

W3301094

E# 3301094 PG 1 OF 6

LEANN H KILTS, WEBER CTY. RECORDER 10-OCT-23 1206 PM FEE \$.00 THU REC FOR: WEBER COUNTY PLANNING

ORDINANCE NO. 2023-30

AN ORDINANCE OF WEBER COUNTY VACATING THE SIDE PUBLIC UTILITY EASEMENT WITHIN LOT 89 OF THE ELKHORN SUBDIVISION PHASE 4

WHEREAS, the owner has filed a petition to vacate the side public utility easement within lot 89 of the Elkhorn Subdivision Phase 4, as depicted in Exhibit A of this ordinance; and

WHEREAS, after providing proper public notice, a public hearing was held before the Weber County Commission on October 10, 2023, regarding the vacation of the public utility easement; and

WHEREAS, Weber County's Engineering Department has been notified and has provided written approval of the public utility easement vacation; and

WHEREAS, the owner has conveyed a new public utility easement to the County, sufficient to replace the public utility easement that is being vacated by this ordinance; and

WHEREAS, the Commission finds that good cause exists to vacate the public utility easement, that it will not substantially affect the Ogden Valley General Plan, and that neither the public interest nor any person will be materially injured;

NOW THEREFORE, the Board of County Commissioners of Weber County ordains as follows: the side public utility easement within lot 89 of the Elkhorn Subdivision Phase 4 is hereby vacated, as depicted in Exhibit A of this ordinance.

This Ordinance shall be effective 15 days after publication in the Standard-Examiner.

Adopted and ordered published this 10th day of October 2023.

SEAL **

ATTEST:

Ricky Hatch, CPA Weber County Clerk

Weber County Commission

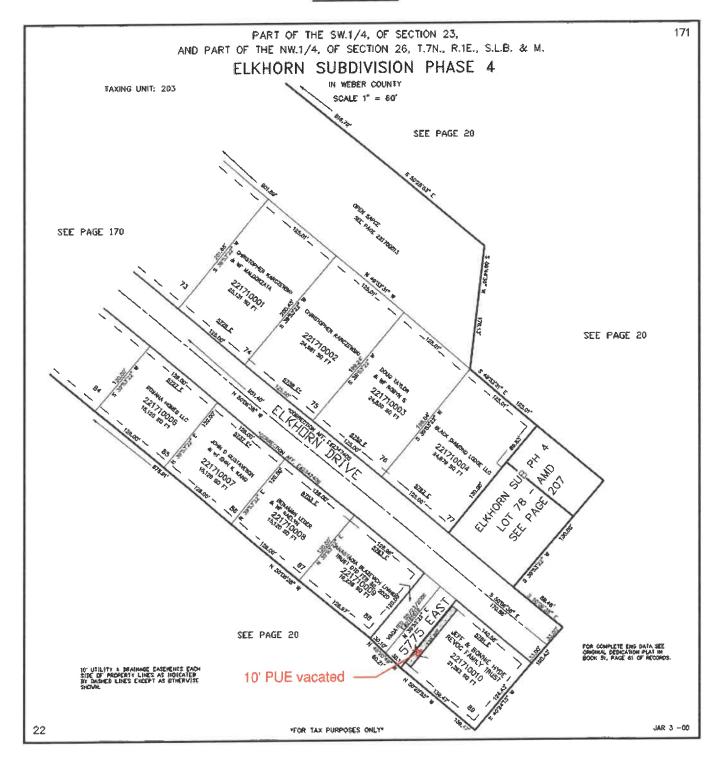
Gage Froerer, chai

Commissioner Froerer Voted

Commissioner Bolos Voted_

Commissioner Harvey Voted_

Exhibit A



When recorded return to: Weber County Planning Division 2380 Washington Blvd., Suite 240 Ogden, Utah, 84401

Parcel ID No. 22-171-0010

PUBLIC UTILITY EASEMENT

Dan Green, hereinafter referred to as "Grantor," of 5781 E Elkhorn Drive does hereby convey to Weber County, a political subdivision of the State of Utah, hereinafter referred to as "Grantee," of 2380 Washington Blvd., Ogden, Utah, 84401, for good and valuable consideration, a public utility easement, as follows:

A perpetual right and easement over, upon, and under the lands described in Exhibit A, attached hereto and by this reference made a part hereof, as a public utility easement, the same to be used for the installation, maintenance, and operation of public utility service lines, with no buildings or structures being erected within such easement.

EXECUTED on the day of October, 2023.
GRANTOR: Poland Sheer
STATE OF UTAH) : ss.
County of Weber)
On this 10 day of 5000, 203, personally appeared before me, the undersigned Notary Public, [grantor's name] 2000, personally appeared before me, the and, being by me duly sworn, acknowledged to me that he/she signed the above instrument.
Notary Public Seal:
Residing at:
My commission expires:

JUNE NELSON

NOTARY PUBLIC • STATE OF UTAH

COMMISSION NO. 720438

COMM. EXP. 09-13-2025

ACCEPTANCE BY WEBER COUNTY

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By: Gage Froerer, Chair

Date: (0/10/2033

ACKNOWLEDGED BEFORE ME:

Ricky Hatch, CPA

Weber County Clerk/Auditor



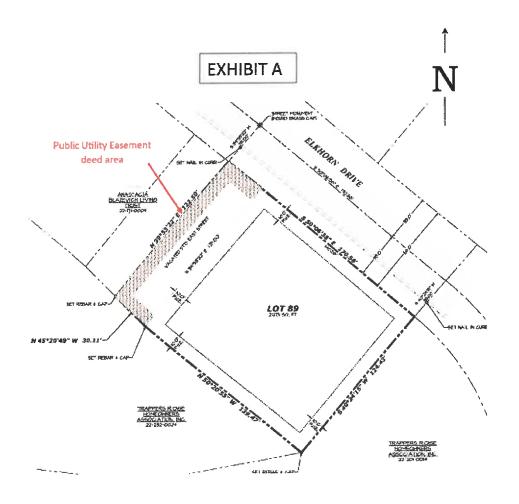
Exhibit A

Legal Description of new Public Utility Easement (PUE)

A Public Utility Easement (PUE) 10 feet in width along the northerly property line measuring 30.11 feet, more or less, thence along the westerly property line measuring 122.5 feet, more or less, thence along the southerly property line measuring 30.11 feet, more or less, within the real property more particularly described as follows and/or shown on Exhibit "A" attached and by this reference made part hereof:

Legal Description:

The easterly half of 5775 East Street, abutting Lot 89 on the West as vacated by Weber County ordinance No. 2006-13 (E#2181619).



Parcel Number: 221710010	Full Legal Description of parcel: ALL OF LOT 89, ELKHORN SUBDIVISION PHASE 4, WEBER COUNTY, UTAH. TOGETHER WITH THE EASTERLY HALF OF 5775 EAST STREET, ABUTTING LOT 89 ON THE WEST AS VACATED BY WEBER COUNTYORDINANCE NO. 2006-13 (E#2181619).
SCALE: NOT TO SCALE	This drawing should be used only as a representation of the location of the easement being conveyed.