

ORDINANCE 538

AN ORDINANCE ANNEXING SAVLESON ADDITION TO THE TOWN OF MILLS,
NATRONA COUNTY, WYOMING

WHEREAS a proceeding for annexation of Salvesson Addition 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 July 11, 2007 at 7:10 p.m. at the Mills Town Hall as the date for the public hearing with the Council on the petition to annex the Salvesson Addition 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 right-of-way has been provided along Platte Street, which is partially in the jurisdiction of Natrona County, and water and sewer service is provided by the Wardwell Water and Sewer District, 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, "Salvesson Addition", 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
Renea Vitto Recorded: KA
Dec 13, 2007 12:35:02 PM
Pages: 3 Fee: \$14.00
TOWN OF MILLS

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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 Registrar 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:

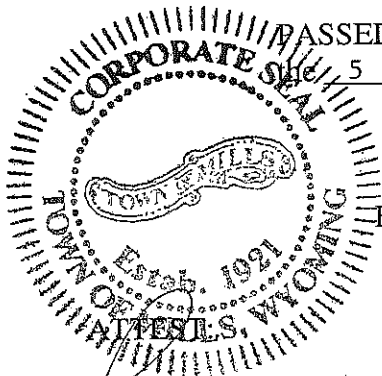
The Town of Mills hereby zones the annexing property in the following manner under Mills Zoning Ordinance 312:

All lots shall be zoned Established Industrial.

PASSED on 1st reading the 11 day of July, 2007.

PASSED on 2nd reading the 8 day of August, 2007.

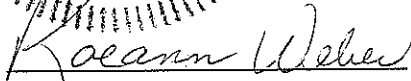
PASSED, APPROVED, AND ADOPTED on the 3rd and final reading on the 5 day of Sept, 2007.



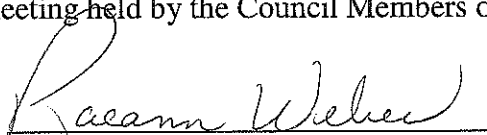
TOWN OF MILLS, WYOMING

By:

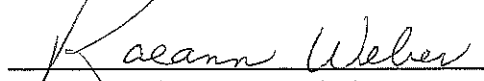

Joe E. Dill, Mayor


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. 538, entitled "AN ORDINANCE ANNEXING SALVESON 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 September, 2007.


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. 538 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 15 day of September, 2007.


Raeann Weber, Town Clerk

TOWN OF MILLS – SALVESON ADDITION

ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into on this 5th Day of September, 2007, by and between the Town of Mills, hereinafter referred to as Town, and Gary O. Salvesson, hereinafter designated as "owner".

WITNESSETH:

WHEREAS, owner is owner of a tract of land which comprises one lot, in the Salvesson 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 as 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:

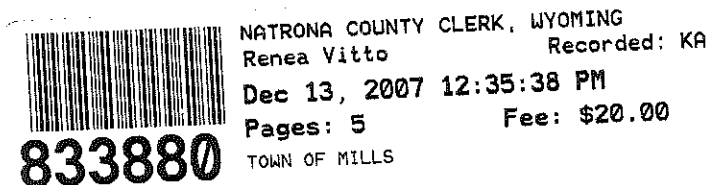
I.

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 changes shall be submitted to the Town, in writing, after annexation.



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

- A. The Owner has provided a 10' utility and roadway easement for Platte Street. At the point in time when the entire right-of-way for Platte Street is annexed to the Town of Mills, Owner shall agree to participate in a Local Assessment District or Special District to construct the Street to Town standards including classification as a local street with 40.0' right of way, 36.0' paving width, with a minimum paving section of 4" thick asphalt over 8" thick base.
- B. Owner shall comply with all service connection requirements of the Wardwell Water and Sewer District and 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.

1.3 Easements:

Easements shall be granted for any existing utilities including the 10 foot utility and roadway easement located along the front property line.

1.4 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.

1.5 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.

1.6 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 or issuance of any building permits. 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.

1.7 Subdivision of Lots:

Owner agrees that there will be no subdivision of lots unless replatted and submitted to the Town Council for its approval.

1.8 Site Plan Approval:

Prior to issuance of a building permit, a site plan illustration of the location of all buildings and physical site improvements must be presented to and approved by the Town in accordance with Town site plan requirements.

1.9 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.

1.10 Compliance with Town Ordinances:

The owner shall comply with all applicable Town Codes and Ordinances.

OBLIGATIONS OF THE TOWN

2.1 Town Services:

The Town shall provide all Town services to said subdivision in the same manner and same costs as are available to others within the Town, except that water services will be provided by Wardwell Water and Sewer District, fire protection will be subject to the availability of water from the District in accordance with the Agreement attached hereto.

2.2 Hold Harmless Clause:

The Owner further specifically agrees to hold the Town and Town Council, and any person acting by and through the Town Council, harmless from any claims or causes of action whatsoever brought against it as a result of the Owner's negligence in complying with the terms of this Agreement, and further to indemnify that Town Council, and all persons acting by, through and under the Town Council, from any claim or causes of action whatsoever arising out of the Owner's negligence in complying with this Agreement.

2.3 Zoning:

The Town shall zone or cause to be zoned all of the property as Developing Industrial (D-I).

2.4 Maintenance:

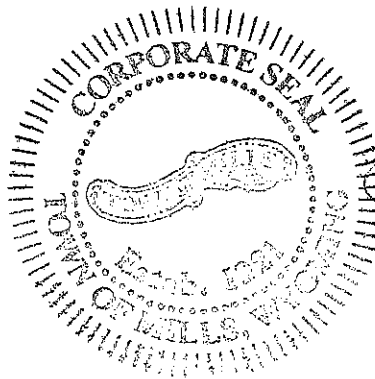
The Town will assume no obligation as to maintenance and repair of all streets, water and sewer mains and fire hydrants within said subdivision.

2.5 Agreement Runs With the Land:

This Agreement shall be binding upon and shall inure to the benefit of all parties thereto, their successors and assigns, and shall run with the land. If any portion of this Agreement is declared void, or is declared illegal by a court of law having jurisdiction, the rest and remainder will remain in full force and effect.

THIS AGREEMENT shall be binding upon and shall inure 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

Gary O. Salvesson

Gary O. Salvesson

Gary O. Salvesson

Gary O. Salvesson

Gary O. Salvesson

ACKNOWLEDGMENT

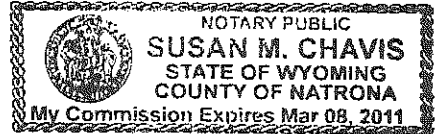
STATE OF WYOMING)
)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by Gary O. Salvesson, Gary O. Salvesson, property owner, this 4th day of September, 2007.

Subscribed and Sworn to this 4th day of September, 2007.

My Commission Expires:

03-08, 2001.



Susan M. Chavis
Notary Public

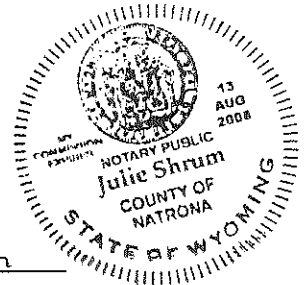
STATE OF WYOMING)
)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by Joe Dill, Mayor, Town of Mills, this 6th day of September, 2007.

Subscribed and Sworn to this 6th day of September, 2007.

My Commission Expires:

8-13, 2008.



Julie Shrum
Notary Public