



# Staff Report to the Weber County Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Ordinance to vacate a portion of Summit Pass Rd, located at approximately 8590 Summit Pass Rd, Eden, UT, 84310

**Agenda Date:** Tuesday, November 19, 2024

**Applicant:** Powder Mountain – Summit Mountain Holding Group

**Authorized Representative:** Brooke Hontz

**File Number:** VAC 2024-01

### Property Information

**Approximate Address:** 8590 Summit Pass Rd, Eden, UT 84310

**Zoning:** Destination Recreation Resort (DRR-1) Zone

**Existing Land Use:** Vacant

**Proposed Land Use:** Vacant/Residential

**Parcel ID:** N/A

**Township, Range, Section:** T7N, R2E, Section 08 NE Qtr

### Staff Information

**Report Presenter:** Tammy Aydelotte  
taydelotte@webercountyutah.gov  
801-399-8794

**Report Reviewer:** FL

## Background

The purpose of this application is to vacate the end of the existing Summit Pass Road. The applicant is proposing to realign the end of Summit Pass Road and dedicate this portion, as well as any future extension of this road as a private right-of-way. The process needed to accomplish this realignment is to vacate the existing portion of Summit Pass Road, and re-dedicate this area, through a subdivision plat. This portion of Summit Pass Road will become private as it enters into the proposed subdivision boundary. This is an area of public right-of-way that has no improvements or utilities located within the right-of-way area. If this portion of Summit Pass Road is vacated, the applicant will better be able to follow desired topography. Weber Fire District, Weber County Engineering, and the Weber County Surveyor have all reviewed and approved of this request.

Under state codes (17-27a-609.5), the County Commission, as the legislative body, may adopt an ordinance granting a petition to vacate some or all of a public street or county utility easement if the legislative body 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.

## Conformance to the General Plan

This vacation request is not anticipated to have an impact on the Ogden Valley General Plan. If the vacation is approved, the applicant will be able to adjust the roadway into their proposed subdivision in a way that makes more sense with the existing topography.

## Staff Recommendation

Staff recommends approval of the proposed ordinance, vacating the portion of Summit Pass Road shown on the ordinance as Exhibit A.

## Exhibits

- A. Vacation Ordinance
- B. Vacation Plat

Location map



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF WEBER COUNTY VACATING  
A PORTION OF A PUBLIC RIGHT-OF-WAY ALONG OLD SUMMIT PASS RD**

**WHEREAS**, Weber County has filed a petition to vacate a portion of Summit Pass Road, that portion being located at approximately 8590 Summit Pass Road, as described in Exhibit A of this ordinance; and

**WHEREAS**, after providing proper public notice, a public hearing was held before the Weber County Commission on November 19, 2024, regarding the vacation of the portion of public right-of-way; and

**WHEREAS**, Weber County’s Engineering Department has been notified and has provided written approval of the vacation of the portion of the public right-of-way; and

**WHEREAS**, the Commission finds that good cause exists to vacate the portion of public right-of-way, and that it will not substantially affect the Ogden Valley General Plan, and that neither the public interest nor any person will be materially injured;

**NOW THEREFORE**, the Board of County Commissioners of Weber County vacates the portion of public right-of-way, as described in Exhibit A of this ordinance.

Adopted and ordered published this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Weber County Commission

By \_\_\_\_\_

James Harvey, Chair

Commissioner Harvey Voted \_\_\_\_\_

Commissioner Bolos Voted \_\_\_\_\_

Commissioner Froerer Voted \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Ricky Hatch, CPA

Exhibit A

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN,

BEGINNING AT A POINT BEING SOUTH 1231.11 FEET AND EAST 1322.34 FEET FROM THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 89°55'51" WEST ALONG THE LINE BETWEEN THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN AND THE MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE, TIE FROM THE NORTHWEST CORNER OF SECTION 6, TO THE NORTH QUARTER CORNER OF SECTION 8 IS SOUTH 53°43'38" EAST 9312.68 FEET), AND RUNNING THENCE SOUTH 80°20'46" EAST, 66.00 FEET; THENCE SOUTHERLY ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 667.00 FEET, (CHORD BEARS SOUTH 05°23'34" WEST 99.12 FEET), THROUGH A CENTRAL ANGLE OF 08°31'20", FOR AN ARC DISTANCE OF 99.21 FEET; THENCE SOUTH 01°07'54" WEST, 226.01 FEET; THENCE NORTH 88°52'06" WEST, 66.00 FEET; THENCE NORTH 01°07'54" EAST, 226.01 FEET; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 733.00 FEET, (CHORD BEARS NORTH 05°23'34" EAST 108.93 FEET), THROUGH A CENTRAL ANGLE OF 08°31'20", FOR AN ARC DISTANCE OF 109.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 21,788. SQUARE FEET, 0.500 ACRES, MORE OR LESS

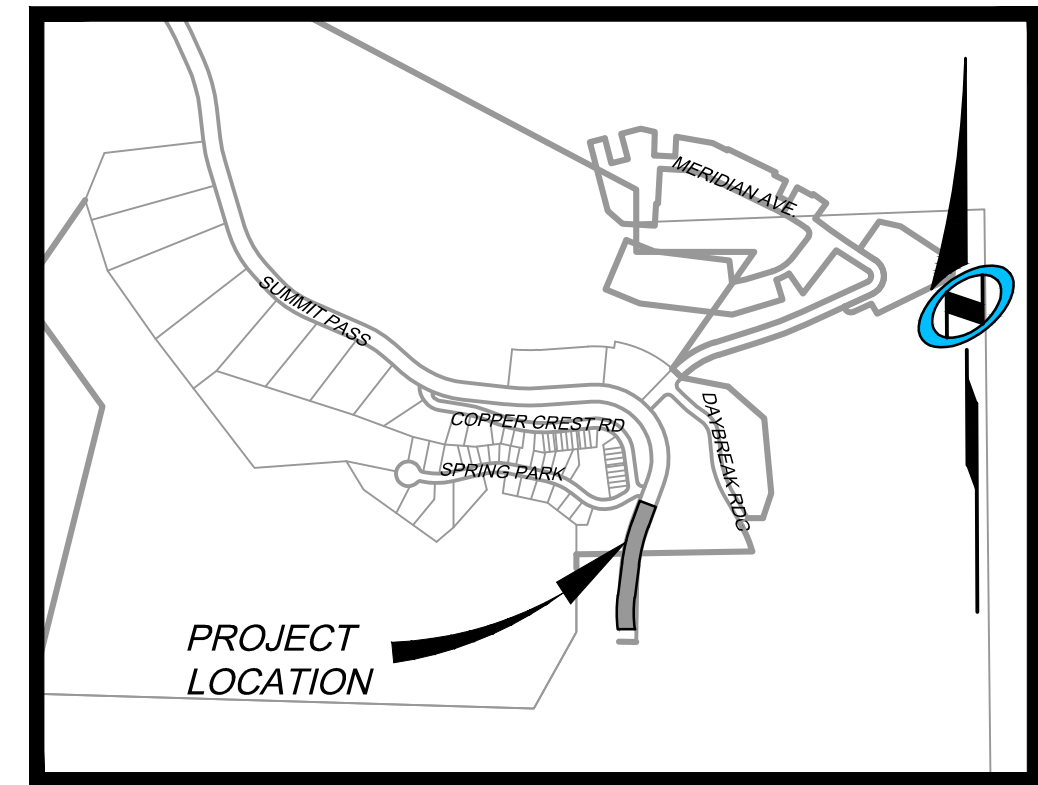
## Exhibit B – Vacation Plat

See following page.



# SUMMIT PASS RIGHT-OF-WAY VACATION VACATING A PORTION OF SUMMIT PASS

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 7 NORTH, RANGE 2 EAST,  
SALT LAKE BASE AND MERIDIAN,  
WEBER COUNTY, UTAH  
OCTOBER 2024



VICINITY MAP

N.T.S.

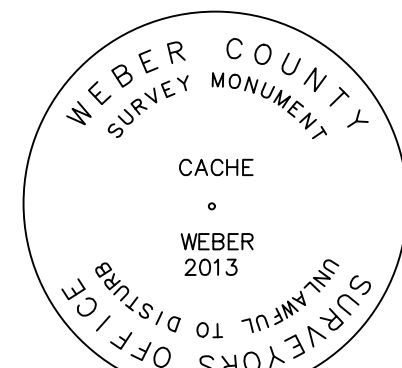
NORTHEAST CORNER SECTION 1,  
TOWNSHIP 7 NORTH, RANGE 1 EAST  
SALT LAKE BASE AND MERIDIAN  
FOUND GLO 1944, 4" BRASS CAP,  
GOOD CONDITION  
6" ABOVE GROUND  
DETAIL "B"

BASIS OF BEARINGS  
N 89°55'51" W 1381.07'  
(N 89°56'05" W 1380.98' RECORD)

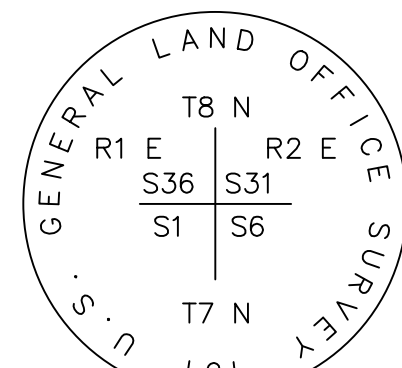
FOUND WEBER COUNTY LINE  
MONUMENT PER WEBER COUNTY  
SURVEYOR, 4" BRASS CAP 2013,  
GOOD CONDITION  
FLUSH IN CONCRETE  
DETAIL "A"

NORTH QUARTER CORNER SECTION 8,  
TOWNSHIP 7 NORTH, RANGE 2 EAST  
SALT LAKE BASE AND MERIDIAN,  
FOUND 1944 GLO 4" BRASS CAP,  
GOOD CONDITION 6" ABOVE GROUND  
DETAIL "C"

S 53°43'38" E  
9312.68' (TIE)



DETAIL "A"



DETAIL "B"



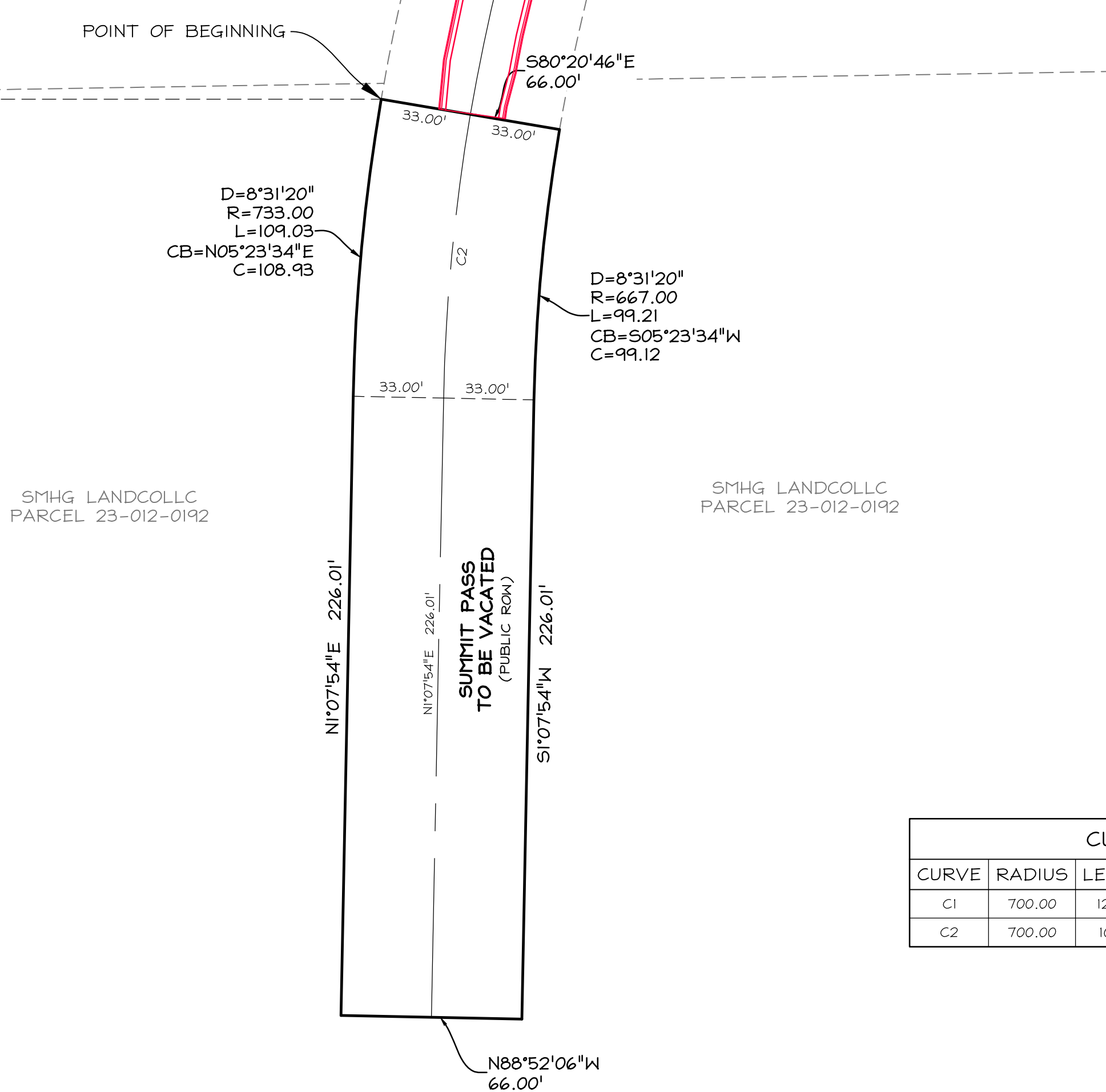
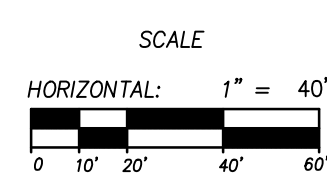
DETAIL "C"

### SURVEYOR'S NARRATIVE:

1. THE PURPOSE FOR THIS SURVEY IS TO VACATE A PORTION OF SUMMIT PASS AS SHOWN HEREON.
2. THE BASIS-OF-BEARING FOR THIS PLAT IS N 89°55'51"W ALONG THE NORTH SECTION LINE BETWEEN THE NORTHEAST CORNER OF SECTION 1, T.7N., R.1E., S.L.B.M., AND A FOUND WEBER COUNTY MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE AND SAID SECTION LINE. (THIS BEARING DIFFERS FROM THE WEBER COUNTY SURVEYOR'S BEARING BY 00'00" AS SHOWN ON THE COUNTY LINE DECLARATION RECORD PLAT BOOK 74, PAGE 64.)

### LEGEND

- BOUNDARY LINE
- SECTION LINE
- ADJOINER DEED LINES
- RIGHT-OF-WAY LINE
- ROAD CENTERLINE
- SECTION CORNER AS NOTED
- SET CL MONUMENT
- FOUND CL MONUMENT
- SET NO.5 X 24" LONG REBAR WITH PLASTIC CAP STAMPED "TALISMAN"



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	700.00	129.74	10°37'10"	S14°57'49"W	129.56
C2	700.00	104.12	8°31'20"	S05°23'34"W	104.02

### SURVEYOR'S CERTIFICATE

I, NATHAN CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR AND HOLD A LICENSE IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, IN ACCORDANCE WITH STATE CODE AND COUNTY ORDINANCE WCO 106-1-8(C)(2), AND THAT THIS PLAT, SUMMIT PASS RIGHT OF WAY VACATION, IN WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LANDS, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

NATHAN CHRISTENSEN  
PROFESSIONAL LAND SURVEYOR  
UTAH CERTIFICATE NO. 10175991

### LEGAL DESCRIPTION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN,

BEGINNING AT A POINT BEING SOUTH 1231.11 FEET AND EAST 1322.34 FEET FROM THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 89°55'51" WEST ALONG THE LINE BETWEEN THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN AND THE MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE, TIE FROM THE NORTHWEST CORNER OF SECTION 6, TO THE NORTH QUARTER CORNER OF SECTION 8 IS SOUTH 53°43'38" EAST 9312.68 FEET), AND RUNNING THENCE SOUTH 80°20'46" EAST, 66.00 FEET; THENCE SOUTHERLY ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 667.00 FEET, (CHORD BEARS SOUTH 05°23'34" WEST 99.12 FEET), THROUGH A CENTRAL ANGLE OF 08°31'20", FOR AN ARC DISTANCE OF 99.12 FEET; THENCE SOUTH 01°07'54" WEST, 226.01 FEET; THENCE NORTH 88°52'06" WEST, 66.00 FEET; THENCE NORTH 01°07'54" EAST, 226.01 FEET; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 733.00 FEET, (CHORD BEARS NORTH 05°23'34" EAST 109.93 FEET), THROUGH A CENTRAL ANGLE OF 08°31'20", FOR AN ARC DISTANCE OF 109.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 21,788. SQUARE FEET, 0.500 ACRES, MORE OR LESS



TALISMAN  
CIVIL CONSULTANTS  
1588 SOUTH MAIN STREET  
SUITE 200  
SALT LAKE CITY, UT 84115  
801.743.1300

### RECORDED #

STATE OF UTAH, COUNTY OF WEBER,  
RECORDED AND FILED AT THE

REQUEST OF: \_\_\_\_\_  
ENTRY NO: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE \$ \_\_\_\_\_  
WEBER COUNTY RECORDER

OWNER  
**SMHG PHASE II INVESTOR, LLC**  
3632 N. WOLF CREEK DR.  
EDEN, UT 84310

WEBER COUNTY ATTORNEY  
I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND AFFECT.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
SIGNATURE

WEBER COUNTY SURVEYOR  
I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT AND ALL CONDITIONS FOR APPROVAL BY THIS OFFICE HAVE BEEN SATISFIED. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
COUNTY SURVEYOR

WEBER COUNTY ENGINEER  
I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
SIGNATURE

WEBER COUNTY PLANNING COMMISSION APPROVAL  
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
CHAIRMAN-WEBER COUNTY PLANNING COMMISSION

WEBER COUNTY COMMISSION ACCEPTANCE  
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
CHAIRMAN, WEBER COUNTY COMMISSION  
ATTEST: \_\_\_\_\_  
TITLE: