

RESOLUTION NO. 2022-047

RESOLUTION OF THE CITY COUNCIL OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH, REQUIRING A NOTICE OF CLAIM OF INTEREST IN CEMETERY PARCEL(S) AND PROVIDING FOR TERMINATION OF INTEREST IN THE SUBJECT PARCEL(S) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions of Chapter 5 of Title 8 of the Utah Code Annotated prescribe a procedure whereby a municipal council may pass a resolution demanding that the owner of a lot, site or portion of the municipal cemetery, which has been unused for burial purposes for more than 60 years, file with the city recorder or town clerk notice of any claim to the lot, site or parcel; and

WHEREAS, said provision of the Utah Code Annotated also prescribes that the municipal council shall then cause a copy of the resolution to be personally served on the owner in the same manner as personal service of process in a civil action or if that cannot be done, then the resolution must be published for three successive weeks in a newspaper of general circulation within the county and within 14 days after the publication a copy must be mailed to the owner's last known address, if available; and

WHEREAS, if for 30 days after the last date of service or publication of the resolution the owner or person with a legal interest in the cemetery lot fails to state a valid interest in the use of the cemetery lot for burial purposes, the owner's rights are terminated and that portion of the cemetery shall be vested in the municipality; and

WHEREAS, Pleasant Grove City has adopted the provisions of the Utah State Code in Chapter 3 of Title 7 of the Pleasant Grove Municipal Code; and

WHEREAS, city has become aware that there are certain lots within the Pleasant Grove City cemetery which have gone unused for over 60 years and are therefore subject to termination of the original owner's rights.

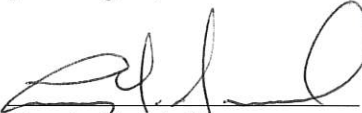
NOW, THEREFORE, BE IT RESOLVED by the City Council of Pleasant Grove City, Utah County, Utah, as follows:

SECTION 1.


Mrs. Viola Young Fugal , the record owner or such other person(s) with legal interest in Spaces 6, 7, and 8 of Section B-21-1 of the Pleasant Grove City Cemetery, originally purchased in 1959, must file with the Pleasant Grove City Recorder, a Notice of Claim to the above described cemetery parcel within 30 days after service or publication of this Resolution. Said Notice of Claim must express interest in maintaining the cemetery lot(s) and contain satisfactory evidence on an intention to use the lot(s) for a burial. In the event such Notice of Claim is not timely filed, the owner's rights will be terminated without further notice and said parcel shall be vested in the municipality and made available for sale.

SECTION 2. This Resolution shall take effect immediately upon its passage by the city council.

APPROVED AND ADOPTED, this 16th day of August, 2022.


Guy L. Fugal, Mayor

ATTEST:


Kathy T. Kresser, MMC
City Recorder



Motion: Council Member Bullock

Second: Council Member Jensen

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	<u>X</u>	_____	_____
Brent Bullock	<u>X</u>	_____	_____
Eric Jensen	<u>X</u>	_____	_____
Cyd LeMone	_____	_____	<u>X</u>
Todd Williams	_____	_____	<u>X</u>