

ORDINANCE 2013-14

**AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY INTEREST
IN A PORTION OF THE EAST TO WEST TRANSPORTATION
CORRIDOR KNOWN AS THE "PARKWAY," LOCATED EAST OF AND
ADJACENT TO SR-36, SOUTH OF THE CIMMARRON WAY
INTERSECTION**

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

SECTION I – PURPOSE. In 2006, a corridor dedication plat was recorded which established a 200' x 5,282' right-of-way for an east to west transportation corridor identified on the county's long-range transportation plan and known as the "Parkway," located in the northeast ¼ of Section 3, Township 3 South, Range 4 West, Salt Lake Base and Meridian. The land was dedicated to Tooele County as a public road to eventually be developed as an arterial road connecting Droubay Road with Sheep Lane.

Tooele County desires to convey the north 100' in the easternmost portion of the corridor, from Droubay Road to SR-36, back to the owner of the parcels which front onto the corridor. As part of a settlement agreement with the owner of these four parcels, the Board of County Commissioners has agreed to convey the north 100' back to BRK&H, LLC. The Tooele County Planning Commission held a public hearing on the issue and recommends passage of this ordinance.

SECTION II - VACATION. 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 a portion of the public right-of-way interest in the east to west transportation corridor identified on the county's long-range transportation plan and known as the "Parkway" as depicted on the "Harwood Exhibit," attached hereto and by this reference made a part hereof.

The County's interest in the vacated portion is reapportioned amongst the parcels which front the right-of-way corridor, as shown on the attached "Corridor Dedication Plat," 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 Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

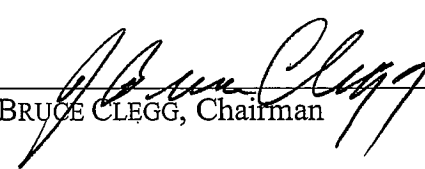
SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

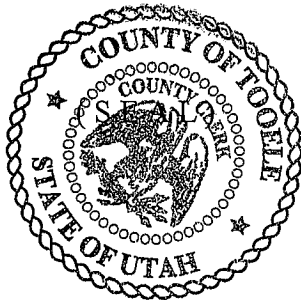
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 3rd day of September 2013.

ATTEST:

TOOELE COUNTY COMMISSION:


MARILYN K. GILLETTE, Clerk

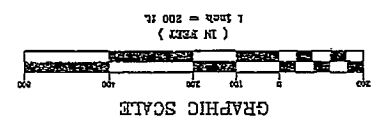

J. BRUCE CLEGG, Chairman



Commissioner Clegg voted aye
Commissioner Hurst voted aye
Commissioner Milne voted aye

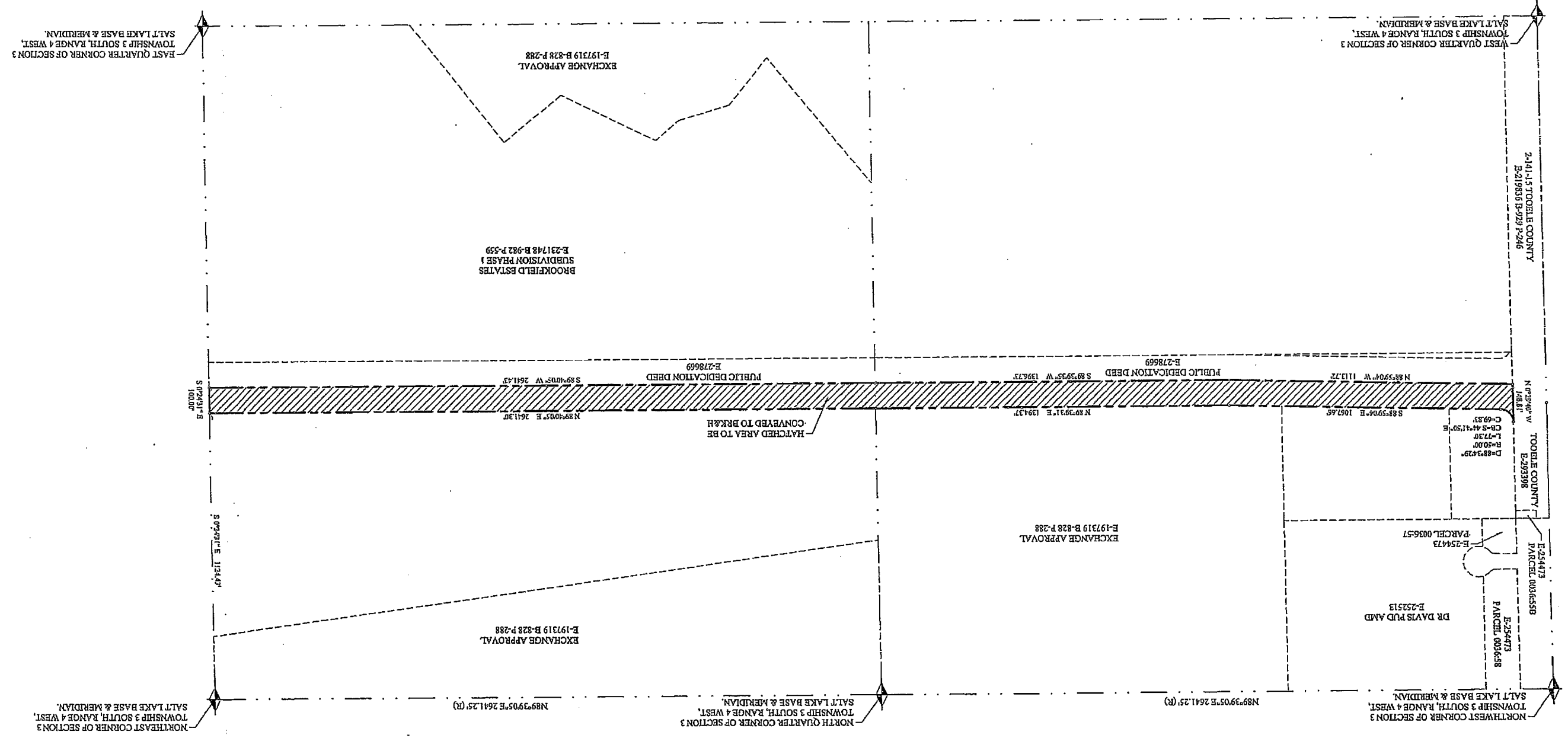
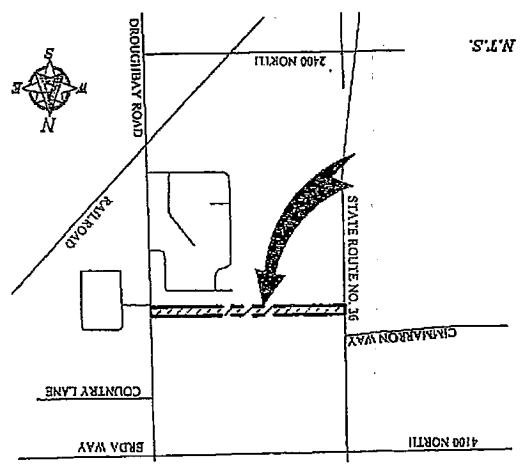
APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney



- GENERAL NOTES:**
1. NO EASEMENTS ARE ADDRESSED BY THIS MAP.
 2. THIS MAP IS NOT PROOF OF OWNERSHIP.
 3. THIS MAP MAKES NO ASSUMPTIONS AS TO ANY UNWRITTEN RIGHTS THAT MAY EXIST BY AND BETWEEN THE ADJOINING LAND OWNERS.
 4. COURSES AND DISTANCES SHOWN ON THIS MAP ARE RECORD ONLY. RECORD INFORMATION IS TAKEN FROM MAPS, PLATS, DEEDS OF RECORD, OR OTHER SOURCES OF RECORD INFORMATION.
 5. NO ABSTRACT OF TITLE, OR COMMITMENT FOR TITLE INSURANCE WAS OBTAINED OR REVIEWED DURING THE PROCESS OF THIS SURVEY. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THE SUBJECT PROPERTY'S QUALITY OF TITLE.
 6. NO PROPERTY CORNERS WERE SET FOR THIS EXHIBIT.

RECEIVED
JUL 11 2013
 SUBMITTAL # _____



HARWOOD EXHIBIT
 SITUATE IN THE NORTH HALF OF SECTION 03, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN, ERDA, UTAH

Salt Lake City Office 1st (801) 487-7400
 1370 SOUTH WEST TANKVILLE
 Salt Lake City, Utah 84119 fax (801) 487-7468
Ward Engineering Group
 Planning • Engineering • Surveying

No.	DATE	BY	REVISION

HARWOOD EXHIBIT:
 LOCATED IN THE NORTH HALF OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN.

CLIENT: JAY HARWOOD
 Dwg: DR EXHIBIT
 JOB No: 1306-DR000-11
 DATE: 7/11/13

DRAWN BY: BR
 FIELD CHECK: N/A
 CHECKED BY: SMT
 DATE: 7/11/13

WARD ENGINEERING GROUP
Planning Engineering Surveying
231 West 800 South
Suite A
Salt Lake City, Utah 84101
Tel: (801) 457-8400
Fax: (801) 457-8888

TOOELE COUNTY ENGINEERING COMMISSION
TOOELE COUNTY ATTORNEY
TOOELE COUNTY SURVEYOR
TOOELE COUNTY HEALTH DEPARTMENT
TOOELE COUNTY ENGINEER
TOOELE COUNTY BUSINESS
TOOELE COUNTY HEALTH DEPARTMENT APPROVAL
TOOELE COUNTY BUSINESS
TOOELE COUNTY ENGINEER
TOOELE COUNTY HEALTH DEPARTMENT APPROVAL
TOOELE COUNTY BUSINESS
TOOELE COUNTY ENGINEER
TOOELE COUNTY HEALTH DEPARTMENT APPROVAL

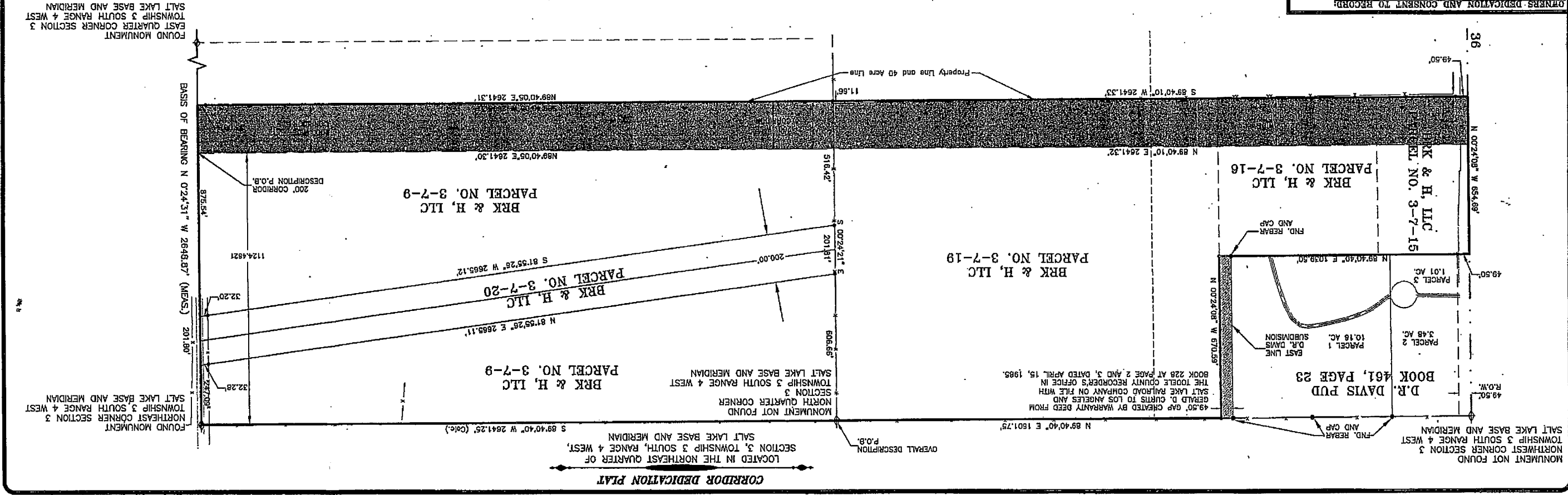
TOOELE COUNTY PUBLIC WORKS
TOOELE COUNTY FIRE DISTRICT
TOOELE COUNTY FIRE DISTRICT
TOOELE COUNTY FIRE DISTRICT
TOOELE COUNTY FIRE DISTRICT

CORRIDOR DEDICATION PLAT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN

STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT NO. 223970
TOOELE COUNTY RECORDER

SURVEYOR'S CERTIFICATE
I, RANDY N. MILLER, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR HOLDING CERTIFICATE NO. 501187 AS PROVIDED BY THE LAWS OF THE STATE OF UTAH, I PARTNER WITH THE OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, AND AS FRESHED BY THE LAWS OF THE STATE OF UTAH, I PARTNER WITH THE OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, AND AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBMITTED SAID TRACT TO THE TOOELE COUNTY SURVEYOR'S MONUMENT CENTER THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE

OTHERS DEDICATION AND CONSENT TO RECORD
I, RANDY N. MILLER, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR HOLDING CERTIFICATE NO. 501187 AS PROVIDED BY THE LAWS OF THE STATE OF UTAH, I PARTNER WITH THE OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, AND AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBMITTED SAID TRACT TO THE TOOELE COUNTY SURVEYOR'S MONUMENT CENTER THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE



MONUMENT NOT FOUND
SALT LAKE BASE AND MERIDIAN
N 07°24'08" W 654.69'
D.R. DAVIS PUD
BOOK 461, PAGE 23
D.R. DAVIS SUBDIVISION
PARCEL 1 10.16 AC.
PARCEL 2 3.48 AC.
PARCEL 3 1.01 AC.
BRK & H, LLC
PARCEL NO. 3-7-15
BRK & H, LLC
PARCEL NO. 3-7-16
PARCEL NO. 3-7-19
PARCEL NO. 3-7-20
BRK & H, LLC
PARCEL NO. 3-7-19
BRK & H, LLC
PARCEL NO. 3-7-20
BRK & H, LLC
PARCEL NO. 3-7-9
BRK & H, LLC
PARCEL NO. 3-7-9
BRK & H, LLC
PARCEL NO. 3-7-9
CORRIDOR DEDICATION PLAT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN