

ORDNANCE 16-37

AN ORDINANCE VACATING A PUBLIC UTILITY EASEMENT (PUE) INVOLVING PARCELS 28-16-452-007 (LOT 15), 28-16-452-008 (LOT16), 28-16-452-009 (LOT17), 28-16-452-010 (LOT 18) AND 28-16-452-011 (LOT 19); ALSO ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Sandy City received a request submitted by the property owners of the subject public utility easement, requesting that a public utility easement be vacated pursuant to the provisions of Section 10-9a-609.5, Utah Code Annotated 1953; and

WHEREAS, the request is to vacate a ten foot Public Utility Easement (PUE) across Lots 15, 16, 17, 18, and 19, of the Dimple Dell Heights Subdivision, but not including the seven (7) foot PUEs along the north and south boundaries of said Lots, nor the seven (7) foot PUE along the west boundary of Lot 15, nor the ten (10) foot PUE along the east boundary of Lot 15 and the west boundary of Lot 16, located at approximately 1762 East-1786 East 10980 South and 10986 South Mary Drive, Sandy, Utah; and

WHEREAS, the City Council has determined that good cause exists for vacation of said public utility easement and that neither the public interest nor any person will be materially injured by the vacation; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy, State of Utah, that:

Section 1. Vacation. The public utility easement is hereby vacated as shown on **Exhibit A**, which is attached hereto and by this reference made a part hereof.

Section 2. Amendment. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance hereby adopted are hereby repealed.

Section 3. Severable. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 4. Effective. This ordinance shall become effective upon its publication of a summary thereof.

Section 5. Recordation. This Ordinance shall be recorded in the office of the Salt Lake County Recorder.

PASSED AND APPROVED this 11<sup>th</sup> day of October, 2016.

Stephen P. Smith  
Stephen P. Smith, Chairman  
Sandy City Council

PRESENTED to the Mayor of Sandy City for his approval this 13<sup>th</sup> day of October  
2016.

APPROVED by the Mayor of Sandy City this 13<sup>th</sup> day of October 2016.

Thomas M. Dolan  
Thomas M. Dolan

ATTEST:

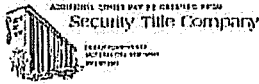
Molly Spira  
City Recorder

RECORDED this 17<sup>th</sup> day of October, 2016.

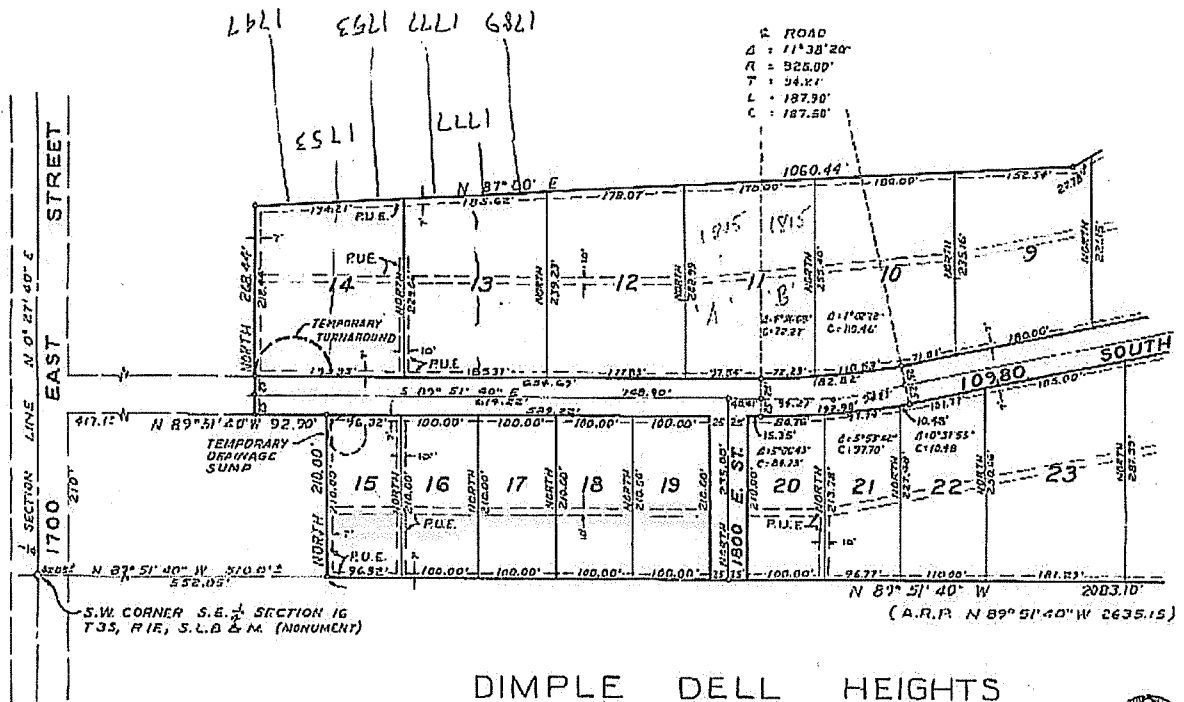
SUMMARY PUBLISHED this 20<sup>th</sup> day of October, 2016.



Exhibit 1: Easement Location



MEMORIAL GARDENS OF THE VALLEY CEMETERY



P.U.E. - DENOTES PUBLIC UTILITIES EASEMENT.



