

ORDINANCE NO. 716

AN ORDINANCE ANNEXING LANDS LOCATED IN AND BEING PART OF THE UNPLATTED LANDS OF THE SW1/4NW1/4 AND NW1/4SW1/4, PART OF VACATED OLD WEST YELLOWSTONE HIGHWAY AND PART OF WYOMING STATE HIGHWAY NO. 20/26, SECTION 1, TOWNSHIP 33 NORTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING, TO THE TOWN OF MILLS

WHEREAS a proceeding for annexation of a portion of the unplatted lands of the SW1/4NW1/4 and NW1/4SW1/4, part of vacated Old West Yellowstone Highway and part of Wyoming State Highway No. 20/26, Section 1, Township 33 North, Range 80 West of the Sixth Principal Meridian, Natrona County, Wyoming, known as the Mills Western Expansion Annexation, was initiated by a petition of the Mills Town Council under the provisions of Wyoming Statutes § 15-1-404, filed with the Clerk of the Town of Mills of the area sought to be annexed; and

WHEREAS the Town Council of the Town of Mills adopted Resolution 2018-19 certifying compliance of the petition with the statutory requirements, following which it established 11 April 2018 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 Mills Western Expansion Annexation; and

WHEREAS, the Town gave notice of the hearing by publication in a newspaper of general circulation in the territory sought to be annexed, which was published in the Casper-Star Tribune on April 15th and 22nd 2018, and mailed certified notices of the summary of the Annexation Report and public hearing notice to utility providers and 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 property per Wyoming Statutes § 15-1-404; and

WHEREAS, the Town of Mills Planning and Zoning Board reviewed the Annexation Plat of the Mills Western Expansion Annexation on 3 May 2018 and forwarded a "Do Pass" recommendation to the Town Council approving the plat; 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 annexation appears to be beneficial for the health, safety and welfare of the Town and others residing in the area;
- B. The area to be annexed would constitute a natural, geographical, economical and social part of the Town;
- 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 land to be annexed is a logical and feasible addition to the Town and its extension of basic services and Town services can be furnished to the area;
- E. The area sought to be annexed is contiguous with or adjacent to the Town;
- F. The proposed annexation complies with Wyoming Statute 15-1-401, 402 and 15-1-404 through 15-1-410, and the required procedures have been met;



7/2/2018 1:45:05 PM
Pages: 4

NATRONA COUNTY CLERK

1049492

Renea Vitto
Recorded: CK
Fee: \$21.00
TOWN OF MILLS

- G. Upon Annexation, all properties will be zoned Established Industrial (E-I) except for Mountain View Elementary property which will be zoned Public Lands Institutional (PLI), under the Mills Zoning Ordinance.

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

SECTION 1:

A certain tract of land, " Mills Western Expansion Annexation ", more particularly described as 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.

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 annexed property Established Industrial (E-I) except for Mountain View Elementary property which will be zoned Public Lands Institutional (PLI) as described in Mills' Zoning Ordinance 312. The Mills Official Zoning Map shall be updated to include the new boundaries and zoning district designations upon final approval and recordation of Ordinance 716.

PASSED ON FIRST READING the 23rd day of May, 2018

PASSED ON SECOND READING the 11th day of June, 2018

PASSED, APPROVED, AND ADOPTED ON THIRD AND

FINAL READING the 27th day of June, 2018

TOWN OF MILLS, WYOMING

By: 

Seth Coleman, Mayor


Sara McCarthy, Council


Darla R. Ives, Council



Mike Pyatt, Council



Ronald Wales, Council

ATTESTED BY: 

Christine Trumbull, Town Clerk



AN ANNEXATION PLAT OF THE MILLS WESTERN EXPANSION ANNEXATION

PART OF THE SW1/4NW1/4 AND NW1/4SW1/4, PART OF VACATED WEST OLD YELLOWSTONE HIGHWAY AND
PART OF WYOMING STATE HIGHWAY No. 20/26.
SECTION 1, TOWNSHIP 33 NORTH, RANGE 80 WEST
SIXTH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING
TO THE TOWN OF MILLS, WYOMING
SCALE: 1"=200'

CERTIFICATE OF ANNEXATION AND DEDICATION

The Town of Mills, Natrona County, Wyoming, acting through its Mayor, hereby certifies that the foregoing lands located in and being part of the unplatted lands of the SW1/4NW1/4 and NW1/4SW1/4, part of vacated Old West Yellowstone Highway and part of Wyoming State Highway No. 20/26, Section 1, Township 33 North, Range 80 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Beginning at a point in the westerly line of the Parcel being described and also the northeasterly corner of Tract 2, Lewis Subdivision, the northeasterly corner of Lewis Lane and a point in the southeasterly right of way line of Wyoming State Highway No. 20/26, thence along the westerly line of said Parcel and across said Wyoming State Highway No. 20/26, N119°40'W, 284.22 feet to the southeasterly corner of Block 63, Mountain View Suburb, a point in the westerly line of Fifth Avenue and a point in the northeasterly line of Old West Yellowstone Highway, thence along the northeasterly line of said Parcel and Old West Yellowstone Highway and across said Fifth Avenue, S28°02'22"E, 128.78 feet to a point and southeasterly corner of Block 62, Mountain View Suburb, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°31'47"E, 753.83 feet to a point in and intersection with the westerly line of Block 55, Mountain View Suburb and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°31'21"E, 248.15 feet to a point, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°31'11"E, 172.09 feet to a point in and intersection with the westerly line of Block 29, Mountain View Suburb and the westerly right of way line of Second Avenue, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°48'08"E, 76.47 feet to a point in and intersection with the northerly line of Block 26, Mountain View Suburb and the southerly right of way line of Cleveland Street, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°30'53"E, 344.40 feet to a point in and intersection with the westerly line of Block 26, Mountain View Suburb and the westerly right of way line of First Avenue, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S54°18'27"E, 60.20 feet to a point in and intersection with the westerly line of Lake View Drive, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S52°08'53"E, 240.86 feet to a point, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°08'03"E, 128.37 feet to a point in and intersection with the easterly line of Block 24, Mountain View Suburb and the westerly right of way line of Lake View Drive, thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S51°34'15"E, 270.52 feet to the northeasterly corner of said Parcel, thence continuing along the southeasterly line of said Parcel, across said Wyoming State Highway No. 20/26, S38°25'45"W, 151.12 feet to the southeasterly corner of said Parcel and a point in and intersection with the southeasterly right of way line of said Wyoming State Highway No. 20/26, thence along the southeasterly line of said Parcel and the southeasterly right of way line of said Wyoming State Highway No. 20/26, N51°43'36"W, 270.84 feet to a point in and intersection with the easterly right of way line of Lake View Drive, thence continuing along the southeasterly line of said Parcel and the southeasterly right of way line of said Wyoming State Highway No. 20/26, N52°08'49"W, 172.95 feet to a point in and intersection with the westerly line of Block 24, Mountain View Suburb and the westerly right of way line of First Avenue, thence continuing along the southeasterly line of said Parcel and the southeasterly right of way line of said Wyoming State Highway No. 20/26, N51°49'54"W, 420.36 feet to a point in and intersection with the easterly line of Block 26, Mountain View Suburb and the westerly right of way line of Second Avenue, thence continuing along the southeasterly line of said Parcel and the southeasterly right of way line of said Wyoming State Highway No. 20/26, N51°46'20"W, 420.78 feet to a point in and intersection with the easterly right of way line of said Parcel and the southeasterly right of way line of said Third Avenue, thence along the easterly line of said Parcel and the westerly right of way line of said Third Avenue, S28°02'29"E, 128.78 feet to a point in and intersection with the northerly right of way line of Buick Street, thence along the southerly line of said Parcel and the northerly right of way line of said Buick Street, S39°40'47"W, 724.11 feet to a point in and intersection with the easterly right of way line of Lewis Lane, thence along the westerly line of said Parcel and the easterly right of way line of said Lewis Lane, N0°01'05"W, 1070.41 feet to a point, thence continuing along the westerly line of said Parcel and the easterly right of way line of said Lewis Lane, N38°50'24"E, 168.12 feet to a point in and intersection with the southeasterly right of way line of said Wyoming State Highway No. 20/26, thence along the southeasterly line of said Parcel and the southeasterly right of way line of said Wyoming State Highway No. 20/26, N53°18'49"W, 47.73 feet to the Point of Beginning and containing 24.51 acres, more or less.

The lands as appears on this Plat was duly annexed into the corporate boundaries of the Town of Mills, Natrona County, Wyoming pursuant to the said orders petition under the provisions of Section 15-1-401 et. seq. of the Wyoming State Statutes, 1977, as amended and after Notice and Public Hearing, Town Ordinance Number _____ was passed and adopted on this _____ day of _____, 2018 accordingly the land described is annexed to the Town of Mills. The annexation as named above and the streets as shown on the Plat are dedicated as public streets of the Town of Mills, Wyoming.

Dated this _____ day of _____, 2018.
TOWN OF MILLS, WYOMING

Mayor, Town of Mills, Wyoming

APPROVALS

APPROVED: Town Council of the Town of Mills, Wyoming this _____ day of _____, 2018.

Attest: _____ Mayor

INSPECTED AND APPROVED on the _____ day of _____, 2018

Town Engineer

CERTIFICATE OF SURVEYOR

I, Steven J. Granger, a registered professional land surveyor, License No. 15092, do hereby certify that this plat was made from notes taken during an actual survey made by me or under my direct supervision during the month of September, 2018 and that this plat, to the best of my knowledge and belief, correctly and accurately represents said survey.

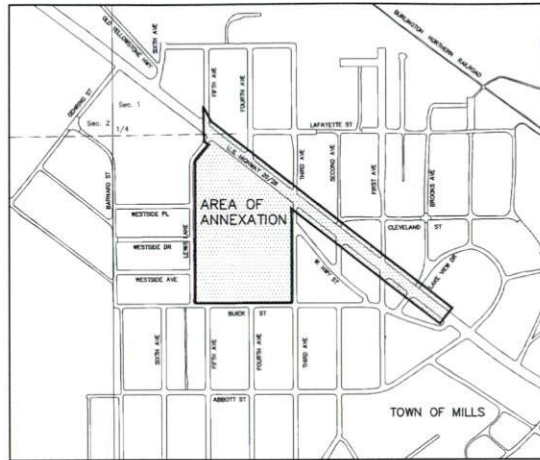


STATE OF WYOMING,)
COUNTY OF NATRONA,) ss

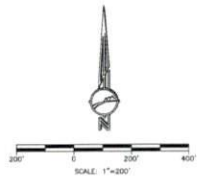
The foregoing instrument was acknowledged before me by Steven J. Granger this _____ day of _____, 2018.

Witness my hand and official seal.

My commission expires: _____ Notary Public



LOCATION & VICINITY MAP
SCALE: 1"=600'



SCALE: 1"=200'

PLAT CLOSURE RATIO EXCEEDS 1:100,000

DATE: N 1187992.90 E 1584563.27 EL 5206

CDW: 0740748 C.F. 0.99977638865

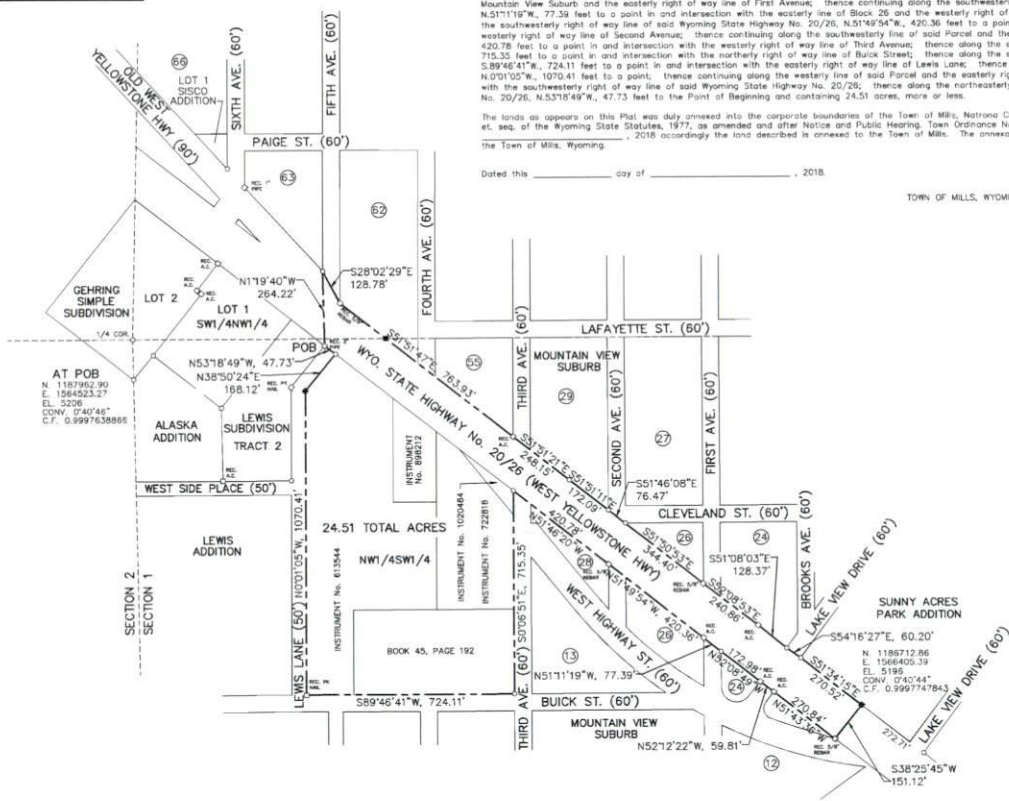
COORDINATES REFER TO CITY OF CASPER GIS DATUM

WYOMING STATE PLANE COORDINATES, EAST CENTRAL ZONE, NAD83/86

ELEVATIONS ARE FOR REFERENCE ONLY AND NOT FOR USE AS A BENCHMARK

LEGEND:

- SET 5/8" REBAR W/ALUMINUM CAP
- RECORDED CORNER (AS NOTED)
- BRASS CAP CORNER
- ANNEXATION BOUNDARY



ENGINEERING • SURVEYING • PLANNING
505 FRODOBORN, CASPER, WY. 82401
W.D. NO. 1429807 DATA 28618 FILE NAME: TOWN OF MILLS ANNEXATION NW REV 1



704 Fourth Street
P.O. Box 789
Mills, Wyoming 82644
Phone: 307-234-6679
Fax: 307-234-6528

MEMORANDUM

Date: 12 April 2018
To: Mills Town Council
From: Scott S. Radden
Town Planner
Subject: 23 May 2018 Town Council Meeting

Background: In December of 2015, Mayor Coleman and Staff members met with Mr. Lowell Fleenor, District 2 Engineer, WYDOT (Wyoming Dept. of Transportation) about annexing a 150-foot wide portion of West Yellowstone Highway right-of-way from Mills current Corporate Limits, approximately 270 feet west/northwest of the southeastern corner of Sunny Acres Park Addition (southeast of Mills Fire Department), bearing northwest, and ending on the west side of Fifth Avenue (on north side) and Lewis Lane (on south side). Mr. Fleenor stated that WYDOT would have no issues with the Town of Mills incorporating this portion of road.

Although the proposed land offers no tax benefit, nor will have a zoning designation, Mills cannot enforce local traffic laws effectively because it is not formally incorporated. The proposed annexation would allow Mills police to patrol its incorporated areas (closer to the existing western boundary on West Yellowstone Highway). Per compliance with Wyoming Statute 24-2-111, Mills would be responsible for the cleaning and maintenance of storm sewers and streets designated as state highways in which the transportation commission contributes financial assistance back to the municipality for performing these duties. Overall, the annexation would benefit both the State and the Town of Mills.

In addition to a portion of West Yellowstone Highway, the Town has also petitioned to annex five other properties per W.S. 15-1-404, currently in Natrona County but surrounded by Mills corporate limits on every side but the north (West Yellowstone Highway). By annexing the portion of West Yellowstone Highway, as previously described, the properties on the south side of the this would be entirely surrounded by the Town of Mills. Per W.S. 15-1-406 (d) "*No annexation under W.S. 15-1-404 shall create an area which is situated entirely within the boundaries of the city or town but is not annexed.*" Therefore, per State Statute must include the additional properties (see Exhibit "A" – Mills Northern Expansion Annexation Plat).

Mills Western Expansion Annexation: A petition to annex lands located in and being part of the unplatted lands of the SW1/4NW1/4 and NW1/4SW1/4, part of vacated Old West Yellowstone Highway and part of Wyoming State Highway No. 20/26, Section 1, Township 33 North, Range 80 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Beginning at a point in the westerly line of the Parcel being described and also the northeasterly corner of Tract 2, Lewis Subdivision, the northwesterly corner of Lewis Lane and a point in the southwesterly right of way line of Wyoming State Highway No. 20/26; thence along the westerly line of

said Parcel and across said Wyoming State Highway No. 20/26, N.1°19'40"W., 264.22 feet to the southeasterly corner of Block 63, Mountain View Suburb, a point in the westerly line of Fifth Avenue and a point in the northeasterly line of Old West Yellowstone Highway; thence along the northeasterly line of said Parcel and Old West Yellowstone Highway and across said Fifth Avenue, S.28°02'29"E., 128.78 feet to a point and southwesterly corner of Block 62, Mountain View Suburb; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.51°51'47"E., 763.93 feet to a point in and intersection with the easterly line of Block 55, Mountain View Suburb and the westerly right of way line of Third Avenue; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.51°51'21"E., 248.15 feet to a point; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.51°51'11"E., 172.09 feet to a point in and intersection with the easterly line of Block 29, Mountain View Suburb and the westerly right of way line of Second Avenue; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.51°46'08"E., 76.47 feet to a point in and intersection with the northerly line of Block 26, Mountain View Suburb and the southerly right of way line of Cleveland Street; thence continuing along the northeasterly line of said Parcel and the northeasterly line of said Wyoming State Highway No. 20/26, S.51°50'53"E., 344.40 feet to a point in and intersection with the easterly line of Block 26, Mountain View Suburb and the westerly right of way line of First Avenue; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.52°08'53"E., 240.86 feet to a point; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.51°08'03"E., 128.37 feet to a point in and intersection with the easterly line of Block 24, Mountain View Suburb and the westerly right of way line of Lake View Drive; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.54°16'27"E., 60.20 feet to a point in and intersection with the westerly line of Sunny Acres Park Addition to the Town of Mills and the southeasterly right of way line of said Lake View Drive; thence continuing along the northeasterly line of said Parcel and the northeasterly right of way line of said Wyoming State Highway No. 20/26, S.51°34'15"E., 270.52 feet to the northeasterly corner of said Parcel; thence along the southeasterly line of said Parcel, across said Wyoming State Highway No. 20/26, S.38°25'45"W., 151.12 feet to the southeasterly corner of said Parcel and a point in and intersection with the southwesterly right of way line of said Wyoming State Highway No. 20/26; thence along the southwesterly line of said Parcel and the southwesterly right of way line of said Wyoming State Highway No. 20/26, N.51°43'36"W., 270.84 feet to a point in and intersection with the easterly right of way line of Lake View Drive; thence continuing along the southwesterly line of said Parcel and the southwesterly right of way line of said Wyoming State Highway No. 20/26, N.52°12'22"W., 59.81 feet to a point in and intersection with the easterly right of way line of Block 24, Mountain View Suburb and the northwesterly right of way line of said Lake View Drive; thence continuing along the southwesterly line of said Parcel and the southwesterly right of way line of said Wyoming State Highway No. 20/26, N.52°08'49"W., 172.98 feet to a point in and intersection with the westerly line of Block 24, Mountain View Suburb and the easterly right of way line of First Avenue; thence continuing along the southwesterly line of said Parcel and the southwesterly line of said Wyoming State Highway No. 20/26, N.51°11'19"W., 77.39 feet to a point in and intersection with the easterly line of Block 26 and the westerly right of way line of First Avenue; thence continuing along the southwesterly line of said Parcel and the southwesterly right of way line of said Wyoming State Highway No. 20/26, N.51°49'54"W., 420.36 feet to a point in and intersection with the easterly line of Block 28, Mountain View Suburb and the westerly right of way line of Second Avenue; thence continuing along the southwesterly line of said Parcel and the southwesterly right of way line of said Wyoming State Highway No. 20/26, N.51°46'20"W., 420.78 feet to a point in and intersection with the westerly right of way line of Third Avenue; thence along the easterly line of said Parcel and the westerly right of way line of said Third Avenue, S.0°06'51"E., 715.35 feet to a point in and intersection with the northerly right of way line of Buick Street; thence along the southerly line of said Parcel and the northerly right of way line of said Buick Street, S.89°46'41"W., 724.11 feet to a point in and

intersection with the easterly right of way line of Lewis Lane; thence along the westerly line of said Parcel and the easterly right of way line of said Lewis Lane, N.0°01'05"W., 1070.41 feet to a point; thence continuing along the westerly line of said Parcel and the easterly right of way line of said Lewis Lane, N.38°50'24"E., 168.12 feet to a point in and intersection with the southwesterly right of way line of said Wyoming State Highway No. 20/26; thence along the northeasterly line of said Parcel and the southwesterly right of way line of said Wyoming State Highway No. 20/26, N.53°18'49"W., 47.73 feet to the Point of Beginning and containing 24.51 acres, more or less.

W.S. § 15-1-404 – Annexing territories; initiation proceedings; by governing bodies; determination:

(a) The governing body of any city or town may initiate proceedings to annex territory by the following procedure:

(i) Reasonable evidence shall be procured by the governing body indicating that a specific area meets the conditions and limitations of W.S. 15-1-402; **(Annexation Report provided to Council on 4 April 2018)**

(ii) The governing body shall:

(A) Cause to be prepared a legal description, a listing of the current mailing address of each landowner as shown in the records of the county assessor and a map showing identifiable landmarks and boundaries of the area considered for annexation and the area which will, as a result of the annexation then be brought within one-half (1/2) mile of the new corporate limits of the city, if it has exercised the authority granted under W.S. 15-3-202(b)(ii); **(Included)**

(B) Determine if the area considered for annexation complies with W.S. 15-1-402;

(C) Prepare a proposed annexation report as required by W.S. 15-1-402(c); **(Annexation Report provided to Council on 4 April 2018)**

(D) Prepare for each landowner or public utility so requesting in writing, the foreseeable changes to zoning, animal control and other health and safety requirements requiring immediate compliance by the landowner or public utility at the time of annexation. The request shall be made to the clerk of the annexing municipality not less than ten (10) days prior to the public hearing required under W.S. 15-1-405(a). The foreseeable changes shall be provided to the landowner or public utility prior to the hearing. **(Sent Certified Mail to Owners and Public Utility Providers on 23 April 2018)**

(b) If the area complies with W.S. 15-1-402, the governing body shall adopt a resolution certifying compliance, and the procedure outlined in W.S. 15-1-405 and 15-1-406 shall then be followed. If the area does not comply, no further action shall be taken on the proposed annexation. **(Resolution 2018-19 was approved for the annexation of the Mills Western Expansion Annexation on 11 April 2018)**

Recommendation:

It is recommended that the Town Council verify that petition is acceptable and adopt Ordinance 716 certifying the annexation of the Mills Western Expansion Annexation is in compliance with Wyoming Statutes and:

- The annexation appears to be beneficial for the health, safety and welfare of the Town and others residing in the area;

- The area to be annexed would constitute a natural, geographical, economical and social part of the Town;
- The land to be annexed is a logical and feasible addition to the Town and its extension of basic services and Town services can be furnished to the area;
- The area sought to be annexed is contiguous with or adjacent to the Town;
- The proposed annexation complies with Wyoming Statute 15-1-401, 402 and 15-1-404 through 15-1-410, and the required procedures have been met;
- Upon Annexation, all properties will be zoned Established Industrial (E-I) except for Mountain View Elementary, which will be zoned Public Lands Institutional (PLI), under the Mills Zoning Ordinance.