



CITY OF MILLS
EST. 1921

704 Fourth Street
P.O. Box 789
Mills, WY 82644

Phone: 307-234-6679
Fax: 307-234-6528

Memorandum

TO: Mills City Council
FROM: Megan Nelms, AICP, City Planner
DATE: September 22, 2023

SUBJECT: Easement Vacation – Cornerstone Apartments

Summary: In the process of finalizing construction and obtaining as-built plans for the recently constructed Cornerstone Apartments, it was identified that Garage Building A encroaches on a portion of an existing public utility easement. Through research and discussion with Public Works, it was found that there are no utilities located within the easement and it had previously been platted for a planned fire hydrant that was eventually located elsewhere on the property.

The owners are now requesting vacation of the easement to remove the encroachment by Garage Building A.

Staff Recommendation: Staff recommends APPROVAL of the easement vacation.

VACATION OF EASEMENT

THIS INDENTURE, entered into this _____ day of _____, 2023 by The City of Mills, 704 Fourth St., Mills, WY 82644, referred to as owner.

WHEREAS, The City desires to vacate an easement, its appurtenances and any related improvements; and

WHEREAS, upon vacation of the Easement by the City, the City shall have no further rights in the easement.

NOW THEREFORE, in consideration of the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, The City of Mills agrees to the following:

- 1) Vacation of Easement. The City does hereby vacate and release that certain portion of the easement reserved to the City in that certain document recorded in Instrument No. 1079930, Natrona County, records said easement having encumbered that real property described and identified as being located in Lot 1, Plat of Natrona Business Park, No. 2, and being a portion of the SE1/4SW1/4 and the SW1/4SE1/4, Section 1, Township 33 North, Range 80 West, Natrona County, Wyoming, being more particularly described as follow:

A 10.00 foot by 15.00 foot public utility easement described as commencing at the southerly corner of said Lot 1, Natrona Business Park No. 2; thence N.35°25'12"W., 179.67 feet to the southerly corner of said easement and the Point of Beginning; thence along the southwesterly line of said easement, N.43°39'18"W., 10.00 feet to the westerly corner of said easement; thence along the northwesterly line of said easement, N.46°20'42"E., 15.00 feet to the northerly corner of said easement; thence along the northeasterly line of said easement, S.43°39'18"E., 10.00 feet to the easterly corner of said easement; thence along the southeasterly line of said easement, S.46°20'42"W., 15.00 feet to the Point of Beginning.

- 2) Recording. This agreement to vacate shall be recorded in the official records of the Natrona County clerks office.

IN WITNESS WHEREOF, the City of Mills, has executed this Easement Vacation by their respective duly authorized officers as of the date and year first above set forth.

City of Mills:

Printed Name and Title

STATE OF WYOMING)

) ss

COUNTY OF NATRONA)

The foregoing instrument was subscribed, sworn to and acknowledged before me this ____ day of _____, 2023, by _____, Mayor of the City of Mills, Natrona County, Wyoming.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

PLAT OF
NATRONA BUSINESS PARK NO. 2
 AN ADDITION TO THE TOWN OF MILLS, WYOMING
 A VACATION & REPLAT OF
 LOTS 1, 2 AND 3, NATRONA BUSINESS PARK
 AN ADDITION TO THE TOWN OF MILLS, WYOMING
 AND A SUBDIVISION OF PORTIONS OF THE
 SE1/4SW1/4 AND SW1/4SE1/4, SECTION 1
 TOWNSHIP 33 NORTH, RANGE 80 WEST
 SIXTH PRINCIPAL MERIDIAN
 NATRONA COUNTY, WYOMING

CERTIFICATE OF DEDICATION
 Cornerstone-Mills Partners, Limited Partnership, hereby certifies that they are the owners and proprietors of the foregoing vacation and replat of Lots 1, 2 and 3, Natrona Business Park an Addition to the Town of Mills, Wyoming, and a subdivision of portions of the SE1/4SW1/4 and SW1/4SE1/4, Section 1, Township 33 North, Range 80 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described as follows:

Beginning at the most southerly corner of the Parcel being described and a point of intersection of the northwesterly line of Poison Spider Road with the northwesterly line of Rosevelt Circle; thence from said Point of Beginning and along the northwesterly line of said Parcel and the northwesterly line of said Rosevelt Circle, N.35°53'18"W., 400.04 feet to a point and northwesterly corner of said Rosevelt Circle; thence along the westerly line of said Parcel, N.0°59'03"W., 89.05 feet to the northwesterly corner of said Parcel; thence along the northwesterly line of said Parcel, N.52°30'17"E., 269.00 feet to the most northerly corner of said Parcel; thence along the northerly line of said Parcel, S.89°24'09"E., 83.42 feet to a point in and intersection with the southwesterly line of Natrona Avenue; thence along the northwesterly line of said Parcel and southwesterly line of said Natrona Avenue, S.56°35'43"E., 302.03 feet to a point in and intersection with the northwesterly line of said Poison Spider Road; thence along the southwesterly line of said Parcel and northwesterly line of said Poison Spider Road, S.40°17'33"W., 135.00 feet to a point; thence continuing along the southwesterly line of said Parcel and northwesterly line of said Poison Spider Road, S.53°03'32"W., 398.35 feet to the Point of Beginning and containing 4.622 acres, more or less.

The vacation and replat of the foregoing described lands as appears on this plat is with the best consent and in accordance with the desires of the above named owners and proprietors of said lands; the name of said vacation and replat shall be known as "NATRONA BUSINESS PARK NO. 2", an Addition to the Town of Mills, Wyoming. All streets as shown hereon are hereby or have previously been dedicated to the use of the public and utility easements are hereby reserved to public and private utility companies for the purpose of construction, operation and maintenance of utility lines, conduits and ditches.

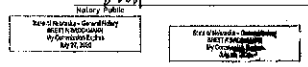
Cornerstone-Mills Partners, Limited Partnership
 209 S. 18th Street, Suite 100
 Omaha, Nebraska 68102

Bobbi Jo Lucas
 BOBBI JO LUCAS, PRESIDENT OF THE SAID MEMBER OF THE GENERAL PARTNER OF CORNERSTONE-MILLS PARTNERS, LIMITED PARTNERSHIP

ACKNOWLEDGMENT

State of Nebraska ss
 County of Douglas)
 The foregoing instrument was acknowledged before me as Bobbi Jo Lucas, President of the said member of the General Partner of Cornerstone-Mills Partners, Limited Partnership on this 14th day of April, 2020.
 Witness my hand and official seal.

My commission expires: July 27, 2020



APPROVALS

APPROVED: Town Council of the Town of Mills, Wyoming by Resolution No. 2020-13, duly passed, adopted and approved on the 14th day of April, 2020.

Attest: *Bobbi Jo Lucas*
 Town Clerk

INSPECTED AND APPROVED on the 14th day of April, 2020.

Paul R. Svenson
 Town Engineer

CERTIFICATE OF SURVEYOR

I, Paul R. Svenson, a registered professional land surveyor, License No. 10272, hereby certify that this plat was made from notes taken during an actual survey made by me or others under my direct supervision during the months of September 2012 and February, 2020 and that this plat, to the best of my knowledge and belief, correctly and accurately represents said surveys.

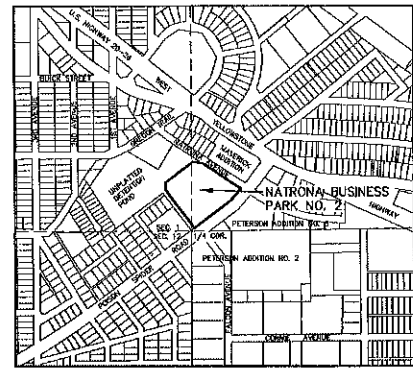
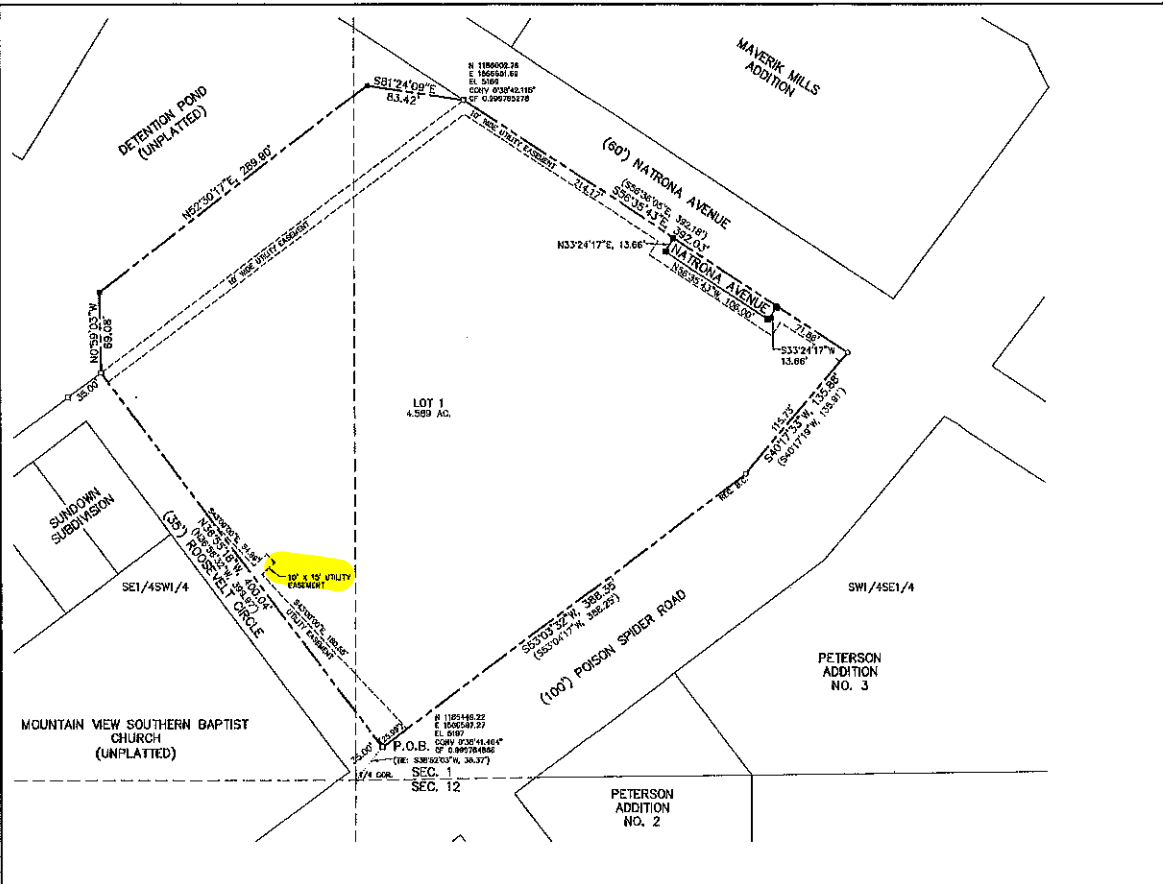


State of Wyoming ss
 County of Natrona)
 The foregoing instrument was acknowledged before me by Paul R. Svenson this 14th day of April, 2020.
 Witness my hand and official seal.

My commission expires: JUNE 30, 2021



Paul R. Svenson
 Notary Public



LEGEND
 ○ RECOVERED BRASS CAP
 □ RECOVERED 5/8" REBAR
 ■ SE1/4SW1/4 RESUB W/4L CAP
 N.89°49'14"E., 184.79' MEASURED
 (N.89°28'28"E., 650.37') RECORD
 --- EASEMENT LINE
 - - - - - SUBDIVISION BOUNDARY

GROUND DISTANCE - U.S. SURVEY FEET
 BASE OF BEARING - AZIMUTH BASED ON GPS
 COORDINATES REFER TO WYOMING STATE
 PLANE COORDINATES, EAST ZONE, ZONE 12N, NAD83
 ELEVATIONS ARE FOR REFERENCE ONLY AND NOT FOR USE AS
 A DESCRIPTION

PLAT CLOSURE RATIO EXCEEDS: 1:200,000

ENGINEERS & SURVEYORS
 800 PRINSHORN, DARTER, WY. 82401
 W.D. REG. 1086428 DATE: 8/26/20 FILE NAME: NATRONA BUSINESS PARK NO. 2