

**ORDINANCE 2005-03**

**AN ORDINANCE VACATING THE OLD ALIGNMENT OF CANYON ROAD AT ITS INTERSECTION WITH SR36 IN LAKE POINT**

**THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF TOOELE ORDAINS**

**AS FOLLOWS:**

**SECTION I - AMENDMENT.** Having mailed notices to abutting property owners and the Utah Department of Transportation and conducted a public hearing thereon and finding good cause therefor, Tooele County hereby vacates a portion of Canyon Road which has been realigned. Canyon Road is a prescriptive use road and the portion being vacated is near its intersection with SR36 in Lake Point.

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

Inasmuch as the vacated area is not part of a subdivision, the County Recorder is directed to divide the property down the middle and give such property to the abutting property owners. The legal description for making such division is attached hereto as Exhibit C.

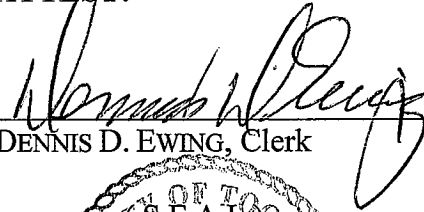
**SECTION II - REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

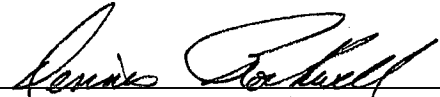
**SECTION III - EFFECTIVE DATE.** This ordinance shall take effect fifteen (15) days after its passage, provided the same has been published, with the name of the members voting for and against the same, for at least one publication in one issue of a newspaper published in and having general circulation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

IN WITNESS WHEREOF, the legislative body of Tooele County passed, approved and enacted this ordinance this 18<sup>th</sup> day of January 2005.

ATTEST:

TOOELE COUNTY COMMISSION:

  
DENNIS D. EWING, Clerk

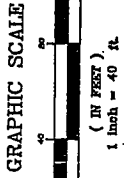
  
DENNIS ROCKWELL, Chairman



Commissioner Rockwell voted aye  
Commissioner Lawrence voted aye  
Commissioner Johnson voted aye

APPROVED AS TO FORM:

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney



| PARCEL   | SQUARE FEET | ACRES | TIE TO SECTION CORNER        |
|----------|-------------|-------|------------------------------|
| PARCEL A | 16,635      | 0.384 | NORTH 181.931' EAST 582.328' |
| PARCEL B | 20,908      | 0.478 | NORTH 181.931' EAST 582.328' |
| PARCEL C | 1,313       | 0.030 | NORTH 126.165' EAST 612.757' |
| PARCEL D | 11,926      | 0.274 | NORTH 126.165' EAST 612.757' |
| PARCEL E | 62,470      | 1.434 | S 89°44'17" E 763.748'       |
| PARCEL F | 25,725      | 0.591 | S 89°44'17" E 437.371'       |
| PARCEL G | 24,688      | 0.567 | S 89°44'17" E 763.748'       |
| PARCEL H | 1,542       | 0.035 | S 89°44'17" E 763.748'       |

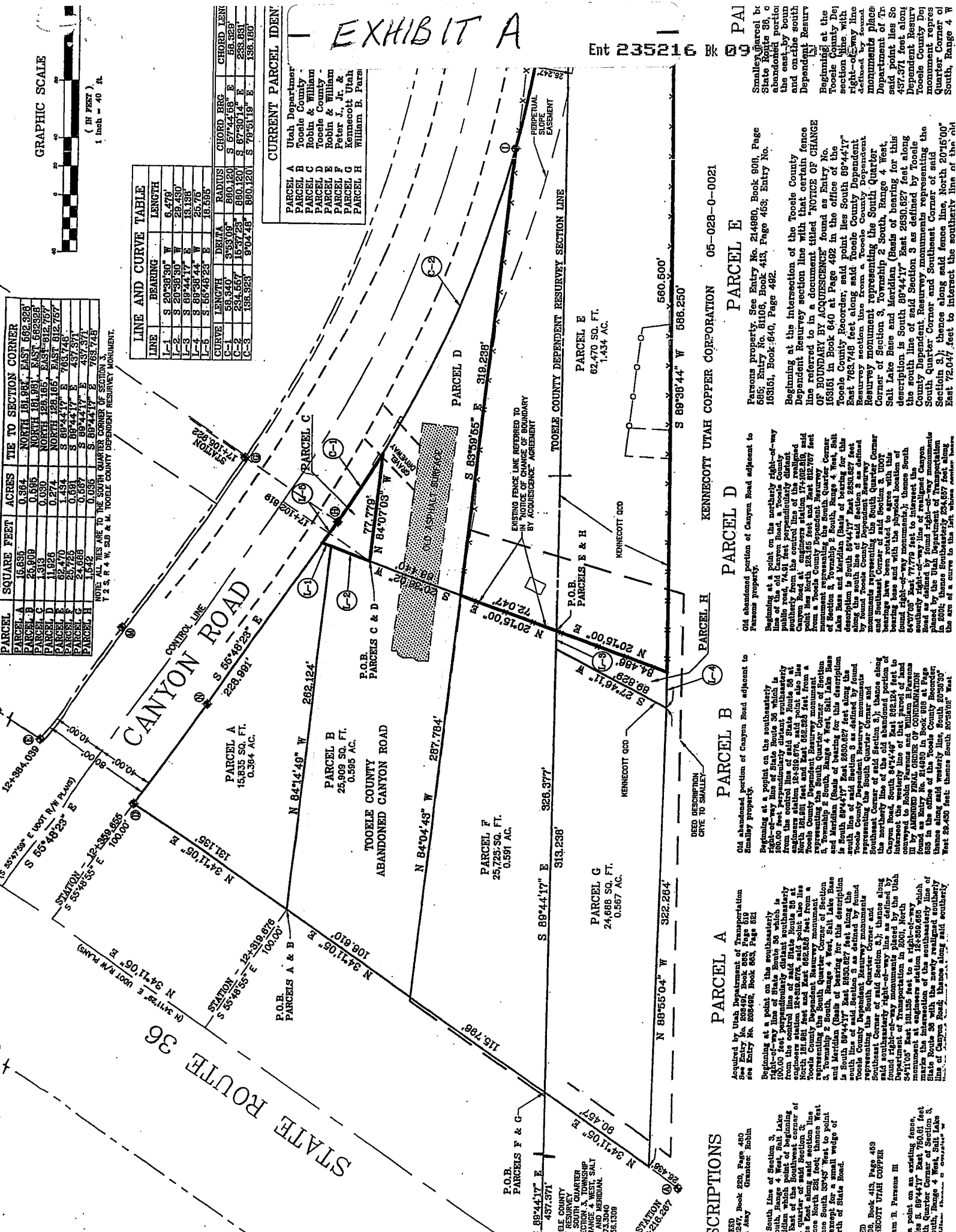
NOTE: ALL TIES ARE TO THE SOUTH QUARTER CORNER OF SECTION 3, T2S, R4W, S12 & M, TOOELE COUNTY DEPENDENT RESURVEY MONUMENT.

| LINE | BEARING       | LENGTH  |
|------|---------------|---------|
| L-1  | S 20°38'30" W | 6,478'  |
| L-2  | S 20°38'30" W | 29,430' |
| L-3  | S 89°44'17" E | 15,198' |
| L-4  | S 89°38'44" W | 25,76'  |
| L-5  | S 55°48'23" E | 16,595' |

| CURVE | LENGTH  | DELTA     | CHORD BEG. | CHORD END             |
|-------|---------|-----------|------------|-----------------------|
| C-1   | 58.340  | 5°58'09"  | 600.120    | S 97°44'09" E 58.329  |
| C-2   | 234.557 | 15°37'23" | 600.120    | S 87°30'14" E 233.831 |
| C-3   | 136.323 | 9°04'48"  | 600.120    | S 78°31'19" E 136.180 |

| CURRENT PARCEL IDEN | Utah Department                |
|---------------------|--------------------------------|
| PARCEL A            | Tooele County                  |
| PARCEL B            | Robbin & William               |
| PARCEL C            | Tooele & William               |
| PARCEL D            | Robbin & William               |
| PARCEL E            | Peter J., Jr. & Kennecott Utah |
| PARCEL F            | William B. Parsi               |
| PARCEL G            |                                |
| PARCEL H            |                                |

# EXHIBIT A



**PARCEL E**  
 Parsons property. See Entry No. 214980, Book 908, Page 685; Entry No. 61106, Book 413, Page 463; Entry No. 155161, Book 640, Page 492.  
 Beginning at the intersection of the Tooele County Dependent Resurvey section line with that certain fence line referred to in a document titled "NOTICE OF CHANGE OF BOUNDARY BY ACQUESCENCE" found as Entry No. 155161 in Book 640 at Page 492 in the office of the Tooele County Recorder, said point lies South 89°44'17" East 763.748 feet along said Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian. (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.) thence along said fence line, North 20°15'00" East 72.047 feet to intersect the southerly line of the old

**PARCEL D**  
 Old abandoned portion of Canyon Road adjacent to Parsons property.  
 Beginning at a point on the northerly right-of-way line of the old Canyon Road, a Tooele County monument placed at the point of beginning of the Canyon Road at engineer's station 174-102-282, said point lies North 20°15'00" East 72.047 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.) thence along the south line of said Section 3 as defined by Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3, 62.470 feet, 1.434 AC.

**PARCEL B**  
 Old abandoned portion of Canyon Road adjacent to Smalley property.  
 Beginning at a point on the southeasterly right-of-way line of State Route 36 which is 100.00 feet perpendicular distance southerly from the control line of said State Route 36 at engineer's station 12-1312-676, said point also lies North 84°04'49" West 287.764 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.) thence along the southerly line of the old abandoned portion of Canyon Road, 25,725 feet, 0.591 AC.

**PARCEL A**  
 Acquired by Utah Department of Transportation See Entry No. 203491, Book 563, Page 621; Entry No. 203492, Book 563, Page 621.  
 Beginning at a point on the southeasterly right-of-way line of State Route 36 which is 100.00 feet perpendicular distance southerly from the control line of said State Route 36 at engineer's station 12-1312-676, said point also lies North 84°04'49" West 287.764 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.) thence along the southerly line of the old abandoned portion of Canyon Road, 15,835 feet, 0.364 AC.

**DEED DESCRIPTIONS**  
 DEED Book 413 Page 463  
 KENNECOTT UTAH COPPER CORPORATION  
 William B. Parsons III  
 At a point on an existing fence, East 760.01 feet from the south line of said Section 3, South Quarter Corner of said Section 3, South, Range 4 West, Salt Lake Base and Meridian, thence South 20°15'00" East 72.047 feet to intersect the southerly line of the old abandoned portion of Canyon Road, thence along said southerly line of the old abandoned portion of Canyon Road, 62.470 feet, 1.434 AC.

EXHIBIT B

## PARCEL B

Old abandoned portion of Canyon Road adjacent to Smalley property.

Beginning at a point on the southeasterly right-of-way line of State Route 36 which is 100.00 feet perpendicularly distant southeasterly from the control line of said State Route 36 at engineers station 12+319.676, said point also lies North 181.981 feet and East 562.328 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by found Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.); thence along the northerly line of the old abandoned portion of Canyon Road, South 84°14'49" East 262.124 feet to intersect the westerly line of that parcel of land conveyed to Robin Parsons and William B. Parsons III by AMENDED FINAL ORDER OF CONDEMNATION found as Entry No. 214980 in Book 908 at Page 685 in the office of the Tooele County Recorder; thence along said westerly line, South 20°38'30" West 29.430 feet; thence South 20°36'02" West 68.440 feet to the southerly line of the old abandoned portion of Canyon Road; thence along said southerly line, North 84°04'43" West 287.784 feet to intersect the easterly right-of-way line of State Route 36; thence along said right-of-way line, North 34°11'05" East 106.610 feet to the point of beginning. The above described parcel of land contains 25,909 square feet in area or 0.595 acre.

## PARCEL D

Old abandoned portion of Canyon Road adjacent to Parsons property.

Beginning at a point on the northerly right-of-way line of the old Canyon Road, a Tooele County public road, 74.91 feet perpendicularly distant southerly from the control line of the realigned Canyon Road at engineers station 17+102.819, said point lies North 128.165 feet and East 812.757 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by found Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3. UDOT bearings have been rotated to agree with this bearing base and with the physical location of found right-of-way monuments.); thence South 84°07'03" East 77.779 feet to intersect the southerly right-of-way line of realigned Canyon Road as defined by found right-of-way monuments placed by the Utah Department of Transportation in 2001; thence Southeasterly 234.657 feet along the arc of a curve to the left whose center bears North 30°18'25" East 860.210 feet, has a central angle of 15°37'23" and a chord bearing and length of South 67°30'14" East 233.831 feet to a right-of-way monument placed in 2001; thence departing from the realigned southerly right-of-way line of Canyon Road, along the old southerly line of Canyon Road, North 83°59'55" West 319.238 feet; thence North 20°36'02" East 68.440 feet to the point of beginning. The above described parcel of land contains 11,926 square feet in area or 0.274 acre.

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**EXHIBIT C**

Description of the area northerly of the centerline of the old abandoned portion of Canyon Road adjacent to the Utah Department of Transportation Property:

Beginning at a point on the southeasterly right-of-way line of State Route 36 which is 100.00 feet perpendicularly distant southeasterly from the control line of said State Route 36 at engineers station 12+319.676, said point also lies North 181.981 feet and East 562.328 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by found Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.); thence along the northerly line of the old abandoned portion of Canyon Road, South 84°14'49" East 262.124 feet to intersect the westerly line of that parcel of land conveyed to Robin Parsons and William B. Parsons III by AMENDED FINAL ORDER OF CONDEMNATION found as Entry No. 214980 in Book 908 at Page 585 in the office of the Tooele County Recorder; thence along said westerly line, South 20°38'30" West 29.430 feet; thence South 20°36'02" West 19.526 feet to the centerline of the old abandoned portion of Canyon Road; thence along said centerline, North 84°09'18" West 274.938 feet to intersect the easterly right-of-way line of State Route 36; thence along said right-of-way line, North 34°11'05" East 53.305 feet to the point of beginning. The above described parcel of land contains 12,651 square feet in area or 0.290 acre.

Description of the area southerly of the centerline of the old abandoned portion of Canyon Road adjacent to the Smalley Property:

Beginning at a point on the southeasterly right-of-way line of State Route 36 which is 100.00 feet perpendicularly distant southeasterly from the control line of said State Route 36 at engineers station 12+303.429, said point also lies North 137.886 feet and East 532.378 feet from a Tooele County Dependent Resurvey monument representing the South Quarter Corner of Section 3, Township 2 South, Range 4 West, Salt Lake Base and Meridian (Basis of bearing for this description is South 89°44'17" East 2630.627 feet along the south line of said Section 3 as defined by found Tooele County Dependent Resurvey monuments representing the South Quarter Corner and Southeast Corner of said Section 3.); thence along the centerline of the old abandoned portion of Canyon Road, South 84°09'18" East 274.938 feet; thence South 20°36'02" West 48.913 feet to the southerly line of the old abandoned portion of Canyon Road; thence along said southerly line, North 84°04'43" West 287.784 feet to intersect the easterly right-of-way line of State Route 36; thence along said right-of-way line, North 34°11'05" East 53.305 feet to the point of beginning. The above described parcel of land contains 13,258 square feet in area or 0.304 acre.