

**Development Agreement for  
Cloud Peak Ranch, Twenty First Filing, Subdivision**

This agreement is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Sheridan, a municipal Corporation in the State of Wyoming, hereinafter known as the "City", and **System Land, LLC**, hereinafter known as the "Developer." The City and Developer for their mutual benefit and consideration agree to the terms and conditions as listed herein for the development of the Cloud Peak Ranch, Twenty First Filing, subdivision:

**Section 1. GENERAL CONDITIONS**

- A. The terms of this agreement shall be binding on all heirs, successors, and assigns of the Developer. In the event of a transfer of all or any portion of the property, the transferor shall be relieved of any and all obligations with respect to the transferred property upon acceptance of this signed development agreement and financial assurance by the City - which shall not be unreasonably withheld.
- B. The development of the Cloud Peak Ranch, Twenty First Filing, subdivision, is subject to the requirements in Appendix B (Subdivisions) of the Sheridan City Code, as well as adopted City of Sheridan Standards for Street and Utility Construction.
- C. Outlots A, B, and C, as shown on the final plat of the Cloud Peak Ranch, Twenty First Filing, subdivision plat, shall remain in perpetuity as open space areas and trails, and no improvements shall be constructed aside from recreational amenities. Areas within the outlots described as drainage easements, as shown on the final plat of the Cloud Peak Ranch, Twenty First Filing, subdivision plat, shall remain in perpetuity as an open space and drainage area, and shall remain free and unencumbered by any structures, vehicles, or other improvement that would interfere with site drainage as detailed in City approved grading and drainage plans.
- D. Development of the Cloud Peak, Twenty First Filing, subdivision, may occur in two phases.
- E. Prior to start of construction of each phase, the Developer or successor or assigns shall provide financial assurances for that phase, pursuant to and in conformance with Sheridan City Code, Appendix B., Sections 701 and 702, including 10% contingency fee. Financial assurances shall cover the following estimated costs:

Phase 1

Roadway Improvements - \$829,323.33  
Water System - \$153,412.60  
Sanitary Sewer System - \$229,339.00  
Storm Sewer System - \$29,425.00  
Total Phase 1 Public Infrastructure - \$1,241,499.93

Phase 2

Roadway Improvements - \$398,016.88  
Water System - \$95,960.70  
Sanitary Sewer System - \$145,563.00  
Storm Sewer System - \$118,932.00  
Total Phase 2 Public Infrastructure - \$758,472.58

The Letters of Credit shall have appropriate amounts released upon verification by the City Engineer of completion of each portion of infrastructure or phase of development.

- F. The developer shall provide test results, inspection reports and suitable Mylar as-built drawings, certified by a registered professional engineer, verifying satisfactory completion for roadway improvements and water and sewer utilities for the Cloud Peak Ranch, Twenty First Filing, subdivision. Water and sewer utilities shall be approved and accepted by City prior to issuance of building permits for the Cloud Peak Ranch, Twenty First Filing, subdivision. Acceptance of sewer utilities will include video inspection by City personnel. Verification for services of franchise utilities must be provided upon signing of this agreement.
- G. Placement of ancillary utilities and services in platted easements, including but not limited to: cable television, gas, electricity, and telephone service, will be coordinated with the installation of water and sewer service lines and sidewalks to avoid interference with, or damage to, any service or utility properly installed in a platted easement. The Developer shall be responsible for repairs to any City utilities for which lack of coordination led to damage.

- H. Any sidewalk disturbed by building construction or installation of utilities for the Cloud Peak Ranch, Twenty First Filing, subdivision shall be restored by the Developer to at least its condition prior to the damage caused by the building construction or installation of utilities for the Cloud Peak Ranch, Twenty First Filing, subdivision.
- I. Building permits will be issued as per the requirements of the Building Department and Appendix B, Section 707 of Sheridan City Code.
- J. An extension of Geneva Lane will be constructed by the developer to connect Geneva Lane to Scott Drive.

## Section 2. COMPLIANCE WITH TERMS AND CONDITIONS

The Developer agrees to comply with the terms of this Agreement, including all deadlines, contained in Section 1. Should the Developer fail to comply with any of the conditions in Section 1. of this Agreement, the City will send a letter to the Developer listing the conditions for which the Cloud Peak Ranch, Twenty First Filing, subdivision, is not compliant. The City reserves the right to withhold any future development approvals for the Cloud Peak Ranch, Twenty First Filing, subdivision, and pursue any other enforcement means available under Sheridan City Code and state statute, if the Developer does not propose appropriate remedies which are reasonably acceptable to the City to eliminate the non-compliance(s) within two weeks of the date of the letter of non-compliance.

## Section 3. EFFECTIVE DATE

This Agreement shall be effective upon the date listed in the first paragraph on page 1.

## Section 4. TERMINATION

This Agreement may be amended, revised, or terminated only by the mutual consent of both parties.

## Section 5. SEVERABILITY


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

## Section 6. GOVERNMENTAL IMMUNITY


Nothing in this Agreement shall in any way be deemed a waiver of any of the requirements or immunities provided by the Wyoming Governmental Claims Act.

IN WITNESS WHEREOF, the parties execute this agreement as of the date set forth above.


For the City of Sheridan:

  
Richard Bridger  
Mayor

For the Developer:

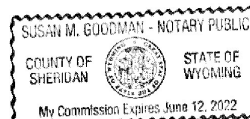
  
System Land, LLC  
By: Don B. Roberts (Authorized Agent)

Attest:

  
City Clerk

The above and foregoing Agreement was  
Subscribed, Sworn to, and Acknowledged  
before me by Don Roberts this 31st day  
of March, 2021.  
My commission expires June 12, 2022

  
Notary Public



**ENGINEER'S OPINION OF PROBABLE  
CONSTRUCTION COST FOR PUBLIC IMPROVEMENTS  
CLOUD PEAK RANCH 21ST FILING, PHASE 1**

Morrison-Maierle  
Project No. 6019.001.06  
March 25, 2021

**Schedule A1 - Phase 1 Roadway Improvements <sup>(1)</sup>**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 16,100.00	\$ 16,100.00
	Mobilization	1	LS	\$ 19,300.00	\$ 19,300.00
	Temporary Traffic Control	1	LS	\$ 1,700.00	\$ 1,700.00
	Clearing and Grubbing	1	LS	\$ 5,000.00	\$ 5,000.00
	Dry Utility Trenching - 4" Conduit	1,120	LF	\$ 10.00	\$ 11,200.00
	Dry Utility Trenching - Without Conduit	2,230	LF	\$ 5.00	\$ 11,150.00
	Unclassified Excavation Above Subgrade	1	LS	\$ 55,000.00	\$ 55,000.00
	Subgrade Preparation - 12"	8,664	SY	\$ 2.00	\$ 17,328.00
	Topsoil Stripping and Stockpiling	35,590	SY	\$ 0.50	\$ 17,795.00
	Topsoil Placing	28,177	SY	\$ 1.00	\$ 28,177.00
	Seeding	28,177	SY	\$ 0.40	\$ 11,270.80
	Crushed Aggregate Base Course	1,647	CY	\$ 50.00	\$ 82,350.00
	Hot Plant Mix Bituminous Pavement - 3"	6,366	SY	\$ 26.00	\$ 165,516.00
	Functional Street Light (Installed by MDU)	3	EA	\$ 4,000.00	\$ 12,000.00
	Sign and Post Installation	2	EA	\$ 500.00	\$ 1,000.00
	Group Mailbox Installation	2	EA	\$ 2,500.00	\$ 5,000.00
	Curb and Gutter - Type A	3,239	LF	\$ 27.00	\$ 87,453.00
	Concrete Sidewalk - 4"	1,780	SY	\$ 50.00	\$ 89,000.00
	ADA Detectable Warning Plate	12	EA	\$ 325.00	\$ 3,900.00
	Concrete Fillet and Curb	315	SY	\$ 100.00	\$ 31,500.00
	Concrete Double Gutter	63	SY	\$ 100.00	\$ 6,300.00

(1) DOES NOT INCLUDE CONNECTION TO SCOTT DRIVE

**Subtotal Schedule A1** \$678,039.80

**Schedule A2 - Phase 1 Roadway Improvements <sup>(2)</sup> CITY PORTION - FOR INFORMATION ONLY**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 1,800.00	\$ 1,800.00
	Mobilization	1	LS	\$ 2,200.00	\$ 2,200.00
	Temporary Traffic Control	1	LS	\$ 1,100.00	\$ 1,100.00
	Clearing and Grubbing	1	LS	\$ 2,500.00	\$ 2,500.00
	Unclassified Excavation Above Subgrade	1	LS	\$ 5,000.00	\$ 5,000.00
	Subgrade Preparation - 12"	856	SY	\$ 2.50	\$ 2,140.00
	Topsoil Stripping and Stockpiling	1,507	SY	\$ 1.00	\$ 1,507.00
	Topsoil Placing	415	SY	\$ 2.50	\$ 1,037.50
	Seeding	415	SY	\$ 0.40	\$ 166.00
	Crushed Aggregate Base Course	130	CY	\$ 50.00	\$ 6,500.00
	Hot Plant Mix Bituminous Pavement - 3"	679	SY	\$ 26.00	\$ 17,654.00
	Sign and Post Installation	1	EA	\$ 500.00	\$ 500.00
	Curb and Gutter - Type A	418	LF	\$ 27.00	\$ 11,286.00
	Concrete Sidewalk - 4"	222	SY	\$ 50.00	\$ 11,100.00
	ADA Detectable Warning Plate	4	EA	\$ 325.00	\$ 1,300.00
	Concrete Fillet and Curb	80	SY	\$ 100.00	\$ 8,000.00
	Concrete Double Gutter	21	SY	\$ 100.00	\$ 2,100.00

(2) CONNECTION TO SCOTT DRIVE ON GENEVA LANE BEGINNING AT PROPERTY LINE

**Subtotal Schedule A2** \$75,890.50



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**ENGINEER'S OPINION OF PROBABLE  
CONSTRUCTION COST FOR PUBLIC IMPROVEMENTS  
CLOUD PEAK RANCH 21ST FILING, PHASE 1**

Morrison-Maierle  
Project No. 8019.001.06  
March 25, 2021

**Schedule B - Phase 1 Water System**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 3,300.00	\$ 3,300.00
	Mobilization	1	LS	\$ 4,000.00	\$ 4,000.00
	Imported Pipe Foundation Material	39	CY	\$ 50.00	\$ 1,950.00
	Imported Trench Backfill Material	118	CY	\$ 25.00	\$ 2,950.00
	Underground Utility Crossing	6	EA	\$ 400.00	\$ 2,400.00
	8" Gate Valve	5	EA	\$ 1,750.00	\$ 8,750.00
	Fire Hydrant Assembly	4	EA	\$ 6,000.00	\$ 24,000.00
	1" Water Service Line	906	LF	\$ 26.00	\$ 23,556.00
	1" Curb Stop / Box	22	EA	\$ 300.00	\$ 6,600.00
	8" PVC Water Main	1,420	LF	\$ 38.00	\$ 53,960.00
	8" x 22.5° Bend	2	EA	\$ 1,000.00	\$ 2,000.00
	8" x 90° Bend	1	EA	\$ 1,000.00	\$ 1,000.00
	8" x 8" x 8" Tee	2	EA	\$ 1,000.00	\$ 2,000.00
	Connect to Existing 8" Water Line	2	EA	\$ 1,500.00	\$ 3,000.00

**Subtotal Schedule B** \$139,466.00

**Schedule C - Phase 1 Sanitary Sewer System**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 4,900.00	\$ 4,900.00
	Mobilization	1	LS	\$ 5,900.00	\$ 5,900.00
	Imported Pipe Foundation Material	100	CY	\$ 50.00	\$ 5,000.00
	Imported Trench Backfill Material	230	CY	\$ 25.00	\$ 5,750.00
	Underground Utility Crossing	6	EA	\$ 400.00	\$ 2,400.00
	8" Sanitary Sewer Main	2,045	LF	\$ 42.00	\$ 85,890.00
	4" PVC Sanitary Sewer Service Line	743	LF	\$ 50.00	\$ 37,150.00
	Connect to Existing 8" Sanitary Sewerline	1	EA	\$ 1,500.00	\$ 1,500.00
	48" Sanitary Sewer Manhole	10	EA	\$ 6,000.00	\$ 60,000.00

**Subtotal Schedule C** \$208,490.00

**Schedule D - Phase 1 Storm Sewer System**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 1,200.00	\$ 1,200.00
	Mobilization	1	LS	\$ 700.00	\$ 700.00
	24" PVC Storm Pipe	151	LF	\$ 100.00	\$ 15,100.00
	24" Flared End	1	EA	\$ 1,250.00	\$ 1,250.00
	Type C Storm Drain Inlet box/Catch Basin	1	EA	\$ 8,500.00	\$ 8,500.00

**Subtotal Schedule D** \$26,750.00



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**Construction Total for Phase 1 Schedules A1,A2, B - D** \$1,128,636.30

**10% Contingency** \$112,863.63

**Total Phase 1 Opinion of Probable Cost** \$1,241,499.93

**ENGINEER'S OPINION OF PROBABLE  
CONSTRUCTION COST FOR PUBLIC IMPROVEMENTS  
CLOUD PEAK RANCH 21ST FILING, PHASE 2**

Morrison-Maierle  
Project No. 6019.001.06  
March 25, 2021

**Schedule E - Phase 2 Roadway Improvements**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 8,600.00	\$ 8,600.00
	Mobilization	1	LS	\$ 10,300.00	\$ 10,300.00
	Temporary Traffic Control	1	LS	\$ 900.00	\$ 900.00
	Clearing and Grubbing	1	LS	\$ 5,000.00	\$ 5,000.00
	Dry Utility Trenching - 4" Conduit	840	LF	\$ 10.00	\$ 8,400.00
	Dry Utility Trenching - Without Conduit	1,360	LF	\$ 5.00	\$ 6,800.00
	Unclassified Excavation Above Subgrade	1	LS	\$ 35,000.00	\$ 35,000.00
	Subgrade Preparation - 12"	4,261	SY	\$ 2.00	\$ 8,522.00
	Topsoil Stripping and Stockpiling	20,193	SY	\$ 0.50	\$ 10,096.72
	Topsoil Placing	15,987	SY	\$ 1.00	\$ 15,987.00
	Seeding	15,987	SY	\$ 0.40	\$ 6,394.80
	Crushed Aggregate Base Course	715	CY	\$ 50.00	\$ 35,750.00
	Hot Plant Mix Bituminous Pavement - 3"	3,597	SY	\$ 26.00	\$ 93,522.00
	Functional Street Light (Installed by MDU)	1	EA	\$ 4,000.00	\$ 4,000.00
	Sign and Post Installation	2	EA	\$ 500.00	\$ 1,000.00
	Group Mailbox Installation	1	EA	\$ 2,500.00	\$ 2,500.00
	Curb and Gutter - Type A	1,993	LF	\$ 27.00	\$ 53,811.00
	Concrete Sidewalk - 4"	1,105	SY	\$ 50.00	\$ 55,250.00

Subtotal Schedule E \$361,833.52

**Schedule F - Phase 2 Water System**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 2,100.00	\$ 2,100.00
	Mobilization	1	LS	\$ 2,500.00	\$ 2,500.00
	Imported Pipe Foundation Material	27	CY	\$ 50.00	\$ 1,350.00
	Imported Trench Backfill Material	81	CY	\$ 25.00	\$ 2,025.00
	Underground Utility Crossing	2	EA	\$ 400.00	\$ 800.00
	8" Gate Valve	2	EA	\$ 1,750.00	\$ 3,500.00
	Fire Hydrant Assembly	2	EA	\$ 6,000.00	\$ 12,000.00
	1" Water Service Line	575	LF	\$ 26.00	\$ 14,950.00
	1" Curb Stop / Box	20	EA	\$ 300.00	\$ 6,000.00
	8" PVC Water Main	974	LF	\$ 38.00	\$ 37,012.00
	8" x 22.5° Bend	1	EA	\$ 1,000.00	\$ 1,000.00
	8" x 90° Bend	1	EA	\$ 1,000.00	\$ 1,000.00
	Connect to Existing 8" Water Line	2	EA	\$ 1,500.00	\$ 3,000.00

Subtotal Schedule F \$87,237.00



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**ENGINEER'S OPINION OF PROBABLE  
CONSTRUCTION COST FOR PUBLIC IMPROVEMENTS  
CLOUD PEAK RANCH 21ST FILING, PHASE 2**

Morrison-Maierle  
Project No. 6019.001.06  
March 25, 2021

**Schedule G - Phase 2 Sanitary Sewer System**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 3,100.00	\$ 3,100.00
	Mobilization	1	LS	\$ 3,800.00	\$ 3,800.00
	Imported Pipe Foundation Material	40	CY	\$ 50.00	\$ 2,000.00
	Imported Trench Backfill Material	100	CY	\$ 25.00	\$ 2,500.00
	Underground Utility Crossing	2	EA	\$ 400.00	\$ 800.00
	8" Sanitary Sewer Main	1,190	LF	\$ 42.00	\$ 49,980.00
	4" PVC Sanitary Sewer Service Line	638	LF	\$ 50.00	\$ 31,900.00
	Connect to Existing Manhole	1	EA	\$ 1,500.00	\$ 1,500.00
	48" Sanitary Sewer Manhole	5	EA	\$ 6,000.00	\$ 30,000.00
	48" Sanitary Sewer Drop Manhole	1	EA	\$ 6,750.00	\$ 6,750.00

**Subtotal Schedule G** \$132,330.00

**Schedule H - Phase 2 Storm Sewer System**

Bid Item	Description	Est. Quantity	Unit	Unit Cost	Total Cost
	Quality Control Testing	1	LS	\$ 5,000.00	\$ 5,000.00
	Mobilization	1	LS	\$ 3,000.00	\$ 3,000.00
	Storm Drain Manhole	2	EA	\$ 5,500.00	\$ 11,000.00
	18" PVC Storm Pipe	36	LF	\$ 80.00	\$ 2,880.00
	24" PVC Storm Pipe	44	LF	\$ 100.00	\$ 4,400.00
	30" RCP Storm Pipe	445	LF	\$ 120.00	\$ 53,400.00
	36" RCP Storm Pipe	96	LF	\$ 140.00	\$ 13,440.00
	30" Flared End	1	EA	\$ 1,500.00	\$ 1,500.00
	36" Flared End	2	EA	\$ 1,750.00	\$ 3,500.00
	36" Trash Rack	1	EA	\$ 1,500.00	\$ 1,500.00
	Type C Storm Drain Inlet box/Catch Basin	1	EA	\$ 8,500.00	\$ 8,500.00

**Subtotal Schedule H** \$108,120.00

**Construction Total for Phase 2 Schedules E - H** \$689,520.52

**10% Contingency** \$68,952.05

**Total Phase 2 Opinion of Probable Cost** **\$758,472.58**



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