



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Marissa Pomerleau, Associate Planner

DATE: May 17, 2022

TITLE: PUBLIC HEARING regarding a vacation of a remainder of Tract 12, Prosser Tracts, 1st Filing, as shown by the deed filed in Book 2406, Page 352 at the Laramie County Clerk and Real Estate Office, located in a portion of Section 9, T.13N., R.66W., of the 6th PM, Laramie County, WY.

EXECUTIVE SUMMARY

AVI, PC, on behalf of Patricia Stief has submitted a vacation for a remainder of Tract 12, Prosser Tracts, 1st Filing located at 1609 South Avenue C, Cheyenne WY. The vacation has been submitted to create an Administrative Plat so the tract may be split into two (2) lots.

BACKGROUND

The subject property is residential, located in the MR – Medium Density Residential zoning district.

Wyoming State statute (34-12-106) *“No plat or portion thereof for which a subdivision permit has been obtained pursuant to W.S. 18-5-304 shall be vacated as herein provided without the approval of the county commissioners.”* The intention of the vacation of Tract 2 of Prosser Tracts, 1st Filing Estates to allow an Administrative Plat to be approved.

The project process included neighbor notice letters and a legal ad at least 30 days prior to the public hearing. No public comment was received.

Pertinent Regulations

Section 34-12-106 of the Laramie County Land Use Regulations governing the criteria for a vacation of a subdivision.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Board find that:

- a) This application meets the criteria for a board approval pursuant to W.S. 34-12-106 .

Staff also recommends that the Board approve the Vacation of a remainder of Tract 12, Prosser Tracts, 1st Filing, as shown by the deed filed in Book 2406, Page 352 at the Laramie County Clerk and Real Estate Office, located in a portion of Section 9, T.13N., R.66W., of the 6th PM, Laramie County, WY.

PROPOSED MOTION

I move to approve the Vacation of a remainder of Tract 12, Prosser Tracts, 1st Filing, as shown by the deed filed in Book 2406, Page 352 at the Laramie County Clerk and Real Estate Office, located in a portion of Section 9, T.13N., R.66W., of the 6th PM, Laramie County, WY. upon approval of the Administrative Plat and adopt the findings of fact a of the staff report.

ATTACHMENTS

- Attachment 1: Prosser Tracts – Proposed Plat**
- Attachment 2: Prosser Tracts – Existing Plat**
- Attachment 3: Resolution**

\\s0278_Sitel_Family_Correction\SURVEY\Drawings\4578 STIEF FAMILY Filing Mar 31, 2022 - 8:04am sheet

AVENUE C (80' ROW)

NORTH 119.5' OF TRACT 12, PROSSER TRACTS

S89°38'09"W 360.21' (M) S89°58'00"E (R)

TRACT 2
1.21 ACRES

EXISTING SHOP BUILDING

EXISTING HOUSE

FEMA 500 YEAR FLOODPLAIN

TRACT 1
1.51 ACRES

BLOCK 1
LOT 1
LCCC ADDITION
SUBDIVISION

COLLEGE DRIVE (200' ROW)

LEGEND

- FOUND RIGHT-OF-WAY MONUMENT
SET 2" ALUMINUM CAP AVI PC PLS 16571
RECORD DATA FROM PAW PRINT SUBDIVISION
MEASURED DATA THIS SURVEY
EASEMENT
FLOODPLAIN BOUNDARY

FILING RECORD

CERTIFICATE OF SURVEYOR

I, SCOTT BRUCE, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF WYOMING DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM THE RECORDS AND FIELD NOTES OF A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEGAL DESCRIPTION

AN ADMINISTRATIVE REPLAT OF A PARCEL OF LAND BEING SITUATED IN A PORTION OF LOT 12 OF THE PROSSER TRACTS SUBDIVISION AS DESCRIBED IN THE DEED BOOK 2406 PAGE 352 FILED AT THE LARAMIE COUNTY CLERK AND RECORDERS OFFICE BEING THE SOUTH 454.65 FEET OF TRACT 12 LESS 100 FEET TO THE STATE HIGHWAY RIGHT-OF-WAY, OF SECTION 9, TOWNSHIP 13 NORTH, RANGE 66 WEST OF THE 6TH PM, LARAMIE COUNTY, WYOMING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF OF SAID TRACT 12 AT A STATE HIGHWAY RIGHT-OF-WAY MONUMENT THENCE N89°38'09"E ALONG THE NORTH RIGHT-OF-WAY OF COLLEGE DRIVE A DISTANCE OF 309.77 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE N07°41'40"E ALONGS THE EAST BOUNDARY OF SAID TRACT 12 A DISTANCE OF 358.19 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE NORTH 119.5 FEET OF SAID TRACT 12 AS RECORDED IN DEED BOOK 2171, PAGE 1276 AT THE LARAMIE COUNTY CLERK AND RECORDERS OFFICE; THENCE S89°38'09"W ALONG THE SOUTH BOUNDARY OF THE NORTH 119.5 FEET OF SAID TRACT 12 A DISTANCE OF 360.21 FEET TO A POINT ON THE WEST BOUNDARY OF TRACT 12 AND THE EASTERN RIGHT-OF-WAY OF AVENUE C; THENCE S00°24'00"E ALONGS THE EASTERN RIGHT-OF-WAY OF AVENUE C A DISTANCE OF 354.65 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.72 ACRES MORE OR LESS

NOTES

FLOOD HAZARD AREAS ARE WITHIN THE PROPOSED SUBDIVISION (5995.9' FLOOD ELEVATIONS DETERMINED FROM LOMR MAP 12-08-0028P EFFECTIVE 4/8/2013 ZONE (X) OF THE SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAPS FOR LARAMIE COUNTY PANEL 1356 OF 1650. MAP NOS. 56021C1356F WITH AN EFFECTIVE DATE OF JANUARY 17, 2007.

FIRE PROTECTION WILL BE PROVIDED BY LARAMIE COUNTY FIRE DISTRICT #1.

UTILITY EASEMENTS ARE FOR LOCAL UTILITY COMPANIES WITH EXISTING INFRASTRUCTURE BASED ON AN AS-BUILT SURVEY.

WATER AND SEWER ARE ALREADY PROVIDED BY SOUTH CHEYENNE WATER AND SEWER DISTRICT, NEW TAPS WILL BE REQUIRED FOR NEW DEVELOPMENT.

BOTH TRACTS ARE TO BE ACCESSED FROM A SHARED ACCESS ALREADY EXISTING ON AVENUE C, NO ACCESSES FROM EAST COLLEGE DRIVE WILL BE ALLOWED.

DEDICATION

KNOW ALL PEOPLE BY THOSE PRESENT: THAT PATRICIA STIEF OWNER IN FEE SIMPLE OF PORTION OF LOT 12 OF THE PROSSER TRACTS SUBDIVISION AS DESCRIBED IN THE DEED BOOK 2406 PAGE 352 FILED AT THE LARAMIE COUNTY CLERK AND RECORDERS OFFICE BEING THE SOUTH 454.65 FEET OF TRACT 12 LESS 100 FEET TO THE STATE HIGHWAY RIGHT-OF-WAY OF THE FINAL PLAT OF "THE PROSSER TRACTS SUBDIVISION" DO HEREBY DECLARE THAT THE SUBDIVISION OF SAID LAND IS WITH THEIR FREE ACT AND DEED AND IN ACCORDANCE WITH THEIR DESIRES, DO HEREBY GRANT TO THE PUBLIC THE EASEMENTS SHOWN HEREON FOR THE PURPOSES INDICATED ON THIS PLAT.

PATRICIA STIEF

APPROVED BY THE LARAMIE COUNTY PLANNING DIRECTOR, LARAMIE COUNTY, WYOMING THIS ____ DAY OF ____, 2021.

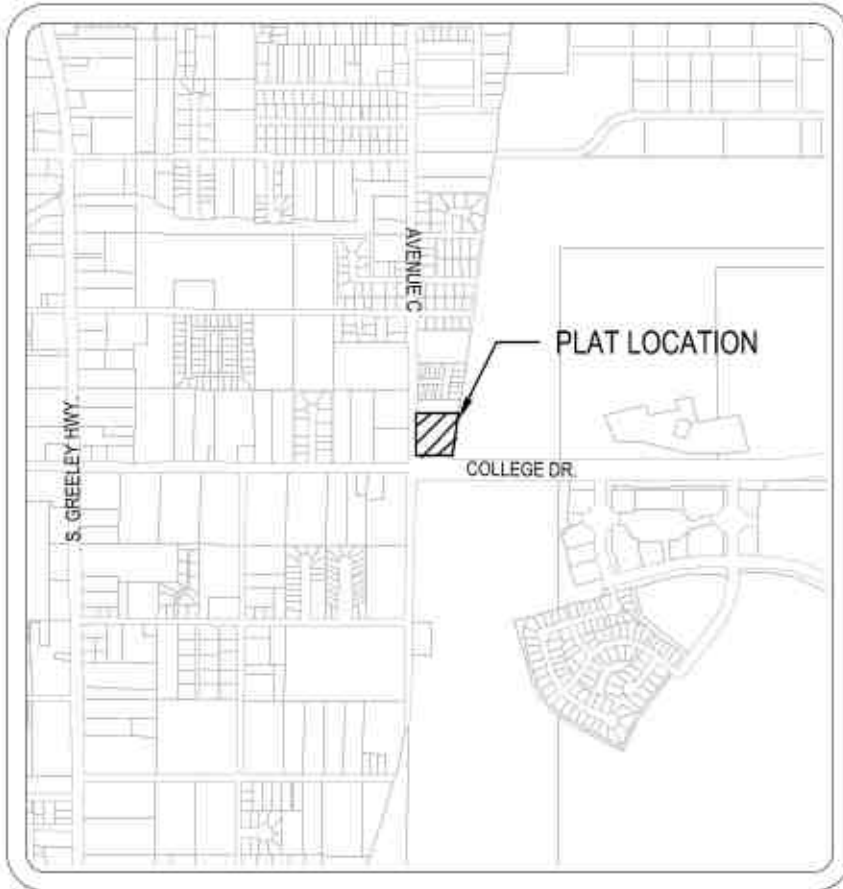
LARAMIE COUNTY PLANNING DIRECTOR

APPROVED BY THE LARAMIE COUNTY PUBLIC WORKS DIRECTOR, LARAMIE COUNTY, WYOMING THIS ____ DAY OF ____, 2021.

MOLLY BENNETT, LARAMIE COUNTY PUBLIC WORKS DIRECTOR

VICINITY MAP

NOT TO SCALE



BASIS OF BEARINGS

COORDINATES ARE GROUND COORDINATES BASED ON WYOMING STATE PLANE EAST FIP ZONE 4901.

VACATION STATEMENT

THIS PLAT VACATES ANY TRACT LINES WITHIN THE BOUNDS OF THIS PLAT.

ACKNOWLEDGEMENTS

STATE OF _____)
COUNTY OF _____)SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY PATRICIA STIEF, THIS ____ DAY OF ____, 2021, WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC, _____, WYOMING

MY COMMISSION EXPIRES _____

COUNTY ACKNOWLEDGEMENT

STATE OF WYOMING)
COUNTY OF LARAMIE)SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____, 2021, BY

DIRECTOR AND _____ LARAMIE COUNTY PLANNING

MOLLY BENNETT, LARAMIE COUNTY PUBLIC WORKS DIRECTOR.

NOTARY PUBLIC, _____, WYOMING

MY COMMISSION EXPIRES _____

ADMINISTRATIVE PLAT
FOR
PROSSER TRACTS
SUBDIVISION, 3RD FILING

AN ADMINISTRATIVE REPLAT OF A PORTION OF LOT 12 BEING THE SOUTH 454.65 FEET OF TRACT 12 LESS 100 FEET TO THE STATE HIGHWAY RIGHT-OF-WAY, PROSSER TRACTS SUBDIVISION, BEING SITUATED IN A PORTION OF THE SW1/4 SW1/4, SECTION 9, T13N, R66W, OF THE 6TH PRINCIPAL MERIDIAN, LARAMIE COUNTY, WYOMING PREPARED DECEMBER 2021



NO.	REVISION	DATE
1		10/26/2021

PREPARED FOR:
PATRICIA STIEF
1609 AVE. C
CHEYENNE, WY 82009

PROJECT: PROSSER TRACTS, 3RD FILING

DRAWING TITLE: ADMINISTRATIVE PLAT

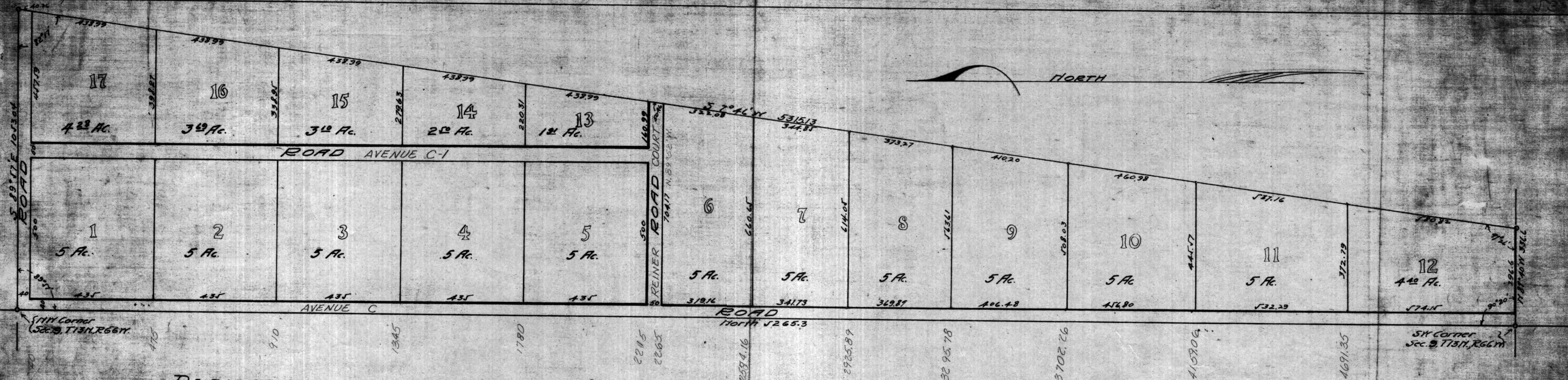
DATE: Mar 31, 2022



DRAWN BY:	SPB
DESIGNED BY:	SPB
CHECKED BY:	SPB

JOB NO.: 4578

DRAWING NO. 1 OF 1



DEDICATION

Know all men by these presents, that Dean T. Prosser owner in fee simple of the land embraced in this plat of THE PROSSER TRACTS, does hereby declare this subdivision of the within described lands as appears on this plat to be his free and voluntary act and deed and does hereby dedicate to the use of the public forever all of the roads shown hereon.

Witness my hand and seal this 10th day of April, A.D. 1930.

Dean T. Prosser

ACKNOWLEDGEMENT

State of Wyoming)
County of Laramie ss.

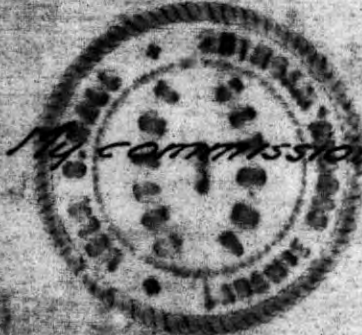
I hereby certify that on this 21st day of April, A.D. 1930, before me, a Notary Public in and for the State of Wyoming, personally appeared Dean T. Prosser to me known to be the individual described in and who executed the within and foregoing dedication and acknowledged the said instrument to be his free and voluntary act and deed and for the purpose therein mentioned.

In witness whereof I have hereunto set my hand and affixed the seal of my office the day and year first above written.

Lila G. Hall

Notary Public in and for
the State of Wyoming.
Residing at Cheyenne

My commission expires Oct. 24th, 1932



ENGINEER'S CERTIFICATE

State of Wyoming)
County of Laramie ss.

I, T.H. Baldwin, of Cheyenne, Wyoming, hereby certify that this map was made from notes taken during an actual survey made by me April 1st to April 10th 1930, that all tract corners were marked upon the ground by 2"x2"x20" stakes painted white and that the land embraced therein is all that portion of Section 9, T.13N., R.66W., lying west of the center line of the old D & P.R.R. (U.P.) and is more particularly described as follows: beginning at the NW corner Section 9, T.13N., R.66W., 6th PM; thence S 89° 51' E a distance of 1053.04 feet along the north line of said section 9; thence S 7° 46' W a distance of 5315.13 feet; thence N 89° 40' W a distance of 336.60 feet to the SW corner of said Section 9; thence North a distance of 5265.30 feet to the point of beginning.

T.H. Baldwin
Engineer.

THE PROSSER TRACTS

SECTION 9, T.13N., R.66W., info
LARAMIE COUNTY - WYOMING
Scale 1" = 200'
April 1930.

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A VACATE A REMAINDER
OF TRACT 12, PROSSER Tracts, 1st FILING, AS SHOWN
BY THE DEED FILED IN BOOK 2406, PAGE 352 AT THE
LARAMIE COUNTY CLERK AND REAL ESTATE OFFICE
LOCATED IN A PORTION OF SECTION 9, T.13N., R66W.,
OF THE 6TH P.M., LARAMIE COUNTY, WY.**

WHEREAS, Wyoming State Statutes §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 Vacation is in accordance with section §34-12-106 to §34-12-111 of the Laramie County Land Use Regulations; and

WHEREAS, this resolution is the Vacation for a remainder of Tract 12, Prosser Tracts, 1st Filing, as shown by the deed filed in Book 2406, Page 352, at the Laramie County Clerk and Real Estate Office located in a portion of Section 9, T.13N., R66W, of the 6th P.M., Laramie County, WY.

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 §34-12-106 to §34-12-111.
- b. The vacation has been submitted to create an Administrative Plat on Tract 12, Prosser Tracts, Second Filing, to be split into two separate tracts.

And the Board approve the Vacation for a remainder of Tract 12, Prosser Tracts, 1st Filing, as shown by the deed filed in Book 2406, Page 352, at the Laramie County Clerk and Real Estate Office located in a portion of Section 9, T.13N., R66W, of the 6th P.M., Laramie County, WY. in order to create an Administrative Plat.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2022.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Troy Thompson, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Laramie County Attorney's Office