

Resolution 2022-004**RESOLUTION VACATING A PORTION OF THE THIRD STREET PUBLIC RIGHT OF WAY LOCATED IN CENTENNIAL PLAT**

WHEREAS, on September 23, 2020, the applicant, Larry Lang, submitted a petition in compliance with Wyo. Stat. Ann. § 24-3-101 (a) to the Albany County Clerk to vacate a portion of the Third Street right-of-way in the Centennial Plat so that title to the vacated portion shall rest with property owner of the lots abutting the vacated property ("Petition").

WHEREAS, the Board of County Commissioners for Albany County, State of Wyoming (Commissioners), in accordance with Wyo. Stat. Ann. § 24-3-101 (a), deemed it to be in the public interest to initiate proceedings to vacate the public right of way in Centennial Plat.

WHEREAS, the point of commencement and the course and the point of termination of the public right of way to be vacated is a 20-foot-wide by 110-foot length of Third Street which adjoins Lots 4, 5, 6 and 7, block 41, known as 2773 Highway 130.

WHEREAS, in initiating said proceedings the Commissioners shall appoint a suitable and disinterested person to examine into the expediency of said vacation and to report to the Commissioners regarding whether or not said vacation should occur, taking into account the public and private convenience, the expense of the same, including damages to any property owner along the line thereof, or any benefits thereto, and any other matters as shall enable the Commissioners to act understandingly in the premises.

WHEREAS, in Resolution 2020-029, which was executed on October 5, 2020, the Board of County Commissioners of Albany County, Wyoming ("County") appointed Alan Frank as viewer in the matter.

WHEREAS, Mr. Frank resigned his position with Albany County prior to completing his duties as viewer in this matter and it was necessary to appoint a new viewer to complete the viewer's duties.

WHEREAS, on July 20, 2021, the Board of County Commissioners of Albany County executed Amended Resolution 2020-029 to remove Alan Frank as viewer and appoint Karen Bowman as viewer in this matter.

WHEREAS, on October 5, 2021, the County approved the Viewing Report prepared by Karen Bowman with regard to Mr. Lang's Petition.

WHEREAS, on November 16, 2021 the County approved the Amended Viewer's Report, which provided updated photographs and information regarding the development of adjacent right of way.

WHEREAS, on November 16, 2021, the County considered the Petition, Viewer's Report, and Amended Viewer's Report and evaluated the same. The County found that in their

judgment the partial vacation of the 20-foot-wide by 110-foot length of Third Street which adjoins Lots 4, 5, 6 and 7, block 41 of the Centennial Plat is for the public good. The County accepted Mr. Lang's Petition and directed the County Clerk to advertise.

WHEREAS, the County Clerk sent copies of the *Public Notice to Vacate a Portion of 3rd Street in Albany County Located In Centennial Plat* by registered mail to all parties having an interest in the land over which the road is proposed to be vacated as required by Wyo. Stat. Ann. § 24-3-110.

WHEREAS, the *Public Notice to Vacate a Portion of 3rd Street in Albany County Located In Centennial Plat* was published in the Laramie Boomerang a newspaper in general circulation in Albany County, Wyoming for two (2) consecutive weeks on December 4 and 18, 2021, and also published on the county website www.co.albany.wy.us in the Legal Notice section as required by Wyo. Stat. Ann. § 24-3-110.

WHEREAS, no objections or claims for damages regarding the Petition were received by the County Clerk.

WHEREAS, a survey of the property to be vacated was completed by Brian L. Schmalz, a Wyoming licensed Professional Land Surveyor and said survey was paid for by Mr. Lang and said survey is attached hereto and incorporated herein as Exhibit "A".

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

Section 1. That the foregoing recitals are incorporated in and made a part of this Resolution by this reference.

Section 2. A portion of the Third Street right-of-way as shown on the Centennial Plat, where the point of commencement and the course and the point of termination of the public right of way to be vacated is a 20-foot-wide by 110-foot length of Third Street which adjoins Lots 4, 5, 6 and 7, block 41 of said Centennial Plat, which is more particularly described as follows:

That part of Third Street as platted on Plat of Centennial, situated in the Northeast Quarter of Section 3, T. 15 N., R. 78 W., 6th P.M., Albany County, Wyoming more particularly described as follows:

Beginning at a point which is the Northwest corner of Lot 7, Block 41, Centennial, point is situated N00°58'56"W a distance of 3272.44 feet from the South ¼ Corner of said Section 3; thence, along the North-South Mid-Section line of said Section 3, N00°58'56"W a distance of 20.00 feet; thence, parallel with the South right-of-way of Third Street, N89°08'25"E a distance of 104.41 feet; thence, S01°01'36"E a distance of 20.00 feet to a point on the South right-of-way line of said Third Street; thence, along the said South right-of-way line S89°08'25"W a distance of 104.44 feet to the

said Point of Beginning; said tract having an area of 2,088 square feet (0.048 acres);

said tract of land is subject to easements, reservations, covenants, and restrictions presently of record in the office of the County Clerk for Albany County, Wyoming, and is hereby **VACATED** subject to all easements, reservations, covenants, and restrictions presently of record in the office of the County Clerk for Albany County, Wyoming.

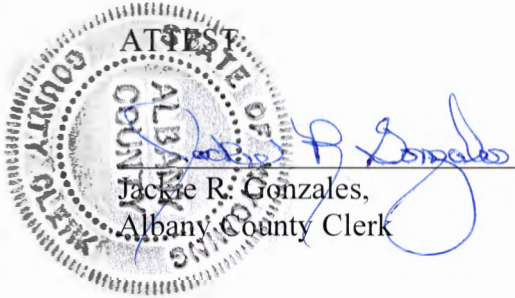
Section 3. This Resolution and Order shall be recorded in the land records immediately with the Albany County Clerk, in Laramie, Wyoming.

PASSED, APPROVED, AND ADOPTED this 15th day of February 2022.

**THE BOARD OF COUNTY COMMISSIONERS
OF ALBANY COUNTY, WYOMING**



Pete Gosar, Chairperson



Jackie R. Gonzales,
Albany County Clerk

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


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State of Wyoming

SS:

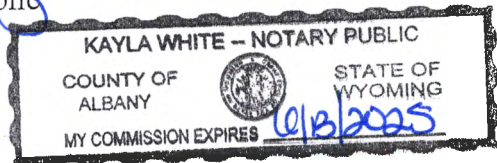
County of Albany

Subscribed and sworn to (or affirmed) before me this 15th day of February, 2022
by Pete Gossez and Jackie R. Gonzales



Notary Public

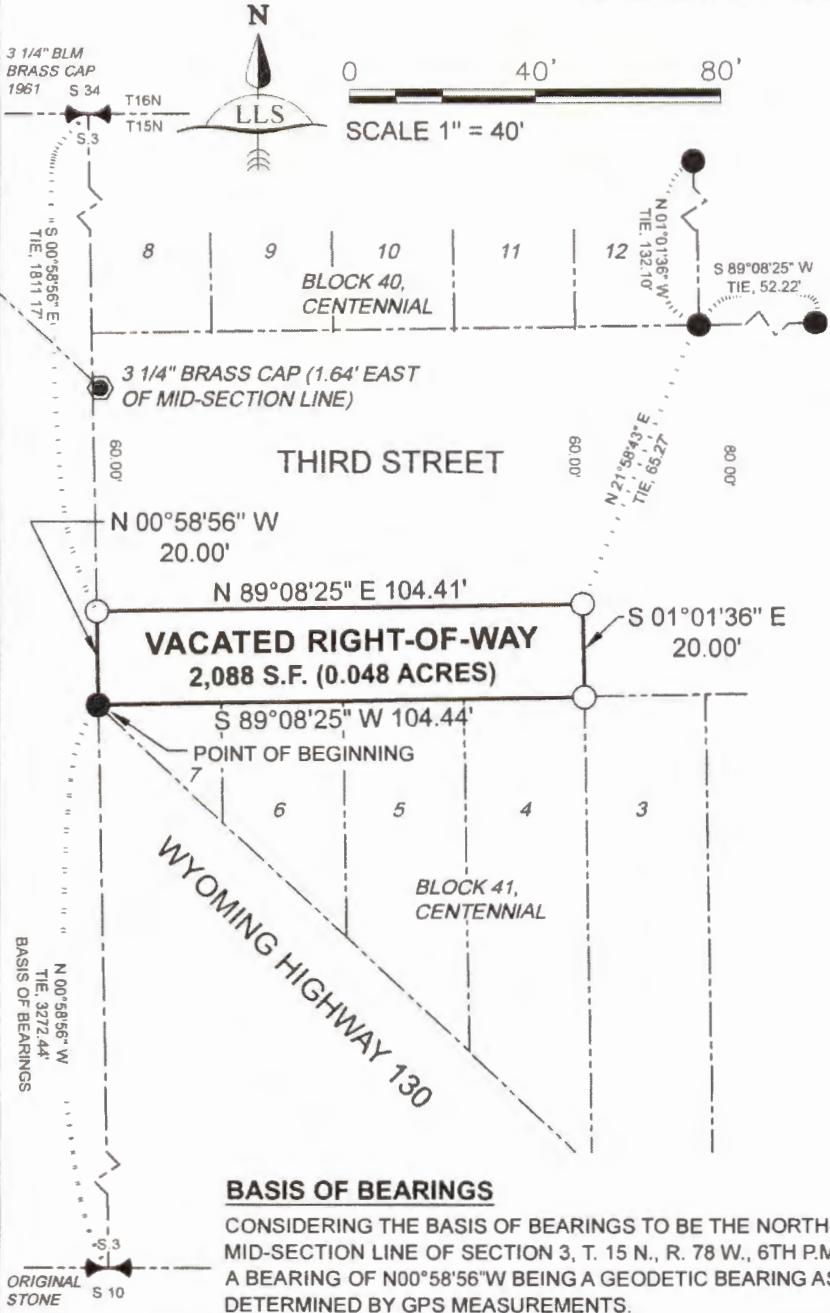
My Commission Expires: 6/13/2025



DATE: FEBRUARY 2022

EXHIBIT "A"

VACATION OF A PORTION OF THIRD STREET



LEGEND

- PARCEL BOUNDARY
- ADJACENT BOUNDARY LINE
- MID-SECTION LINE
- SET PROPERTY CORNER - 24" X 5/8" REBAR WITH 1-1/2" ALUMINUM CAP "LLS PLS 11268"
- FOUND PROPERTY CORNER - AS NOTED.
- FOUND PROPERTY CORNER - 1 1/2" ALUMINUM CAP "PE&S 674"
- FOUND QUARTER SECTION CORNER - AS NOTED.

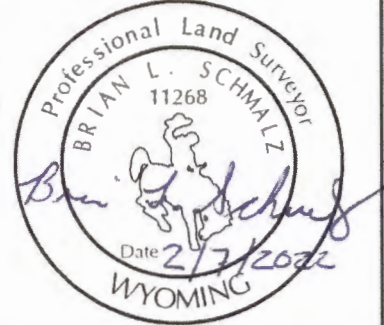
METES AND BOUNDS DESCRIPTION

THAT PART OF THIRD STREET, AS PLATTED ON PLAT OF CENTENNIAL, SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, T. 15 N., R. 78 W., 6TH P.M., ALBANY COUNTY, WYOMING, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF LOT 7, BLOCK 41, CENTENNIAL, POINT IS SITUATED N00°58'56"W A DISTANCE OF 3272.44 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 3;
 THENCE, ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 3, N00°58'56"W A DISTANCE OF 20.00 FEET;
 THENCE, PARALLEL WITH THE SOUTH RIGHT-OF-WAY OF THIRD STREET, N89°08'25"E A DISTANCE OF 104.41 FEET;
 THENCE, S01°01'36"E A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID THIRD STREET;
 THENCE, ALONG THE SAID SOUTH RIGHT-OF-WAY LINE S89°08'25"W A DISTANCE OF 104.44 FEET TO THE SAID POINT OF BEGINNING;
 SAID TRACT HAVING AN AREA OF 2,088 SQUARE FEET (0.048 ACRES), SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

SURVEYOR STATEMENT:

I, BRIAN L. SCHMALZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF WYOMING, HEREBY STATE THAT THIS EXHIBIT WAS MADE FROM NOTES TAKEN BY AN ACTUAL SURVEY, MADE BY ME OR UNDER MY DIRECT SUPERVISION, DURING THE MONTH OF JANUARY 2022 AND THIS EXHIBIT ACCURATELY REFLECTS THE RESULTS OF SAID SURVEY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

BRIAN L. SCHMALZ, P.L.S. No. 11268



BASIS OF BEARINGS
 CONSIDERING THE BASIS OF BEARINGS TO BE THE NORTH-SOUTH MID-SECTION LINE OF SECTION 3, T. 15 N., R. 78 W., 6TH P.M.; HAVING A BEARING OF N00°58'56"W BEING A GEODETIC BEARING AS DETERMINED BY GPS MEASUREMENTS.

THIRD STREET VACATION CENTENNIAL WYOMING NE1/4 SECTION 3, T15N, R78W, 6TH P.M., ALBANY COUNTY, WYOMING	PREPARED BY: <div style="text-align: center;">LARAMIE</div> LAND SURVEYING			
	PREPARED FOR: <div style="text-align: center;">LARRY LANG</div> (307) 460-0801 LARAMIE, WY	(720) 263-0289 BRIGHTON, CO		
FILE: EXHIBITA.DWG	JOB NO. 22-003	DRAWN BY: BLS	DATE: 2/3/2022	SHT 1 OF 1

QUITCLAIM DEED

Albany County, Wyoming, GRANTOR, body corporate and political subdivision of the State of Wyoming, whose address is 525 Grand Avenue, Suite 202, Laramie, Wyoming 82070, for and in consideration of ten (\$10.00) dollars and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, hereby convey and quitclaim to Larry Lang, GRANTEE, whose mailing address is 19709 CR 72 Eaton, CO 80615, the following described real property situated in Albany County, Wyoming:

That part of Third Street as platted on Plat of Centennial, situated in the Northeast Quarter of Section 3, T. 15 N., R. 78 W., 6th P.M., Albany County, Wyoming, more particularly described as follows:

Beginning at a point which is the Northwest corner of Lot 7, Block 41, Centennial, point is situated N00°58'56"W a distance of 3272.44 feet from the South ¼ Corner of said Section 3; thence, along the North-South Mid-Section line of said Section 3, N00°58'56"W a distance of 20.00 feet; thence, parallel with the South right-of-way of Third Street, N89°08'25"E a distance of 104.41 feet; thence, S01°01'36"E a distance of 20.00 feet to a point on the South right-of-way line of said Third Street; thence, along the said South right-of-way line S89°08'25"W a distance of 104.44 feet to the said Point of Beginning; said tract having an area of 2,088 square feet (0.048 acres);

together with all the privileges, hereditaments, tenements, and appurtenances thereunto belonging or in anywise appertaining and improvements thereon, any and all fixtures of a permanent nature thereon, and any and all easements and other rights appurtenant thereto;

SUBJECT to reservations, covenants, and restrictions presently of record in the office of the County Clerk for Albany County, Wyoming.

GRANTOR releases and waives all rights in and to said property under and by virtue of the homestead exemption laws of the State of Wyoming.


DATED this 15th day of February 2022.

GRANTOR

BOARD OF COMMISSIONERS OF THE COUNTY OF ALBANY, WYOMING:

By: [Signature]
 Pete Gosar, Chairperson

Attest: [Signature]
 Jackie R. Gonzales, County Clerk



ACKNOWLEDGEMENT

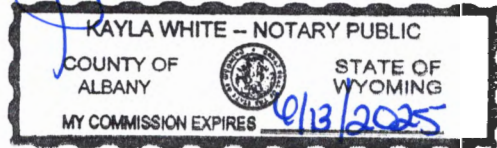
STATE OF WYOMING)
) SS
 COUNTY OF ALBANY)

The foregoing instrument was acknowledged before me by Pete Gosar, the Chairperson for the Board of Commissioners of the County of Albany, Wyoming, and Jackie R. Gonzales, Albany County Clerk, this 15th day of February 2022.

Witness my hand and official seal.

[Signature]
 Notary Public

My Commission expires: 01/13/2025



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

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