

704 Fourth Street
(307) 234-6679
PO Box



(307) 234-6528 Fax

789

Mills, Wyoming

Cosllo Street

Vacate Right-of-Way

Planning Commission Meeting

June 1, 2023

City Council Meeting

June 13, 2023

Applicants: OS Investments, LLC

Case Number: 23.02 VAC

Agent: WLC Engineer & Surveying

Summary: The applicant has submitted a petition to vacate approximately 464' of Cosllo Street, adjacent to Lots 0, 1 and a portion of Lot 2, Cosllo's District, Mountain View Suburb subdivision.

Cosllo's District, Mountain View Suburb, was platted in 1972. Cosllo Street was dedicated to the public on said plat, but the street was never constructed or improved to City standards upon annexation. The easterly portion of the right-of-way is used to provide access to lots within the subdivision, has been constructed to a gravel standard and is currently maintained by the lot owners.

OS Investments, LLC owns Lots 0, 1, & a portion of Lot 2, Cosllo's District. They have requested to resubdivide those three (3) lots into one, larger lot to accommodate future development and expansion of their business operations. As part of the resubdivision, they would like to vacate that portion of Cosllo Street adjacent to their lots. Cosllo Street, as platted, dead-ends at the western edge of the subdivision, on Lot 0. The topography in the area is not conducive to extension of the street further to west. OS Investments, LLC would like to utilize the additional lot area that would be provided with vacation of the street.

Wyoming State Statute 15-4-305, regarding street vacations, states that "no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either direction from the portion proposed to be vacated." Signatures have been obtained from a majority of the property owners owning a majority of the property within three hundred (300) feet of the subject street parcel. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners.

For this vacation, OS Investments, LLC is the only adjacent property owner to the proposed right-of-way to be vacated. The forthcoming resubdivision plat for Lots 0, 1 & portion of Lot 2 will combine the parcels and include the area of vacated right-of-way in the new lot. A general utility

easement will be provided on the plat for existing and future infrastructure and utilities within the existing right-of-way and a Fire Department approved turn-around will be included on the plat.

A notice of public hearing was published in the Casper Star-Tribune advertising the June 1st Planning & Zoning Board and June 13th City Council public hearings.

Planning Considerations:

There are no planning considerations.

Staff Recommendation:

Staff recommends APPROVAL of the request to vacate a portion of Cosllo Street, located in Cosllo's District, Mountain View Suburb subdivision.

Planning Commission Recommendation:

City Council Decision:



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: _____
Return by: _____
For Meeting on: _____

PLEASE PRINT

Section 1.

SINGLE POINT OF CONTACT IS:

APPLICANT/OWNER(S) INFORMATION:

Print Owner Name: OS INVESTMENTS LLC
Owner Mailing Address: 4402 MOUNTAIN VIEW DRIVE
City, State, Zip: CASPER WY 82604
Owner Phone: 307-259-3107
Applicant Email: joey@westernenergyfab.com

AGENT INFORMATION:

Print Agent Name: JOSEPH SULLIVAN
Agent Mailing Address: 4402 MOUNTAIN VIEW DRIVE
City, State, Zip: CASPER WY 82604
Agent Phone: 307-259-3107
Agent Email: joey@westernenergyfab.com

ATTACHMENT (REQUIRED):

- **Proof of ownership:** ^{WARRANTY DEED} (such as deed, title certification, attorney's title opinion)

Section 2.

PROPERTY INFORMATION:

Physical Address of Property: 400 Crescent Drive
Or, if not available, provide a general location (Example: NW corner of A & 1st Streets): NA
Legal Description of Property: Lot: 0 & 1 and pt of 2 Block: -- PARCEL ID: 33800140100100
Subdivision: Cosllos District, Mountain View Suburb
Or SECTION: NA TOWNSHIP: NA RANGE: NA

Section 3.

RIGHT-OF-WAY / EASEMENT INFORMATION:

Right-of-Way / Easement Location: Adjacent to northwestern property line of Lots 0-4, Cosllos District, Mountain View Suburb
(Example: along west property line, running north & south)
Width of Existing Right-of-Way / Easement: 50' Number of Feet to be Vacated: ~464'
Please indicate the purpose for which the Right-of-Way / Easement is to be vacated / Abandoned
It is currently unbuilt ROW, with no plans to construct it or need for access/use of the ROW.

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:
OS INVESTMENTS LLS

CHARLES BOYD ORR

JOSEPH S SULLIVAN

OWNER Signature

OWNER Signature

AGENT Signature

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?

It is dedicated ROW on the Cosilos District plat that has never been constructed.

b. How is the right-of-way/easement being used?

It is not, it is unbuilt ROW

c. How will the proposed vacation/abandonment affect access to adjacent property owners?

There will be no effect on adjacent property owners as the portion being vacated is adjacent three lots owned by the same entity at a dead-end. The topography at the dead end makes development or extension of the ROW unlikely.

d. How does the property owner propose to use right-of-way/easement if vacated/abandoned?

As part of their existing property for further development.

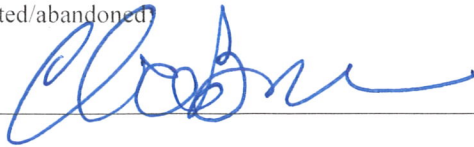
e. Are there any public utilities or infrastructures currently located in the right-of-way/easement? If so, describe them:

There are gas and electric utilities. A general utility easement will be provided on the resubdivision plat to accommodate the utilities.

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

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

Property Owner name(s): OS Investments, LLC



Address: 400 Crescent Dr.

Lot: 0,1 & pt 2 Block: Cosllos District, Mountain View Suburb Addition

Property Owner name(s): Spurgin Properties, LLC



Address: 2065 Yellow Creek Rd. Casper, WY 82604

Lot: Pt NW¼SW¼ Block: Section 1, T33N, R80W Addition

Property Owner name(s): Carol Paulson



Address: 1517 Kit Carson Av

Lot: 3 & pt 2 Block: Cosllos District, Mountain View Suburb Addition

Property Owner name(s): M-3 Industries Attn: Ted Morton



Address: 372 Crescent Drive

Lot: 3 & 4 Block: Cosllos District, Mountain View Suburb 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.

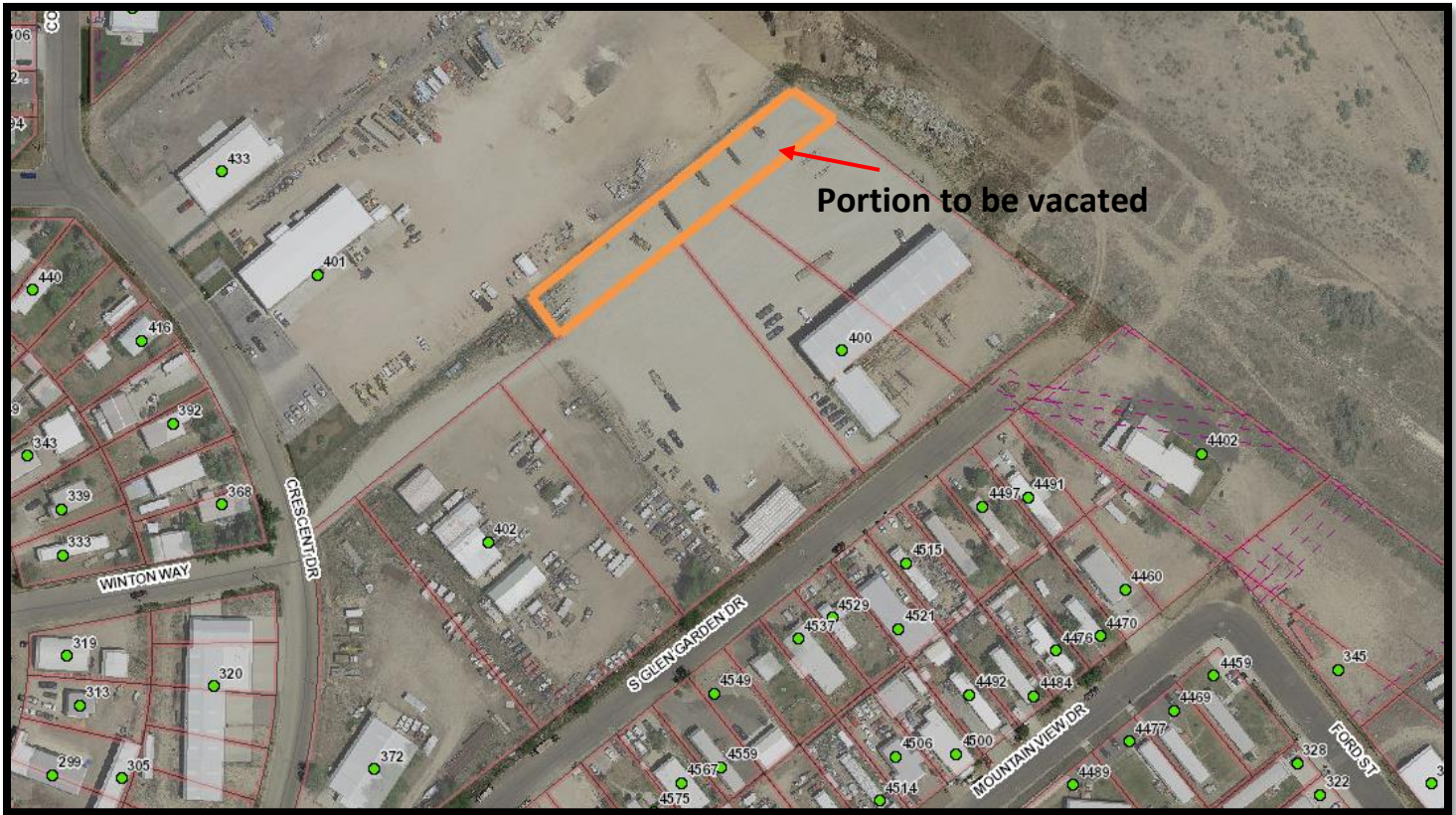
As to Section 3.

- 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.

Vacate ROW – A portion of Cosllo Street



Mills Zoning Districts			
	Mills, DB		Mills, ER: Established Residential
	Mills, DI: Developing Industrial		Mills, PLI: Public Land Institutions
	Mills, DMH: Developing Mobile Home		Mills, PUD: Planned Urban Development
	Mills, DR: Developing Residential		Mills, MSR: Mixed Sized Residential
	Mills, EB: Established Buisness		Mills, MU: Mixed Use
	Mills, EI: Established Industrial		Mills, UA: Urban Agriculture
			Mills, UR: Urban Agriculture Residential

Public Hearing

The Mills Planning & Zoning Board will hold a public hearing on June 1, 2023 at 5:00 P.M. in the Conference Room at 704 Fourth St., Mills, WY and the Mills City Council will hold a public hearing on June 13, 2023, at 7:00 P.M. or as time allows, in the Council Chambers, 704 Fourth St., Mills, Wyoming, to consider the following: **A petition to vacate a portion of Cosllo Street (approximately 254 feet) located adjacent to Lots 0, 1 & 2, Cosllo's District, Mountain View Suburb, Town of Mills, Wyoming.**

Written comments will be accepted by the City Clerk until May 31, 2023, and interested parties can appear at the public hearing to present testimony.

Do not publish items below line
For publication May 26th & 28th