

RAWLINS MUNICIPAL CODE

Title 20

ANNEXATIONS

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Chapter 20.04

ANNEXATIONS

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Section 20.04.009 Article I. General Provisions

Section 20.04.010 Title

This ordinance shall be known and may be cited as the "Rawlins Annexation Ordinance."
(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation.)

Section 20.04.020 Authorization

Authorization for this annexation ordinance is contained in Wyoming Statutes Sections 15-1-401 through 15-1-422.
(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.030 Purpose

The purpose of this ordinance is to promote the public health, safety and general welfare of the community. The overall objective of this ordinance is to consider land annexations as part of a plan for the orderly, efficient and economical development of the land within the city's jurisdiction. The following findings shall be made prior to permitting any territory to be annexed into the city limits:

- A. That the annexation of the area is for the protection of the health, safety and welfare of persons residing in the area and in the city;
- B. That the urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the city;
- C. That the area sought to be annexed is a logical and feasible addition to the city and that the extension of basic services such as water and sewer systems, police and fire protection, and other services customarily available to the residents of the city can be reasonably furnished to the area proposed to be annexed;
- D. That the area sought to be annexed is contiguous with or adjacent to the existing corporate limits of the city, or the area meets the requirements of W.S. 15-1-407;
- E. That not less than 20 days prior to the public hearing all landowners and affected public utilities have received the notice required by W.S. 15-1-402(a)(vi).

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.040 Administration

This ordinance shall be administered by the city community development director.
(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.050 Most restrictive provisions applicable

This ordinance supplements all other laws, regulations, ordinances or resolutions. The more restrictive requirements shall apply where they are at variance with other laws, regulations, ordinances or resolutions.
(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.060 Compliance required

The petitioner for annexation shall comply with all reasonable conditions laid down by the city council for design, dedication, improvement and restrictive use of the land, so as to conform to the physical and economical development of the city and to the safety and general welfare of the future plot owners within the annexed area and of the community at large.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.070 Fees

To effect and facilitate the proper administration of this ordinance and the annexation of properties to the City, the petitioner shall, at the time of submission of his petition to the City Clerk, file therewith amounts as determined by resolution of the City Council from time to time as per Title 1 of this code sufficient to cover the costs incurred in administering, filing and recording of any documents necessary for the annexation of properties into the City. Any fees so established shall be done by resolution passed by the Council of the City.

(Ord. 08a-2008, Amended, 08/19/2008; 05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.079 Article II. Procedure

Section 20.04.080 Compliance required

Any proceedings for annexation of eligible territory to the city shall be subject to the provisions of this ordinance and in compliance with the laws of the state.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.090 Preliminary findings

Prior to or in conjunction with the filing of a petition for annexation as required in this ordinance, the prospective petitioner shall arrange for a preliminary conference with the planning director in order to facilitate planning and subsequent review of the petition for annexation by the city council.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.100 Findings required; when contiguity not deemed affected; annexation report

A. Before any territory is eligible for annexation, the City Council at a hearing as provided in Section 20.04.130 shall find that:

1. An annexation of the area is for the protection of the health, safety and welfare of the persons residing in the area and in the city;
2. The urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the city;
3. The area sought to be annexed is a logical and feasible addition to the city and the extension of basic and other services customarily available to residents of the city 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 city or the area meets the requirements of W.S. 15-1-407;
5. If the city does not own or operate its own electric utility, its City Council is

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prepared to issue one (1) or more franchises as necessary to serve the annexed area pursuant to W.S. 15-1-410; and

6. The city, not less than twenty (20) business days prior to the public hearing required by Section 20.04.130, has sent by certified mail to all landowners and affected public utilities within the territory a summary of the proposed annexation report as required under subsection(C) of this section and notice of the time, date and location of the public hearing required by Section 20.04.130.

B. Contiguity will not be adversely affected by the existence of a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way, a lake, stream, reservoir or other natural or artificial waterway located between the annexing city or town and the land sought to be annexed.

C. The city shall prepare a proposed annexation report as specified in this subsection. The report shall, at a minimum, contain:

1. 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);

2. The total estimated cost of infrastructure improvements required of all landowners by the annexing municipality related to the annexation;

3. A list of basic and other services customarily available to residents of the city or town and a timetable when those services will reasonably be available to the area proposed to be annexed;

4. A projected annual fee or service cost for services described in paragraph (3) of this subsection;

5. The current and projected property tax mill levies imposed by the municipality; and

6. The cost of infrastructure improvements required within the existing boundaries of the municipality to accommodate the proposed annexation.

D. For annexations initiated under Section 20.04.110, the city or town may collect the cost of preparing the proposed annexation report from the petitioning landowners.

E. Before any territory is eligible for annexation the City Council shall prepare for each landowner and affected public utility so requesting in writing, the estimated cost of infrastructure improvements required of the landowner and affected public utility related to the annexation. The request shall be made to the clerk of the annexing municipality not less than then (10) days prior to the public hearing required by Section 20.04.130. The estimate shall be provided to the landowner and affected public utility prior to the hearing.

(05A-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.110 Initiation of proceedings by landowner's petition; validity of signatures; determinations

A. The proceedings for annexation of eligible territory to the City of Rawlins may be initiated by a written petition filed with the clerk of the city, after compliance with the following conditions and procedures.

1. The petition is signed and dated by a majority of the landowners owning a majority of the area sought to be annexed, excluding public streets and alleys and tax exempt property;

2. The petition contains the following detailed information:

(a) A legal description of the area sought to be annexed;

(b) A request that the described territory be annexed;

(c) A statement that each signer is an owner of land and a description of his

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land within the area proposed to be annexed; and

(d) A map of the area.

B. No signature on the petition is valid if it is dated more than one hundred eighty (180) days prior to the date of filing the petition with the clerk. No person signing a petition for annexation may withdraw his signature from the petition after it has been filed with the clerk.

C. The clerk shall, within ten (10) days from the date the petition is filed, determine if the petition substantially complies with this article.

D. If the petition complies, the clerk shall certify compliance, and the procedure outlined in Sections 20.04.100, 20.04.130 and 20.04.140 shall then be followed. If it does not comply the petitioner shall be notified that no further action will be taken on the petition until compliance is made.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.120 Initiation of proceeding by City Council; determination

A. The City Council may initiate proceedings to annex territory by the following procedure:

1. Reasonable evidence shall be procured by the City Council indicating that a specific area meets the conditions and limitations of Section 20.04.100;

2. The City Council shall:

(a) Cause to be prepared a legal description, a listing of the current mailing address of each landowner as shown in the records of the county assessor and a map showing identifiable landmarks and boundaries of the area considered for annexation 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);

(b) Determine if the area considered for annexation complies with Section 20.04.100;

(c) Prepare a proposed annexation report as required by Section 20.04.100(C);

(d) Prepare for each landowner or public utility so requesting in writing, 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. The request shall be made to the city clerk not less than ten (10) days prior to the public hearing required under Section 20.04.130. The foreseeable changes shall be provided to the landowner or public utility prior to the hearing.

B. If the area complies with Section 20.04.100, the City Council shall adopt a resolution certifying compliance, and the procedure outlined in Sections 20.04.130 and 20.04.140 shall then be followed. If the area does not comply, no further action shall be taken on the proposed annexation.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.130 Public hearing required; notice thereof

A. In any annexation proceedings the City Council shall establish a date, time and place for a public hearing to determine if the proposed annexation complies with Section 20.04.100. The hearing shall be held not less than thirty (30) days nor more than one hundred eighty (180) days after the petition has been certified to be complete.

B. The clerk shall give notice of the public hearing by publishing a notice at least twice in a newspaper of general circulation in the territory sought to be annexed. The first notice shall be

given at least fifteen (15) business days prior to the date of the public hearing. The notice shall contain a location map which includes identifiable landmarks and boundaries of the area sought to be annexed 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 notice shall include a summary of the proposed annexation report prepared pursuant to Section 20.04.100. Upon written request to the clerk of the annexing municipality, the clerk shall provide a legal description of the area and the names of the persons owning property within the area.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.140 Annexation ordinance; objections; exceptions; prohibitions

A. If after the hearing the City Council finds that the conditions required by Section 20.04.100 exist and that the required procedures have been met, it shall by ordinance annex the territory. Upon completion of annexation procedures, the city clerk shall file with the county clerk a map of the area to be annexed and a copy of the ordinance approved by the City Council.

B. If more than fifty percent (50%) of the landowners, or if a landowner or landowners owning more than fifty percent (50%) of the area to be annexed file written objections with the city clerk within twenty (20) business days after the hearing under Section 20.04.130 no further action under Section 20.04.120 may be taken on any area within the proposed annexation within two (2) years.

C. If seventy-five percent (75%) or more of the perimeter of the area to be annexed is contiguous to the corporate limits of the annexing city or town, the provisions of subsection (B) of this section do not apply.

D. No annexation under Section 20.04.120 shall create an area, which is situated entirely within the boundaries of the city or town but is not annexed.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.150 When notice and public hearing not necessary; statement required

If the city is the sole owner of any territory whether or not contiguous that it desires to annex, the City Council, by ordinance, may annex the territory to the city or town without notice or public hearing as provided in Section 20.04.130 and without preparing the annexation report or providing the estimates required by Section 20.04.100(C). All ordinances annexing territory without notice and public hearing shall contain a statement that the territory is solely owned by the petitioning city or town.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.160 Effective dates

The annexation of any territory is effective upon publication of the ordinance, unless another date is specified in the ordinance. The effective date of the annexation ordinance shall not be less than twenty (20) business days after the public hearing required by Section 20.04.130. For purposes of real and personal property taxation, the annexation is not effective until January 1 next following the effective date of the ordinance. If an appeal is filed and perfected by a person other than a utility, the effective date is January 1 next following the court's final decision of the matter. If an appeal of the franchise decision is filed and perfected by a utility, the annexation is effective upon the publication of the ordinance unless another date is specified in the ordinance, but the appealing utility shall be permitted to continue its present service in the annexed area until the court's final decision of the matter.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.170 Appeal; determination; time for review

A. If any landowner in the territory proposed to be annexed or any owner of real property in the city, or utility is aggrieved by the acts of the City Council, he may appeal to the district court for a review of the acts or findings thereof.

B. If the court determines that the action taken was capricious or arbitrary, or if it appears from the evidence that the landowner's right in his property is being unwarrantedly invaded or that the City Council abused its discretion, the court shall declare the annexing ordinance void. If the court determines the action of the City Council was proper and valid, it shall sustain the ordinance.

C. All proceedings to review the findings and the decisions of the City Council shall be brought within ten (10) days of the effective date of the annexation ordinance, and if not brought within that time are forever barred.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.180 Extension of laws and rights; extension of public utility service

A. The territory and inhabitants of any annexed area are subject to all the laws, ordinances, rules and regulations of the city or town to which they are annexed and are entitled to all the rights, privileges and franchises or other services afforded the inhabitants thereof. The services shall be provided in accordance with the timetable provided pursuant to Section 20.04.100(C)(3). Notwithstanding any other provision of law, no law, ordinance, rule or regulation of a municipality annexing property under Section 20.04.120 shall restrict the continuous use of the property by a current or subsequent owner of an interest in the property, if the use was existing at any time within the year prior to the date of annexation and was lawful at the time the property was annexed. For purposes of this subsection, a use which has been discontinued for any one (1) year period after the date of annexation shall not be considered continuous and shall not thereafter be reestablished unless in conformance with current law, ordinance, rule or regulation.

B. The City Council shall, within thirty (30) days after the date of the annexation, give written notice of the annexation to all public electric utilities presently providing service within the annexed area and, except in the case of an annexing municipality which owns or operates its own electric utility, any area adjacent to the annexed area. Except in the case of annexing municipality which owns or operates its own electric utility, any of those public utilities required to be notified may, within sixty (60) days after the date of annexation, petition the City Council for a franchise to serve additional portions within the annexed area or the entire annexed area.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.190 When written consent of landowners required for annexation; exception

No tract of land or any part thereof, whether consisting of one (1) parcel or two (2) or more contiguous parcels owned by one (1) landowner or owned jointly by two (2) or more landowners as cotenants, which comprises forty (40) acres or more and which together with the buildings or improvements situated thereon has an assessed valuation in excess of forty thousand dollars (\$40,000.00) as of the current assessment for property tax purposes, may be annexed without the written consent of the landowner or landowners, unless the tract of land is situated entirely within the boundaries of the annexing city or town.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.200 Survey or perambulation of boundaries; when and how to be made; presumption once recorded

- A. If the boundaries of the city are uncertain or incapable of ascertainment, the City Council, by ordinance, may provide for a survey or perambulation thereof. If the survey or perambulation is made, the boundaries shall be marked by substantial monuments, and the person making the survey shall report to the City Council describing the boundaries by metes and bounds. The description as nearly as possible shall refer, if upon surveyed lands, to the corners or lines of the United States surveys. The person making the survey shall also file with the city or town clerk the field notes of his survey. The city or town clerk shall then file a copy of the report and a copy of the field notes certified by the mayor and clerk with the county clerk for the county in which the city or town is located.
- B. Any survey or perambulation made and recorded as provided in subsection A of this section is presumptive of the boundaries of the city or town, and any copy thereof certified by the county clerk shall be received in evidence in any court of this state.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.210 Survey or perambulation of boundaries; oath required; filing thereof

- A. Any person making the survey or perambulation who is not an officer of the city or town, before entering upon the work, shall subscribe an oath to:
 - 1. Faithfully, diligently and to the best of his ability make the survey or perambulation;
 - 2. Make field notes and report accurately the results of the survey and the description of the boundaries.
- B. The oath shall be filed with the city or town clerk and a copy thereof shall be attached to the certificate filed with the county clerk.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.220 Additions to city by subdividing landowners; plat requirements; filing and effect thereof; controlling layout of streets

- A. The owner of any land within or contiguous to the city may subdivide the land into lots, blocks, streets, avenues and alleys and other grounds under the name of (insert name) addition to the City of Rawlins. An accurate map or plat shall be made designating the subdivided land and particularly describing the lots, blocks, streets, avenues and alleys and other grounds of the addition. The lots must be designated by numbers, and the streets, avenues and other grounds by name or numbers.
- B. The plat shall:
 - 1. Be acknowledged before some officer authorized to acknowledge deeds;
 - 2. Have appended a survey made by a land surveyor registered under the laws of this state with a certificate that he has accurately surveyed the addition, and that the parts thereof are accurately staked off and marked with an appropriate metal monument including magnetic iron, inscribed at least with the registration number of the land surveyor to provide source identification, at all lot corners and survey control points of the addition.
- C. When the map or plat is made out, acknowledged, certified and approved by the City Council, it shall be filed and recorded in the office of the county clerk. When filed it is

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equivalent to a deed in fee simple to the city or town from the owner, of all streets, avenues, alleys, public squares, parks and commons and of that portion of the land set apart for public and city use, or dedicated to charitable, religious or educational purposes. All additions thus laid out are a part of the city or town for all purposes, and the inhabitants of the addition are entitled to all the rights and privileges and subject to all the laws, ordinances, rules and regulations of the city.

D. The City Council, by ordinance, may compel the owner of any addition to lay out streets, avenues and alleys to correspond in width and direction and be continuations of the streets, ways and alleys in the city or town or other additions thereto. No addition is valid unless the terms and conditions of the ordinance are complied with and the plat submitted and approved by the City Council.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.230 Exclusion of land for highway purposes

The City Council may exclude from the city land sufficient for the construction of state highways. Notice of the intended action and the time and place of public hearing for objections shall be published once each week for four (4) consecutive weeks prior to the hearing in a newspaper of general circulation within the city. No action may be taken by the City Council to exclude land for highway purposes over the objection of any owner of property to be excluded.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.239 Article III. Conditions of Approval

Section 20.04.240 Right-of-way dedication

Whenever appropriate for the purpose of implementing the master plan of the city or for the purpose of extending existing rights-of-way, the city council may require the dedication of rights-of-way and/or easements through all or portions of the lands to be annexed.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.250 Off-site improvements

Where appropriate, the city council may require the petitioner to construct, at his own expense, such off-site improvements which may be reasonably required to serve the annexing properties in order to provide adequate and efficient transportation, water, sewage and other public facilities in order to avoid excessive expenditure of public funds for the supply of such facilities. The improvements may include, but need not be limited to the following:

- A. Sanitary sewer lines to, through and adjacent to the annexing property;
- B. Water line extensions to, through and adjacent to the annexing property;
- C. Street improvements through and adjacent to the annexing property;
- D. Storm drainage improvements and facilities within the adjacent to the annexing property.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.260 Cost payment

When appropriate, the city council may require as a condition of annexation, payment for a reasonable fair share of the cost of existing public facilities which have been installed to, through or adjacent to the annexing property. The public facilities may include, but need not be limited to, sanitary sewers, water mains, street improvements or storm drainage facilities.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.270 Public land donation

When appropriate for the purpose of implementing the master plan of the city, the city council may require that a portion or portions of the annexing properties be reserved for future parks and/or recreational sites, school sites or open spaces.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.280 Improvement completion guarantee

All improvements which may be required by the city council as a condition of annexation shall be sufficiently guaranteed in writing. A performance bond or other form of assurance acceptable to the city council and the city attorney in accord with the requirements for the same as provided in the subdivision regulations shall be provided by the petitioner prior to final approval of the proposed annexation by the city council.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.289 Article IV. Specifications

Section 20.04.290 Plat size, materials and map

The annexation plat shall be accurately and legibly prepared in black, waterproof ink upon one or more sheets of polyester film measuring twenty-four inches by thirty-six inches. A marginal line shall be drawn completely around each sheet leaving an entirely blank margin of two inches on the left side and one-half inch on all other sides. All signatures shall be in black, waterproof ink. The scale of the map shall be a maximum of one hundred feet to an inch unless otherwise authorized by the city council. A location map showing the annexation property in relation to the section it resides in shall be provided at a scale of 1"=1000'. All rights-of-ways and subdivisions shall be shown and labeled. An electronic/digital copy of the annexation plat shall be provided at a scale and format acceptable to the city at the time the plat is accepted. The electronic/digital copy shall reflect the plat as it appears on polyester film without signatures.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.04.300 Plat contents

The following items shall be included on the annexation plat:

A. Name of the annexation, date, label "annexation plat," written and graphic scale, north arrow. The title of the annexation plat shall contain a subtitle which indicates the quarter section, section, township and range in which the annexation is located.

B. An accurate and complete boundary survey shall be made of the lands to be annexed. A traverse of the exterior boundaries of the lands to be annexed when computed from field measurements on the ground, must close within a limit of one foot to ten thousand feet of perimeter. The boundary of the annexation shall be clearly indicated on the plat. All lines shown on the plat which do not constitute a part of the annexation shall be dashed.

C. The annexation plat shall show all survey and mathematical information and data necessary to locate all monuments and to locate and retrace any and all interior and exterior boundary lines appearing thereon including bearings and distances of straight lines, and radii, lengths, tangent

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distances and deflection for all circular curves. Where, under unusual circumstances, curves other than circular are used, the plat must indicate type of curve and pertinent data.

D. All rights-of-way or parcels required to be dedicated for any purpose shall be particularly delineated and designated with all dimensions, boundaries and courses clearly shown and defined in every case. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every parcel which is a part thereof. The area of each parcel shall be shown with an accuracy of 1:100.

E. The annexation plat shall show fully and describe clearly what stakes, monuments and/or evidence which were used to determine the boundaries of the legal description of the annexation where found on the ground. The final plat shall also show fully and clearly, each adjacent corner of each adjoining subdivision or portion thereof, by lot and block numbers, tract names or number, and place of record; or by section, township or range; or by other proper designation. The location of all monuments placed in making the survey and if any points were reset by ties, that information shall be stated. Affixed securely to the top of each such monument established shall be the Wyoming registration number of the land surveyor responsible for the establishment of the monument. These monuments shall be set at all angle points, and at the beginning, end, and points of change of direction or change of radius of any curved boundaries. To insure accurate resurveys and future adjacent platting, ties to at least two section corners and/or quarter section corners shall be shown on the annexation plat. Information differing from previous annexations and subdivisions shall be shown in parenthesis.

F. The annexation plat shall contain a certificate signed and acknowledged by all parties having any record title interest in the land being annexed consenting to the annexation of the subject properties.

G. A certificate, signed and acknowledged as above, offering for dedication, all parcels of land shown on the annexation plat and intended for any public dedication, whenever the dedications are required as a condition of annexation.

H. A certificate shall be signed by a registered land surveyor in the state, stating that he is responsible for the survey and that the plat accurately depicts the lands being annexed and the survey. A statement by the land surveyor explaining how bearings were determined shall be included on the plat. The signature of the surveyor shall be accompanied by his registration number.

I. Certificate for execution by each of the following:

1. City attorney;
2. Public works director;
3. Mayor;
4. City Clerk;
5. Planning director;
6. Recorder's certificate

J. Legal description of the lands being annexed and reflecting the boundary survey and including the section, township and range. The method of description shall be by use of the standard land measurement term and/or by use of metes and bounds except in cases of previously subdivided land, the subdivision, block, tract and/or lot shall also be described. A complete legal description is also required of all the property being annexed, shown by reference to maps or deeds of the property shown thereon, as has been previously recorded or filed. Each reference to the description, to any tract or subdivision, shall be spelled and worded identically with the original record thereof, and must show book and page reference to record of the county. The description shall also include reference to any vacated area with the book and page number of the instrument of vacation, and any excepted tract shall be described as in the original instrument.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

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Section 20.04.310 Subdivision annexation

When a petition for annexation includes only lands being subdivided or resubdivided, the annexation plat shall consist of the approved subdivision plat and shall conform to all the requirements set forth in the subdivision regulations. The more restrictive or strict requirements shall apply where there is a variance between this ordinance and the subdivision regulations.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Chapter 20.08

LOT BOUNDARIES

Sections:

- 20.08.010 Surveyor required**
- 20.08.020 Lot markers**
- 20.08.030 Record**

Section 20.08.010 Surveyor required

All lot boundary surveys or resurveys performed within the corporate limits of the city shall be performed by or under the supervision of a surveyor properly licensed therefor under the laws of the state. All such surveys shall be performed according to generally accepted surveying practices.
(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.08.020 Lot markers

Lot markers on property corners set during the course of such surveys, or resurveys shall conform to the following requirements:

- A. In firm soil, No. 5 steel rebar eighteen to twenty-four inches long with metal caps or tags identifying the corner.
- B. In concrete walks or curbs, three-fourths-inch diameter blind rivet with one-fourth-inch diameter shank.
- C. In solid rock, blind rivet as in subsection B of this section or one-fourth-inch diameter by three inch long iron bar grouted in drilled hole two inches deep.

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)

Section 20.08.030 Record

Not later than fourteen days after the completion of any survey or resurvey, the surveyor shall file with the office of the director of community development, a record of such, including the following information:

- A. Name, address and applicable license number of person certifying the survey;
- B. The dates on which the survey was made;
- C. A drawing of the survey identifying its location by addition, block number and lot numbers of the land surveyed, or such other description as will readily identify the location of the land surveyed. The drawing shall show the location and type of property corners found and used during the course of the survey (e.g. spike, pipe with survey cap, concrete monument, etc.), the dimensions and angles turned on all lines included in the survey;
- D. Field and/or office data indicating how the point and line of beginning were established and the tolerance used as well as any adjustments made to insure mathematical closure of the survey;
- E. Drawings shall be submitted on sheets eight and one-half inches by fourteen inches drawn to scale, the scale used shall be such as to insure adequate showing of detail as may be required by the director of community development.
- F. An electronic/digital copy of the survey shall be provided at a scale and format acceptable to the city at the time the survey is accepted. The electronic/digital copy shall reflect the survey as it appears on the hard copy.

RAWLINS MUNICIPAL CODE

(05a-2004, Added, 05/18/2004, 05-2004 repealed previous Title 20 Annexation)