



# Vacating Roads, Easements, and Subdivisions

Road vacation is a process governed by state law whereby Weber County considers whether to retain the public’s interest in road rights of way, e.g., the right of the public to use an existing road or right of way.

There may be rights and interests of private individuals and utility companies that will remain, e.g., if utilities are located in the right of way, these easements will be retained. If approved, this can result in the vacated road becoming part of the abutting owners’ property. Road vacation does not necessarily remove all encumbrances from the area vacated.

A pre-application meeting is required prior to application submittal; please call (801) 399-8374 to make an appointment. Date of pre-application review meeting: \_\_\_\_\_ Time: \_\_\_\_\_

- **Staff member assigned to process application:** \_\_\_\_\_

**APPLICATION DEADLINE:** Thirty (30) days prior to the applicable Planning Commission meeting

The Western Weber County Township Planning Commission holds their meetings on the 2<sup>nd</sup> Tuesday of the month.

The Ogden Valley Township Planning Commission holds their meetings on the 4<sup>th</sup> Tuesday of the month.

## Fee Schedule

Fee Required \_\_\_\_\_

- Road, easement, and subdivision vacations
  - Planning Fee: \$385.00
  - Engineering Fee: \$115.00
  - Surveyor Fee: \$400.00 per plat; or 150 per ordinance

## Application Submittal Checklist

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application does not guarantee that this application will be placed on the next Planning Commission agenda.

The following is required as part of the application form submittal:

- Complete Application Form
- A non-refundable fee made payable to Weber County (See *Fee Schedule*)
- Obtain signature of the owner(s) on the application and any authorized representatives
- Vacating a subdivision or phase of the subdivision, requires a petition signed by all lot owners requesting to vacate the subdivision (or phase of the subdivision), or a lot within the subdivision as per Utah Code 17-27a-608.4b. (As per Utah Code 17-27a-608.1b(ii), without the petition from all lot owners within the subdivision or phase of the subdivision, then a public hearing is required)
- Vacating easements will require approval from Weber County Engineering. Utility companies are notified of the vacation. If the utility company does not contest the vacations the easement will be vacated by legislative action.
- Vacating a road will require a letter of support from the Weber County Engineering and Surveying Department



## Weber County

### Approval Process

The Planning Division will forward a copy of the request to vacate to the review agencies for any comments. The Planning Commission will have to make a recommendation to the County Commission to vacate any subdivision or lot within a subdivision, with the recommendation given at the same time the Planning Commission makes a recommendation to approve an amended subdivision plat. This recommendation is then forwarded to the County Commission, who holds a public hearing to vacate a subdivision or a lot within the subdivision.

Vacating a road, easement, or subdivision requires an ordinance, approved by the County Commission.

### For Your Information

The vacating application is online at the following Planning Division web site:

<https://webercountyutah.gov/planning/files.php>

Copies of the applicable Weber County Zoning Ordinances and other helpful information are also available at this web site.

# Weber County Vacation Application

Application submittals will be accepted by appointment only. (801) 399-8374. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)
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## Requesters Contact Information

Name <b>Emily Nicolosi</b>		Mailing Address <b>7118 Sagebrush Way Cottonwood Heights, UT 84121</b>	
Phone <b>845 596 4695</b>	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <b>Emily.Nicolosi@gmail.com</b>			

## Property Information

Address <b>2223 North River View Road Huntsville, UT 84121</b>	Land Serial Number(s) <b>230260036-33</b>
Vacation Request <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Road <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision Lot	Current Zoning <b>F40</b>
Subdivision Name <b>Evergreen</b>	Lot Number(s) <b>122-118</b>

### Project Narrative

We would like to vacate the easements on the five parcels we own in Evergreen Park: 1) the 10' utility easement between lot 122 and 121, 2) the 10' utility easement between lot 119 and 120 3) the 20' easement running across lot 118 and 119. These properties are in an extremely rural area- the nearest utilities are miles away, so the utility easements seem very unnessesary. The 20' (drainage?) easement also seems unnecessary because it is not actually a drainage (goes up and down a hill) and I can't see why else it would be there.

## Property Owner Affidavit

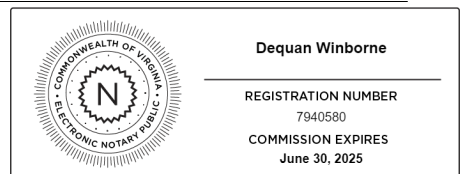
I (We), Emily Nicolosi, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

*Emily Nicolosi*

(Property Owner)

(Property Owner)

County of Henrico  
Commonwealth of Virginia  
Subscribed and sworn to me this 8th day of July, 2022



*Dequan Winborne*  
Dequan Winborne

Electronic Notary Public (Notary)

Registration Number 7940580  
Commission Expires 06/30/2025  
Notarized online using audio-video communication

## Authorized Representative Affidavit

I (We), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), \_\_\_\_\_, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

\_\_\_\_\_  
(Notary)