ORDINANCE NO. 1148

AN ORDINANCE VACATING A PORTION OF THE GALENA PARK TOWNHOMES AMENDING GALENA PARK OFFICE CONDOMINIUMS PLAT

WHEREAS, On September 19, 2014, D. R. Horton, Inc. ("Horton") caused to be recorded in the office of the Salt Lake County Recorder as Entry No. 11916384 in Book 2014P, at Page 246, that certain subdivision plat entitled Galena Park Townhomes Amending Galena Park Office Condominiums (the "Plat"); and

WHEREAS, subsequent to the recording of the Plat, Horton sold certain of the units in the project to other owners (the "Other Owners"); and

WHEREAS, Horton, together with all the Other Owners, desire to vacate a portion of the Plat, but only to the extent that it pertains to a parcel of land approximately 23 feet in distance from north to south along the most southerly boundary of the plat (the "Vacated Parcel"), which Vacated Parcel is more particularly described as follows:

A parcel of land located in the Southwest Quarter of Section 25, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the West Line of the PacifiCorp property, as recorded in the certain Warranty Deed, entry No. 1175215 in Book 715 at Page 17 in the Salt Lake County Recorder's Office, said point being also S00°04'44"E 822.93 feet, along the Section Line, and East 1201.76 feet from the West Quarter Corner of said Section 25; and running thence, along said West Line, N01°21'27"W (PacifiCorp Deed = N01°51'00"W) 23.00 feet; thence East 275.55 feet to the Westerly Right-of-Way Line of the Utah Transit Authority Railroad; thence, along said Westerly Right-of-Way Line of the Utah Transit Authority Railroad, S00°15'20"E 23.00 feet, thence West 275.11 to the Point of Beginning.

Contains: 6,333 SF or 0.15 AC.

Note: The Basis of Bearing used on this survey was between two existing Section Corners. The bearing between the Northwest Corner and West Quarter Corner of Section 25, Township 3 South, Range 1 West, Salt Lake Base and Meridian is N0°05'28"W, as measured in the field; and

WHEREAS, all of the Other Owners have executed and acknowledged separate documents entitled CONSENT TO VACATION OF A PORTION OF THE PLAT AND CONSENT TO AMENDMENT OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GALENA PARK TOWNHOMES (collectively referred to as the "Other Owners' Consents"); and

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Book - 10440 P9 - 2423-2425
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
1020 E PIONEER RD
DRAPER UT 84020
BY: SRP, DEPUTY - MA 3 P.

WHEREAS, pursuant to the Other Owners' Consents, all the Other Owners have consented to the recording in the Office of the Recorder of Salt Lake County, Utah, of a document in order to vacate from coverage, scope and effect of the Plat the Vacated Parcel; and

WHEREAS, all of the executed and acknowledged Other Owners' Consents shall be recorded in the Office of the Recorder of Salt Lake County, Utah, immediately following the recording of this Vacation; and

WHEREAS, the Draper City Council is satisfied that neither the public interest nor any person will be materially injured by the proposed vacation and that there is good cause for the vacation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER, STATE OF UTAH, AS FOLLOWS:

SECTION I. <u>Plat Vacation</u>. Draper City hereby vacates the portion of the Galena Park Townhomes Amending Galena Park Office Condominiums plat per the recorded plat of September 19, 2014, and also as shown and described in Exhibit "A" attached hereto.

SECTION II. <u>Effective Date.</u> This Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 21st DAY OF 2015.

ATTEST:

Rachelle Conner, City Recorder

DRAPER CITY

Trov K. Walker, Mayor

