

RESOLUTION NO. _____

DATE _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL AUTHORIZING THE RELEASE OF AN EASEMENT OVER A PORTION OF REAL PROPERTY LOCATED AT APPROXIMATELY 4585 WEST 13400 SOUTH, RIVERTON, UTAH

RECITALS

A. Providence Towne Center LLC (“Owner”) owns real property in Salt Lake County, Utah, more particularly described as Parcel No. 33-06-100-045, with the address of 4585 West 13440 South, Riverton, Utah 84123 (the “Property”).

B. On September 8, 1992, the Hamilton’s Homestead Subdivision Plat (the “Plat”) was recorded with a hand-written note identifying the “ROSE CREEK MAINTENANCE CHANNEL 40’ EASEMENT 20’ EACH SIDE OF [center line] EXCEPTING THAT PORTION OUTSIDE OF SUBD. BOUNDARY LINE” (the “Easement”) and the location of the Easement hand-drawn on the Plat.

C. The existing channel of Rose Creek has been realigned and no longer passes through the Property.

D. Salt Lake County Flood Control has reviewed the change to the Rose Creek channel and has determined that there is no longer any need to retain this Easement.

E. Owner has asked the County to release and quit-claim any interest it may have in the Easement.

F. It has been determined that the best interests of the County and the general public will be served by releasing the Easement with the payment of a nominal administrative fee of \$150.00. The release of the Easement will be in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that

the Easement be declared surplus property.

IT IS FURTHER RESOLVED by the Salt Lake County Council that the Easement shall be released as provided in the Release of Easement attached hereto as Exhibit A (“Release”), which is hereby approved. The Mayor and County Clerk are hereby authorized to execute the original Release, and to deliver the fully executed document to the Salt Lake County Real Estate Section for recording with the Salt Lake County Recorder’s Office.

APPROVED and ADOPTED this _____ day of _____, 2022.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Stringham voting _____
Council Member DeBry voting _____
Council Member Theodore voting _____
Council Member Granato voting _____
Council Member Alvord voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____

APPROVED AS TO FORM:

R. Christopher Preston
Deputy District Attorney

EXHIBIT A

Release of Easement

WHEN RECORDED RETURN TO:
Salt Lake County Real Estate Manager
Salt Lake County
2001 South State Street, S3-110
Salt Lake City, Utah 84190

Space above for County Recorder's use

*RE No. 4067
Tax Serial No. 33-06-100-045*

RELEASE OF EASEMENT

SALT LAKE COUNTY, a body corporate and politic of the State of Utah, Grantor, for good and valuable consideration, hereby releases and relinquishes to the owners of record all of Grantor's right, title and interest in that certain Rose Creek Channel Maintenance Easement (the "Easement") shown on the Hamilton's Homestead Subdivision Plat recorded on September 8, 1992, in the office of the Salt Lake County Recorder as Entry No. 5327041, in Book 92-9, at Page 187, to wit:

See Exhibit A for the original description of the Easement in the Hamilton's Homestead Subdivision Plat.

IN WITNESS WHEREOF, Grantor has caused this Release of Easement to be signed and its official seal to be affixed hereto by its duly authorized officer this ___ day of _____, 20__.

SALT LAKE COUNTY

By: _____
Exhibit Only, Do Not Sign
Mayor or Designee

By: _____
Sherrie Swensen, Salt Lake County Clerk

[Acknowledgments on Following Page]

STATE OF UTAH)
 :ss.
COUNTY OF SALT LAKE)

On this ____ day of _____, 20__, personally appeared before me _____, who being duly sworn, did say that (s)he is the _____ of Salt Lake County, Office of Mayor, and that the foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

[SEAL]

NOTARY PUBLIC
Residing in Salt Lake County

STATE OF UTAH)
 :ss.
COUNTY OF SALT LAKE)

On this ____ day of _____, 20__, personally appeared before me Sherrie Swensen, who being duly sworn, did say that she is the Clerk of Salt Lake County and that the foregoing Quit Claim Deed was signed by her on behalf of Salt Lake County, by authority of a Resolution of the Salt Lake County Council.

[SEAL]

NOTARY PUBLIC
Residing in Salt Lake County

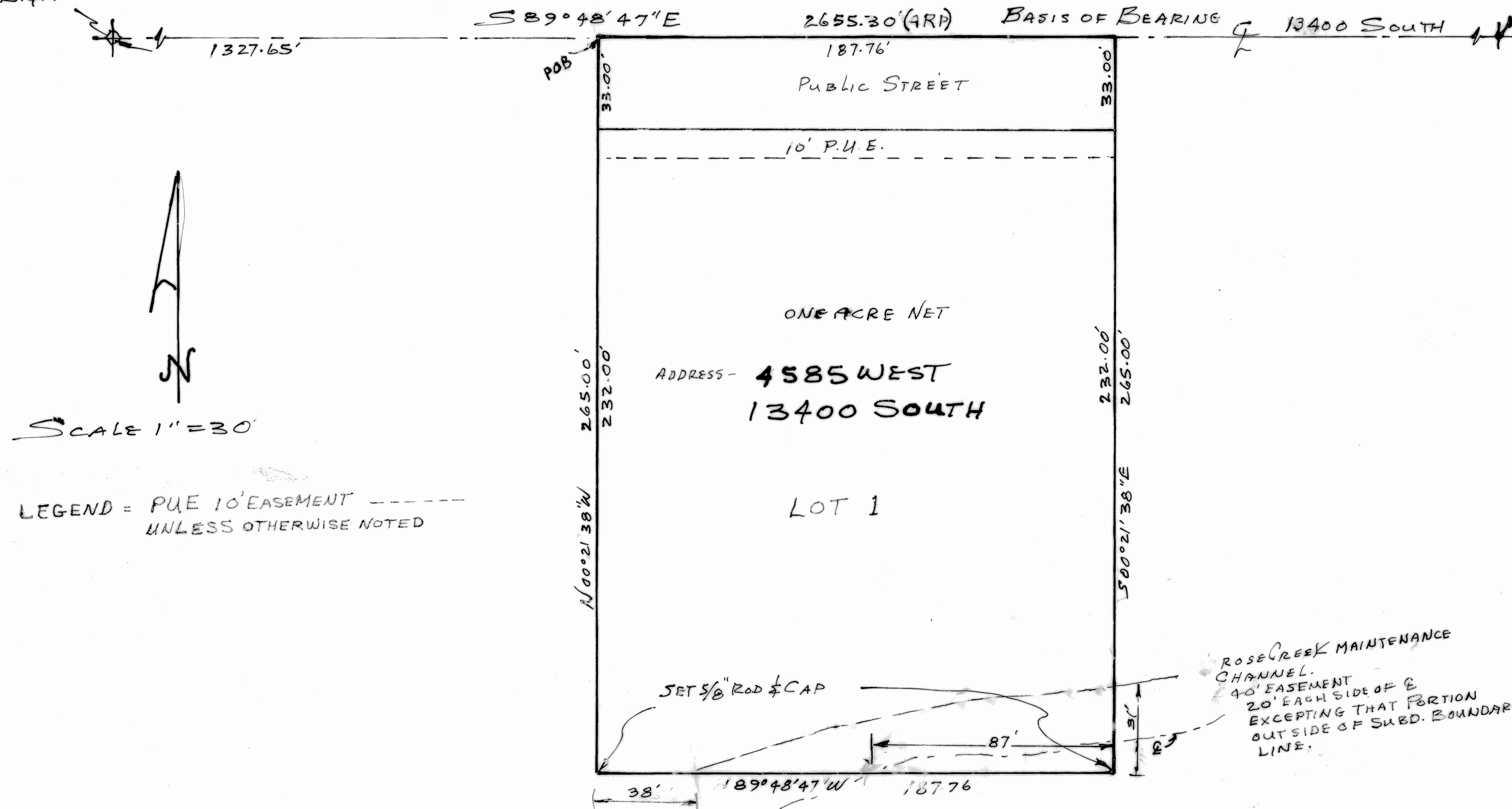
Exhibit A

Hamilton's Homestead Subdivision Plat

Mon. Found
N.W. CORNER
SECTION 6,
T4S, R1W,
S.L.B. & M.

EXISTING
FIRE HYD.
50'

Mon. Found
N. 1/4 CORNER
SECTION 6
T4S, R1W,
S.L.B. & M.



SCALE 1" = 30'

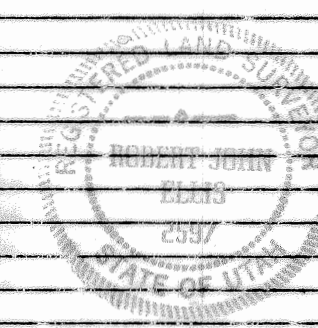
LEGEND = PUE 10' EASEMENT
UNLESS OTHERWISE NOTED

SURVEYOR'S CERTIFICATE

I, ROBERT J. ELLIS, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 2597, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as HAMILTON'S HOMESTEAD and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION		
COURSE	DIST.	REMARKS
BEGINNING		
S89°48'47"E	1327.65	FEET FROM THE NORTHWEST CORNER OF SECTION 6, T4S, R1W, S.L.B. & M., AND RUNNING THENCE
S89°48'47"E	187.76	FEET, THENCE
S00°21'38"E	265.00	FEET, THENCE
N89°48'47"W	187.76	FEET, THENCE
N00°21'38"W	265.00	FEET TO THE POINT OF BEGINNING.

CONTAINS 49,754.1 SQ. FT. OR 1.142 ACRES
I FURTHER CERTIFY THAT ALL LOTS MEET THE FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCE.



DATE 3-3-92 Robert J. Ellis

NUMBER OF LOTS = ONE
OWNER'S DEDICATION

Know all men by these presents that the 4 undersigned owner(s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

HAMILTON'S HOMESTEAD
do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.
In witness whereof the 4 have hereunto set the 16 day of April A.D., 1992

Clark G. Hamilton
Kristin B. Hamilton
Patricia G. Hamilton
Shirley J. Hamilton

INDIVIDUAL
ACKNOWLEDGMENT

STATE OF UTAH } S.S.
County of Salt Lake }

On the 16 day of April A.D., 1992, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer(s) of the above Owner's dedication, 4 in number, who duly acknowledged to me that they signed it freely and voluntarily and for the uses and purposes therein mentioned.
MY COMMISSION EXPIRES February 1, 1993

John Bruce Miller
NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

HAMILTON'S HOMESTEAD
N.W. 1/4 SECTION 6, T4S, R1W
SALT LAKE BASE & MERIDIAN

RECORDED # 5327041
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
KRISTIN HAMILTON
DATE 9-8-92 TIME 4:48 PM BOOK 92-9 PAGE 187
#20.00 FEE \$
DEPUTY SALT LAKE COUNTY RECORDER Rebecca Coan

ACKNOWLEDGMENT
COUNTY OF _____ STATE OF UTAH } S.S.
ON THE _____ DAY OF _____ 19____ PERSONALLY
APPEARED BEFORE ME _____
WHO BEING BY ME DULY SWORN OR AFFIRMED, DID SAY THAT _____
IS/ARE THE _____ OF _____
AND THAT THE WITHIN OWNER'S
DEDICATION WAS SIGNED IN BEHALF OF SAID _____
BY AUTHORITY OF _____
AND THE SAID _____
ACKNOWLEDGED TO ME THAT SAID _____
EXECUTED THE SAME
MY COMMISSION EXPIRES _____
NOTARY PUBLIC
RESIDING IN _____

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CHECKED FOR ZONING
PROJECT NAME AND STREET NAMES
APPROVED
DATE 4/1/92

PLANNING COMMISSION
APPROVED THIS 11th DAY OF Feb A.D. 1992 BY THE SALT LAKE COUNTY PLANNING COMMISSION.
Barbara Slaymaker
CHAIRMAN, SALT LAKE CO. PLANNING COMM.

APPROVED THIS 17th DAY OF March A.D. 1992
Scott M.
DIRECTOR, S. L. CO. BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____ A.D. 19____
FLOOD CONTROL COORDINATOR

DEVELOPMENT SERVICES DIVISION
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
April 28, 92 Kim
DATE DIRECTOR

APPROVAL AS TO FORM
PRESENTED TO THE BOARD OF SALT LAKE COUNTY COMMISSIONERS THIS _____ DAY OF _____ A.D. 1992 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
Shirley J. Hamilton
SALT LAKE COUNTY ATTORNEY

COUNTY COMMISSION
PRESENTED TO THE BOARD OF SALT LAKE COUNTY COMMISSIONERS THIS _____ DAY OF _____ A.D. 1992 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
Shirley J. Hamilton
CHAIRMAN, BD. OF CO COMM.

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