

## TOWN OF MILLS – AHC ADDITION

ANNEXATION AGREEMENT

NATRONA CO. CLERK WY  
 MARY ANN COLLINS  
 REGISTERED *MA*

2002 SEP 4 PM 1 29

THIS AGREEMENT, made and entered into on this 9th Day of August, 2002,  
 by and between the Town of Mills, hereinafter referred to as Town, and AHC Investments, LLC,  
 hereinafter designates as "owner".

## WITNESSETH:

WHEREAS, owner is owner of a tract of land which comprises eight lots and twenty four  
 acres, in the AHC Addition to the Town of Mills, a copy of a plat that has heretofore been  
 approved by the Town and which approval is a simultaneous act with execution of this agreement;  
 and

WHEREAS, a preliminary plat has been prepared and designated a Exhibit "A" and is hereby  
 made a part of this agreement; and

WHEREAS, it is the mutual desire of the parties hereto to have said subdivision developed as  
 a part of the Town of Mills, Wyoming.

NOW, THEREFORE, the parties hereto agree as follows:

## I.

OBLIGATIONS OF OWNER

Upon demand of the Town Council, the owner, at his sole cost and expense, shall do or cause  
 to be done the following:

1.1 Surveying:

- A. Set all subdivision corners and 1/16th corners with 2" brass caps. These caps shall be set in concrete and shall show the number of the corner, elevation of the corner, identifying initial of the surveyor or company making survey and the license number of the surveyor making the survey or certifying the survey. 1/16th corners shall be properly marked and verified as to the location, true elevation and referenced, if subject to destruction.
- B. Block and lot corners, points of tangency (PT's) and points of curve (PC's) of all curves shall be marked by ½" by 18" iron pin or pipe driven flush with the ground surface. Points of intersection (PI's) and points of return (POR's) of all blocks and the PT's and PC's of all curves shall be witnessed by an iron pin after construction. Block and lot corners shall be marked after initial dirt moving work has been completed so that duplicate marking of block and lot corners will not be necessary. Said markers shall be in place for final inspection by the Town upon completion of the construction of curb and gutter.
- C. All elevation data for the addition and 1/16th corners shall be submitted to the Town, in writing, after annexation.

1.2 Construction of Sidewalks, Curbs, Gutters, Streets, Water and Sewer:

- A. Bear Pen Road shall be classified as local street with 60.0' right of way, 36.0' paving width, with a minimum paving section of 4" thick asphalt over 8" thick base.
- B. Owner shall install eight inch water in Bear Pen from Poison Spider to the south end of the subdivision, with hydrants approved by the Town at locations approved by the Town. Owner shall install eight inch sewer in Bear Pen to serve Lots 3 and 4 in Block 1 and Lots 3 and 4 Block 2, and eight inch sewer along the south line of Lots 1 and 2, in Block 1 and 2 and connect these mains to tie sewer into Sixth Avenue across Lot 6, Block 9, in the Evergreen Park Addition, previously purchased by owner.
- C. Owner shall have water and sewer improvements designed and certified by a professional engineer and submit the design to the Wyoming Department of Environmental Quality for approval prior to submitting them to Mills.
- D. The owner shall certify that the water and sewer mains, hydrants, streets, curbs and gutters dedicated to the public have been constructed in accordance with all Town Ordinances and this agreement. Owner shall maintain the same for a period of one year from the date of certificate at which time the Town shall accept the construction thereof, in writing, and thereafter maintain said streets dedicated to the public.
- E. Streets, curbs and gutters shall be constructed in accordance with the specifications set forth in the Standard Plan Details of the Town.

1.3 Drainage:

The owner shall provide the Town with a complete grading plan along with a computation of runoff and how the owner proposes to control said runoff. The plans shall be submitted to the Town prior to the issuance of building permits. In addition, the owner shall provide the Town with an erosion control plan where outfall flows to un-subdivided areas.

1.4 Storm Sewer Requirements:

- A. All storm sewer lines, trunk lines, laterals, catchbasins and manholes shall be designed and installed to the design criteria established by the Town.
- B. All public water lines, mains, sanitary sewer lines, manholes, valley gutters and storm sewers, as shown on Exhibit "A" and specified herein, shall be installed in accordance with the design and construction requirements established by the Town.
- C. The owner shall certify, in writing, that the storm sewer and sanitary systems and manholes have been constructed in accordance with the specifications of the Town. The owner shall maintain storm sewer until it has been accepted by the Town, in writing, not to exceed one (1) year after the date of the certificate of compliance.

1.5 Construction Sequence:

Main water lines, sewer lines, storm sewers, sidewalks, curbs, gutters and streets shall be constructed in an orderly sequence as the addition is developed and built upon, weather conditions permitting, so that there will be no gaps left in street paving, sidewalks, curbs, gutters and other off-site improvements.

Streets shall not be paved until all water lines, storm sewers, and property water and sewer services are in place and the trenches thereof properly backfilled and compacted in accordance with Town requirements.

1.6 Easements:

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Easements for utilities shall be required along all rear lot lines and side yard lot lines, where necessary.

1.7 Street Signs:

Street signs shall be erected in accordance with Section 2D-38 of the Manual of Uniform Traffic Control Devices for Streets and Highways.

1.8 Underground Utilities and Street Lights:

All utilities shall be placed underground. The owner shall work with PP&L to install 250 watt horizontal sodium vapor street lights on wood poles at the locations shown on Exhibit "A". Upon installation the Town will pay the monthly charges to PP&L for those lights.

1.9 Soils Analysis:

The owner shall provide the Town with a soils analysis, geological data and soils erosion program, along with individual test borings that may be required by the Town prior to the issuance of building permits.

1.10 Grading, Drainage and Soils Erosion:

Owner shall provide a drainage plan, grading plan and soils erosion control plan prior to any grading on the site. Owner shall also post an erosion control bond in the amount of five cents per square foot for all land to be disturbed. Said bond shall be in the name the Town such that, after determination of non compliance with the erosion control plan Mills can draw down funds from the bond and hire a contractor to complete revegetation of the site as necessary to prevent soils erosion.

1.11 Issuance of Building Permits:

Prior to the issuance of building permits by the Town, the owner shall do the following:

Complete all improvements as spelled out in lines 1.0 through 1.9.

1.12 Compliance with Town Ordinances:

The owner shall comply with all applicable Town Codes and Ordinances

II.

OBLIGATIONS OF THE TOWN

- 2.1 The Town shall furnish water and sewer to said addition under such terms and upon such conditions as have been agreed upon by the parties.
- 2.2 The Town shall zone or cause to be zoned all of the lots Developing Business, D – B.
- 2.3 The Town will assume the obligation as to the maintenance and repair of all streets, water and sewer mains and fire hydrants within said subdivision upon compliance with the terms of this agreement and acceptance of the same in writing by the Town.
- 2.4 The Town shall provide all Town services that are available to all additions to the Town.

THIS AGREEMENT shall be binding upon and shall insure to the benefit of all parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date and year first written.

Town of Mills

