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LAYTON CITY PLANNING DEPT.
687 WINDMILL DRIVE
LAYTON, UTAH 84041

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ORDINANCE 04-13

AN ORDINANCE VACATING PUBLIC EASEMENTS AND RIGHTS-OF-WAY GRANTED TO LAYTON CITY IN CHERRY MEADOWS SUBDIVISION THAT ARE NOT CONSISTENT WITH THOSE ON THE CHERRY MEADOWS SUBDIVISION AMENDED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Layton City approved a subdivision entitled Cherry Meadows Subdivision on March 18, 1999, and at the time accepted public rights-of-way and easements; and

WHEREAS, subsequent to that approval it was determined that there were surveying errors on that plat; and

WHEREAS, those surveying errors were corrected through an amended plat entitled Cherry Meadows Subdivision Amended, which was approved by the Layton City Council on September 4, 2003; and

WHEREAS, it is and was the intent of Layton City to maintain the public easements and rights-of-way as set forth in the Cherry Meadows Subdivision Amended and any prior grantings inconsistent therewith are to be vacated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: Repealer. If any provisions of the City's Code heretofore adopted are inconsistent herewith they are hereby repealed.

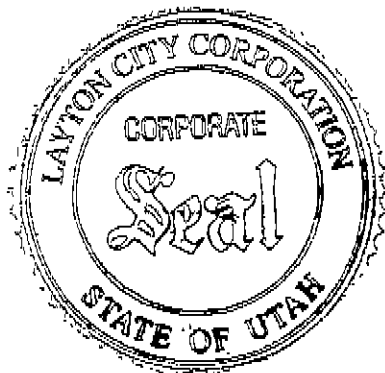
SECTION II: Enactment. That any public utility easements or rights-of-way granted to Layton City in the Cherry Meadows Subdivision that are inconsistent with those granted in the Cherry Meadows Subdivision Amended are hereby vacated. *Notes 101 thru 0151 & open space*

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This Ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 19th day of February, 2004.

ATTEST:



Thieda Wellman
THIEDA WELLMAN, City Recorder

Jerry Stevenson
JERRY STEVENSON, Mayor

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RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2004 FEB 25 12:01 PM FEE .00 DEP LHL
REC'D FOR LAYTON CITY CORP

Cherry Meadows Amended 101 thru 151 & open space
09-333-0101 thru 0152