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NATRONA COUNTY CLERK, WYOMING
Recorded: SAS
Jul 29, 2008 09:32:12 AM
Pages: 14 Fee: \$44.00
TOWN OF MILLS

ORDINANCE NO. 543

AN ORDINANCE ANNEXING LOTS 10-11, BLOCK 44, MOUNTAIN VIEW SUBURB, TOWN OF MILLS, NATRONA COUNTY, WYOMING

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING.

WHEREAS, a proceeding for annexation Lots 10-11, Block 44, Mountain View Suburb was initiated by a written petition under the provision of § 15-1-403, W.S., 1977, filed with the Clerk of the Town of Mills by a majority of the landowners owning a majority 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 7, 2007 at 7:10 p.m. at the Mills Town Hall as the date for the public hearing the Council on the petition, to annex Lots 10-11; Block 44, Mountain View Suburb; and

WHEREAS, the Town Clerk gave notice of the public hearing by publication twice in a newspaper of general circulation in the territory sought to be annexed and mailed a notice via certified mail of the proposed annexation and hearings to all the property owners and utility companies 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 annexation; and

WHEREAS, after the scheduled hearing the following findings were 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

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 Town Council of the Town of Mills, Wyoming.

SECTION 1:

A certain tract of land 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 the original and current lot and block designations as Mountain View Subdivision to the Town of Mills, Natrona County, Wyoming.

SECTION 3:

A plat showing the boundaries of said annexed tract has been submitted to and is approved by the Town Council of the Town of Mills. The Mayor and Town Clerk are authorized to sign, attest, and affix the seal of the Town 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 Town hereby zones the annexing property Established Business (E-B) under Mills Zoning Ordinance 312:

In accordance with Ordinance 312, any nonconforming use or building which is discontinued for more than 180 consecutive days must thereafter comply with all codes and ordinances of the Town.

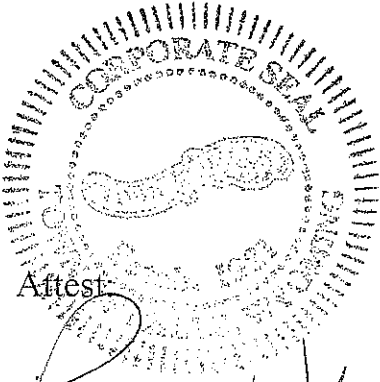
SECTION 5:

Nuisances: weeds, junk, trash, garbage and others are defined in Mills codes under law nuisances are not zoning items and cannot be "grandfathered." If a nuisance exists it is a violation of Mills codes and subject to notice of violation citation and enforcement actions as in the remainder of the Town.

PASSED ON FIRST READING the 7 day of Nov, 2007.

PASSED ON SECOND READING the 5 day of Dec, 2007.

PASSED, APPROVED, and ADOPTED on THIRD and FINAL READING the
9 day of Jan, ²⁰⁰⁸~~2007~~.



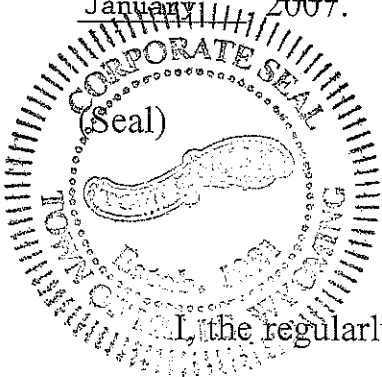
TOWN OF MILLS, a Municipal Corporation

By Joe E. Dill
Joe E. Dill, Mayor

Attest:

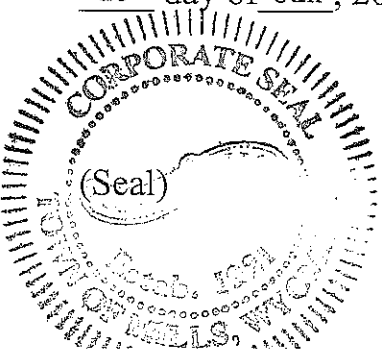
Raeann Weber
Raeann Weber, Clerk Town of Mills

I Raeann Weber, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the forgoing is a true and correct copy of Ordinance No. 543, entitled "AN ORDINANCE ANNEXING LOTS 10-11, BLOCK 44, MOUNTAIN VIEW SUBURB 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 Chambers on the 9 day of ²⁰⁰⁸~~2007~~ January.



Raeann Weber
Raeann Weber, Town Clerk

I, the regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 543 approved and passed as certified above, were followings its passage by the Town Council, posted in the Town Clerk's office and the Mills Post Office for a period of (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 20 day of Jan, ²⁰⁰⁸~~2007~~.



Raeann Weber
Raeann Weber, Town Clerk

TOWN OF MILLS – MOUNTAIN VIEW SUBURB, BLOCK 44, LOTS 10-11

ANNEXATION AGREEMENT

THIS AGREEMENT, made and entered into on this 31 Day of JANUARY, 2008, by and between the Town of Mills, hereinafter referred to as Town, and Glen Taylor, hereinafter designated as "owner".

WITNESSETH:

WHEREAS, owner is owner of a tract of land which comprises two lots, in the Mountain View Suburb 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, an annexation 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 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 changes shall be submitted to the Town, in writing, after annexation.

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

A. Owner shall comply with all service connection requirements of the Town of Mills and shall have any 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 and will include all easements as set forth on the Mountain View Suburb plat.

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 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.

1.6 Subdivision of Lots:

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

1.7 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.

1.8 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.

1.9 Compliance with Town Ordinances:

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

II.

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.

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 Established Business (E-B).

2.4 Maintenance:

The Town shall assume maintenance responsibilities of all town streets, water and sewer mains and fire hydrants within said subdivision.

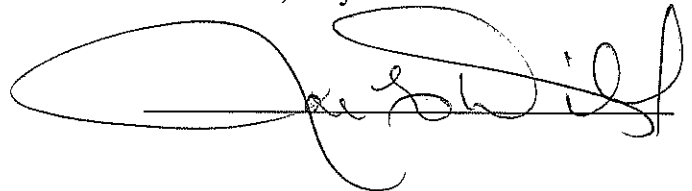
2.5 Agreement Runs With the Land:

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
Joe E. Dill, Mayor

A large, stylized handwritten signature in black ink, appearing to read "Glen Taylor", written over a horizontal line.

Glen Taylor

A smaller, more legible handwritten signature in black ink, appearing to read "Glen Taylor", written over a horizontal line.

ACKNOWLEDGMENT

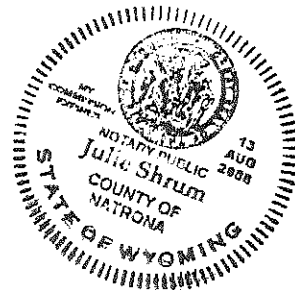
STATE OF WYOMING)
)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by Glen Taylor, Glen Taylor, property owner, this 31st day of JANUARY, 2008.

Subscribed and Sworn to this 31st day of JANUARY, 2008.

My Commission Expires:

8-13, 2008.



Julie Shrum
Notary Public

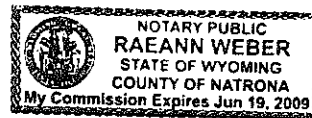
STATE OF WYOMING)
)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by Joe E. Dill, Mayor, Town of Mills, this 31 day of JANUARY, 2008.

Subscribed and Sworn to this 31 day of JANUARY, 2008.

My Commission Expires:

6-19, 2009.



Raeann Weber
Notary Public

**LOTS 10-11, BLOCK 44
MOUNTAIN VIEW
SUBURB
2007 ANNEXATION REPORT**

October, 2007

PREPARED BY:

TOWN OF MILLS
TOWN PLANNER

PURPOSE

This report is an analysis of the cost of providing basic services to the owners of the property described as Lots 10-11, Block 44, Mountain View Suburb. The report will provide estimates of the costs to the Town of Mills and to the owners of the property being annexed for these services.

BACKGROUND INFORMATION / DESCRIPTION OF AREA

Glen Taylor has applied to annex and zone as Established Business (E-B), two lots in the Mountain View Suburb. The subject property is located east of Yellowstone Highway (U.S. Highway 20-26). The subject property will be bordered on all sides by the Town of Mills upon annexation of the North Mountain View Improvement and Service District in November of 2007. The subject property did not front on streets included in the North Mountain View Improvement and Service District for paving and were, therefore, omitted from that annexation petition. The owner also owns Lot 12, Block 44 which was included in the District and annexed in mid-November, 2007. Currently, there is a commercial building located on the lots.

The Town of Mills completed a Community Development Plan in 1994 which indicated the subject property is located within the Mills growth area. The annexation of the property is a logical extension of the Town's boundary.

DEVELOPMENT COSTS

The subject property is located in an area of existing development. Public improvements, including streets, curbswalks, curb and gutter, street lights, and storm water improvements are already completed and installed. No additional expenses would be incurred by the Town for improvements.

STATUTORY REQUIREMENTS

Wyoming Statute 15-1-402 sets specific requirements with regard to the annexation process and the supporting documentation. Subsection (c) requires that an annexing municipality prepare an annexation report, which shall, at a minimum, contain:

- (i) A map of the area proposed to be annexed showing identifiable landmarks and boundaries and the area which, as a result of the annexation, will then be brought within one-half (1/2) mile of the new corporate limits of the Town, if it has exercised the authority granted under W.S. 15-3-202(b)(ii); *(See appendix for map).*
- (ii) The total estimated cost of infrastructure improvements required of all landowners by the annexing municipality related to the annexation; *(No*

publicly funded infrastructure improvements are required within the boundaries of the area being annexed).

- (iii) A list of basic and other services customarily available to residents of the Town or town and a timetable when those services will reasonably be available to the area proposed to be annexed; *(See individual Town Department or Division sections below, all services will be available immediately upon annexation).*
- (iv) A projected annual fee or service cost for services described in paragraph (iii) of this subsection; *(The Town can provide services without additional staff, equipment or publicly-funded facility expansion. No additional costs will be incurred.).*
- (v) The current and projected property tax mill levies imposed by the municipality; and, *(See "Sources of Revenue" section below for tax information).*
- (vi) The cost of infrastructure improvements required within the existing boundaries of the municipality to accommodate the proposed annexation. *(There are no publicly funded infrastructure improvements required within the existing boundaries of the Town to accommodate this annexation.)*

COMPLIANCE WITH W.S. 15-1-402.

The annexation of the subject property meets the requirements of W.S. 15-1-402 for the following reasons:

1. The annexation of the area is for the protection of health, safety, and welfare of the persons residing in the area and in the Town because public utilities, including water and sewer, are already provided to the property.
2. The urban development of the area will constitute a natural, geographical, economical, and social part of the Town because the area is adjacent to properties currently located within the Town limits of Mills. The area is not isolated by any natural or man made features and is a natural extension of the Town limits.
3. The annexation of the area is a logical and feasible addition to the Town and basic and other services customarily available to the residents of the Town are currently available on the property. The area can be serviced without the need for additional Town-funded infrastructure such as water trunk lines, booster stations, or storage tanks. The Town of Mills will not have to expend capital dollars on emergency response or public works equipment, nor hire additional personnel to serve this area.
4. The annexation of the area is contiguous with and adjacent to the Town limits.

5. The Town does not operate its own electric utility. Rocky Mountain Power Company will provide electric service for the area, as they do for other areas in the Town of Mills.
6. All of the conditions required and set forth in Wyoming State Statute 15-1-402(c) exist and the required procedures for the annexation of the area have been met. This annexation report was prepared pursuant to Wyoming State Statute 15-1-402(c) and will be disseminated to affected landowners and utility companies according to Wyoming Law.
7. The time and place for the public hearing to determine whether or not the proposed annexation complies with Wyoming State Statute 15-1-402 was published in the Casper Star Tribune twice; a minimum of 15-days prior to the final public hearing, and notice will be given as provided by Wyoming State Statute 15-1-405.

SERVICES TO BE PROVIDED BY THE TOWN OF MILLS AND ESTIMATED COSTS

Typically, property owners located within the Town of Mills benefit from all the programs and services of local government. For purposes of this study, the three Departments that provide direct, basic services to property have been listed.

The estimated cost of most Town services per property were derived by dividing each Department's proposed FY 2007/2008 budget by the number of properties in the Town of Mills (obtained from County Tax Assessor Records). According to the County Assessor, there are a total of 1,518 parcels of land in the Town of Mills.

POLICE DEPARTMENT:

The Mills Police Department provides law enforcement services, which consist of answering calls for service and patrolling. Based on the total budget for the Police Department and the 1,518 properties served in the Town of Mills, it is estimated that the cost to provide Police service is \$681 for each property in the Town (\$1,033,567.00 current Police Department budget, divided by 1,518 properties in the Town).

The proposed 2007/2008 budget provides for the hiring of one additional police officer and corresponding squad car. The proposed additional personnel and equipment were not added to exclusively provide law enforcement services to the annexed area, but to also provide additional services to the entire Town of Mills. Cost of the additional personnel and associated equipment is estimated at \$47,595. Additional services may be provided through mutual aid agreements with other law enforcement entities of the county and state and at no cost to the Town of Mills.

FIRE DEPARTMENT:

The Mills Volunteer Fire Department provides fire/EMS services which consist of answering calls for emergency services. It is estimated that the cost to provide fire service is \$105 for each property in Mills (\$158,674.00, current Fire Department budget, divided by 1,518 properties).

Adequate funding for personnel and equipment are already included in the Town's budget and no additional costs are anticipated as the result of the annexation of the subject area.

PUBLIC WORKS (Including Street, Water, Sewer and Sanitation):

The Mills Public Works Department provides services such as road maintenance, snow-plowing and snow removal, water and sewer service, main maintenance, meter reading, hydrant flushing, meter replacement, and service line installation, and weekly garbage collection and disposal services. It is estimated that the cost to provide these services is \$714 for each property in the Town (\$1,083,821, current Water, Sewer, Street and Sanitation Department budget, divided by 1,518 properties).

The area is currently served by the Town of Mills, and recently updated water lines and newly paved street will not require any additional personnel or equipment for maintenance beyond what is currently required in the Town of Mills.

Commercial customers will see a reduction in water and sewer rates:

Water (Quarterly):

Mills Commercial: \$27.60 first 6,000 gallons, \$1.36 each additional 1,000 gallons
County Commercial: \$41.40 first 6,000 gallons, \$2.05 each additional 1,000 gals.

Sewer (Quarterly):

Mills Commercial: \$36 first 6,000 gallons, \$.25 each additional 1,000 gallons
County Commercial: \$52.50 first 6,000 gallons, \$.38 each additional 1,000 gallons

The Sanitation Division provides weekly garbage collection and disposal services. The Sanitation Division is an Enterprise Account, which means that the service is entirely paid for by user fees and is not funded out of the Town general fund. All sanitation costs should equal the revenues generated by the users. Sanitation rates charged by the Town of Mills will remain competitive with the current private sanitation company providing service to the area. Residential customers are required by ordinance to use Mills sanitation services.

Sanitation service is currently provided to the area residents and businesses by private sanitation companies with varying pricing structures. Commercial customers may be paying between \$102 and \$150 per month for a 2-yard trash container.

Commercial customers may see a potentially significant reduction in sanitation costs after annexation. The Town of Mills charges a rate of \$45 per **quarter** for a 2-yard trash container versus the \$102 to \$150 per **month** charged from private sanitation companies. The estimated savings to newly annexed commercial customer is approximately \$1,044 to \$1,620 per year.

PARKS DIVISION:

Residents of the subject property are probably utilizing Town of Mills parks at the present time. The nearest park to the subject area is Sunny Acres which is a fully developed park. Landscape improvements for the park were planned in advance of the proposed annexation and will require no additional funding beyond the amount budget for improvements.

FUNDING FOR SERVICES

Enterprise fund services (water, sewer, and garbage collection) are paid for directly by the property owner through various fees. Town services funded by the General Fund are paid for in a minor part by property taxes.

CONCLUSION

The property being annexed will receive the same services that other similar properties within the Town receive once they are annexed. The Town can provide these services without additional staff, equipment or publicly-funded facility expansion. Current revenue sources available to the Town are sufficient to cover the expenses related to providing Town services to Lots 10-11, Block 44, Mountain View Suburb.

APPENDIX

1. PETITION FOR ANNEXATION.
2. VICINITY MAP OF AREA TO BE ANNEXED.
3. 2006 TAX LEVIES FOR NATRONA COUNTY.
4. UTILITY COMPANY ADDRESSES