

RESOLUTION 20-10

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTION 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED (*Mountain View Annexation - 18.553 acres*).

WHEREAS, on September 22, 2020, the owners of certain real property (petitioners) Mitchell V. and Mary Kay Olsen, and Chet W. and Jurene D. Olsen filed a petition with the city recorder of Hyrum City, Cache County, State of Utah requesting that such property be annexed to the corporate boundaries of Hyrum City; and

WHEREAS, said petition contains the signatures of the owners of private real property that is: 1) located within the area proposed for annexation; 2) covers a majority of the private land area within the area proposed for annexation; 3) covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation; 4) covers 100% of the private land area within the area proposed for annexation if the area is within an agriculture protection area, or a migratory bird protection area; and 5) is equal in value to at least one-third of the value of all the private real property within the area proposed for annexation; and

WHEREAS, the petitioners certify that said property proposed for annexation lies contiguous to the present boundaries of Hyrum City as provided in the legal description and does not lie within the boundaries of any other incorporated municipality; and

WHEREAS, the petitioners have caused an accurate plat of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat with the city recorder; and

WHEREAS, said petition appears to comply with all of the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum City, Cache County, State of Utah, that the annexation petition, attached hereto as Exhibit "A", is hereby accepted for consideration under the provisions of Utah State annexation law and is hereby referred to the municipal attorney and city recorder for review pursuant to Section 10-2-405, Utah State Code Annotated, 1953, as amended.

BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption.

ADOPTED AND PASSED by the City Council this 1st day of
October, 2020.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF HYRUM CITY, CACHE COUNTY, STATE OF UTAH:

We, the undersigned owners of certain real property lying contiguous to the present municipal limits of Hyrum City hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended (UCA);
2. That the property subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of Hyrum City;
3. That the signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation;
 - d. covers 100% of the private land area within the area proposed for annexation if the area is within:
 1. an agriculture protection area created under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Area; or
 2. a migratory bird protection area created under Title 23, Chapter 28, Migratory Bird Production Area.
 - e. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;
 - f. is described as follows:

A Part of the North Half of Section 16, Township 10 North, Range 1 East of the Salt Lake Base and Meridian and a Part of Lot 25 & Lot 32 of said School Section 16

Beginning at the Southeast Corner of said Lot 25 and RUNNING THENCE South 89°17'04" West 741.04 Feet (West 738 Feet by Record) Along the South Line of said Lot 25; Thence South 89°30'52" West (South 89°20'06" West by Record) 581.56 Feet Along said South Lot Line to the Southeast Corner of said Lot 32; Thence North 00°34'16" East (North 00°23'32" East by Record) 335.53 Feet Along the East Line of said Lot 32; Thence South 89°33'59" West (West by Record) 648.53 Feet to the West Line of said Lot 32; Thence North 00°12'19" East 334.52 Feet (North 330 Feet by Record) Along said West Line to the Southeast Corner of Cooper Subdivision, Entry

Number 955,812, and the Northwest Corner of said Lot 32; Thence North 89°40'11" East (North 89°29'25" East by Record) 650.65 Feet Along the North Line of said Lot 32 to the Northeast Corner of said Lot 32; Thence North 89°51'29" East (North 89°41'01" East by Record) 333.28 Feet; Thence South 01°15'07" West (South 01°04'21" West by Record) 88.47 Feet; Thence South 89°30'32" East (South 89°41'18" East by Record) 249.03 Feet; Thence South 00°32'55" West (South 00°22'09" West by Record) 270.33 Feet; Thence North 89°17'04" East 745.22 Feet (East 738 Feet by Record) to the East Line of said Lot 25; Thence South 01°20'05" West (South by Record) 304.00 Feet Along the East Line of said lot 25 to the Point of Beginning. Containing 18.553 Acres.

4. That up to five of the signers of this petition have been designated as sponsors, one of whom is designated "contact sponsor", with the mailing address of each sponsor being indicated;

5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;

6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 UCA or a petition under Section 10-2-125 UCA if:

- a. the request or petition was filed before the filing of the annexation petition; and
- b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;

7. That the petitioners have caused an accurate plat of the above described property to be made by a competent, licensed surveyor, which plat is filed herewith; and

8. That the petitioners request the property, if annexed, be zoned as follows:

Zoned Residential R-3:

01-080-0096 - BEG AT SE COR LT 25 SEC 16 T 10N R 1E & TH W 738.0 FT ALG LT LN TO FENCE LN TH N 304.0 FT ALG FENCE TH E 738.0 FT TO FENCE LN & E LN OF LOT 25 TH S 738.0 FT ALG FENCE LN TO BEG CONT 5.15 AC M/B

01-080-0098 - BEG AT N/4 COR SEC 16 T 10N R 1E & TH S0°22'14''W 1341.63 FT TO N LN OF 16.5 WIDE R/W TH N89°20'06''E 353.09 FT TO TRUE POB TH N89°20'06''E 221.09 FT TH N0°22'10''E 574.21 FT TH

N89*41'18''W 249.03 FT TH S0*31'03''W 423.05 FT TH S10*15'31''E
157.61 FT TO TRUE POB CONT 3.25 AC M/B

01-080-0039 - BEG AT N/4 COR SEC 16 T 10N R 1E & TH S0*22'14''W
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TO TRUE POB TH S89*20'06''W 192.47 FT TO E LN OF LOCKHART PARCEL
01-080-0010 TH N0*23'32''E 668.93 FT TH N89*41'01''E 333.28 FT TH
S1*04'21''W 88.47 FT TH S0*31'02''W 362.44 FT TH S89*20'06''W
141.36 FT TH S0*14'04''E 216.01 FT TO TRUE POB CONT 4.39 AC M/B

01-080-0009 - THE N/2 OF LOT 32 SEC 16 T 10N R 1E CONT 5 AC

Zoned Commercial C-1:

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216.01 FT TO TRUE POB CONT 0.75 AC M/B

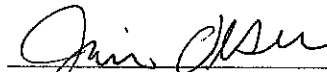
9. That the petitioners agree to pay the City upon request and before the annexation process is completed for all expenses it has incurred due to the annexation. The petitioners understand if payment has not been made to the City by specified dates it could delay the annexation process.

WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

DATED this 22 day of September, 2020.

CONTACT SPONSOR INFORMATION:

Name: Jamie Olsen
Address: PO BOX 489
City, State Zip: Paradise, UT 84328
Phone: 435-757-3196


Signature: _____

Witness:

ANNEXATION

SPONSORS:

Parcel #: 01-080-0098
01-080-0050
01-080-0039
01-080-0009

Acres: 3.25 acres
Acres: .75 acres
Acres: 4.39 acres
Acres: 5.00 acres

Total: 13.39 acres

OWNERS NAMES AND ADDRESS:

ADDRESS:
350 West 6800 South
Hyrum, Utah 84319

Mitchell V. Olsen
Mitchell V. Olsen
Trustee

Mary Kaye Olsen
Mary Kaye Olsen
Trustee

Parcel #: 01-080-0096

Acres: 5.15 acres

Total: 5.15 acres

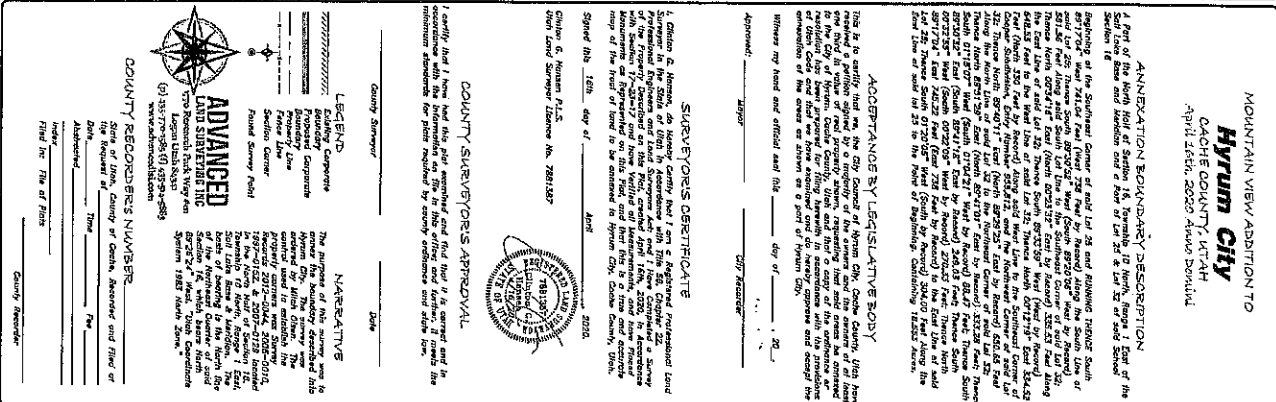
OWNERS NAMES AND ADDRESS:

ADDRESS:

227 West 6600 South
Hyrum, UT 84319

Chet W. Olsen
Chet W. Olsen

Jurene D. Olsen
Jurene D. Olsen





Mayor: Stephanie Miller
Council Members
Steve Adams
Jared L. Clawson
Paul C. James
Vicky McCombs
Craig Rasmussen
City Administrator
Ron W. Salvesen
Recorder
Stephanie B. Fricke
Treasurer
Todd Perkins

HYRUM CITY CERTIFICATE

I, Stephanie Fricke, duly appointed and acting recorder for Hyrum City, Cache County, State of Utah, hereby certify that the Petition for Annexation attached hereto, dated September 22, 2020 and signed by Mitchell V. & Mary Kay Olsen, and Chet W. Olsen & Jurene D. Olsen together with the annexation plat map, Mountain View Addition, pertaining thereto, was delivered to me personally by the Contact Sponsor Jamie Olsen this 22nd day of September, 2020.



Stephanie Fricke
Stephanie Fricke
Hyrum City Recorder

CACHE COUNTY CERTIFICATE

I, Kim T. Gardner, in the Cache County Clerk's office hereby certify that the Petition for Annexation attached hereto, dated September 22, 2020 and signed by Mitchell V. & Mary Kay Olsen, and Chet W. Olsen & Jurene D. Olsen together with the annexation plat map, Mountain View Addition, pertaining thereto, was delivered to me personally by the Contact Sponsor Jamie Olsen this 22nd day of September, 2020.

Kim T. Gardner
Cache County Clerk's Office

CLERK-SEP22'20 13:34:54

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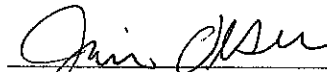
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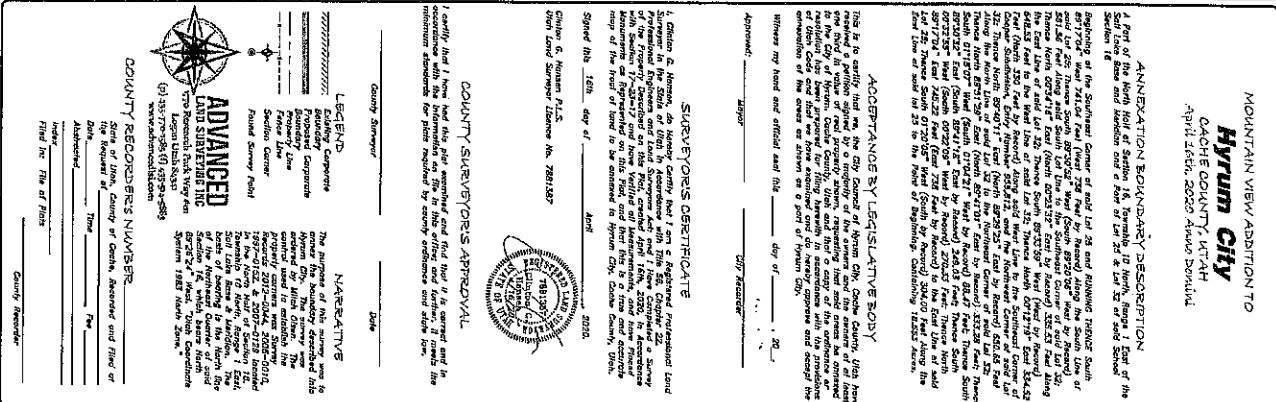
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Stephanie Fricke
Stephanie Fricke
Hyrum City Recorder

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