

TOQUERVILLE CITY
ORDINANCE 2026.XX

AN ORDINANCE VACATING A PORTION OF A MUNICIPAL UTILITY EASEMENT
LOCATED IN BOULDER RIDGE SUBDIVISION, PHASE 1, LOT 4

RECITALS

WHEREAS the property owner desires to vacate a portion of a municipal utility easement located in the Boulder Ridge Subdivision Phase 1 Lot 4; and,

WHEREAS the property owner submitted a petition in accordance with Utah Code § 10-20-813(2); and,

WHEREAS the property owner has dedicated an alternate path for the utility easement through the recording of the plat; and,

WHEREAS the City Council, after due consideration, has determined that good cause exists for the vacation and that neither the public interest nor any person will be materially injured by the vacation; and,

WHEREAS The City Council has caused all required public notices to be given and has held the required public hearing regarding such vacation.

ORDINANCE

NOW THEREFORE, be it ordained by the City Council of Toquerville City, State of Utah as follows:

1. **VACATION.** A portion of the municipal utility easement located in Boulder Ridge Subdivision, Phase 1, Lot 4, as legally described in Exhibit “A,” attached hereto and incorporated herein by reference, is hereby vacated. The remainder of the municipal utility easement not described in Exhibit “A” shall remain in full force and effect.
2. **REPEALER.** All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period of time this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.
3. **SEVERABILITY.** Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVENESS. This Ordinance shall become effective upon its recording with the Washington County Recorder.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this ____ day of _____ 2026, based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Attest:

Dan Catlin, Toquerville City Mayor

Emily Teaters, Toquerville City Recorder