

**TOOELE COUNTY
ORDINANCE 2021-02**

**AN ORDINANCE VACATING CERTAIN PUBLIC UTILITY
EASEMENTS IN ASSOCIATION WITH THE KARTCHNER ACRES
SUBDIVISION AMENDED**

WHEREAS, the owners of the three lots in the Kartchner Acres Subdivision desire to adjust their lot lines and eliminate unneeded and unused public utility easements; and

WHEREAS, the Planning Commission approved the lot line adjustments subject to the Council's vacation of the unneeded and unused public utility easements; and

WHEREAS, this Ordinance was previously numbered 2020-34 and received a public hearing and first reading, but was not enacted, by the County Commission in 2020;

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

SECTION I – PURPOSE. Current three-lot Kartchner Acres Subdivision is depicted on Exhibit A. Proposed Kartchner Acres Subdivision Amended is depicted on Exhibit B. The purposes of the subdivision amendment are twofold: first, to increase the size of Lots 101 and 103 and reduce the size of Lot 102; and second, to vacate unneeded and unused public utility easements located on the northern and western boundaries of the subdivision and along the shared boundaries of the three lots, leaving intact the public utility easements located on the eastern and southern boundaries of the subdivision. The public utility easements to be vacated are depicted in yellow on Exhibit A. The Tooele County Planning Commission has approved the amended subdivision subject to the Tooele County Council's vacation of the described public utility easements.

SECTION II – PUBLIC UTILITY EASEMENTS VACATED. Having provided proper notice pursuant to Utah Code Annotated 17-27A-609.5, a public hearing was conducted. The County Council, upon a finding of good cause, hereby vacates the public utility easements

depicted in yellow on Exhibit A, leaving only those public utility easements located on the eastern and southern boundaries of the subdivision, as depicted on Exhibit B. Neither the public interest nor any person will be materially injured by the vacation of the public utility easements.

SECTION III – RECORDING OF PLAT. The plat attached hereto as Exhibit B shall be recorded in the Office of the Tooele County Recorder.

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 Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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

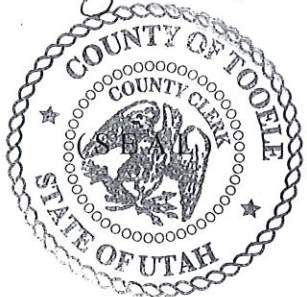
IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 5th day of January, 2021.

ATTEST:

TOOELE COUNTY COUNCIL:


MARILYN K. GILLETTE, Clerk


TOM TRIPP, Chair

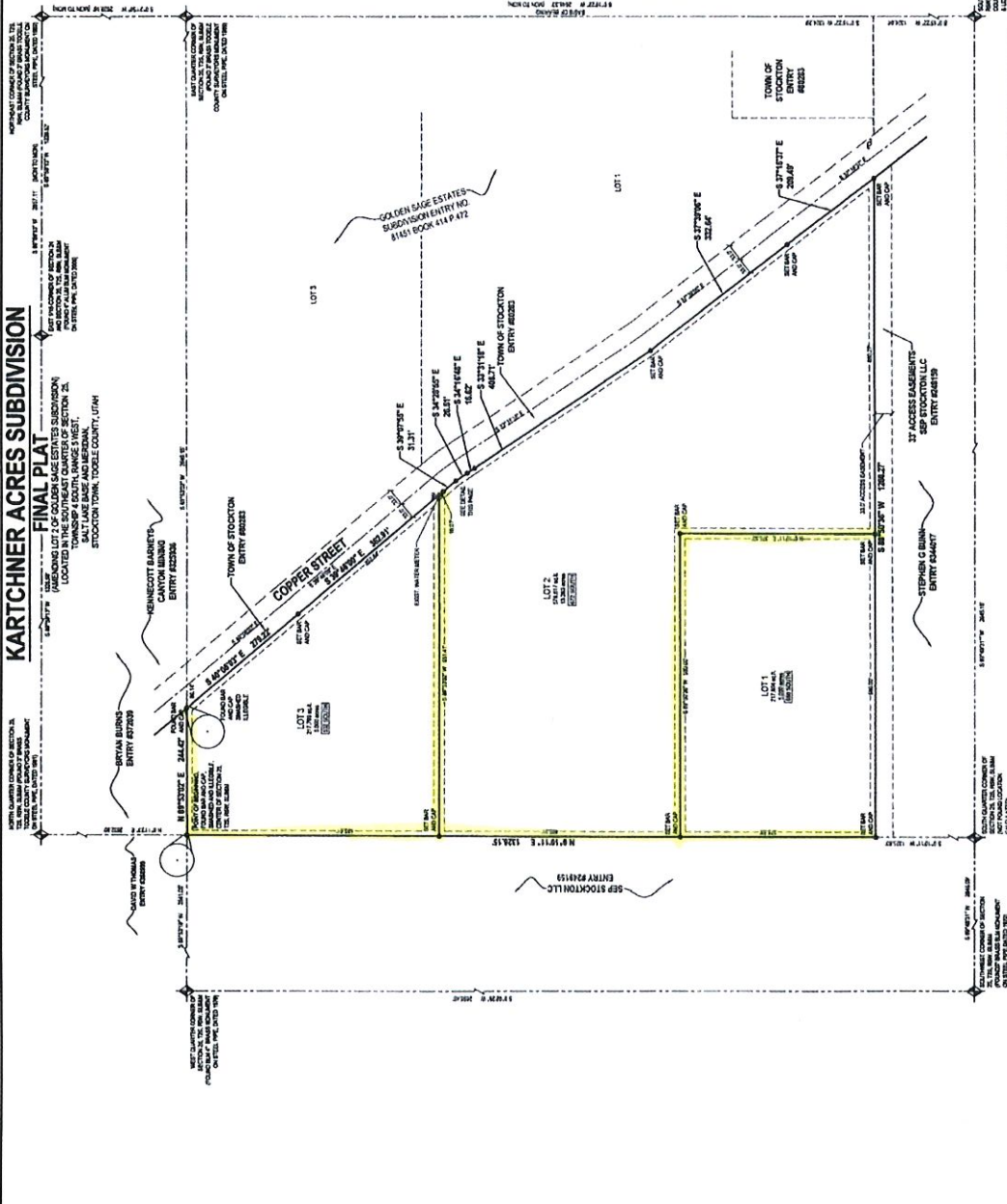


Council Member Hamner voted aye
Council Member Hoffmann voted aye
Council Member Thomas voted aye
Council Member Tripp voted aye
Council Member Wardle voted aye

APPROVED AS TO FORM:


COLIN R. WINCHESTER
Deputy Tooele County Attorney

KARTCHNER ACRES SUBDIVISION



BOUNDARY DESCRIPTION
 The boundary description for the subdivision is as follows: ... [Detailed legal description of the property boundaries and easements]

OWNER'S DECLARATION AND CONSENT TO RECORD
KARTCHNER ACRES SUBDIVISION
 I, the undersigned, being the owner of the above described land, do hereby certify that the information contained herein is true and correct to the best of my knowledge and belief.

INDIVIDUAL ACKNOWLEDGMENT
 I, the undersigned, do hereby certify that I am the owner of the above described land and that I am executing this instrument voluntarily and without any fraud, duress, or undue influence.

NOTARIAL ACKNOWLEDGMENT
 I, the undersigned, do hereby certify that I am the owner of the above described land and that I am executing this instrument voluntarily and without any fraud, duress, or undue influence.

<p>ENSIGN THE STANDARD IN ENGINEERING</p>	<p>TOOLE COUNTY HEALTH DEPARTMENT APPROVED BY THE BOARD OF HEALTH</p>	<p>TOOLE COUNTY PLANNING COMMISSION APPROVED BY THE COMMISSION</p>	<p>TOOLE COUNTY BUILDING AND DEVELOPMENT APPROVED BY THE BOARD OF BUILDING</p>	<p>TOOLE COUNTY SURVEYING DIRECTOR APPROVED BY THE DIRECTOR</p>	<p>TOOLE COUNTY ATTORNEY APPROVED BY THE ATTORNEY</p>	<p>TOOLE COUNTY TREASURER APPROVED BY THE TREASURER</p>
---	---	--	--	---	---	---

SHEET 1 OF 1
 PROJECT NUMBER: 1111
 DRAWN BY: J. R. [Name]
 CHECKED BY: J. R. [Name]
 DATE: 10/15/2015

EXHIBIT A

