

Resolution 2019-026

RESOLUTION TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAYS IN TOWNSHIP 15 NORTH, RANGE 78 WEST CENTENNIAL PLAT.

WHEREAS, Wyoming Statute § 34-12-106 through § 34-12-111 require that any public road be altered or vacated in a manner provided by law for the alteration or discontinuance of highways and such laws are set forth at Wyoming Statute § 24-3-101, et sec., that allows for the establishment, alteration, and/or vacation of County roads.

WHEREAS, on April 3, 2018, the applicant, Valley’s End LLC, filed a Petition with the County Clerk for Vacation of a portion of Right-of-Ways (Maple and First Street) in Centennial Plat.

WHEREAS, on April 17, 2018, the Board of County Commissioners for Albany County, Wyoming (County Board), acknowledged receipt of the Petition to Vacate Portion of a Street in Albany County located in Centennial Plat from Jill Gustafson, Manager of Valley’s End, LLC and approved Resolution 2018-011 initiating proceedings to vacate public right-of-way in Township 15 North Range 78 West, Centennial Plat so that title to the rights-of-ways shall rest with property owners adjacent to the vacated property in compliance with Wyo. Stat. § 24-3-101 (a).

WHEREAS, on April 17, 2018, the County Board appointed Alan Frank, GIS Director as the Viewer pursuant to Wyoming Statute § 24-3-105 and 106.

WHEREAS, on February 19, 2019, the Viewer submitted a written report to the County Clerk and Board recommending three (3) options for vacating a portion of the public right-of-way. See attached Exhibit 1, Viewer’s Options 1-3, which is attached hereto and incorporated herein.

WHEREAS, on February 19, 2019, the County Board tabled the viewing report regarding the Petition by Valley’s End, LLC to vacate a portion of Public Right-of-Way in Centennial Plat, Township 15 North, Range 78 West, Section 3, on Maple Street between State HWY 130 and 1st Street in Albany County, Wyoming and requested the Viewer consider additional options for a portion of the public road to be vacated.

WHEREAS, on April 16, 2019, the Viewer submitted a revised written report to the County Clerk and Board recommending two (2) additional options, Option 4 and Option 5. See attached Exhibit 2, Viewer’s Options 4-5, which is attached hereto and incorporated herein. The County acknowledged Option 5 contingent on the Petitioner Valley’s End granting an underground utility easement to the County in the area shown in green on the map and granting public access across the portion of First Street to the north. See attached Exhibit 3, Overview of Options 1-5, which is attached hereto and incorporated herein. The County Board directed

the County Clerk to publish Public Notice to hold a Public Hearing on the Petition to Vacate the Right-of-way.

WHEREAS, on April 25, 2019 the County Clerk sent copies of the *Public Notice Of Hearing To Vacate A Portion Of The Public Right-of-Way* in Township 15 North Range 78 West, by registered mail to all of parties having an interest in the land over which the road is proposed to be vacated and required by Wyoming Statute § 24-3-110.

WHEREAS, the *Notice Of Hearing To Vacate A Portion Of The Public Right-of-Way* in Township 15 North Range 78 West, Centennial Plat was published in the Laramie Boomerang a newspaper in general circulation in Albany County, Wyoming for two (2) consecutive weeks on May 7, 2019 and May 25, 2019, and also published on the county website at Legals at www.albanycounty.wy.gov as required by Wyoming Statute § 24-3-110.

WHEREAS, the *Notice of Hearing to Vacate a Portion of the Public Right-of-Way* in Township 15 North Range 78 West, provided that all objections or claims for damages must be filed in writing with the County Clerk before noon on June 7, 2019 or the road would be vacated.

WHEREAS, objections were filed and received in writing with the County Clerk prior to June 7, 2019 and a Public Hearing was held on June 18, 2019 pursuant to Wyoming Statute § 24-3-110 where objections were verbally made, and no action was taken by the County.

NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, RESOLVES:

Section 1. Based on the public good, the Public Right-of-Way on Centennial Plat, the point of termination of the public right-of-way to be vacated is located at 15 North, Range 78 West, Section 3, on Maple Street between State HWY 130 and 1st Street in Albany County, Wyoming as outlined in Option 4 of the Revised Viewer Report which is contained in Exhibit 2 and 3 and is attached hereto and incorporated herein is hereby **VACATED** in exchange for the following described conveyances:

DESCRIPTION 1:

A PORTION OF LAND TO BE SURVEYED AND CONVEYED TO VALLEY'S END, LLC, BY QUIT CLAIM DEED.

DESCRIPTION 2:

A PORTION OF LAND TO BE SURVEYED AND CONVEYED TO CENTENNIAL VALLEY COMMUNITY CHURCH, BY QUIT CLAIM DEED.

DESCRIPTION 3:

A STRIP OF LAND EIGHTY (80) FEET IN WIDTH CONVEYED BY DEED FROM VALLEY'S END LLC TO THE ALBANY COUNTY COMMISSIONERS FOR RIGHT-OF-WAY PURPOSES.

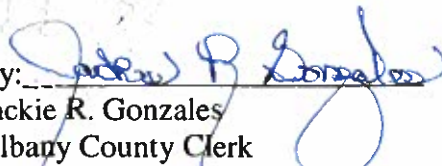
Section 2. This Resolution and Order shall be recorded in the land records immediately upon receiving the final surveyed Metes and Bounds description with the Albany County Clerk, in Laramie, Wyoming.

PASSED, APPROVED, AND ADOPTED THIS 17th day of September 2019.

THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY,
WYOMING.

By: 
Terri Jones, Chairperson

ATTEST:

By: 
Jackie R. Gonzales
Albany County Clerk



Albany County GIS
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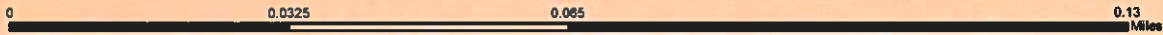
2011
2001

Viewer
Option # 1

- Legend
- Albany Roads 10**
- ROADTYPE**
- city
 - county
 - private
 - state
 - Valley_End_Ownership
 - Section
 - Township



Disclaimer:
 The data has been prepared in the best records available to Albany County. It is presented "AS IS" and there is no warranty or liability on the part of Albany County GIS for completeness, accuracy, currency or correctness of this information, including but not limited to ownership of title, merchantability, usefulness or fitness for a particular purpose. This data is not a substitute for a survey and should not be used for legal purposes. Albany County shall not be liable for damages of any kind arising out of use of this product or for any errors or inaccuracies.





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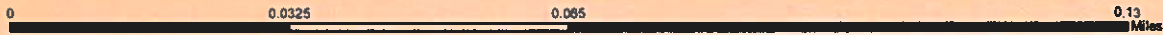
2011
2001

Viewer
Option # 2

- Legend
- Albany Roads 19
 - ROADTYPE
 - city
 - county
 - private
 - state
 - Valley_End_Ownership
 - Section
 - Township



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Viewer Option # 3

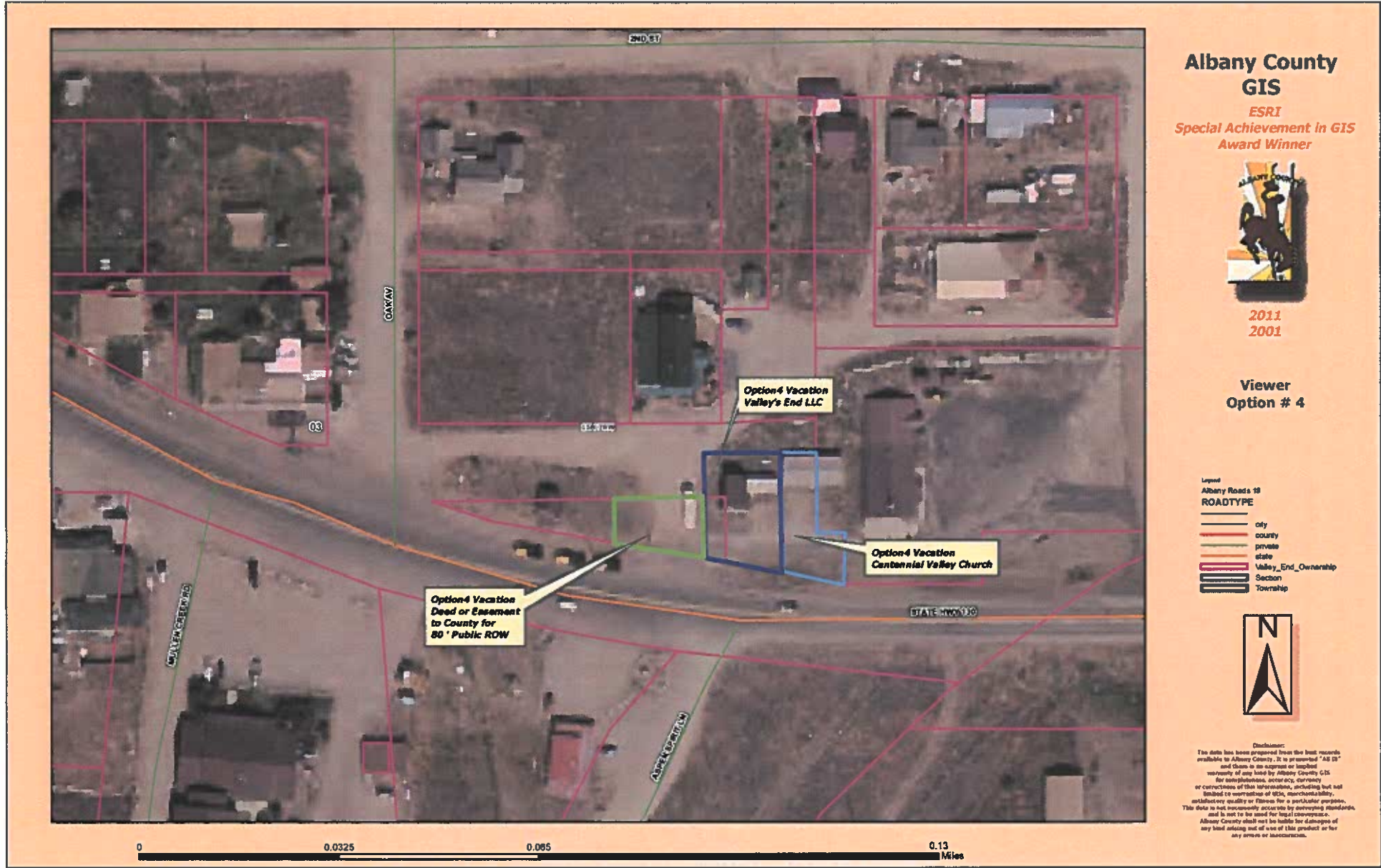
- Legend**
- Albany Roads 10
 - ROADTYPE**
 - city
 - county
 - private
 - state
 - Valley_End_Ownership
 - Section
 - Township



Disclaimer:
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2011
2001

Viewer
Option # 5

- Legend
- Albany Roads 19
- ROADTYPE**
- city
 - county
 - private
 - state
 - Valley_End_Ownership
 - Section
 - Township



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Viewer's Options regarding the Petition to Vacate a Portion of Public Right-of-Ways in Township 15 North, Range 78 West Centennial Plat

The original petition request is as follows:

The Petitioner, Valleys End, LLC., requests that a portion of First Street with rectangular dimensions of 7 feet by 33 feet be vacated and that title thereto to thereafter be vested in Petitioner.

The Petitioner, Valleys End, LLC., further requests that a portion of Maple Avenue with dimensions of 50.27 feet on the north boundary, 47.58 feet on the east boundary, 49.96 feet on the south boundary, and 47.58 feet on the west boundary be vacated and that title thereto to thereafter be vested in Petitioner.

Option #1:

Covers the original petition request as listed above.

Option #2:

Covers the original request as well as correcting the adjacent church property at the same time to avoid buildings still remaining within the right-of-way.

Option #3:

Similar to option #2 however it also accounts for the currently used vehicle pass through circumventing the buildings in the ROW and would be either deeded or through a public right-of-way easement given to the County. This area would be equivalent in size to the portion deeded to the applicant from the County.

Option #4:

This option reflects similar to the previous Option #3 however it enlarges the petitioners' area of land while also enlarges the right-of-way area to an 80' width and thus replicates the right-of-way widths consistent throughout the entirety of the Centennial Plat.

Option #5:

This option is similar to Option #4 however it also incorporates a split of 1st Street equally between Valley's End LLC, and property owned by Raymond James adjacent only to their respective properties. Thus, what would then allow the entire block 53 of Centennial to be corrected in one final petition.