

RESOLUTION 16-13

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 (*Kilgore Companies, (AKA Legrand Johnson Construction) Annexation - 3 Acres*).

WHEREAS, on, April 13th, 2016, 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 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 4) 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 21st day of April, 2016.

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 and the annexation thereof will not leave or create an unincorporated island or peninsula;
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 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
 - d. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;
 - e. is described as follows:

PART OF LOT 3 OF SECTION 3 TOWNSHIP 10 NORTH RANGE 1 EAST OF THE SALT LAKE MERIDIAN, LOCATED IN CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST SIXTEENTH CORNER COMMON TO SAID SECTION 3 AND ALSO TO SECTION 34 TOWNSHIP 11 NORTH OF SAID RANGE AND MERIDIAN ON THE EXISTING HYRUM CITY CORPORATE LIMIT LINE;
THENCE N89°55'27"E 242.00 FEET ALONG THE NORTH LINE OF SAID SECTION 3;
THENCE SO°03'12"W 540.00 FEET ALONG A LINE PARALLEL WITH THE WEST SIXTEENTH LINE OF SAID SECTION 3;
THENCE S89°55'27"W 242.00 FEET TO SAID EXISTING HYRUM CITY CORPORATE LIMIT LINE AND SAID SIXTEENTH LINE TO THE POINT OF BEGINNING.
CONTAINING 3.00 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 ~~Industrial~~ *Manufacturing (M1)*
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 12th day of April, 2016.

PLEASE LIST EACH PARCEL NUMBER, NUMBER OF ACRES IN EACH PARCEL, AND ALL OWNERS OF RECORD ON EACH PARCEL. THIS LIST MUST INCLUDE ALL OF THE ABOVE INFORMATION FOR EACH PARCEL REGARDLESS OF WHETHER SIGNATURE IS OBTAINED.

PETITIONER / CONTACT SPONSOR INFORMATION:

Parcel #: 01-003-0030

Acres: 3

Names of all current parcel owners on record: Legrand Johnson
Construction Company

Name:  _____
Signature of Owner

Witness:  _____
Signature

Name: Jason Kilgore

Name: Stewart Lamb

Telephone #801-250-0132

Telephone #801-244-7033

Mailing Address: Kilgore Companies
P.O. box 869
Magna, UT 44044

Contact Sponsor Stewart Lamb

Phone Number 801-244-7033



HYRUM CITY

60 West Main • Hyrum, Utah 84319
Phone (435) 245-6033

Stephanie Miller, Mayor
Council Members
Kathy Bingham
Jared L. Clawson
Paul C. James
Craig L. Rasmussen
Aaron Woolstenhulme
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, April 13, 2016 and signed by Jason Kilgore for Kilgore Companies together with the annexation plat map pertaining thereto, was delivered to me personally by Stewart Lamb agent for Kilgore Companies this 13th day of April, 2016, at the Hyrum City Office, 60 West Main, Hyrum, Utah.

Stephanie Fricke
Hyrum City Recorder

ALTAVIEW CONCRETE ANNEXATION
 TO HYRUM CITY, CACHE COUNTY, UTAH
 LOCATED WITHIN SECTION 3, TOWNSHIP 10 NORTH, RANGE 1 EAST
 SALT LAKE MERIDIAN

SURVEYOR'S CERTIFICATE

I, STEVEN C. EARL, HOLDING LICENSE NUMBER 31817-2001 UTAH CODE TITLE 64 CHAPTER 22, PROFESSIONAL ENGINEER AND LAND SURVEYING LICENSED BY THE STATE OF UTAH, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED WITH ME IN ACCORDANCE WITH UTAH CODE TITLE 17, CHAPTER 22, SECTION 22-1-10, SUBSECTION (4), AND HAVE RECEIVED THE NECESSARY FEES FROM THE COUNTY CLERK OF CACHE COUNTY, UTAH, IN ACCORDANCE WITH UTAH CODE TITLE 17, CHAPTER 22, SECTION 22-1-10, SUBSECTION (4), AND HAVE RECEIVED THE NECESSARY FEES FROM THE COUNTY CLERK OF THE CACHE COUNTY RECORDS AND SURVEYOR'S OFFICE.



LEGAL DESCRIPTION

PART OF LOT 3 OF SECTION 3, TOWNSHIP 10 NORTH, RANGE 1 EAST OF THE SALT LAKE MERIDIAN, LOCATED IN CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE WEST SOUTHWEST CORNER CORNER AND SHED SECTION 3, AND ALSO BEGINNING HYRUM CITY CORPORATE LIMIT LINE, THE MERIDIAN LINE OF SAID SECTION 3, THENCE S08°52'10"W 340.00 FEET ALONG THE MERIDIAN LINE WITH THE WEST SOUTHWEST CORNER OF SAID SECTION 3, A CORNER BEING THE POINT OF BEGINNING, THENCE S08°52'10"W 100.00 FEET ALONG THE MERIDIAN LINE TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS.

HYRUM CITY APPROVAL AND ACCEPTANCE

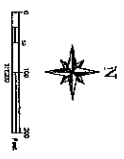
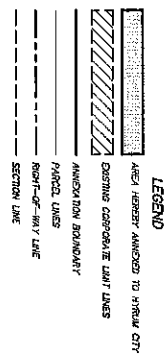
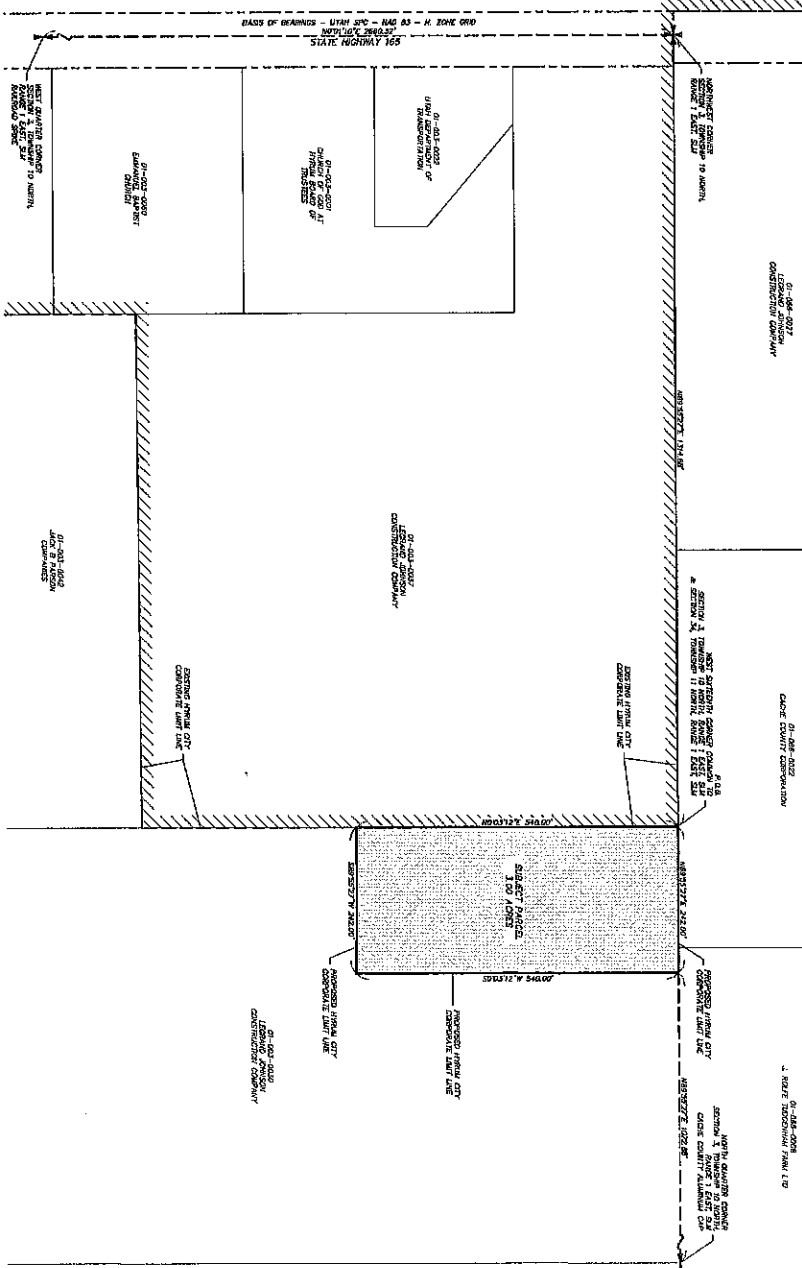
THIS IS TO CERTIFY THAT WE, THE HYRUM CITY BOARD, HAVE RECEIVED A PETITION SUBMITTED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF HYRUM, UTAH, AND THAT WE HAVE EXAMINED SAID PETITION AND THE TRACT AND HAVE FOUND THAT SAID TRACT IS AS SHOWN AS A PART OF SAID CITY, UTAH, AND WE HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN BY THE PLAN AND OFFICIAL SEAL, THIS _____ DAY OF _____, 20____.

HYRUM CITY CLERK _____
 HYRUM CITY RECORDER _____

CACHE COUNTY SURVEYOR APPROVAL

THIS PLAN IS HEREBY APPROVED AS A FINAL LOCAL ENTRY PLAN IN ACCORDANCE WITH UTAH CODE TITLE 17, CHAPTER 22, SECTION 22-1-10.

SEAL AND SIGNATURE _____
 DAY OF _____, 20____
 DAVID STROMG, COUNTY SURVEYOR



COUNTY RECORDER

CACHE COUNTY RECORDER NO. _____
 DATE OF RECORDING _____
 OF _____ IN BOOK _____
 OF PLATS PAGE _____

ENTRY RECEIVED _____

Cache County Seal

Cache County, Utah
 Seal of the County
 1411 West 400 North
 Salt Lake City, Utah
 L. 482.12.0099

DATE: APRIL 2014
 SCALE: 1" = 200'
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____
 APPROVED DATE: _____
 TRACED BY: _____
 DATE: _____

ALTAVIEW CONCRETE ANNEXATION
 HYRUM CITY, CACHE COUNTY, UTAH

S3 T10N R1E SLM