

ORDINANCE NO. 1954

AN ORDINANCE annexing a 172.86± acres tract of land situated in the NW¼ and SW¼ of Section 28, Township 56 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, and zoning said tract as R-1 Residence District, R-3 Residence District and B-1 Business District.

WHEREAS System Land, LLC, the sole owner thereof, have petitioned to the City of Sheridan in writing for the annexation of the following described land to the City of Sheridan and have petitioned for the zoning thereof as R-1 Residence District, R-3 Residence District and B-1 Business District; and

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

WHEREAS the Planning Commission of the City of Sheridan has recommended to the City Council that said tracts of land be annexed to the City, and that the same be zoned R-1 Residence District, R-3 Residence District and B-1 Business District; and

WHEREAS the City Council after a public hearing thereon has determined the annexation of said tract, which is adjacent to the City, and the zoning thereof as R-1 Residence District R-3 Residence District and B-1 Business 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:

A tract of land situated in the NW¼ and SW¼ of Section 28, Township 56 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming; said tract being more particularly described as follows:

Beginning at the west quarter corner of said Section 28, said point being the true **POINT OF BEGINNING** of this tract; thence N00°49'29"E, 2606.79 feet along the west line of said Section 28 to a point, said point lying on the south right-of-way line of West Fifth Street; thence N88°27'10"E, 246.37 feet along said south right-of-way line of West Fifth Street to a point; thence N01°14'25"W, 24.90 feet along said south right-of-way line of West Fifth Street to a point; thence N88°27'50"E, 544.21 feet along said south right-of-way line of West Fifth Street to a point; thence N01°35'59"W, 20.00 feet along said south right-of-way line of West Fifth Street to a point; thence N88°24'01"E, 41.22 feet along said south right-of-way line of West Fifth Street to a point; thence S01°35'59"E, 3.00 feet along said south right-of-way line of West Fifth Street to a point; thence N88°24'01"E, 346.00 feet along said south right-of-way line of West Fifth Street to a point; thence N01°35'59"W, 3.00 feet along said south right-of-way line of West Fifth Street to a point; thence N88°24'01"E, 326.69 feet along said south right-of-way line of West Fifth Street to a point, said point being the northwest corner of a tract of land described in Book 449 of Deeds, Page 158; thence S00°48'44"E, 1156.05 feet along the westerly line of said tract described in Book 449 of Deeds, Page 158 to a point; thence S89°57'53"W, 132.94 feet along said westerly line of said tract described in Book 449 of Deeds, Page 158 to a point; thence S00°23'29"E, 176.74 feet along said westerly line of said tract described in Book 449 of Deeds, Page 158 to the northeast corner of a tract of land described in Book 449 of Deeds, Page 161; thence S00°23'29"E, 0.89 feet along the easterly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S86°26'56"W, 31.06 feet along said easterly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S01°30'42"W, 134.60 feet along said easterly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S02°14'44"E, 157.63 feet along said easterly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S00°25'29"E, 355.14 feet along said easterly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S01°01'33"E, 705.60 feet along said easterly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S89°32'02"E, 403.86 feet along the northerly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence N07°26'45"E, 4.58 feet along said northerly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S89°46'40"E, 332.26 feet along said northerly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S08°13'02"E, 5.02 feet along said northerly line of said tract described in Book 449 of Deeds, Page 161 to a point; thence S89°43'32"E, 567.03 feet along said northerly line of said tract described in Book 449 of Deeds, Page 161 to a point, said point being the northwest corner of Scott Addition to the City of Sheridan, Wyoming; thence S01°10'28"W, 1382.25 feet along the west line of said Scott Addition to the southwest corner of said Scott Addition, said point lying on the northerly line of Sparrow Hawk Hill Two Subdivision to the City of Sheridan, Wyoming; thence N88°46'06"W, 968.00 feet along said northerly line of Sparrow Hawk Hill Two Subdivision to the northwest corner of said Sparrow Hawk Hill Two Subdivision; thence N88°48'32"W, 385.05 feet along the northerly line of Sparrow Hawk Hill Three Subdivision to the City of Sheridan, Wyoming to the northwest corner of said Sparrow Hawk Hill Three Subdivision; thence N89°18'59"W, 832.31 feet along the northerly line of a tract of land described in Book 427 of Deeds, Page 114 to a point; thence N89°20'28"W, 522.35 feet to a point, said point being the southwest corner of the NW¼SW¼ of said Section 28;

thence N00°49'29"E, 1340.73 feet along the west line of said NW¼SW¼ to the **POINT OF BEGINNING** of said tract.

Said tract contains 172.86 acres of land, more or less.

And

A tract of land situated in the S½SW¼ and S½SE¼ of Section 21, and in the N½NW¼ of Section 28, all in Township 56 North, Range 84 West of the Sixth Principal Meridian, Sheridan County, Wyoming; more particularly described as follows:

Beginning at the Southwest Corner of said Section 21, also being the Northwest Corner of said Section 28, thence S 0°49'29" W for a distance of 74.67 feet; thence N 88°27'10" E for a distance of 246.37 feet; thence N 1°14'25" W for a distance of 24.90 feet; thence N 88°27'50" E for a distance of 544.21 feet; thence N 1°35'59" W for a distance of 20.00 feet; thence N 88°24'01" E for a distance of 41.22 feet; thence S 1°35'59" E for a distance of 3.00 feet; thence N 88°24'01" E for a distance of 346.00 feet; thence N 1°35'59" W for a distance of 3.00 feet; thence N 88°24'01" E for a distance of 326.69 feet; thence N 88°27'36" E for a distance of 507.53 feet; thence N 0°10'24" W for a distance of 32.89 feet; thence N 88°20'55" E for a distance of 668.50 feet to the ¼ Corner between said Sections 21 and 28; thence S 86°45'54" E for a distance of 593.91 feet; thence N 74°53'08" E for a distance of 127.59 feet; thence N 56°38'26" E for a distance of 315.11 feet; thence N 0°20'33" E for a distance of 31.00 feet; thence N 71°14'16" E for a distance of 211.48 feet; thence N 0°37'14" E for a distance of 13.00 feet; thence N 88°22'17" E for a distance of 46.12 feet; thence S 87°54'01" E for a distance of 93.90 feet to a point on the West line of Kentucky Avenue; thence along said West line on a bearing of S 0°38'20" W for a distance of 357.31 feet to a point on the line between said Sections 21 and 28; thence S 86°45'54" E for a distance of 69.97 feet to a point on the East line of Kentucky Avenue; thence N 0°38'38" E for a distance of 439.17 feet to a point on the North Right-of-Way of Fifth Street; thence along the North Right-of-Way of Fifth Street on a bearing of N 87°56'46" W for a distance of 43.36 feet to a Tangent to Spiral Curve point; thence along a spiral curve to the left having a centerline radius of 572.96 feet, a centerline spiral length of 125.00 feet, a Right-of-Way Chord bearing of S 89°57'46" W and Right-of-Way Chord length of 129.33 feet to a Spiral Curve to Circular Curve point; thence along a circular curve to the left having a Radius of 612.96 feet, a Central Angle of 23°58'30", an Arc Length of 256.49 feet and a Chord bearing of S 73°42'54" W with Chord length of 254.62 feet to a Circular Curve to Spiral Curve point; thence along a spiral curve to the left having a centerline radius of 572.96 feet, a centerline spiral length of 125.00 feet, a Right-of-Way Chord bearing of S 57°40'50" W and Right-of-Way Chord length of 129.39 feet to a Spiral Curve to Tangent point; thence S 55°30'21" W for a distance of 64.08 feet to a Tangent to Spiral Curve point; thence along a spiral curve to the right having a centerline radius of 572.96 feet, a centerline spiral length of 125.00 feet, a Right-of-Way Chord bearing of S 57°38'58" W and Right-of-Way Chord length of 120.58 feet to a Spiral Curve to Circular Curve point; thence along a circular curve to the right having a Radius of 532.96 feet, a Central Angle of 20°00'37", an Arc Length of 186.13 feet and Chord bearing of S 71°49'28" W with Chord length of 185.19 feet to a Circular Curve to Spiral Curve point; thence along a spiral curve to the right having a centerline radius of 572.96 feet, a centerline spiral length of 125.00 feet, a Right-of-way Chord bearing of S 86°02'05" W and Right-of-way Chord length of 120.59 feet to a Spiral Curve to Tangent point; thence S 88°04'48" W for a distance of 525.76 feet; thence N 2°14'47" W for a distance of 32.48 feet; thence S 87°54'52" W for a distance of 125.74 feet; thence S 1°43'39" E for a distance of 25.02 feet; thence S 88°24'41" W for a distance of 526.42 feet; thence S 1°36'48" E for a distance of 20.00 feet; thence S 88°23'13" W for a distance of 267.34 feet; thence N 0°30'11" W for a distance of 5.26 feet; thence S 88°26'26" W for a distance of 127.74 feet; thence N 1°35'59" W for a distance of 10.00 feet; thence S 88°24'01" W for a distance of 100.00 feet; thence N 60°33'56" W for a distance of 17.46 feet; thence N 1°35'59" W for a distance of 30.00 feet; thence S 88°24'01" W for a distance of 76.00 feet; thence S 1°35'59" E for a distance of 30.00 feet; thence S 44°56'54" W for a distance of 26.17 feet; thence S 88°24'01" W for a distance of 333.38 feet; thence N 3°32'20" E for a distance of 13.97 feet; thence S 88°27'16" W for a distance of 976.54 feet; thence S 0°14'28" E for a distance of 50.35 feet to the point of beginning.

Said tract of land contains 8.16 acres.

Basis of Bearings is Wyoming State Plane (East Central Zone)

Section 2. FINDINGS. That the City Council resolves and makes the following findings in accordance with Wyoming State Statute 15-1-403:

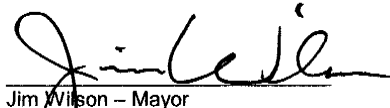
1. Annexation of the area is consistent with the protection of the health, safety and welfare of the residents who will reside in the area as the City can provide sanitary sewer, fire and police protection of the area as it is developed.
2. Annexation is consistent with the health, safety and welfare of the City as the area will be constructed under City codes and will be required to provide sanitary sewer instead of septic tanks, which could be allowed if developed in the County.

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3. The area proposed for annexation constitutes a natural geographical, economical and social part of the City of Sheridan due to its adjacency along the eastern and northern borders with City boundaries.
 4. The area to be annexed is located where extension of basic services can be furnished by the City. Potable water is available from water mains that runs through the property and sanitary sewer is available by extending a line from a planned main to be constructed in the Fifth Street West right-of-way, and a sanitary sewer main located along the western border of the Scott Addition.
 5. This property is located in an area where other utilities area available.

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 19th day of July, 2004.

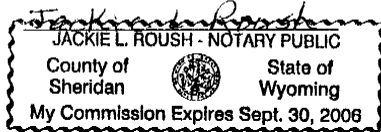

Jim Wilson - Mayor

ATTEST:


Arthur Elkins - City Clerk/Treasurer

State of Wyoming)
)SS
County of Sheridan)

Subscribed and sworn to (or affirmed) before me this 22nd day of July, 2004 by




Notary Public

My commission expires: 9-30-2006