

RESOLUTION 2020-37

A RESOLUTION APPROVING AN EXCHANGE OF LAND

WITNESSETH

WHEREAS, an exchange of real property has been proposed between Robertson Hills Development LLC together with Success Properties LLC for certain lands held by the Town of Mills, Wyoming; and

WHEREAS, the Town of Mills has advertised said proposal and heard a public hearing on the same as advertised; and

WHEREAS, the Town of Mills appraised property value is \$321,000.00. Robertson Hills Development, LLC appraised property value \$215,000.00. (W.S. 15-1-112); and

WHEREAS, the trade of land involves a USDA loan/grant and serves to trade land between the Town of Mills and Roberston Hills Development, LLC and Success Properties LLC. It involves 8 acres of land behind the Town Public Works building, owned by the Town of Mills and an unbuildable stretch of land underneath a power line owned by Robertson Hills Development LLC and further lands owned by Success Properties LLC. Land owned by Roberts Hills Development LLC and Success Properties LLC navigate approximately along the north side of Pontiac Street, to the east side of Badger Lane, the south side of Freden Blvd. and to the west of the Public Works land. The Western Area Power Administration (WAPA) power line traverses diagonally through said property, rendering any residential building underneath the power line unallowable; and

WHEREAS, the value of the land specified only under the WAPA power line to the town is that one of the goals for community development is to construct a non-motorized use path from the east side to the west side of town. In an effort to increase residential building, the non-motorized use path will be constructed in areas where building is unallowable, such as under power lines and over natural gas lines. Building a non-motorized use trail through a neighborhood increases the value of each home built and also provides the residents with a sense of community as they would be able to travel to various locations throughout the town via the walking/biking path; and

WHEREAS, the trade to Robertson Hills Development LLC stands to provide additional General Fund tax revenue to the Town of Mills. General fund revenue from state and local revenue streams is estimated to equate to approximately \$211,200 annually at current levels. This addition would help spread the cost of general fund services over a larger population and increase revenue by over \$2,000,000 over a 10 year period. Additional one cent revenues would generate an additional \$600k to \$700k over the same time frame, and

WHEREAS, the land swap and build out of an infill subdivision would also benefit the enterprise fund of the Town of Mills. This land swap project is considered to facilitate an in-fill project as all land is within the current town limits. There are no outside entities that would have to be contacted to swap the land in its current form. The residential development would also create more connectivity to other streets in the area. AND

WHEREAS, the legal description of the land that the Town of Mills is granting to Robertson Hills Development, LLC is:

Lot 2, Sage Addition
Mills, WY 82644

AND:

WHEREAS, the legal description of the land that Success Properties LLC is transferring to the Town of Mills is:

Tract C of Buffalo Addition Subdivision according to the Plat thereof recorded November 18, 2013, as instrument number 962307 of the Natrona County, Wyoming, records and situated in the SE1/4NW1/4, Section 12, Township 33 North, Range 80 West, 6th Principal Meridian, Natrona County, Wyoming.
4.52 Acres

AND

A parcel of land being a portion of Tract D of Buffalo Addition according to the Plat thereof recorded November 18, 2013, as instrument number 962307 of the Natrona County, Wyoming, records and situated in the SE1/4NW1/4, Section 12, Township 33 North, Range 80 West, 6th Principal Meridian, Natrona County, Wyoming; said parcel being more particularly described by metes and bounds as follows:

Commencing at a point on the northern boundary of said parcel, being the Northwest corner of said Tract D and being the Point of Beginning;

Thence N88°51'32"E, coincident with the North line of said Tract D and the South line of Freden Addition, a distance of 183.00 feet to a point;

Thence S00°36'29"E, a distance of 421.91 feet to a point on the North line of an existing 80' WAPA Easement as recorded in Book 61, Page 485, of the Natrona County, Wyoming, records;

Thence N60°09'57"E, coincident with the North line of said WAPA Easement, a distance of 114.60 feet to a point on the East line of said Tract D and the West line of the Badger Lane Right-of-Way;

Thence S00°36'29"E, coincident with the East line of said Tract D and the West line of the Badger Lane Right of Way, a distance of 256.80 feet, to the Southeast corner of said Tract D;

Thence S88°53'53"W, coincident with the South line of said Tract D and the North line of the Pontiac Street Right-of-Way, a distance of 283.01 feet to the Southwest corner of said Tract D;

Thence N00°36'29"W, coincident with the West line of said Tract D and the East line of Agate Addition, a distance of 623.50 to the Point of Beginning.

The above described parcel contains approximately 3.146 acres (137,040 s.f.), more or less, and is subject to all rights-of-way and/or easements, reservations and encroachments which have been legally acquired.

And

WHEREAS, the legal description of the land the Town of Mills is receiving from Robertson Hills Development, LLC is:

TRACTS 5, 6 AND 7, "ROBERTSON HILLS" TO THE TOWN OF MILLS, NATRONA COUNTY, WYOMING, AS SHOWN ON PLAT RECORDED AUGUST 5, 2015, AS INSTRUMENT NO. 997356 AND AMENDED PLAT RECORDED DECEMBER 15, 2016, AS INSTRUMENT NO. 1023728; AND AFFIDAVIT OF CORRECTION TO THE AMENDED PLAT OF ROBERTSON HILLS TO THE TOWN OF MILLS, RECORDED MARCH 22, 2018, AS INSTRUMENT NO. 1044822.

the State of Wyoming including its municipalities have experienced a decrease in revenues attributable to a marked decline and instability in prices in the energy sector during the first half of 2020; and

WHEREAS, the Governing Body of the Town of Mills, Wyoming hereby approves said transfer and the attached Special Warranty Deed, or a form of deed accomplishing the same thing, in order to accomplish the same.

NOW THEREFORE BE IT RESOLVED THAT THE LAND TRANSFER SET FORTH ABOVE BE, AND HEREBY IS, APPROVED AND THAT A SPECIAL WARRANTY DEED IN THE FORM ATTACHED HERETO, OR WHICH SHALL ACCOMPLISH THE SAME THING, BE ENTERED IN ORDER TO ACCOMPLISH THE SAME.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2020.

Seth Coleman, Mayor

Sara McCarthy, Council

Darla R. Ives, Council

James Hollander, Council

Ronald Wales, Council

ATTESTED:

Christine Trumbull, Town Clerk