

RESOLUTION 20-08

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 (*Lewis Annexation - 40.37 acres*).

WHEREAS, on July 2, 2020, the owners of certain real property (petitioners) Robert C. and Vivian C. Lewis 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 16th day of July,
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 OF SOUTH HALF OF SECTION 9, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE HYRUM CITY CORPORATE LIMITS LOCATED NORTH 89° 59' 51" WEST A DISTANCE OF 2004.56 FEET AND SOUTH 00° 51' 32" WEST, A DISTANCE OF 1.41 FEET FROM THE CACHE COUNTY ALUMINUM CAP MONUMENT MARKING THE EAST QUARTER CORNER OF SECTION 9 FROM WHICH MONUMENT THE MAG NAIL MARKING THE SOUTHEAST CORNER OF SECTION 9 BEARS SOUTH 00° 36' 23" WEST A DISTANCE OF 2671.18 FEET; THENCE ALONG SAID CORPORATE LIMITS SOUTH 00° 25' 29" WEST, A DISTANCE OF 660.82 FEET; THENCE, SOUTH 89° 41' 12" WEST, A DISTANCE OF 649.04 FEET; THENCE, SOUTH

00° 36' 43" WEST, A DISTANCE OF 312.04 FEET; THENCE, NORTH 89° 20' 14" WEST, A DISTANCE OF 1348.91 FEET TO A POINT ON THE HYRUM CITY CORPORATE LIMITS; THENCE ALONG SAID CORPORATE LIMITS THE FOLLOWING FOUR (4) COURSES:

(1) NORTH 00° 44' 48" EAST, A DISTANCE OF 982.78 FEET;

(2) SOUTH 89° 32' 42" EAST, A DISTANCE OF 680.24 FEET;

(3) SOUTH 89° 16' 20" EAST, A DISTANCE OF 666.21 FEET;

(4) SOUTH 89° 17' 12" EAST A DISTANCE OF 646.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.37 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 **___R-5 for the approx. westerly 600 feet, R-2 for the remaining.**
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.

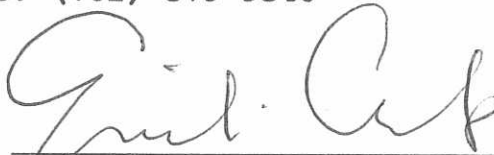
WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further

consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

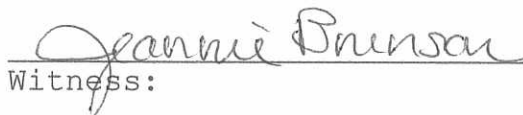
DATED this 1st day of JULY, 2020.

CONTACT SPONSOR INFORMATION:

Name: **EMILI CULP**
Title: **CONTACT SPONSOR**
Address: **262 W 500 N**
City, State Zip: **LOGAN, UT 84321**
Phone: **(702) 379-9340**



Signature:



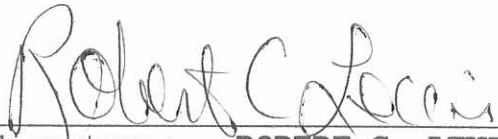
Witness:

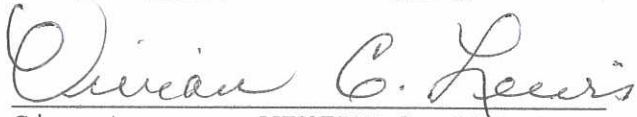
ANNEXATION

SPONSORS:

Parcel #(s):	<u>01-070-0001</u>	Acres:	<u>4.940</u>
:	<u>01-070-0002</u>	Acres:	<u>24.403</u>
:	<u>01-071-0001</u>	Acres:	<u>9.913</u>
Roadway (west property lines on 600 W)		Acres:	<u>1.114</u>
		Total:	<u>40.37</u> Acres

Name(s) on Deed: ROBERT C. & VIVIAN C. LEWIS
Address: P.O. Box 520
Address: MOAPA, NV 89025
Phone Number: (702) 600-0734


Signature: ROBERT C. LEWIS
Title: TRUSTEE


Signature: VIVIAN C. LEWIS
Title: TRUSTEE

Signature: _____
Title: _____

PETITIONERS:

Parcel #(s): 01-070-0001
 : 01-070-0002
 : 01-071-0001

Acres: 4.940
Acres: 24.403
Acres: 9.913
Acres: 1.114

Roadway (west property lines on 600 W)

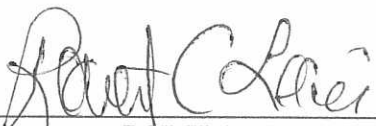
Total: 40.37 Acres

Name(s) on Deed: ROBERT C. & VIVIAN C. LEWIS

Address: P.O. Box 520

Address: MOAPA, NV 89025

Phone Number: (702) 600-0734


Signature: ROBERT C. LEWIS
Title: TRUSTEE


Signature: VIVIAN C. LEWIS
Title: TRUSTEE

Signature: _____
Title: _____

LEWIS ANNEXATION

TO

THE CITY OF HYRUM

A PART OF THE SOUTH HALF OF SECTION 9, TOWNSHIP 10 NORTH,
RANGE 1 EAST OF THE S.L.B. & M.

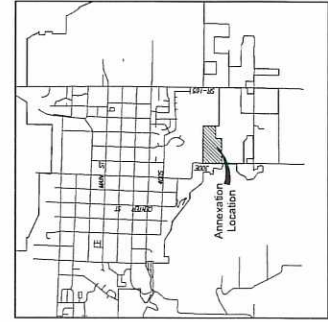


JUNE 17, 2020

GRAPHIC SCALE:



- LEGEND:**
- BOUNDARY
 - CONVEYANCE
 - CONVEYANCE LIMITS LINE
 - LOT LINES
 - TRACE LINE
 - SECTION CORNER



Hyrum, Utah Vicinity Map

ANNEXATION PLAT

SURVEYOR'S CERTIFICATE

I, JEFF C. NELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, LICENSE NO. 10000, AND THAT THE LAND SHOWN ON THIS PLAT IS A PART OF THE SOUTH HALF OF SECTION 9, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Annexation Boundary

A PART OF THE SOUTH HALF OF SECTION 9, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE HYRUM CITY CORPORATE LIMITS LOCATED NORTH 1/4 SECTION 9, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
A DISTANCE OF 14.41 FEET FROM THE CAGUE COUNTY ALUMINUM CAP MONUMENT TO THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
23° WEST A DISTANCE OF 2871.18 FEET; THENCE ALONG SAID CORPORATE LIMITS 12° WEST, A DISTANCE OF 449.04 FEET; THENCE SOUTH 02° 34' 43\"/>



SIGNATURE _____ DATE _____

FORESIGHT LAND SURVEYING

2005 North 600 West Suite B
Logansport, Utah 84321
(435) 755-1919
(435) 755-3213 FAX

204-1211 Unit Copying Preparation Date: 6/17/20

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT THE HYRUM CITY COUNCIL HAVE RECEIVED A PETITION SIGNED BY THE MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED INTO THE CITY OF HYRUM, UTAH, IN ACCORDANCE WITH THE UTAH CODE ANNOTATED (1953) AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS PART OF SAID CITY.

APPROVED: _____ MAYOR _____

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20____.

RECORDED

COUNTY SURVEYOR'S CERTIFICATE OF APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE, AND THEREFORE, I HAVE MET THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

DATE _____ DEPUTY CAGUE COUNTY SURVEYOR _____

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED
AT THE REQUEST OF: _____
DATE: _____ TIME: _____ FEE: _____
ABSTRACTED _____
INDEXED _____ FILED IN: _____ COUNTY RECORDER _____



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

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, July 2, 2020 and signed by Robert C. and Vivian C. Lewis together with the annexation plat map pertaining thereto, was delivered to me personally by Emily Culp this 2nd day of July, 2020, at the Hyrum City Office, 60 West Main, Hyrum, Utah.


Stephanie Fricke
Hyrum City Recorder