ORDINANCE 2016-13

AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY INTEREST IN SELECTED PORTIONS OF (OLD) SOUTH MOUNTAIN ROAD/OLD ARMY PERIMETER ROAD AND BAUER ROAD WHICH ARE ON RANCH 77 PROPERTY LOCATED WEST OF HIGHWAY 36

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – PURPOSE. Tooele County is in the process of relocating and developing a new alignment of South Mountain Road along the south boundary of the Tooele Army Depot. Part of that relocation will include a new alignment of Bauer Road as it leads to the Tooele County Landfill. Currently, (Old) South Mountain Road/Old Army Perimeter Road and a portion of Bauer Road traverse the Ranch 77 LC properties. These two roads need to be vacated as they are no longer needed for access across the Ranch 77 LC properties. The Tooele County Planning Commission held a public hearing on the issue and, with a unanimous vote, recommends passage of this ordinance.

SECTION II – ROADS VACATED. Having provided proper notice pursuant to Utah Code Annotated 72-3-108, a public hearing was conducted and finding good cause therefore, Tooele County hereby vacates the public right-of-way interest in a portion of (Old) South Mountain Road/Old Army Perimeter Road and a portion of Bauer Road. The roadway portions being vacated are located on Parcels # 06-017-A-0018, 06-017-A-0030, and 06017-B-0036, which are located in Sections 11 and 12, Township 4 South, Range 5 West, Salt Lake Base and Meridian, in Tooele County, Utah.

Maps showing the area and roads being vacated as well as their legal descriptions are attached hereto as Exhibit A and by this reference made a part hereof.

The Tooele County Clerk/Auditor is hereby directed to cause this ordinance to be recorded in the office of the County Recorder/Surveyor.

SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved, and enacted this ordinance this 18th day of October 2016.

ATTEST:

MARILYN K. GILLETTE, Clerk/Auditor

SEAL

TOOELE COUNTY COMMISSION:

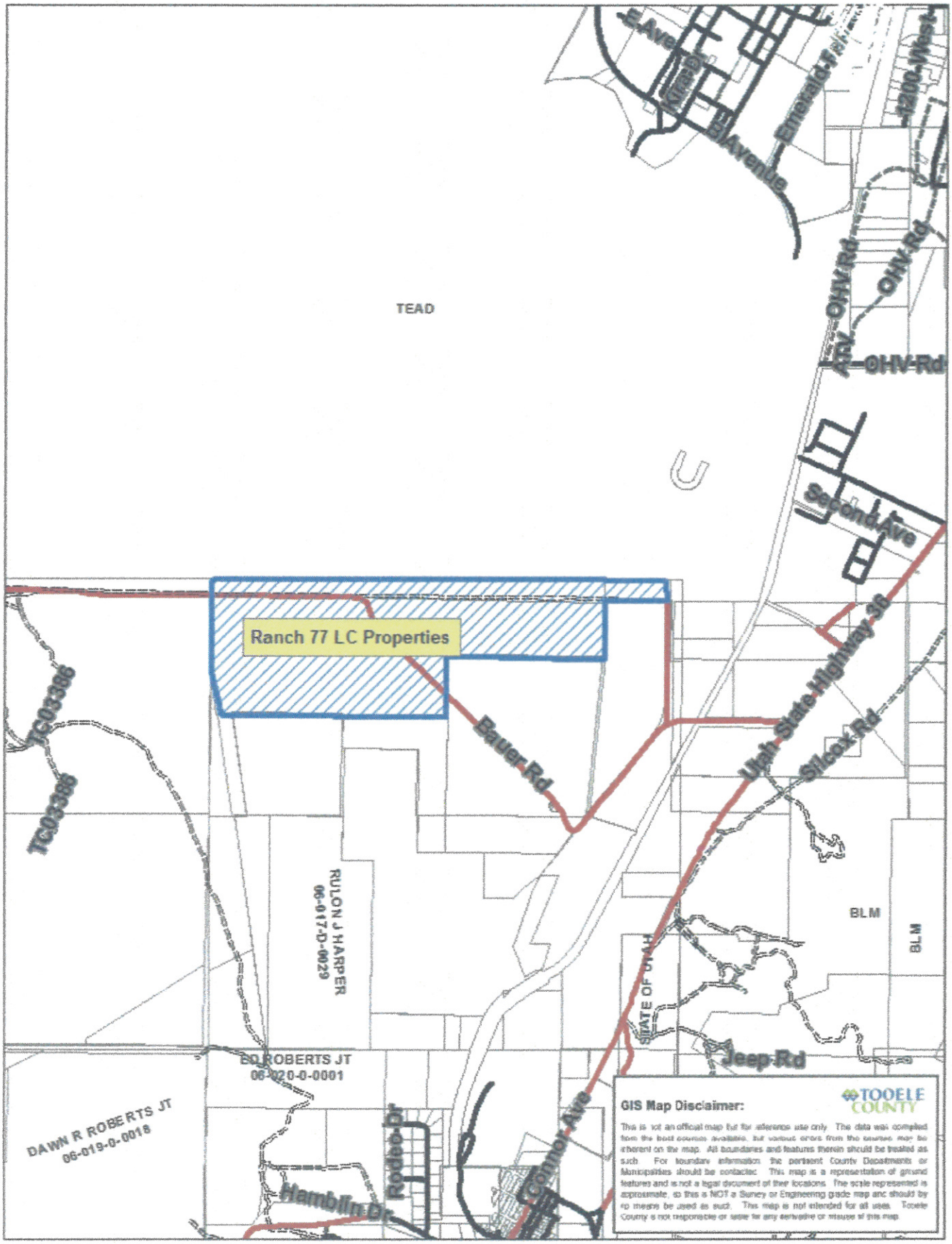
WADE B. BITNER, Chairman

Commissioner Bateman voted aye
Commissioner Bitner voted aye
Commissioner Milne voted aye

APPROVED AS TO FORM:

SCOTT A. BROADHEAD
Tooele County Attorney

EXHIBIT A



TEAD
Ranch 77 LC Properties
Bauer Rd
Utah State Highway 36
Silcox Rd
Second Ave
OHV Rd
ATV
Emerald Fl
1200 West
E Ave
Kira Dr
B Avenue
TC03386
RULON J HARPER
06-017-D-0029
ED ROBERTS JT
06-020-0-0001
DAWN R ROBERTS JT
06-019-0-0018
Hamblin Dr
Rodeo Dr
Connor Ave
STATE OF UTAH
BLM
Jeep Rd
GIS Map Disclaimer:
TOOELE COUNTY
This is not an official map but for reference use only. The data was compiled from the best sources available, but various errors from the sources may be inherent on the map. All boundaries and features therein should be treated as such. For boundary information the pertinent County Departments or Municipalities should be contacted. This map is a representation of ground features and is not a legal document of their locations. The scale represented is approximate, so this is NOT a Survey or Engineering grade map and should by no means be used as such. This map is not intended for all uses. Tooele County is not responsible or liable for any derivative or misuse of this map.

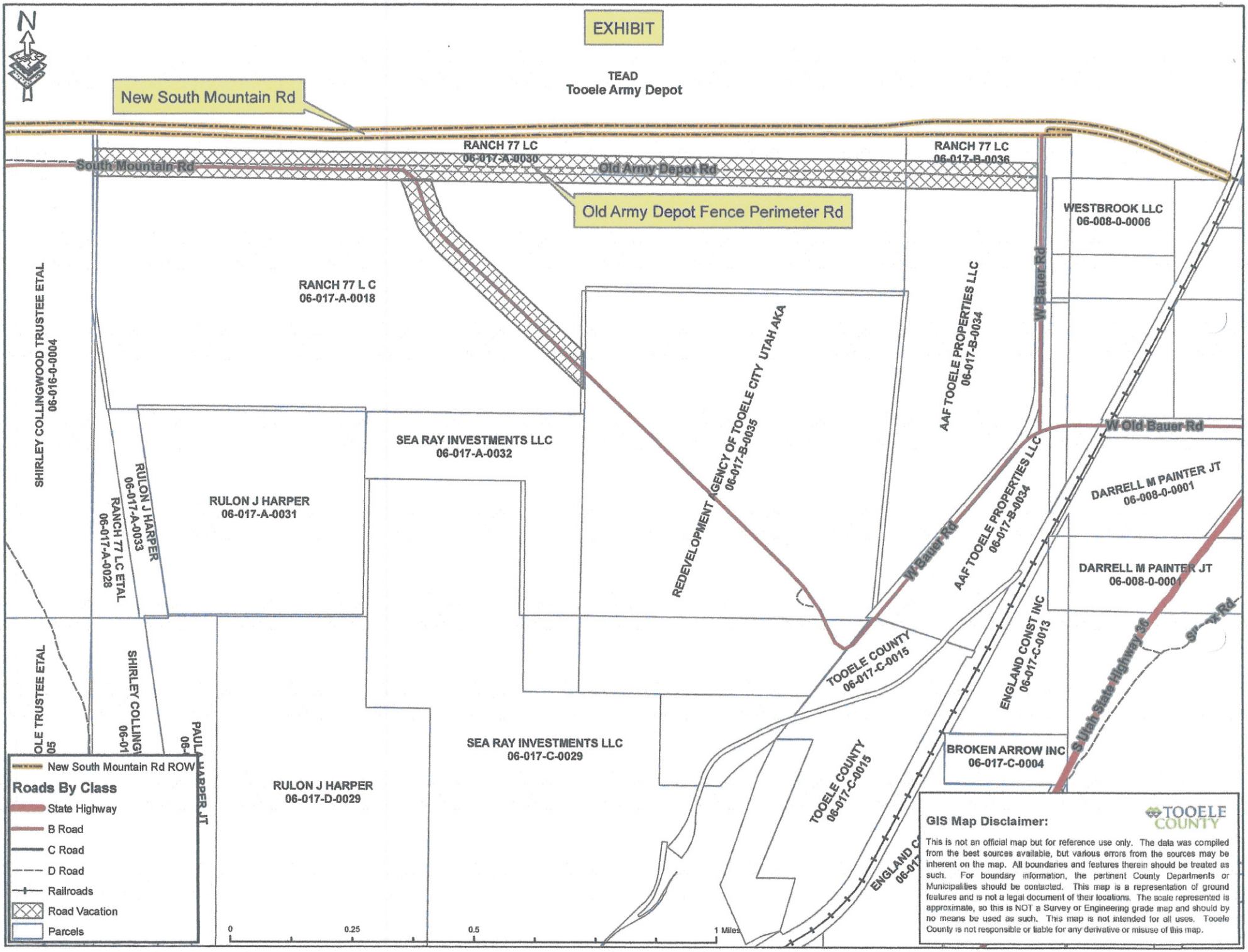


EXHIBIT
N
TEAD
Tooele Army Depot
New South Mountain Rd
South Mountain Rd
RANCH 77 LC
06-017-A-0030
Old Army Depot Rd
RANCH 77 LC
06-017-B-0036
Old Army Depot Fence Perimeter Rd
WESTBROOK LLC
06-008-0-0006
SHIRLEY COLLINGWOOD TRUSTEE ETAL
06-016-0-0004
RANCH 77 L C
06-017-A-0018
AAF TOOELE PROPERTIES LLC
06-017-B-0034
W Bauer Rd
W Old Bauer Rd
REDEVELOPMENT AGENCY OF TOOELE CITY UTAH AKA
06-017-B-0035
SEA RAY INVESTMENTS LLC
06-017-A-0032
RULON J HARPER
06-017-A-0031
RULON J HARPER
06-017-A-0033
RANCH 77 LC ETAL
06-017-A-0028
DARRELL M PAINTER JT
06-008-0-0001
W Bauer Rd
AAF TOOELE PROPERTIES LLC
06-017-B-0034
DARRELL M PAINTER JT
06-008-0-0001
TOOELE COUNTY
06-017-C-0015
ENGLAND CONST INC
06-017-C-0013
S Utah State Highway 36
SEA RAY INVESTMENTS LLC
06-017-C-0029
BROKEN ARROW INC
06-017-C-0004
RULON J HARPER
06-017-D-0029
TOOELE COUNTY
06-017-C-0015
New South Mountain Rd ROW
Roads By Class
State Highway
B Road
C Road
D Road
Railroads
Road Vacation
Parcels
0
0.25
0.5
1 Miles
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TOOELE COUNTY
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THAT PORTION OF (OLD) BAUER ROAD AND OF (OLD) SOUTH MOUNTAIN ROAD/OLD ARMY PERIMETER ROAD WITHIN THE FOLLOWING DESCRIBED PORTION OF LAND

06-017-A-0018

SITUATE IN SEC 11 & 12, T4S, R5W, SLB&M: BEG S 364.21 FT & E 15.36 FT FR NW COR OF SEC 11, T4S, R5W, SLB&M, PT BEING IN LI WITH S FENCE LINE OF TOOELE ARMY DEPOT, TH S 89°40'50" E 8809.61 FT ALG SD FENCE, TH S 00°05'48" E 1241.85 FT, TH S 89°53'07" W 3506.66 FT, TH S 00°13'14" E 1339.40 FT, TH S 89° 42'56" W 5140.45 FT, TO A FENCE, TH N 08°45'48" W 1137.29 FT ALG SD FENCE, TH N 00°07'59" E 1538.87 FT TO POB. 420.00 TOTAL ACRES. (395.00 ACRES ASSESSED BY TOOELE COUNTY; 25.00 ACRES ASSESSED BY STATE OF UTAH UNDER 98-000-0-0546.OWNER)--(ALSO STATE ASSESSED NUMBER 98-000-0-0623

THAT PORTION OF (OLD) SOUTH MOUNTAIN ROAD/OLD ARMY PERIMETER ROAD WITHIN THE FOLLOWING DESCRIBED PORTION OF LAND

06-017-A-0030

BEG AT NW COR SEC 11, T4S, R5W, SLB&M; RUN TH S 02°24'54" E 364.534 FT, M/L, TO AN ANCIENT FENCE LI OF TOOELE ARMY DEPOT; TH S 89°40'50" E 8809.61 FT ALG WHERE AN ANCIENT FENCE LI HAD BEEN; TH N 00°05'48" W 559.62 FT M/L, TO N LI OF SEC 12, T4S, R5W, SLB&M; TH S 89°37'44" W 3510.16 FT TO NE COR OF SD SEC 11; TH S 88°39'19" W 2659.54 FT; TH S 88°40'51" W 2655.70 FT TO POB. , LESS, AND EXCEPT THAT PORTION OF THE PPTY LYING W OF THE BERTAGNOLE FENCELINE AGREEMENT AS DESCRIBED IN BK 130, 402-405 OF THE RECORDS FOR REAL PPTY OF TC, UT, 5.0 AC ASSESSED BY STATE UNDER SA# 98-000-0-0546, 71.04 AC ASSESSED BY TOOELE COUNTY. OWNER--STATE ASSESSED NUMBER 98-000-0-0623

ALSO THAT PORTION OF (OLD) SOUTH MOUNTAIN ROAD/ OLD ARMY PERIMETER ROAD WITHIN THE FOLLOWING DESCRIBED PORTION OF LAND

06-017-B-0036

BEG AT THE NE COR OF SEC 12, T4S, R5W, SLB&M, AND RUN TH S 00°02'44" W 1824.02 FT TO THE PPTY CONVEYED TO CYRUS LAND INVESTMENTS LLC IN BK 605 PG 297 OF OFFICIAL RECORDS; TH ALG SD BDY THE FOLLOWING THREE COURSES; 1) TH S 89°51'50" W 254.20 FT, 2) TH N 00°11'34" W 1367.81 FT, 3) TH N 89°41'59" W 1519.93 FT TO E BDY LI OF PPTY CONVEYED TO S CLAIR BANKHEAD AND KENNETH G HANSEN IN BK 630 PG 784 OF OFFICIAL RECORDS; TH ALG SD E BDY LI N 00°05'48" W 437.32 FT TO THE N LI OF SD SEC 12; TH ALG SD N LI OF SD SEC N 89°37'44" E 1780.98 FT TO POB. ---LESS ANY PORTION LYING WITHIN SEC 1 & 7, T4S,

R4W BY RESURVEY OF SEC 1, 2, & 11-14, T4S, R5W, REC 9/26/07 #294167 (NEW PARCEL # FOR 2008 YR) 15.41 AC----LESS AND EXCEPTING -ALL OF THAT PORTION OF THE PROPERTY DESCRIBED ON THE CYRUS LAND-ROAD DEDICATION PLAT (RECORDER NO: 357038, TOOELE COUNTY UT) LOCATED ACROSS THE PROPERTY OWNED BY RANCH 77 LC BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 89°37'00" WEST, ALONG THE SECTION LINE 0,19 FEET FROM THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN (SAID POINT BEING MARKED "TOOELE COUNTY SURVEYOR 2004"); AND RUNNING THENCE ALONG SAID CYRUS LAND ROAD PLAT LINE FOR THE FOLLOWING TWO (2) COURSES: 46.12 FEET ALONG A 50,00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 52°51'10" (CHORD BEARS SOUTH 26°19'14" WEST, 44.50 FEET); THENCE SOUTH 00°06'17" EAST, 415.16 FEET TO A POINT ON THE SOUTH DEED LINE OF THE RANCH 77 LC PROPERTY; THENCE NORTH 89°41'59" WEST, ALONG SAID PROPERTY LINE 80.00 FEET TO A POINT ON THE AFORE MENTIONED CYRUS LAND ROAD PLAT LINE; THENCE ALONG SAID PLAT LINE FOR THE FOLLOWING TWO (2) COURSES: NORTH 00°06'17" WEST, 413.71 FEET TO A POINT ON A 50,00 FOOT RADIUS CURVE TO THE LEFT; THENCE 46.63 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53°2550" ,(CHORD BEARS NORTH 26°49'18" WEST, 44.96 FEET) TO A POINT ON THE NORTH SECTION LINE; THENCE NORTH 89°37'00" EAST, ALONG SAID SECTION LINE 120,02 FEE TO THE POINT OF BEGINNING. CONTAINS: 36,838 SQ, FT. OR 0.85 ACRES MORE OR LESS.