



**CITY OF MILLS
APPLICATION TO VACATE/ABANDON
PUBLIC RIGHT-OF-WAY OR EASEMENT**
Pursuant to the Mills City Code



City of Mills, Wyoming
704 4th Street
P.O. Box 789
Mills, Wyoming 82644

Date: 1/3/23

Return by: Earliest date possible

For Meeting on: Next available

PLEASE PRINT

Section 1.

SINGLE POINT OF CONTACT IS: Billy Wade McCool

APPLICANT/OWNER(S) INFORMATION:

Print Owner Name:
Robert D. Hays and Darla R. Hays, Husband and Wife

Owner Mailing Address:
4710 W. Lafayette Lot #9 / 1440 Rd. 61

City, State, Zip: Mills, Wyoming 82604 / La Grange, Wyoming 82221

Owner Phone: 307.797.0518 / 308.225.2831

Applicant Email: bob@haysclan.org/drh7972922@gmail.com

AGENT INFORMATION:

Print Agent Name:
Billy Wade McCool

Agent Mailing Address:
36 North Gould Street, Suite 203

City, State, Zip: Sheridan, Wyoming 82801

Agent Phone: 307.237.1983

Agent Email: wmccool@bslo.com

ATTACHMENT (REQUIRED):

- **Proof of ownership:** Deed (such as deed, title certification, attorney's title opinion)

Section 2.

PROPERTY INFORMATION:

Physical Address of Property: 4710 W. Lafayette Street, Mills, Wyoming 82604

Or, if not available, provide a general location (Example: NW corner of A & 1st Streets): N/A

Legal Description of Property: Lot: 2 Block: N/A PARCEL ID: 33800121100100

Subdivision: Hays Simple Subdivision

Or SECTION: N/A TOWNSHIP: N/A RANGE: N/A

Section 3.

RIGHT-OF-WAY / EASEMENT INFORMATION:

Right-of-Way / Easement Location: 10' along east property line, running north & south (Legal Description enclosed herewith)
(Example: along west property line, running north & south)

Width of Existing Right-of-Way / Easement: 60' Number of Feet to be Vacated: 10'

Please indicate the purpose for which the Right-of-Way / Easement is to be vacated / Abandoned

Apparent uncertainty whether Hays, current Owners, or the Town of Mills is currently vested in title due to ambiguity surrounding a platted dedication of the 10' by Natrona County prior to the Subdivision's annexation into the City. The 10' was platted as vacated by the County, prior to annexation by the City, but the authority upon which the 10' that was signed off as vacated is unclear based on the signatories to the plat. This vacation clears title should the Owners wish to sell the property.

Section 4. **SIGNATURES OF OWNERS (AND AGENT IF APPLICABLE):**

The following owner's signature signifies that all information on this application is accurate and correct to the best of the owner's knowledge; and that the owner has thoroughly read and understands all application information and requirements. [In addition to the owner's signature(s), if an agent of the owner is to be contacted for all communications relating to this application, please have the agent sign below.]

I (We) the undersigned owner(s) of the property described above do hereby make application to the City of Mills as follows:
Robert D. Hays and Darla R. Hays

OWNER Signature _____

OWNER Signature _____

AGENT Signature *Bob Wood*

FEE: A check in the amount of \$100 payable to the City of Mills, must accompany this application.

Section 5. **UTILITY PROVIDERS:**

Telephone:	Eric Overlie	CenturyLink	eric.overlie@CenturyLink.com	(307) 235-2408
Gas:	Lori Neibauer	Black Hills Corporation	lori.neibauer@blackhillscorp.com	(307) 262-5714
Electric:	Greg Hansen	Rocky Mt. Power	greg.hansen@rockymountainpower.net	(307) 261-7066
Cable:	Robert Casados	Charter Communications	Robert.Casados@charter.com	(307) 264-3136
Water/Sewer:	City of Mills			(307) 234-6679

Section 6. **REASONS FOR THIS REQUEST:**

a. Why does the property owner wish to vacate or request abandonment of this right-of-way/easement?
County intended to vacate the 10' of the easement in favor of Owner of Property. Since ownership, the 10' has been used and included as part of the Property.
Only a subsequent title commitment discovered any issue with the title. Since annexation both Owners and City of Mills have treated the Property as owned by the Owners.

b. How is the right-of-way/easement being used?
As part of Owners property, with fence and trailer on it.

c. How will the proposed vacation/abandonment affect access to adjacent property owners?
No affect on access to adjacent property owners. The 10' is already being treated as part of the Property.

d. How does the property owner propose to use right-of-way/easement if vacated/abandoned?
No change in current use currently planned, future use to abide by all applicable regulations.

e. Are there any public utilities or infrastructures currently located in the right-of-way/easement? If so, describe them:
None known.

Section 7. **PROPERTIES ABUTTING THE PROPERTY TO BE VACATED/ABANDONED:**

The following properties abut the area to be vacated/abandoned:

Property Owner name(s): Anderson, Allen D. Et Ux.

Address: 663 Harding Avenue, Casper, Wyoming 82604

Lot: 1 Block: 56, Mountain View Addition

Property Owner name(s): Anderson, Allen D. Et Ux.

Address: 663 Harding Avenue, Casper, Wyoming 82604

Lot: 2 Block: 56, Mountain View Addition

Property Owner name(s): Anderson, Allen D. Et Ux.

Address: 663 Harding Avenue, Casper, Wyoming 82604

Lot: 3 Block: 56, Mountain View Addition

Property Owner name(s): N/A

Address: N/A

Lot: N/A Block: N/A, N/A Addition

Section 8. **ATTACHMENTS AND EXHIBITS:**

Applications to vacate/abandon must be submitted to the city planner at least thirty (30) days prior to the City Council meeting in which this action shall be considered.

The following documents must be included when submitting the application package:

As to Section 1.

- A copy of the recorded deed or other legal instrument indicating proof of ownership.
- If an agent is listed, a notarized letter or statement of authorization from the property owner(s) authorizing the agent to represent the owner(s) in connection with this application, OR a recorded Power of Attorney, Personal Representative Deed, Trustee Agreement, etc., in the agent's name.

As to Section 2.

- If the property is not located within a platted subdivision, a metes and bounds description must be provided.

As to Section 3.

- A copy of a certified survey of the lot or parcel indicated in Section 1 showing the right-of-way or easement to be vacated or abandoned.

As to the Application.

- All areas must be filled in or marked N/A (Not applicable).
- Incomplete applications will be returned to the Applicant.

WARRANTY DEED

LISA ANN DORMAN, formerly known as Lisa Ann Stamper Wynia, and DARREL B. DORMAN, wife and husband, Grantors, of the County of Natrona, State of Wyoming, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT to ROBERT D. HAYS and DARLA R. HAYS, husband and wife, Grantees, whose address is P.O. Box 1944, Casper, Wyoming, 82602, the following described real estate, situate in 4710 W. LAFAYETTE ST., Lot 9, Casper, WY 82604 Natrona County and State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to-wit:

Vacated Lots 1 through 7, and North half of Lot 8, Lots 10 through 13, Block 57, Mountain View Addition, Natrona County, Wyoming.

SUBJECT, however, to all easements, reservations, restrictions and rights-of-way of record or in use.

WITNESS our hands this 27th day of March, 1998

0696378

NATRONA CO. CLERK WY
MARY ANN COLLINS
RECORDED

2002 JUL 16 AM 8 43

Lisa Ann Dorman
Lisa Ann Stamper Wynia
LISA ANN DORMAN
formerly known as Lisa Ann Stamper Wynia

Darrel B. Dorman
DARREL B. DORMAN

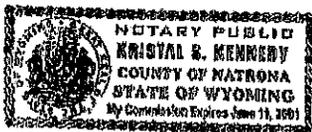
STATE OF WYOMING)
) ss
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by Lisa Ann Dorman and Darrel B. Dorman, wife and husband, this 27th day of March, 1998.

Witness my hand and official seal.

Kristal S. Kennedy
Notary Public

My Commission expires: June 11, 2001



ATA

1-800



**LEGAL DESCRIPTION
10' WIDE VACATED HARDING AVENUE
Block 57, Mountain View Suburb
City of Mills, Wyoming**

A ten foot (10.0') wide strip of land within Block 57, Mountain View Suburb of the City of Mills, Wyoming as recorded in June, 1924, situate within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T.33N., R.80W., 6th P.M. Natrona County, Wyoming, and being more particularly described as follows:

A strip of land being the west ten feet (10') of Harding Avenue adjacent to Lots 10 – 15, Block 57, Mountain View Suburb as recorded in June, 1924, currently platted as Lot 2 of the Amended Plat of Hays Simple Subdivision, recorded May 13, 2003 as Instrument No. 716190.

