

00160992

Vacating Ordinance B: 465 P: 161 Fee \$0.00
Connie Hansen, Millard Recorder Page 1 of 3
04/27/2007 02:07:31 PM By KANOSH TOWN



**ORDINANCE NO. 12-14-05
ORDINANCE VACATING ROAD**

WHEREAS Kanosh Town has determined that there is good cause to vacate the platted street or road described herein and that the vacating of the same is in the best interest of the Town and its inhabitants and shall not be detrimental to any public or private interest; and

WHEREAS the Town has the right to vacate the described road on its own initiative pursuant to Section 10-8-8 Utah Code Annotated; and

WHEREAS the street involved, while platted, has never been used as a street, right-of-way or trail; and

WHEREAS the Town has given notice and held a public hearing as required under Section 10-9a-208, Utah Code Annotated and has further determined that the vacation of the platted street shall not adversely affect any adjacent property owners and owners or operators of utility or other facilities will not be adversely affected;

BE IT ORDAINED BY THE CITY COUNCIL OF KANOSH CITY, MILLARD COUNTY, STATE OF UTAH, AS FOLLOWS:

SECTION 1. Preamble: The recitals in the Preamble are enacted to be deemed a part of this Ordinance and are hereby declared to express the intent hereof.

The street or road sometimes referred to 250 East Street between 200 North and 300 South platted as a public street on the official records in and for the Town of Kanosh, Millard County, Utah is hereby vacated by the Town. This action to vacate shall not include the portion of any streets running east and west which cross or intersect with 250 East (i.e., 100 North, Center Street, 100 South and 200 South).

The Town relinquishes all right, title and interest in and to the described road and disclaims any further responsibility for maintenance and upkeep of the same.

All right, title and interest in and to the vacated road is hereby vested in the abutting or overlaying property owners as the case may be as reflected on the official records in and for the County of Millard, State of Utah.

The Mayor is authorized to execute deeds, as deemed necessary, to convey any interest of the Town in and to the vacated street to the appropriate property owner.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon adoption and recording and the same shall be published in the Millard County Chronicle Progress.

PASSED AND APPROVED this 14th day of December, 2005.

KANOSH TOWN

By Terry Higgs
Mayor

ATTEST:

Ruby Turner
Town Clerk

(SEAL)

APPROVED AS TO FORM:

Robert K. Nafus
Kanosh Town Attorney

COUNCILMEN VOTING "AYE": Terry Higgs
Thayne Christensen
Liz Whitaker
Scott Correy

COUNCILMEN VOTING "NAY": None

COUNCILMEN ABSENT: Robert K. Nafus

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**SUMMARY OF ADOPTION OF KANOSH TOWN
ORDINANCE NO. 12-14-05 IN ACCORDANCE WITH
SECTION 10-3-711, UTAH CODE ANNOTATED, 1953, AS AMENDED**

NOTICE IS HEREBY GIVEN that on December 14, 2005, the Mayor and Town Council of Kanosh adopted Ordinance No. 12-14-05 vacating the Street referred to as 250 East between 200 North and 300 South, which street appears on the Millard County plats.

The Ordinance shall become affective upon publication of this summary.

/s/ Cindy Turner
Town Clerk

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