

Blk 11 + 13

Kaysville 2nd Street ORDINANCE NO. 99-9-1
11-115-0100

VACATING A PORTION OF 100 NORTH STREET EXTENDING WEST FROM THE EASTERN CITY BOUNDARY, KAYSVILLE CITY, DAVIS COUNTY, STATE OF UTAH; RESERVING UTILITY EASEMENTS; PROVIDING FOR THE RECORDING OF SUCH ORDINANCE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the governing body of Kaysville City has determined within the meaning of §10-8-8.2, Utah Code Annotated, 1953, that there is good cause for vacating 100 North Street extending west from the eastern City boundary, a distance of approximately 252 feet; and

WHEREAS, the City has caused to be published a "Notice of Public Hearing to consider vacating a portion of 100 North Street, Kaysville City, Davis County, Utah" for the purpose of calling a Public Hearing to consider the question of whether or not the portion of said street should be vacated; and

WHEREAS, said Public Hearing was held at the Kaysville Municipal Center at 6:30 o'clock P.M. on Tuesday, September 7, 1999; and,

WHEREAS, after due deliberation by the Mayor and City Council, it is now found and determined that there is good cause for vacating said portion of 100 North Street and that such vacation will not be detrimental to the public interest and that it is in the best interest of the City and its inhabitants to vacate said portion of said Street;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, as follows:

SECTION 1: PORTION OF 100 NORTH STREET VACATED

The portion of 100 North Street extending west from the eastern City boundary a distance of approximately 252 feet is and the same is hereby vacated as a public street, which said portion of said street is more particularly described as follows:

Beginning at a point which is South 0°10'50"
West 378.85 feet from the center of Section
35 T4N R1W, SLB&M, and running thence South
0°10'50" West 71.91 feet, thence South
66°46'48" West 226.50 feet, thence North
22°49'30" West 66.00 feet, thence North
66°46'48" East 254.60 feet to the point of
beginning.

Contains 0.536 acres.

SECTION 2: RESERVATION OF EASEMENTS AND RIGHTS-OF-WAY

Kaysville City, for and on behalf of itself and all public utilities providing services within Kaysville City, hereby reserves a permanent and perpetual easement and right-of-way in the property described in Section 1 for the construction and erection and continued and future operation, maintenance, repair, alteration, inspection and replacement of water, sewer, irrigation, and gas lines and electric transmission and distribution lines, telephone lines, and circuits and cable television lines attached to poles or other supports, together with guys, crossarms, and other attachments and incidental equipment thereon and all other utilities, and appurtenances, over, on, across and under the said premises, together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment hereby reserved, and all rights and privileges incident thereto, including the right from time to time to cut, trim, and remove trees, brush, overhanging branches, roots and other obstructions which may injure or interfere with the use, occupation, or enjoyment of said easements and rights-of-way and the operation, maintenance and repair of such utilities.

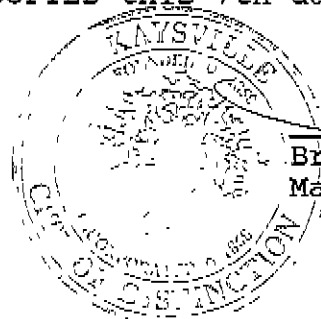
SECTION 3: RECORDING OF ORDINANCE


Upon or after the effective date of this Ordinance, a copy hereof shall be recorded by the City Recorder in the Office of the County Recorder of Davis County, State of Utah.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect upon the date of publication of a summary thereof, one time only, in the Clipper Today.


APPROVED AND ADOPTED this 7th day of September, 1999.





Brian D. Cook
Mayor

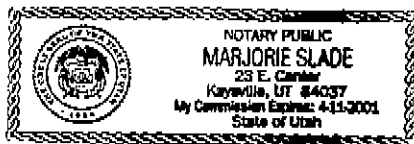
ATTEST:



Linda Ross
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the 7th day of September, 1999, personally appeared before me BRIAN D. COOK and LINDA ROSS, who being by me duly sworn did say, each for himself and herself, that he, the said BRIAN D. COOK, is the Mayor of Kaysville City, and she, the said LINDA ROSS, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and the said BRIAN D. COOK and LINDA ROSS each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.



Marjorie Slade

Notary Public

(SEAL)