

ORDINANCE 2009-04

**AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY INTEREST
IN TC03601 BETWEEN UNION PACIFIC ACCESS ROAD AND TC03602 IN
LAKE POINT**

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF
TOOELE COUNTY, UTAH AS FOLLOWS:**

SECTION I - PURPOSE. Numerous citizens, primarily those living in Stansbury Park, have expressed safety and nuisance concerns with respect to the public's use of a parcel of property owned by Kennecott Utah Copper and accessed by way of TC03601, a County road. Kennecott Utah Copper has expressed a willingness to fence and gate the property to help alleviate trespassing, illegal dumping, and target shooting if Tooele County will vacate a portion of the public right-of-way interest in TC03601. The Tooele County Planning Commission held a public hearing on the issue and recommends passage of this ordinance to alleviate said safety and nuisance concerns.

SECTION II - ROAD VACATED. Having provided proper notice pursuant to Utah Code Annotated 72-3-108, a public hearing was conducted and finding good cause therefore, Tooele County hereby vacates the public right-of-way interest in the section of TC03601 that lays between Union Pacific Access Road and TC03602 in Lake Point.

Inasmuch as the vacated area is not part of a subdivision, the County's interest in the vacated portion of TC03601 shall be transferred and conveyed to the abutting landowner, Kennecott Utah Copper, a division of Rio Tinto.

A map showing the area of the road being vacated (Exhibit A) is attached hereto and by this reference made a part hereof.

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

Ord. 2009-04

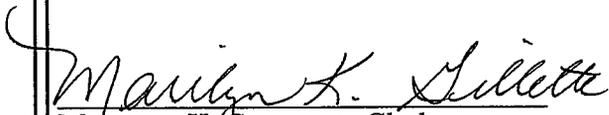
SECTION III - REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall take effect fifteen (15) days after its passage, provided the same has been published, with the name of the members voting for and against the same, for at least one publication in one issue of a newspaper published in and having general circulation in Tooele County.

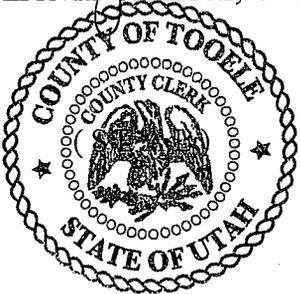
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 27th day of January 2009.

ATTEST:

TOOELE COUNTY COMMISSION:


MARILYN K. GILLETTE, Clerk


COLLEEN S. JOHNSON, Chairman



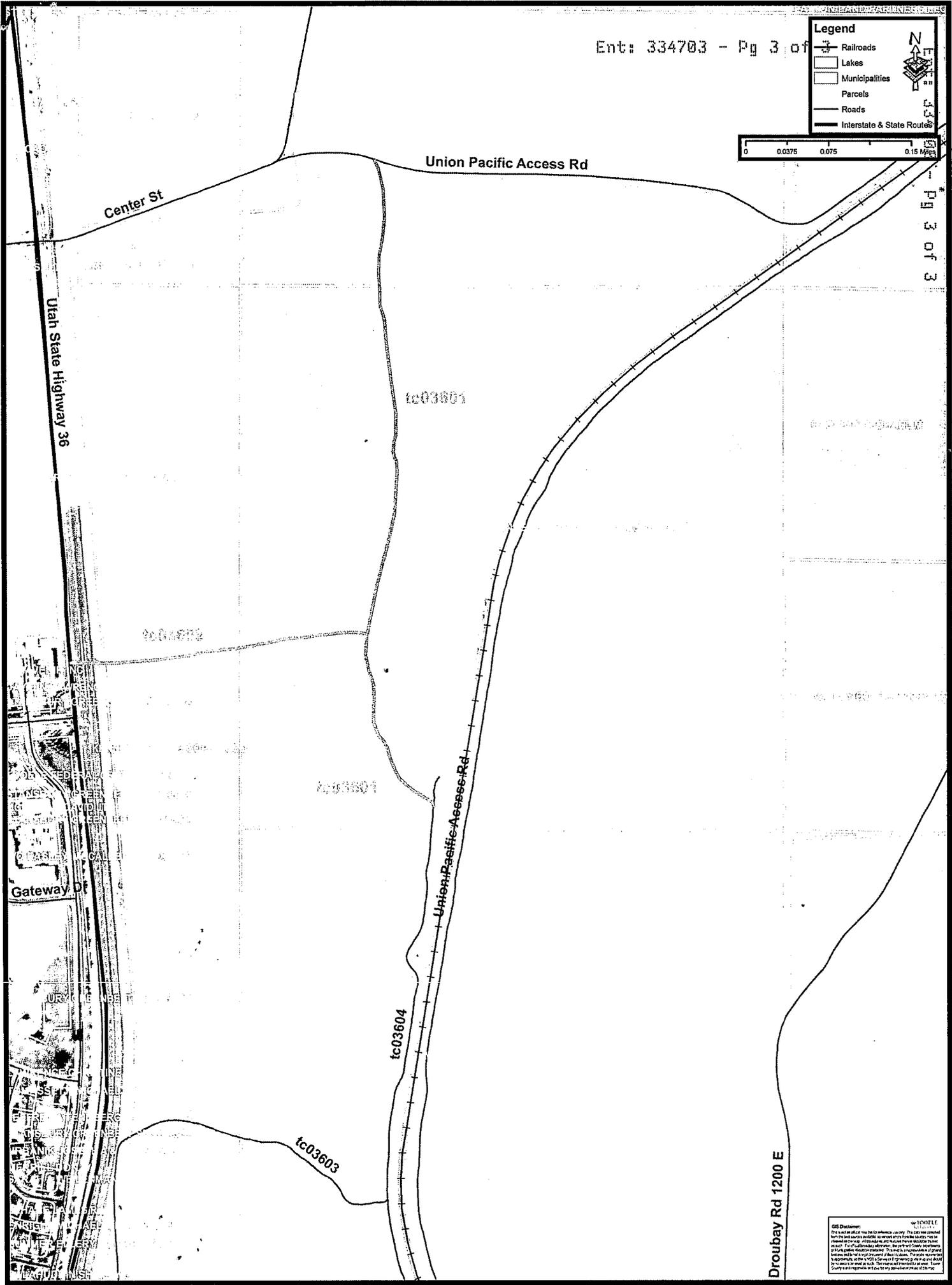
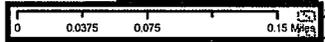
Commissioner Johnson voted aye
Commissioner Clegg voted absent
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

Legend

-  Railroads
-  Lakes
-  Municipalities
-  Parcels
-  Roads
-  Interstate & State Routes



GIS Disclaimer
 This is an official map of the State of Utah. The data was compiled from the best available information and is intended for general informational purposes only. The State of Utah does not warrant the accuracy, completeness, or timeliness of the data. The State of Utah is not responsible for any errors or omissions in this map. The State of Utah is not liable for any damages, including consequential damages, arising from the use of this map. The State of Utah is not responsible for any actions taken based on the information contained in this map. The State of Utah is not responsible for any actions taken based on the information contained in this map. The State of Utah is not responsible for any actions taken based on the information contained in this map.