

CHAPTER 7-12
CONVEYANCE OF EASEMENTS ALONG
JORDAN RIVER

Sections:

- 7-12-101. Purpose.
- 7-12-102. Development Approval.
- 7-12-103. Extent of Easement.
- 7-12-104. Easement Limitations.

7-12-101. PURPOSE.

In enacting this Chapter, it is the purpose of the City to foster the protection and preservation of a limited natural resource, and to foster water conservation, flood control, reclamation, and wildlife resources on and along the Jordan River by limiting development immediately adjoining the banks of said river.

7-12-102. DEVELOPMENT APPROVAL.

In addition to all other requirements and conditions contained in this Title, it is a further condition, upon the approval and recording of any development, including but not limited to, subdivisions and all other commercial, industrial and residential developments of any kind that the developer or owner of any property containing within its boundaries a bank of the Jordan River, convey to the City, an easement within a strip or strips extending 75 feet from the bank or banks of the river. In no event shall the above-described easement exceed 10 percent of the total area of the development without just compensation being paid therefore.

7-12-103. EXTENT OF EASEMENT.

Without prior approval from the Planning Commission, the owner of property affected by the easement described in Section 102 above is prohibited from:

- (1) Diverting, filling in, lining, or culverting the natural water-course of the Jordan River;
- (2) Erecting any structures or improvements, including but not limited to buildings, fences, bridges and parking lots, within 75 feet of the banks of the Jordan River;
- (3) Dumping or permitting the dumping of any garbage or other refuse within 75 feet of the banks of the Jordan River; or
- (4) Cutting, grubbing or removing any trees or other natural vegetation, removing any stones or earth, or otherwise disturbing the natural environment of the area within 75 feet of the banks of the Jordan River.

7-12-104. EASEMENT LIMITATIONS.

- (1) Rights acquired by West Valley City subject to this Chapter shall be held and exercised only for the advancement of the purposes contemplated herein.
- (2) Ownership in fee simple absolute of the easement strip shall remain unaffected by the provisions of this Chapter, and shall remain in the owner of the servient realty. The interest hereby created is an appurtenant easement and shall remain unaffected by the sale or other alienation of the realty upon which it lies.