

**CITY OF SHERIDAN**  
**Resolution 04-20**

A RESOLUTION vacating .45 acres of the Hill Court right-of-way, located in the Colony South Addition.

**Whereas**, the owner adjacent to Hill Court ROW has petitioned the City Council requesting that Hill Court right-of-way be vacated; and

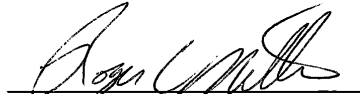
**Whereas**, this request for a right-of-way vacation meets the requirements of Sheridan City Code §205;

**Whereas**, this request benefits the City of Sheridan by removing problematic lots, the City shall waive the square foot fee;

**Now, therefore, be it resolved by the City Council of the City of Sheridan:**

That Hill Court, located in the Colony South Addition to the City of Sheridan, is hereby vacated.

Passed, approved and adopted this 18<sup>th</sup> day of February, 2020.

  
Roger Miller, Mayor

Attest:

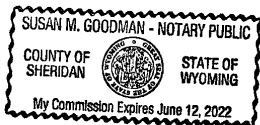
  
Cecilia Good, City Clerk




State of Wyoming )  
                          )SS  
County of Sheridan )

Subscribed and sworn to (or affirmed) before me this 3rd day of march

2020 by Roger Miller.



  
Notary Public

My commission expires: June 12, 2022

## RIGHT OF WAY VACATION EXHIBIT A

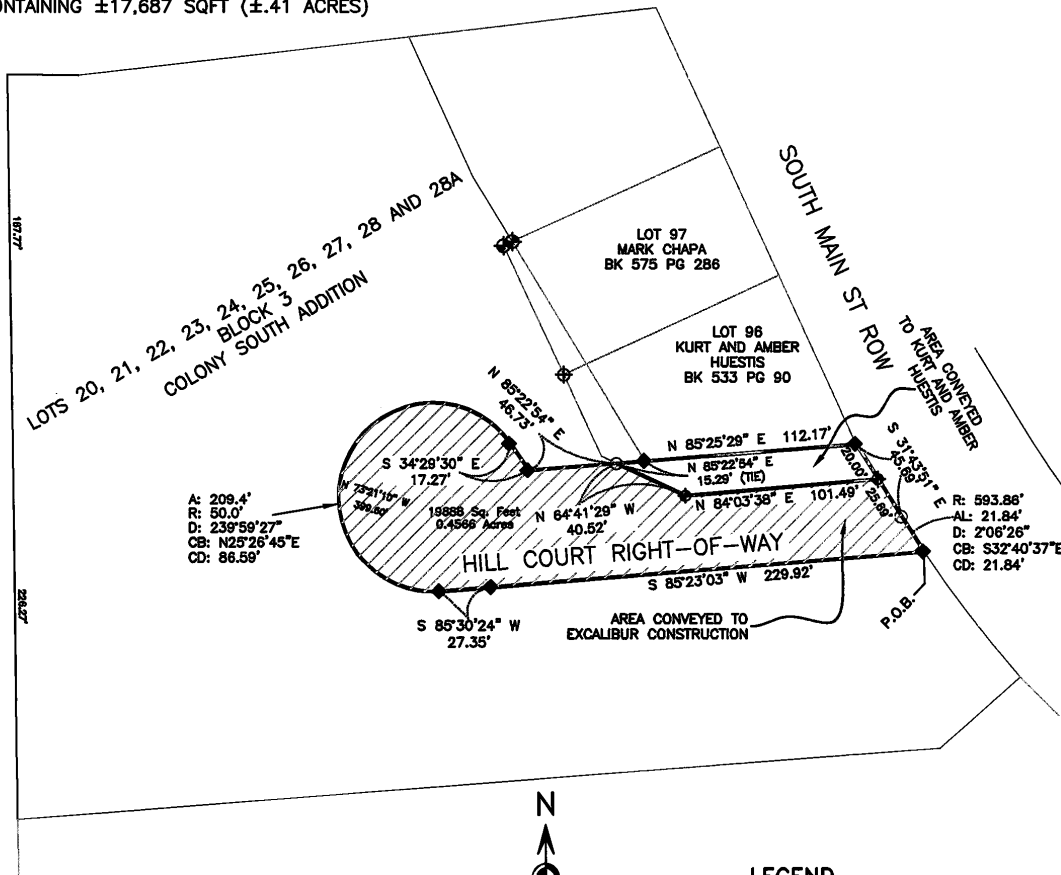
HILL COURT RIGHT-OF-WAY, COLONY SOUTH ADDITION TO THE TOWN, NOW CITY OF SHERIDAN,  
LOCATED IN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$  OF SECTION 34, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M.,  
SHERIDAN COUNTY, WYOMING  
CONTAINING  $\pm$ .41 ACRES

HILL COURT RIGHT-OF-WAY ESTABLISHED BY COLONY SOUTH ADDITION PLAT:  
RECORDED IN PLAT BOOK 1, PAGE 140, NO 684410, ON APRIL, 29, 1976.

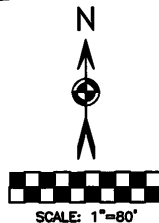
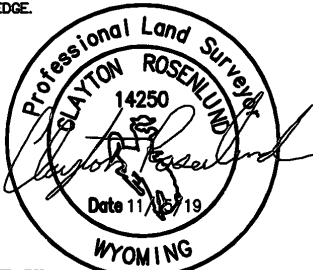
### AREA TO BE CONVEYED TO EXCALIBUR CONSTRUCTION:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF HILL COURT AND THE WESTERN  
RIGHT-OF-WAY LINE OF SOUTH MAIN STREET, SAID POINT BEING THE POINT OF BEGINNING OF SUBJECT  
PARCEL; THENCE S 85°23'03" W, 229.92 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE OF HILL COURT;  
THENCE S 85°30'24" W, 27.35 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE; THENCE ALONG SAID SOUTH  
RIGHT-OF-WAY LINE THROUGH A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET, AN ARC LENGTH OF  
209.4 FEET, A DELTA ANGLE OF 239°59'30", A CHORD BEARING OF N 25°26'45" E AND A CHORD LENGTH OF  
86.59 FEET; THENCE S 34°29'30" E, 17.27 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HILL COURT;  
THENCE N 85°22'54" E 46.73 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S  
64°41'29" E, 40.52 FEET; THENCE N 84°03'38" E 101.49 FEET TO A POINT ON SAID WESTERN RIGHT-OF-WAY  
LINE OF SOUTH MAIN STREET; THENCE S 31°43'51" E, 25.69 FEET ALONG SAID WESTERN RIGHT-OF-WAY LINE;  
THENCE ALONG SAID WESTERN RIGHT-OF-WAY LINE THROUGH A CURVE TO THE LEFT HAVING A RADIUS OF  
593.86 FEET, AN ARC LENGTH OF 21.84 FEET, A DELTA ANGLE OF 2°06'26", A CHORD BEARING OF S  
32°40'37" E AND A CHORD LENGTH OF 21.84 FEET TO THE POINT OF BEGINNING.

CONTAINING  $\pm$ 17,687 SQFT ( $\pm$ .41 ACRES)



SURVEYOR'S CERTIFICATE:  
I, CLAYTON P. ROSENBLUND DO HEREBY CERTIFY THAT THIS  
PLAT WAS MADE FROM AN ACTUAL FIELD SURVEY PERFORMED  
BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT  
CORRECTLY SHOWS THE LOCATION TO THE BEST OF MY  
KNOWLEDGE.



BASIS OF BEARINGS ARE  
US STATE PLANE, NAD 83 WYOMING EAST  
CENTRAL ZONE  
DISTANCES ARE GROUND (US SURVEY FEET)  
PAF:1.000235

### LEGEND

- SET 1.5" AC LS 14250
- FOUND 1.5" AC-PLS 10287
- FOUND 2" IRON PIPE W/ 5/8 REBAR
- CALCULATED CORNER
- A.C. ALUMINUM CAP
- R.O.W. RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
- AREA TO BE CONVEYED
- SUBJECT PARCEL BOUNDARY

PREPARED BY:

Cannon Consulting LLC (307) 752-0109 201 E 6TH ST, SHERIDAN, WY, 82801

FOR:  
EXCALIBUR CONSTRUCTION, LLC  
2275 DRY RANCH ROAD  
SHERIDAN, WYOMING

Date: 11/15/19

## RIGHT-OF-WAY VACATION EXHIBIT B

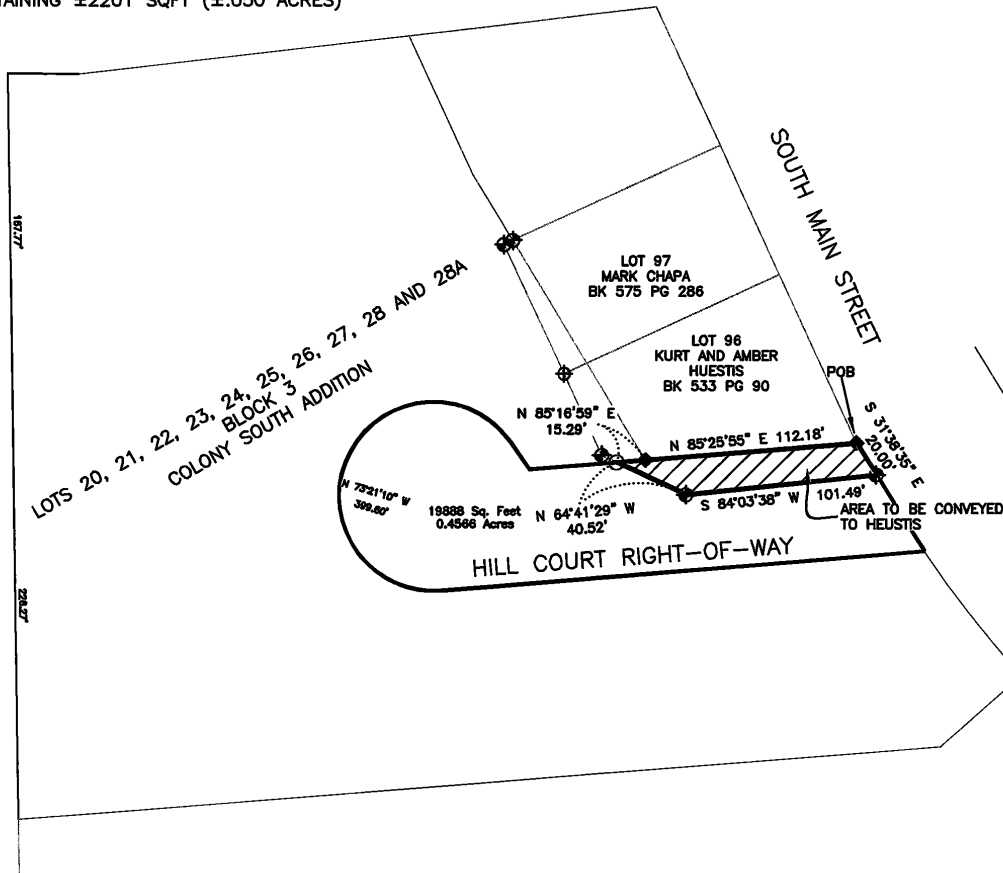
HILL COURT RIGHT-OF-WAY, COLONY SOUTH ADDITION TO THE TOWN, NOW CITY OF SHERIDAN,  
LOCATED IN THE NE¼SE¼ OF SECTION 34, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M.,  
SHERIDAN COUNTY, WYOMING  
CONTAINING ±.05 ACRES

### LEGAL DESCRIPTION

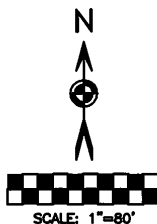
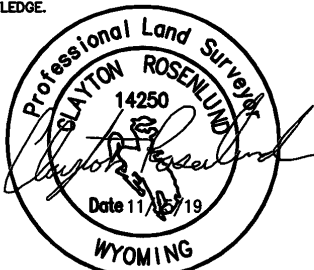
(AREA TO BE CONVEYED TO KURT AND AMBER HUESTIS)

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF HILL COURT AND THE WESTERN  
RIGHT-OF-WAY LINE OF SOUTH MAIN STREET; THENCE S 31°38'35" E, 20.00 FEET ALONG SAID WESTERN  
RIGHT-OF-WAY LINE OF SOUTH MAIN STREET TO A POINT; THENCE S 84°03'38" W, 101.49 FEET; THENCE N  
64°41'29" W, 40.52 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HILL COURT; THENCE N  
85°16'59" E, 15.29 FEET TO THE SOUTHWEST CORNER OF LOT 96, SHELTERED ACRES SUBDIVISION; THENCE  
ALONG SAID NORTH RIGHT-OF-WAY LINE (ALSO THE SOUTH LINE OF SAID LOT 96) N 85°25'55" E, 112.18  
FEET TO THE POINT OF BEGINNING.

CONTAINING ±2201 SQFT (±.050 ACRES)



SURVEYOR'S CERTIFICATE:  
I, CLAYTON P. ROSENBLUND DO HEREBY CERTIFY THAT THIS  
PLAT WAS MADE FROM AN ACTUAL FIELD SURVEY PERFORMED  
BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT  
CORRECTLY SHOWS THE LOCATION TO THE BEST OF MY  
KNOWLEDGE.



BASIS OF BEARINGS ARE  
US STATE PLANE, NAD 83 WYOMING EAST  
CENTRAL ZONE  
DISTANCES ARE GROUND (US SURVEY FEET)  
PAF:1.000235

### LEGEND

- ◆ SET 1.5" AC LS 14250
- ◆ FOUND 1.5" AC-PLS 10287
- ⊕ FOUND 2" IRON PIPE W/ 5/8 REBAR
- CALCULATED CORNER
- A.C. ALUMINUM CAP
- R.O.W. RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
- ▨ AREA TO BE CONVEYED
- SUBJECT PARCEL BOUNDARY

PREPARED BY:

Cannon Consulting LLC (307) 752-0109 201 E 6TH ST, SHERIDAN, WY, 82801

FOR:

KURT AND AMBER HUESTIS  
1460 SOUTH MAIN STREET  
SHERIDAN, WYOMING

Date: 11/15/19

**PETITION FOR RIGHT OF WAY VACATION**

**TO THE CITY COUNCIL OF THE CITY OF SHERIDAN, WYOMING:**

Pursuant to the provisions of Sheridan City Code Appendix B§ 205, and applicable state statutes, the undersigned landowner(s) respectfully petition and show the City Council as follows:

1. This is a petition for the vacation of right-of-way within the city limits of Sheridan, Wyoming, having a legal description as follows: See Attached.
2. Excalibur Construction - Andrew McFaul, and Kurt and Amber Huestis are the owners of the abutting property who have signed this petition for vacation.
3. A survey of the area sought to be vacated is attached hereto and made a part hereof.
4. The petitioners certify that they represent a majority of the property owners, owning a majority of the property abutting the right-of-way to be vacated.
5. Petitioners hereby request that said lands be vacated for the following reason(s):  
Hill Court serves no useful purpose. Hill Court is currently the right of way access to a major subdivision that can never be built due to the hillside being too steep to construct a residential dwelling. With the vacation of Hill Court, the possibility to build closer to the street and improve surrounding homes' values, becomes possible.

Therefore, Petitioners pray said right-of-way be vacated pursuant to and in accordance with the applicable Wyoming Statutes and City Ordinances after proper notice and public hearing.

Dated this 24<sup>th</sup> day of October, 2019.

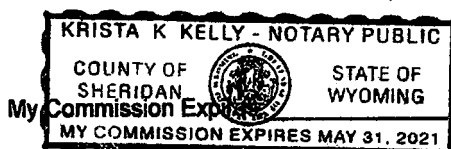
Signed by the Petitioners (attach more sheets as necessary):

[Signature]  
Amber Huestis  
Andrew McFaul

KURT HUESTIS  
Amber Huestis  
Andrew McFaul

STATE OF Wyoming )  
COUNTY OF Sheridan ) ss

The above and foregoing was subscribed, sworn to, and acknowledged before me by [Signature] this 24<sup>th</sup> day of October, 2019.



Notary Public

[Signature]

## EXHIBIT OF ROW VACATION

### AREA TO BE CONVEYED TO EXCALIBUR CONSTRUCTION

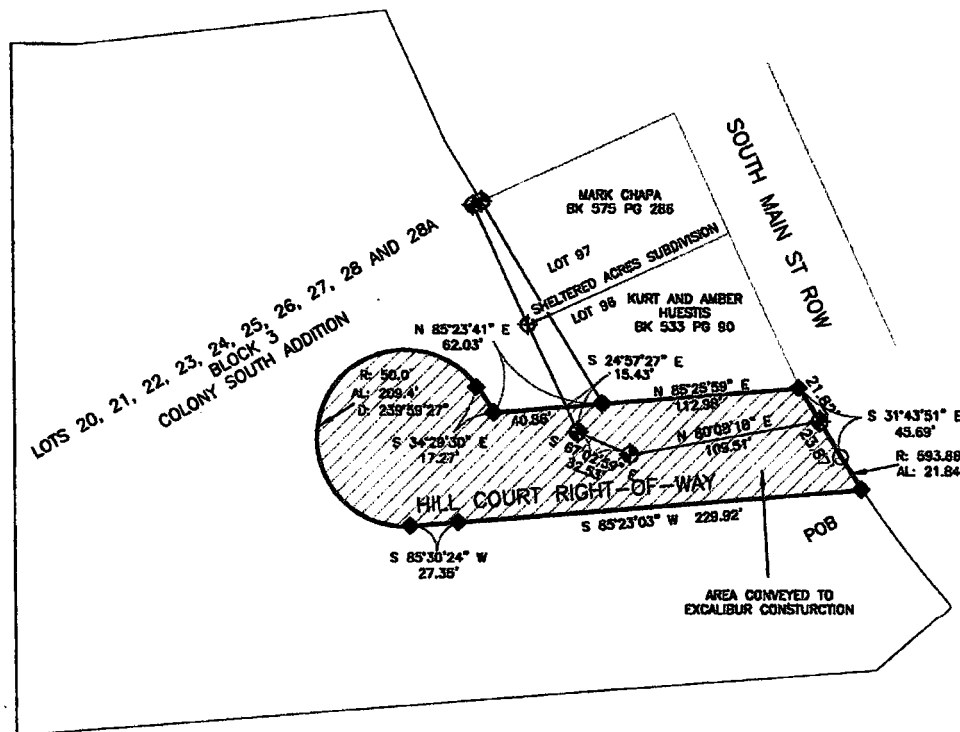
HILL COURT ROW, COLONY SOUTH ADDITION TO THE TOWN, NOW CITY OF SHERIDAN, LOCATED IN THE NE1/4 OF SECTION 34, TOWNSHIP 59 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING  
 CONTAINING 2.45 ACRES

HILL COURT ROW ESTABLISHED BY COLONY SOUTH ADDITION PLAT:  
 RECORDED IN PLAT BOOK 1, PAGE 140, NO 684410, ON APRIL, 28, 1978.

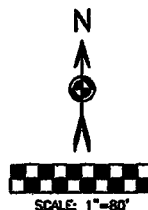
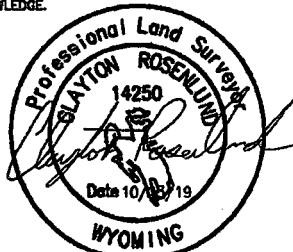
#### LEGAL DESCRIPTION:

HILL COURT RIGHT-OF-WAY (ROW) MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF HILL COURT AND THE WESTERN RIGHT-OF-WAY LINE OF SOUTH MAIN STREET; THENCE S 85°23'03" W, 229.92 FEET; THENCE S 85°30'24" W, 27.35 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET, ARC LENGTH OF 209.4 FEET AND A DELTA ANGLE OF 239°59'27"; THENCE S 34°29'30" E, 17.27 FEET; THENCE N 85°23'41" E 62.03 FEET TO THE SOUTHWEST CORNER OF LOT 96 OF SHELTERED ACRES SUBDIVISION; THENCE N 85°29'59" E, 112.88 FEET ALONG SAID LOT 96 SOUTH LINE TO A POINT ON SAID WESTERN RIGHT-OF-WAY LINE; THENCE S 31°43'51" E 45.69 FEET, ALONG SAID WESTERN RIGHT-OF-WAY LINE; THENCE ALONG SAID WESTERN RIGHT-OF-WAY LINE THROUGH A CURVE TO THE LEFT HAVING A RADIUS OF 593.86 FEET AND AN ARC LENGTH OF 21.84 FEET, ALONG SAID WESTERN RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING CONTAINING .45 ACRES MORE OR LESS



**SURVEYOR'S CERTIFICATE:**  
 I, CLAYTON P. ROSENBLUND DO HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM AN ACTUAL FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT CORRECTLY SHOWS THE LOCATION TO THE BEST OF MY KNOWLEDGE.



BASIS OF BEARINGS ARE  
 US STATE PLANE, NAD 83 WYOMING EAST  
 CENTRAL ZONE  
 DISTANCES ARE GROUND (US SURVEY FEET)  
 PAF:1.000235

#### LEGEND

- ◆ SET 1.5" AC LS 14250
- ◆ FOUND 1.5" AC-PLS 10287
- ⊕ FOUND 2" IRON PIPE AS NOTED
- AC ALUMINUM CAP
- ROW RIGHT OF WAY
- POB POINT OF BEGINNING
- AREA TO BE VACATED
- ROW BOUNDARY LINE

PREPARED BY:  
 Cannon Consulting LLC (307) 752-0169 201 E 6TH ST, SHERIDAN, WY, 82801

FOR: EXCALIBUR CONSTRUCTION, LLC  
 2275 DRY RANCH ROAD  
 SHERIDAN, WYOMING  
 Date: 10/23/19

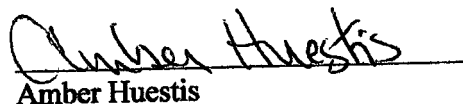
## Hill Court Vacation Agreement

THIS AGREEMENT is made and entered into this 19<sup>th</sup> day of December, 2019, by and between Kurt Huestis, Amber Huestis, and Excalibur Construction. All of the above-named parties are the property owners of the land and property which surrounds Hill Court, an existing Right of Way for the City of Sheridan.

THE ABOVE-NAMED PARTIES, through this vacation process of Hill Court, are aware of, agree to and will comply with the following terms:

1. Wyoming State Statute on vacation of land is written so that unless the parties dually agree to other terms and land division, each property owner would be fully entitled to exactly half of the vacation of any City Right of Way that directly affects them.
2. The dually agreed to division of land and allocation of Hill Court is based on an existing signed agreement between the parties. Per existing agreement, this division of Hill Court is not a fifty-fifty split.
3. Excalibur Construction, owned by an above-named party, agrees to provide Huestis, and above-named party with enough materials so that Huestis may build a cedar fence on that property.
4. Excalibur Construction, agrees to gift a portion of their land, to Huestis. This gifted portion of land is referenced on the existing agreement dated October 07, 2019. The gifted land is agreed to be the land in which Huestis already has a partial fence located on.

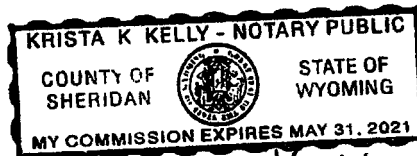
  
Kurt Huestis

  
Amber Huestis

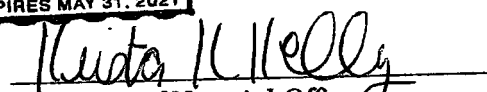
  
Excalibur Construction

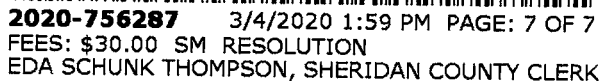
This agreement acknowledged before me on the 19<sup>th</sup> day of December, 2019.

WITNESS my hand and official seal.

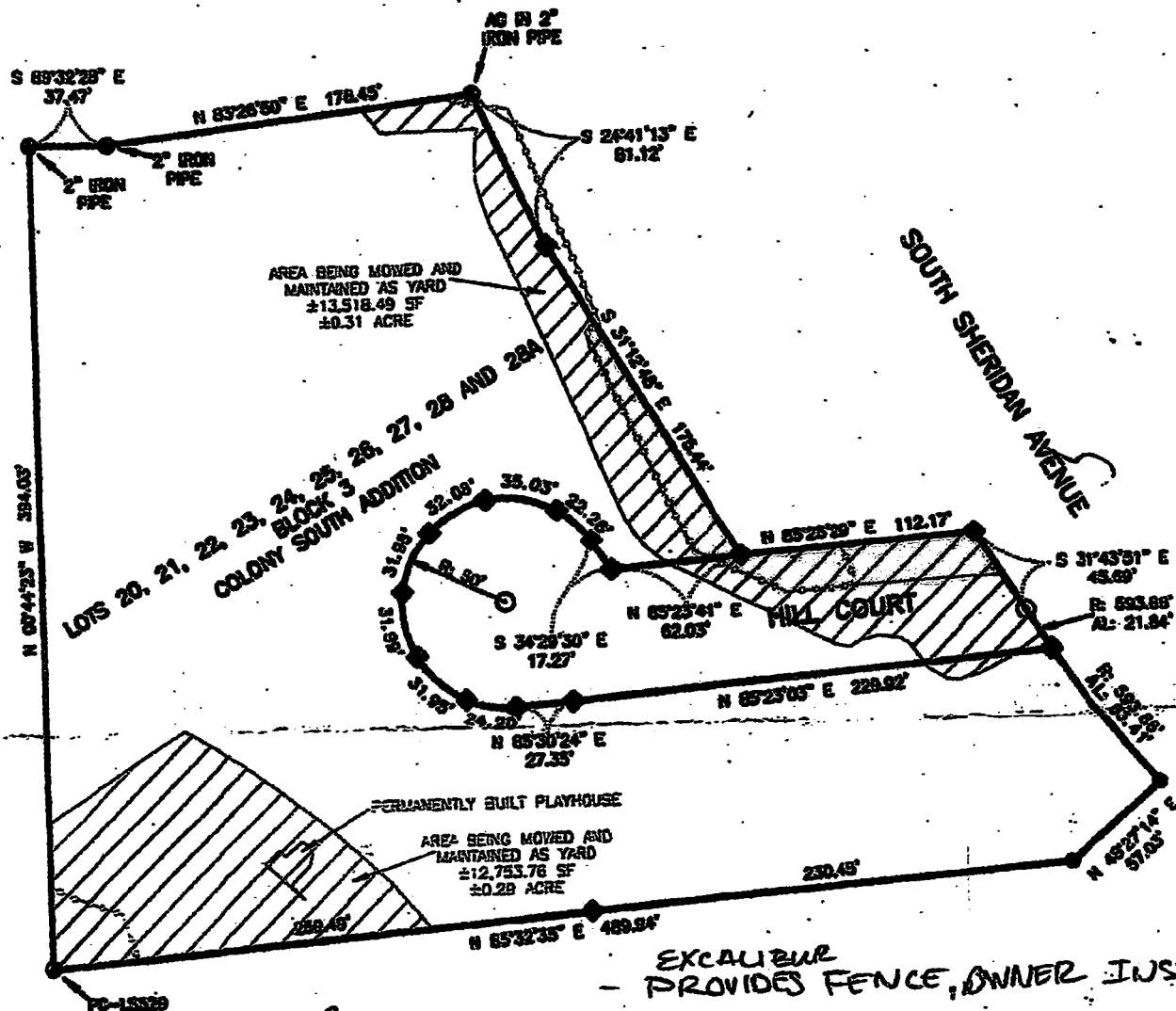


My Commission expires: 5-31-21

  
Signature of Notarial Officer  
Title: Notary Public



LOTS 20, 21, 22, 23, 24, 25, 26, 27, 28 AND 28A OF BLOCK 3, COLONY SOUTH ADDITION TO THE TOWN, NOW CITY OF SHERIDAN, LOCATED IN THE NE<sup>1</sup>/<sub>4</sub> OF SECTION 34, TOWNSHIP 88 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING CONTAINING ±2.62 ACRES



- EXCALIBUR PROVIDES FENCE, OWNER INSTALLS

PROVIDE LAND TO SOUTH & WEST  
PROVIDE SURVEY & REPLAT  
FEES

### LEGENDA

SIGNED: Kurt H. Leach DATE: 10-7-19

SIGNED: Amber Huestis DATE: 10-7-19

SIGNED: Michael McGee DATE: 10/7/19

**NO. 2020-756287 RESOLUTION**

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
CITY OF SHERIDAN - PLANNING P O BOX 848  
SHERIDAN WY 82801