

When Recorded, Return To:

Centerville City
250 North Main
Centerville, Utah 84014

Affects Parcel No. 07-357-0121 through 07-357-0128

ORDINANCE NO. 2025-05

**AN ORDINANCE VACATING PUBLIC UTILITY EASEMENTS FOR THE
SUMMERHILL LANE SUBDIVISION LOCATED AT APPROXIMATELY 2125
NORTH 400 WEST, CENTERVILLE, UTAH**

WHEREAS, Centerville City has received a petition to vacate public utility easements from Summerhill Lane, LLC, the owner of Parcel Nos. 07-357-0121 through 07-357-0128, consisting of Lots 121 through 128 of the Summerhill Lane Subdivision, as amended, located at approximately 2125 North 400 West, Centerville, Davis County, Utah, as more particularly described in Exhibit “A,” attached hereto and incorporated by reference (“Property”); and

WHEREAS, Summerhill Lane, LLC desires to vacate the public utility easements on the side and rear lot lines of Lots 121 through 128 to accommodate the transfer of property to the adjacent property owner as reflected in the proposed Summerhill Lane Subdivision Fourth Amendment, and to dedicate a new public utility easements along the newly proposed side and rear lot lines of Lots 121A through 128A, to be dedicated with the recording of the Summerhill Lane Subdivision Fourth Amendment; and

WHEREAS, the City Council held a public hearing on this matter and provided notice of the date, time, and place of the hearing in accordance with Utah Code § 10-9a-208; and

WHEREAS, the City Council is satisfied that neither the public nor any person will be materially injured by the proposed vacation of the public utility easements and that there is good cause for the vacation in accordance with Utah Code § 10-9a-609.5, subject to the dedication of a new public utility easements along the side and rear lot lines of proposed Lots 121A through 128A with the recording of the Summerhill Lane Subdivision Fourth Amendment and off-site easements to be separately recorded across Lot 120 and Lot 129.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH:**

Section 1. Vacation. The City Council hereby finds there is good cause and neither the public nor any person will be materially injured by the vacation of the public utility easements affecting the side and rear lot lines of Lots 121 through 128 of the Summerhill Lane Subdivision, as amended, located at approximately 2125 North 400 West, Centerville, Utah. The public utility easements to be vacated are more particularly described in Exhibit “B,” attached hereto and incorporated by reference. The vacation of the easements set forth herein operate as a revocation of the acceptance and the relinquishment of the City’s fee or interest therein, but shall not be

construed to impair any rights-of-way or easements of any lot owner, the rights of any public utility, or the rights of a culinary water authority or sanitary sewer authority, in accordance with Utah law.

Section 2. Recording. Upon satisfaction of all conditions of approval, the City Recorder is directed to cause this Ordinance to be recorded in the office of the Davis County Recorder's Office, together with the new public utility easements to be dedicated along the side and rear lot lines of proposed Lots 121A through 128A with the recording of the Summerhill Lane Subdivision Fourth Amendment and off-site easements to be separately recorded across Lot 120 and Lot 129.

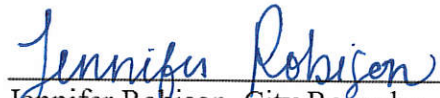
Section 3. Severability Clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses, and words of this Ordinance shall be severable.

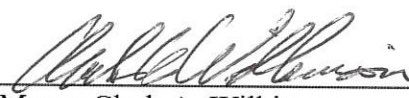
Section 4. Effective Date. Subject to conditions of approval, this Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first. The vacation set forth herein shall become effective upon the date of recording of this Ordinance.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 1st DAY OF APRIL, 2025.**

ATTEST:

CENTERVILLE CITY


Jennifer Robison, City Recorder

By: 
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Hayman	☒	☐	☐
Councilmember Hirst	☒	☐	☐
Councilmember Plummer	☒	☐	☐
Councilmember Mecham	☒	☐	☐
Councilmember Summerhays	☒	☐	☐

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted as required by law.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 4-2-2025

RECORDED this 21st day of April, 2025.

PUBLISHED OR POSTED this 21st of April, 2025.



EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

2125 North 400 West
Parcel Nos. 07-357-0121 through 07-357-0128

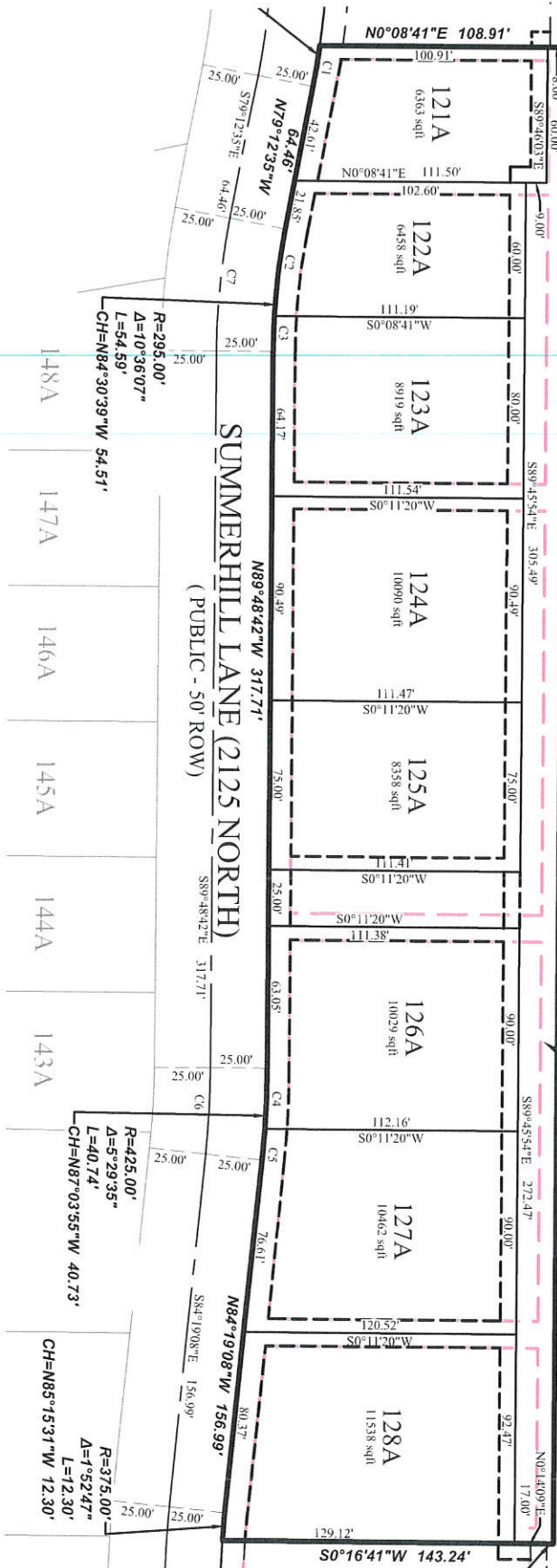
ALL OF LOTS 121 THROUGH 128 OF THE
SUMMERHILL LANE SUBDIVISION, AS AMENDED

EXHIBIT B

DESCRIPTION OF PUBLIC UTILITY EASEMENT TO BE VACATED



PARCEL A
13513 SQFT



LEGEND

	EXISTING P.U.E.'S TO BE VACATED
	PROPOSING P.U.E.'S TO BE RECORDED

LEGAL DESCRIPTION
(PUE's to be vacated)

ALL PUBLIC UTILITY EASEMENTS (P.U.E.'s) CONTAINED WITHIN THE ORIGINAL LOTS 121-128, SUMMERHILL LANE SUBDIVISION RECORDED AS ENTRY #3458399 ON FEBRUARY 22, 2022 IN BOOK 7951 ON PAGE 370 AS SHOWN HEREON TO BE VACATED.

LEGAL DESCRIPTION
(Proposed PUE's)

ALL PUBLIC UTILITY EASEMENTS (P.U.E.'s) CONTAINED WITHIN THE AMENDED LOTS 121-128, SUMMERHILL LANE FOURTH AMENDMENT PROPOSED SUBDIVISION.

