

*Please note that ordinances are always worded as if they will be approved, regardless of the Planning Commission's recommendation. The County Commission will vote whether or not to pass the ordinance at their meeting.*

## **ORDINANCE 2017-10**

### **AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY INTEREST IN A PORTION OF LAKESHORE DRIVE BETWEEN SUNSET ROAD AND THE NORTH LINE EXTENDED OF ALLY ACRES MINOR SUBDIVISION IN LAKE POINT**

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

**SECTION I – PURPOSE.** Saddleback Valley Company, LTD, et. al. own the property over which a prescriptive use road known as Lakeshore Drive runs. Agent for the Petitioners, Christopher Robinson of Saddleback Pastures, L.C., submitted a Petition to Vacate on behalf of the property owners, Skull Valley Co. LTD, Arimo Corporation, Beaver Creek Investments, L.C., and Uintah Land Company, L.C. The owners have petitioned to vacate the section of Lakeshore Drive running from Sunset Road south to the north line extended of Ally Acres Minor Subdivision to be replaced with a new road connecting Sunset Road with Cobblerock Road as part of the development of the Pastures at Saddleback PUD Plat 2.

The proposed vacation will allow for the future development of lots in the area along with a future extension of Saddleback Boulevard. Access provided by Lakeshore Drive will be replaced by a new connection of Sunset Road to Cobblerock Road through a new Plat 5 so access to properties served by this portion of Lakeshore Drive will not be lost. The proposed vacation is part of the overall concept plan approved in the development agreement with Saddleback Partners, L.C. in 1998. The newly updated Transportation Plan calls for a future road connecting Highway 201 and Droubay Road. That future connection will not involve Lakeshore Drive.

The Tooele County Planning Commission held a public hearing on the issue and felt that the vacation of this section of Lakeshore Drive would jeopardize the road planned to connect Highway 201 with Droubay Road as shown in the newly updated Transportation Plan. Therefore, the Planning Commission sends an unfavorable recommendation to the County Commission on this prescriptive use road vacation, by a vote of 6 to 1.

**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 the public right-of-way interest in the portion of Lakeshore Drive between Sunset Road and the north line extended of Ally Acres Minor Subdivision. The roadway portion being vacated is located on Parcels # 05-016-0-0028 and 18-083-0-000A, located in Section 1, Township 2 South, Range 4 West, Salt Lake Base and Meridian, in Tooele County, Utah.

A legal description and maps showing the area and portion of road being vacated are attached hereto as Exhibit A and by this reference made a part hereof.

The County's interest in the vacated portion of Lakeshore Drive will revert to the adjoining landowners.

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

**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 fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (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 20<sup>th</sup> day of June 2017.

**ATTEST:**

\_\_\_\_\_  
MARILYN K. GILLETTE, Clerk/Auditor

( S E A L )

**APPROVED AS TO FORM:**

\_\_\_\_\_  
SCOTT A. BROADHEAD  
Tooele County Attorney

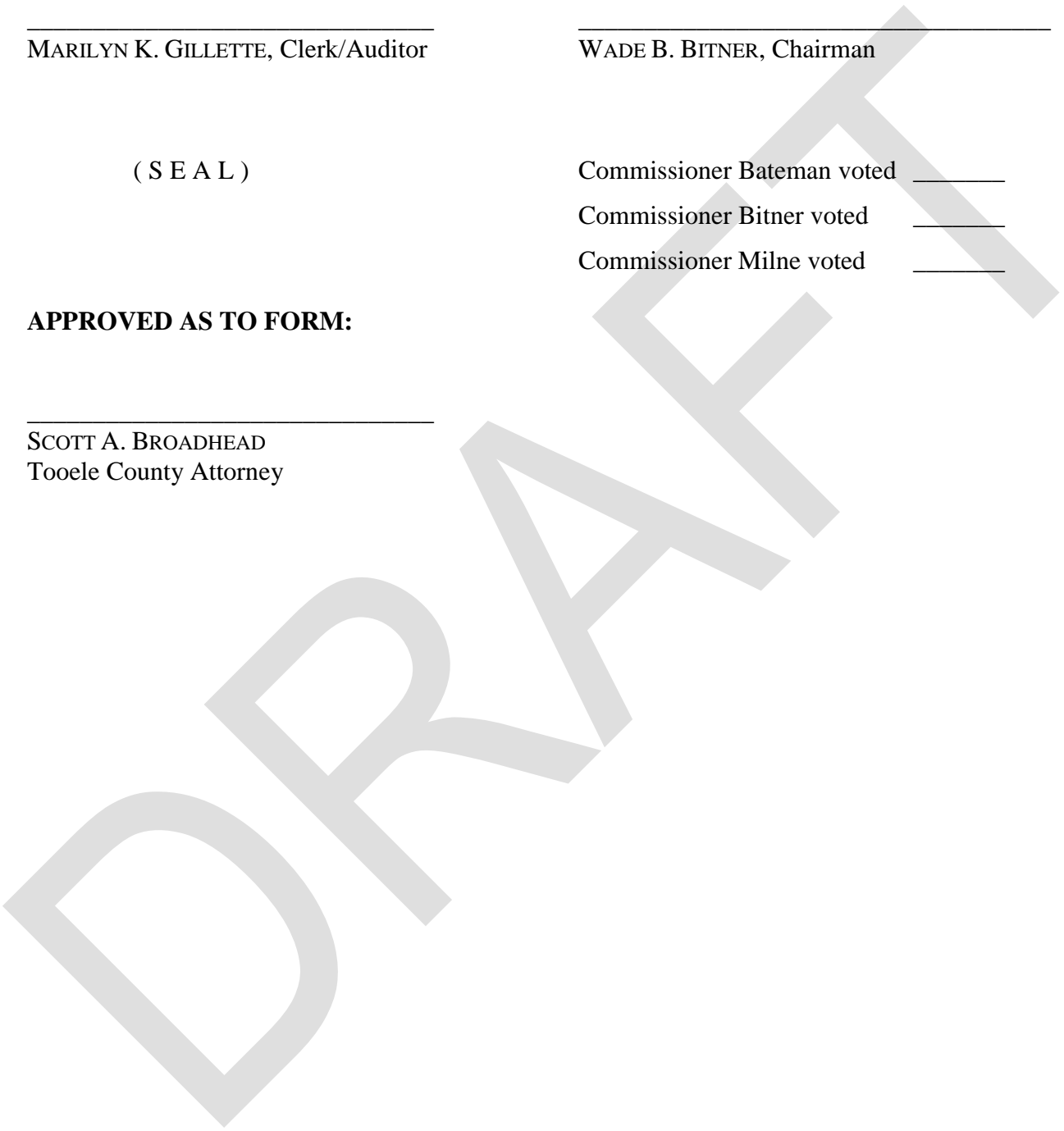
**TOOELE COUNTY COMMISSION:**

\_\_\_\_\_  
WADE B. BITNER, Chairman

Commissioner Bateman voted \_\_\_\_\_

Commissioner Bitner voted \_\_\_\_\_

Commissioner Milne voted \_\_\_\_\_



**ORDINANCE 2017-10**  
**EXHIBIT A**

**Legal Description of Vacation**

Beginning at a point which lies S 00°23'14" W along the section line 276.99 feet and West 1,530.30 feet from the North Quarter Corner of Section 1, Township 2 South, Range 4 West, Salt Lake Base and Meridian, Tooele County, Utah, (basis of bearing being S 00°23'14" W between the North Quarter Corner and South Quarter Corner of Section 1, T2S, R4W), said point also being on the west line of Parcel 1-F as defined in Pastures at Saddleback P.U.D. Plat 3 as recorded in the office of the Tooele County recorder as Entry No. 439192, and running thence S 06°04'10" E along said west line 45.12 feet; thence N 88°32'46" W 14.43 feet; thence S 00°42'36" E 44.97 feet; thence S 03°29'39" E 70.10 feet; thence S 04°17'04" E 66.36 feet; thence S 02°34'38" E 66.63 feet; thence S 02°05'22" E 74.25 feet; thence S 02°16'04" E 60.79 feet; thence S 03°23'48" E 93.67 feet; thence S 02°16'58" E 114.99 feet; thence S 09°06'18" W 34.00 feet; thence S 17°55'45" W 87.42 feet; thence S 19°58'45" W 84.38 feet; thence S 20°09'40" W 81.99 feet; thence S 21°49'06" W 118.79 feet; thence S 22°36'03" W 131.77 feet; thence S 22°49'40" W 233.76 feet; thence S 22°47'44" W 251.42 feet; thence S 22°47'23" W 215.23 feet; thence S 22°39'34" W 156.85 feet; thence northerly along the arc of a 300.00 foot radius non-tangent curve to the left, the center of which bears N 75°14'32" W, through a central angle of 10°47'46" a distance of 56.53 feet ; to the extension of the north line of Lot 1 of Ally Acres Minor Subdivision as recorded in the office of the Tooele County recorder as Entry Number 318694; thence N 89°28'45" W along said extension 57.79 feet to an existing historic fence; thence along said historic fence line the following ten (10) courses and distances: 1) N 21°27'14" E 133.35 feet; 2) N 21°56'27" E 211.19 feet; 3) N 21°51'24" E 248.98 feet; 4) N 22°03'48" E 243.40 feet; 5) N 22°06'51" E 238.06 feet; 6) N 16°17'51" E 358.98 feet; 7) N 09°00'28" W 115.03 feet; 8) N 00°38'03" E 211.46 feet; 9) N 04°07'27" E 78.14 feet; 10) N 00°46'55" W 79.86 feet; thence N 13°31'08" W 44.30 feet to the south line of said Plat 3; thence N 83°56'13" E along said south line 66.00 feet to the point of beginning.  
Containing 143,311 Square Feet or 3.282 Acres.