



Laramie County Public Works
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To: Laramie County Board of Commissioners

From: David S. Bumann, P.E., Public Works Director and Appointed Viewer

Date: April 30, 2019

RE: PZ-19-00027 - Petition to vacate portion of Grove Drive

Commissioners,

This petition requests vacating a portion of Grove Drive, which currently exists as an undeveloped Right-of-Way of 80 feet in width. The legal description of the portion to be vacated essentially straddles the eastern boundary of Township 15N, Range 66W, Section 33 and the western boundary of Township 15N, Range 66W, Section 34. The linear measurement, north to south, of this portion to be vacated is 5,333.28 feet in length more or less.

Vacating this road segment will adversely affect at least two landowners immediately. The first landowner originating from Iron Mountain Road to the north would lose current public access along its entire western boundary. This property is administered by the Office State Lands and Investments Board. The next landowner north, a private citizen, would lose current Right-of-Way access on the western end of the parcel. Both aforementioned property owners would in fact still maintain Right-of-Way access along their eastern boundaries via the current White Eagle Road Right-of-Way.

Future connectivity potential between subdivisions with already established, platted Right-of-Ways is at a premium. This segment of undeveloped road is in the zoned area and it would be prudent to reserve it as a future connection to Iron Mountain Road. The Cheyenne Metropolitan Planning Organization classifies Iron Mountain as "major collector" which has been designated to accept traffic volumes from "local" roads such as current roads in the area along with a potential future Grove Drive. This said Right-of-Way may be essential in establishing future connectivity between Ranchettes I and Ranchettes II subdivisions as rural development is imminent in this area of Laramie County.

There would be no immediate deleterious effects per se, if not vacated as the public may still use this undeveloped right-of-way for non-detrimental uses such as walking, biking, riding horses and allowable incidental recreational uses as mentioned as a current use in the petition request. Fencing can be provided to prevent future emergency vehicles from inadvertently entering the said portion of Right-of-Way in order to prevent unnecessary delays in providing crucial services.

That being said, I would recommend to the Board to deny this petition for vacation.

Thank you for the opportunity to comment.

County Assessor: Clarice Blanton COMMENTS ATTACHED 04/29/2019

If vacated, Grove Drive will be assessed to the adjacent landowners in Wyoming Ranchettes. The parcels affected by this assessment are Lots 1 and 2, Block 10; Lots 1 and 2, Block 11; Lots 1 and 4, Block 4; and Lots 1 and 4, Block 5. As the parcels on the east side of Grove Drive did not dedicate any portion of Grove Drive, those landowners are not entitled to any portion of the roadway.

County Engineer: Scott Larson COMMENTS ATTACHED 04/30/2019

I would strongly NOT recommend approval of the vacation of Grove Drive for the following reasons:

- 1.The right-of-way (ROW) currently exists and if it is ever needed in the future it would be difficult, if not impossible, to get it back to reestablish from private ownership. There would be too many property owners that would have to agree to put it back to ROW.
- 2.As indicated in the letter and from visual observations, it appears that the public has been using the ROW and benefitting to some degree from its existence. So it is not like the ROW hasn't already been beneficial even though it may be tough to navigate at times.
- 3.It currently provides access to adjacent properties that may or may not be in use today, but could potentially need the access for future developments, etc.
- 4.Historically public rights-of-way have not been vacated based on multiple ownerships on either side of the dedicated ROW. They are historically being granted when it is under one ownership on both sides and along the entire length of the vacated ROW. This has a total of 9 impacted property owners.
- 5.Statutory requirements for the vacation of a ROW include mandating that the ROW be surveyed and split 50/50 down the center and placed under the ownership of the adjacent landownership (i.e., the landowners on the west side of Grove get half of the ROW and the land owners on the east side get half of the ROW). The petition did not include the detailed survey (i.e., showing all the dimensions, acreage/sq.ft, etc.) for each and every adjacent property owner and what would be going to whom. This needs to be completed by a Wyoming Licensed Surveyor and be provided to the County which it was not.
- 6.An investigation needs to be done to determine if there are any existing utilities within the current ROW needs as this could create difficulties/issues for utility companies.

Black Hills Energy: Kelly Lindholm COMMENTS ATTACHED 04/30/2019

We would like for that to remain as a utility and access road easement (or at least 20 ft. wide). This will be needed for the further development that is taking place around the Crazy Horse Rd & Grove Dr. intersection.

AGENCIES WITH NO COMMENTS:

Sheriff's Office
County Real Estate Office
County Treasurer
US Post Office
Combined Communications Center
Emergency Management
Fire District No. 2
High West Energy
CenturyLink

RESOLUTION # _____

ROAD PETITION RP-500

WHEREAS, the Board of County Commissioners of Laramie County has received Road Petition No. RP-500, (Petition from Al Carley for the residences of Wyoming Ranchettes, 1st Filing, dated January 28, 2019) requesting the vacation of the public right-of-way known as Grove Drive, described as beginning at the W1/2 SW1/4, SW1/4 NW1/4, Section 34, Township 15 North, Range 66 West, and Block 4, Block 5, Block 10, and Block 11, Wyoming Ranchettes, 1st Filing, a length of 5,333.28 feet more or less, along the east line of Section 33.

WHEREAS, the Laramie County Board of Commissioners, having appointed the Laramie County Public Works Director as a viewer to examine into the expediency of the proposed vacation; and

WHEREAS, the Laramie County Public Works Director has viewed and evaluated the pertinent facts regarding the proposed vacation and recommends denial of the vacation; and

WHEREAS, the Laramie County Board of Commissioners conclude vacation of the public right-of-way as requested by Road Petition RP-500 would not be in the public interest.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

1. The Grove Drive right-of-way, as described in the Vacation Petition shall not be vacated, and shall remain a public right-of-way.
2. The undeveloped Grove Drive right-of-way has connectivity potential for future development and connections to existing right-of-ways.
3. The proposed vacation of the Grove Drive right-of-way would adversely affect accesses of adjacent landowner's.

DATED this _____ day of May, 2019.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Linda Heath, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Laramie County Attorney's Office