ORDINANCE NO. 2026-12

AN ORDINANCE OF IVINS CITY, UTAH, VACATING AN IVINS MUNICIPAL UTILITY EASEMENT LOCATED IN LAVA FLOW WASH GENERALLY BETWEEN RACHEL DRIVE AND PIONEER PARKWAY IN SANTA CLARA, UTAH

WHEREAS the city council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City (see Utah Code § 10-8-84; Ivins City Code §§ 2.01.301, et seq.)

WHEREAS municipal utility easements in favor of Ivins City currently exist in the locations as described on Exhibit A attached hereto and shown on B attached hereto (the "Easements");

WHEREAS the developer of the land through which the Easements run has proposed moving the Easements to facilitate development of the land;

WHEREAS Ivins City staff has determined, and the City Council hereby finds, that so long as the developer dedicates sufficient alternative municipal utility easements to Ivins City the City will not be harmed by vacating the Easements;

WHEREAS the City Council conducted a public hearing on April 2, 2026; and

WHEREAS the City Council finds that (a) good cause exists for the vacation; and (b) neither the public interest nor any person will be materially injured by the vacation so long as the developer dedicates alternative municipal utility easements to Ivins City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City as follows:

Section 1. Vacation of Easement. Upon recording of a plat or other duly enforceable documentation granting to Ivins City municipal utility easements as approved by the City Engineer to replace the Easements, the Easements shall be deemed vacated.

Section 2. Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall become effective immediately upon recording of the plat or other documentation described in Section 1, conditioned upon proper passage and publication hereof.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS 2ND DAY OF APRIL, 2026, BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Mike Scott	_____	_____	_____	_____
Sharon Barton	_____	_____	_____	_____
Sharon Gillespie	_____	_____	_____	_____
Dillon Hurt	_____	_____	_____	_____
Wayne Pennington	_____	_____	_____	_____

_____
Kevin Smith, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder

Exhibit A

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EXHIBIT A
Easement Vacate 1

Beginning at a point on the East Right-of-Way Line of Rachel Drive as on file with the Washington County Recorder's Office said point lies North 00°37'40" East along the Section line 1,106.06 feet, and East 29.98 feet, from the West Quarter Corner of Section 9, Township 42 South, Range 16 West, Salt Lake Base and Meridian; Running thence South 61°48'00" East 20.65 feet; thence South 61°48'00" East 335.49 feet; thence South 45°54'00" East 121.10 feet to a point on the North Line of Harmons Santa Clara Subdivision Document No. 20160002079 as on file with the Washington County Recorder's Office; thence North 89°22'23" West 72.67 feet; thence North 45°54'00" West 61.38 feet; thence North 61°48'00" West 323.05 feet to said East Right-of-Way Line of Rachel Drive; thence North 00°37'36" East along said East Right-of-Way 56.41 feet to the point of beginning.

Containing 21,542 Square Feet or 0.49 Acres.

Closure:
Northing Diff: 0.005166
Easting Diff: 0.000150
Azimuth: 181°40'04"
Error Distance 0.005168
Total Distance 990.750
Ratio: 1/191701

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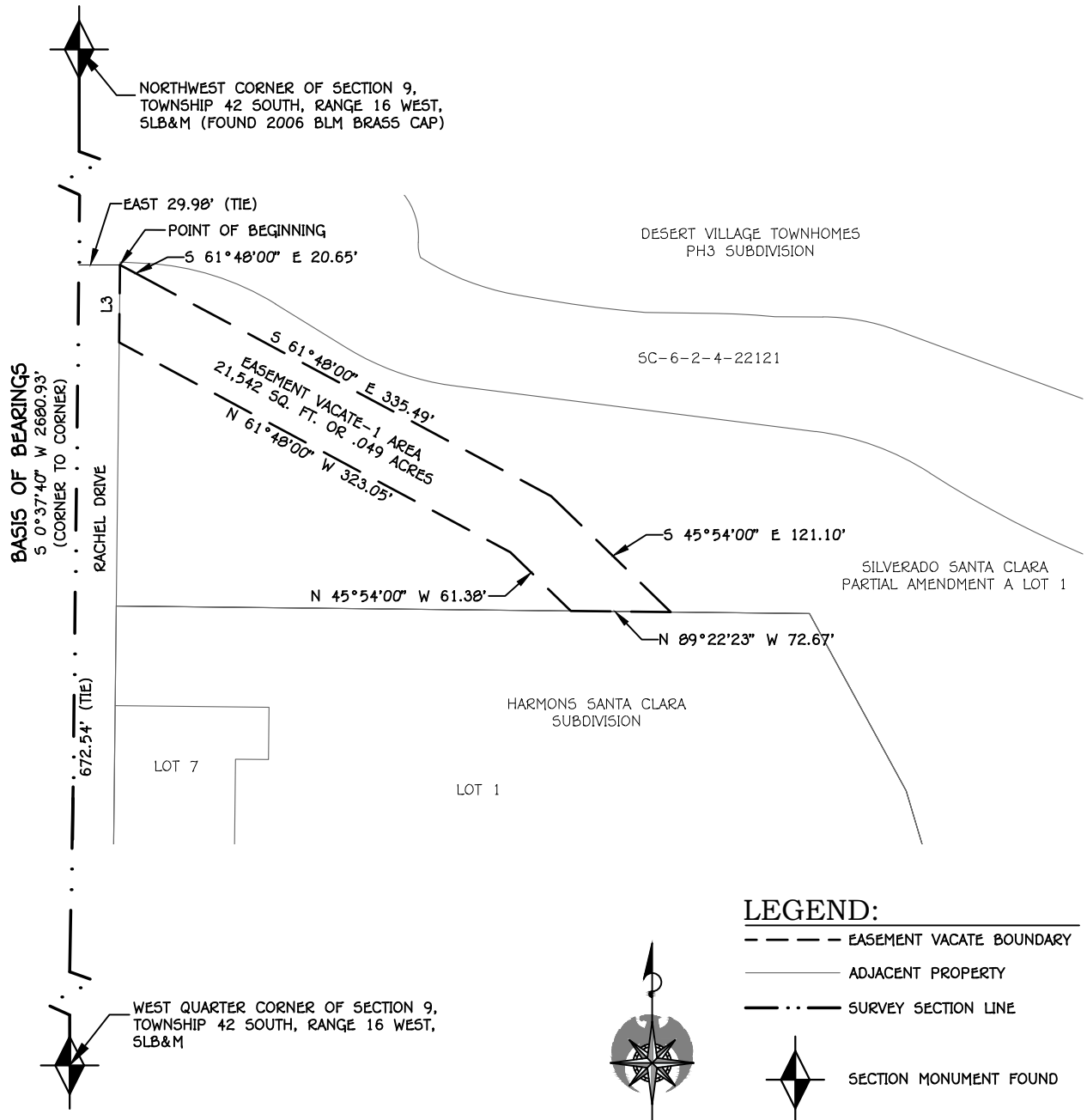
Exhibit A
Easement Vacate-2

Beginning at a point on the East Line of Harmons Santa Clara Subdivision Document No. 20160002079 as on file with the Washington County Recorder's Office, said point lies North 00°37'40" East along the Section Line 672.54 feet, and East 622.13 feet, from the West Quarter Corner of Section 9, Township 42 South, Range 16 West, Salt Lake Base and Meridian; Running thence South 37°17'26" East 394.67 feet; thence South 66°50'47" East 329.12 feet; thence South 41°05'00" East 205.71 feet to a point on the West Right-of-Way Line of Red Mountain Drive, as on file with the Washington County Recorders office; thence South 00°28'02" West along said West Line 36.15 feet to a point on the North Right-of-Way Line of Pioneer Parkway as on file with the Washington County Recorder's office; thence southwesterly along a 24.99 foot radius non-tangent curve to the right, (center point lies North 89°37'48" West) through a central angle of 65°30'54", along said North Line a distance of 28.58 feet; thence departing said Right-of-Way North 41°05'00" West 228.69 feet; thence North 66°50'47" West 330.88 feet; thence North 37°17'26" West 275.37 feet to a point on the East Line of Said Harmons Santa Clara Subdivision; thence North 16°36'53" West along said East Line 141.61 feet to the point of beginning.

Containing 44,448 Square Feet or 1.02 Acres.

Closure:
Northing Diff: 0.002930
Easting Diff: 0.009828
Azimuth: 73°23'49"
Error Distance 0.010255
Total Distance 1969.250
Ratio: 1/192025

Exhibit B



N.T.S.

LEGEND:

- EASEMENT VACATE BOUNDARY
- ADJACENT PROPERTY
- SURVEY SECTION LINE
- SECTION MONUMENT FOUND

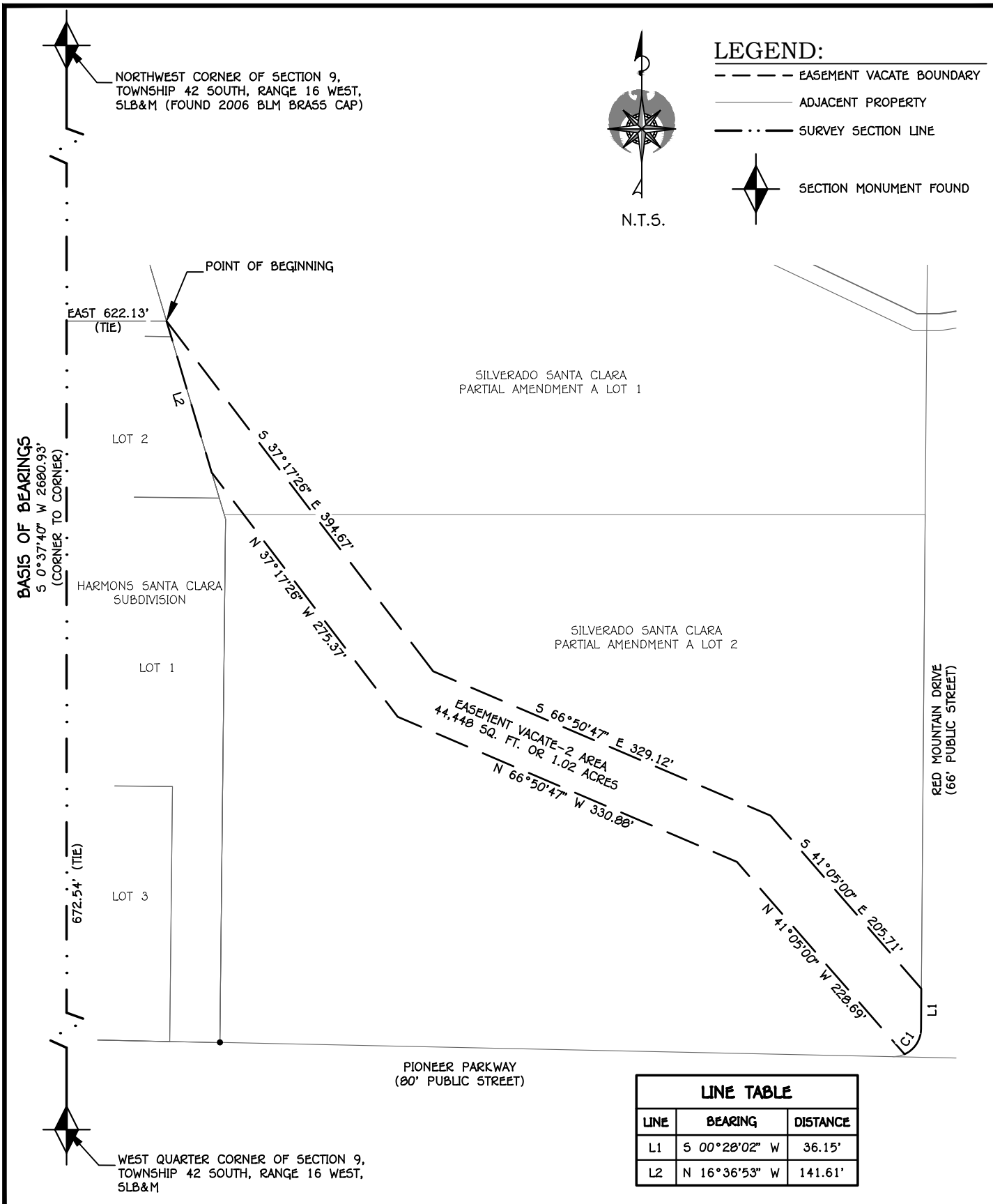
LINE TABLE		
LINE	BEARING	DISTANCE
L3	N 00°37'36" E	56.41'

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1173 S. 250 W. #504 ST. GEORGE, UT 84770

EASEMENT VACATE-1 EXHIBIT B

SEC. 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SLB&M
SANTA CLARA CITY, WASHINGTON COUNTY, UTAH

DATE: 01/26/2026
JOB # 25-044
FILE: VACATE.DWG
SHEET 1 / 1 SHEETS



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 00°28'02" W	36.15'
L2	N 16°36'53" W	141.61'

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EASEMENT VACATE-2 EXHIBIT B

SEC. 9, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SLB&M
SANTA CLARA CITY, WASHINGTON COUNTY, UTAH

DATE: 01/26/2026
JOB # 25-044
FILE: VACATE.DWG
SHEET 1 / 1 SHEETS