

**AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY INTEREST
IN 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 TC03602, 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 the public right-of-way interest in TC03602. 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. Tooele County, pursuant to Ordinance 2009-04, previously vacated the public right-of-way interest in a portion of TC03601, an adjoining roadway, for the same purpose.

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 TC03602 in Lake Point.

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.

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 Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Ord. 2009-11

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 24th day of March 2009.

ATTEST:

TOOELE COUNTY COMMISSION:

Marilyn K. Gillette
Marilyn K. Gillette, Clerk

Colleen S. Johnson
Colleen S. Johnson, Chairman



Commissioner Johnson voted YES
Commissioner Clegg voted YES
Commissioner Hurst voted YES

APPROVED AS TO FORM:

Doug Hogan
Doug Hogan
Tooele County Attorney

