

ORDINANCE NO. 2091

AN ORDINANCE annexing a 199.45 ± acre parcel of land situated in the SE1/4NW1/4, SW1/4NE1/4, N1/2SE1/4, and the NE1/4SW1/4 of Section 20, all in Township 56 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, and zoning said parcel as R-1 Residence District. Also annexing a 357.78+/- acre parcel of land situated in the NE1/4, N1/2SE1/4, E1/2NW1/4, and the NE1/4SW1/4 of Section 29, Township 56 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, and zoning a portion of said parcel as R-1 Residence District, and a portion of said parcel as B-1 Business District.

WHEREAS Sheridan Heights Ranch, LLC, the owner of the herein described property, has petitioned to the City of Sheridan in writing for the annexation of the following described land into the City of Sheridan, and have petitioned for the zoning of thereof to be in part R-1 Residence District and in part 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 a portion R-1 Residence District, and a portion B-1 Business District; and

WHEREAS the following was condition of approval:

1. Future proposed subdivisions, which include Water and Sewer (W&S) infrastructure, will be required to obtain a W&S Main Extension Permit through the City of Sheridan Utilities Department.

WHEREAS the City Council after a public hearing thereon has determined the annexation of said tracts, which are adjacent to the City, and the zoning thereof in part as R-1 Residence District and in part as 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 (see Exhibit 'A'), with the following conditions, to wit:

1. Future proposed subdivisions, which include Water and Sewer (W&S) infrastructure, will be required to obtain a W&S Main Extension Permit through the City of Sheridan Utilities Department.

A tract of land situated in the SE1/4NW1/4, SW1/4NE1/4, N1/2SE1/4, and the NE1/4SW1/4 of Section 20, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, said tract of land being more particularly described as follows:

BEGINNING at the east quarter corner of said Section 20 (Monumented with an 3" Aluminum Cap Per PE & LS 551); thence S00°14'28"E, 1255.17 feet along the east line of said N1/2SE1/4 to a point, said point being a fence corner (Set 2" Aluminum Cap per PLS 2615); thence N89°00'22"W, 1349.20 feet along said fence line to the southwest corner of the NE1/4SE1/4 (Set 3/4" Aluminum Cap per PLS 2615); thence N88°46'36"W, 1349.34 feet along the south line of said N1/2SE1/4 to the southwest corner of said NE1/4SE1/4 (Set 3/4" Aluminum Cap per PLS 2615); thence N88°46'40"W, 1347.27 feet along the south line of said NE1/4SW1/4 to the southwest corner of said NE1/4SW1/4 (Set 3/4" Aluminum Cap per PLS 2615); thence N00°25'43"W, 1316.92 feet along the west line of said NE1/4SW1/4 to the northwest corner of said NE1/4SW1/4 (Set 3/4" Aluminum Cap per PLS 2615); thence N00°45'16"W, 1295.17 feet along the west line of said SE1/4NW1/4 to the northwest corner of said SE1/4NW1/4 (Set 3/4" Aluminum Cap per PLS 2615); thence S87°44'48"E, 1355.56 feet along the north line of said SE1/4NW1/4 to the northeast corner of said SE1/4NW1/4 (Monumented with a 3/4" Aluminum Cap Per PE & LS 3864); thence S87°44'37"E, 626.18 feet along the north line of said SW1/4NE1/4 to a point (Set 2" Aluminum Cap per PLS 2615), said point lying on an east-west fence line; thence S85°46'56"E, 733.14 feet along said east-west fence line to a point (Set 2" Aluminum Cap per PLS 2615), said point lying on the east line of said SW1/4NE1/4; thence S00°10'59"E, 1258.25 feet along the east line of said SW1/4NE1/4 to the southeast corner of said SW1/4NE1/4 (Monumented with a 3/4" Aluminum Cap per PLS 2615); thence S87°58'56"E, 1352.07 feet along the north line of said N1/2SE1/4 to the

POINT OF BEGINNING of said tract.

Said tract contains **199.45 acres** of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

And,

A tract of land situated in the NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, said tract of land being more particularly described as follows:

Commencing at the northeast corner of said Section 29 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap Per PLS 2615); thence S00°49'29"W, 74.67 feet along the east line of said Section 29 to the **POINT OF BEGINNING** (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615) of said tract, said point lying on the south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330); thence S00°49'29"W, 2606.79 feet along the east line of said Section 29 to a point (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S00°49'29"W, 1340.73 feet along said east line of Section 29 to a point (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PE&LS 3864), lying on the northerly line of a tract of land described in Book 458 of Deeds, Page 619, said point being the southeast corner of said N $\frac{1}{2}$ SE $\frac{1}{4}$; thence N88°23'16"W, 1923.74 feet along said north line of said tract described in Book 458 of Deeds, Page 619 to a point (Monumented with a 2" Aluminum Cap per PE&LS 3864), said point being the northeast corner of a tract of land described in Book 479 of Deeds, Page 26; thence N88°55'27"W, 1387.49 feet along the north line of said tract described in Book 479 of Deeds, Page 26 to a point (Set 2" Aluminum Cap per PLS 2615); thence N89°28'07"W, 641.67 feet along an existing fence line to a point (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence N00°22'28"W, 586.88 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615); thence N00°58'23"W, 729.34 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615); thence N04°32'18"W, 20.88 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615); thence S89°54'31"W, 8.72 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615), said point lying on the west line of said E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29; thence N00°05'24"W, 2527.04 feet along the west line of said E $\frac{1}{2}$ NW $\frac{1}{4}$ to a point (Set 3 $\frac{1}{4}$ " Aluminum Cap Per PLS 2615), said point lying on the easterly line of a tract of land described in Book 445 of Deeds, Page 526; thence S81°17'18"E, 21.62 feet along said easterly line described in Book 445 of Deeds, Page 526 to a point (Monumented with a 1 $\frac{1}{2}$ " Aluminum Cap per PLS 2615); thence N43°15'16"E, 97.05 feet to a point (Set a 2" Aluminum Cap per PLS 2615), said point lying on said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330); thence, through a non-tangent curve to the left along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330), having a radius of 1029.92 feet, a central angle of 19°51'04", an arc length of 356.83 feet, a chord bearing of S79°36'11"E, and a chord length of 355.05 feet to a point (Monumented with a Highway Right-of-Way Marker, Station 113+96.3 PC); thence S89°33'54"E, 966.50 feet along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330) to a point (Monumented with a Highway Right-of-Way Marker, Station 104+30); thence S89°32'21"E, 1633.60 feet along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330) (Station 87+96.4 PT) to a point (Set 2" Aluminum Cap per PLS 2615); thence, through a non-tangent curve to the left along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330), having a radius of 22993.32 feet, a central angle of 01°59'57", an arc length of 802.31 feet, a chord bearing of N89°22'13"E, and a chord length of 802.27 feet to a point (Set 2" Aluminum Cap per PLS 2615) (Station 79+94.1 PC); thence N88°27'41"E, 199.99 feet along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330) to the **POINT OF BEGINNING** of said tract.

Said tract contains **357.78 acres** of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

Section 2. ZONING

That the following lands within the area described in Section 1 of this ordinance and shown on the Attached Exhibit 'A' be zoned B-1 Business.

A TRACT OF LAND SITUATED IN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 29, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29 (MOINUMENTED WITH A -1/4" ALUMINUM CAP PER PLS 2615); THENCE S00°49'29"W, 74.67 FEET TO THE POINT OF BEGINNING OF SAID TRACT, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF WEST FIFTH STREET (AKA STATE HIGHWAY NO. 330), AND BEING THE NORTHWEST

CORNER OF CLOUD PEAK RANCH ANNEXATION 2 (MONUMENTED WITH A 3-1/4" ALUMINUM CAP PER PLS 2615); THENCE S00°49'29"W, 852.50 FEET ALONG THE EAST LINE OF SAID NE1/4NE1/4 TO A POINT; THENCE N64°27'45"W, 258.46 FEET TO A POINT; THENCE N89°00'04"W 339.30 FEET TO A POINT; THENCE, THROUGH A NON- TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 31°52'35", A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 181.59 FEET, A CHORD BEARING OF S26°31'54" W, AND A CHORD LENGTH OF 181.24 FEET TO A POINT; THENCE S42°28'12"W,, 101.75 FEET TO A POINT; THENCE S90°00'00"W, 106.30 FEET TO

A POINT; THENCE N04°03'08"E, 960.16 FEET TO A POINT, SAID POINT LYING ON THE SOUTH RIGHT-OF WAY LINE OF SAID WEST FIFTH STREET (AKA STATE HIGHWAY NO. 330); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE THROUGH A NON- TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01°25'40", A RADIUS OF 22993.32 FEET AN ARC LENGTH OF 573.01 FEET, A CHORD BEARING OF N89°05'04"E, AND A CHORD LENGTH OF 573.00 FEET TO A POINT; THENCE N88°27'41"E, 199.99 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING OF SAID TRACT.

SAID TRACT CONTAINS 14.61 ACRES OF LAND, MORE OR LESS.

And

A TRACT OF LAND SITUATED IN THE NW1/4NE1/4 OF SECTION 29, TOWNSHIP 56 NORTH, RANGE 84 WEST, 67H P.M., SHERIDAN COUNTY, WYOMING; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29 (MONUMENTED WITH A 3-1/4" ALUMINUM CAP PER PLS 2615); THENCE S80°26'18"E, 602.37 FEET TO THE POINT OF BEGINNING OF SAID TRACT, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF WEST FIFTH STREET (AKA STATE HIGHWAY NO. 330); THENCE S89°32'21"E, 350.00 FEET ALONG SAID SOUTHLY RIGHT-OF-WAY LINE TO A POINT; THENCE S00°27'39"W, 323.86 FEET TO A POINT; THENCE N89°32'21"W, 393.50 FEET TO A POINT; THENCE THROUGH A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°51'02", A RADIUS OF 1460.00 FEET, AN ARC LENGTH OF 327.45 FEET, A CHORD BEARING OF N08°06'39"E, AND A CHORD LENGTH OF 326.77 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 2.72 ACRES OF LAND, MORE OR LESS

All remaining property within the lands described in Section 1 shall be zoned R-1 Residence.

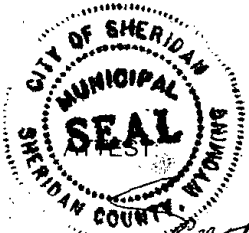
Section 3. FINDINGS. That the City Council resolves and makes the following findings in accordance with Wyoming State Statute 15-1-402:

- (i.) The 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;
- (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. 15-1405(a).

Section 4. SEVERABILITY. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 5. 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 16th day of August, 2010.



John Bigelow
John Bigelow - Acting Mayor

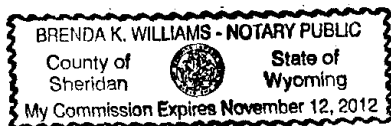
Scott Badley
Scott Badley - City Clerk

State of Wyoming)
)SS
County of Sheridan)

Subscribed and sworn to (or affirmed) before me this 27 day of
August, 2010 by John Bigelow and Scott Badley

Brenda K. Williams
Notary Public

My commission expires 11/12/12



LEGAL DESCRIPTION

Record Owner: **System Land LLC**
June 28, 2010

RE: Cloud Peak Ranch Annexation No. 3, Tract 2A (R-1 Zoning)

A tract of land situated in the NE¼, N½SE¼, E½NW¼, and the NE¼SW¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, said tract of land being more particularly described as follows:

Commencing at the northeast corner of said Section 29 (Monumented with a ¾" Aluminum Cap Per PLS 2615); thence S00°49'29"W, 927.17 feet along the east line of said Section 29 to the **POINT OF BEGINNING** of said tract; thence S00°49'29"W, 1754.30 feet along the east line of said Section 29 to a point (Monumented with a ¾" Aluminum Cap per PLS 2615); thence S00°49'29"W, 1340.73 feet along said east line of Section 29 to a point (Monumented with a ¾" Aluminum Cap per PE&LS 3864), lying on the northerly line of a tract of land described in Book 458 of Deeds, Page 619, said point being the southeast corner of said N½SE¼; thence N88°23'16"W, 1923.74 feet along said north line of said tract described in Book 458 of Deeds, Page 619 to a point (Monumented with a 2" Aluminum Cap per PE&LS 3864), said point being the northeast corner of a tract of land described in Book 479 of Deeds, Page 26; thence N88°55'27"W, 1387.49 feet along the north line of said tract described in Book 479 of Deeds, Page 26 to a point (Set 2" Aluminum Cap per PLS 2615); thence N89°28'07"W, 641.67 feet along an existing fence line to a point (Monumented with a ¾" Aluminum Cap per PLS 2615); thence N00°22'28"W, 586.88 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615); thence N00°58'23"W, 729.34 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615); thence N04°32'18"W, 20.88 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615); thence S89°54'31"W, 8.72 feet along said existing fence line to a point (Set 2" Aluminum Cap per PLS 2615), said point lying on the west line of said E½NW¼ of Section 29; thence N00°05'24"W, 2527.04 feet along the west line of said E½NW¼ to a point (Set ¾" Aluminum Cap Per PLS 2615), said point lying on the easterly line of a tract of land described in Book 445 of Deeds, Page 526; thence S81°17'18"E, 21.62 feet along said easterly line described in Book 445 of Deeds, Page 526 to a point (Monumented with a ½" Aluminum Cap per PLS 2615); thence N43°15'16"E, 97.05 feet to a point (Set a 2" Aluminum Cap per PLS 2615), said point lying on said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330); thence, through a non-tangent curve to the left along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330), having a radius of 1029.92 feet, a central angle of 19°51'04", an arc length of 356.83 feet, a chord bearing of S79°36'11"E, and a chord length of 355.05 feet to a point (Monumented with a Highway Right-of-Way Marker, Station 113+96.3 PC); thence S89°33'54"E, 966.50 feet along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330) to a point (Monumented with a Highway Right-of-Way Marker, Station 104+30); thence S89°32'21"E, 537.12 feet along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330) (Station 87+96.4 PT) to a point; thence, through a non-tangent curve to the left, having a radius of 1460.00 feet, a central angle of 19°39'07", an arc length of 500.77 feet, a chord bearing of S11°30'42"W, and a chord length of 498.32 feet to a point; thence S68°39'44"E, 297.12 feet to a point; thence N00°00'00"E, 594.98 feet to a point, said point lying on said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330); thence S89°32'21"E, 919.17 feet along said West Fifth Street (AKA Wyoming State Highway No. 330) to a point; thence, through a non-tangent curve to the left along said south right-of-way line of West Fifth Street (AKA Wyoming State Highway No. 330), having a radius of 22993.32 feet, a central angle of 00°34'17", an arc length of 229.29 feet, a chord bearing of S89°54'57"E, and a chord length of 229.29 feet to a point; thence S04°03'08"W, 960.16 feet to a point; thence due East, 106.30 feet to a point; thence N42°28'12"E, 101.75 feet to a point; thence, through a curve to the left, having a radius of 330.00 feet, a central angle of 31°52'35", an arc length of 183.59 feet, a chord bearing of N26°31'54"E, and a chord length of 181.24 feet to a point; thence S89°00'04"E, 339.30 feet to a point; thence S64°27'45"E, 258.46 feet to the **POINT OF BEGINNING** of said tract.

Said tract contains **340.45 acres** of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

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LEGAL DESCRIPTION

Record Owners: System Land, LLC
June 25, 2010

Re: Tract 2B (B-1 Zoning)

A tract of land situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said tract of land being more particularly described as follows:

Commencing at the northeast corner of said Section 29 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S00°49'29"W, 74.67 feet to the **POINT OF BEGINNING** of said tract, said point lying on the south right-of-way line of West Fifth Street (AKA State Highway No. 330), and being the northwest corner of Cloud Peak Ranch Annexation 2 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S00°49'29"W, 852.50 feet along the east line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to a point; thence N64°27'45"W, 258.46 feet to a point; thence N89°00'04"W, 339.30 feet to a point; thence, through a non-tangent curve to the right, having a central angle of 31°52'35", a radius of 330.00 feet, an arc length of 183.59 feet, a chord bearing of S26°31'54"W, and a chord length of 181.24 feet to a point; thence S42°28'12"W, 101.75 feet to a point; thence S90°00'00"W, 106.30 feet to a point; thence N04°03'08"E, 960.16 feet to a point, said point lying on the south right-of-way line of said West Fifth Street (AKA State Highway No. 330); thence, along said south right-of-way line through a non-tangent curve to the left, having a central angle of 01°25'40", a radius of 22993.32 feet, an arc length of 573.01 feet, a chord bearing of N89°05'04"E, and a chord length of 573.00 feet to a point; thence N88°27'41"E, 199.99 feet along said south right-of-way line to the **POINT OF BEGINNING** of said tract.

Said tract contains 14.61 acres of land, more or less.

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LEGAL DESCRIPTION

Record Owners: System Land, LLC
June 25, 2010

Re: Tract 2C (B-1 Zoning)

A tract of land situated in the NW¼NE¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said tract of land being more particularly described as follows:

Commencing at the north quarter corner of said Section 29 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S80°26'18"E, 602.37 feet to the **POINT OF BEGINNING** of said tract, said point lying on the south right-of-way line of West Fifth Street (AKA State Highway No. 330); thence S89°32'21"E, 177.31 feet along said southly right-of-way line to a point; thence S00°00'00"E, 594.98 feet to a point; thence N68°39'44"W, 297.12 feet to a point; thence, through a non-tangent curve to the left, having a central angle of 19°39'07", a radius of 1460.00 feet, an arc length of 500.77 feet, a chord bearing of N11°30'42"E, and a chord length of 498.32 feet to the **POINT OF BEGINNING**.

Said tract contains 2.72 acres of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

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