



**TOQUERVILLE CITY ORDINANCE NO. 2009-02**

**February 12<sup>th</sup>, 2009**

**AN ORDINANCE OF THE CITY OF TOQUERVILLE, STATE OF UTAH, APPROVING  
AND ACCEPTING ROAD DEDICATION AND ABANDONMENT PLAT FOR SECTIONS  
OF WESTFIELD ROAD**

**RECITALS**

WHEREAS, there are certain sections of the roadway commonly known as Westfield Road located within the City of Toquerville ("City") which possesses differing width; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to realign Westfield Road so as to make it of a specific size and equal width throughout in an effort to ensure proper and safe vehicular travel thereon; and

WHEREAS, in an attempt to realign Westfield Road, the City has determined that certain portions of additional roadway/right-of-way would need to be dedicated to the City and certain portions of the excess roadway should be abandoned back to adjacent property owners; and

WHEREAS, the City has, on its own, initiated review and approval of a plat, which when recorded, effectuates the road dedication of additional right-of-way for Westfield Road and abandons portions of excess right-of-way back to adjacent property owners identified therein ("Road Dedication/Abandonment Plat"); and

WHEREAS, on the 12th day of February, 2009, the Toquerville City Council held a public hearing regarding the Planning Commission's recommendation to approve the proposed road dedication and abandonment plat; and

WHEREAS, the Toquerville City Council finds that abandoning portions of the current Westfield Road will not impact the rights of any public utility or property owner and will not be detrimental to the public's health, safety or general welfare; and

WHEREAS, the legal description in the Road Dedication/Abandonment Plat indicates the portions of Westfield Road to be dedicated to the respective adjacent property owners.

**ORDINANCE**

1) NOW THEREFORE BE IT ORDAINED BY THE TOQUERVILLE CITY COUNCIL THAT: That the portions OF Westfield Road identified in the Road Dedication/Abandonment Plat where dedication is hereby made by property owners is hereby accepted and the Mayor is hereby authorized to execute the acceptance identified on said Plat.

2) NOW THEREFORE BE IT FURTHER ORDAINED BY THE TOQUERVILLE CITY COUNCIL THAT: That the portions of Westfield Road identified in the Road Dedication/Abandonment Plat that abandons any portion of Westfield Road as identified therein to the respective adjacent property owners identified in said Plat is hereby approved and the Mayor is authorized to execute the said abandonment provision contained in said plat.



3) NOW THEREFORE BE IT FURTHER ORDAINED THAT: That the Road Dedication/Abandonment Plat be hereby recorded concurrently with this ordinance in the Official Records of Washington County, State of Utah.

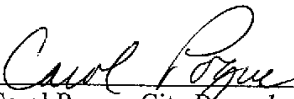
4) This Ordinance affects portions of the following Assessor Parcel Numbers: T-100-A, T-98, T-148-A, T-138-A-4, T-138-A-3, T-138-A-1, T-142-A-2-A-6, T-142-A-2-A-2, T-142-A-2-B-4-A, T-138-A-2.

5) Effective Date. This Ordinance shall become effective immediately upon passage.

**PASSED AND ADOPTED BY THE TOQUERVILLE CITY COUNCIL, STATE OF UTAH, ON THIS 12th DAY OF FEBRUARY, 2009**

CITY OF TOQUERVILLE, a municipal corporation

  
\_\_\_\_\_  
Ken Powell  
Toquerville City Mayor

Attest:   
\_\_\_\_\_  
Carol Pogue, City Recorder

