

RESOLUTION 19-15

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 (*Cache County Annexation - Cache County and LaGrande Johnson Construction 84.108 acres*).

WHEREAS, on July 15, 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 18th day of July,
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:

A PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, HYRUM CITY, CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N. 00°02'40"W. 1326.56 FEET ALONG THE EXISTING HYRUM CITY CORPORATE LIMIT LINE; THENCE N.89°53'30"E. 2524.15 FEET TO THE BROW OF A HILL; THENCE ALONG SAID BROW THE FOLLOWING FIVE (5) COURSES: (1) S.24°14'54"E. 99.02 FEET; (2) S.36°47'47"E. 182.95 FEET; (3) S.22°53'01"E. 197.01 FEET; (4) S.30°37'47"E. 199.85 FEET; (5) S.47°30'33"E. 76.86 FEET; THENCE S.89°29'53"W. 185.78 FEET; THENCE S.00°28'49"W. 310.44 FEET; THENCE N.89°29'53"E. 126.33 FEET TO THE EXISTING NIBLEY CITY CORPORATE LIMIT LINE; THENCE ALONG SAID NIBLEY CITY CORPORATE LIMIT LINE THE FOLLOWING TWO (2) COURSES: (1) N.89°29'53"E. 41.68 FEET; (2) S.00°28'44"W. 23.91 FEET; THENCE S.00°28'44"W. 350.78 FEET; THENCE S.89°54'33"W. 126.55 FEET TO THE

EXISTING HYRUM CITY CORPORATE LIMIT LINE; THENCE ALONG SAID NIBLEY CITY CORPORATE LIMIT LINE THE FOLLOWING TWO (2) COURSES: (1) S.89°54'33"W. 128.70 FEET; (2) S.89°55'26"W. 2629.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 84.108 ACRES MORE OR LESS.

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 M2-Heavy Manufacturing.
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 _____ day of _____, 2_____.

Parcel Number	Acres	Parcel Owner
03-066-0027	24.84	LeGrand Johnson Construction Co
03-066-0022	20.31	Cache County Corp
03-066-0044	37.93	Cache County Corp
Remainder (roads)	1.028	Utah Department of Transportation
Total	84.108	

CONTACT SPONSOR INFORMATION:

Parcel #: 03-066-0022, 0044
 Acres: 58.24

Names of all current parcel owners on record: Cache County Corp, LeGrand Johnson Construction Co.

Name: 
 Signature

Witness: 
 Signature

Name: Josh Runhaar
 Please Print

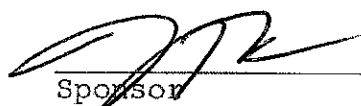
Name: JANEEN ALLEN
 Please Print

Telephone# 435-755-1640
 Mailing Address: 179 N Main Ste 305
Logan UT 84321

Telephone #: 435-755-1850

Contact Sponsor
 Phone Number 435-755-1640

Cache County Corp.
199 North Main
Logan UT, 84321


 Sponsor

LeGrand Johnson Construction Company

Sponsor

Sponsor

Sponsor

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

Petitioner

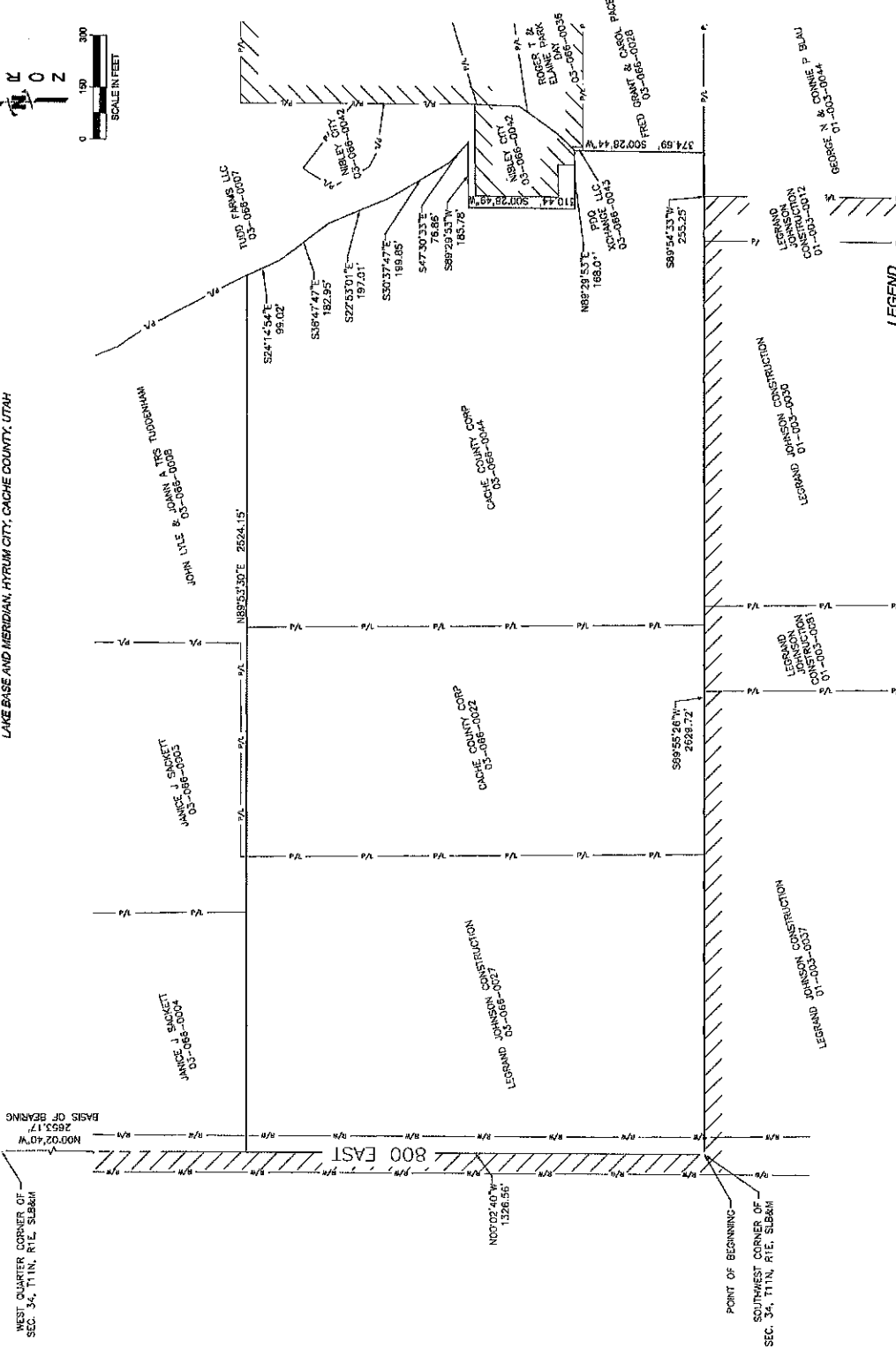
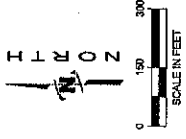
Petitioner

Petitioner

Petitioner

800 EAST HYRUM CITY ANNEXATION PLAT

A PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 1 EAST, S&T
LAKE BASE AND MERIDIAN, HYRUM CITY, CACHE COUNTY, UTAH



SURVEYOR'S CERTIFICATE
I, DAVID D. STRONG, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 531562 IN THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE STATE OF UTAH, I HAVE CONDUCTED A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW. I HEREBY STATE THAT THIS PLAT IS A TRUE REPRESENTATION OF THE LAND TO BE ANNEXED INTO HYRUM CITY, CACHE COUNTY, UTAH.

REVIEW COPY

DAVID D. STRONG, PLS
DATE

BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 1 EAST, S&T LAKE BASE AND MERIDIAN, HYRUM CITY, CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE S89°53'30"E 2624.15' TO THE POINT OF BEGINNING; THENCE S24°14'54"E 95.02' TO THE POINT OF BEGINNING; THENCE S18°47'47"E 182.95' TO THE POINT OF BEGINNING; THENCE S22°13'01"E 197.01' TO THE POINT OF BEGINNING; THENCE S30°37'47"E 189.85' TO THE POINT OF BEGINNING; THENCE S47°30'33"E 185.78' TO THE POINT OF BEGINNING; THENCE S89°28'37"E 185.78' TO THE POINT OF BEGINNING; THENCE N89°28'53"E 168.01' TO THE POINT OF BEGINNING; THENCE S89°54'33"W 255.25' TO THE POINT OF BEGINNING; THENCE S09°55'07"W 2624.17' TO THE POINT OF BEGINNING; THENCE N00°02'40"W 1126.56' TO THE POINT OF BEGINNING; THENCE N89°53'30"E 2624.15' TO THE POINT OF BEGINNING.

HYRUM CITY APPROVAL

THIS IS TO CERTIFY THAT THE HYRUM CITY COUNCIL, HAVE REVIEWED THE TRACTS SHOWN HEREON, AND THAT SAID TRACTS BE ANNEXED TO HYRUM CITY, AND THAT A COPY OF THIS PLAT HAS BEEN FILED FOR RECORD IN SECTION 10-2-403, AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACTS AS SHOWN AS A PART OF SAID CITY.

WITNESS MY HAND AND OFFICIAL SEAL, THIS _____ DAY OF _____, 2019.

CACHE COUNTY DEPUTY SURVEYOR

I CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND THAT IT MEETS THE REQUIREMENTS OF A FINAL LOCAL ENTRY PLAT. SIGNED THIS _____ OF _____, 2019.

CACHE COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____ DAY FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____ OF OFFICIAL RECORDS PAGE _____ IN BOOK _____ BY _____ DEPUTY RECORDER



LEGEND
EXISTING HYRUM CITY LIMITS
EXISTING NIBLEY CITY LIMITS
PROPERTY LINE