

RESOLUTION NO. 12, 2019

RESOLUTION CERTIFYING COMPLIANCE WITH WYOMING STATUTE SECTION 15-1-402 FOR THE ANNEXATION OF TERRITORY OWNED BY THE TOWN OF UPTON, THE UPTON HISTORY AND HERITAGE PRESERVATION INC. AND TRANSPORTATION COMMISSION OF WYOMING

WHEREAS, the Town of Upton, Wyoming, is the owner of the following described real property which is not within the corporate limits of the Town:

A TRACT OF LAND LYING IN THE S1/2SE1/4 OF SECTION 27 AND THE N1/2NE1/4 OF SECTION 34, T.48N., R.65W. OF THE SIXTH PRINCIPAL MERIDIAN, WESTON COUNTY, WYOMING. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT B HEREFOR ATTACHED.

WHEREAS, Upton History and Heritage Preservation Inc., is the owner of the following described real property which is not within the corporate limits of the Town:

A TRACT OF LAND LYING IN THE E1/2NE1/4 OF SECTION 34, T.48N., R.65W. OF THE SIXTH PRINCIPAL MERIDIAN, WESTON COUNTY, WYOMING. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT C HEREFOR ATTACHED.

WHEREAS, the Transportation Commission of Wyoming, is the owner of the following described real property which is not within the corporate limits of the Town:

A TRACT OF LAND LYING IN THE SW1/4SE1/4 OF SECTION 27 AND THE N1/2NE1/4 OF SECTION 34, T.48N., R.65W. OF THE SIXTH PRINCIPAL MERIDIAN, WESTON COUNTY, WYOMING. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT D HEREFOR ATTACHED.

WHEREAS, the Town of Upton, Wyoming, desires to annex the above-described property into the corporate limits of the Town, and

WHEREAS, the Town of Upton, Wyoming is required to give notice of a public hearing or hold a public hearing before deciding the area to be annexed meets the requirements of Wyoming Statute Section 15-1-402(a), because the Town is not the sole owner of the property, and

WHEREAS, the Town of Upton, Wyoming, is required to prepare an annexation report or an estimated cost of infrastructure improvements required of landowners and affected public entities related to the annexation because the Town is not the sole owner of the property, and

WHEREAS, the governing body of the Town of Upton, Wyoming, is required to prepare notice of the foreseeable changes to zoning, animal control and other health and safety requirements of landowners or public entities which will require immediate compliance by landowners or public entities at the time of annexation of the property, and

WHEREAS, is required to be contiguous or adjacent to the Town of Upton because the Town is not the sole owner of the property, and

WHEREAS, the Town of Upton is an incorporated town, so the provisions of Wyoming Statute Section 15-3-202 (b) (ii) regarding a mayor's jurisdiction beyond the corporate limits of a first class city do not apply, and therefore the governing body of the Town of Upton, Wyoming is not required to notify landowners whose land will be brought within one-half mile of the corporate limits of the Town of Upton as a result of this annexation, and

THEREFORE, the governing body of the Town of Upton, Wyoming having reviewed this proposed annexation, makes the following findings of fact and conclusions of law:

1. The annexation of the above-described area is for the protection of the health, safety and welfare of persons residing in the area and in the Town of Upton.
2. The urban development of the area will constitute a natural, geographical, economical and social part of the Town of Upton.

RESOLUTION CERTIFYING COMPLIANCE WITH WYOMING STATUTE SECTION 15-1-402 FOR THE ANNEXATION OF TERRITORY OWNED BY THE TOWN OF UPTON, THE UPTON HISTORY AND HERITAGE PRESERVATION INC. AND TRANSPORTATION COMMISSION OF WYOMING

3. The area is a logical and feasible addition to the Town of Upton, and the extension of basic and other services customarily available to residents of the Town of Upton shall, within reason, be available to the area.
4. The area is deemed to be contiguous with and adjacent to the Town of Upton.
5. The Town of Upton does not operate its own electric utility. The governing body of the Town of Upton is prepared to issue one or more franchises as necessary to serve the area.
6. The Town of Upton is required to provide notice or public hearing regarding this annexation, required to prepare an annexation report and send a summary of the annexation or notice of public hearing to landowners and affected public utilities within the area proposed for annexation.

BE IT THEREFORE RESOLVED BY THE GOVERNING BODY OF THE TOWN OF UPTON, WYOMING: The area described in EXHIBIT A, herefore attached, complies with all of the requirements of Wyoming Statute Section 15-1-402(a) and is therefore eligible for annexation and certified by City Clerk Kelley Millar on this 8th day of October 2019 as such.

By: _____
Travis Beck, Mayor

ATTEST:

Kelley Millar, Clerk/Treasurer

EXHIBIT A

to PETITION FOR ANNEXATION PURSUANT TO WYOMING STATUTE §15-1-401 et seq.

LEGAL DESCRIPTION, ANNEXATION

A TRACT OF LAND LOCATED IN THE S1/2SE1/4 OF SECTION 27 AND THE NE1/4 OF SECTION 34, T.48N.,R.65W. OF THE SIXTH 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 1/4 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 T.48N.,R.65W.;

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 A 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.

EXHIBIT B

to PETITION FOR ANNEXATION PURSUANT TO WYOMING STATUTE §15-1-401 et seq.

OWNER: TOWN OF UPTON

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE S1/2SE1/4 OF SECTION 27 AND THE N1/2NE1/4 OF SECTION 34, T.48N., R.65W. OF THE SIXTH PRINCIPAL MERIDIAN, WESTON COUNTY, WYOMING. SAID TRACT OF LAND 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 1/4 CORNER BETWEEN SAID SECTIONS 27 AND 34, THE BASIS OF BEARING FOR THIS DESCRIPTION.

THENCE N 00°32'32" W, 1328.22 FEET ALONG THE EAST LINE OF SAID S1/2SE1/4 TO A 1 1/2" BLANK ALUMINUM CAP MARKING THE SOUTH 1/16 CORNER BETWEEN SAID SECTION 27 AND SECTION 26, T.48N., R.65W.;

THENCE S 88°41'57" W, 2641.73 FEET ALONG THE NORTH LINE OF SAID S1/2SE1/4 TO A 2" ALUMINUM CAP STAMPED LS 3886 MARKING THE CENTER-SOUTH 1/16 CORNER OF SAID SECTION 27;

THENCE S 00°31'41" E, 313.07 FEET ALONG THE WEST LINE OF SAID S1/2SE1/4 TO A POINT OF INTERSECTION WITH THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY #16 AND A CURVE TO LEFT;

THENCE ALONG SAID RIGHT OF WAY AND CURVE TO THE LEFT WITH AN ARC LENGTH OF 2222.99 FEET (RADIUS IS 22808.40 FEET, CHORD BEARS S 51°49'50" E, 2222.11 FEET) TO A WYOMING D.O.T. MONUMENT;

THENCE S 54°37'40" E, 1127.25 FEET ALONG SAID RIGHT OF WAY TO A WYOMING D.O.T. MONUMENT MARKING A POINT OF INTERSECTION WITH THE EAST LINE OF SAID N1/2NE1/4;

THENCE N 00°49'33" W, 1070.76 FEET ALONG THE EAST LINE OF SAID N1/2NE1/4 TO THE POINT OF BEGINNING.

SAID TRACT OF LAND ENCOMPASSES 84.50 ACRES.

EXHIBIT C

to PETITION FOR ANNEXATION PURSUANT TO WYOMING STATUTE §15-1-401 et seq.

OWNER: UPTON HISTORY & HERITAGE PRESERVATION, INC.

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE E1/2NE1/4 OF SECTION 34, T.48N., R.65W. OF THE SIXTH PRINCIPAL MERIDIAN, WESTON COUNTY, WYOMING. SAID TRACT OF LAND 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 1/4 CORNER BETWEEN SAID SECTIONS 27 AND 34, THE BASIS OF BEARING FOR THIS DESCRIPTION.

THENCE S 00°49'33" E, 1070.76 FEET ALONG THE EAST LINE OF SAID N1/2NE1/4 TO A WYOMING D.O.T. MONUMENT MARKING A POINT OF INTERSECTION WITH THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY #16;

THENCE S 00°39'48" E, 12.52 FEET ALONG SAID EAST LINE OF SAID N1/2NE1/4 AND RIGHT OF WAY TO A WYOMING D.O.T. MONUMENT;

THENCE S 00°48'06" E, 247.34 FEET ALONG THE EAST LINE OF SAID N1/2NE1/4 TO A 1 1/2" ALUMINUM CAP STAMPED LS 545 MARKING A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY #16 AND THE TRUE POINT OF BEGINNING;

THENCE S 00°47'57" E, 404.75 FEET ALONG THE EAST LINE OF SAID E1/2NE1/4 TO A 1 1/2" ALUMINUM CAP STAMPED LS 545;

THENCE N 49°16'30" W, 792.45 FEET TO A 1 1/2" ALUMINUM CAP STAMPED LS 545;

THENCE N 35°22'44" E, 252.90 FEET TO A 1 1/2" ALUMINUM CAP STAMPED LS 545 MARKING A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY #16;

THENCE S 54°37'25" E, 550.08 FEET ALONG SAID RIGHT OF WAY TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND ENCOMPASSES 4.35 ACRES.

EXHIBIT D

to PETITION FOR ANNEXATION PURSUANT TO WYOMING STATUTE §15-1-401 et seq.

OWNER: WYOMING DEPARTMENT OF TRANSPORTATION

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE SW1/4SE1/4 OF SECTION 27 AND THE N1/2NE1/4 OF SECTION 34, T.48N., R.65W. OF THE SIXTH PRINCIPAL MERIDIAN, WESTON COUNTY, WYOMING. SAID TRACT OF LAND 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 1/4 CORNER BETWEEN SAID SECTIONS 27 AND 34, THE BASIS OF BEARING FOR THIS DESCRIPTION.

THENCE S 00°49'33" E, 1070.76 FEET ALONG THE EAST LINE OF SAID N1/2NE1/4 TO A WYOMING D.O.T. MONUMENT MARKING A POINT OF INTERSECTION WITH THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY #16 AND THE TRUE POINT OF BEGINNING;

THENCE S 00°39'48" E, 12.52 FEET ALONG SAID EAST LINE OF SAID N1/2NE1/4 AND RIGHT OF WAY TO A WYOMING D.O.T. MONUMENT;

THENCE S 00°48'06" E, 247.34 FEET ALONG SAID EAST LINE OF SAID N1/2NE1/4 TO A 1 1/2" ALUMINUM CAP STAMPED LS 545 MARKING A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY #16;

THENCE N 54°37'25" W, 550.08 FEET ALONG SAID RIGHT OF WAY TO A 1 1/2" ALUMINUM CAP STAMPED LS 545;

THENCE N 54°37'39" W, 730.58 FEET ALONG SAID RIGHT OF WAY TO A WYOMING D.O.T. MONUMENT MARKING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG SAID RIGHT OF WAY A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 2058.45 FEET (RADIUS IS 23018.40 FEET, CHORD BEARS N 52°03'56" W, 2057.77 FEET) TO A 1 1/2" ALUMINUM CAP STAMPED LS 14275 MARKING A POINT OF INTERSECTION WITH THE WEST LINE OF SAID SW1/4SE1/4;

THENCE N 00°31'41" W, 279.18 FEET ALONG THE WEST LINE OF SAID SW1/4SE1/4 TO A POINT OF INTERSECTION WITH THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY #16 AND A CURVE TO THE LEFT;

THENCE ALONG SAID RIGHT OF WAY AND CURVE TO THE LEFT WITH AN ARC LENGTH OF 2222.99 FEET (RADIUS IS 22808.40 FEET, CHORD BEARS S 51°49'50" E, 2222.11 FEET) TO A WYOMING D.O.T. MONUMENT;

THENCE S 54°37'40" E, 1127.25 FEET ALONG SAID RIGHT OF WAY TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND ENCOMPASSES 16.10 ACRES.