

ORDINANCE NO.

AN ORDINANCE APPROVING AND AUTHORIZING THE EXTENSION OF THE BOUNDARIES OF THE CITY OF GILLETTE, WYOMING, AND ANNEXATION OF A TRACT OF LAND KNOWN AS THE WESTOVER ROAD – SKYLINE DRIVE ANNEXATION CONTIGUOUS AND ADJOINING THE PRESENT BOUNDARIES AND ESTABLISHING A C-1, GENERAL COMMERCIAL ZONING DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

ANNEXATION PLAT CONTAINING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 50 NORTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF CAMPBELL, STATE OF WYOMING

WHEREAS, the majority owners of a tract of land did petition the City of Gillette, Wyoming, to include said tract of land within the City boundaries; and

WHEREAS, The City of Gillette did initiate proceedings to annex the Westover Road – Skyline Drive Annexation to the City of Gillette by adopting a Resolution at its regular meeting on February 4, 2013 finding that the requirements of Wyoming Statutes 15-1-402, would be satisfied; directing the publication of a notice, establishing a date for a public hearing at the hour of 7:00 o'clock p.m., on March 18, 2013, in the City Council Chambers, City Hall, Gillette, Wyoming and ordering that Notice be sent to the owners of the tracts described therein;

WHEREAS, a Notice of Hearing in compliance with Wyoming Statutes 15-1-405, was published in the Gillette News Record on February 20, 2013 and February 27, 2013; and copies of the notice were mailed to the owners of the tracts of land as required by law, by certified mail at least 20 business days prior to the public hearing along with a copy of the Annexation Report pursuant to Wyoming Statutes 15-1-402; the public hearing was held as advertised, on March 18, 2013, in the City Council Chambers, City Hall, Gillette, Wyoming, at which time no objections were filed and at which time the City Council did unanimously find that the requirements of Wyoming Statutes 15-1-402, were satisfied and that the area to be annexed is adjacent and contiguous to the corporate limits of the City of Gillette and that said areas should be annexed to the City.

WHEREAS, the City Council did find by Resolution dated February 4, 2013 that said petition was in full compliance with the statutory requirements; and that by the same Resolution, the said City Council did find the necessary tests enunciated by Wyoming Statutes 15-1-402 were satisfied, and that the majority of the owners owning a majority of the land did sign the Petition to Annex which complies with the terms of Wyoming Statutes 15-1-403; and that the said Governing Body has determined that the area should be included within the corporate limits of said City of Gillette, Wyoming.

WHEREAS, the City of Gillette Planning Commission by a majority vote of its members on January 23, 2013 reviewed the request and recommended that the request for Annexation be approved by the Gillette Governing Body and further recommended that the tract to be annexed be C-1, General Commercial Zoning District.

WHEREAS, a Public Hearing was duly advertised and

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING:

Section 1. That pursuant to the petition filed with the City Council of the City of Gillette, Wyoming, there is hereby annexed to and included in the boundaries of the City of Gillette, Wyoming, the tract of land more fully described on Exhibit "A", attached hereto and incorporated herein by this reference.

Section 2. That all previous Ordinances defining the boundaries of the said City of Gillette, Wyoming, shall be and the same are hereby amended to include the area as herein described; and all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of any inconsistency.

Section 3. That an area of land known as the Westover Road – Skyline Drive Annexation, as shown on the Annexation Plat, is known as Exhibit “A”. The parcel of land for the Annexation is to be zoned C-1, General Commercial Zoning District. The property to be zoned is legally described as follows:

Legal Description for Annexation of Lands  
Into the City of Gillette, Wyoming

BEING ONLY THOSE PORTIONS PORTION OF PARCEL No. 1 AS DESCRIBED AND CONVEYED TO THE CITY OF GILLETTE IN THAT CERTAIN QUITCLAIM DEED RECORDED FEBRUARY 27, 2009 IN BOOK 2427 OF PHOTOS, PAGES 477 TO 479, THAT LIE WITHIN SECTIONS 20 AND 21, TOGETHER WITH THAT PARCEL AS DESCRIBED AND CONVEYED TO CAMPBELL COUNTY IN THAT CERTAIN QUITCLAIM DEED RECORDED JANUARY 8, 1988 IN BOOK 987 OF PHOTOS, PAGES 105 TO 106, ALSO TOGETHER WITH A PORTION OF EXHIBIT B AS DESCRIBED AND CONVEYED IN THAT CERTAIN WARRANTY DEED RECORDED NOVEMBER 3, 1992 IN BOOK 1213 OF PHOTOS, PAGES 203 TO 211, INCLUSIVE , ALL LYING WITHIN SECTIONS 20 AND 21, TOWNSHIP 50 NORTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF CAMPBELL, STATE OF WYOMING, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE USGLO BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 20, FROM WHENCE THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 20 BEARS SOUTH 89°09'03" WEST A DISTANCE OF 2702.35 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;  
THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), SOUTH 89°09'03" WEST, 543.40 FEET TO A POINT ON THE EAST LINE OF SKYLINE DRIVE;  
THENCE ALONG SAID EAST LINE OF SAID SKYLINE DRIVE, NORTH 19°48'26" EAST, 68.47 FEET TO A POINT ON THE SOUTH LINE OF WESTOVER ROAD, AND BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE OF SAID SKYLINE DRIVE, NORTH 19°48'26" EAST, 234.72 FEET TO AN ANGLE POINT ON THE BOUNDARY OF SAID EXHIBIT B;  
THENCE ALONG SAID BOUNDARY, SOUTH 68°53'41" EAST, 35.23 FEET TO A POINT ON THE BOUNDARY OF SAID PARCEL No. 1 PER BOOK 2427 OF PHOTOS, PAGES 477 TO 479;  
THENCE ALONG SAID BOUNDARY OF SAID PARCEL No. 1 THE FOLLOWING FIVE (5) COURSES:

1. NORTH 20°52'41" EAST, 140.73 FEET TO A POINT;
2. SOUTH 69°07'19" EAST, 384.64 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 20;
3. SOUTH 72°47'07" EAST, 231.73 FEET TO A POINT;
4. SOUTH 72°49'22" EAST, 429.49 FEET TO A POINT;
5. SOUTH 55°26'07" EAST, 88.43 FEET TO A POINT;

THENCE LEAVING SAID BOUNDARY, SOUTH 88°55'57" WEST, 178.76 FEET TO A POINT;  
THENCE SOUTH 88°53'45" WEST, 116.64 FEET TO A POINT;  
THENCE NORTH 82°36'29" WEST, 338.39 FEET TO A POINT ON THE AFORMENTIONED BOUNDARY OF SAID PARCEL No. 1 PER BOOK 2427 OF PHOTOS, PAGES 477 TO 479;  
THENCE ALONG SAID BOUNDARY, NORTH 00°33'34" EAST, 22.27 FEET TO A POINT ON THE AFORMENTIONED SOUTH LINE OF WESTOVER ROAD AS DESCRIBED AND CONVEYED TO CAMPBELL COUNTY IN THAT CERTAIN QUITCLAIM DEED RECORDED JANUARY 8, 1988 IN BOOK 987 OF PHOTOS, PAGES 105 TO 106;  
THENCE ALONG SAID SOUTH LINE THE FOLLOWING TWO (2) COURSES:

1. SOUTH 76°47'57" WEST, 166.47 FEET TO A NON-TANGENT CURVE TO THE RIGHT CONCAVE NORTHERLY;
2. WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 790.00 FEET, AND WHOSE LONG CHORD BEARS NORTH 87°15'05" WEST AND HAS A CHORD LENGTH OF 434.17 FEET, THROUGH A CENTRAL ANGLE OF 31°53'56", FOR AN ARC LENGTH OF 439.83 FEET TO THE POINT OF BEGINNING.

Containing 228,076 SQUARE FEET OR 5.236 ACRES OF LAND, MORE OR LESS.

Section 4. That the Annexation Plat of the Westover Road – Skyline Drive Annexation, Campbell County, Wyoming as prepared by Brad T. Mortensen for CLC

Associates, signed by Brad T. Mortensen, Registered Land Surveyor, Wyoming Registration No. 12712, is made a part hereof and incorporated herein by this reference and is hereby approved for filing with the Campbell County Clerk and Ex-officio Recorder of Deeds.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF GILLETTE, WYOMING

\_\_\_\_\_  
Tom Murphy, Mayor

(S E A L)

ATTEST:

\_\_\_\_\_  
Karlene Abelseth, City Clerk

Publication Date:

State of Wyoming            )  
  ) ss.  
County of Campbell         )

On this \_\_\_\_ day of \_\_\_\_\_, 2013, before me personally appeared Tom Murphy, to me personally known, who being by me duly sworn, did say that he is the Mayor of the City of Gillette, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its City Council, and said Tom Murphy acknowledged said instrument to be a free act and deed of said corporation.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_