

27

LARAMIE COUNTY CLERK BOARD OF COUNTY COMMISSIONERS AGENDA ITEM PROCESSING FORM

1. DATE OF PROPOSED ACTION: May 1, 2012

2. AGENDA ITEM:	<input type="checkbox"/> Appointments	<input type="checkbox"/> Bids/Purchases	<input type="checkbox"/> Claims
<input type="checkbox"/> Contracts/Agreements/Leases	<input type="checkbox"/> Grants	<input checked="" type="checkbox"/> Land Use: Variances/Board App/Plats	
<input type="checkbox"/> Proclamations	<input type="checkbox"/> Public Hearings/Rules & Reg's	<input type="checkbox"/> Reports & Public Petitions	
<input type="checkbox"/> Resolutions	<input type="checkbox"/> Other		

3. DEPARTMENT: Planning & Development Office

APPLICANT: Dale A. Reed AGENT: Dale A. Reed

4. DESCRIPTION:

Consideration of a Subdivision Permit for the Reed Subdivision, located in a portion of the SE 1/4 of Section 30, T. 15 N., R. 66 W., of the 6th P.M., Laramie County, WY.

RECEIVED AND APPROVED AS
TO FORM ONLY BY THE
LARAMIE COUNTY ATTORNEY

Amount \$ _____ From _____

5. DOCUMENTATION: 1 Originals 4 Copies

<u>Commissioner</u>		<u>Clerks Use Only:</u>		<u>Signatures</u>	
Humphrey	_____	Co Atty			_____
Thompson	_____	Asst Co Atty			_____
Woodhouse	_____	Grants Manager			_____
Action	_____	Outside Agency			_____

Proof of Publication

THE STATE OF WYOMING)
County of Laramie) ss.

AFFIDAVIT

L.D. Catalano of said County of Laramie, being first duly sworn, deposes and says that he is Controller; or Faith Vroman, of said County of Laramie, being first duly sworn, deposes and says that she is the Secretary of the

Wyoming Tribune-Eagle

a newspaper printed and published in said County and State, and in the Capitol of said State; that the notice of which the annexed is a true copy, has been published in the said newspaper.

for One _____
Times, to wit:
March 9, 2012

and that the first publication of said notice was made in said paper bearing date

March 9, _____ A.D. 20 12

and that the last publication of said notice was made in said paper bearing date

March 9, _____ A.D. 20 12

Subscribed in my presence and sworn to before me by the aforesaid L.D. Catalano, Controller or Faith Vroman, Secretary.

this 15th _____

Day of March, 20 12
My commission expires:

August 31, 2012

[Signature]
Notary Public
COUNTY OF LARAMIE STATE OF WYOMING
MY COMMISSION EXPIRES AUG 31, 2012

PUBLIC NOTICE
Dale A. Reed of 11245 Coonrod Road, Cheyenne, WY 82009, has submitted an application for a Subdivision Permit for Reed Subdivision to the Laramie County Planning and Development Office for the following location: A portion of the SE 1/4 of Section 30, T. 15 N., R. 66 W., of the 6th P.M., Laramie County, WY, located at 11245 Coonrod Road. The application has been submitted for the purpose of subdividing the 25 acre property into two parcels of 17 and 8 acres, with the intent to sell the smaller parcel. The Laramie County Planning Commission will hold a public hearing to discuss this application on April 12, 2012. The anticipated Laramie County Board of Commissioners public hearing of this application is scheduled for May 1, 2012. Both meetings will be held at 3:30 PM at 310 W. 19th Street, Suite 310, Cheyenne, WY 82001. For information, contact the Laramie County Planning and Development Office at (307) 633-4303.
March 9, 2012

LARAMIE COUNTY

MAR 20 2012

PLANNING & DEVELOPMENT OFFICE

Valerie Roybal

From: Nancy Trimble
Sent: Thursday, June 28, 2012 1:18 PM
To: Valerie Roybal
Cc: Abby Yenco
Subject: Missing Recorded Resolutions

Hi Valerie – We seem to be missing some resolutions. Would you be able to check into these, please?

Dyno Nobel Plant Site Addition 2nd Filing – Board approved 10/4/11 111004-30 – 111004-31
I received the recorded plat 6/18/12, but have not seen the recorded resolution for the subdivision permit/plat OR the zone change

Swan Ranch Rail Park 5th Filing – Board approved 4/3/12
I received the recorded plat 6/11/12, but have not seen the recorded resolution.

Reed Subdivision Permit (plat exempt) – Board approved 5/1/12
I have not seen the recorded resolution. *no survey or plat recorded*

Would appreciate any help you can provide ☺

Thanks!!

Nancy M. Trimble

Executive Assistant

Laramie County Planning & Development Office
3966 Archer Pkwy
Cheyenne, WY 82009
Phone (307) 633-4303
Fax (307) 633-4616
www.laramiecountyplanning.com
ntrimble@laramiecounty.com

maybe survey should be recorded

Exhibit A:

PARCEL "A"

A PARCEL OF LAND SITUATE IN A PORTION OF THE SE¼ SE¼ OF SECTION 30, T. 15 N., R. 66 W., 6th P.M., LARAMIE COUNTY, WYOMING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 30 A FOUND ¾" ALUMINUM CAP AND THE TRUE POINT OF BEGINNING; THENCE S. 89°54'13" W ALONG THE SOUTH LINE OF SAID SECTION 30 A DISTANCE OF 825.89 FEET TO A FOUND ¾" IRON PIPE; THENCE N. 00°30'21" E., A DISTANCE OF 758.62 FEET TO A SET 2" ALUMINUM CAP; THENCE N. 89°53'57" E., A DISTANCE OF 221.35 FEET TO A SET 2" ALUMINUM CAP; THENCE N. 57°22'53" E., A DISTANCE OF 720.40 FEET TO A POINT OF THE EAST LINE OF SAID SECTION 30 A SET 2" ALUMINUM CAP; THENCE S. 00°26'49" W. ALONG THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 1145.96 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 17.06 ACRES MORE OR LESS.

PARCEL "B"

A PARCEL OF LAND SITUATE IN A PORTION OF THE SE¼ SE¼ OF SECTION 30, T. 15 N., R. 66 W., 6th P.M., LARAMIE COUNTY, WYOMING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE E1/16 CORNER OF SAID SECTION 30 A FOUND ½" ALUMINUM CAP AND THE TRUE POINT OF BEGINNING; THENCE S. 00°26'49" W. ALONG THE EAST LINE OF SAID SECTION 30 A DISTANCE OF 176.96 FEET TO A SET 2" ALUMINUM CAP; THENCE S. 57°22'53" W., A DISTANCE OF 720.40 FEET TO A SET 2" ALUMINUM CAP; THENCE S. 89°53'57" W., A DISTANCE OF 221.35 FEET TO A SET 2" ALUMINUM CAP; THENCE N. 00°30'21" W., A DISTANCE OF 564.24 FEET TO A SET 2" ALUMINUM CAP; THENCE N. 89°53'57" E. ALONG THE EAST-WEST CENTER LINE OF SAID SECTION 30, A DISTANCE OF 824.53 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 8.00 ACRES MORE OR LESS.



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Gary Kranse, Planning and Development Director

DATE: May 1, 2012

TITLE: Review and action of a Subdivision Permit for the Reed Subdivision, located in a portion of the SE ¼ of Section 30, T. 15 N., R. 66 W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Dale A. Reed has submitted an application for approval of a subdivision permit for the following location: a portion of the SE ¼ of Section 30, T. 15 N., R. 66 W., of the 6th P.M., Laramie County, WY, located at 11245 Conrad Road. The purpose of the application is to subdivide the property into two parcels.

BACKGROUND

The proposed subdivision would divide a 25-acre parcel of land into one 17-acre parcel and one 8-acre parcel. The applicant's existing single-family house is located on the southern 17-acre parcel. The applicant intends to sell the northern 8-acre parcel for agricultural or residential purposes.

On April 12, 2012, the Laramie County Planning Commission voted (5-0) to recommend approval of the subdivision permit for the Reed Subdivision with no conditions.

Pertinent Regulations

Section 2-1-100 (b) of the Laramie County Land Use Regulations governing the criteria for a waiver of a preliminary development plan review.

Section 2-1-101 (a-d) of the Laramie County Land Use Regulations governing the criteria for a subdivision permit.

Section 2-1-101 (k) of the Laramie County Land Use Regulations governing the approval procedures for a plat exempt subdivision permit.

AGENCY REVIEW

County Assessor

Is the proposed development residential or commercial?

Environmental Health

Regulations: Laramie County Small Wastewater System Regulations

Comments: Any small wastewater system for the new development shall be located 50' from all property lines and the edge of all FEMA Flood Zone.

Agencies Responding with No Comment: Cheyenne MPO, Combined Communications Center, Sheriff's Office.

Agencies Not Responding: CenturyLink, Cheyenne Light, Fuel & Power, County Clerk, County Conservation District, County Public Works Department, County Real Estate Office, County Treasurer, Emergency Management, Fire District No 2.

DISCUSSION

The Laramie County Comprehensive Plan describes this area as best suited for Rural Density development. The Comprehensive Plan encourages an average residential dwelling unit density of one unit per 5-10 acres in this area. The surrounding subdivision, North Star Ranch, has a dwelling unit density of one unit per 7-14 acres. Staff finds the proposed subdivision compatible with the existing density in the area. Subdividing the property into one 17-acre parcel and one 8-acre parcel is consistent with the goals and policies of the Laramie County Comprehensive Plan.

During the agency review process, the County Assessor inquired as to the proposed use for this subdivision. Since this property is outside of the zoned boundary, the proposed subdivision could be developed for commercial or residential uses. The applicant has indicated that his intentions are for the 17-acre parcel to remain as residential and the 8-acre parcel to be sold for either agricultural pastureland or residential purposes.

There are two options for establishing access to the 8-acre parcel. Establishing access on the east side of the 8-acre parcel off Coonrod Road is one option. The length of the east property line for the 8-acre parcel is within a FEMA floodplain. If access were established on the east side of the property, any potential impacts to the floodplain would need to be addressed with a floodplain development permit. A second option is to update the existing 30-ft access easement on the west side of the property to allow use by the future owners of the 8-acre parcel.

The proposed parcel sizes (17 and 8 acres) of the subdivision are in conformance with the Cheyenne-Laramie County Environmental Health Department's lot size criteria for septic system permits. If the 8-acre lot is developed, the septic system will need to be placed 50 feet from all property lines as well as 50 feet from the boundary of the floodplain.

The Planning and Development Director waived the requirement for a Preliminary Development Plan for this subdivision pursuant to section 2-1-100 (b) of the Laramie County Land Use Regulations. This section allows for the waiver of the Preliminary Development Plan when the proposed subdivision will not require DEQ/Conservation District review, will create five (5) or fewer lots, will require no new public right of way, is in conformance with all requirements of the Laramie County Land Use Regulations and is consistent with the Laramie County Comprehensive Plan.

Section 2-1-101 (d) of the Laramie County Land Use Regulations allows the Planning and Development Director to exempt the subdivision permit application from the requirements of W.S. 18-5-306, including the requirement to plat if:

- i. The proposed subdivision contains five (5) or less divisions of land and is exempted from a Department of Environmental Quality Chapter 23 review, provided that said divisions are in conformance with all regulations, plans and policies adopted by Laramie County; and,
- ii. The proposed subdivision meets the density requirements designated in the Laramie County Comprehensive Plan and the applicable zoning district, whichever is smaller; and,
- ii. Findings from the Planning Commission hearing of the Preliminary Development Plan support the exemption; or,
- iii. The proposed subdivision will not require dedication of new public right-of way.

The proposed subdivision meets the requirements of section 2-1-101 (d) and was exempted from the requirement to provide a plat with the subdivision permit application. Per section 2-1-101 (k) of the Laramie County Land Use Regulations, the executed resolution granting approval for the subdivision, if approved, shall constitute the subdivision permit.

The subdivision meets the criteria of sections 2-1-101 of the Laramie County Land Use Regulations and staff recommends approval of the application.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Laramie County Board of Commissioners find that:

- a.** This application meets the criteria for a subdivision permit pursuant to section 2-1-101 of the Laramie County Land Use Regulations.
- b.** The proposed subdivision meets the requirements of section 2-1-101 (d) and is exempted from the requirement to provide a plat with the subdivision permit application. Per section 2-1-101 (k) of the Laramie County Land Use Regulations, the executed resolution granting approval for the subdivision constitutes the subdivision permit.

and that the Board approves the Subdivision Permit for the Reed Subdivision as described in Exhibit A with no conditions.

PROPOSED MOTION

I move to approve the Subdivision Permit for the Reed Subdivision as described in Exhibit A with no conditions and adopt the finding of facts a and b of the staff report.

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: Laramie County Comprehensive Plan Map

Attachment 3: Access Easement

Attachment 4: Planning Commission April 12, 2012 Meeting Minutes

Attachment 5: Proposed Subdivision Map

Attachment 6: DRAFT Subdivision Permit Resolution & Exhibit A

Reed Subdivision
Approximate Location

8-acre parcel

17-acre parcel

COONROD RD

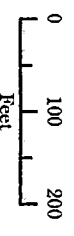
COONROD RD

MOONLIGHT CT

Laramie
County,
Wyoming

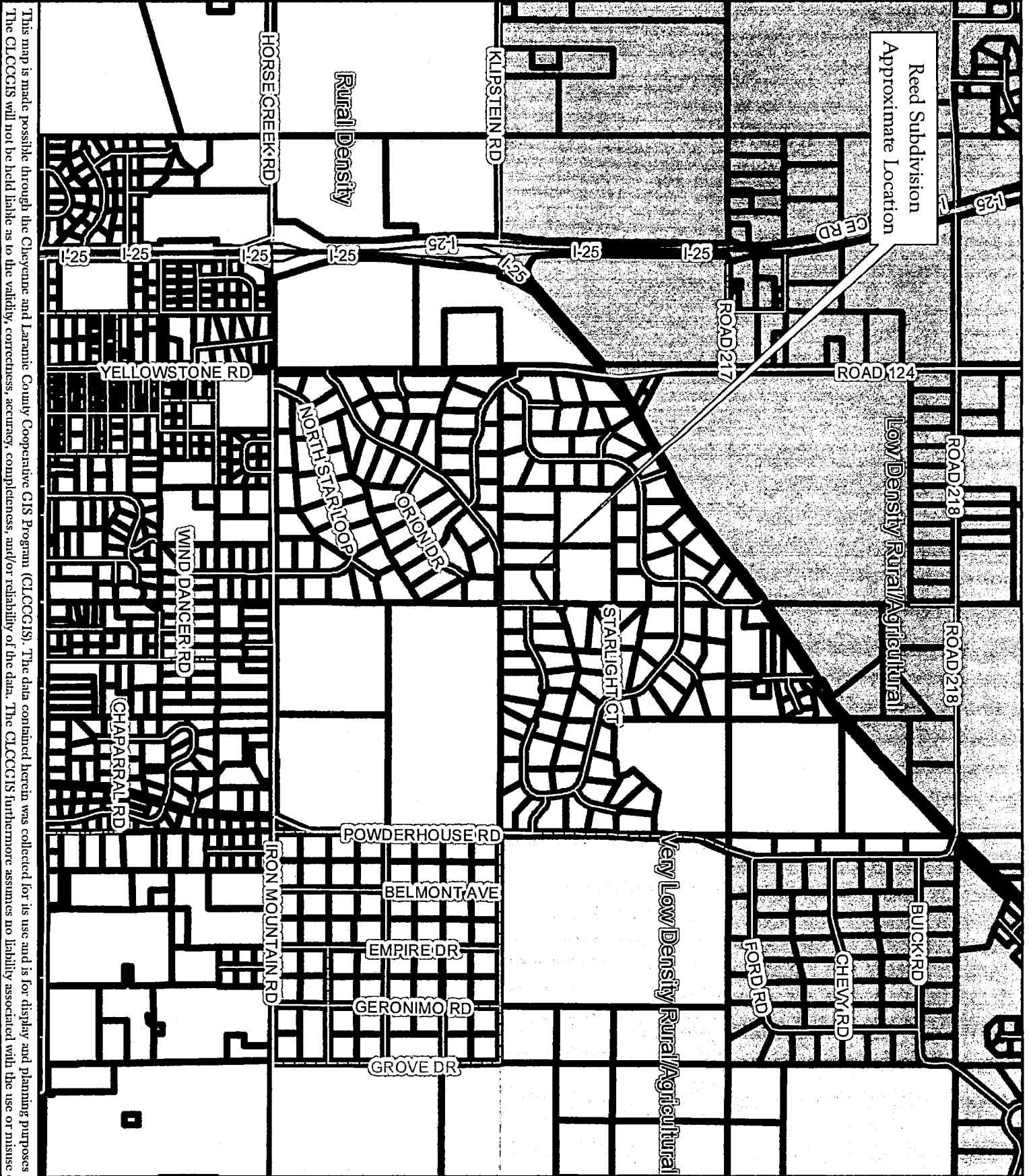


Printed on April 11, 2012



This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.

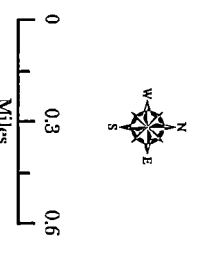
Reed Subdivision
Approximate Location



Laramie County, Wyoming



Printed on April 11, 2012



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BOOK 803

RECORDED DEC 2 1964 AT 2:16 P.M.
EXCEPTION NO. 55762 REGISTER 2 COPY, Book 361
EASEMENT

THIS DEED OF EASEMENT is made this day of October, 1964, by and between ROBERT J. PICKETT and CECELIA G. PICKETT, husband and wife, (hereinafter referred to as "Grantors"), and ROBERT O. BUCKLES and JEANNINE BUCKLES, husband and wife, (hereinafter referred to as "Grantees").

WHEREAS, the Grantors own and have title to that real estate and real property located in Laramie County, State of Wyoming, described as follows:

SE $\frac{1}{4}$ of SE $\frac{1}{4}$ (Less the West 495 feet) of Section 30, Twp. 15 North, Range 66 West of the 6th P.M.

WHEREAS, the Grantees, contemporaneously with the making and delivery of this Deed of Easement, have sold the above described property to the Grantors, and

WHEREAS, part of the consideration for the sale by the Grantees to the Grantors was a grant by the Grantors of the easement hereinafter set forth.

NOW, THEREFORE, this Deed of Easement:

WITNESSETH: That in consideration of the agreements of the Grantees set forth in the sale of the above-described property, and for other good and valuable consideration given by the Grantees to the Grantors, Grantors hereby grant unto Grantees, their successors and assigns, a right of way and easement as follows:

Over, on and across the West 30 feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (Less the West 495 feet) of Section 30, Twp. 15 North, Range 66 West of the 6th P.M., Laramie County, Wyoming, for the sole purpose of ingress and egress to the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30.

This grant does not include the right to fence the property included in the easement, and requires the Grantees and their successors in interest to install suitable cattle guards at each end of the easement prior to use, and to maintain them thereafter.

IN WITNESS WHEREOF, the Grantors have executed this Deed of Easement the date first hereinabove set forth.


ROBERT J. PICKETT


CECELIA G. PICKETT.

BOOK 803

State of Virginia
County of LANANIS

On this 5 day of October, 1964, before me personally appeared Robert J. Pickett and Cecelia B. Pickett, husband and wife, so we know to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Given under my hand and notarial seal this 5 day of October, 1964.

John H. Hayes
Notary Public

My Commission Expires

My Commission expires April 4, 1968



Minutes of the Proceedings
Reed Subdivision Permit
Laramie County Planning Commission
Prepared by the Laramie County Planning & Development Office
Laramie County Wyoming

Thursday, April 12, 2012

120412 00 The Laramie County Planning Commission met in regular session on Thursday, April 12, 2012 at 3:30 p.m.

Members in attendance were: Commissioner Jody Clark, Chairman; Commissioner Paula Qualls, Vice Chairman; Commissioners Frank Cole, Jim Ward, and Bert Macy.

The meeting register was signed by: Dale Reed, 11245 Coonrod Road, Cheyenne; Gary Hickman, Environmental Health; Lisa Pafford, Cheyenne Building and Development.

01 Review and action of a Subdivision Permit for the Reed Subdivision, located in a portion of the SE ¼ of Section 30, T. 15 N., R. 66 W., of the 6th P.M., Laramie County, WY.

Dale Reed, of 11245 Coonrod Road, Cheyenne, WY came forward to summarize the purpose of the subdivision permit application. He stated he owned 25 acres off of Coonrod Road, and wanted to subdivide the property, with the intent to sell the 8 acre parcel in order to pay off what was owed for the remaining property. He explained that Coonrod Road was a county road bordering the property along the east and continuing on to the south, and that to the west of the property, there was a road which could be used for access to the 8 acre parcel. He also added there was a floodplain area on the north end of the property.

Abby Yenco gave an overview of the staff report, explaining that the application was in conformance with the comprehensive plan, and confirming that there was a floodplain that potential buyers would need to be made aware of, as a floodplain development permit would be required to develop in that area of the property. The Environmental Health office responded there was room on the hill, out of the floodplain area, for a residence, septic system and well, which resulted in the property being suitable to be sold and developed. Ms. Yenco stated the application was in conformance with the Laramie County Land Use Regulations. She also explained that the applicant was exempted from the platting process, as the subdivision met the provisions for exemption, since no right of way was required, and the subdivision would be for less than 5 lots. Should the Laramie County Board of Commissioners approve the subdivision permit, the resolution and metes and bounds for the two parcels would serve as proper and sufficient for recordation. Staff recommended approval with no conditions.

Commissioner Clark opened the hearing to public. Hearing no comment, the public hearing was closed, and the item was opened for discussion.

Commissioner Qualls stated that she had concerns that there may be the possibility for the northern property area needing a public right of way. Ms. Yenco responded the easement was dedicated for the owners of the lot to the north. There were two potential means of access: an amendment could be made on the easement that existed, or a driveway could be permitted to go through the floodplain area through a floodplain development permit. Commissioner Qualls said that answered her question.

With no further discussion, Commissioner Cole moved to recommend approval of the subdivision permit application with no conditions; Commissioner Ward seconded the motion, and it was passed with a vote of 5 – 0.

The meeting was adjourned at 3:40 PM.

ENTITLED: A RESOLUTION TO APPROVE A SUBDIVISION PERMIT FOR THE REED SUBDIVISION LOCATED IN A PORTION OF THE SE ¼ OF SECTION 30, T. 15 N., R. 66 W., OF THE 6TH P.M., LARAMIE COUNTY, WY.

WHEREAS, Wyoming State Statutes §18-5-101 to 18-5-107; §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners adopted the Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision is in accordance with section 2-1-101 of the Laramie County Land Use Regulations; and

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

The Laramie County Board of Commissioners finds that:

- a. This application is in conformance with section 2-1-101 of the Laramie County Land Use Regulations.
- b. The proposed subdivision meets the requirements of section 2-1-101 (d) and is exempted from the requirement to provide a plat with the subdivision permit application. Per section 2-1-101 (k) of the Laramie County Land Use Regulations, the executed resolution granting approval for the subdivision constitutes the subdivision permit.

And that the Board approves the Subdivision Permit for the Reed Subdivision as described in Exhibit A with no conditions.

PRESENTED, READ AND ADOPTED THIS 1st DAY OF May, 2012.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gay Woodhouse
Gay Woodhouse, Chairman



Debra K. Lathrop
Debra K. Lathrop, Laramie County Clerk

Reviewed and approved as to form:
Mark T. Woss
Mark T. Woss, Laramie County Attorney

COPY OF RECORD

C. D. ...

Exhibit A:

PARCEL "A"

A PARCEL OF LAND SITUATE IN A PORTION OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 30, T. 15 N., R. 66 W., 6th P.M., LARAMIE COUNTY, WYOMING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 30 A FOUND 3 $\frac{1}{4}$ " ALUMINUM CAP AND THE TRUE POINT OF BEGINNING; THENCE S. 89°54'13" W ALONG THE SOUTH LINE OF SAID SECTION 30 A DISTANCE OF 825.89 FEET TO A FOUND 3/4 " IRON PIPE; THENCE N. 00°30'21" E., A DISTANCE OF 758.62 FEET TO A SET 2" ALUMINUM CAP; THENCE N. 89°53'57" E., A DISTANCE OF 221.35 FEET TO A SET 2" ALUMINUM CAP; THENCE N. 57°22'53" E., A DISTANCE OF 720.40 FEET TO A POINT OF THE EAST LINE OF SAID SECTION 30 A SET 2" ALUMINUM CAP; THENCE S. 00°26'49" W. ALONG THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 1145.96 FEET TO THE POINT OF BEGINNING.

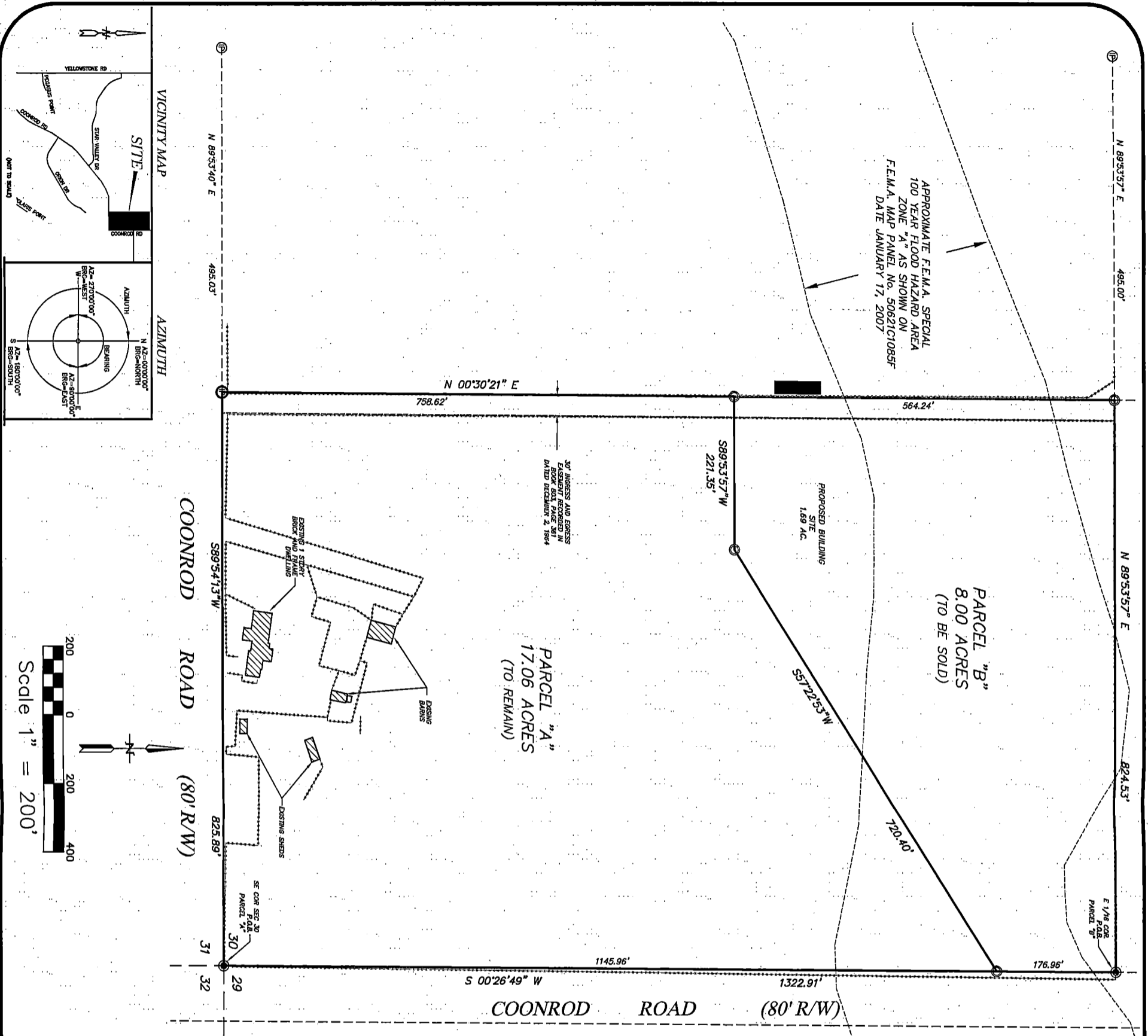
SAID PARCEL CONTAINS 17.06 ACRES MORE OR LESS.

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LEGAL DESCRIPTIONS

PARCEL "A"

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SAID PARCEL CONTAINS 8.00 ACRES MORE OR LESS.

CERTIFICATE OF SURVEYOR

I, COTTON D. JONES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF WYOMING, HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE SURVEY AND THE LINES AND BOUNDS THEREON SHOWN ON THIS MAP CORRECTLY SHOWS THE RESULTS OF SAID SURVEY AND THAT THE MONUMENTS FOUND OR SET ARE AS SHOWN.

NOTES

1.) BASIS OF BEARINGS BASED ON WYOMING STATE PLANE EAST ZONE (NAD83) GROUND COORDINATES HAVING A SCALE FACTOR OF 1.000343 FEET.

MAP OF SURVEY

DALE REED

OF
A PORTION OF THE SE 1/4 SEC. OF
SECTION 30, T. 15 N., R. 66 W., 6th P.M.,
LARAMIE COUNTY, WYOMING

PREPARED JANUARY 2012

JONES LAND SURVEYING, INC.
CERTIFIED FEDERAL SURVEYOR
6750 Sky Kay Rd., Casper, WY 82009
Ph: 307-437-7107 Cell: 307-630-8550
Fax: 307-779-8799
www.joneslandsurvey.com

Licensed in: WY, CO, WY, SD, ND, ID, UT, NV

