

**TOWN OF CASTLE VALLEY, UTAH  
ORDINANCE 2021-1**

AN ORDINANCE VACATING A PORTION OF THE UNBUILT ROAD RIGHT OF WAY FOR CASTLE VALLEY DRIVE AND AUTHORIZING THE MAYOR TO SIGN A QUIT CLAIM DEED CONVEYING SAME IN EXCHANGE FOR RECEIPT OF A DEED FOR THE BUILT ROAD RIGHT OF WAY ADJACENT TO LOTS 76 AND 77, CASTLE VALLEY RIVER RANCHOS

WHEREAS, a portion of Castle Valley Drive is not constructed within the platted right-of-way (“ROW”) over and across Lot 77, Castle Valley River Ranchos (“Lot 77”), as established by the final plat of the subdivision recorded in the real property records of Grand County, Utah:

WHEREAS, the built portion of Castle Valley Drive is actually located approximately 66 feet west of the platted location on Lot 76, Castle Valley River Ranches (“Lot 76”) and has been established by dedication and use in the manner provided by Utah law;

WHEREAS, real property improvements on Lot 77 encroach upon the platted (but unbuilt) ROW;

WHEREAS, upon petition by the owner of Lot 77 and consent of the owner of Lot 76, the Town of Castle Valley (the “Town”) desires to vacate the ROW so long as it receives in exchange and for the public’s use a deed for the built portion of Castle Valley Drive, thereby providing record title to the Town for the existing road;

WHEREAS, the Town Council held a public hearing on January 20<sup>th</sup>, 2021 and notice was provided to all interested persons and affected entities as required by U.C.A. § 10-9a-208; and

WHEREAS, the Town finds that there is good cause for the petition and that the conveyances described above are in the public’s best interest;

NOW THEREFORE, BE IT ORDAINED that the Castle Valley Town Council hereby

1. Vacates the unbuilt right-of-way described in Exhibit A attached hereto upon the following conditions:

- a. The Mayor shall sign and deliver a quit claim deed conveying the following real property located in County of Grand, State of Utah to the owner of Lot 77:

Commencing at Northern corner of Lot 77, Castle Valley Ranches, thence along said Lot South 45°00'00" East 14.01 feet to the point of beginning; and running thence South 45°00'00" East 79.36 feet; thence South 730.67 feet to a point on the right-of-way of Bailey Lane; thence with said right-of-way South 45°00'00" West 70.67 feet; thence North 19°15'00" West 11.65 feet; thence North 11°49'00" West 44.51 feet; thence North 01°25'00" West 44.20 feet; thence North 02°07'00" West 50.61 feet; thence North 00°49'00" East 687.48 feet to the point of beginning; and

- b. The owner of Lot 76 shall sign and deliver a quit claim deed conveying the built portion of Castle Valley Drive and appurtenant necessary additional right-of-way, as particularly described in Exhibit B attached hereto, to the Town.

Ent 539716 Bk 910 Pg 521-522  
Date: 21-JAN-2021 12:10:29PM  
Fee: None Filed By: GKN  
JOHN ALAN CORTES, Recorder  
GRAND COUNTY CORPORATION  
FOR: TOWN OF CASTLE VALLEY

2. The road vacation approved hereunder shall be void and of no further force or effect if either of the conditions cannot or are not satisfied.
3. Nothing in this ordinance shall be deemed to vacate or alter any utility rights of way held by third parties.
4. This ordinance shall take effect immediately upon passage.

APPROVED in an open session of the Castle Valley Town Council this 20<sup>th</sup> day of January 2021.

Those voting AYE: Mayor Jazmine Duncan, Council Members: Gibson, Hill, Holland and O'Brien

Those voting NAYE: None

Those Absent: None

Town of Castle Valley:

By: Jazmine Duncan  
Jazmine Duncan, Mayor

ATTEST: TOWN OF CASTLE VALLEY  
By: Jocelyn Burk Town Clerk Date 1-21-2021

Ent 539716 Bk 0910 Pg 0522

**OFFICIAL COPY**  
CV Recorder JR