

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 COUNTRY CLUB LAKE 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 AND R-S, SUBURBAN RESIDENTIAL ZONING DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

ANNEXATION PLAT PARCEL LOCATED IN THE SE1/4 SE1/4 OF SECTION 3, TOWNSHIP 49 NORTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, 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 Country Club Lake Annexation;

WHEREAS, The Governing Body of the City of Gillette passed and approved Resolution No. 2595 at its regular meeting on December 20, 2016; 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 R-S, Suburban Residential Zoning District and 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 Country Club Lake 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 R-S, Suburban Residential Zoning District and A, Agricultural Zoning District. The property to be zoned is legally described as follows:

The following property is to be zoned R-S, Suburban Residential District:

Legal Description

A tract of land located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 50 North, Range 72 West, 6th P.M., Campbell County, Wyoming:

Commencing at the North Quarter corner of Section 35, said point being monumented with a, 2008 KLJ Aluminum Cap, PLS 9181, set in a valve box in the intersection of Butler-Spaeth Road and Boxelder Road; Thence N $89^{\circ}44'30''$ E, a distance of 2489.7 feet, along the North line of the NE $\frac{1}{4}$ of said Section 35, to the Northeast corner of Section 35, said corner being monumented with a 1985 Brass Cap, LS 567, set in a valve box near the centerline of Box Elder Road; Thence S $0^{\circ}01'18''$ W, a distance of 33.00 feet, along the East line of the NE $\frac{1}{4}$ of Section 35, to a point on the southerly Right-of-Way of Box Elder Road and the POINT OF BEGINNING;

Thence S $89^{\circ}44'30''$ W, a distance of 208.71 feet, along the Southerly Right-of-Way of Box Elder Road, to the Northwest corner of said tract of land; Thence S $0^{\circ}01'18''$ W, 208.71 feet to the Southwest corner of said tract; Thence N $89^{\circ}44'30''$ E, a distance of 208.71 feet to a point on the East line of the NE $\frac{1}{4}$ of Section 35 and the Southeast corner of said tract; Thence N $0^{\circ}01'18''$ E, 208.71 feet, along the East line of the NE $\frac{1}{4}$ of Section 35, to the POINT OF BEGINNING.

Said tract containing 1.00 acre, more or less.

Along with a tract of land located in the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 35, Township 50 North, Range 72 West, 6th P.M., Campbell County, Wyoming:

Commencing at the Northeast corner of Section 35, which is monumented with a 1985 Brass Cap, LS 567, set in a valve box near the centerline of Boxelder Road; Thence S $89^{\circ}44'30''$ W, a distance of 2489.7 feet, to the North Quarter corner of Section 35, T 50 N, R 72 W, of the 6th P.M., Campbell County, Wyoming; said $\frac{1}{4}$ corner being monumented with a 2008 KLJ aluminum cap, PLS 9181, set in a valve box in the intersection of Butler-Spaeth Road and Boxelder Road; Thence S $46^{\circ}20'26''$ E, a distance of 47.58 feet, to a point on a easterly Right-of-Way of Butler-Spaeth Road and the POINT OF BEGINNING:

Thence S $1^{\circ}16'28''$ E, a distance of 352.81 feet along said easterly Right-of-Way to the southerly line of an access road; Thence N $27^{\circ}49'59''$ E, a distance of 115.77 feet, along the southerly line of an access road; Thence N $39^{\circ}51'59''$ E, a distance of 54.90 feet, to a point on the southerly line of said tract; Thence N $89^{\circ}44'30''$ E, a distance of 116.26 feet, to the southeast corner of said tract; Thence N $1^{\circ}16'28''$ W, a distance of 208.67 feet, to a point on the southerly right-of-way of a 66.00 foot easement and the northeast corner of the tract; Thence S $89^{\circ}44'30''$ W, a distance of 208.71 feet, along the southerly right-of-way of said easement to the POINT OF BEGINNING.

Said parcel of land containing 1.14 Acres, more or less.

The total, combined area of the proposed R-S, Suburban Residential Zoning District created as part of this Annexation is 2.14 Acres, more or less.

The following property is to be zoned A, Agriculture District:

Legal Description

A tract of land situated in a portion of Lot 1 (NE 1/4 of the NE 1/4) and Lot 2 (NW 1/4 of the NE 1/4), of Section 35, Township 50 North, Range 72 West, of the Sixth Principal Meridian, Campbell County, Wyoming; and being more particularly described as follows:

Commencing at the North Quarter corner of said Section 35, said corner being monumented with a 2008 KLJ Aluminum Cap, LS 9181 in the intersection of Butler-Spaeth Road and Boxelder Road in a valve box; Thence N 89°44'30" E, a distance of 2489.7 feet, along the North line of the NE 1/4 of Section 35, to the Northeast corner of Section 35, said corner being monumented with a 1985 Brass Cap LS 567, near the centerline of Boxelder Road in a valve box; Thence S 0°01'18" W, a distance of 241.71 feet, along the East line of said Lot 1 (NE 1/4 of the NE 1/4), to a point, said point also being on the on the Westerly line of the Stonepile Addition Annexation plat, as filed in the Campbell County Courthouse in Book 9 of Plats, Page 114-115, Folder 40, and the POINT OF BEGINNING:

Thence continuing S 0°01'18" W, a distance of 1096.2 feet, along the East line of Lot 1 (NE 1/4 of the NE 1/4), of Section 35, and the Westerly line of the Stonepile Addition Annexation plat, to a point, said point being the North Sixteenth corner of Sections 35 and 36, T50N, R72W; Thence S 89°46'08" W, a distance of 2202.5 feet, along the East-West centerline of the NE 1/4 of Section 35 and the Annexation Plat, as filed in the Campbell County Courthouse in Book 6 of Plats, Page 40, Folder 19, to a one inch plastic cap stamped "Eagle LS 584", from which the Center North Sixteenth corner of Section 35 bears S 89°46'08" W, a distance of 326.0 feet, said point being monumented with a two inch aluminum cap LS 584; Thence continuing along that annexation plat filed in the Campbell County Courthouse in Book 6 of Plats, Page 40, Folder 19, N 22°05'02" W, a distance of 117.7 feet, to the beginning of a non tangent curve concaved southwesterly, having a radius of 837.35 feet; Thence along said curve an arc distance of 339.3 feet, through a central angle of 23°13'08", with a chord bearing of N 33°44'30" W, and a chord length of 337.0 feet; Thence continuing along that annexation plat filed in the Campbell County Courthouse in Book 6 of Plats, Page 40, Folder 19, N 1°19'08" W, a distance of 560.8 feet, to a point, said point being on the southerly line is an access road as described in Book 2971 of photos, on Page 131 as filed in the Campbell County Courthouse; Thence N 27°49'59" E, a distance of 115.77 feet, along the southerly line of an access road; Thence N 39°51'59" E, a distance of 54.90 feet, along the southerly line of an access road to a point on the southerly line of a tract of land as described in Book 2971 of photos, on Page 131 as filed in the Campbell County Courthouse; Thence N 89°44'30" E, a distance of 116.3 feet to a point, said point being the southeast corner of a tract of land described in Book 2971 of photos, on Page 131 as filed in the Campbell County Courthouse; Thence N 1°16'28" W, a distance of 208.7 feet, to a point on the southerly Right-of-Way line of Boxelder Road, said point also being common with a point on the Stonepile Addition Annexation plat, as filed in the Campbell County Courthouse in Book 9 of Plats, Page 114-115, Folder 40, and said point being the northeast corner of a tract of land described in Book 2971 of photos, on Page 131 as filed in the Campbell County Courthouse from which the North Quarter corner of Section 35 bears N 82°31'27" W, a distance of 245.2 feet; Thence N 89°44'30" E, a distance of 2037.8 feet, along the southerly Right-of-Way line of Boxelder Road and is common to a line on the Stonepile Addition Annexation plat, as filed in the Campbell County Courthouse in Book 9 of Plats, Page 114-115, to a point, said point being the northwest corner of a tract of land described in Book 336 of Photos, on Page 161, as filed in the Campbell County Courthouse; Thence S 0°01'18" W, a distance of 208.7 feet, to a point, said point being the southwest corner of a tract of land described in Book 336 of Photos, on Page 161, as filed in the Campbell County Courthouse; Thence N 89°44'30" E, a distance of 208.7 feet, to a point, said point being the southeast corner of a tract of land described in Book 336 of Photos, on Page 161, as filed in the Campbell County Courthouse, and the POINT OF BEGINNING.

Said parcel of land containing 69.89 Acres, more or less.

Section 4. That the Annexation Plat of the County Club Lake Annexation, Campbell County, Wyoming as prepared by Troy T. Fields, signed by Troy T. Fields, Registered Land Surveyor, Wyoming Registration No. 8404, 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:
