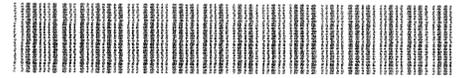


ORDINANCE NO. 02-14



ENT 5817:2014 PG 1 of 3
JEFFERY SMITH
UTAH COUNTY RECORDER
2014 Jan 28 10:58 am FEE 0.00 BY ED
RECORDED FOR SPANISH FORK CITY CORPORATI

ROLL CALL

VOTING	YES	NO
STEVE LEIFSON <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
BRANDON B. GORDON <i>Council member</i>	X	
MIKE MENDENHALL <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Council member Davis

I SECOND the foregoing motion: Council member Dart

ORDINANCE 02-14

ORDINANCE ABANDONING AN ELECTRIC EASEMENT IN THE CANYON CREEK DEVELOPMENT

WHEREAS, Spanish Fork City owns easement rights for an electric power line across property owned, respectively, by Tenedor, LLC and IHC Health Services, Inc.; and

WHEREAS, the easement is larger than it currently needs to be since it accommodated a guy wire, which is no longer needed due the installation of a steel pole; and

WHEREAS, Tenedor is proceeding with a commercial development project known as Canyon Creek, with future plans for retail establishments in the area, which will require the abandonment of a portion of the easement where the guy wire once was; and

WHEREAS, the commercial development is expected to create a substantial tax base for both property taxes and sales tax and, which will provide a substantial benefit to the residents of the City; and

WHEREAS, notice of the intent to abandon the easement was posted on the property and on the State of Utah Notice Website; and

WHEREAS, notice of a public hearing was published in the Provo Daily Herald, a newspaper of general circulation within Spanish Fork City; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 21st day of January, 2014, where public comment was received; and

WHEREAS, the council finds that it is in the best interest of the public to abandon the easement identified herein;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

A portion of the property dedicated as an electric easement as recorded in the office of the Utah County Recorder on the 31st day of December, 1991 as entry number 49312, Book 2865, Page 667 is hereby abandoned to the underlying owner of the property. The portion of the easement being abandoned is shown on the attached exhibit and more particularly described as follows:

Beginning at the Northeast corner of that existing power line easement described in Deed Entry No. 49312:1991 in the official records of the Utah County Recorder, said point being located South 477.11 feet and West 2338.35 feet from the East 1/4 Corner of Section 18, Township 8 South, Range 3 East, Salt Lake Base and Meridian (Basis of bearing: N0°18'06"W along the Section Line from the East 1/4 Corner to the Northeast Corner of said Section 18);

thence South 15.00 feet; thence West 32.00 feet the east line of an existing public utility easement as shown on Phase 2, Canyon Creek Subdivision according to the official plat thereof on file in the office of the Utah County Recorder; thence N0°22'09"E along said east line 15.00 feet to the north line of said power line easement; thence East along said north line 31.90 feet to the point of beginning.
Contains: ±479 Sq. Ft.

II.

This ordinance is effective upon recordation with the Utah County Recorder.

ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH,
this 21st day of January, 2014.



STEVE LEIFSON, Mayor

Attest:



KENT R. CLARK, City Recorder

