



HYRUM CITY

60 West Main • Hyrum, Utah 84319
Phone (435) 245-6033

Stephanie Miller, Mayor

Council Members

Stephen G. Adams
Kathy Bingham
Jared L. Clawson
Paul C. James
Craig L. Rasmussen

City Administrator

Ron W. Salvesen

Recorder

Stephanie B. Fricke

Treasurer

Todd Perkins

NOTICE OF PUBLIC HEARING

The Hyrum City Council will hold a public hearing, Thursday, October 17, 2019, in response to a petition filed by West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry & Maryette Shoop, Mathew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, and Benjamin and Isabelle Clark - approximately 19.712 acres of real property, located at approximately 400 North to 700 North (4600 South) between 500 West (1500 West) and 350 West (1300 West).

Said hearing will be held at 6:30 p.m. in the City Council Chambers, 60 West Main, Hyrum, Utah. A copy of the complete description of the property may be reviewed at the Hyrum City Office, 60 West Main, weekdays, between the hours of 8:00 a.m. and 5:00 p.m. or at www.hyrumcity.org.

Stephanie Fricke
City Recorder

Publication Date: October 5, 2019

Utah State Code 10-2-407



HYRUM CITY

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Treasurer
Todd Perkins

September 6, 2019

To Whom It May Concern;

A Petition for Annexation has been filed in the office of the Hyrum City Recorder for the purpose of requesting annexation of several parcels of land belonging to West Point Dairy West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry & Maryette Shoop, Mathew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, and Benjamin and Isabelle Clark, and Union Pacific Railroad (to be known as the West Point Dairy Northern Annexation) more specifically described as follows:

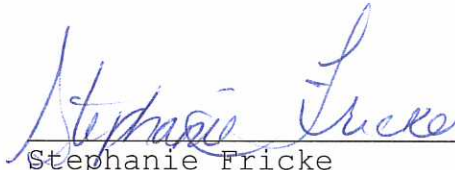
A Part of the Southwest Quarter of Section 32, Township 11 North, Range 1 East of the Salt Lake Base and Meridian (The Basis of Bearings is the Utah Coordinate System 1983 North Zone)

Beginning at the Intersection of the Existing Corporate Boundaries of Hyrum City and the East Boundary Line of Tax Parcel Number 03-060-0015 at a Point Located 412.58 Feet North 88°30'56" East and 313.52 Feet North 01°04'21" East from the Hyrum City Monument at the Intersection of 400 North and 400 West Street and Running Thence Along said Existing Hyrum City Corporate Boundary the Following Six (6) Courses: (1) North 88°12'23" West 1055.54 Feet; (2) North 01°27'58" East 114.23 Feet; (3) North 53°57'52" East 54.81 Feet; (4) North 00°56'07" East 295.53 Feet; (5) South 88°27'24" East 348.35 Feet; (6) North 00°15'09" East 565.51 Feet to the South Right-of-Way Line of 4600 South Street; Thence North 88°34'53" West 670.08 Feet Along said South Right-of-Way Line to the Intersection with the East Right-of-Way Line of Hyrum City 500 West Street; Thence South 00°56'07" West 931.66 Feet Along said East Right-of-Way Line to the intersection with said Existing Hyrum City Corporate Boundary; Thence North 89° 03'53" West 16.50 Feet to the Center Line of said Hyrum City 500 West Street; Thence North 00°56'07" East 940.06 Feet to the Intersection with the Center Line of said 4600 South Street;

Thence Along said Center Line of 4600 South Street the Following Two (2) Courses: (1) South 88°34'53" East 686.48 Feet; (2) South 88°27'23" East 663.48 Feet; Thence South 00°15'09" West 858.79 Feet to the North Right-of-Way Line of the Oregon Short Line Rail Road; Thence South 08°20'43" West 33.29 Feet to the South Right-of-Way Line of said Rail Road; Thence South 01°04'21" West 129.77 Feet to the Point of Beginning. Containing 19.712 Acres.

The Hyrum City Council received the Notice of Certification on September 5, 2019. The complete annexation petition is available for inspection at the office of the Hyrum City Recorder. I have enclosed a copy of the Notice of Certification, the Resolution accepting the Annexation Petition, and the Annexation Petition.

Hyrum City may grant the petition and annex the area described in the petition unless a written protest to the annexation is filed with the Cache County Boundary Commission c/o Janeen Allen, Secretary 199 North Main, Logan, Utah, 84321 and a copy of the protest delivered to the Hyrum City Recorder by October 7, 2019. A protest to the annexation petition may be filed by the legislative body or governing board of an affected entity. Should you have any questions regarding this, please contact Hyrum City Recorder Stephanie Fricke at 435-245-6033 or sfricke@hyrumcity.com.



Stephanie Fricke
City Recorder

cc: Nibley City
Cache County
Cache County School District
Cache County Mosquito Abatement District
Cache Valley Transit District

NOTICE OF CERTIFICATION OF ANNEXATION PETITION

Pursuant to Section 10-2-406, U.C.A., Hyrum City, Utah, hereby gives notice as follows:

1. On August 14, 2019 a petition proposing the annexation of real property located between 700 North (4600 South County address) to 450 North between 350 West and 485 West approximately 19.712 acres has been filed by West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry & Maryette Shoop, Mathew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, and Benjamin and Isabelle Clark, and Union Pacific Railroad.
- 2 On August 15, 2019, the Hyrum City Council approved Resolution 19-18 accepting the Petition to be further considered and authorizing the Petition to be certified.
3. On September 5, 2019, the Hyrum City Council received the required Notice of Certification from the City Recorder certifying that the Petition meets the requirements of State Law.
4. The area proposed for annexation in the petition is described as follows:

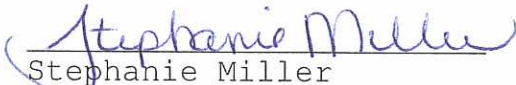
A Part of the Southwest Quarter of Section 32, Township 11 North, Range 1 East of the Salt Lake Base and Meridian (The Basis of Bearings is the Utah Coordinate System 1983 North Zone)

Beginning at the Intersection of the Existing Corporate Boundaries of Hyrum City and the East Boundary Line of Tax Parcel Number 03-060-0015 at a Point Located 412.58 Feet North 88°30'56" East and 313.52 Feet North 01°04'21" East from the Hyrum City Monument at the Intersection of 400 North and 400 West Street and Running Thence Along said Existing Hyrum City Corporate Boundary the Following Six (6) Courses: (1) North 88°12'23" West 1055.54 Feet; (2) North 01°27'58" East 114.23 Feet; (3) North 53°57'52" East 54.81 Feet; (4) North 00°56'07" East 295.53 Feet; (5) South 88°27'24" East 348.35 Feet; (6) North 00°15'09" East 565.51 Feet to the South Right-of-Way Line of 4600 South Street; Thence North 88°34'53" West 670.08 Feet Along said South Right-of-Way Line to the Intersection with the East Right-of-Way Line of Hyrum City 500 West Street; Thence South

00°56'07" West 931.66 Feet Along said East Right-of-Way Line to the intersection with said Existing Hyrum City Corporate Boundary; Thence North 89° 03'53" West 16.50 Feet to the Center Line of said Hyrum City 500 West Street; Thence North 00°56'07" East 940.06 Feet to the Intersection with the Center Line of said 4600 South Street; Thence Along said Center Line of 4600 South Street the Following Two (2) Courses: (1) South 88°34'53" East 686.48 Feet; (2) South 88°27'23" East 663.48 Feet; Thence South 00°15'09" West 858.79 Feet to the North Right-of-Way Line of the Oregon Short Line Rail Road; Thence South 08°20'43" West 33.29 Feet to the South Right-of-Way Line of said Rail Road; Thence South 01°04'21" West 129.77 Feet to the Point of Beginning. Containing 19.712 Acres.

5. The complete Annexation Petition is available for inspection and copying at the Hyrum City Recorder's Office, 60 West Main, Hyrum, Utah Monday through Friday during the hours of 8:00 a.m. and 5:00 p.m.
6. Hyrum City may grant the Petition and annex the above-described area unless a written protest to the Annexation Petition is filed with Cache County Boundary Commission c/o Janeen Allen, Secretary 199 North Main, Logan, Utah, 84321, by an authorized protestor (10-2-407 Utah Code), and a copy of the protest is delivered to the Hyrum City Recorder at the address noted above. Any protest must be filed as herein stated by no later than Monday, October 7, 2019.
7. If no protests are received, the Hyrum City Council will hold a public hearing on Thursday, October 17, 2019 at 6:30 p.m. in the Hyrum City Council Chambers 60 West Main, Hyrum, Utah to consider a request to annex this property.

Hyrum City


Stephanie Miller
Mayor

Publication dates: September 7, 14, and 21, 2019

CERTIFICATION OF ANNEXATION PETITION
AND NOTICE TO CITY COUNCIL
CONTACT SPONSOR AND
CACHE COUNTY COUNCIL

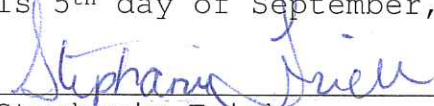
STATE OF UTAH)
 : SS.
County of Cache)

I, Stephanie Fricke, the duly appointed and acting City Recorder of Hyrum City, Cache County, Utah, do hereby certify that I did, on August 14, 2019, receive the Petition for Annexation and attached Plat which was filed with the city by Contact Sponsor Clinton G. Hansen for West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry & Maryette Shoop, Mathew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, Benjamin and Isabelle Clark, and Union Pacific Railroad which Petition was accepted by the Hyrum City Council for further consideration pursuant to Section 10-2-405, Utah Code Annotated, 1953 as amended, by Resolution 19-18 adopted and passed by the City Council on August 15, 2019.

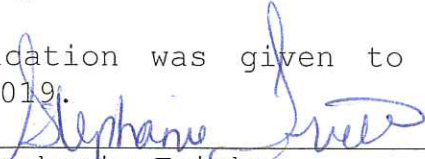
I hereby certify the Petition and state that I, Stephanie Fricke, and City Attorney Jonathon Jenkins have reviewed the referenced Petition for Annexation and have determined that the Petition meets the requirements of Subsections 10-2-403 (3), (4), and (5) of the Utah Code and I hereby give Notice to the Hyrum City Council, and the Contact Sponsor for said Petition Clinton G. Hansen, and the Cache County Council, of my Certification of said Petition as meeting the requirements of the referenced subsections of State law.

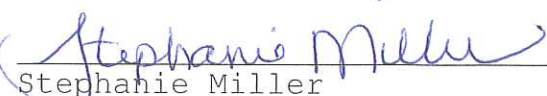
IN WITNESS WHEREOF, I have hereunto set my signature and affixed the official seal of Hyrum City Corporation in Cache County, State of Utah, this 5th day of September, 2019.




Stephanie Fricke
City Recorder

The foregoing Certification was given to the Hyrum City Council on September 5th, 2019.


Stephanie Fricke
City Recorder


Stephanie Miller
Mayor

RESOLUTION 19-18

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTION 10-2-405, UTAH CODE ANNOTATED, 1953, AS AMENDED (*West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry & Maryette Shoop, Mathew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, and Benjamin and Isabelle Clark - approximately 19.712 acres*).

WHEREAS, on August 14, 2019, the owners of certain real property (petitioners) filed a petition with the city recorder of Hyrum City, Cache County, State of Utah requesting that such property be annexed to the corporate boundaries of Hyrum City; and

WHEREAS, said petition contains the signatures of the owners of private real property that is: 1) located within the area proposed for annexation; 2) covers a majority of the private land area within the area proposed for annexation; 3) covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation; 4) covers 100% of the private land area within the area proposed for annexation if the area is within an agriculture protection area, or a migratory bird protection area; and 5) is equal in value to at least one-third of the value of all the private real property within the area proposed for annexation; and

WHEREAS, the petitioners certify that said property proposed for annexation lies contiguous to the present boundaries of Hyrum City as provided in the legal description and does not lie within the boundaries of any other incorporated municipality; and

WHEREAS, the petitioners have caused an accurate plat of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat with the city recorder; and

WHEREAS, said petition appears to comply with all of the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum City, Cache County, State of Utah, that the annexation petition, attached hereto as Exhibit "A", is hereby accepted for consideration under the provisions of Utah State annexation law and is hereby referred to the municipal attorney and city recorder for review pursuant to Section 10-2-405, Utah State Code Annotated, 1953, as amended.

BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption.

ADOPTED AND PASSED by the City Council this 15th day of August, 2019.

HYRUM CITY

BY: Stephanie Miller
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
Stephanie Fricke
City Recorder

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF HYRUM CITY, CACHE COUNTY, STATE OF UTAH:

We, the undersigned owner of certain real property lying contiguous to the present municipal limits of Hyrum City hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended (UCA);
2. That the property subject to this petition is a contiguous, unincorporated area contiguous to the boundaries of Hyrum City;
3. That the signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation;
 - d. covers 100% of the private land area within the area proposed for annexation if the area is within:
 1. an agriculture protection area; or
 2. a migratory bird protection area; and
 - e. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;
 - f. is described as follows:

LEGAL DESCRIPTION:

A Part of the Southwest Quarter of Section 32, Township 11 North, Range 1 East of the Salt Lake Base and Meridian (The Basis of Bearings is the Utah Coordinate System 1983 North Zone)

Beginning at the Intersection of the Existing Corporate Boundaries of Hyrum City and the East Boundary Line of Tax Parcel Number 03-060-0015 at a Point Located 412.58 Feet North 88°30'56" East and 313.52 Feet North 01°04'21" East from the Hyrum City Monument at the Intersection of 400 North and 400 West Street and Running Thence Along said Existing Hyrum City Corporate Boundary the Following Six (6) Courses: (1) North 88°12'23" West 1055.54 Feet; (2) North 01°27'58" East 114.23 Feet; (3) North 53°57'52" East 54.81 Feet; (4) North 00°56'07" East 295.53 Feet; (5) South 88°27'24" East 348.35 Feet; (6) North 00°15'09" East 565.51 Feet to the South Right-of-Way Line of 4600 South Street; Thence North

88°34'53" West 670.08 Feet Along said South Right-of-Way Line to the Intersection with the East Right-of-Way Line of Hyrum City 500 West Street; Thence South 00°56'07" West 931.66 Feet Along said East Right-of-Way Line to the Intersection with said Existing Hyrum City Corporate Boundary; Thence North 89°03'53" West 16.50 Feet to the Center Line of said Hyrum City 500 West Street; Thence North 00°56'07" East 940.06 Feet to the Intersection with the Center Line of said 4600 South Street; Thence Along said Center Line of 4600 South Street the Following Two (2) Courses: (1) South 88°34'53" East 686.48 Feet; (2) South 88°27'23" East 663.48 Feet; Thence South 00°15'09" West 858.79 Feet to the North Right-of-Way Line of the Oregon Short Line Rail Road; Thence South 08°20'43" West 33.29 Feet to the South Right-of-Way Line of said Rail Road; Thence South 01°04'21" West 129.77 Feet to the Point of Beginning. Containing 19.712 Acres.

4. That the signer of this petition have designated, Clint Hansen, professional land surveyor, as the one of whom is designated as "the contact agent".
5. That this petition does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted;
6. That this petition does not propose annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 UCA or a petition under Section 10-2-125 UCA if:
 - a. the request or petition was filed before the filing of the annexation petition; and
 - b. the request, a petition under Section 10-2-109 based on that request, or a petition under Section 10-2-125 is still pending on the date the annexation petition is filed;
7. That the petitioner have caused an accurate plat of the above described property to be made by a competent, licensed surveyor, which plat is filed herewith; and
8. That the petitioner request the property North of the Rail Road, if annexed, be zoned M2.
9. That the Greenwood Acres, LLC (West Point Dairy) agrees to pay the City upon request and before the annexation process is completed for all expenses it has incurred due to the annexation. The petitioner understands if payment has not been made to the City by specified dates it could delay the annexation process.

WHEREFORE, the Petitioners hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

CONTACT AGENT INFORMATION:

Clinton G. Hansen, PLS
Advanced Land Surveying, Inc.
1770 Research Parkway #111
North Logan UT 84341
435-770-1953

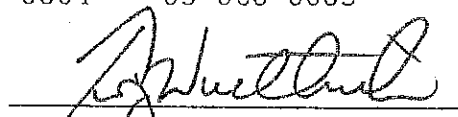
Petitioner's Signatures:

PETITIONER INFORMATION:

Trevor J. Wuethrich
PO Box 236
Greenwood, WI 54437

Parcels #'s:

03-060-0003	03-060-0074	03-060-0005	03-060-0006
03-060-0007	03-060-0084	03-060-0085	


Trevor J. Wuethrich

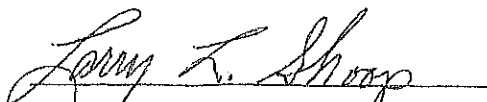
PETITIONER INFORMATION:

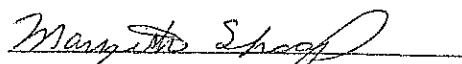
Deborah J. Fellows Trail
350 W 400 N Hyrum UT 84319
Parcel # 03-060-0015


Deborah J. Fellows Trail

PETITIONER INFORMATION:

Larry L. Shoop & Maryette Shoop a.k.a. Maryette M. Shoop
PO Box 316 Hyrum UT 84319
Parcel # 03-060-0058


Larry L. Shoop

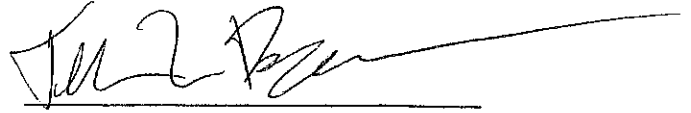

Maryette Shoop

PETITIONER INFORMATION:

Matthew Thornley & Tessa L. Bodrero
390 W 400 N Hyrum UT 84319
Parcel # 03-060-0016



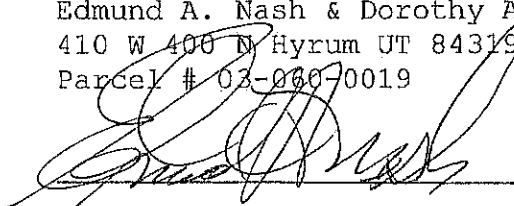
Mathew Thornley



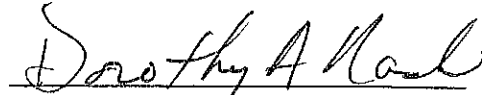
Tessa L. Bodrero

PETITIONER INFORMATION:

Edmund A. Nash & Dorothy A. Nash
410 W 400 N Hyrum UT 84319
Parcel # 03-060-0019



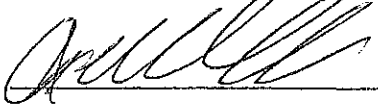
Edmund A. Nash



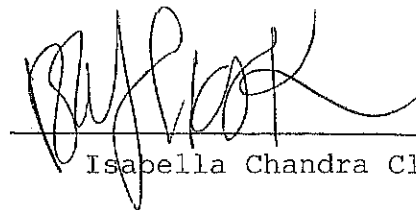
Dorothy A. Nash

PETITIONER INFORMATION:

Benjamin Andrew Clark & Isabella Chandra Clark
450 W 400 N Hyrum UT 84319
Parcel # 03-060-0020



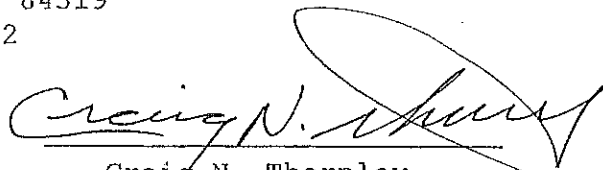
Benjamin Andrew Clark



Isabella Chandra Clark

PETITIONER INFORMATION:

National equipment Sales
PO Box 145 Hyrum UT 84319
Parcel # 03-060-0022



Craig N. Thornley

WHEREFORE, the Petitioner hereby request that this petition be considered by the governing body at its next regular meeting, or as soon thereafter as possible; that a resolution be adopted as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

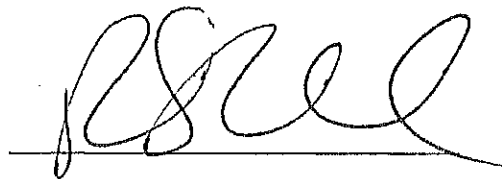
CONTACT AGENT INFORMATION:

Clinton G. Hansen, PLS
Advanced Land Surveying, Inc.
1770 Research Parkway #111
North Logan UT 84341
435-770-1953

Petitioner's Signature:

PETITIONER INFORMATION:

Union Pacific Railroad
1400 Douglas St.
Omaha, NE 68179

A handwritten signature in dark ink, appearing to read 'RSC', is written over a horizontal line.

Union Pacific Railroad
Representative Signature

Rodney S. Carroll
General Director - Real Estate

Printed Name



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Ron W. Salvesen
Recorder
Stephanie B. Fricke
Treasurer
Todd Perkins

CERTIFICATE

I, Stephanie Fricke, duly appointed and acting recorder for Hyrum City, Cache County, State of Utah, hereby certify that the Petition for Annexation attached hereto, August 15, 2019 and signed by West Point Dairy Trevor Wuethrich, Deborah J Fellows Trail, Larry and Maryette Shoop, Matthew Thornley and Tessa Bodrero, Edmund and Dorothy Nash, Benjamin and Isabelle Clark, National Equipment Craig Thornley, Union Pacific Railroad Rodney S. Carroll together with the annexation plat map pertaining thereto, was delivered to me personally by JD Rhea this 15th day of August 15, 2019, at the Hyrum City Office, 60 West Main, Hyrum, Utah.

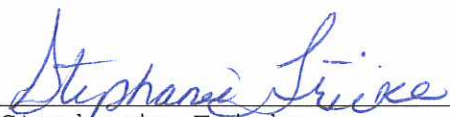
A handwritten signature in cursive script, appearing to read "Stephanie Fricke", is written over a horizontal line.
Stephanie Fricke
Hyrum City Recorder

CERTIFICATE

STATE OF UTAH)
 : ss
COUNTY OF CACHE)

I, Stephanie Fricke duly appointed and acting City Recorder for Hyrum City, Cache County, State of Utah, do hereby certify that the foregoing is a true copy of a Resolution duly adopted and passed by the City Council of Hyrum City, Utah, at a regular meeting thereof, held the this 15th day of August, 2019 which appears of record in the City Recorder's office. I further certify that a quorum was present and acting throughout said meeting and that this Resolution is in full force and effect in the form so adopted and that it has not been subsequently modified, amended or rescinded.

In witness whereof, I have hereto set my hand this 16th day of August, 2019.



Stephanie Fricke
City Recorder

(SEAL)

Resolution 19-18

A resolution accepting a petition for annexation of certain real property under the provisions of Section 10-2-405, Utah Code Annotated, 1953 as amended. (West Point Dairy, National Equipment, Deborah J. Fellows Trail, Larry &

Maryette Shoop, Mathew Thornley
and Tessa Bodrero, Edmund and
Dorothy Nash, and Benjamin and
Isabelle Clark - approximately
19.712 acres).