

TOWN OF BRIGHTON

Ordinance No. 2024-O-2-1

Date: February 13th, 2024

**AN ORDINANCE OF THE TOWN OF BRIGHTON COUNCIL VACATING
THE 10' UTILITY EASEMENT SITUATED WITHIN THE EAST BOUNDARY
OF THE PROPERTY AT 10806 MOOSE RUN LN
(PARCEL# 24-16-356-001-0000).**

RECITALS

WHEREAS, the Town of Brighton (“**Brighton**”) is a municipality and has authority to vacate a municipal utility easement in accordance with Utah Code Ann. § 10-9a-609.5; and

WHEREAS, the plat for the Pine Tree Subdivision dedicated a “10’ Public Utility Easement” that burdens Lot 51 of the subdivision (the “**Easement**”); and

WHEREAS, in accordance with Utah Code Ann. § 10-9a-609.5 a petition has been filed to vacate the Utility Easement located within the Eastern boundary of the property at 10806 E Moose Run Ln, also known as Lot 51 (Pine Tree Subdivision) or Parcel 24-16-356-001-0000 (the “**Petition**”); and

WHEREAS, in accordance with Utah Code Ann. § 10-9a-609.5(4), the Council may adopt an ordinance granting the Petition if it finds that good cause exists for the Vacation and neither the public interest nor any person will be materially injured by the Vacation (the “**Ordinance**”); and

WHEREAS, in accordance with Utah Code Ann. § 10-9a-609.5(3), the Town of Brighton Council (the “**Council**”) held a duly noticed public hearing on February 13, 2024, and determined that good cause exists to vacate the Easement.

BE IT ORDAINED BY THE BRIGHTON TOWN COUNCIL as follows:

1. The Brighton Town Council finds as follows:
 - a. A Petition has initiated the process to vacate the Easement.
 - b. The Council has held a duly noticed public hearing and determined that good cause exists to vacate the Easement established within the Eastern boundary

of the property and that neither the public interest nor any person will be materially injured by the Vacation.

2. The Town of Brighton Council hereby grants the Petition and vacates the Easement as requested.

3. In accordance with the Utah Code Ann. § 10-9a-609.5 (6), this Ordinance operates as a revocation of the acceptance of and the relinquishment of Brighton’s fee in the vacated Easement and may not be construed to impair any other right-of-way or easement of any parcel or lot owner or the rights of any public utility, or the rights of a culinary water authority or sanitary sewer authority.

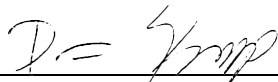
4. The description of the Easement is the “10’ Utility Easement” solely within the boundaries of Lot 51, depicted in the Pinetree Subdivision Plat, recorded as entry # 1607690 in the records of the Salt Lake County Recorder’s Office and amended as attached per **Addendum 1**, which burdens the following parcel:

a. PARCEL# 24-16-356-001-0000, also known as Lot 51 of the Pinetree Subdivision or 10806 MOOSE RUN LN

5. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED this 13th day of February, 2024.

BRIGHTON TOWN COUNCIL

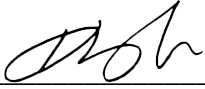


By Dan Knopp, Mayor

Voting:

Council Member Bossard	voting <u>Aye</u>
Council Member Brunhart	voting <u>Aye</u>
Council Member Keighley	voting <u>Aye</u>
Council Member Knopp	voting <u>Aye</u>
Council Member Zuspan	voting <u>Aye</u>

ATTEST



Kara John, Town Clerk



(Complete as Applicable)

Date ordinance summary was posted to the Town of Brighton website, the Utah Public Notice website, and in a public place within Brighton per Utah Code §10-3-

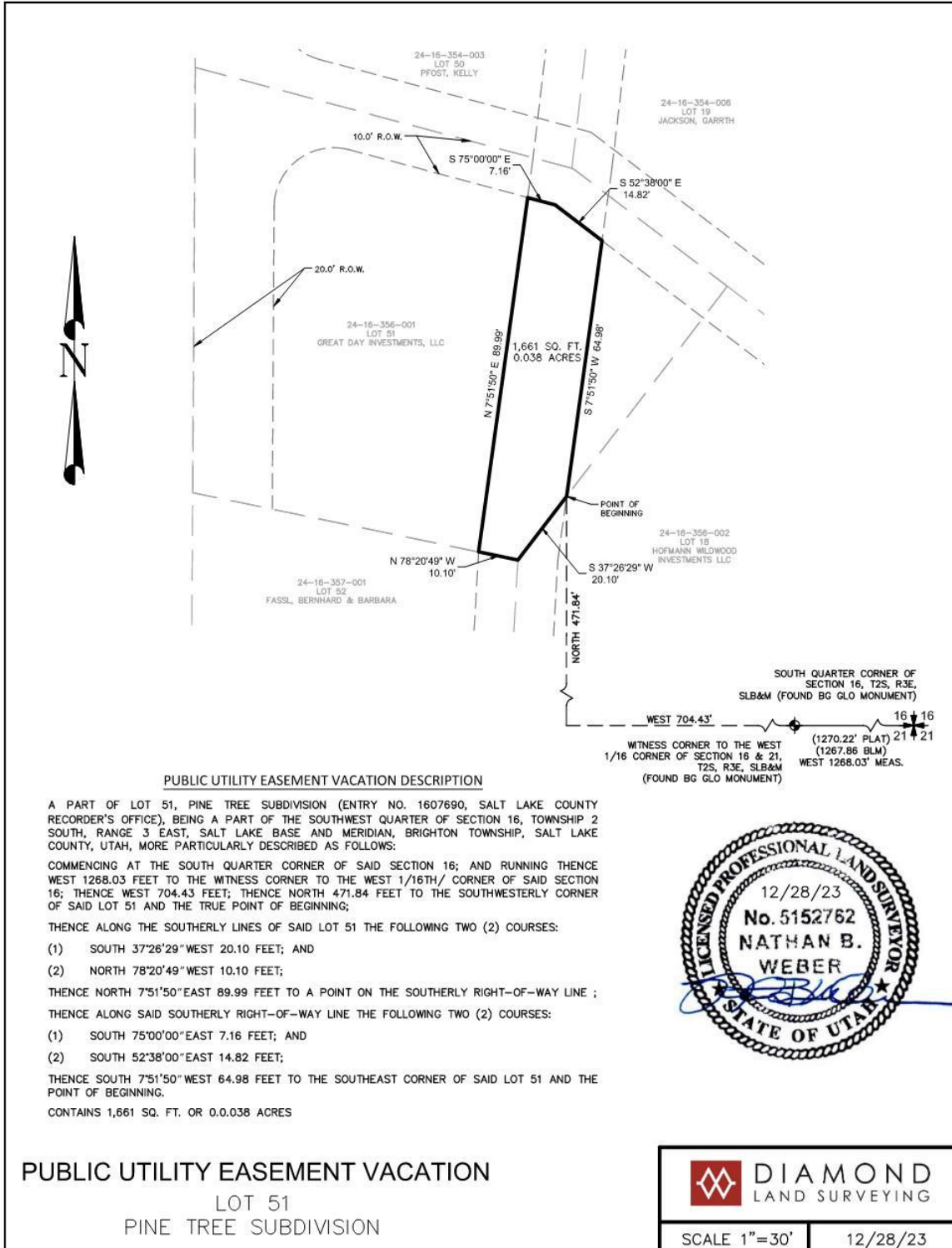
711: _____

Effective date of ordinance: 2-16-2024

Attachment: Addendum A – Easement Exhibit and Legal Description

ADDENDUM A

Pine Tree Subdivision Plat Easement Exhibit



PUBLIC UTILITY EASEMENT VACATION

LOT 51
PINE TREE SUBDIVISION



SCALE 1"=30'

12/28/23

**SUMMARY OF
TOWN OF BRIGHTON COUNCIL
ORDINANCE NO. 2024-O-2-1**

On February 13, 2024, the Town of Brighton Council enacted Ordinance No. 2024-O-2-1 to vacate the 10' Utility Easement located within the Eastern boundary of the property at 10806 E Moose Run Ln. Parcel 24-16-356-001-0000

By: Dan Knopp Mayor

ATTEST



Kara John, Clerk



A complete copy of Ordinance No. 2024-O-2-1 available in the office of the Brighton Town Clerk,. 7688 S. Big Cottonwood Canyon Rd. Brighton, UT 84121