

**ORDINANCE 2001-7**

**AN ORDINANCE VACATING A COUNTY ROAD IN THE  
BIG HOLLOW AREA OF RUSH VALLEY**

**THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF TOOELE ORDAINS  
AS FOLLOWS:**

**SECTION I - PURPOSE.** It is the purpose of this ordinance to vacate a portion of a county road in Section 29, Township 5 South, Range 6 West SLB&M, as it crosses Danny and Connie Stewart's property, in conjunction with the property owner's dedication of a new road, which will effectively realign the road to be adjacent to the property boundary line.

**SECTION II - FINDINGS OF FACT.** The unnamed road in question diagonally crosses a forty-acre parcel owned by Danny and Connie Stewart, effectively splitting the property. The property owners will realign the road so that it follows the boundary of the property instead of bisecting it. The planning commission has reviewed the proposal and has recommended the vacation be made. Proper notice of a public hearing was given pursuant to Utah Code Annotated 72-3-108. This ordinance is adopted pursuant to Utah Code Annotated 72-3-108. There is good cause to vacate this portion of the county road and the vacation will not be detrimental to the general interest, because there will be in conjunction herewith a dedication of a realigned route and actual construction of the new road.

**SECTION III - VACATION OF COUNTY ROAD.** A portion of a county road in Big Hollow in Rush Valley, Tooele County, Utah, is hereby formally vacated pursuant to the provisions of Section 72-3-108, U.C.A. 1953, as amended. That portion of the road that is being vacated hereby described as: that road which diagonally bisects the southeast quarter of the northeast quarter of Section 29, Township 5 South, Range 6 West, SLB&M.

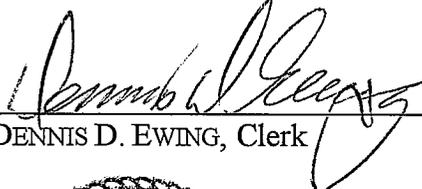
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The right-of-way and easements, if any, of a property owner and the franchise rights of any public utility shall not be impaired by vacating this road.

**SECTION IV - EFFECTIVE DATE.** This ordinance shall become effective and in force only when the Stewarts first construct the new road to county standards, the road construction is accepted and approved by the county, and when they dedicate the same by deed or plat to the public. This ordinance shall not be filed in the County Recorder's office until that time.

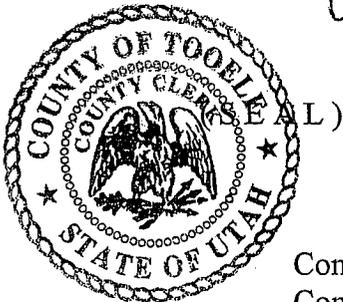
**IN WITNESS WHEREOF,** the Legislative Body of Tooele County passed, approved and enacted this Ordinance this 18 day of February 2001.

**ATTEST:**

  
DENNIS D. EWING, Clerk

**TOOELE COUNTY:**

By   
DENNIS ROCKWELL, Chairman



Commissioner Rockwell voted aye  
Commissioner Hunsaker voted aye  
Commissioner White voted aye

**APPROVED AS TO FORM:**

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney

S.L.B. & M.

666.37' S 89° 38' 38" E 2666.08' S 88° 56' 04" E

JACQUELINE D. EBERLY

(OD-1473)  
G-70-3  
40 AC.

DANNY L. & CONNIE J. STEWART

(OD-1475)  
G-70-2  
40 AC.

U.S.A.  
OD-1474  
G-70-1  
320 AC.

29

BLM

2648.49' S 0° 40' 35" W 2648.49'