

ORDINANCE NO. 2033

AN ORDINANCE annexing a two parcels of land, \pm 76.74 acres, situated in the N1/2 of Section 14, Township 55 North, Range 84 West, 6th Principal Meridian, Sheridan County, Wyoming, and zoning said tracts as an R-3 Residence District and B-1 Business District.

WHEREAS Floyd J. Flemming, Phyllis J. Flemming, Jon W. Clark, Carol A. Clark, Jane P. Clark, Phillip D. Huckins, and Sheridan County School District #2 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 the Planning Commission has recommended the zoning thereof as an 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 City Council after a public hearing thereon has determined the annexation of said tracts, which are adjacent to the City, and the zoning thereof as R-3 Residence 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:

Parcel A

A PARCEL OF LAND LOCATED IN THE SW1/4NE1/4, NW1/4SE1/4 SE1/4NW1/4, SECTION 14, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH. P.M. SHERIDAN COUNTY, WYOMING

BEGINNING at a point which is located South 14°36'28" East, 1295.69 feet; from the North ¼ Corner of said Section 14;
 Thence North 89°45'27" East, 993.07 feet;
 Thence South 01°03'07" West, 2002.89 feet;
 Thence South 89°54'52" West, 1112.58 feet;
 Thence North 00°06'18" West, 351.87 feet;
 Thence North 84°25'30" West, 341.74 feet;
 Thence North 04°43'55" East, 241.68 feet;
 Thence North 30°32'08" East, 197.60 feet;
 Thence North 34°47'03" West, 288.91 feet;
 Thence North 54°51'57" East, 159.89 feet;
 Thence South 89°41'59" West, 1172.39 feet to a point on the East Right of Way of State Highway 87;
 Thence with said Right of Way North 00°34'34" East, 341.98 feet;
 Thence leaving said Right of Way North 89°41'59" East, 1511.87 feet;
 Thence North 89°37'15" East, 77.78 feet;
 Thence North 32°15'00" East, 174.86 feet;
 Thence North 22°32'03" East 69.47 feet;
 Thence North 22°11'26" West, 343.74 feet;
 to the point of **BEGINNING**, having an area 2863835.24 Square Feet, 65.74 Acres.

Parcel B

A PARCEL OF LAND LOCATED IN THE SE1/4NW1/4, NE1/4SW1/4, SECTION 14, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH.P.M. SHERIDAN COUNTY, WYOMING

BEGINNING at a point which is located South, 30°28'52" West, 2476.85 feet; from the North ½ of Said Section 14, Said Point also being on the East Right of Way of State Highway 87;
Thence leaving said Right of Way North 89°41'59" East, 1172.39 feet;
Thence South 54°51'57" West, 159.89 feet;
Thence South 54°43'40" West, 89.71 feet;
Thence South 35°57'59" West, 145.90 feet;
Thence South 20°19'59" West, 276.30 feet;
Thence South 89°41'58" West 791.91 feet to the East Right of Way of Said State Highway 87;
Thence with said Right of Way North 00°34'34" East, 519.02 Feet; to the point of **BEGINNING**, having an area of 478,842.78 Square Feet, 10.99 acres.

Section 2. ZONING. That following the annexation exhibit attached hereto as Exhibit A:

- a. The property being labeled Tract 2-A, 3 and Tract 4-A, being + 66.85 acres, be zoned R-3 Residence.
- b. The property labeled as Tracts 2 and 4, being + 9.89 acres be zoned B-1 Business.

Section 3. 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;
- (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 3rd day of December, 2008¹.



Dave Kinsky – Mayor

Arthur Elkins – City Clerk/Treasurer

State of Wyoming)
)SS
County of Sheridan)



Subscribed and sworn to (or affirmed) before me this 3rd day of

December, 2008¹ by Dave Kinsky & Art Elkins

Kristen Bunning
Notary Public

My commission expires July 27, 2011.