

RESOLUTION 17-18

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 (*Southeast Annexation - Wilkinson's Rosehill Dairy , JN Farms, Clawson, Nielsen, Harrison, Nielsen, Petersen, and Evans - 238.64 acres*).

WHEREAS, on, December 1, 2017, 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 7th day of
December, 2017.

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 SECTIONS 9, 10, 15 AND 16, TOWNSHIP 10 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE CACHE COUNTY ALUMINUM CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SAID SECTION 10 AND RUNNING THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 SOUTH 89°45'09" EAST, A DISTANCE OF 701.26 FEET TO THE WEST LINE OF PARCEL 01-074-0002 PROJECTED; THENCE SOUTH 00°36'27" WEST, A DISTANCE OF 682.04 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF PARCEL 01-074-0003; THENCE SOUTH 89°53'15" EAST, A DISTANCE OF 668.27 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF PARCEL 01-074-0004; THENCE NORTH 00°36'27" EAST, A DISTANCE OF 680.48 FEET TO THE NORTH LINE OF THE SAID SOUTHWEST QUARTER; THENCE SOUTH 89°45'12" EAST, A DISTANCE OF 1274.29 FEET ALONG SAID NORTH LINE TO THE SMITH REBAR AND CAP MARKING THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF SECTION 10; THENCE SOUTH 89°45'06" EAST, A DISTANCE OF 706.14 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10 TO THE EAST LINE OF PARCEL 01-072-0002; THENCE ALONG THE EAST, SOUTH AND WEST LINES OF SAID PARCEL THE FOLLOWING FIVE (5) COURSES: (1) SOUTH 00°57'46" WEST, A DISTANCE OF 1259.89 FEET; (2) SOUTH 03°54'46" WEST, A DISTANCE OF 38.11 FEET; (3) SOUTH 53°02'16" WEST, A DISTANCE OF 93.08 FEET; (4) NORTH 89°31'49" WEST, A DISTANCE OF 612.28

FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 00°36'18" EAST, A DISTANCE OF 1158.69 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF PARCEL 01-071-0002 PROJECTED EAST; THENCE ALONG THE SOUTH AND WEST LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°28'47" WEST, A DISTANCE OF 2002.10 FEET; (2) NORTH 00°25'44" EAST, A DISTANCE OF 833.06 FEET MORE OR LESS TO THE NORTH LINE OF THE SAID SOUTHEAST QUARTER; THENCE SOUTH 89°51'20" EAST, A DISTANCE OF 2004.76 FEET TO THE POINT OF BEGINNING. CONTAINING 238.6345 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 Residential R-2 Zone.
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 Dec. 1st day of Dec., 2017.

RoseHill, JN Farms, Clawson, Nielsen, Harris, Nielson, & Evan
Annexation

CONTACT SPONSOR INFORMATION:

Parcel #'s: 01-074-0015	Acres: 34.73 acres
01-080-0019	10.00 acres
01-080-0016	30.00 acres
	Total: 74.73

Tim Wilkinson
767 East 440 South
Hyrum, Utah 84319
435-881-1448

Signature: Tim Wilkinson

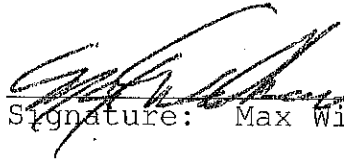
Witness:

SPONSORS:

Parcel #'s: 01-074-0015	Acres: 34.73 acres
01-080-0019	10.00 acres
01-080-0016	30.00 acres
	Total: 74.73


Name: Rosehill Holdings, LLC
4110 West 5800 North
Morgan, Utah

Max Wilkinson
2571 West Highway 101
Wellsville, Utah 84319
435-512-9313



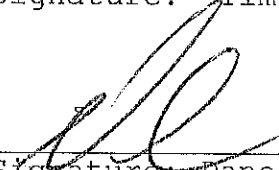
Signature: Max Wilkinson

Tim Wilkinson
767 East 440 South
Hyrum, Utah 84319
435-881-1448



Signature: Tim Wilkinson

Dane Wilkinson
5684 Garnet Drive
Morgan, Utah 84050
801-791-8797



Signature: Dane Wilkinson

Signature:

Signature:

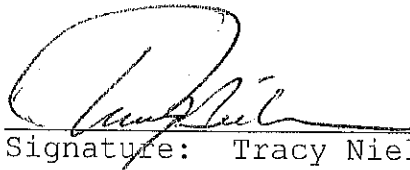
RoseHill, JN Farms, Clawson, Nielsen, Harris, Nielson, & Evan
Annexation

SPONSORS:

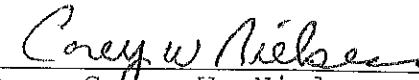
Parcel #'s: 01-074-0004	Acres: 13.00 acres
01-072-0005	.86 acres
01-072-0002	18.25 acres
01-074-0003	20.00 acres
01-074-0016	1.70 acres
01-074-0010	15.39 acres
01-079-0003	10.00 acres
	Total: 78.94

Name: JN Farms, LLC
P.O. Box 8
Hyrum, Utah 84319

Tracy Nielsen
152 East 200 South
Hyrum, Utah 84319
435-452-2272


Signature: Tracy Nielsen

Corey W. Nielsen
P.O. Box 8
Hyrum, Utah 84319
435-757-4277


Signature: Corey W. Nielsen

Signature: _____

Signature: _____

RoseHill, JN Farms, Clawson, Nielsen, Harris, Nielson, & Evan
Annexation

PETITIONERS:

Parcel #: 01-074-0018

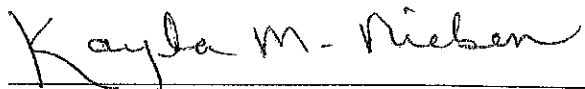
Acres: 2 acres

Corey W. & Kayla M. Nielsen
C/O Trust Nielsen
P.O. Box 8
Hyrum, Utah 84319

Corey W. Nielsen
P.O. Box 8
Hyrum, Utah 84319
435-757-4277


Signature: Corey Nielsen

Kayla M. Nielsen
P.O. Box 8
Hyrum, Utah 84319
435-757-4277


Signature: Kayla M. Nielsen

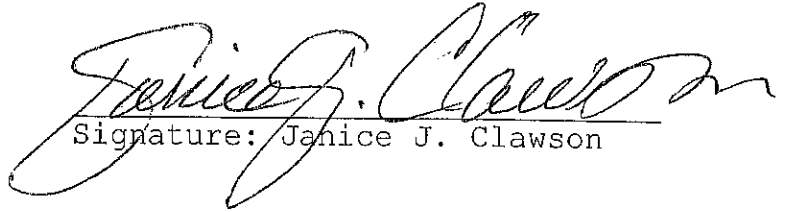
RoseHill, JN Farms, Clawson, Nielsen, Harris, Nielson, & Evan
Annexation

PETITIONERS:

Parcel #: 01-074-0001
Don R. & Janice J. TR. Clawson
661 East 100 South
Hyrum, Utah 84319
435-245-3686

Acres: 10 acres

Janice J. Clawson
661 East 100 South
Hyrum, Utah 84319
435-245-3686



Signature: Janice J. Clawson

Signature: _____

Signature: _____

RoseHill, JN Farms, Clawson, Nielsen, Harris, Nielson, & Evan
Annexation

PETITIONERS:

Parcel #: 01-071-0006

Acres: 10 acres

R. Deane & Ruth C. Tr. Harrison
248 South 400 East
Hyrum, Utah 84319

R. Deane Harrison
248 South 400 East
Hyrum, Utah 84319
435-258-8857



Signature: R. Deane Harrison

Ruth C. Harrison
248 South 400 East
Hyrum, Utah 84319
435-258-8857



Signature: Ruth C. Harrison

Signature: _____

Signature: _____

RoseHill, JN Farms, Clawson, Nielsen, Harris, Nielson, Petersen, &
Evan Annexation

PETITIONERS:

Parcel #'s: 01-071-0002 Acres: 37.25 acres

Total: 37.25 acres

Farrell D. Petersen TR,
654 East 200 South
Hyrum, Utah 84319

FARRELL D. PETERSEN

Farrell D. Petersen
Signature:

CAROL DEE PETERSEN

Carol Dee Petersen
Signature:



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, December 1, 2017 and signed by Max Wilkinson, Tim Wilkinson, and Dane Wilkinson; Tracy Nielsen, and Corey W. Nielsen; Corey W. and Kayla M. Nielsen; Janice J. Clawson; James R. Nielsen; R. Deane and Ruth C. Harrison; Farrell D. and Carol Dee Petersen; and Claudia S. Evans together with the annexation plat, map pertaining thereto, was delivered to me personally by Tim Wilkinson Contact Sponsor for said Annexation this 1st day of December, 2017, at the Hyrum City Office, 60 West Main, Hyrum, Utah.


Stephanie Fricke
Hyrum City Recorder

