

## CITY OF SHERIDAN RIGHT OF WAY USE PERMIT

This right-of-way use permit granted by the City of Sheridan to Kathleen Susan Abbott, witnesses as follows:

WHEREAS, Kathleen Susan Abbott, owns real property described as follows in the City of Sheridan, to wit:

SE1/4 SW1/4, Section 22, Township 56 North, Range 84W being Tract 2 of the Abbott Minor Subdivision, City of Sheridan, Sheridan County, Wyoming.

WHEREAS, the above mentioned party has requested a right-of-way encroachment permit to allow for the maintenance of an existing duplex located on the property to encroach into the Delphi Avenue right-of-way the area and future limits of said encroachment being shown on the attached plat of the Abbot Minor Subdivision, labeled <a href="Exhibit A">Exhibit A</a>, being more particularly described as follows:

A tract of land situated in the SE1/4SW1/4 of Section 22, Township 56 North, Range 84 West of the of the Sixth Principal Meridian, Sheridan County, Wyoming, being a portion of Delphi Avenue adjacent to Block 3 of the Sheridan Land Company's First Addition to the City of Sheridan, Sheridan County Wyoming; more particularly described as follows:

Beginning at a point which bears N 1°06′36″ E a distance of 172.72 feet from the Southeast Corner of said Block 3, Sheridan Land Company's First Addition; thence S 88°47′37″ E for a distance of 1.52 feet; thence N 1°16′06″ E for a distance of 9.60 feet; thence S 88°43′54″ E for a distance of 3.80 feet; thence N 1°16′06″ E for a distance of 9.53 feet; thence N 88°12′55″ W for a distance of 1.63 feet; thence S 1°06′36″ W for a distance of 38.24 feet to the point of beginning.

Said tract of land contains 133 square feet.

WHEREAS the City Council at its regular June 15, 2009, meeting has approved the requested right-of-way use permit.

## NOW THEREFORE:

The City of Sheridan hereby grants to Kathleen Susan Abbott, her heirs and assigns permission to utilize the above described area within the Delphi Avenue right-of-way for the continued maintenance of a residential duplex, as long as the use of the above described portions are suitable to the City Council of the City of Sheridan, and further providing that no claim shall be made against the City of Sheridan or any of its officers or employees for any damages or injury that might result to persons or property while enjoying the use of the above described area.

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Said permission shall not expire except in the case that the existing duplex suffers damage in the amount of, or is rehabilitated or reconstructed to the extent of, 75% of its estimated value, in which case this right-of way use permit shall expire, and the property shall be brought into full compliance with the Zoning Ordinance of the City of Sheridan.

Approved this 15th day of June

Dave Kinskey, Mayor

PIDAN COUNT

Scott Badley - City Clerk

State of Wyoming County of Sheridan

The foregoing instrument was acknowledged before me by Dave Kinsheu

day of August

Witness my hand and official seal.

SUSAN M. GOODMAN - NOTARY PUBLIC COUNTY OF STATE OF SHERIDAN WYOMING My Commission Expires June 12, 2014



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## RANDALL ENGINEERING SURVEYS

722 Monte Vista Sheridan, Vistaming, 8280 f Phone 3477-124/903 Factorization Applications

May 5, 2009

Mr. Robert Briggs, A.I.C.P City of Sheridan 55 East Grinnell Sheridan, Wyoming 82801

Re: Variance Request to Accompany the Abbott Minor Subdivision Submittal.

This letter is to serve as a request for a variance of the required 60 foot width on a proposed lot in the Abbott Minor Subdivision. I am forwarding this to you on behalf of Kathleen Susan Abbott and am acting as her agent regarding the plat submittal.

I respectfully request the variance for the following reasons:

- With the lot line as proposed the existing tree remains with the property at 815 Burton. That is with Mrs. Abbott's wishes.
- 2. The lot line as proposed will allow more privacy and enjoyable use of the property at 815 Burton. The future plans are to build a new garage for this property and remove the existing garage allowing for a patio area and landscaping in the rear yard of the residence at 815 Burton. These future plans are the desires of Mrs. Abbott.

These reasons for the variance are of a topographical nature because of existing features that have existed for many years and were on the property when acquired by Mrs. Abbott.

I you have any questions feel free to contact me. Thank you.

Respectfully yours,

David L. Randall

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"A" Exhibit

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