

**TOOELE COUNTY
ORDINANCE 2021-37**

**AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS IN
ASSOCIATION WITH THE SPECTOR AMENDED SUBDIVISION**

WHEREAS, the owners of lots 16 and 17 in the Captains Island Subdivision No. 1 desire to combine their lots into one lot and eliminate unneeded and unused public utility easements and seek approval of the proposed Spector Amended Subdivision; and

WHEREAS, the Planning Commission approved the proposed amended subdivision subject to the Council's vacation of the unneeded and unused public utility easements;

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

SECTION I – PURPOSE. The purposes of the subdivision amendment are twofold: first, to combine the existing residential lot with a portion of a vacant residential lot to the west; and second to vacate unneeded and unused public utility easements, leaving intact the public utility easement located on the southwest boundary of Lot 1 of the proposed subdivision. The Tooele County Planning Commission has approved the proposed 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 on final plat map, leaving only the public utility easement located on the southwest boundary of Lot 1 of the proposed subdivision. 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 final plat 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 Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.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.

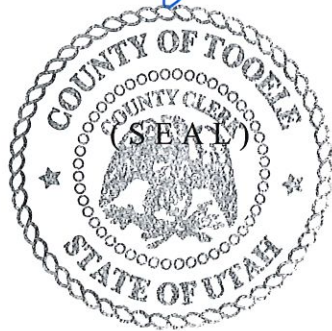
IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 24 day of August, 2021.

ATTEST:

TOOELE COUNTY COUNCIL:


TRACY D. SHAW, County Clerk


TOM TRIPP, Council Chair



Council Member Hamner voted absent
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