

ORIGINAL ORDINANCE NO.: 1932  
ENROLLED ORDINANCE NO.: 1694

INTRODUCED BY: SUMMERVILLE

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF LARAMIE, WYOMING VACATING 0.23 ACRES OF RIGHT-OF-WAY, LOCATED WEST OF PIERCE STREET AND EAST OF WEST LARAMIE GARDENS

WHEREAS, on September 10, 2015, Evelyn Hill and James Tuthill filed an application for vacation of 0.23 acres of right-of-way, located west of Pierce Street and east of West Laramie Gardens;

WHEREAS, no appraisal has been provided and the applicant requests that the land originally dedicated for right-of-way but not used for the construction of Pierce Street be given back at no charge;

WHEREAS, contrary to LMC 15.06.060.W.3.b.ii, the applicant has not provided a current appraisal of the fair market value of the land to be vacated, completed by a state certified and licensed appraiser, to be paid by the applicant in compensation for the vacation of the property;

WHEREAS, on October 26, 2015 the Laramie Planning Commission affirmatively voted (5 yes, 0 no, 2 absent) to recommend approval of the vacation to the Laramie City Council; and

WHEREAS, notice of a public hearing in compliance with Wyo. Stat. §15-1-602(b) was published in the *Laramie Boomerang* on November 22, 2015 which notice was given at least fifteen (15) days prior to the public hearing; and

WHEREAS, the Laramie City Council held a public hearing on December 8, 2015 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That pursuant to W.S. § 15-6-104, W.S. § 15-4-305 and W.S. § 34-12-106 through § 34-12-108, the City Council finds that the vacation of the following described area will not abridge or destroy any of the rights and privileges of other proprietors in said plat and further finds that the vacation is in the best interest of the City of Laramie, Wyoming (City).

**Section 2.** That the City Council hereby vacates 0.23 acres of right-of-way, located west of Pierce Street and east of West Laramie Gardens, more particularly described as,

A PORTION OF THAT TRACT OF LAND DESCRIBED IN QUITCLAIM DEED RECORDED 1/8/2008, ALBANY COUNTY CLERK INSTRUMENT #2008-150 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SECTION 30, T16N, R73W OF THE 6TH P.M., ALBANY COUNTY, WYOMING;

THENCE N 88° 43' 23" W 1402.21 FEET ALONG THE SOUTH LINE OF SAID SECTION 30 TO THE PROLONGATION OF THE MOST EASTERLY BOUNDARY OF WEST LARAMIE GARDENS SUBDIVISION AS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER FOR ALBANY COUNTY, WYOMING;

THENCE N 4° 30' 42" E 74.67 FEET ALONG SAID EASTERLY PROLONGATION AND ALONG SAID EASTERLY BOUNDARY OF WEST LARAMIE GARDENS TO THE TRUE POINT OF BEGINNING;

THENCE N 4° 30' 42" E 163.93 FEET ALONG SAID EASTERLY BOUNDARY OF WEST LARAMIE GARDENS TO THE NE CORNER OF LOT 2, BLOCK 1 OF SAID WEST LARAMIE GARDENS;

THENCE S 88° 43' 23" E 56.80 FEET;

THENCE S 2° 06' 26" W 163.69 FEET;

THENCE N 88° 43' 23" W 63.68 FEET TO THE POINT OF BEGINNING.

SAID PORTION OF TRACT CONTAINS 0.23 ACRES MORE OR LESS.

and as shown in Exhibit A;

**Section 3.** That the Clerk of Albany County, Wyoming, in whose office the aforesaid plat is recorded, shall cause the right-of-way vacation to be indicated in plain legible letters and symbols across the plat so modified, and shall also make a reference on the same to the volume and page number on which the ordinance vacating the easement is recorded.

**Section 4.** That the City waives its request for payment and the applicant shall not pay into the City's General Fund for the value of the right-of-way.

**Section 5.** That the applicant shall provide a 30 foot public utility easement, 15 feet on each side of the power transmission line, as requested by Rocky Mountain Power.

**Section 6.** That this ordinance shall become effective after its passage, approval, publication, and recordation.

ALBANY COUNTY, LARAMIE, WY JACKIE R. GONZALES, ALBANY CO CLK

1/27/2016 3:05 PM #2016-353 2 OF 4

Ordinance No. 1932

Page 2 of 3

**PASSED, APPROVED AND ADOPTED this 5th day of January, 2016.**

*David A. Paulekas*

David A. Paulekas  
Mayor and President of the City Council

ATTEST:

*Angie Johnson*  
Angie Johnson  
City Clerk

First Reading: November 17, 2015  
Public Hearing December 8, 2015  
Second Reading: December 15, 2015  
Third Reading and Final Action: January 5, 2016

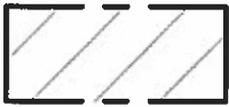
Duly published in the *Laramie Boomerang* this 12<sup>th</sup> day of January, 2016.

ALBANY COUNTY, LARAMIE, WY JACKIE R. GONZALES, ALBANY CO CLK

1/27/2016 3:05 PM

#2016-353 3 OF 4

### LEGEND



AREA TO BE VACATED

PIERCE STREET

WEST LARAMIE  
GARDENS

LOT 2

1

BLK

LOT 1

S 88° 43' 23" E  
56.80'

N 4° 30' 42" E 163.93'

N 2° 06' 26" W 163.69'

N 88° 43' 23" W  
63.68'

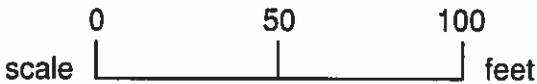
N 4° 30' 42" E  
66.00'

74.67'

N 88° 43' 23" W 1402.21'

S LINE SEC 30

SE COR SEC 30



10/8/2015 11:16 AM...John Erickson...g1survey-cb@tutill.com

**GERTSCH-BAKER** at Hunter Hall  
**ENGINEERING** 104 south 4th street  
**& DESIGN** INC. suite 100  
 laramie, wyo 82070  
 (307) 742-6116  
 Architect • Engineers

DRAWN BY: ERICKSON  
DATE: 5/30/15

EXHIBIT A

TUTHILL VACATION

1 OF 1