

RESOLUTION 15-09-024
VACATION OF ALLEYS IN DOWNER ADDITION, BLOCKS 74-77
AND RESERVATION OF UTILITY EASEMENT

WHEREAS, pursuant to Wyoming Statute §§ 24-3-101 et seq., and W.S. § 34-12-107 the Board of County Commissioners ("Board") for Sheridan County, Wyoming, may establish, alter, or vacate a county or subdivision road when it finds the public interest so requires;

WHEREAS, the Board finds that Alleys in Downer Addition, Blocks 74-77 should be vacated and that a utility easement should be reserved;

WHEREAS, the point of commencement, course, and termination point of Alleys in Downer Addition, Blocks 74-77 are described on the attached Exhibit 1 and shown on the Map of the Downer Addition to Sheridan, Wyoming October 1912 recorded in the Office of County Clerk and Recorder;

WHEREAS, on April 30, 2015 the County Clerk received a Petition to Vacate Alleys in Downer Addition, Blocks 74-77;

WHEREAS, on May 19, 2015, the Board appointed Ken Muller to act as the Viewer and, after taking his Oath of Viewer, he filed a written report with the Board on July 27, 2015, recommending that said vacation be granted with the stipulation that prior to the Board granting said vacation Petitioners shall file with the County Clerk an easement for utilities located in Block 74 with the description of the easement being created by a Licensed Land Surveyor for the Montana-Dakota Utility Company (MDU);

WHEREAS, on August 4, 2015, the Board adopted Resolution 15-08-020 Notice of Intent to Vacate Alleys in Downer Addition, Blocks 74-77 which set the date for receipt of written objections and claims for damages and set the date of the meeting wherein the Board would consider the establishment of said County Road;

WHEREAS, Notice of the proposed vacation of Alley in Downer Addition, Blocks 74-77 was posted on Sheridan County's Official website and published in The Sheridan Press on August 24, 2015 and August 31, 2015;

WHEREAS, said Notice was also provided to those persons identified as interested parties and to the City;

WHEREAS, no written objections or claims for damages were received; and

WHEREAS, on September 15, 2015, the Board heard public comment regarding said vacation.

NOW, THEREFORE, THE BOARD RESOLVES THAT:

1. It is in the public interest and for the public good that said Alleys in Downer Addition, Blocks 74-77 should be vacated.
2. The Alleys in Downer Addition, Blocks 74-77 having a point of commencement, course, and termination as described on the attached Exhibit 1 and as shown on the Map of the Downer Addition to Sheridan, Wyoming October 1912 recorded in the Office of County Clerk and Recorder are hereby vacated.
3. The Board hereby reserves a perpetual, permanent, and non-exclusive utility easement, to Montana-Dakota Utilities Company (MDU) for construction, installation, maintenance, operation, repair, replacement, and use of utilities

located in the south one hundred thirty (130) feet of the sixteen (16) foot wide alley, in Block 74 of the Map of the Downer Addition to Sheridan, Wyoming October 1912 recorded in the Office of the County Clerk and Recorder, as shown on the attached Exhibit 1.

4. This Resolution shall be recorded in the Office of the County Clerk and Recorder for Sheridan County, Wyoming.
5. The Office of the County Clerk and Recorder for Sheridan County, Wyoming shall note on the plat, in the county road records, and the county land records, as appropriate, that the Alleys in Downer Addition, Blocks 74-77 as described herein are vacated.
6. This Resolution supersedes all previous resolutions in conflict herewith.
7. If a court finds any section or part of a section of this Resolution unconstitutional or otherwise invalid, the remaining sections shall remain in full effect.
8. This Resolution shall be effective immediately upon its adoption in accordance with law.

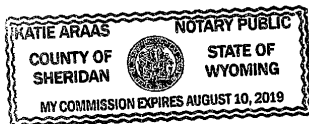
ADOPTED: November 17, 2015

**BOARD OF COUNTY COMMISSIONERS
SHERIDAN COUNTY, WYOMING**

BY: 
Chairman

STATE OF WYOMING)
)
County of Sheridan)

This instrument was acknowledged before me on the 17 day of November,
20 15 by Tom Ringley, as Chairman of the Board of County
Commissioners for Sheridan County, Wyoming.



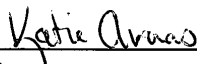

Notary Public



EXHIBIT 1

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MAP OF DOWNERS ADDITION TO SHERIDAN WYOMING OCTOBER, 1911 Sub. Map 15, 8th

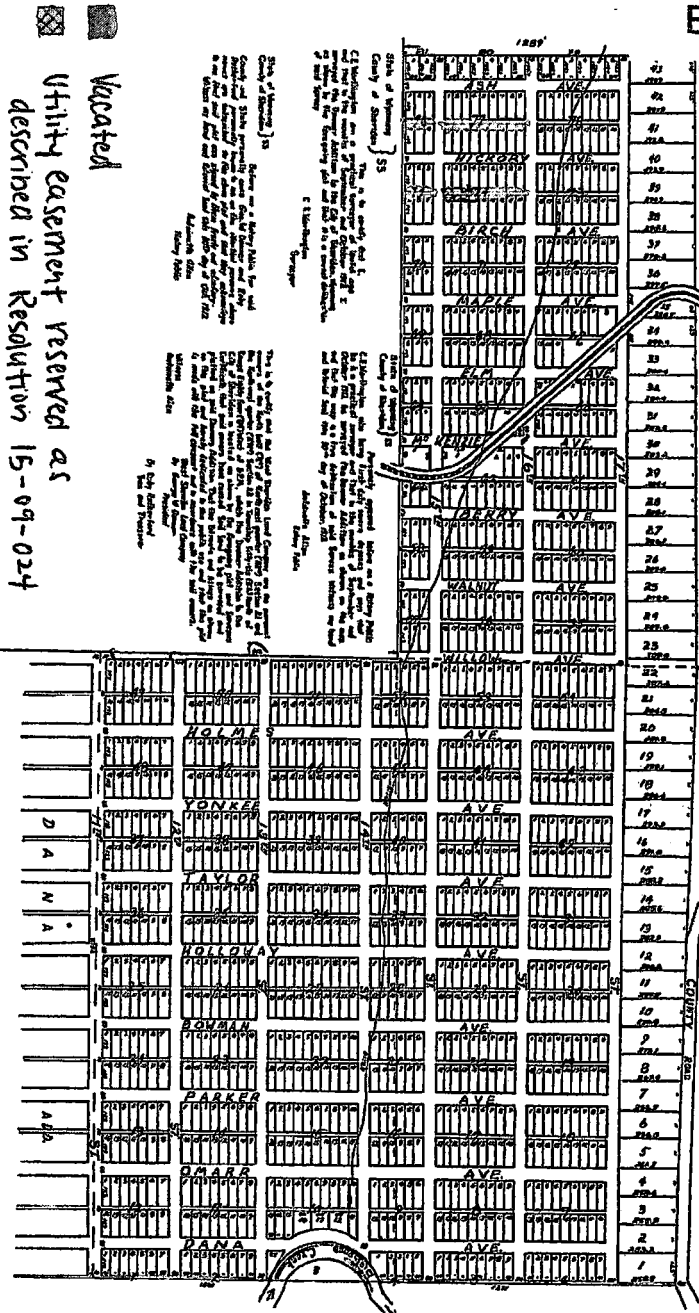
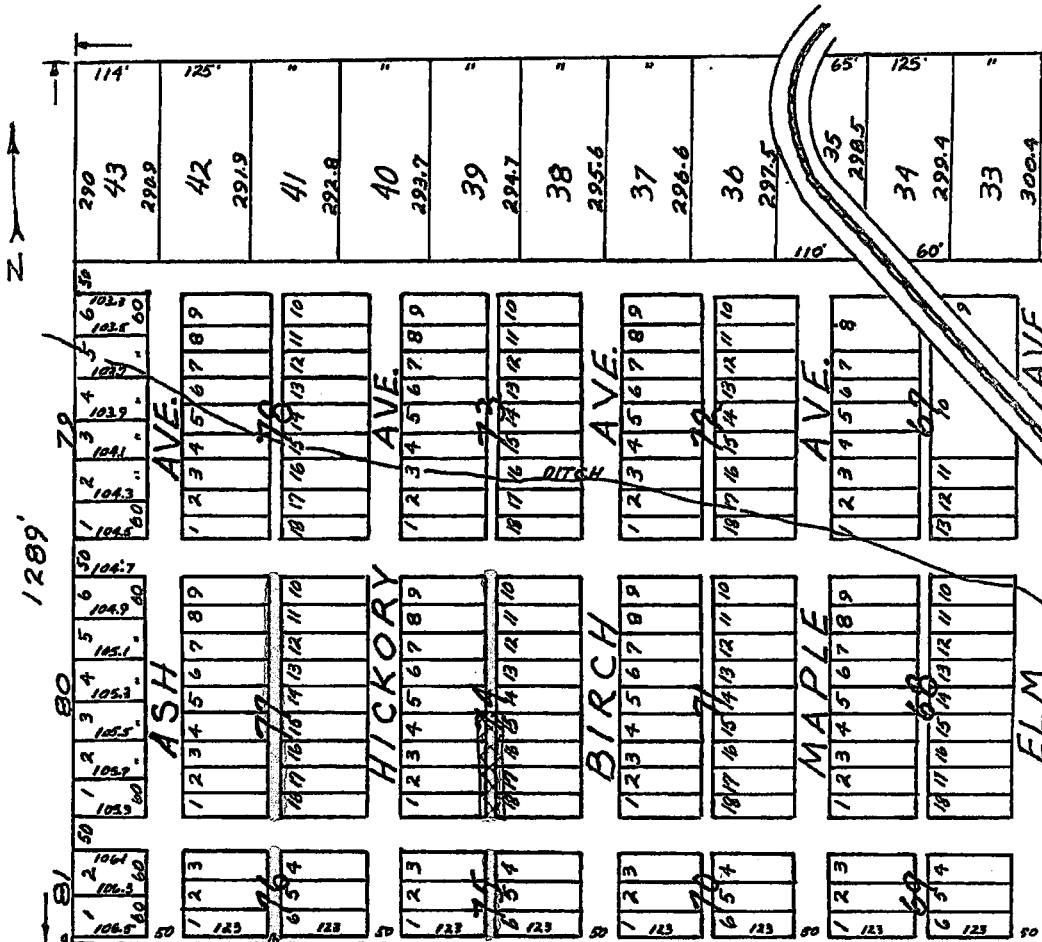




EXHIBIT 1

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State of Wyoming }
County of Sheridan } SS

State
County

This is to certify that I,
C.E. Worthington am a practical surveyor of lawful age

C.E. Wor
he is a

■ Vacated

▣ Utility easement reserved as described
in Resolution 15-09-024

NO. 2016-725065 RESOLUTION

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
SARAH MYERS