

TOWN OF ALPINE

293 ORDINANCE NO. 2022-11

TOWN BOUNDARIES

AN ORDINANCE ANNEXING CERTAIN LAND TO THE TOWN OF ALPINE AND APPROVING THE LOT 12 LAZY B SUBDIVISION ANNEXATION TO THE TOWN OF ALPINE

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ALPINE:

STATE LAW. For state law as to power of towns to annex territory see W.S. § 15-1-402-15-1-406 (2017).

WHEREAS, Robert Jay Shockey and Jaclyn Shockey, Trustees for the Robert Jay Shockey and Jaclyn Shockey Joint Living Trust dated November 8, 2019, owner of the property depicted herein on the map “Exhibit A” and described herein as “Exhibit B” has initiated proceedings for annexation into the Town of Alpine, Lincoln County, Wyoming pursuant to W.S. § 15-1-403.

Section 1. That the Town of Alpine hereby finds as follows:

(a) The Notice of Hearing on the proposed annexation was published in the Star Valley Independent not less than fifteen (15) days prior to the date of the public hearing; and

(b) That an accurate annexation map of said property accompanies this ordinance; and

(c) That the annexation of the area hereinafter described is for the protection of health, safety, and welfare of the persons residing in the area and the Town of Alpine; and

(d) That the area sought to be annexed will constitute a natural, geographical, economic and social part of the Town of Alpine; and

(e) That the area is a logical and feasible addition to the Town and that the extension of basic services continually available in the Town of Alpine can be furnished to the area sought to be annexed; and

(f) That the Governing Body is prepared to issue such franchises as are necessary to public electric utilities to serve the annexed area pursuant to W.S. § 15-1-410, and to authorize the designated utility to serve the entire annexed area.

Section 2: That all real property as described herein shall be, and the same hereby is, annexed into the Town of Alpine, Lincoln County, Wyoming, and the boundaries of the Town of Alpine corporate municipal limits are hereby extended and changed to include said tract of land described in Exhibits A and B, attached and incorporated herein. Upon adoption of this Ordinance, said real property shall be zoned as Mixed Residential Commercial (MRC) and such designation shall be shown upon the official zoning map of the Town of Alpine, Wyoming.

Section 3: In accordance with the requirements of W.S. § 15-1-406, the Alpine Town Clerk shall file with the Lincoln County Clerk a map of the area annexed hereunder together with a copy of this Ordinance approved by the Governing Body of the Town of Alpine so that the corporate municipal boundaries of the Town of Alpine can be extended and changed to include said land and the same shall be reflected in the official real property records of Lincoln County, Wyoming.

Section 4: Annexation of the real property as described herein shall not terminate any covenants, conditions or restrictions of record. The real property within the annexed area is still subject to any homeowners or property owners' association fees levied by the homeowners or property owner associations or entities of record.

Section 5: Sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. If any phrase, clause, sentence, paragraph or section of this ordinance is declared illegal or unconstitutional, such illegality or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections.

Section 6: This Ordinance shall become effective twenty (20) business days following the public hearing on April 19, 2021.

Section 7: This ordinance passed and approved on the following dates:

Passed First Reading this 19th day of April 2022

VOTE: 5 Yes, 0 No, 0 Abstain, 0 Absent

Passed Second Reading this 17th day of May 2022

VOTE: 5 Yes, 0 No, 0 Abstain, 0 Absent

Passed on Third and Final Reading this 21st day of June 2022

VOTE: 5 Yes, 0 No, 0 Abstain, 0 Absent
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TOWN OF ALPINE





W. Kennis Lutz, Mayor

ATTEST:



Sharon L. Backus, Clerk / Treasurer

ATTESTATION OF THE TOWN CLERK

STATE OF WYOMING)
COUNTY OF LINCOLN)
TOWN OF ALPINE)

I hereby certify that the forgoing 293 Ordinance No. 2022-11 shall be duly posted for ten (10) days in the Town Office.

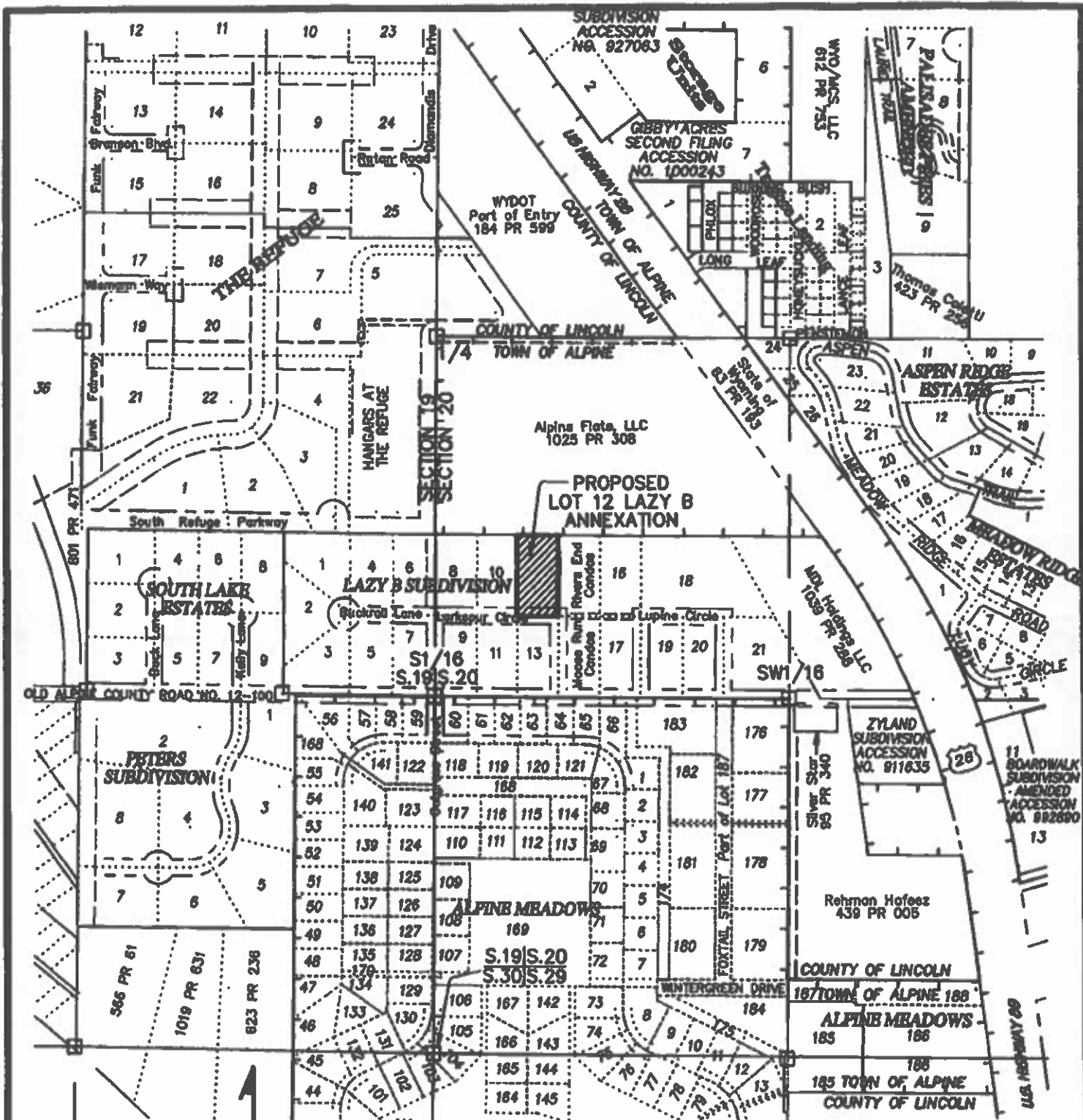
I further certify that the foregoing Ordinance will be posted on the Town website in final form, upon its passing and approved by the Town Council as soon as is practicable.

I further certify that the forgoing Ordinance was duly recorded in the BOOK OF ORDINANCES VI, TOWN OF ALPINE; LINCOLN COUNTY, WYOMING.

ATTEST:



Sharon L. Backus, Clerk / Treasurer



**LOT 12 LAZY B ANNEXATION
TO THE TOWN OF ALPINE
LINCOLN COUNTY, WYOMING**

SCALE: 1" = 500'

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DATE: 2 March 2022
 DRAWN BY: Koda Bura
 CALCULATED BY: Koda Bura
 CATEGORY/PORT: Town/Alpine/Annex.
 FIELD BOOK:
 COMPUTER FILE: LazyB12AnnexExhibit.pro



SURVEYOR SCHERBEL, LTD.
 PROFESSIONAL LAND SURVEYORS

BOX 99 BIG PINEY-MARBLETON, WY TEL 337-3547; BOX 725 AFTON, WY TEL 685-8718;
 ALPINE, WY TEL 683-8315; JACKSON, WY TEL 733-5905; LAVA, ID TEL 776-3030

**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

SCOTT A. SCHERBEL
Wyo. Registration No. 4889
Utah Registration No. 07,111
Idaho Registration No. 4024

MARLOWE A. SCHERBEL
Wyo. Registration No. 5368

KARL F. SCHERBEL
Wyo. Registration No. 11810
Idaho Registration No. 13493
CFECS No. 1223

Surveyor Scherbel, Ltd.
Alton, Wyoming
Big Horn, Wyoming
Jackson, Wyoming
Lava Hot Springs, Idaho
Milpitas, Idaho

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 Statue 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 1st 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:

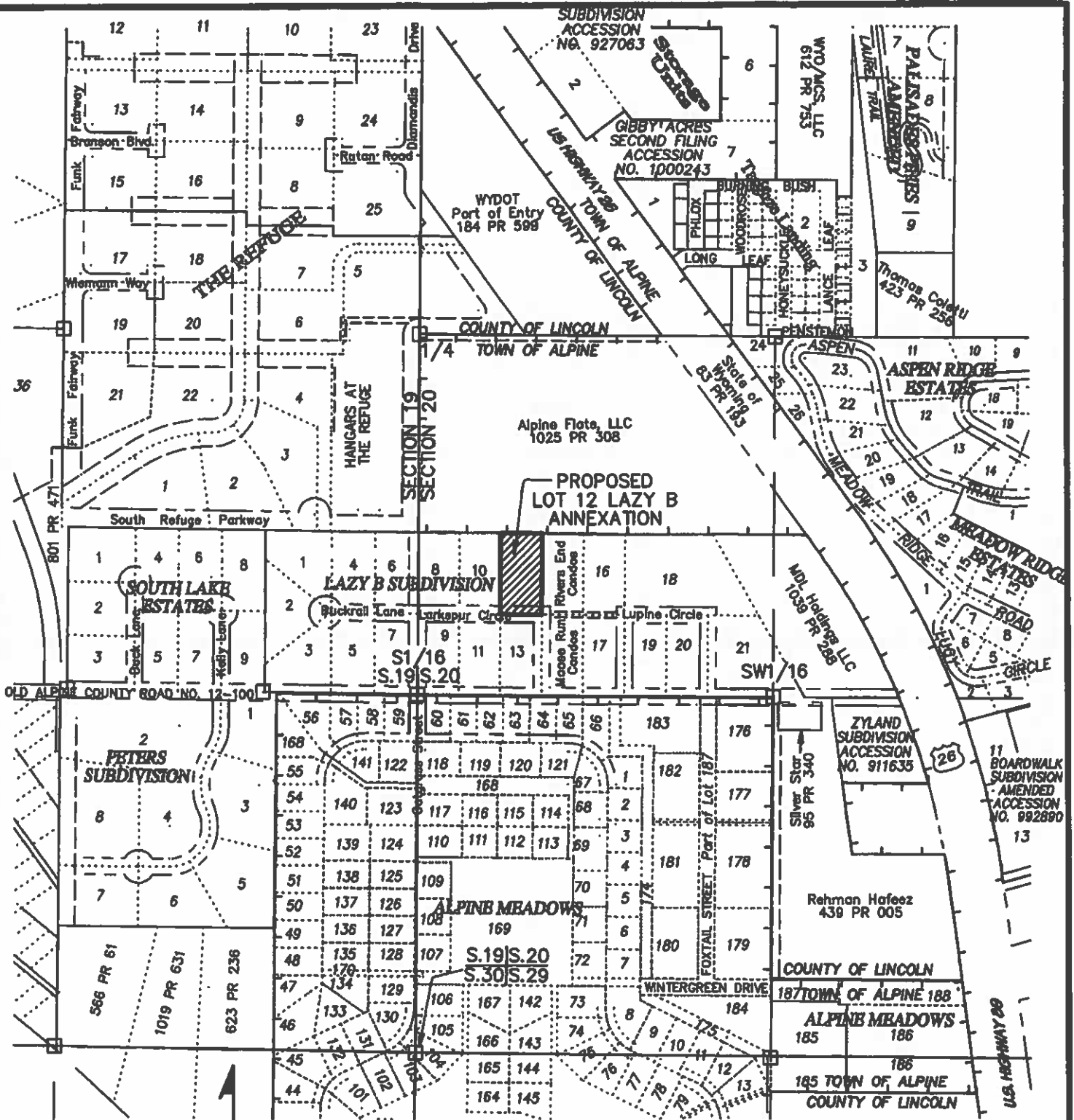
The cost of a sewer connection shall be calculated pursuant to 245 Ordinance 2016-08, Section V, 1. A.–C. and shall be calculated as multiples of ERUs as outlined in the Exhibits contained in said ordinance, based on a residential ERU of 250/375 gpd average day/maximum day flow base fee of \$5,000.00.

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



**LOT 12 LAZY B ANNEXATION
TO THE TOWN OF ALPINE
LINCOLN COUNTY, WYOMING**

SCALE: 1" = 500'

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DATE: 2 March 2022
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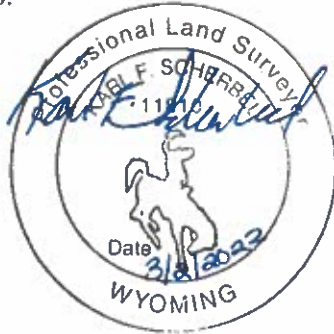
BOX 96 BIG PINEY-MARBLETON, WY TEL. 276-3347; BOX 725 AFTON, WY TEL. 825-8319;
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 Alpine, Wyoming
 Big Horn, Wyoming
 Jackson, Wyoming
 Elko Hot Springs, Idaho
 Chubbuck, Idaho



**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.

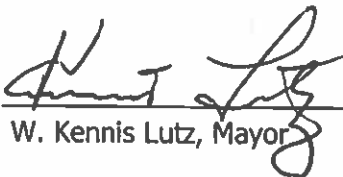
BE IT FURTHER RESOLVED, that W. Kennis Lutz, Mayor of the Town of Alpine, is hereby authorized to sign this resolution and that it is hereby accepted in its entirety and will be effective immediately with the passage of this resolution.

This resolution passed and adopted on this 20th 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