

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 COCKLEBUR DRIVE DRAINAGE ANNEXATION, ENTIRELY ADJACENT AND CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF GILLETTE, WYOMING, PURSUANT TO W.S. 15-1-404, AND ESTABLISHING AN A, AGRICULTURAL ZONING DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

ANNEXATION PLAT PARCEL LOCATED IN A PORTION OF THE SOUTHEAST-QUARTER OF THE NORTHWEST-QUARTER OF SECTION 35, TOWNSHIP 50 NORTH, RANGE 72 WEST OF THE 6TH P.M., CITY OF GILLETTE, CAMPBELL COUNTY, WYOMING

WHEREAS, The City of Gillette has initiated the annexation of a tract of land entirely adjacent and contiguous to the City of Gillette, Wyoming pursuant to Wyoming Statute 15-1-404, known as the Cocklebur Drive Drainage Annexation;

WHEREAS, The Governing Body of the City of Gillette passed and approved Resolution No. 2596 at its regular meeting on January 3, 2017; directing the preparation and distribution of an Annexation Report in accordance with Wyoming Statutes; directing the publication of a public hearing notice, establishing a date for a public hearing at the hour of 7:00 o'clock p.m., on March 21, 2017 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 27, 2017 and March 6, 2017; and the public hearing notice were mailed to the owners of the tracts of land as required by law, by certified mail at least 15 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 21, 2017, 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 March 21, 2017 the necessary tests enunciated by Wyoming Statutes 15-1-402 were satisfied; 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, a Public Hearing for the March 14, 2017 City of Gillette Planning Commission Meeting was duly advertised; and

WHEREAS, the City of Gillette Planning Commission by a majority vote of its members on March 14, 2017 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 zoned A, Agricultural Zoning District.

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 within the Annexation Plat labelled as 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 Cocklebur Drive Drainage Annexation, as shown on the Annexation Plat, known as Exhibit "A". Campbell County, Wyoming is composed of one tract of land. The parcel of land for the Annexation is to be zoned A, Agricultural Zoning District. The property to be zoned is legally described as follows:

**The following property is to be zoned A, Agricultural District:**

**Legal Description**

A Tract of land located in a portion of the Southeast-Quarter of the Northwest-Quarter of Section 35, Township 50 North, Range 72 West of the 6th P.M., City of Gillette, Campbell County, Wyoming and being more particularly described as follows:

Commencing at the West quarter-corner of said Section 35, monumented with a BLM Brass Cap; thence N. 89° 53' 29" E. a distance of 1562.18 feet to an Aluminum Cap PLS 2333 monumenting the Butler Spaeth Road Easterly Right-of-Way as shown on the Cocklebur Subdivision Plat recorded in Book 10 of Plats, Page 315-316 in the Campbell County Clerk's Office, said point being the south point of Curve 19 as referenced on said Plat and also being the Southwesterly corner of this Tract and the True Point of Beginning; thence N. 89° 49' 58" E. a distance of 620.13 feet to a 5/8" rebar monumenting the Southwest corner of Lot 6 as designated on the said Cocklebur Subdivision Plat also being the Southeast corner of this Tract; thence along the common West line of said Lot 6, N. 01° 52' 38" E. a distance of 592.41 feet to an Aluminum Cap PE & LS 2395 monumenting the Northwest corner of said Lot 6 and the Southerly Right-of-Way of Cocklebur Drive also being the Northeast corner of this Tract; thence along the Southerly Right-of-Way of said Cocklebur Drive N. 85° 21' 52" W. a distance of 19.87 feet to the beginning of a curve as referenced on the said Cocklebur Subdivision Plat as Curve 21, thence along said curve to the right having a radius of 344.50 feet, a central angle of 27° 51' 11", an arc length of 167.47 feet, with a chord bearing of N. 71° 35' 09" W. and a chord length of 165.82 feet to a point on the Southeasterly intersection of Cocklebur Drive and the Easterly Butler Spaeth Road Right-of-Ways; thence along a non-tangent curve to the right along the said Easterly Right-of-Way of Butler Spaeth Road, having a radius of 1047.00 feet, a central angle of 10° 03' 53", an arc length of 183.92 feet, with a chord bearing S. 42° 41' 25" W. and a chord length of 183.68 feet to a point also referenced as Curve 20 on the said Cocklebur Subdivision Plat; thence continuing along said Easterly Butler Spaeth Road Right-of-Way S. 47° 53' 39" W., 35.35 feet to a point; thence S. 42° 06' 21" E., 44.50 feet to a point; thence S. 47° 53' 39" W., 50.00 feet to a point; thence N. 42° 06' 21" W., 44.50 feet to a point; thence S. 47° 53' 39" W., 148.26 feet to a point; thence along a curve to the left referenced as Curve 19 on the said Cocklebur Subdivision Plat, having a radius of 500.00 feet, a central angle of 46° 12' 08", an arc length of 403.19 feet, with a chord bearing S. 24° 47' 35" W. and a chord length of 392.35 feet to an Aluminum Cap PLS 2333, thus returning to the Point of Beginning.

Area contains 6.59 acres more or less.

Section 4. That the Annexation Plat of the Cocklebur Drive Drainage Annexation, Campbell County, Wyoming as prepared by Theodore L. McMahon, signed by Theodore L. McMahon, Registered Land Surveyor, Wyoming Registration No. 6811, 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 \_\_\_\_\_, 2017.

CITY OF GILLETTE, WYOMING

\_\_\_\_\_  
Louise Carter-King, Mayor

(S E A L)

ATTEST:

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

Publication Date:

State of Wyoming                    )  
  ) ss.  
County of Campbell                )

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me personally appeared Louise Carter-King, to me personally known, who being by me duly sworn, did say that she 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 Louise Carter-King acknowledged said instrument to be a free act and deed of said corporation.

Witness my hand and official seal.

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

My Commission Expires:

\_\_\_\_\_