

## ORDINANCE NO 2134

AN ORDINANCE amending Ordinance No. 826, the Zoning Ordinance of the City of Sheridan, to zone the entirety of the land more particularly described in Section 1., and shown on the attached Exhibit A, from a B-1 Business District to a B-2 Business District.

Whereas the owners of the following described land have petitioned the City Council to rezone the same from a B-1 Business District to a B-2 Business District, and the Planning Commission of the City of Sheridan having recommended to the City Council that said zoning change be made, and a public hearing having been held thereon by the City Council;

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

Section 1. The following described land is hereby rezoned from a B-1 Business District to a B-2 Business District, to wit:

**Tract A:**

A tract of land located in the E1/2SE1/4 of Section 2, T55N, R84W, of the 6th P.M., Sheridan County, Wyoming, being more particularly described as follows: Beginning at a point located S00°29'23"W, 567.16 feet from the East 1/4 corner and on the East line of said section 2; thence along said East line S00°29'23"W, 695.65 feet; thence leaving said East line N89°30'37"W, 60.00 feet; thence S00°29'23"W, 111.88 feet; thence N90°00'00"W, 140.01 feet to a point on the East line of the WESCO Subdivision; thence along said East line N00°29'23"E, 757.47 feet to the Northeast corner of Lot 4 of the WESCO Subdivision; thence N89°40'25"E, 20.00 feet to the Southeast corner of Lot 3 of the WESCO Subdivision; thence N00°29'23"E, 48.40 feet; thence N89°40'25"E, 180.02 feet to the point of beginning. Tract A contains 153,623 square feet or 3.53 acres

**Tract B:**

A tract of land located in the E1/2SE1/4 of Section 2, and the NE1/4NE1/4 of Section 11, T55N, R84W, of the 6th P.M., Sheridan county, Wyoming, being more particularly described as follows: Beginning at the Southeast corner of said Section 2; thence S01°53'18"E, 331.41 feet to a point on the North line of a tract of land described in Book 350 of Deeds, Page 200; thence along said North line N89°30'53"W, 60.05 feet; thence leaving said line N01°53'18"W, 330.17 feet; thence N00°29'23"E, 1212.07 feet; thence N90°00'00"W, 435.98 feet; thence N00°29'23"E, 30.00 feet to the Southeast corner of Lot 14 of the WESCO Subdivision; thence N90°00'00"E, 295.98 feet to the Southeast corner of said subdivision; thence N00°29'23"E, 30.00 feet; thence N90°00'00"E, 140.01 feet; thence N00°29'23"E, 111.88 feet; thence S89°30'37"E, 60.00 feet to a point on the East line of said Section 2; thence along said East line S00°29'23"W, 60.00 feet; thence S00°29'23"W, 1322.71 feet to the point of beginning. Tract B contains 120,138 square feet or 2.76 acres

**Tract C:**

A tract of land located in the SE1/4SE1/4 of Section 2, and the NE1/4NE1/4 of Section 11, T55N, R84W, of the 6th P.M., Sheridan county, Wyoming, being more particularly described as follows: Beginning at a point located S01°53'18"E, 331.41 feet and N89°30'53"W, 60.05 feet from the Southeast corner of said Section 2, said point being located on the North line of a tract of land described in Book 350 of Deeds, Page 200; thence long said North line N89°30'53"W, 743.54 feet to a point on the East right-of-way line of Interstate 90; thence along said right-of-way along a curve to the right with an arc length of 361.35 feet, a radius of 5529.58 feet, a chord bearing of N06°03'47"W, and a chord length of 361.29 feet, thence S85°48'33"W, 114.00 feet; thence along a curve to the right with an arc length of 416.32 feet, a radius of 5654.31 feet, a chord bearing of N02°04'47"W, and a chord length of 416.23 feet, thence N00°02'38"E, 798.83 feet to the Southwest corner of the WESCO subdivision; thence leaving said East right-of-way N90°00'00"E, 473.62 feet to the Southeast corner of Lot 14 of said WESCO subdivision; thence S00°29'23"W, 30.00 feet; thence N90°00'00"E, 435.98 feet; thence S00°29'23"W, 1212.07 feet; thence S01°53'18"E, 330.17 feet to the point of beginning. Tract C contains 1,351,943 square feet or 31.04 acres

Section 2. That Ordinance No. 826, The Zoning Ordinance of the City of Sheridan is hereby amended to conform herewith.

Section 4. 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 20<sup>th</sup> day of May, 2013



Scott Badley – City Clerk

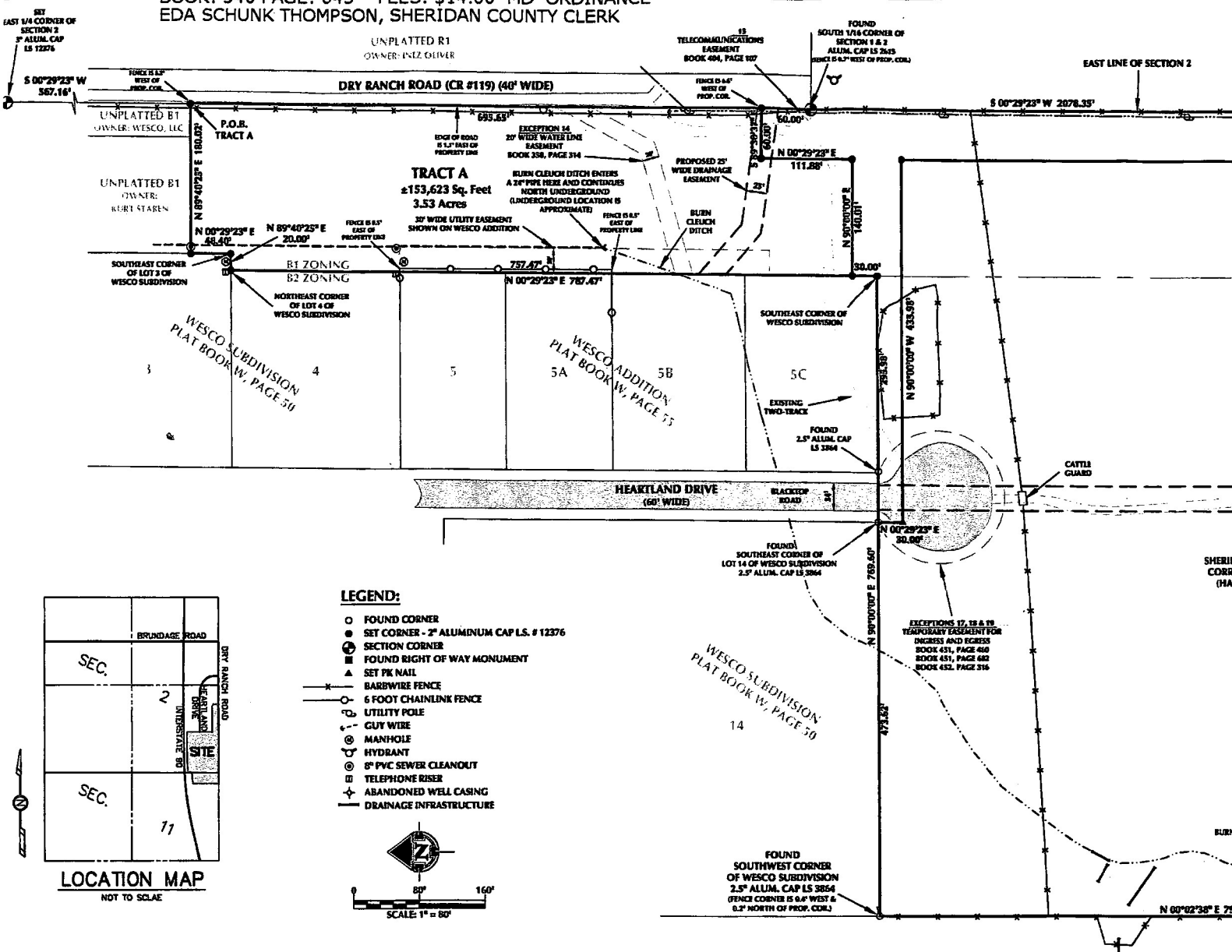
*Dave Kinskey*  
Dave Kinskey – Mayor

State of Wyoming }  
County of Sheridan } ss

The foregoing instrument was acknowledged  
before me by Dave Kinskey  
this 20<sup>th</sup> day of May, 2013.  
Witness my hand and official seal.

*Rebecca K. Barnhart*  
Notary Public  
My commission expires Feb 11, 2016

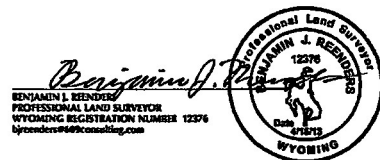




#### Surveyor's Certificate

To Seven Pillars Resources, Limited Liability Company  
Wilcox Abstract and Title Co.  
First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 4, 6a, and 6b of Table A thereof. The field work was completed on March 22, 2013.



#### Tract A:

A tract of land located in the E1/2SE1/4 of Section 2, T33N, R84W, of the 6th P.M., Sheridan County, Wyoming, being more particularly described as follows: Beginning at a point located 500°29'23"W, 567.16 feet from the East 1/4 corner of said Section 2; thence along said East line 500°29'23"W, 695.65 feet; thence leaving said East line N89°30'33"W, 60.00 feet; thence N90°00'00"W, 140.01 feet to a point on the East line of the WESCO Subdivision; thence along said East line N00°29'23"E, 757.47 feet to the Northeast corner of Lot 4 of the WESCO Subdivision; thence N89°40'25"E, 20.00 feet to the Southeast corner of Lot 3 of the WESCO Subdivision; thence N00°29'23"E, 48.40 feet; thence N89°40'25"E, 180.02 feet to the point of beginning. Tract A contains 153,623 square feet or 3.53 acres.

#### Tract B:

A tract of land located in the E1/2SE1/4 of Section 2, and the NE1/4NE1/4 of Section 11, T33N, R84W, of the 6th P.M., Sheridan County, Wyoming, being more particularly described as follows: Beginning at the Southeast corner of said Section 2; thence S01°33'18"E, 331.41 feet to a point on the North line of a tract of land described in Book 350 of Deeds, Page 200; thence along said North line N89°30'33"W, 60.05 feet; thence leaving said line N01°33'18"E, 330.17 feet; thence N00°29'23"E, 1212.07 feet; thence N90°00'00"W, 435.98 feet; thence N00°29'23"E, 30.00 feet to the Southeast corner of Lot 14 of the WESCO Subdivision; thence N90°00'00"E, 295.58 feet to the Southeast corner of said subdivision; thence N00°29'23"E, 30.00 feet; thence N90°00'00"E, 140.01 feet; thence N00°29'23"E, 111.88 feet; thence S89°30'37"E, 60.00 feet to a point on the East line of said Section 2; thence along said East line 500°29'23"W, 60.00 feet; thence S00°29'23"W, 1322.71 feet to the point of beginning. Tract B contains 120,138 square feet or 2.76 acres.

#### Tract C:

A tract of land located in the SE1/4SE1/4 of Section 2, and the NE1/4NE1/4 of Section 11, T33N, R84W, of the 6th P.M., Sheridan County, Wyoming, being more particularly described as follows: Beginning at a point located 501°33'18"E, 331.41 feet from the Southeast corner of said Section 2, said point being located on the North line of a tract of land described in Book 350 of Deeds, Page 200; thence along said North line N89°30'33"W, 743.54 feet to a point on the East right-of-way line of Interstate 90; thence along said right-of-way line along a curve to the right with an arc length of 361.35 feet, a radius of 5529.58 feet, a chord bearing of N06°03'47"W, and a chord length of 361.29 feet, thence S83°48'33"W, 114.00 feet; thence along a curve to the right with an arc length of 416.32 feet, a radius of 5654.31 feet, a chord bearing of N02°04'47"W, and a chord length of 416.23 feet, thence N00°29'23"E, 798.83 feet to the Southwest corner of the WESCO Subdivision; thence leaving said East right-of-way N90°00'00"E, 473.62 feet to the Southeast corner of Lot 14 of said WESCO Subdivision; thence S00°29'23"W, 30.00 feet; thence N90°00'00"E, 435.98 feet; thence S00°29'23"W, 1212.07 feet; thence S01°33'18"E, 338.17 feet to the point of beginning. Tract C contains 1,351,943 square feet or 31.04 acres.

#### Descriptions as Surveyed

#### Descriptions of Proposed Easements

##### Proposed 30' Wide Water and Sewer Easement:

A 30 foot wide Water and Sewer Easement located in Sections 2 and 11, T33N, R84W, of the 6th P.M., Sheridan County, Wyoming, being described as follows: Commencing at the Northeast corner of said Section 11, thence S01°33'18"E 331.41 feet to a point on the North line of a tract of land described in Book 350 of Deeds, Page 200; thence N89°30'33"W 479.72 feet, along said North line, to the Point of Beginning of the centerline of a 30 foot wide strip of land, 15 feet on each side of said centerline; thence N00°29'23"E 1568.52 feet to a point on the South line of WESCO Subdivision, as recorded in Book W of Plats, Page 50, and the point of ending of said 30 foot wide strip of land, said point of ending bears N90°00'00"E 503.61 feet, along said South line, from the Southwest Corner of said WESCO Subdivision. Described easement is 1568.52 feet, or 95.06 rods in length. This easement contains 47,856 square feet or 1.08 acres, more or less.

##### Proposed 25' Wide Drainage Easement:

A 25 foot wide Drainage Easement located in the Southeast 1/4 of Section 2, T33N, R84W, of the 6th P.M., Sheridan County, Wyoming, being described as follows: Commencing at the South 1/16 Corner of Sections 1 and 2, thence N00°29'23"E 39.60 feet, along the East line of said Southeast 1/4, to the Point of Beginning; thence N82°00'23"W 151.29 feet; thence N49°06'15"W 65.67 feet to a point on the East line of WESCO Subdivision, as recorded in Book W of Plats, Page 50; thence N00°29'23"E 32.83 feet, along said East line; thence S49°06'15"E 79.57 feet; thence S82°00'23"E 140.61 feet to a point on the East line of said Southeast 1/4; thence S00°29'23"W 25.22 feet, along said East line, to the Point of Beginning. This easement contains 3,464 square feet or 0.13 acres, more or less.

## ALTA/ACSM LAND TITLE SURVEY

FOR: WESCO, LLC  
ATTN: SHAWN WARREN  
BOX 6122  
SHERIDAN, WYOMING 82801  
IN: PART OR THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2 AND THE  
NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T33N, R84W, OF THE  
6th P.M., SHERIDAN COUNTY, WYOMING



**CONSULTING, LLC**  
2155 North Main Street  
Sheridan, Wyoming 82801  
Phone 307-674-0609  
Fax 307-674-0182

DRAWN BY: JED	REVISIONS: TITLE COM. UPDATES 04/16/2013
CHECKED BY: BJR	
DATE: 4/10/13	



No portion of this property lies within Interstate 90 HWY. R.O.W.

**Dry Ranch Road CR #119 encroaches as shown.**

This property is subject to the easement, including terms and conditions contained therein: Granted to: Montana Dakota Utilities For: Electric line Recorded: March 30, 1984 Recording Information: Book 284, Page 93. Plotted hereon

This property is subject to the Annexation Agreement/Ordinance including the conditions thereof: Between and Recorded September 16, 1991, Book 344, Page 243 and re-recorded September 24, 1991 in Book 344, Page 442. Not Plottable

This property is subject to the easement, including terms and conditions contained therein. Granted to: For: Access Easement Recorded: May 7, 1992 Recording Information: Book 330, Page 200. Water line easement portion is plotted hereon. The access and utilities easement portion is not plotted hereon. (To be deleted as to 60 foot wide access easement only with release as contained in Schedule B-1, 31.)

This property is subject to the easement, including terms and conditions contained therein Granted to Sheridan Area Water Supply Joint Powers Recorded: May 15, 1992 Recording Information: Book 330, Page 374. Plotted hereon This property is subject to the easement, including terms and conditions contained therein Granted to US West Communications, Inc. For: Easement Agreement Recorded: March 25, 1999 Recording Information: Book 404, Page 107. Plotted hereon

This property is subject to the access portion of the Recordation Notice and Memorandum of Surface Lease and Access and Road Use Agreement, including terms and conditions contained therein: Recorded: March 14, 2000 Recording Information: Book 413, Page 167. Not plotted (To be deleted with release contained in Schedule B-1, #2.)

This property is subject to the Temporary Easement for ingress and egress; Recorded: March 18, 2004 Recording Information: Book 451, Page 460. Plotted hereon

This property is subject to the temporary Easement for ingress and egress; Recorded: March 23, 2004 Recording Information: Book 431, Page 582. Plotted hereon

This property is subject to the temporary Easement for ingress and egress; Recorded: April 9, 2004 Recording Information: Book 452, Page 316. Plotted hereon

**Notes:**

1. Description and easements shown hereon are based on First American Title Insurance Company Commitment No. 40816, with an effective date of April 10, 2013.
2. Bearings are based on provided legal descriptions.
3. Utilities shown hereon are based on those which were visible on the surface of the ground at the date of the survey.
4. This property is zoned B-1 and B2. Plotted hereon.
5. Minimum building restrictions include the following:

## B-1 Setbacks

**Minimum front yard setback** = In those portions of the B-1 Business District which occupy part of the frontage on one side of the street between two intersecting streets and the remainder of the frontage is in a residence district, the front yard requirements shall be the same as those of the residential district in the remainder of the frontage. In all other locations in the B-1 Business District no front yard shall be required.

Minimum side yard setback = None, except an additional 5 feet is added if building is used as a dwelling  
Minimum rear yard setback = 10 feet, except an additional 5 feet is added if building is used as a dwelling

Maximum building height = 45 feet or four stories  
Square footage restrictions = None indicated in City of Sheridan zoning ordinances

## 2 Setbacks

## B-2 Setbacks

Minimum front yard setback = None indicated in City of Sheridan zoning ordinances

**Minimum side yard setback = None, except an additional 3 feet is added if building is used as a dwelling**

**Minimum rear yard setback** = None, except 10 feet for a residential dwelling

**Maximum building height** = No building shall exceed a height greater than the width of the widest street on which the building has frontage; provided that a portion of a building may be erected to a greater height if such portion is set back from all lot lines a distance of one (1) foot for each foot of such additional height.

Square footage restrictions = None indicated in City of Sheridan zoning ordinances

6. This property is subject to the Sheridan Entryway Corridor District as plotted hereon. Please see the Sheridan Entryway Design Standards for design restrictions. Plotted hereon

7. There was no observed evidence of current earth moving work, building construction, or building additions at the time of survey.
8. There was no observed evidence of any changes in street right of way lines either completed or proposed and available from the controlling jurisdiction at the time of survey.
9. There was no observed evidence of recent street or sidewalk construction or repairs at the time of survey.
10. There was no observed evidence of site use as a solid waste dump, sump or sanitary landfill at the time of survey.
11. The subject property has direct access to Dry Ranch Road (CR #119) which is a gravelled and public right-of-way maintained by Sheridan County, Wyoming and to Heartland Drive which is a paved and public right-of-way maintained by the City of Sheridan.
12. Tracts A, B, and C of the subject property as shown hereon each form a mathematically closed figure, and do not contain or create any gaps, pores, or overlaps.