

ORDINANCE NO. 7, SERIES 2019

AN ORDINANCE FOR THE ANNEXATION OF LAND TO THE TOWN OF UPTON, WYOMING

* * *

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF UPTON, WESTON COUNTY, WYOMING:

Whereas, the Town of Upton has filed a petition to annex to the Town of Upton, Wyoming, certain land described herein which is owned by the Town of Upton, Upton History and Heritage Preservation, Inc., and the Transportation Commission of Wyoming, and

Whereas, a public hearing was held November 12, 2019 pursuant to Wyoming Statute Section 15-1-405 following notice as required by law, and the governing body heard comments and concerns regarding the proposed annexation, and

Whereas, annexation of this land will benefit the Town of Upton, Wyoming, and its residents by providing additional space for housing and commercial development, and

Whereas, the governing body finds that:

1. Annexation of the land is for the protection of the health, safety and welfare of persons residing in the area to be annexed, if any, and for persons residing in the Town of Upton.

2. The urban development of the area to be annexed would constitute a natural, geographical, economical and social part of the Town of Upton.

3. The area to be annexed is a logical and feasible addition to the Town of Upton, and the extension of basic services and other services customarily available to the residents of the Town shall, within reason, be available to the area to be annexed as follows:

- a) Municipal Water – Available immediately upon tap purchase by property developer or purchaser.
- b) Municipal Sewer - Available immediately upon tap purchase by property developer or purchaser.
- c) Electricity & Natural Gas– The Town of Upton does not operate its own electric or natural gas utility and is prepared to issue one or more franchises as necessary to serve the area.
- d) Telephone – The Town of Upton does not operate its own telephone utility and is prepared to issue one or more franchises as necessary to serve the area.
- e) Police Protection – Available immediately upon annexation.
- f) Fire Protection – Available immediately upon annexation.

4. The area to be annexed is contiguous with or adjacent to the Town of Upton.

5. The Town of Upton is prepared to issue one or more franchises as necessary to allow electric utility service for the area to be annexed.

6. The Town of Upton, not less than twenty days prior to the public hearing, mailed by certified mail a summary of the proposed annexation report and notice of the time, date and location of the public hearing to all landowners and affected public utilities within the area proposed to be annexed.

Now, Therefore, Be It Ordained By The Governing Body Of The Town Of Upton, Wyoming:

1. Subject to the findings set forth above, specifically the extension of basic services and other services customarily available as set forth in paragraph three above, the following described land shall be, and the same is hereby annexed to and made a part of the Town of Upton, Wyoming:

A tract of land located in the S½SE¼ of Section 27 and the NE¼ of Section 34, Township 48 North, Range 65 West, 6th P.M., Weston County, Wyoming, being more particularly described as follows:

Beginning at an iron shaft marking the southeast corner of said Section 27 which bears N 88°38'31" E, 2642.10 feet from a 2-1/2" aluminum cap stamped LS 450 marking the ¼ corner between said Sections 27 and 34, the basis of bearing for this description. Thence N 00°32'32" W, 1328.22 feet to a 1-1/2" blank aluminum cap marking the south 1/16 corner between said Section 27 and Section 26, Township 48 North, Range 65 West; thence S 88°41'57" W, 2641.73 feet to a 2-1/2" aluminum cap stamped LS 3886 marking the center-south 1/16 corner of said Section 27; thence S 00°31'41" E, 592.25 feet along the north-south centerline of said Section 27 to a 1-1/2" aluminum cap stamped LS 14275 on the southerly right of US Highway No. 16 and a curve to the left; thence 2058.45 feet along said right of way and curve with a radius of 23018.40 feet, chord bearing of S 52°03'56" E, and a chord length of 2057.77 feet to a Wyoming D.O.T. monument (stamped STA. 1395+27.8, 100RT, PT); thence S 54°37'39" E, 730.58 feet along said right of way to a 1-1/2" aluminum cap stamped RLS 545 marking the northwest corner of a tract of land filed in Book 318 of Photos, Page 144 in the office of the Weston County Clerk; thence S 35°22'44" W, 252.90 feet along the west line of said tract to a 1-1/2" aluminum cap stamped RLS 545 marking the southwest corner of said tract; thence S 49°16'30" E, 792.45 feet along the south line of said tract to a 1-1/2" aluminum cap stamped RLS 545 on the east boundary of said Section 34; thence N 00°47'57" W, 404.75 feet along said tract and section line to a 1-1/2" aluminum cap stamped RLS 545 on the southerly right of way of said highway; thence N 00°48'06" W, 247.34 feet along said section line to a Wyoming D.O.T. monument (stamped STA. 1406+63.2, Sect Line, 100' LT) on the northerly right of way of said highway; thence N 00°39'48" W, 12.52 feet along said section line and highway right of way to a Wyoming D.O.T. monument (stamped STA. 1406+55.8, Sect Line, 110' LT); thence N 00°49'33" W, 1070.76 feet to the point of beginning.

Said annexation encompasses 104.95 acres more or less.

2. The Upton Town Clerk shall file with the County Clerk of Weston County, Wyoming, a certified copy of this ordinance along with a map of the annexed area as required by Wyoming Statute Section 15-1-406(a).

Dated February 11, 2020.

TOWN OF UPTON:

By:

Travis Beck, Mayor

Attest:

Kelley Millar, Clerk-Treasurer

First Reading:	December 10, 2019
Second Reading:	January 14, 2020
Third Reading:	February 11, 2020
Publication:	February 20, 2020