

Return to:

Taylorsville City
2600 W. Taylorsville Blvd.
Taylorsville, UT 84129

**TAYLORSVILLE, UTAH
ORDINANCE NO. 17-17**

12583414
07/27/2017 08:46 AM \$0.00
Book - 10581 Pg - 9210-9213
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
TAYLORSVILLE CITY
2600 TAYLORSVILLE BLVD
TAYLORSVILLE UT 84118-2208
BY: CEA, DEPUTY - WI 4 P.

AN ORDINANCE OF THE CITY OF TAYLORSVILLE GRANTING A PETITION FROM LEGACY PLAZA 5400, LLC TO VACATE A STORM DRAIN EASEMENT LOCATED AT APPROXIMATELY 5400 SOUTH AND 1712 WEST.

WHEREAS, the Taylorsville City Council (the "Council") met in regular session on July 19, 2017, to consider, among other things, granting a petition from Legacy Plaza 5400, LLC to vacate a storm drain easement located at approximately 5400 South and 1712 West; and

WHEREAS, a storm drain easement currently exists at approximately 5400 South and 1712 West, a more accurate description of which is attached hereto as Exhibit A and incorporated herein by this reference (the "Easement"); and

WHEREAS, the storm drain which was the subject of the Easement has been removed and relocated to a different location north of the current Easement location, a description of which is attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, Legacy Plaza 5400, LLC is the sole property owner that uses and is impacted by the Easement; and

WHEREAS, Utah Code Ann. § 10-9a-609.5 requires that the Council hold a public hearing upon submission of a petition to vacate an easement to determine whether good cause exists for the vacation and whether the public interest or any person will be materially injured by the proposed vacation; and

WHEREAS, the Council held a public hearing on the matter during its regularly scheduled meeting on July 19, 2017; and

WHEREAS, after careful consideration, the Council has determined that good cause exists for the vacation and that neither the public interest nor any person will be materially injured by the proposed vacation; and

WHEREAS, the Council has further determined that it is in the best interests of the health, safety, and welfare of the citizens of the City to vacate the Easement.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the petition to vacate the Easement is hereby granted and that authorized City personnel shall hereby cause a copy of this Ordinance No. 17-17 to be recorded in the Salt Lake County Recorder's Office.

THIS ORDINANCE, assigned Ordinance No. 17-17, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the city recorder, and accepted as required herein.

PASSED AND APPROVED this 19 day of July, 2017.

TAYLORSVILLE CITY COUNCIL

By: Bradley W. Christopherson
Bradley W. Christopherson, Chairman



VOTING:

Dama Barbour	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Ernest Burgess	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Daniel Armstrong	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Kristie Overson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Brad Christopherson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

PRESENTED to Mayor of Taylorsville for his approval this 20th day of July, 2017.
APPROVED this 21 day of July, 2017.

Lawrence Johnson
Lawrence Johnson, Mayor

ATTEST:
Cheryl Peacock Cottle
Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this 21 day of July, 2017.

POSTED this 21 day of July, 2017.

EXHIBIT I

Legal Description of Current Storm Drain Easement

A portion of an Easement as recorded at the Salt Lake County Recorder's Office as Entry No. 3360472 in Book 4979 at Page 680, being a strip of land 15 feet wide, lying 7.5 feet on each side of and parallel with the following described center line:

Beginning at a point on the west property line of Redwood Road, said point being 288.00 feet North $0^{\circ}02'55''$ West and 53.00 feet WEST from the South $\frac{1}{4}$ Corner of Section 10, T2S, R1W, S.L.B.&M; running thence WEST 410 feet to the terminus of the vacated center line.

EXHIBIT B

Legal Description of New Storm Drain Easement

A 15.00-foot wide utility easement for the construction, installation, and maintenance of a Storm Drainage System over, across, and through a parcel of land located in the Southwest quarter of Section 10, Township 2 South, Range 1 West, Salt Lake Base & Meridian, said easement being more particularly described as follows:

Beginning at a point which is 2171.98 feet North 89°53'41" East along the section line and 280.97 feet North 0°06'19" West from the Southwest corner of said Section 10; running thence North 35°06'56" East 64.05 feet; thence South 89°16'35" East 118.75 feet; thence North 80°24'25" East 106.16 feet; thence North 62°35'28" East 115.34 feet; thence South 89°04'26" East 47.63 feet; thence South 0°24'55" East 109.36 feet; thence North 89°35'05" East 10.47 feet to the east line of grantors property, also being the west line of Redwood Road; thence South 0°03'48" East 15.00 feet along said east line; thence South 89°35'05" West 25.38 feet; thence North 0°24'55" West 109.71 feet; thence North 89°04'26" West 29.19 feet; thence South 62°35'28" West 113.90 feet; thence South 80°24'25" West 109.86 feet; thence North 89°16'35" West 112.20 feet; thence South 35°06'56" west 56.14 feet; thence North 54°53'04" West 15.00 feet to the point of beginning.

Contains: 8,461 sq. ft. or 0.194 acres.