

**TOOELE COUNTY  
ORDINANCE 2023-07**

**AN ORDINANCE VACATING A PORTION OF CENTER STREET,  
SOUTHWEST OF LAKE POINT**

**WHEREAS**, in December of 2018, a Master Development Agreement with Kennecott Utah Copper LLC (“Kennecott”) was approved and signed for proposed planned community Adobe Rock Ranch; and

**WHEREAS**, pursuant to the Master Development Agreement, Kennecott dedicated a road right-of-way to Tooele County for the Center Street and Pole Canyon Realignment Project; and

**WHEREAS**, the Master Development Agreement states that if the Master Development Agreement is terminated due to referendum or otherwise, the right-of-way reverts to Kennecott; and

**WHEREAS**, the proposed development was defeated by referendum; and

**WHEREAS**, the Master Development Agreement was terminated by the County Commission effective November 3, 2020; and

**WHEREAS**, Tooele County must formally vacate the right-of-way, which consists of a 50-foot wide by 5,084-foot long portion of Center Street South (approximately 5.84 acres); and

**WHEREAS**, notice of a public hearing to consider the proposed vacation of the right-of-way was mailed and published and posted as required by Utah Code Section 17-27a-208; and

**WHEREAS**, the Tooele County Council held a public hearing on February 21, 2023 to consider the proposed vacation, and then voted to vacate the right-of-way;

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**NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE COUNTY ORDAINS AS FOLLOWS:**

**SECTION I – ROAD VACATED.** Having provided proper notice, having held a public hearing, and finding good cause therefore, Tooele County hereby vacates the public right-of-way interest in a portion of Center Street South in Tooele County, Utah.

A map showing the area and the right-of-way being vacated, and the legal description of the right-of-way being vacated, are attached hereto and by this reference made a part hereof.

The County's interest in the vacated right-of-way hereby reverts to Kennecott Utah Copper LLC.

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

**SECTION II – REPEALER.** Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION III – 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.

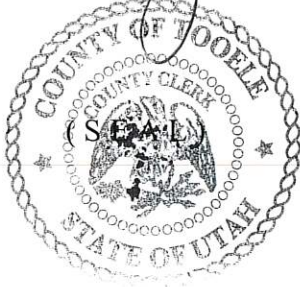
**IN WITNESS WHEREOF** the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 21<sup>st</sup> day of February, 2023.

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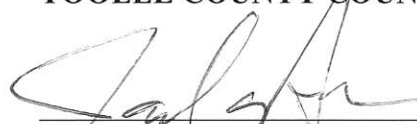
**ATTEST:**



TRACY D. SHAW, County Clerk



**TOOELE COUNTY COUNCIL:**



JARED S. HAMNER, Chair

Council Member Hamner voted aye

Council Member Hoffmann voted aye

Council Member Stromberg voted aye

Council Member Thomas voted aye

Council Member Wardle voted aye

**APPROVED AS TO FORM:**



COLIN R. WINCHESTER  
Deputy Tooele County Attorney



STATE OF UTAH            )  
  ) SS.  
COUNTY OF TOOELE    )

On 2-29-23, Jared S. Hamner, Chair of the Tooele County Council, personally appeared before me and acknowledged that he signed the foregoing Tooele County Ordinance 2023-07 after it was approved by the Tooele County Council.

  
NOTARY PUBLIC

**BOUNDARY DESCRIPTION  
Center Street Vacation**

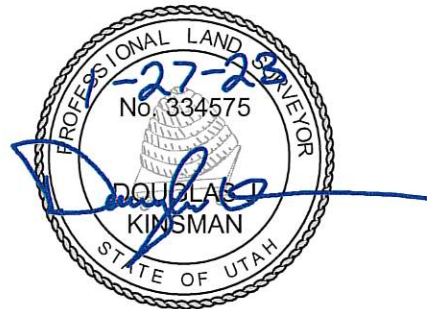
A parcel of land, situate in the West half of Section 15, Township 2 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Tooele County, Utah, more particularly described as follows:

Beginning at the 3" brass Tooele County Surveyor's monument, dated 2015, at the South Quarter Corner of Section 15, Township 2 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 89°49'02" West 50.00 feet along the southerly Section Line of said Section 15;  
thence North 0°10'07" West 5,083.92 feet parallel with and 50.00 feet perpendicular to the Quarter Section Line of said Section 15;  
thence North 89°49'53" East 50.00 feet to the Quarter Section Line of said Section 15;  
thence South 0°10'07" East 5,084.23 feet along said Quarter Section line to the said South Quarter Corner of Section 15 and to the Point of Beginning.

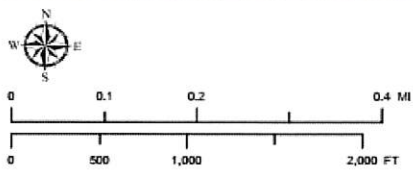
Contains 254,204 square feet or 5.84 acres.

05-033-0-0021





(Depiction of Right of Way Property)  
**POLE CANYON AND CENTER STREET ROAD DEDICATION**



**Rio Tinto**  
Kennecott Copper