

ORDINANCE NO. 2003-03

AN ORDINANCE VACATING ALL OF LOTS 1, 2, 3, and 4 OF ABRAMS WAY SUBDIVISION IN FRUIT HEIGHTS, DAVIS COUNTY, UTAH, AND RELEASING THE EASEMENTS THEREON.

WHEREAS, the owners of Lots 1, 2, 3, and 4 of Abrams Way Subdivision have petitioned the City of Fruit Heights to vacate their lots from their subdivision in order to be included in a new subdivision to be called Cherry Glen Subdivision; and

WHEREAS, lawful notice of a public meeting upon this petition has been given pursuant to 10-9-809 of the Utah Code and Fruit Heights City Code; and

WHEREAS, the Fruit Heights City Council has determined that within the meaning of 10-9-819 of the Utah Code there is good cause for vacating all of Lots 1, 2, 3, and 4 of Abrams Way Subdivision, that such action will not be detrimental to the general interest, and that it is in the best interest of the City of Fruit Heights and its citizens to take such action;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FRUIT HEIGHTS UTAH, as follows:

SECTION 1. Legal Description.

This ordinance affects the following described parcel of real property:
All of Lots 1, 2, 3, and 4 of Abrams Way Subdivision.

SECTION 2. Vacation of all of Lots 1, 2, 3, and 4 of Abrams Way Subdivision.

(A) Abrams Way Subdivision was approved by the Fruit Heights City Council and recorded in the office of the Davis County Recorder on October 11, 1978, as Entry No. 510802 in Book 732 at Page 770.

(B) All of Lots 1, 2, 3, and 4 of Abrams Way Subdivision are hereby vacated, and removed from said subdivisions, and the easements on such lots are hereby released.

SECTION 3. Recording of Ordinance

Upon passage of this ordinance, a copy hereof shall be recorded in the office of the Davis County Recorder.

SECTION 4. Repeal.

All City ordinances in conflict with these provisions are hereby repealed. However, all provisions in force immediately prior to this ordinance shall continue in force hereafter for the purpose of any pending legal action, all rights acquired, all fines, penalties and forfeitures imposed, and any liabilities already incurred.

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SECTION 5. Severability.

If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

SECTION 6. Effective Date.

This ordinance shall take effect immediately upon first publication.

PASSED and APPROVED this 7th day of October, 2003.



FRUIT HEIGHTS CITY:

Rick L Miller
Rick L. Miller, Mayor

ATTEST:

Richard B. Waite
Richard B. Waite, Recorder