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637563 ORDINANCE
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AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

ORDINANCE NO. 2065

AN ORDINANCE annexing a two parcels of land, ± 583.1 acres, situated in a portion of Sections 4, 9, 10 and 18, Township 56 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, and zoning said tracts as a Gateway District in the City of Sheridan.

WHEREAS Rice and Sons, LLC, the owners thereof, have petitioned to the City of Sheridan in writing for the annexation of the following described land to the City of Sheridan and the Planning Commission has recommended the zoning thereof as an Gateway District; and

WHEREAS the Sheridan City Clerk has certified that all petition documents are complete; and

WHEREAS the City Council after a public hearing thereon has determined the annexation of said tracts, which are adjacent to the City, and the zoning thereof as a Gateway District would protect the health, safety, and welfare of the persons and property both within the City and in the area to be annexed; and that the urban development of the area would constitute a natural, geographical, economic and social part of the City, and a logical and feasible addition thereto which could be reasonably furnished with all necessary municipal services; now THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN:

Section 1. That the following described tracts of land are hereby annexed into the City of Sheridan, to wit:

TRACT A

BEGINNING at the Southeast corner of Section 9, Township 56 North, Range 84 West, 6th. P.M., Sheridan County, Wyoming;
Thence with the South line of said Section 9 South 89°39'11" West, 2668.38 feet to the South 1/4 corner of said Section 9;
Thence North 00°25'57" West, 3177.45 feet to a point on the Southwest Right of Way of Interstate 90;
Thence with said Right of Way with a curve to the left with an arc length of 994.28 feet, a radius of 5773.90 feet, a chord bearing of South 48°51'32" East, a chord length of 993.05 feet, a delta angle of 9°51'59";
Thence continuing with said Right of Way South 53°43'27" East, 5064.06 feet the intersection of said Right of Way and the West Right of Way of Sheridan-Decker Highway;
Thence with said West Right of Way South 14°56'04" East, 592.90 feet;
Thence continuing with said West Right of Way with a curve to the left with an arc length of 373.01 feet, a radius of 761.61 feet, a chord bearing of South 29°04'04" East, a chord length of 369.30 feet, a delta angle of 28°03'42";
Thence leaving said Right of Way South 72°24'01" West, 539.84 feet;
Thence South 56°51'53" West, 236.09 feet;
Thence South 04°12'06" West, 918.58 feet;
Thence South 04°12'01" West, 183.92 feet;
Thence South 64°27'22" East, 217.23 feet;
Thence South 58°44'18" East, 153.78 feet;
Thence South 78°04'17" East, 86.48 feet;
Thence South 22°29'12" East, 61.36 feet;
Thence South 67°30'48" West, 40.00 feet;
Thence South 30°31'53" West, 282.13 feet;
Thence South 20°02'04" East, 55.00 feet;
Thence South 14°57'56" West, 160.00 feet;
Thence South 10°57'56" West, 360.00 feet;
Thence South 00°02'04" East, 290.00 feet;

Thence South 13°52'17" West, 93.52 feet;
Thence North 19°26'21" West, 559.82 feet;
Thence North 42°09'56" West, 252.66 feet;
Thence North 87°02'04" West, 165.64 feet;
Thence North 57°15'04" West, 69.12 feet;
Thence South 89°29'31" West, 286.90 feet;
Thence South 00°45'50" West, 394.13 feet;
Thence with a curve to the left with an arc length of 126.82 feet, a radius of 1023.40 feet, a chord bearing of North 59°55'06" West, a chord length of 126.74 feet, a delta angle of 07°06'01";
Thence South 00°20'07" West, 49.31 feet;
Thence with a curve to the left with an arc length of 368.06 feet, a radius of 979.40 feet, a chord bearing of North 72°57'39" West, a chord length of 365.90 feet, a delta angle of 21°31'55";
Thence North 83°12'24" West, 513.04 feet to a point on the West line of Section 15;
Thence with said West line North 00°20'09" East, 1115.21 feet to the West 1/4 corner of said Section 15;
Thence continuing with said West line North 00°20'09" East, 2560.94 feet to the point of BEGINNING,
having an area of 311.89 Acres.

TRACT B

BEGINNING at a point which is located North 28°02'47" West, 572.32 feet; from the Northeast corner of Section 9, Township 56 North, Range 84 West, 6th. P.M., Sheridan County, Wyoming said point of beginning being on the West Right of Way of Sheridan-Decker Highway;
Thence with said Right of Way South 22°22'04" East, 5213.69 feet;
Thence South 67°37'56" West, 10.00 feet;
Thence with a curve to the right with an arc length of 736.85 feet, a radius of 5679.58 feet, a chord bearing of South 18°39'04" East, a chord length of 736.33 feet, a delta angle of 7°26'00";
Thence South 14°56'04" East, 341.18 feet;
Thence with the East Right of Way of Interstate 90 North 53°43'27" West, 4668.62 feet;
Thence with a curve to the right with an arc length of 2237.36 feet, a radius of 5558.46 feet, a chord bearing of North 42°10'27" West, a chord length of 2222.28 feet, a delta angle of 23°03'44";
Thence leaving said Right of Way North 63°59'15" East, 3290.88 feet to the point of BEGINNING, having an area of 270.71 Acres.

Section 2. ZONING.

a. The above described property be zoned Gateway District.

Section 3. FINDINGS. That the City Council resolves and makes the following findings in accordance with Wyoming State Statute 15-1-402:

(i.) 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 or town;

(ii) The urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the annexing city or town;

(iii) The area sought to be annexed is a logical and feasible addition to the annexing city or town and the extension of basic and other services customarily available to residents of the city or town shall, within reason, be available to the area proposed to be annexed;

(iv) The area sought to be annexed is contiguous with or adjacent to the annexing city or town, or the area meets the requirements of W.S. 15-1-407;

(v) If the city or town does not own or operate its own electric utility, its governing body is prepared to issue one (1) or more franchises as necessary to serve the annexed area pursuant to W.S. 15-1-410; and

(vi) The annexing city or town, not less than twenty (20) business days prior to the public hearing required by W.S. 15-1-405(a), 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 W.S. 15-1-405(a).

Section 3. SEVERABILITY. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, than all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. EFFECTIVE DATE. That this ordinance shall be in full force and effect immediately upon its passage and publication as by law provided.

PASSED, APPROVED, AND ADOPTED this 16th day of March, 2009.

Dave Kinskey – Mayor

ATTEST:

Scott Badley

State of Wyoming)
)SS
County of Sheridan)

Subscribed and sworn to (or affirmed) before me this 2nd day of April, 2009 by Dave Kinskey & Scott Badley

Rebecca K. Barnhart
Notary Public

My commission expires Feb 11, 2012.

REBECCA K. BARNHART - NOTARY PUBLIC
County of Sheridan State of Wyoming
My Commission Expires February 11, 2012