

RESOLUTION 19-18

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 (*West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry & Maryette Shoop, Mathew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, and Benjamin and Isabelle Clark - approximately 19.712 acres*).

WHEREAS, on August 14, 2019, the owners of certain real property (petitioners) 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 15th day of August, 2019.

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; or
 2. a migratory bird protection area; and
 - 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:

LEGAL DESCRIPTION:

A Part of the Southwest Quarter of Section 32, Township 11 North , Range 1 East of the Salt Lake Base and Meridian (The Basis of Bearings is the Utah Coordinate System 1983 North Zone)

Beginning at the Intersection of the Existing Corporate Boundaries of Hyrum City and the East Boundary Line of Tax Parcel Number 03-060-0015 at a Point Located 412.58 Feet North 88°30'56" East and 313.52 Feet North 01°04'21" East from the Hyrum City Monument at the Intersection of 400 North and 400 West Street and Running Thence Along said Existing Hyrum City Corporate Boundary the Following Six (6) Courses: (1) North 88°12'23" West 1055.54 Feet; (2) North 01°27'58" East 114.23 Feet; (3) North 53°57'52" East 54.81 Feet; (4) North 00°56'07" East 295.53 Feet; (5) South 88°27'24" East 348.35 Feet; (6) North 00°15'09" East 565.51 Feet to the South Right-of-Way Line of 4600 South Street; Thence North

88°34'53" West 670.08 Feet Along said South Right-of-Way Line to the Intersection with the East Right-of-Way Line of Hyrum City 500 West Street; Thence South 00°56'07" West 931.66 Feet Along said East Right-of-Way Line to the Intersection with said Existing Hyrum City Corporate Boundary; Thence North 89°03'53" West 16.50 Feet to the Center Line of said Hyrum City 500 West Street; Thence North 00°56'07" East 940.06 Feet to the Intersection with the Center Line of said 4600 South Street; Thence Along said Center Line of 4600 South Street the Following Two (2) Courses: (1) South 88°34'53" East 686.48 Feet; (2) South 88°27'23" East 663.48 Feet; Thence South 00°15'09" West 858.79 Feet to the North Right-of-Way Line of the Oregon Short Line Rail Road; Thence South 08°20'43" West 33.29 Feet to the South Right-of-Way Line of said Rail Road; Thence South 01°04'21" West 129.77 Feet to the Point of Beginning. Containing 19.712 Acres.

4. That the signers of this petition have designated, Clint Hansen professional land surveyor, as the one of whom is designated as "the contact agent".
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 North of the Rail Road, if annexed, be zoned **M2**.
9. That the Greenwood Acres, LLC (West Point Dairy) agrees to pay the City upon request and before the annexation process is completed for all expenses it has incurred due to the annexation. The petitioner understands 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.

CONTACT AGENT INFORMATION:

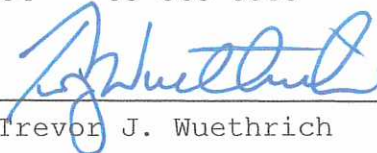
Clinton G. Hansen, PLS
Advanced Land Surveying, Inc.
1770 Research Parkway #111
North Logan UT 84341
435-770-1953

Petitioner's Signatures:

PETITIONER INFORMATION:

Trevor J. Wuethrich
PO Box 236
Greenwood, WI 54437
Parcels #'s:

03-060-0003	03-060-0074	03-060-0005	03-060-0006
03-060-0007	03-060-0084	03-060-0085	


Trevor J. Wuethrich

PETITIONER INFORMATION:

Deborah J. Fellows Trail
350 W 400 N Hyrum UT 84319
Parcel # 03-060-0015


Deborah J. Fellows Trail

PETITIONER INFORMATION:

Larry L. Shoop & Maryette Shoop a.k.a. Maryette M. Shoop
PO Box 316 Hyrum UT 84319
Parcel # 03-060-0058


Larry L. Shoop


Maryette Shoop

PETITIONER INFORMATION:

Matthew Thornley & Tessa L. Bodrero
390 W 400 N Hyrum UT 84319
Parcel # 03-060-0016



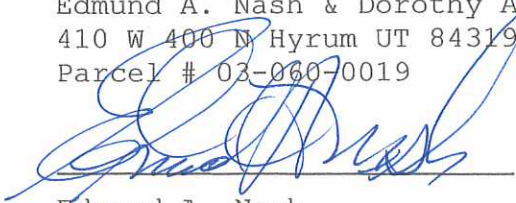
Mathew Thornley



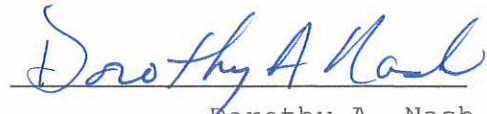
Tessa L. Bodrero

PETITIONER INFORMATION:

Edmund A. Nash & Dorothy A. Nash
410 W 400 N Hyrum UT 84319
Parcel # 03-060-0019



Edmund A. Nash



Dorothy A. Nash

PETITIONER INFORMATION:

Benjamin Andrew Clark & Isabella Chandra Clark
450 W 400 N Hyrum UT 84319
Parcel # 03-060-0020



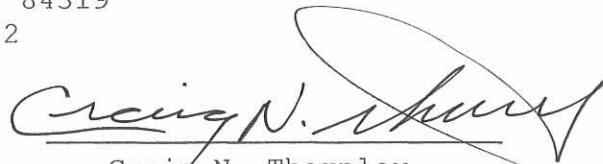
Benjamin Andrew Clark



Isabella Chandra Clark

PETITIONER INFORMATION:

National equipment Sales
PO Box 145 Hyrum UT 84319
Parcel # 03-060-0022



Craig N. Thornley

August 5th, 2019 Anna Domini

ANNEXATION BOUNDARY DESCRIPTION

A Part of the Southwest Quarter of Section 32, Township 13 North, Range 1 East of the Salt Lake Base and Meridian (The Basis of Bearings to the Utah Coordinate System: 1903 North Zone)

ACCELERANCE BY LEGISLATIVE BODY

This is to certify that we, the city council of Apricot City, Cache County, Utah have received a petition signed by a majority of the owners and the owners of at least one third in value of real property shown, requesting that said lands be added to the city of Apricot City, Cache County, Utah and that a copy of the ordinance or resolution has been prepared for filing herewith in accordance with the provisions of Utah Code and that we have examined and do hereby approve and accept the recommendation of the council as shown as a part of Minute City.

Witness my hand and official seal this _____ day of _____, 20__.

Appendix

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SILVERIYOR'S CERTIFICATE

1. **Clinton C. Hansen, Jr.** is a Registered Professional Land Surveyor in the State of Utah. In accordance with Title 36, Chapter 22, Professional Engineers and Land Surveyors Act and I have Completed a Survey of the Property Described on this Plat, created August 2018, in accordance with Section 17-25-17 and have Verified all measurements and have Placed Monuments as Appointed on this Plat, and that this is a true and accurate description of the tract of land to be assessed to Hyrum City, Cache County, Utah.

Stated this 4th day of August 1892

Clinton G. Hansen P.L.L.
Elizabeth Lane Survivor License No. 72077307

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UNCLASSIFIED

Abstract

2

of 11.3%

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NARRATIVE

ADVANCED
K&S SURVEYING INC.
1000 Eastman Park Way NW
Atlanta, GA 30329
(404) 779-0541

COMMITTEE ON THE STATUS OF WOMEN

Study of Adult Gender-Neutralized English

STATE OF OHIO, COUNTY OF COLUMBIA, RESERVING AND FINE BY
the Request of _____

Date _____ Time _____ Feet _____

10/20/2017

Journal of Management Education

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Find in: File of Plates

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County Recorder

[illegible]