

AN ORDINANCE ANNEXING BOATRIGHT ADDITION NO. 2 TO THE TOWN OF
MILLS,
NATRONA COUNTY, WYOMING

WHEREAS a proceeding for annexation of Boatright Addition No. 2 to the Town of Mills, Natrona County, Wyoming was initiated by a written petition under the provisions of Wyoming Statutes § 15-1-403, 1977, filed with the Clerk of the Town of Mills by the landowner of the area sought to be annexed; and

WHEREAS the Town Council of the Town of Mills adopted a Resolution certifying compliance of the petition with the statutory requirements following which it established November 3, 2004 at 7:40 p.m. at the Mills Town Hall as the date for the public hearing with the Council on the petition to annex portions of Boatright Addition No. 2; and

WHEREAS, the Town Clerk gave notice of the hearing by publication in a newspaper of general circulation in the territory sought to be annexed and mailed a copy of the published notice to all property owners at the address used to mail county tax notices, all of which is shown in the records of the Town Clerk concerning the annexation of said addition; and

WHEREAS after the scheduled hearings the following findings were and are hereby made by the governing body of the Town of Mills, Wyoming:

- A. The Town of Mills is desirous of annexing the land hereinafter described, and including said lands within the corporate limits of the Town of Mills;
- B. An annexation of the area hereinafter described is for the protection of the health, safety, and welfare of persons residing in the area and in the Town of Mills;
- C. The development of the area sought to be annexed would constitute a natural geographical, economical, and social part of the Town of Mills;
- D. The area sought to be annexed is a logical and feasible addition to the Town of Mills and that the extension of basic services such as police and fire protection, and other services customarily available to the residents of the Town of Mills can reasonably be furnished to the area proposed to be annexed, and all existing roadways meet the Town of Mills' standards, and the water and sewer system meets the Town of Mills' standards, and further, the majority of the owners of the area to be annexed approve the annexation of the area;
- E. The area sought to be annexed is contiguous with, and adjacent to the boundaries of the Town of Mills.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING:

SECTION 1:

A certain tract of land, "Boatright Addition No.2", more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof, be and the same is annexed to and included within the boundaries of the Town of Mills, Natrona County, Wyoming.

SECTION 2:

Areas herein annexed and hereinbefore described shall be known as stated in the dedication of the annexation plat.



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NATRONA COUNTY CLERK, WYOMING
Mary Ann Collins Recorded: AJ
May 5, 2005 11:32 AM
Pages: 2 Fee: \$11.00
TOWN OF MILLS

SECTION 3:

A plat showing the boundaries of said annexation tract has been submitted to and is approved by the Town Council of the Town of Mills and the dedications described therein are accepted. The Mayor and Town Clerk are authorized to sign, attest, and affix the seal of the Town of Mills on said plat and said plat shall be filed for record in the office of the County Clerk, and ex-officio Register of Deeds in Natrona County, Wyoming.

SECTION 4:

The annexation of said tract of land to the Town of Mills shall become effective upon passage of this Ordinance.

SECTION 5:

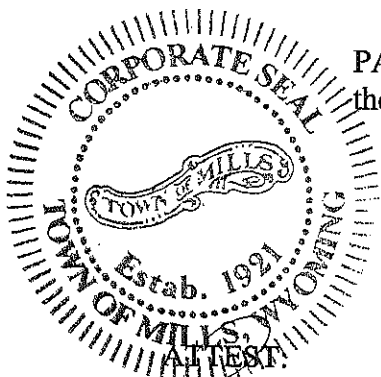
The Town of Mills hereby zones the annexing property in the following manner under Mills Zoning Ordinance 312:

All lots shall be zoned Established Industrial.

PASSED on 1st reading the 3 day of November, 2004.

PASSED on 2nd reading the 8 day of December 2004.

PASSED, APPROVED, AND ADOPTED on the 3rd and final reading on the 5 day of January, ~~2004~~. 2005.



TOWN OF MILLS, WYOMING

By: _____

Joe Dill, Mayor

RaeAnn Weber
RaeAnn Weber
Town Clerk

I, RaeAnn Weber, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 509, entitled "AN ORDINANCE ANNEXING BOATRIGHT ADDITION NO. 2 ADDITION TO THE TOWN OF MILLS, NATRONA COUNTY, WYOMING" passed on Third Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Members on the 5th day of January, ~~2004~~. 2005

RaeAnn Weber
RaeAnn Weber, Town Clerk

I, the regularly appointed, duly qualified and action Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 509 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming on the 5th day of January, ~~2004~~. 2005

RaeAnn Weber
RaeAnn Weber, Town Clerk

TOWN OF MILLS – BOATRIGHT ADDITION NO. 2

ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into on this 20th Day of DECEMBER, 2004, by and between the Town of Mills, hereinafter referred to as Town, and 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 1/2" 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.

NATRONA COUNTY CLERK, WYOMING
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1.2 Current Development:

- A. The site is currently being used for a gravel crushing operation. There is a mining permit in force on the property through the Wyoming Department of Environmental Quality. No development is proposed for the site other than this use.
- B. The gravel crushing operation is a special review use in the Established Industrial District of Mills zoning. Prior to third reading of the annexation ordinance the owner will submit a site plan for use of the property as a gravel crushing operation, including a long term plan for use of the site and buffering from the residential property located adjacent to the property to the east. Mills will approve the annexation on third reading after approving the site plan for the crushing operation.
- C. Owner shall comply with all DEQ requirements of the mining permit and for the crushing operation.

1.3 Future Development:

Owner shall apply to the town for permits for any future development of the site, including review and approval by the town according to development regulations.

1.4 Drainage:

Drainage is currently internal prior to any development.

1.5 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 per the approval. The site is currently bonded for revegetation through DEQ and no bond is required by the town.

1.6 Issuance of Building Permits:

Prior to the issuance of building permits by the Town, per the approval of the gravel crushing site plan or for future development: After all improvements shall be completed.

1.7 Compliance with Town Ordinances:

The owner shall comply with all applicable Town Codes and Ordinances

II.

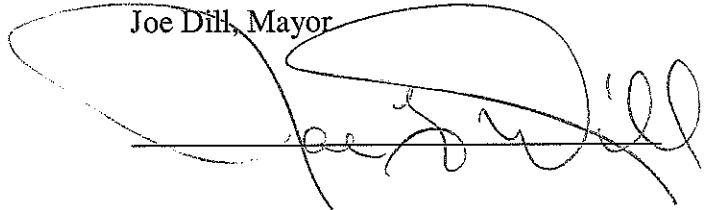
OBLIGATIONS OF THE TOWN

- 2.1 The Town shall furnish water and sewer, and other services 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 Established Industrial, E – I.
- 2.3 The Town shall provide all Town services that are available to all additions to the Town.

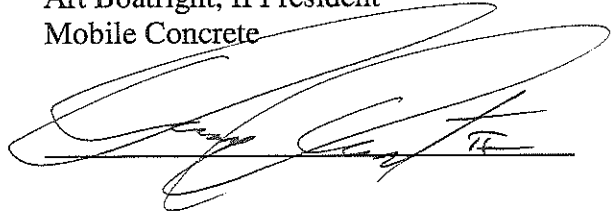
THIS AGREEMENT shall be binding upon and shall insure to the benefit of all parties hereto, their successors and assigns.

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

Town of Mills
Joe Dill, Mayor



Art Boatright, II President
Mobile Concrete



ACKNOWLEDGMENT

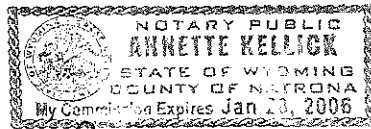
STATE OF WYOMING)
)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by _____, Art Boatright, President, Mobile Concrete this 20 day of December, 2004.

Subscribed and Sworn to this 20 day of December, 2004.

My Commission Expires:

Jan 28, 2004.



Annette Kellick
Notary Public

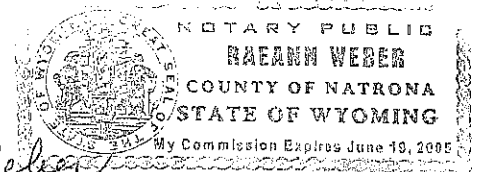
STATE OF WYOMING)
)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by Joe Dill, Mayor, Town of Mills, this 20 day of December, 2004.

Subscribed and Sworn to this 20 day of December, 2004.

My Commission Expires:

6-19 ²⁰⁰⁵, 2004.



Raeann Weber
Notary Public

