

## **486 RESOLUTION No. 03-15-2022**

### **A RESOLUTION CERTIFYING COMPLIANCE WITH THE CONDITIONS AND PROCEDURES FOR ANNEXATION IN ACCORDANCE WITH W.S. § 15-1-403 (2019); LOT 12 LAZY B SUBDIVISION ANNEXATION.**

**WHEREAS**, on the 15<sup>th</sup> day of February 2022 a Petition for Annexation of eligible territory has been filed with the Clerk of the Town of Alpine, by Robert Jay Shockey and Jaclyn Shockey, Trustees for the Robert Jay Shockey and Jaclyn Shockey Joint Living Trust dated November 8, 2019 by and through their joint counsel Dale W. Cottam;

**WHEREAS**, the area complies with the provisions of Title 15, Article 4 of the Wyoming Statutes Annotated (2019); and

**WHEREAS**, an "Annexation Report" has been completed and presented to the Governing Body; and

**WHEREAS**, the Governing Body has reviewed the exhibits appended thereto and hereby finds:

1. The Annexation Report is complete and contains the information required under Wyoming Statute §15-1-402 (c) (i) – (vi):

(a) A map of the area proposed to be annexed showing identifiable landmarks and boundaries 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 Town;

(b) No new infrastructure improvements are anticipated within the existing Town of Alpine city limits for this proposed annexation.

(c) Water and sewer service currently exists near this property. Elective extension costs of said lines would be paid for by the owners and developers of the land associated with the proposed annexation. The Town of Alpine will not assist or pay for the infrastructure improvements or any costs for the creation of the necessary easements.

(d) The projected annual fee for water service is currently determined by the Town of Alpine. In the future if this system is connected to the Town of Alpine, water fees would be set as follows:

- i. Water services are set by ordinance on July 1<sup>st</sup> of each calendar year.
- ii. The fee for a "base rate", charged for each platted lot regardless of whether or not an active connection

is located on the lot, is currently \$288.00 per year, per connection, as of July 1, 2021. This fee can, and will most likely, increase each year as set by Town ordinance.

- iii. The fee for a culinary water usage, in addition to the "base rate" as of July 1, 2021 is \$1.75 per 1,000 gallons metered. This fee can, and will most likely, increase each year as set by Town ordinance.
- iv. Any party or landowner not already receiving culinary water shall pay subject to the water connection fees as outlined in 245 Ordinance 2016-08.

(e) The projected annual fee or service costs for sewer services shall be as follows:

- i. The sewer use fee is \$564.00 per year per residence (ERU), as of July 1, 2021. This fee can, and will most likely, increase each year as set by Town ordinance.

(f) Sewer connection fees:

- i. The cost of a sewer connection shall be calculated pursuant to 245 Ordinance No. 2016-08, Section V, 1. A.-C. and shall be calculated as multiples of ERUs as outlined in the Exhibits contained in said ordinance, based on a residential ERU of 250/375 gpd average day/maximum day flow base fee of \$5,000.00
- ii. Any party or landowner shall pay subject to the sewer connection fees as outlined in 245 Ordinance No. 2016-08:

(g) The current and projected property tax mill levies imposed by the Town is five (5.0) mills.

(h) No new infrastructure improvements are anticipated within the existing Town of Alpine city limits for this proposed annexation.

(i) All existing land uses allowed by the current Lincoln County zoning will be acknowledged and permitted by the Town of Alpine either through existing zones or new zones created for this area. The anticipated zoning for this property once annexed into the Town is "Mixed Residential and Commercial" (MRC). There are no known animal control, health or safety requirements necessary or requiring immediate compliance for the proposed annexation.

**WHEREAS**, the Governing Body specifically finds;

1. That the annexation of the area is for the protection of the health, safety and welfare of the persons residing in the area and in the Town of Alpine;
2. The urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the Town of Alpine;
3. The area sought to be annexed is a logical and feasible addition to the Town of Alpine and the extension of basic and other services customarily available to the residents of the Town of Alpine shall, within reason, be available to the area proposed to be annexed;
4. The area sought to be annexed is contiguous with or adjacent to the Town of Alpine;
5. That the Governing Body is prepared to issue such franchises as are necessary to public electric utilities to serve the annexed area.
6. That there will be no costs to the Town of Alpine for the improvements to the proposed area.
7. If this annexation parcel connects to the Alpine Municipal Water System, the projected annual fee or service costs for water services shall be as follows:
  - i. Water services are set by ordinance on July 1<sup>st</sup> of each calendar year.
  - ii. The fee for a “base rate”, charged for each platted lot regardless of whether or not an active connection is located on the lot, is currently \$288.00 per year, per connection, as of July 1, 2021. This fee can, and will most likely, increase each year as set by Town ordinance.
  - iii. The fee for a culinary water usage, in addition to the “base rate” as of July 1, 2021 is \$1.75 per 1,000 gallons metered. This fee can, and will most likely, increase each year as set by Town ordinance.
  - iv. Any party or landowner not already receiving culinary water shall pay subject to the water connection fees as outlined in 245 Ordinance 2016-08.
8. The projected annual fee or service costs for sewer services shall be as follows:

- i. The sewer use fee is \$564.00 per year per residence (ERU), as of July 1, 2021. This fee can, and will most likely, increase each year as set by Town ordinance. However, any party or landowner not already receiving sewer services shall pay subject to the following sewer connection fees as outlined in 245 Ordinance 2016-08:

**Sewer connection fees:**

The cost of a sewer connection shall be calculated pursuant to 245 Ordinance No. 2016-08, Section V, 1. A.-C. and shall be calculated as multiples of ERUs as outlined in the Exhibits contained in said ordinance, based on a residential ERU of 250/375 gpd average day/maximum day flow base fee of \$5,000.00.

9. That the amount levied by the Town of Alpine for property taxes is five (5.0) mills.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Town of Alpine:

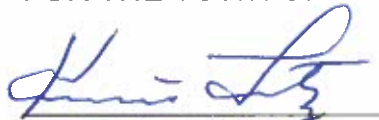
1. That the Annexation report complies with the contents and requirements of W.S. § 15-1-402 (2019).

**This resolution passed and adopted on this 15<sup>th</sup> day of March 2022.**

**Vote:   5   Yes,   0   No,   0   Abstain and   0   Absent.**

FOR THE TOWN OF ALPINE:

BY:

  
W. KENNIS LUTZ, Mayor

ATTEST:



  
SHARON BACKUS, Clerk/Treasurer

# **ANNEXATION REPORT**

**FOR**

## **Lot 12 Lazy B Subdivision**

**TOWN OF ALPINE, WYOMING**

**March 15, 2022**

The following report is based upon the requirements of Wyoming Statute 15-1-402(c), governing the annexation of lands to an existing municipality and is prepared in support of the annexation of property described in Exhibit B attached hereto, encompassing an area of 1.04 acres, more or less. Six (6) residential units are currently proposed for this property.

**15-1-402(c)(i) A map of the area proposed to be annexed showing identifiable landmarks and boundaries 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)** The parcel proposed to be annexed is shown on the attached map (Exhibit A) and comprises a total area of approximately 1.04 +/- acres. A legal description of the parcel is also included on the plat map and attached separately as Exhibit B.

**15-1-402(c)(ii) Total estimated costs of infrastructure improvements required of all landowners related to the annexation.** Potable water lines and sanitary sewer lines currently exist near the property as a result of off-site water and sewer extensions that are currently being installed for the Alpine Flats development located directly north of this property. The on-site extension costs and shared off-site costs of said lines would be paid for by the owners and developers of the lands associated with this proposed annexation. The estimated on-site construction and off-site shared costs to extend both water and sewer to this property are projected to be in the range of \$20,000 to \$25,000. These estimates do not include costs for the creation of any necessary easements or credits for easements provided. The Town of Alpine will not assist or pay for the infrastructure improvements. There would also be the requirement to pay water and sewer tap fees in accordance with existing Town ordinances at the time building permits are issued for any new development.

**15-1-402(c)(iii) List of basic and other services customarily available to town residents and when they reasonably will be available to the area.** The basic municipal services provided by the Town of Alpine – culinary water, fire protection water and sewer – is expected be available to the Lot 12 Lazy B Subdivision property in 2022 following the completion of the previously mentioned off-site extensions. Highway 26, a state/federal public highway, and County Road 100 exist in the area to be annexed and provide access to Lot 12. Roads within the Lazy B Subdivision property that provide access to Lot 12 will be private roads, but their ownership and maintenance could be turned over to the Town of Alpine in the future.

**15-1-402(c)(iv) Projected annual expense for those services.** Water Services are set by Town of Alpine ordinance on July 1<sup>st</sup> of each calendar year.

- a. The fee for a "base rate", charged for each platted lot regardless of whether or not an active connection is located on the lot, is currently \$288.00 per year, per connection, as of July 1, 2021. This fee can, and will most likely, increase each year as set by Town ordinance.
- b. The fee for a culinary water usage, in addition to the "base rate" as of July 1, 2021 is \$1.75 per 1,000 gallons metered. This fee can, and will most likely, increase each year as set by Town ordinance.

- c. Any party or landowner not already receiving potable water shall pay subject to the following water connection fees as outlined in 245 Ordinance 2016-08:

Water connection fees:

¾ inch	\$2,500.00
1 inch	\$3,500.00
1 ½ inch	\$4,500.00
2 inch	\$7,000.00

The projected annual fee or service costs for sewer services shall be as follows:

- d. The sewer use fee is \$564.00 per year per residence, as of July 1, 2021. This fee can, and will most likely, increase each year as set by Town ordinance. However, any party or landowner not already receiving sewer services shall pay subject to the following water connection fees as outlined in 245 Ordinance 2016-08:

Sewer connection fees:

The cost of a sewer connection shall be calculated pursuant to 245 Ordinance 2016-08, Section V, 1. A.–C. and shall be calculated as multiples of ERUs as outlined in the Exhibits contained in said ordinance, based on a residential ERU of 250/375 gpd average day/maximum day flow base fee of \$5,000.00.

**15-1-402(c)(v) Current and projected property tax mill levies imposed by the town.** Property taxes and mill levees will be the same as those charged to other properties within the existing Alpine city limits. Attached is a copy of the Town of Alpine Resolution 476 04-20-2021 which establishes the mill levy for the 2021-2022 fiscal year.

**15-1-402(c)(vi) Cost of infrastructure improvements within existing boundaries of the town to accommodate the annexation.** No immediate water and sewer infrastructure improvements will be required inside the existing Town boundaries in order to accommodate the annexation of these parcels.

**15-1-404(a)(ii)(D) 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 area.** All existing land uses allowed by the current Lincoln County zoning will be acknowledged and permitted by the Town of Alpine either through existing zones or new zones created for this area. There are no known animal control, health or safety requirements necessary or requiring immediate compliance for the proposed annexation.

Attachments: Exhibit A: Draft Map to Accompany Annexation of Lot 12 Lazy B Subdivision  
Exhibit B: Legal Description of Lot 12 Lazy B Subdivision  
476 Resolution No. 04-20-2021 Establishing Mill Levy for Fiscal Year 2021-2022

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**SURVEYOR SCHERBEL, LTD.**  
— PROFESSIONAL LAND SURVEYORS —

BOX 98 ONE FINEY-MARBLETON, NY TEL 576-3147, BOX 725 AFTON, NY TEL 685-8518,  
ALBANY, NY TEL 686-8478, JACKSON, NY TEL 733-5945, LAVA, ID TEL 776-5830

Exhibit B

**DESCRIPTION FOR  
LOT 12 LAZY B SUBDIVISION ANNEXATION  
TO THE TOWN OF ALPINE**

To-wit: - -

All of Lot 12 of Lazy B Subdivision, of record in the Office of the Clerk of Lincoln County with Accession No. 742138.

2 March 2022



Professional Land Surveyors

KATHLEEN A. SCHERBEL  
Wyo. Registration No. 11810  
Utah Registration No. 277111  
Calif. Registration No. 8125

KATHLEEN A. SCHERBEL  
Wyo. Registration No. 11810

KARLE F. SCHERBEL  
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SA\_TownAlpineW.ct 12 Lazy B Annexation

"Modification in any way of the foregoing description terminates liability of the surveyor"





**Town of Alpine  
476 RESOLUTION NO. 04-20-2021**

**A RESOLUTION ADOPTING AND ACCEPTING THE MILL LEVY  
TAX BASE OF FIVE (5) MILLS FOR THE FISCAL YEAR 2021/2022**

**WHEREAS**, as provided by Article 15, Section 6 of the Wyoming Constitution, municipal governments are authorized to levy a maximum of eight (8) mills on the real property and improvements located with their town boundaries; and

**WHEREAS**, it is the understanding of the Alpine Town Council that the Alpine Fire District will be requesting three (3) mills of the eight (8) mills available from the County, thereby reducing the total amount available to the Town of Alpine to five (5) mills.

**WHEREAS**, the Town of Alpine has determined that the maximum authorized mill levy of five (5) mills is necessary and required to assist the Town of Alpine in meeting its financial responsibilities and liabilities.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Alpine shall hereinafter be imposed a tax levy of five (5) mills on each and every dollar of the assessed valuation of the land and real property within the town boundaries of the Town of Alpine for the 2021/2022 fiscal year.


**BE IT FURTHER RESOLVED**, that W. Kennis Lutz, Mayor of the Town of Alpine, is hereby authorized to sign this resolution and that it is hereby accepted in its entirety and will be effective immediately with the passage of this resolution.


This resolution passed and adopted on this **20<sup>th</sup>** day of **April 2021**.

Vote:   5   Yes,   0   No,   0   Absent, and   0   Abstain.



ATTEST:

  
W. Kennis Lutz, Mayor

  
Sharon L. Backus, Town Clerk/Treasurer