

S.B. 209

LAND USE, DEVELOPMENT, AND MANAGEMENT ACT AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 5, 2009 10:54 AM

Senator **Gregory S. Bell** proposes the following amendments:

1. Page 2, Line 40:

40 ~~{None}~~ **This bill coordinates with S.B. 63, Modifications to Recording Requirements, by technically and substantively superseding and merging amendments.**

2. Page 16, Line 475:

475 Section 10-8-8.5, Effect of vacation or narrowing of street or alley.

Section 16. Coordinating S.B. 209 with S.B. 63 -- Technically and substantively superseding and merging amendments.

If this S.B. 209 and S.B. 63, Modifications to Recording Requirements, both pass, it is the intent of the Legislature that:

(1) the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, modify:

(a) Subsection 10-9a-606(1)(b) to read:

"(b) the separate ownership or conveyance is approved by the owners of at least 75% of the lots, units, and parcels on the plat, after the municipality gives its approval." ;

(b) Subsection 10-9a-608(1)(a) to read:

"(1)(a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to have some or all of the plat vacated or amended." ;

(c) Subsection 10-9a-609(1)(a) to read:

"(a) there is good cause for the vacation or amendment; and" ;

(d) Subsection 17-27a-606(1)(b) to read:

"(b) the separate ownership or conveyance is approved by the owners of at least 75% of the lots, units, and parcels on the plat, after the county gives its approval." ;

(e) Subsection 17-27a-608(1)(a) to read:

"(1)(a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to have some or all of the plat vacated or amended." ;

(f) Subsection 17-27a-609(1)(a) to read:

"(a) there is good cause for the vacation or amendment; and" ;

(2)(a) the amendments to Section 10-9a-609.5 in this bill supersede the amendments to Section 10-9a-609.5 in S.B. 63, when the Office of Legislative Research and General Counsel prepares the Utah Code

database for publication, except that Subsection 10-9a-609.5(3), as enacted in S.B. 63, shall be inserted as a new Subsection 10-9a-609.5(3) and modified to read:

"(3) A legislative body may vacate some or all of a street, right-of-way, or easement by recording in the county recorder's office an ordinance containing a legal description of the vacated street, right-of-way, or easement or the vacated portion of the street, right-of-way, or easement, as the case may be." ; and

(b) the remaining subsections of Section 10-9a-609.5 shall be renumbered accordingly; and

(3)(a) the amendments to Section 17-27a-609.5 in this bill supersede the amendments to Section 17-27a-609.5 in S.B. 63, when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication, except that Subsection 17-27a-609.5(3), as enacted in S.B. 63, shall be inserted as a new Subsection 17-27a-609.5(3) and modified to read:

"(3) A legislative body may vacate some or all of a street, right-of-way, or easement by recording in the county recorder's office an ordinance containing a legal description of the vacated street, right-of-way, or easement or the vacated portion of the street, right-of-way, or easement, as the case may be." and

(b) the remaining subsections of Section 17-27a-609.5 shall be renumbered accordingly.