



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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### Planning • Building

#### MEMORANDUM

**TO:** Laramie County Board of Commissioners

**FROM:** Marissa Pomerleau, Associate Planner

**DATE:** June 7, 2022

**TITLE:** PUBLIC HEARING regarding a vacation of a Tract 13, less 5.00 acres, Archer Estates, 3<sup>rd</sup> Filing, Laramie County, WY.

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#### EXECUTIVE SUMMARY

Steil Surveying Services, on behalf of Marcella and Richard Simmons of Cheyenne, WY, has submitted a vacation application for Tract 13, less 5 acres, Archer Estates, 3<sup>rd</sup> Filing located at 11803 Glencoe Drive, Cheyenne WY. The vacation has been submitted in anticipation to create an Administrative Plat so the parcel may be split into two (2) tracts.

#### BACKGROUND

The subject property is residential, located in the A1 – Agricultural & Rural 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.

Public notice via a legal ad, adjacent neighbor notice letters and a development notice sign was provided per Section 1-2-104 of the Land Use Regulations. Planning did not receive any public comment.

#### 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 .

**And that the Board approve the Vacation of Tract 13, less 5 acres, Archer Estates, 3<sup>rd</sup> Filing, Laramie County, WY upon approval of the Archer Estates, 10<sup>th</sup> Filing Administrative Plat and adopt the findings of fact a of the staff report.**

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### **PROPOSED MOTION**

**I move to approve the Vacation of Tract 13, less 5 acres, Archer Estates, 3<sup>rd</sup> Filing, Laramie County, WY, Laramie County, WY upon approval of the Administrative Plat and adopt the findings of fact a of the staff report.**

### **ATTACHMENTS**

- Attachment 1: Vacation Map – Revised 5/27/22**  
**Attachment 2: Archer Estates, 3<sup>rd</sup> Filing – Existing Plat**  
**Attachment 3: Resolution**

◻ NO PROPOSED CENTRAL WATER SUPPLY SYSTEM ◻ NO PROPOSED CENTRALIZED SEWAGE SYSTEM ◻ FIRE PROTECTION TO BE PROVIDED BY LCFA ◻  
◻ THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE ◻ SUBJECT PROPERTY DOES NOT FALL IN THE CWPP

### DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: Richard K. Simmons and Marcella A. Simmons, husband and wife, owners in fee simple of a portion of Tract 13, Archer Estates, 3rd Filing, more particularly described as follows:

Archer Estates, 3rd Filing: Tract 13: Less a portion of Tract 13, described as: Beginning at the Northeast Corner of said Tract 13; thence southerly along the east line of said Tract 13, 600' to a point; thence westerly parallel with the North line of said Tract 13, 363' to a point; thence Northerly parallel with the East line of said Tract 13, 600' to a point on the North line; thence easterly along the North line of said Tract 13, 363' to the point of beginning; also known as 11803 Glencoe Drive.

Have caused the same to be surveyed, re-platted and known as: Archer Estates 10th Filing, and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed and in accordance with their desires and do furthermore dedicate the easements as shown hereon for the purposes indicated.

Richard K. Simmons

Marcella A. Simmons

### VACATION STATEMENT

IT IS THE INTENT OF THIS REPLAT TO VACATE  
A PORTION OF TRACT 13,  
ARCHER ESTATES, 3RD FILING,  
LARAMIE COUNTY, WYOMING  
EXISTING EASEMENTS TO REMAIN.

### LEGEND

- SET 1½" ALUMINUM CAP  
STAMPED "SSS P.L.S. 5910"  
ON ¾" x 24" REBAR
- FOUND 1½" ALUMINUM CAP  
STAMPED "SSS P.L.S. 5910"
- Ⓢ FOUND ¾" REBAR
- (M) DENOTES MEASURED DATA THIS SURVEY
- (R) DENOTES RECORD

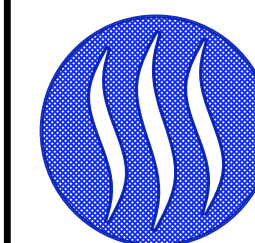
### CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, A Professional Land Surveyor in the State of Wyoming, for and on behalf of Steil Surveying Services, LLC, hereby state, to the best of my knowledge, information and belief, that this map was prepared from field notes taken during an actual survey made by me or under my direct supervision; and that this map correctly shows the results of said survey and that the monuments found or set are as shown.

## VACATION MAP FOR

A PORTION OF TRACT 13,  
ARCHER ESTATES, 3RD FILING,  
SITUATE IN THE S½ OF SECTION 16,  
T.14 N., R.65 W. OF THE 6th P.M.  
LARAMIE COUNTY, WYOMING

PREPARED APRIL, 2022

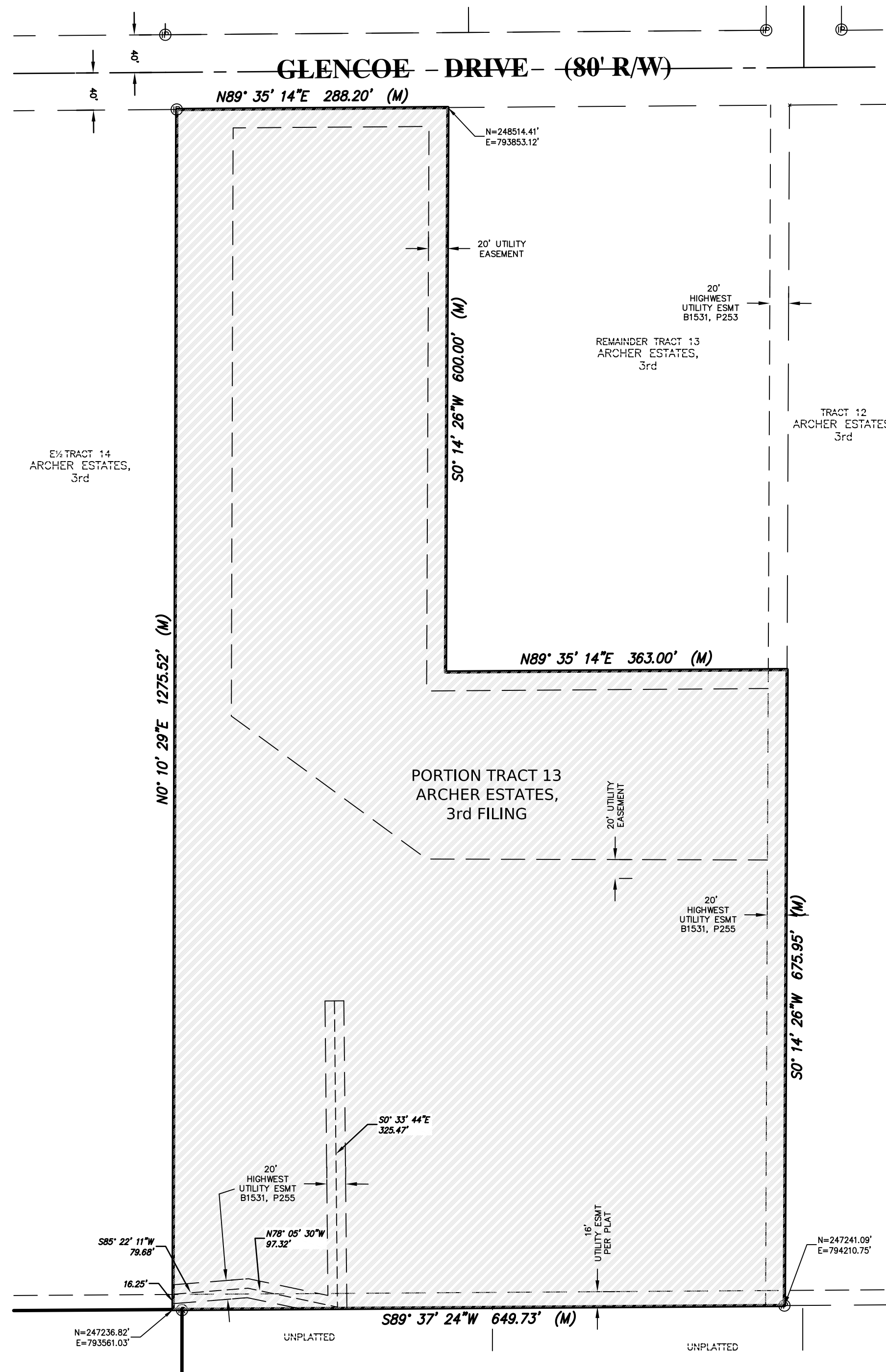


**STEIL SURVEYING SERVICES, LLC**  
PROFESSIONAL LAND SURVEYORS  
PLANNING & DEVELOPMENT SPECIALISTS

1102 WEST 19th ST. CHEYENNE, WY. 82001 ○ (307) 634-7273

756 GILCHRIST ST. WHEATLAND, WY. 82201 ○ (307) 322-9789

www.SteilSurvey.com ○ info@SteilSurvey.com



FILING RECORD

REVISED: 4/25/2022  
22163 S16-14-65 ADMIN PLAT.DWG

A SUBDIVISION SITUATED IN SECTIONS 15+16, T.14N., R. 65W.,  
OF THE 6<sup>TH</sup> P.M., LARAMIE COUNTY, WYOMING, BEING MORE  
PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING AT NORTHEAST CORNER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 65 WEST OF THE 6TH P.M.; AND CONSIDERING THE NORTH LINE OF SAID SECTION 16 TO BEAR NORTH 89°24'31"E AND ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:  
THENCE S 00°30'29"W ALONG THE EAST LINE OF SAID SECTION 16 A DISTANCE OF 263.75' TO THE EAST 1/4 CORNER OF SECTION 16;  
THENCE S 00°30'06"W ALONG THE EAST LINE OF SECTION 16 A DISTANCE OF 1319.08' TO THE NORTHEAST CORNER OF ARCHER ESTATES FIRST FILING;  
THENCE N 89°37'31"E ALONG THE NORTH LINE OF ARCHER ESTATES FIRST FILING A DISTANCE OF 3939.77' TO THE SOUTHEAST CORNER OF ARCHER ESTATES SECOND FILING;  
THENCE N 03°06'35"E ALONG THE EAST LINE OF ARCHER ESTATES SECOND FILING A DISTANCE OF 1275.35' TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF GLENCE DRIVE;  
THENCE N 89°35'25"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF GLENCE DRIVE A DISTANCE OF 1312.47' TO A POINT;  
THENCE N 89°33'58"E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 39.67' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ARCHER ROAD EXTENDED SOUTH;  
THENCE N 00°03'30"E ALONG THE EAST RIGHT-OF-WAY LINE OF ARCHER ROAD A DISTANCE OF 2672.31' TO A POINT ON THE NORTH LINE OF SECTION 16, WHICH POINT LIES N 89°24'31"E A DISTANCE OF 40.00' FROM THE NORTH 1/4 CORNER OF SECTION 16;  
THENCE N 89°24'31"E ALONG THE NORTH LINE OF SECTION 16 A DISTANCE OF 2611.52' TO THE POINT OF BEGINNING;

Also, A STRIP OF LAND SITUATED IN THE WEST  $\frac{1}{4}$  OF SECTION 15, T14N,  
R65W, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15;  
THENCE: S 0° 30' 29" W A DISTANCE OF 263.975' TO WEST  $\frac{1}{4}$  CORNER OF  
SECTION 15;  
THENCE S 0° 30' 06" W A DISTANCE OF 1319.08' TO A POINT;  
THENCE N 89° 37' 31" E A DISTANCE OF 40.00' TO A POINT;  
THENCE N 0° 30' 06" E A DISTANCE OF 1319.12' TO A POINT;  
THENCE N 0° 30' 29" E A DISTANCE OF 2639.86' TO A POINT ON THE CENTERLINE  
OF COUNTY ROAD #21;  
THENCE S 89° 24' 31" W ALONG SAID CENTERLINE A DISTANCE OF 4000' TO  
THE POINT OF BEGINNING.

SAID SUBDIVISION CONTAINS 279.024 ACRES, MORE OR LESS.

STATE OF WYOMING  
COUNTY OF LARAMIE

I, R.H. WESTERFIELD, A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING DO CERTIFY THAT THIS PLAT OF A SUBDIVISION OF ARCHER ESTATES THIRD FILING HAS BEEN PREPARED FROM THE FIELD NOTES OF SURVEY MADE UNDER MY SUPERVISION DURING NOVEMBER, 1974 AND THAT IT ACCURATELY REPRESENTS SAID SURVEY OF THE TRACTS AND STREETS AS SHOWN HEREON AND IS MONUMENTED ON THE GROUND BY 1/2" IRON PIPES UNLESS DENOTED OTHERWISE.

Robert A. Taylorfield  
WYOMING L.S. 643

KNOW ALL MEN BY THESE PRESENTS, THAT EMIL H. SCHMALE AND GRACE L. SCHMALE, HUSBAND AND WIFE, OWNERS IN FEE SIMPLE OF ALL LAND EMBRACED IN THIS PLAT OF ARCHER ESTATES THIRD FILING AS SHOWN HEREON, DO HEREBY DECLARE THE SUBDIVISION OF SAID LAND AS IT APPEARS ON THIS PLAT TO BE THEIR FREE ACT AND DEED AND IN ACCORDANCE WITH THEIR DESIRES AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER THE ROADS SHOWN HEREON

WITNESS L.G. Kien

Emil H. Schmale  
EMIL H. SCHMALE  
Grace L. Schmale  
GRACE L. SCHMALE

WITNESS L. A. Kica

STATE OF WYOMING  
COUNTY OF LARAMIE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
BY EMIL H. SCHMALE AND GRACE L. SCHMALE, HUSBAND AND WIFE,  
THIS 7<sup>th</sup> DAY OF January, 1975. WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES

Reuben F. Hanson  
NOTARY PUBLIC

A SUBDIVISION SITUATED IN SECTIONS 15 & 16  
T.14N, R.65W, 6<sup>TH</sup> P.M.  
LARAMIE COUNTY, WYOMING

350963

The State of Wyoming } ss  
County of Laramie  
This instrument was filed for record  
at 404 o'clock P M. on the  
3rd day of March  
A. D. 1975 and duly recorded in  
book folden on page 302

Janet C Whitehead

County Clerk & Ex-Officio Register at Davis

By *Bertina Ogden* Property  
**PLANNING SERVICES INC.**  
PLANNING • ENGINEERING • LAND SURVEYING  
200 NORTH AMERICAN RD., CHEYENNE, WYOMING

PROJECT NO.	JOB NO. 74-0299
DATE NOVEMBER 1974	SCALE 1" = 300'

1. ALL BEARINGS ARE BASED ON THE NORTH BOUNDARY LINE OF ARCHER ESTATES 1<sup>ST</sup> FILING
2. \* 1/2" IRON PIPE
3. [ ] DENOTES RECORDED MEASUREMENTS



APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
LARAMIE COUNTY, WYOMING THIS 21 DAY OF Jan, 1975

Elmo Foster  
CHAIRMAN of the BOARD

COUNTY CLERK

APPROVED BY THE CHEYENNE-LARAMIE COUNTY REGIONAL  
PLANNING COMMISSION THIS 21st DAY OF January, 1975.

*Burt V. Loe*  
SECRETARY

James H. R.  
CHAIRMAN



RESOLUTION # \_\_\_\_\_

**A RESOLUTION TO APPROVE A VACATION OF  
TRACT 13, LESS 5.00 ACRES, ARCHER ESTATES, 3<sup>RD</sup> FILING,  
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 2-1-101 of the Laramie County Land Use Regulations; and

**WHEREAS**, the proposed Vacation is in accordance with §34-12-108 of the Wyoming State Statutes; and

**WHEREAS**, this resolution is the Vacation Tract 13, less 5.00 acres, Archer Estates, 3rd Filing, 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 13, less 5.00 acres, Archer Estates, 3<sup>rd</sup> Filing, to be split into two separate tracts.

**And the Board approves the Vacation of Tract 13, less 5.00 acres, Archer Estates, 3<sup>rd</sup> Filing, 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