessary.

Discussion: All necessary and required dedications will be made with the recording of the final plat.

Finding: The minor subdivision meets this standard.

D. Water supply and sewage disposal shall be satisfactory to the city engineer.

Discussion: All plans for required public improvements must be submitted and approved prior to approval of the final plat.

Finding: Staff finds that the provisions for the construction of any required public improvement must be included as part of the final plat process.

E. Public improvements shall be satisfactory to the planning director and city engineer.

Discussion: The proposed subdivision has been forwarded to the pertinent City Departments for comment. All public improvements must comply with all applicable City Departmental standards and the comments outlined in this staff report and included with the staff report exhibit.

Finding: Staff finds that the subdivision must comply with all applicable laws and regulations and that the proposal must meet the requirements outlined by City staff.

Staff finds the following regarding petition 490-06-52, a minor subdivision request combining four parcels in the M-2 district:

1. The proposed lot consolidation meets all the required conditions for a minor subdivision.
2. Additional public street dedication and street and utility improvements are required to be installed by the applicant for Chestnut Street.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the minor subdivision, transmit a favorable recommendation to the City Council to close 800 South between Chestnut Street and approximately 2700 West, and declare a portion of the right-of-way as surplus and recommend the Mayor sell the property to the applicant at fair market value. The recommendation is subject to the following conditions:

1. All requirements and comments from outlined in this staff report and attached as Exhibit C must be met.
2. A cul-de-sac at the northern terminus of Chestnut Street with a minimum diameter of 96 feet must be dedicated to the City to meet the required frontage for the M-2 Zoning District.
3. An aviation easement must be given to the City for continued airport activities.
4. A final plat is required.

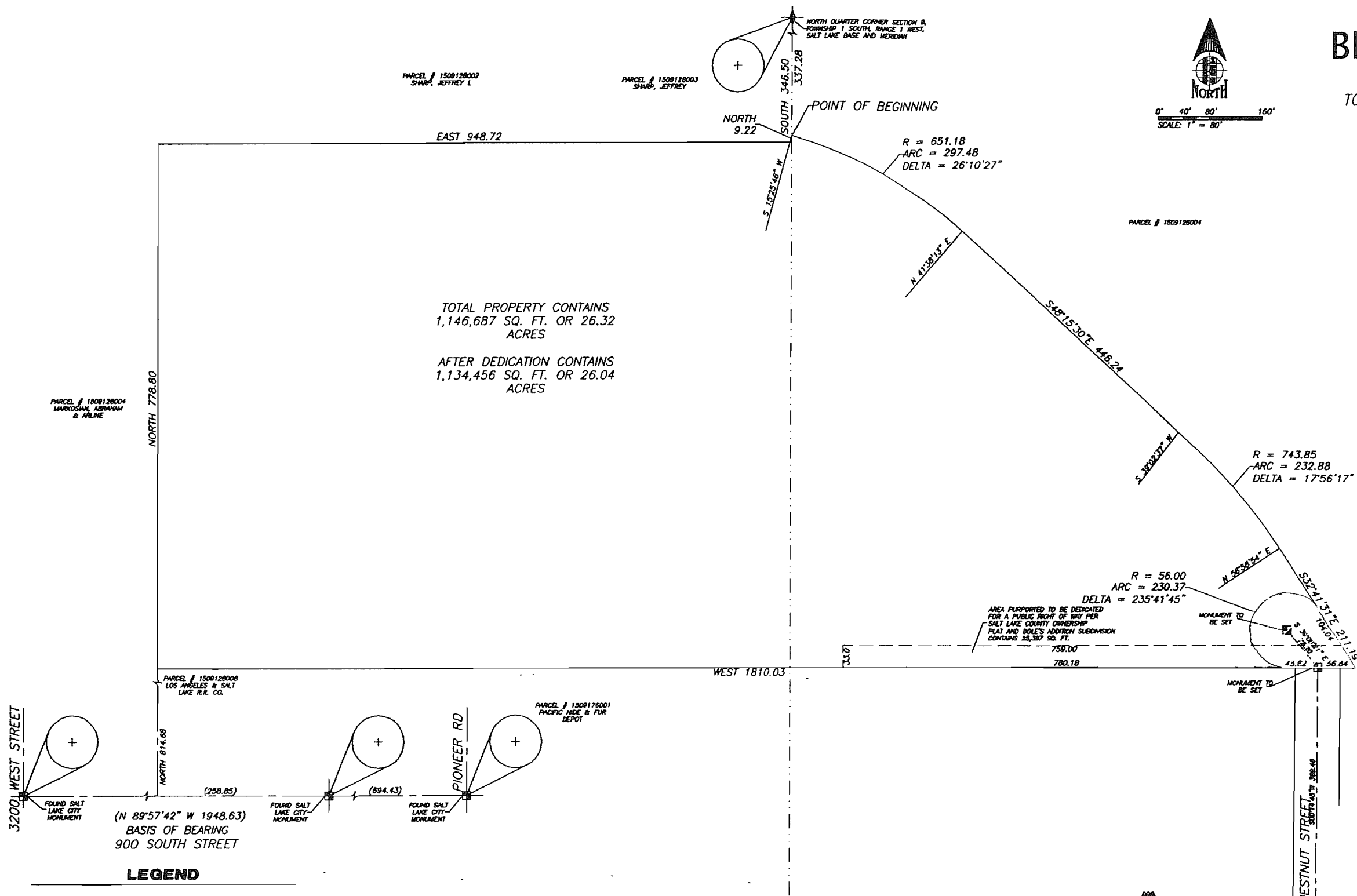
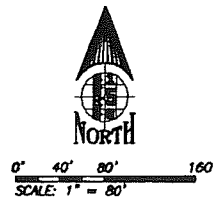
Attachments: Exhibit A – Map of Proposed Street Closure
 Exhibit B – Proposed Minor Subdivision (Preliminary Plat)
 Exhibit C – Department/Division Comments
 Exhibit D – Photographs

*4/29
Approved*

Exhibit A
Map of Proposed Street Closure

BLUE TEE SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 9,
TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT
LAKE BASE AND MERIDIAN



TOTAL PROPERTY CONTAINS
1,146,687 SQ. FT. OR 26.32
ACRES

AFTER DEDICATION CONTAINS
1,134,456 SQ. FT. OR 26.04
ACRES

SURVEYOR'S CERTIFICATE
I, RANDY D. SMITH do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152708 as prescribed under the laws of the State of Utah. I further certify that 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 and streets, hereafter to be known as the

BLUE TEE SUBDIVISION

and that same has been correctly surveyed and stated on the ground as shown on this plat.

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF A UNION PACIFIC RAILROAD SAID POINT BEING SOUTH ALONG A SECTION LINE 337.28 FEET FROM THE NORTH QUARTER CORNER OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, SAID POINT ALSO BEING ON A 651.18 FOOT RADIUS CURVE TO THE RIGHT, (THE CENTER POINT OF WHICH BEARS SOUTH 15°25'46" WEST); AND RUNNING THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY THE FOLLOWING 4 COURSES: 1) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 297.48 FEET THROUGH A CENTRAL ANGLE OF 26°10'27"; THENCE SOUTH 48°15'30" EAST 448.24 FEET TO A POINT ON A 743.85 FOOT RADIUS CURVE TO THE RIGHT, (THE CENTER POINT OF WHICH BEARS SOUTH 39°02'37" WEST); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 232.88 FEET THROUGH A CENTRAL ANGLE OF 17°56'17"; THENCE SOUTH 32°41'31" EAST 211.19 FEET; THENCE WEST 1810.03 FEET; THENCE NORTH 778.80 FEET; THENCE EAST 948.72 FEET; THENCE NORTH 9.22 FEET TO THE POINT OF BEGINNING.

TOTAL PROPERTY CONTAINS 1,146,687 SQ. FT. OR 26.32 ACRES
AFTER DEDICATION CONTAINS 1,134,456 SQ. FT. OR 26.04 ACRES

RANDY D. SMITH
LICENSE No. 5152708

DATE

OWNER'S DEDICATION

Know all men by these presents that I/We, the undersigned Owner(s) of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as the

BLUE TEE SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use. In witness whereof I/We have hereunto set out hand this ____ day of _____, 2006 A.D.

DATE

STATE OF _____ } s.s.
County of _____

ON THIS ____ DAY OF _____, A.D., 2006 PERSONALLY APPEARED BEFORE ME, _____ OF _____, ACKNOWLEDGED TO ME THAT THEY ARE DULY AUTHORIZED TO EXECUTE THE FOREGOING OWNER'S CERTIFICATE ON BEHALF OF THE COMPANY.

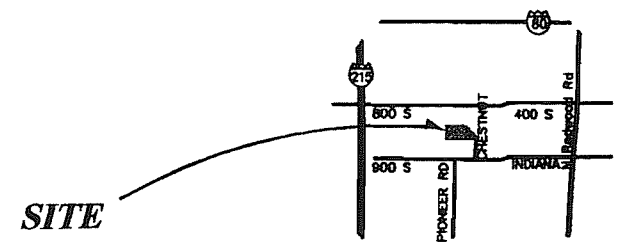
MY COMMISSION EXPIRES _____ RESIDING AT _____ NOTARY PUBLIC

BLUE TEE SUBDIVISION

SECTION 9, TOWNSHIP 1 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN

HEALTH
APPROVED AS TO FORM THIS ____ DAY OF _____, 2006 A.D.
SALT LAKE VALLEY HEALTH DEPARTMENT

THERE ARE NO WATER, SEWER OR STORM DRAINAGE FACILITIES TO SUPPORT DEVELOPMENT ON THIS SUBDIVISION. ANY FUTURE DEVELOPMENT WILL REQUIRE EXTENSIONS OF WATER, STORM DRAIN AND SANITARY SEWER FACILITIES WITH THE POSSIBILITY OF LIFT STATIONS. HIGH GROUND WATER CAN BE EXPECTED IN THIS AREA. ALL FUTURE PARKING, DETENTION, DOCKS AND FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM 1-FOOT ABOVE THE HISTORICAL HIGH GROUND WATER ELEVATION AS DETERMINED BY HISTORICAL WELL RECORDS OR 1 FOOT ABOVE THE WATER ELEVATION IN THE SURPLUS CANAL AS DETERMINED IN THE "JORDAN RIVER AND SURPLUS CANAL OPERATIONS MANUAL" AND HYDRAULICALLY CONNECTED TO THE PROPERTY."



LEGEND

- Section Monument
- Street Monument
- Center Line
- Property Line
- Easement Line
- Section Line
- Center Line Monument

CITY PLANNING COMMISSION

APPROVED THIS ____ DAY OF _____, 2006, BY THE SALT LAKE CITY PLANNING COMMISSION.

SALT LAKE CITY PLANNING DIRECTOR

CITY ENGINEERING DEPARTMENT

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE AND IS HEREBY APPROVED.

CITY ENGINEER CITY SURVEYOR

CITY PUBLIC UTILITIES DEPT.

APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAILS THIS ____ DAY OF _____, 2006 A.D.

SALT LAKE CITY PUBLIC UTILITIES DIRECTOR

CITY ATTORNEY

APPROVED AS TO FORM THIS ____ DAY OF _____, 2006 A.D.

SALT LAKE CITY ATTORNEY

SALT LAKE CITY MAYOR

PRESENTED TO SALT LAKE CITY THIS ____ DAY OF _____, 2006 A.D. AND IS HEREBY APPROVED.

MURRAY CITY MAYOR MURRAY CITY RECORDER

SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

SALT LAKE COUNTY RECORDER

NUMBER _____
ACCOUNT _____
SHEET _____
OF _____ SHEETS

LARSEN & MALMQUIST, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
1374 WEST 1700 SOUTH
SALT LAKE CITY, UTAH 84104
PHONE (801) 972-2834 FAX (801) 972-2698

Exhibit B
Proposed Minor Subdivision
(Preliminary Plat)

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Exhibit C
Department/Division Comments

Britton, Nick

From: McCandless, Allen
Sent: Monday, December 18, 2006 1:59 PM
To: Britton, Nick
Cc: Pack, Russ; Domino, Steve
Subject: FW: Street Closure Petition (400-06-47)

Nick,

Thank you for the notice for petition 400-06-47, a proposed street closure for 800 South from Chestnut Street to approximately 2700 West. The proposal does not create any observed impacts to airport operations. This location is in Salt Lake City's airport influence zone B, a zone requiring avigation easements for new development. - Allen McCandless, Planning Manager

From: Pack, Russ
Sent: Friday, December 15, 2006 4:48 PM
To: McCandless, Allen
Subject: FW: Street Closure Petition (400-06-47)

From: Britton, Nick
Sent: Friday, December 15, 2006 1:37 PM
To: Boskoff, Nancy; Burbank, Chris; Clark, Luann; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Pack, Russ; Querry, Chuck; Rutan, Ed; Zunguze, Louis
Cc: Coffey, Cheri; Wheelwright, Doug; Paterson, Joel; LoPiccolo, Kevin
Subject: Street Closure Petition (400-06-47)

The Planning Division is currently reviewing Petition #400-06-47, a request by Blue Tee Corporation for a street closure of 800 South from Chestnut Street to approximately 2700 West. The street is located in the M-2 Zoning District. Application materials have been sent to the appropriate city staff who have been asked to review the details of the proposal and respond in writing with any comments they have. If you would like to review the details of the proposed street closure, please let me know by December 20 and I will forward the information to you for your comments.

If you have any questions, please contact me at 535-7932.

Thank you.

Nick Britton
Planning Division
451 South State St. Room 406
Salt Lake City, UT 84111
(801) 535-7932

4/4/2007

Britton, Nick

From: Walsh, Barry
Sent: Monday, December 18, 2006 5:20 PM
To: Britton, Nick
Cc: Young, Kevin; Weiler, Scott; Smith, Craig; Curt, Lynn; Leydsman, Wayne; Stewart, Brad; Spencer, John
Subject: Pet 400-06-49 & 490-06-52
Categories: Program/Policy

December 18, 2006

Nick Britton, Planning

Re: Petition 400-06-49, to close 800 South from Chestnut Street west 700 to 800 feet. And Petition 490-06-52 to combine lots and dedicate a public Cul-De-Sac right of way at the north end of Chestnut Street.

The division of transportation review comments and recommendations are as follows:

Per Planning review comments, the vicinity map is incorrect and there are questions as to the proposed property lines and sidwell parcels.

We are in agreement that vacationing and closure of 800 South presents no conflict with the transportation corridors required in this area. The final site development is subject to plan reviews in compliance with city standards for full roadway development – Property frontage, Engineering, Utilities, Fire and Transportation geometrics.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Craig Smith, Engineering
Lynn Curt, City Surveyor
Wayne Leydsman, Fire
Brad Stewart, Public Utilities
John Spencer, Property Management
File

Britton, Nick

From: Leydsman, Wayne
Sent: Tuesday, December 26, 2006 1:45 PM
To: Britton, Nick; Stewart, Brad; Walsh, Barry; Weiler, Scott; Spencer, John; McCandless, Ray; Guess, Kim
Subject: Petition # 400-06-49 and 400-06-52 Requested Closure of 800 South and Combining Parcels. (FD Plan Review# 238 For Followup.)
Categories: Program/Policy

The FD has some concerns on this proposal, and requests some additional information and clarification on this request, and request to know the planned proposed use of this property. The fire department requires access to all structure and buildings that may be on the property when more than 150 feet from a road access point. In addition water mains and fire hydrants may be required on the property. Please provide information.

Approved access roads and access to properties need to be properly indicated. Cul-de-sacs shall be a minimum of 96' in diameter, per the Fire Code as adopted, (the city may require wider) and access to buildings on the property shall be by all-weather surface roads, minimum 20' in width with appropriate turn-arounds on the property as required by the Fire Code.

I will be returning to the office after January 4, 2007. The Fire Department contact number is 799-4150 or e-mail information to wayne.leydsman@slcgov.com. Please reference FD plan review # 238.

W. Leydsman
Inspector/Plans Examiner
SLCFD

Britton, Nick

From: Brown, Jason
Sent: Wednesday, December 27, 2006 4:18 PM
To: Britton, Nick
Cc: Greenleaf, Karryn; Garcia, Peggy
Subject: Petition # 400-06-49 Closure of 800 South from Chestnut to Pioneer Road and Petition # 490-06-52 Subdivision request of Blue Tee
Categories: Program/Policy

Nick,

Public Utilities has reviewed the above mentioned petitions and offer the following comments.

Petition #400-06-49 Closure of 800 South from Chestnut to Pioneer Road

There are no recorded public utilities located within the portion of the right-of-way. Public Utilities has no objection to vacating this portion of 800 South.

Petition #490-06-52 Subdivision request

Public Utilities will approve the subdivision request if the following is noted on the plat;

“There are no water, sewer or storm drainage facilities to support development on this subdivision. Any future development will require extensions of water, storm drain and sanitary sewer facilities with the possibility of lift stations. High ground water can be expected in this area, all future parking, detention, docks and finished floor elevations must be a minimum 1-foot above the historical high ground water elevation as determined by historical well records or 1 foot above the water elevation in the Surplus canal as determined in the “Jordan River and Surplus Canal Operations Manual” and hydraulically connected to the property.”

If you have any questions please do not hesitate to contact me.

Jason Brown, PE
Development Review
Salt Lake Public Utilities
483-6729

SALT LAKE CITY BUILDING SERVICES

Zoning Review

Log Number: 220588

Date: April 4, 2007

Project Name: Brown Strauss Steel Distribution

Project Address: 800 South Chestnut Street

Contact Person: Lee Sadler

Fax Number: (801) 567-9804

Phone Number: (801) 567-9661

E-mail Address: connie@construction-plus.com

Zoning District: M-2

Reviewer: Alan Hardman Phone: 535-7742

Comments

**Please respond in writing to each of the items below.
Revise the plans where appropriate.**

1. Public Utilities approval required. Submit civil drawings to Peggy Garcia at 1530 South West Temple. Phone 483-6727. You must return stamped and approved plans to this office to get a building permit.
2. Provide a copy of the 'Subdivision Screening Checklist Sheet' from the Planning Division to verify that the Subdivision Plat (petition #490-06-52) and the Street Closure (petition #400-06-49) processes have been completed. Contact Doug Wheelwright at 535-6178 for approval.
3. Provide a copy of the new subdivision plat showing all property lines, dimensions, rights-of-way, avigation easement and any other easements, etc. The new property lines must be shown on the civil site plan.
4. Provide parking calculations.
5. The 25 foot front yard must be landscaped and shown on the Landscape Plan. River rock does not meet the definition of landscaping.
6. Provide Perimeter Parking Lot landscaping and Interior Parking Lot landscaping on the Landscape Plan. Provide summary tables for the quantity of trees and shrubs required for each.
7. Transportation Division approval required for all street and traffic-related issues. Contact Barry Walsh at 535-7102 for approval. Have him email me with his approval.
8. Engineering Division approval required for all new public way improvements. Contact Craig Smith at 535-7995 for approval. Have him email me with his approval.

TO: NICK BRITTON, PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING

DATE: JANUARY 24, 2007

SUBJECT: **Blue Tee Subdivision**
800 S. Chestnut Street
Petition #400-06-47
Petition #490-06-52

City Engineering review comments are as follows:

1. Chestnut Street is an existing paved SLC public street with no curb, gutter or sidewalk between Indiana Road and 900 South Street. Chestnut Street north of Indiana Road is a dirt road. The existing railroad spur that crosses Chestnut Street has no signal arms. Extending Chestnut Street across the railroad tracks requires new roadway improvements including curb, gutter and sidewalk. The proposed railroad crossing requires approval from UDOT.
2. The developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a 5% fee based on the estimated cost of constructing the public roadway improvements. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
3. The extension of Chestnut Street and the proposed new public turn around at its north end must be designed in accordance with SLC design standards. Some of the significant requirements are as follows:
 - The plan & profile drawings must show the profile view for top back of curb grade and existing ground along the curb alignment.
 - Minimum curb design grade is 0.50%.
 - The horizontal scale for the drawings shall be 1" = 20', 1"=30' or 1"= 40'.
 - The vertical scale shall be one tenth of the horizontal scale.
 - The minimum size lettering shall be 1/10" and capital letters shall be used.
 - The text shall be readable from one of two directions on a given sheet.
 - The north arrow shall point toward the top or left of the sheet with stationing progressing from west to east or from north to south.
4. The plat must conform to the requirements on the attached plat checklist and redlined review print. The Sidwell map indicates that as many as three separate parcels of land would be affected by the proposed public road turnaround at the Chestnut Street/800 South intersection. (Sidwell #15-09-206-001, 15-09-204-001 & 15-09-503-003). A sheet is attached showing this.

Nick Britton
Blue Tee Subdivision
January 24, 2007

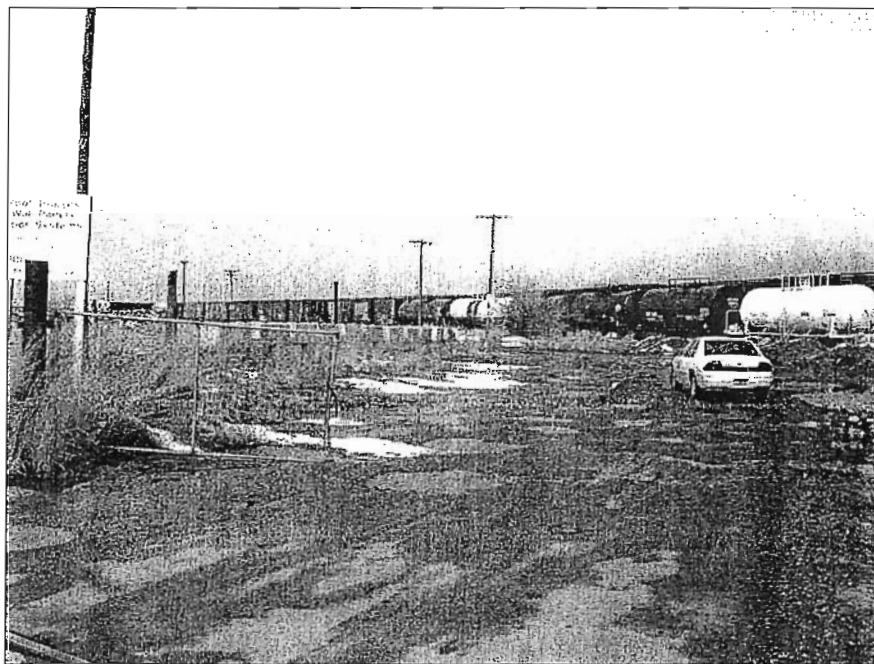
5. SLC Transportation must review and approve street geometrics and street lighting.
6. The developer must enter into agreements required by the SLC Public Utility Department and pay the required fees.
7. The construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution prevention plan must also be submitted to Randy Peterson at SLC Public Utilities.

cc: Joel Harrison
Brad Stewart
Barry Walsh
Vault

Exhibit D
Photographs



The subject right-of-way, 800 South, as viewed from the end of Chestnut Street. The southern edge of the right-of-way is along the fence.



The intersection of Chestnut Street and 800 South's right-of-way (looking north).

Exhibit 5-c
Planning Commission Hearing
Agenda and Minutes: April 25, 2007

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, April 25, at 5:45 p.m.**

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

- 1. APPROVAL OF MINUTES FROM WEDNESDAY, APRIL 11, 2007**
- 2. REPORT OF THE CHAIR AND VICE CHAIR**
- 3. REPORT OF THE DIRECTOR**
- 4. PRESENTATION**
 - a. Presentation by the University of Utah Planning students, regarding the land use component of the Foothill Drive transportation study.
- 5. PUBLIC HEARING**
 - a. **Petitions 400-06-47 and 490-06-52**—requests by Blue Tee Corporation to close a portion of 800 South between Chestnut Street (2500 West) and approximately 2700 West and to combine four parcels generally located at 800 Chestnut Street into a new one lot subdivision, in order to develop a steel distribution facility. The proposal is located in the Heavy Manufacturing (M-2) Zoning District. (Staff—Nick Britton at 535-7932 or nick.britton@slcgov.com).
 - b. **Petition 490-07-08**—a request by Ken Milo for approval of a proposed routine and uncontested Lot Line Adjustment/Minor Subdivision for property located at approximately 678 North "F" Street, located in a Special Development Pattern Residential (SR-1A) Zoning District. (Staff—Ray McCandless at 535-7282 or ray.mccandless@slcgov.com).
- 6. UNFINISHED BUSINESS**

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, April 25, 2007**

Present for the Planning Commission meeting were Chairperson Peggy McDonough; Commissioners Tim Chambless, Robert Forbis, Susie McHugh, Prescott Muir, Kathy Scott and Matthew Wirthlin. Commissioner Frank Algarin was present for the field trip but was excused from the meeting.

Present from the Planning Division were George Shaw, Planning Director, Doug Wheelwright, Deputy Planning Director, Nick Britton, Principal Planner, Ray McCandless, Senior Planner, and Tami Hansen, Planning Commission Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson McDonough called the meeting to order at 5:48 p.m. Audio recordings of Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were: Frank Algarin, Prescott Muir, and Kathy Scott. Salt Lake City Staff present were: George Shaw, Doug Wheelwright, and Nick Britton.

PUBLIC HEARING

(This item was heard at 6:32 p.m.)

Petitions 400-06-47 and 490-06-52—requests by Blue Tee Corporation to close a portion of 800 South between Chestnut Street (2500 West) and approximately 2700 West and to combine four parcels generally located at 800 Chestnut Street into a new one lot subdivision, in order to develop a steel distribution facility. The proposal is located in the Heavy Manufacturing (M-2) Zoning District.

Chairperson McDonough recognized Nick Britton as Staff representative.

Mr. Britton reviewed the request noting that Blue Tee Corporation had made a request for a right-of-way on a portion of 800 South, between Chestnut Street and approximately 2700 West, to be closed, declared surplus, and sold to them at fair market value.

Mr. Britton stated that the subject right-of-way had never been used as a public street and was currently inaccessible to vehicles and pedestrians. Mr. Britton noted that the applicant was also requesting that the Planning Commission approve a one lot subdivision that would combine four of Blue Tee Corporations parcels at the site into one parcel, approximately 26.3 acres in size.

He noted that as part of the subdivision and street closure request, Blue Tee Corporation would dedicate a cul-de-sac at the northern terminus of Chestnut Street to the City to meet their frontage requirement.

Commissioner Scott noted that on page four of the staff report water table requirements were reviewed and it was inquired how high the surplus canal running along the property would be, also if the floor elevation would represent any problem.

Mr. Britton noted that the floor elevation would have to be higher than the historic level on the surplus canal.

Commissioner Forbis inquired if anyone on Planning Staff knew how old the information on the Jordan River and surplus canal was.

Doug Wheelwright stated that it was built post World War II as a United States Army Corps Engineering Project, and that the canal was currently managed by Salt Lake County Flood Control.

Chairperson McDonough invited the applicant to the table to comment.

Al Giffin, with Brown Strauss Steel, was present to represent Blue Tee Corporation. Mr. Griffin stated that there would not be additional traffic impacts in the area and that the proposal would utilize the entire subdivided parcel for storage.

Lee Sadler, general contractor for the project, was also present to speak to the petition. Mr. Sadler noted that the proposal was ideal for the site as there was no way to service the area with sewer access, and that this proposal would be of very minimal impact to the ecology of the area.

Chairperson McDonough noted the concerns of the Commission regarding the water table at this site.

Mr. Sadler stated that several studies were done in the past year and the water table had not been an issue.

Commissioner Scott noted the nearby rail line and asked if the applicant intended to use that resource.

Mr. Griffin stated that they did intend to use this resource.

Commissioner Forbis inquired how the proposal would deal with run-off from the storage site and noted his concern that some run off might leech into the nearby canal.

Mr. Sadler noted that storm water would be handled on the property with on-site storage areas underneath the steel in combination with light percolation areas and emergency holding ponds, noting that the property would be raised off of the ground approximately two feet to incorporate this system. Mr. Sadler noted that the run-off would have to travel some distance to reach the canal and the rail tracks would act as an additional barrier to any run-off reaching the canal.

Mr. Griffin stated that the grade of the land would also ensure that the run-off traveled west, away from the canal.

Commissioner Forbis inquired if the storage would face the canal.

Mr. Griffin noted that the parking area and office frontage would face the canal and the steel storage would be behind this.

Mr. Sadler noted that the proposed street frontage in the form of the cul-de-sac would be a much improved area with landscaping, office space and lighting.

Chairperson McDonough opened the public hearing portion of the meeting.

Bruce Markosian, representing a family owning a property to the west of the proposed development, inquired why the proposal included the closure of 800 South and what it added to the function of the development. Mr. Markosian added that this closure could prevent future access to his client's property.

Doug Wheelwright noted that Staff had explored the possibility of expanding 800 South, however, the property owners determined that they did not need access to this street and did not want to deal with the financial costs involved in extending the public street and utilities. Mr. Wheelwright noted that city policy stated that if they did not intend to extend the street to the west, they must close it and incorporate it as part of their property, and would otherwise be considered a nuisance parcel for the city.

Commissioner Scott noted that 800 South did not extend all the way through the subject property, it ended about halfway through; therefore there would be no possibility of reaching Mr. Markosian's client's property without the city purchasing the land and pursuing the extension of 800 South.

Mr. Griffin stated that they hoped to start on the project and take occupancy of the site by the end of September.

Regarding Petitions 400-06-47 and 490-06-52, a request to close a portion of 800 South between Chestnut Street approximately 2500 West) and approximately 2700 West and to combine four parcels generally located at 800 Chestnut Street into a new one lot subdivision, in order to develop a steel distribution facility, Commissioner Forbis made a motion to approve the minor subdivision and transmit a favorable recommendation to City Council for the street closure, to declare that portion of the road surplus and recommend that the Mayor sell the property to the applicant at Fair Market Value subject to the following conditions as listed in the Staff Report:

1. All requirements and comments outlined in the staff report and attached as Exhibit C must be met.
2. A cul-de-sac at the northern terminus of Chestnut Street with a minimum diameter of 96 feet must be dedicated to the City to meet the required frontage for the M-2 Zoning District.
3. An avigation easement must be given to the City for continued airport activities.
4. A final plat is required.

Commissioner McHugh seconded the motion. All voted, "Aye". The motion passed unanimously.

Exhibit 6
Original Petition



Street Closure

OFFICE USE ONLY	
Petition No.	400-06-47
Receipt No.	Amount 3/5 99
Date Received	11-17-06
Reviewed By	AJM-mal
Project Planner	

Date November 8, 2006

Name of Applicant Blue Tee Corporation Phone (801) 532-1234

Address of Applicant c/o Parsons Behle & Latimer, 201 So Main #1800, SLC, UT 84111

E-mail Address of Applicant jnichols@parsonsbehle.com FAX (801) 536-6111

SALT LAKE CITY PLANNING

Please include with the application:

1. A letter explaining why you are requesting this street closure. Please include a statement explaining why the street closure is consistent with proposed public policy. If applicant is not a property owner adjacent to the street, please include the applicant's interest in the request.
2. The names and addresses of all property owners within four-hundred fifty (450) feet—exclusive of streets and alleys in any direction—from the border of the subject street. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. Additional names and addressed may be required. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
3. The name, address and signatures of all abutting property owners who support the petition. You may use the sample petition accompanying this application or provide your own. **Please note that the property owners must sign and not occupants who rent.**
4. A property ownership map (known as a Sidwell map) showing the area of the proposed street closure. On the map please:
 - a. Highlight the subject section of street.
 - b. Indicate with a list of the property owners and write their name on the Sidwell map identifying the property they own.
5. Filing fee of \$300.00 due at time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.

Sidwell maps and names of property owners are available at:

Salt Lake County Recorder
 2001 South State Street, Room N1600
 Salt Lake City, UT 84190-1051
 Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Planning
 451 South State Street, Room 406
 Salt Lake City, UT 84111
 Telephone: (801) 535-7757

Signature of Property Owner or authorized agent

Title of agent

Jason S. Nichols, Counsel for Blue Tee Corp.



A PROFESSIONAL
LAW CORPORATION

Salt Lake City • Las Vegas • Reno

201 South Main Street
Suite 1800
Salt Lake City, Utah 84111
Telephone 801.532.1234
Facsimile 801.536.6111

Jason S. Nichols

Direct Dial
(801) 536-6907
E-Mail
J.Nichols@parsonsbehle.com

November 17, 2006

BY HAND DELIVERY

Salt Lake City Planning
451 South State Street, Room 406
Salt Lake City, UT 84111

**Re: Application for Street Closure – 800 South Street at Chestnut Street
(2500 West)**

Sir or Madam:

This firm represents Blue Tee Corporation dba Brown Strauss Steel ("Brown Strauss"). We have been asked by Brown Strauss to submit this application to vacate a small portion of "800 South Street" at 800 South Chestnut Street (hereinafter, the "Subject Area"). Brown Strauss is under contract with Magna Investment & Development, Ltd. ("Magna") to purchase approximately 26 acres of real property that includes the Subject Area (hereinafter, the "Purchase Parcel"). Brown Strauss desires to have the Subject Area vacated as part of its redevelopment of the Purchase Parcel (which includes the construction of a new facility) and the relocation of its steel distribution facility from Utah County. The Subject Area consists of 25,397 square feet and was purportedly created by the Dole's Addition Subdivision plat recorded in 1890. A copy of subdivision plat is enclosed herewith. You will also find enclosed a copy of the ALTA/ACSM Survey (Job No. 05908-06S) prepared by Larsen & Malmquist, Inc. identifying the location of the Subject Area.

This application does not require the closure of an actual street. The Subject Area is merely a "paper street". The Subject Area is not necessary to provide access to the Purchase Parcel or any other property. There is no indication that the Subject Area has ever been used as a public right of way. The Subject Area is owned in fee by Magna (which will be acquired by Brown Strauss). The area has been developed, used and maintained by Magna (and its predecessors) as private property and Magna (and its predecessors) has been paying real property taxes on the Subject Area. Other areas created by the Dole Addition Subdivision have already been vacated, as indicated by the current county plat map.

There are no public policy concerns with vacating the Subject Area. In fact, sound policy would dictate that the area be vacated to allow for the development and beneficial

Salt Lake City Planning
November 17, 2006
Page Two

use of the Purchase Parcel by Brown Strauss. In meetings with representatives of the City, it was suggested that a street vacation would be the most efficient manner to clear the title to the Subject Area.

In addition to the items referenced above, you will find enclosed the following:

1. Original of the Street Closure Application;
2. The names and addresses of all property owners within 450 feet from the border of the Subject Area;
3. A legal description of the Subject Area;
4. An aerial photograph showing the Subject Area;
5. A property ownership map showing the Subject Area and neighboring property owners; and
6. A check in the amount of \$300.00 for the filing fee.

Please process the application as soon as practicable. If you have any questions with respect to the application or if you require additional information, please contact me.

Sincerely,

Parsons Behle & Latimer



Jason S. Nichols
Counsel for Blue Tee Corp.

JSN/kw

Enclosures

cc: Michael Dorsey (by email; w/o encl.)
Al Giffin (by email; w/o encl.)

Petition No. 400-06-41

By Blue Tree Corporation

Is requesting a Street Closure located at
800 South at Chestnut Street (2500)
West.

Date Filed _____

Address _____

PETITION CHECKLIST

Date	Planner Initials	Sup. Initials	Dep. Initials	Dir. Initials	Action Required
4/30/06	inb	AMP	CC		Petition Delivered to Planning
11/30/06	inb	AMP	CC		Petition Assigned to <u>Nick Britton</u>
4/25/07	inb	AMP	CC		Planning Staff or Planning Commission Action Date
5/23/07		AMP			Transmittal Cover Letter Followed Template (margins, headings, returns etc)
5/3/07	inb	AMP	CC		Table of Contents
5/8/07	inb	AMP	CC		Chronology
5/22/07	inb	AMP	CC		Ordinance Prepared by the Attorney's Office Include general purpose statement of petition (top of ordinance) Include Strike and Bold -(Legislative Copy) (where applicable) Include Clean Copy (Ensure stamped by Attorney) Include Sidwell Numbers (where applicable) Include Legal Description-review, date and initial (where applicable) Ensure most recent ordinance used Ensure Exhibits (tables etc) are attached
5/2/07	inb	AMP	CC		Council Hearing Notice Include Purpose of Request Include zones affected (where applicable) Include address of property (where applicable) Include TDD Language
5/8/07	inb	AMP	CC		Mailing List of Petition and Labels, (include appropriate Community Councils, applicant and project planner) (include photocopy of labels)
4/12/07	inb	AMP	CC		Planning Commission Notice Mailing Postmark Date Verification (on agenda) Newspaper Notice for Rezoning and Master Plan Amendments (proof of publication or actual publication)
4/12/07	inb	AMP	CC		Planning Commission Staff Report
		AMP	CC		Planning Commission Minutes and Agenda
5/8/07	inb	AMP	CC		Yellow Petition Cover and Paperwork Initiating Petition (Include application, Legislative Intent memo from Council, PC memo and minutes or Mayor's Letter initiating petition.)
					Date Set for City Council Action: _____ Petition filed with City Recorder's Office