ORDINANCE NO. 2059

AN ORDINANCE annexing a 27.008 ± acre parcel of land situated in the NE1/4 of Section 15, and the NW1/4 of Section 14, all in Township 55 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, and zoning said parcel as R-3 Residence District.

WHEREAS Woodland Creek Estates LLC, and Robert D. & Roberta C. Blevins are 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 have petitioned for the zoning thereof as a R-3 Residence 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-3 Residence District; and

WHEREAS the following were conditions of approval:

1. Any future development of the subject property will be limited to a total maximum of 300 units.
2. Prior to being recorded the annexation exhibit should show the subject property being tied to the NE corner of Section 15, T55N, R84W.
3. Prior to any subdivision application for the subject property being reviewed by Planning Commission, any and all flood plain issues must be adequately addressed with a response from either FEMA or the Army Corps of Engineers.
4. Prior to issuing any development plans (i.e. building permit, preliminary plats, replats, etc.) for the said annexation staff must obtain, at a minimum, preliminary hydrology data from the U.S. Army Corps of Engineers. This data must be associated with the current Flood Plain Update Cooperative Agreement that the Corps of Engineers is providing for the City of Sheridan and Sheridan County. The developer and engineering consultant agree to utilize this preliminary data for all drainage studies and development plans for the said annexed area.

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-3 Residence 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 (see Exhibit 'A'), to wit:

A tract of land situated in the Northeast quarter of the Northeast quarter of Section 15 and the Northwest quarter of the Northwest quarter of Section 14, all in Township 55 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, being more particularly described as follows:

Beginning at a point located N 09°53'22" E, 4,114.63 feet from the Southeast corner of said Section 15; thence S 89°24'57" W, 657.97 feet; thence N 00°30'58" E, 437.48 feet; thence along a curve to the right having a Central Angle 08°42'12", Radius 330.00 Feet, Length 50.13 feet and Chord Bearing N 46°57'41" W, 50.08 feet; thence N 42°36'35" W, 26.12 feet; thence S 89°48'28" W, 536.41 feet to a point on the thread of Little Goose Creek; thence through the following ten courses along the thread of Little Goose Creek:
N 45°00'00" W, 58.85 feet; thence N 57°17'42" W, 89.92 feet; thence S 88°02'53" W, 79.33 feet; thence N 43°08'37" W, 72.43 feet; thence N 30°15'51" W, 121.91 feet; thence
N 22°47'58" W, 82.20 feet; thence N 11°23'13" W, 86.96 feet; thence N 05°02'39" W, 83.81 feet; thence N 08°57'36" E, 91.36 feet; thence N 30°38'49" E, 34.49 feet to a point on the Southerly Right-of-Way of Woodland Park Road; thence along said Southerly Right-of-Way N 88°38'39" E, 926.50 feet; thence leaving said Southerly Right-of-Way S 00°17'57" W, 391.12 feet; thence N 89°42'35" E, 626.94 feet; thence N 00°55'52" E, 392.97 feet to a point on the Southerly Right-of-Way of Woodland Park Road; thence along said Southerly
Right-of-Way N 89°49'14" E, 30.00 feet; thence leaving said Southerly Right-of-Way
S 00°54'42" W, 393.56 feet; thence S 89°56'11" E, 240.73 feet; thence S 00°03'49" W, 56.00 feet; thence S 89°56'11" E, 133.50 feet; thence S 00°03'49" W, 182.00 feet; thence
S 89°56'11" E, 105.23 feet; thence S 00°03'33" E, 125.00 feet; thence N 89°56'11" W, 481.62 feet; thence S 00°20'29" W, 362.93 feet to the Point of Beginning. Said Tract contains 27.008 acres, more or less.

Section 2. 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;

633929 ORDINANCE
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AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

(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 17th day of FEB, 2009.

Dave Kinskey

Dave Kinskey – Mayor

ATTEST:

CITY OF SHERIDAN MUNICIPAL SEAL SHERIDAN COUNTY WYOMING

Scott Badley – City Clerk

State of Wyoming)
)SS
County of Sheridan)

Subscribed and sworn to (or affirmed) before me this 18 day of February, 2009 by Dave Kinskey and Scott Badley.

Brenda K. Williams

Notary Public

BRENDA K. WILLIAMS - NOTARY PUBLIC
County of Sheridan State of Wyoming
My Commission Expires November 12, 2012

My commission expires Nov 12, 2012.

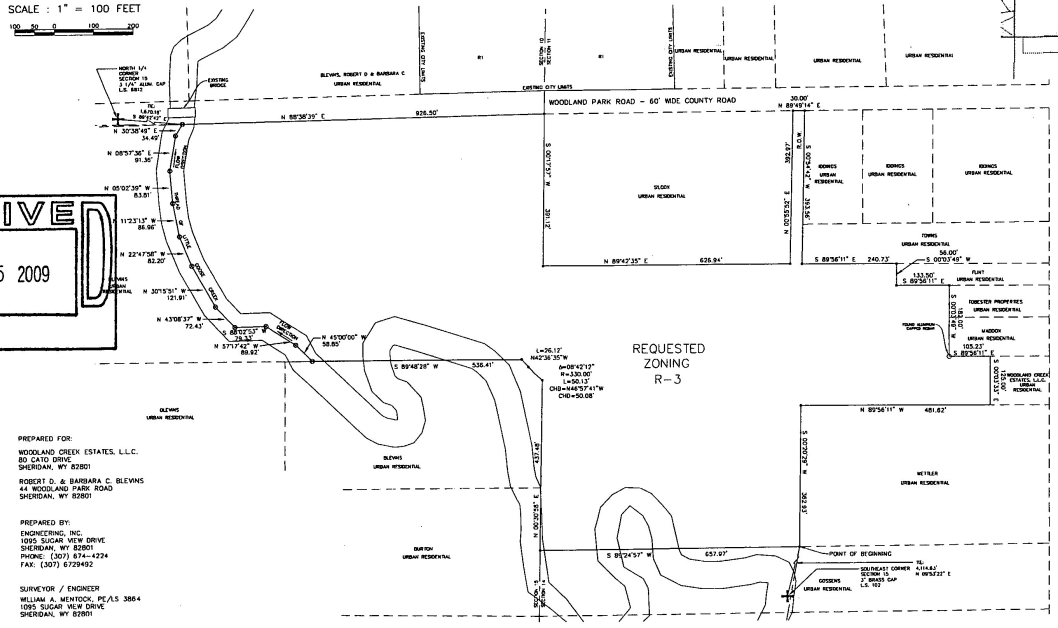
– EXHIBIT A –

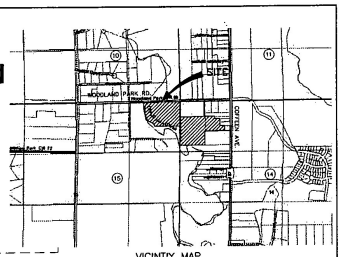
MAP TO ACCOMPANY

WOODLAND CREEK ESTATES ADDITION ANNEXATION

SITUATED IN THE NE1/4 NE1/4 OF SECTION 15 AND
THE NW1/4 NW1/4 OF SECTION 14, T. 55 N., R. 84 W., 6TH PRINCIPAL MERIDIAN
CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING
TOTAL ACREAGE=27.008 ACRES

DECEMBER 2008
SCALE : 1" = 100 FEET





VICINITY MAP
SCALE : 1" = 1,000 FEET

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15 AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, ALL IN TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED N 09°53'22" E, 4,114.63 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE S 89°24'57" W, 657.09 FEET; THENCE N 00°30'58" E, 437.48 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 09°42'13", RADIUS 330.00 FEET, LENGTH 50.13 FEET AND CHORD BEARING N 46°57'41" W, 50.08 FEET; THENCE N 42°36'35" W, 26.12 FEET; THENCE S 89°48'28" W, 538.41 FEET TO A POINT ON THE THREAD OF LITTLE GOOSE CREEK; THENCE THROUGH THE FOLLOWING TEN COURSES ALONG THE THREAD OF LITTLE GOOSE CREEK: N 45°00'00" W, 58.85 FEET; THENCE N 37°17'42" W, 89.82 FEET; THENCE S 88°02'53" W, 79.33 FEET; THENCE N 43°08'37" W, 72.43 FEET; THENCE N 30°15'51" W, 121.91 FEET; THENCE N 22°47'56" W, 82.20 FEET; THENCE N 11°23'13" W, 88.96 FEET; THENCE N 05°02'39" W, 83.81 FEET; THENCE N 08°57'36" E, 91.35 FEET; THENCE N 30°38'49" E, 34.49 FEET; THENCE N 88°38'39" E, 926.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF WOODLAND PARK ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY N 89°49'14" E, 30.00 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY S 00°03'49" W, 392.97 FEET; THENCE N 89°42'35" E, 626.94 FEET; THENCE N 00°59'57" E, 392.97 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF WOODLAND CREEK ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY N 89°49'14" E, 30.00 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY S 00°59'57" W, 393.58 FEET; THENCE S 89°56'11" E, 240.73 FEET; THENCE S 00°03'49" W, 56.00 FEET; THENCE S 89°56'11" E, 133.90 FEET; THENCE S 00°03'49" W, 182.00 FEET; THENCE S 89°56'11" E, 105.23 FEET; THENCE S 00°03'33" E, 123.00 FEET; THENCE N 89°56'11" W, 481.62 FEET; THENCE S 00°30'58" W, 283.83 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 27.008 ACRES, MORE OR LESS.

CERTIFICATE OF SURVEYOR

STATE OF WYOMING } ss
COUNTY OF SHERIDAN }

I, WILLIAM A. MENTOCK, OF SHERIDAN, WYOMING, A DULY REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PERFORMED THE SURVEY SHOWN ON THIS PLAT AND THAT THIS PLAT CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

WILLIAM A. MENTOCK
WY P.E. & L.S. No. 3864

CERTIFICATE OF COUNTY CLERK AND RECORDER

STATE OF WYOMING } ss
COUNTY OF SHERIDAN }

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK _____ M. THIS _____ DAY OF _____, 2008, AND FILED IN DRAWER _____ PLAT NUMBER _____ INSTRUMENT No. _____ FEE _____

COUNTY CLERK _____ DEPUTY COUNTY CLERK _____

PREPARED FOR:
WOODLAND CREEK ESTATES, L.L.C.
80 CATO DRIVE
SHERIDAN, WY 82801

ROBERT D. & BARBARA C. BLEVINS
44 WOODLAND PARK ROAD
SHERIDAN, WY 82801

PREPARED BY:
ENGINEERING, INC.
1095 SUGAR VIEW DRIVE
SHERIDAN, WY 82801
PHONE: (307) 674-4224
FAX: (307) 672-9492

SURVEYOR / ENGINEER
WILLIAM A. MENTOCK, PE/LS 3864
1095 SUGAR VIEW DRIVE
SHERIDAN, WY 82801

LEGEND:
o = FOUND SURVEY MONUMENT, AS NOTED
• = SET 5/8" X 24" REBAR WITH ALUM. CAP - PE/LS 3864
• = PROPERTY CORNER ALONG THREAD OF LITTLE GOOSE CREEK

ENGINEERING, INC.
Consulting Engineers and Land Surveyors
BILLINGS • BOZEMAN • SHERIDAN

PP_REV0515_2004.DWG SHE_07121 12/02/08 JMS

RECEIVED
FEB 25 2009