

NU 14-40-10

RESOLUTION 99-71

A RESOLUTION AUTHORIZING THE PARTIAL RELEASE OF AN UTILITY EASEMENT AND A CREEK MAINTENANCE EASEMENT TO MOUNTAIN STATES DEVELOPMENT LLC, WITHIN THE PROPOSED CHERRY MEADOWS SUBDIVISION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT PURSUANT HERETO.

09-055-0070

WHEREAS, Mountain States Development LLC, the developer of the proposed Cherry Meadows Subdivision, has approached Layton City requesting the partial release of an utility easement and the release of a creek maintenance easement the City currently holds across the subject property; and

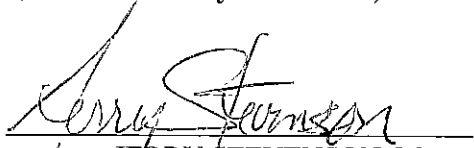
WHEREAS, the purpose of the request is so that the developer will have sufficient buildable area on which to construct residential buildings; and

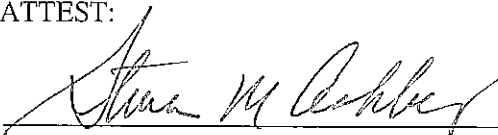
WHEREAS, in reviewing the developer's request, the Engineering Division of the Public Works Department has determined that said utility easement may be replaced by the proposed right-of-way to be dedicated as shown on the subdivision dedication plat, and that said creek maintenance easement may be replaced by the Davis County flood control easement as shown on the subdivision dedication plat;

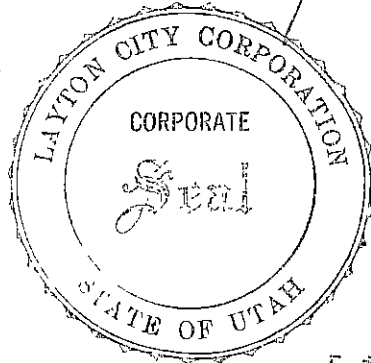
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That Layton City release a portion of an utility easement and a portion of a creek maintenance easement crossing the subject parcel, which is more particularly described and illustrated in the attached Exhibits "A" and "B", which are incorporated herein by this reference, which are located within the proposed Cherry Meadows Subdivision owned by Mountain States Development LLC.
2. That the release be completed at the time the subdivision plat is filed, as a condition of filing the plat.
3. That the City Manager is hereby authorized to execute all necessary documents in furtherance of this resolution.

PASSED AND ADOPTED by the City Council of Layton, Utah this 7<sup>th</sup> day of October, 1999.

  
JERRY STEVENSON, Mayor

ATTEST:  
  
STEVEN M. ASHBY, City Recorder



E 1561923 B 2588 P 1189  
SHERYL L. WHITE, DAVIS CNTY RECORDER  
1999 DEC 2 4:53 PM FEE .00 DEP KN  
REC'D FOR BONNEVILLE TITLE COMPANY, INC

EXHIBIT "A"

1541923 8 2588 P 1190

UTILITY EASEMENT VACATE  
QUIT CLAIM DEED FOR PHASE II  
CHERRY MEADOWS SUBDIVISION  
CENTERLINE DESCRIPTION

A 20-foot wide permanent utilities easement whose centerline is described as follows:

Beginning at a point which is North 70°07'35" East, 852.762 feet from the West Quarter Corner of Section 14, Township 4 North, Range 1 West of the Salt Lake Base and Meridian, and running thence North 38°30'00" East, 90.00 feet; thence South 84°20'00" East, 220.00 feet; thence South 62°24'00" East, 150.00 feet; thence South 88°17'00" East, 270.00 feet; thence North 52°00'00" East, 400.00 feet; thence North 80°07'00" East, 75.705 feet to the point of termination.

CREEK MAINTENANCE EASEMENT VACATE  
QUIT-CLAIM DEED FOR CHERRY MEADOWS SUBDIVISION

A creek maintenance easement for cleaning and flood control on the parcel located between the centerline of Kays Creek and a line described as follows:

Beginning at a point North 0°13'00" East, 540.00 feet along the section line from the West Quarter Corner of Section 14, Township 4 North, Range 1 West of the Salt Lake Base and Meridian, and running thence North 87°55'00" East, 275.00 feet; thence South 63°39'00" East, 586.00 feet; thence North 38°30'00" East, 90.00 feet; thence South 84°20'00" East, 220.00 feet; thence South 62°24'00" East, 150.00 feet; thence South 88°17'00" East, 270.00 feet; thence North 52°00'00" East, 400.00 feet; thence North 80°07'00" East, 400.00 feet; thence North 63°26'00" East, 239.38 feet more or less to the point of termination.

PROPOSED CHERRY MEADOWS SUBDIVISION

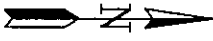
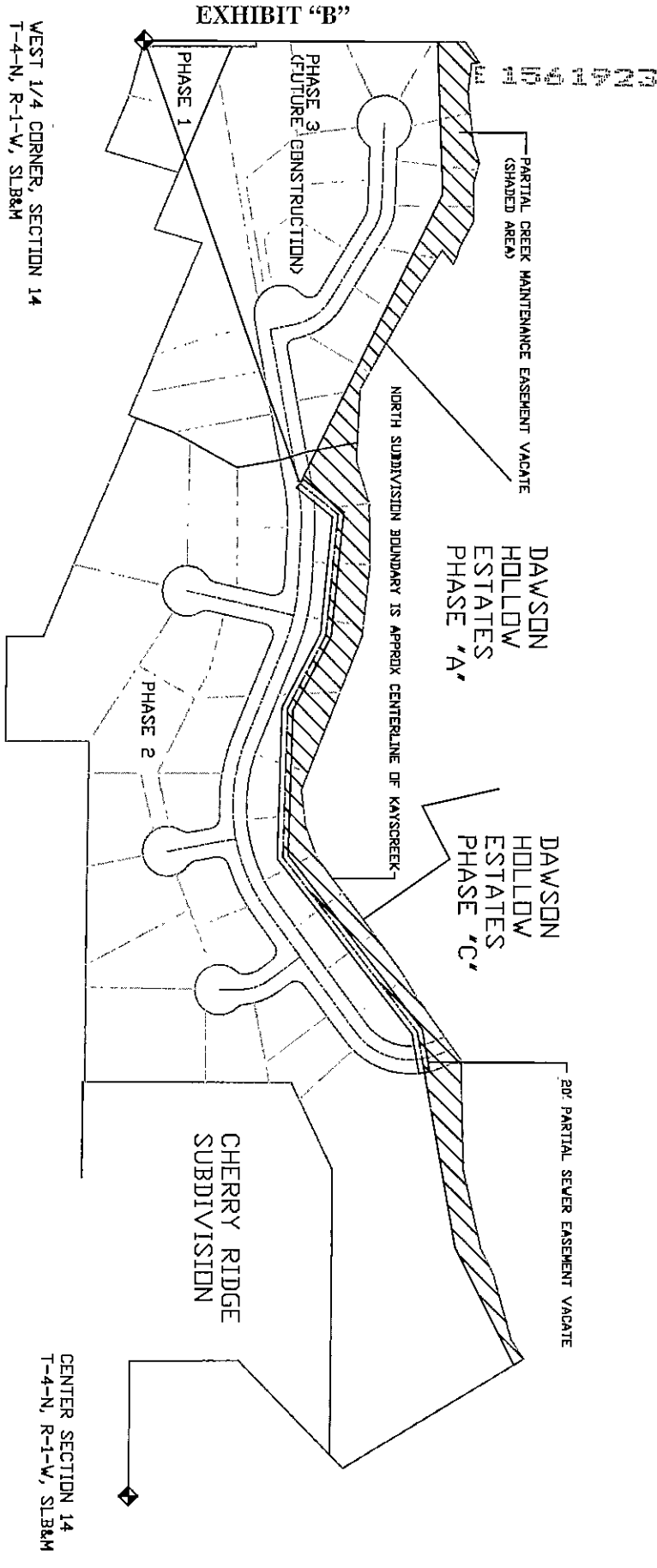


EXHIBIT "B"  
 CHERRY MEADOWS PARTIAL VACATE OF EASEMENTS  
*Layton City Corporation*

DRAWN BY	VERTICAL SCALE	FILE	DRAWING NO.
DPR	N/A	CHERRY VACATE	1 OF 1
APPROVED BY	HORIZONTAL SCALE	VIEW	DATE
N/A	1"=300'	PLOT1	9-20-99