

# City of Cody City Council

## AGENDA

Tuesday, March 4, 2014 – 7:00 p.m. (Pre-Meeting to begin at 6:30 p.m.)  
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

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Meeting Called to Order  
Pledge of Allegiance  
Moment of Silence  
Roll Call  
Agenda Review and Approval  
Mayor's Recognitions and Announcements

### 1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes: Special Meeting Minutes from 2/13/14, and Regular Meeting Minutes from 2/18/14.
- b. Approval of vouchers and payroll in the amount of \$397,628.93.
- c. Consider a request from the Cody Events Committee to close Sheridan Avenue between 9<sup>th</sup> and 14<sup>th</sup> Streets on Saturday, March 15<sup>th</sup> for the annual St. Patrick's Day Parade, with the street closer beginning at 3:30 p.m. contingent upon the Cody Events Committee, contingent upon approval from WYDOT and providing liability insurance and sponsor other associated staffing and equipment cost in the amount of \$1,263.75 to be funded out of the Lodging Tax fund.
- d. Declare 43 garbage containers as surplus and authorize staff to proceed with the sale of said units.
- e. Authorize the Mayor to enter into and sign a Release and Termination of Right-of-Way Agreement and the Exclusive Irrigation Line Easement between the City of Cody and the Riverside Cemetery District.
- f. Authorize the Mayor to sign a Release and Termination of Easement as it relates to an unused utility right-of-way and easement identified in document 2009-8322 to the Cody Land Development Corporation.

Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

### 2. Public Hearing

- a. A joint City Council and Planning, Zoning & Adjustment Board Public Hearing to determine if it is in the public interest to adopt the updated Cody Master Plan.

3. Conduct of Business

- a. **ORDINANCE 2014-01 THIRD AND FINAL READING  
AN ORDINANCE AMENDING SECTION 6-2-1 ADOPTING THE  
UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS.  
Staff Reference: Scott Kolpitcke, City Attorney**

4. Tabled Items

5. Matters from Staff Members

6. Matters from Council Members

7. Adjournment

**City of Cody**  
**Council Proceedings**  
**Thursday February 13, 2014**

A special meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Thursday, February 13, 2014 at 4:15 p.m.

Present: Mayor Nancy Tia Brown, Council Members Donny Anderson, Bryan Edwards, Jerry Fritz, Landon Greer, Steve Miller, Stan Wolz, and Jenni Rosencranse, City Administrator, City Attorney, Scott Kolpitcke and Cindy Baker, Administrative Services Officer.

Absent: None

Mayor Brown called the meeting to order at 4:20 p.m.

Jenni Rosencranse, City Administrator provided the Governing Body with background information as it relates the traffic on 16<sup>th</sup> Street, traffic studies and signage, as well as, enforcement efforts by the Cody Police Department. Kim Brice, Citizen, highlighted the statistics from the traffic study, as well as, articulating her concerns for public safety and safety of the school children in the area.

Steve Payne, Public Works Director provided background information as it relates to the drainage and encroachment issues off of Conifer Lane. Staff was given direction on addressing the issues.

Jenni Rosencranse, City Administrator received direction on implementation of an employee Wellness Initiative.

The Governing Body reviewed the February 18, 2014 agenda. No action was taken.

There being no further discussion, the meeting adjourned at 6:08p.m.

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Cindy Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

**City of Cody  
Council Proceedings  
Tuesday, February 18, 2014**

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, February 18, 2014 at 7:00 p.m.

Present: Mayor Brown , Council Members Donny Anderson, Bryan Edwards, Landon Greer, Steve Miller and Stan Wolz, City Administrator Jenni Rosencranse, City Attorney Scott Kolpitcke and Administrative Services Officer, Cindy Baker.

Absent: None.

Council Mayor Brown called the meeting to order at 7:00 p.m.

Council Member Miller made a motion seconded by Council Member Fritz to approve the agenda as presented. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to approve Special Meeting Minutes from 1/29/14, 1/30/14, 1/31/14 and Regular Meeting Minutes from 2/4/14; approve vouchers and payroll in the amount of \$1,413,933.99; approve the updated Financial Management Policy; approve the proposal for auditing services submitted by Stine, Buss, Wolff, Wilson and Associates and award the audit engagement for a three year period for 2014, 2015 and 2016; approve the request from John C. Rumm, Ph. D, on behalf of the Buffalo Bill Center of the West, to close Sheridan Avenue in front of the Statue for approximately 60 minutes on Wednesday, February 26, 2014 for the Annual FFA wreath laying ceremony and allow traffic to be directed north through West Park Hospital's small parking lot; approve **ORDINANCE 2014-01 –SECOND READING – AN ORDINANCE AMENDING SECTION 6-2-1 ADOPTING THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS.** Vote was unanimous.

At 7: 06 p.m. Mayor Brown entered into a Public Hearing to determine if it is in the public interest for the City of Cody and the Cody Stampede Board to apply for a Community Enhancement Grant from the Wyoming Business Council in the amount of \$350,000 for the design and construction of a western façade to enclose the south grandstands. Jenni Rosencranse, City Administrator, provided background information on this project and the City's responsibility as a conduit for this grant. Larry Johnson, Cody Stampede Board, provided background information on the concept of this project, time frame for completion, as well as, answered general questions. After calling for comments three times and there being none further, Mayor Brown closed the public hearing at 7:16 p.m.

**RESOLUTION 2014-01**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE WYOMING BUSINESS COUNCIL-COMMUNITY ENHANCEMENT GRANT IN THE AMOUNT OF \$175,000 TO ENCLOSE THE GRANDSTANDS CREATING A WESTERN FAÇADE AT THE CODY STAMPEDE GROUNDS FOR THE CODY STAMPEDE BOARD.** Council Member Fritz made a motion seconded by Council Member Anderson to approve Resolution 2014-01. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Fritz to approve the request from Cody High School Class of 2014 to sponsor the CHS graduation party for an amount not to exceed \$813.00, with the funds coming out of the Council contingency line item. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Greer to award a professional service contract to Engineering Associates, as it relates to the Design, Bid, Construction Observation and Administration duties associated with the 16<sup>th</sup> Storm Sewer Project for an amount Not-to-Exceed \$59,750 and authorize the Mayor to sign a contract with said firm contingent upon review by the City Attorney and subject to authorization from the State Land and Investment Board to begin to incur expenses on the project. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Edwards to approve the modifications to the CLDC preliminary plat and approve the CLDC Final Plat, a 9-Lot Subdivision located along 2AB, with conditions recommended by the Planning, Zoning and Adjustment Board. Vote was unanimous.

There being no further business, Mayor Brown adjourned the meeting at 7:39 pm

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Cindy Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
<b>A &amp; I DISTRIBUTORS</b>							
<b>127557</b>							
	2434984	OIL	02/04/2014	653.40	653.40	03/05/2014	15W40
	2434984	OIL, HYDRAULIC	02/04/2014	391.05	391.05	03/05/2014	HYD. 46
	2434984	antifreeze, extended life	02/04/2014	104.28	104.28	03/05/2014	ANTIFREEZE
	2434984	DRUM DEPOSIT	02/04/2014	35.00	35.00	03/05/2014	
Total 127557:				1,183.73	1,183.73		
<b>ACE HARDWARE</b>							
<b>2390</b>							
	274148	THERMOSTAT FOR RECYCLE	02/05/2014	17.99	17.99	03/05/2014	
	274182	SUPPLIES	02/05/2014	.49	.49	03/05/2014	
	274236	OUTLET COVERS - SHOP	02/06/2014	7.48	7.48	03/05/2014	
	274245	SHOP SUPPLIES	02/06/2014	2.34	2.34	03/05/2014	
	274256	TOOLS	02/06/2014	35.99	35.99	03/05/2014	
	274256	SHOP SUPPLIES	02/06/2014	4.99	4.99	03/05/2014	
	274282	REPAIR BOX FOR FLOWER GR	02/06/2014	6.49	6.49	03/05/2014	
	274338	MATERIAL & SUPPLIES	02/07/2014	3.98	3.98	03/05/2014	
	274467	MATERIAL & SUPPLIES	02/10/2014	10.49	10.49	03/05/2014	
	274500	MATERIAL & SUPPLIES	02/11/2014	5.15	5.15	03/05/2014	
	274503	NUTS & BOLTS	02/11/2014	2.70	2.70	03/05/2014	
	274535	THERMOSTAT - RECYCLE CEN	02/11/2014	27.99	27.99	03/05/2014	
	274568	MATERIAL & SUPPLIES	02/12/2014	1.49	1.49	03/05/2014	
	274620	REPLACE SHOP SUPPLIES	02/13/2014	20.67	20.67	03/05/2014	
	274630	SHOP SUPPLIES	02/13/2014	9.48	9.48	03/05/2014	
	274641	GENDER SIGNS	02/13/2014	27.98	27.98	03/05/2014	
	274687	CLEANER	02/14/2014	3.99	3.99	03/05/2014	
	274691	GAS / LURICANT / SILICONE	02/14/2014	35.05	35.05	03/05/2014	
	274698	CREDIT ON RETURN	02/14/2014	3.29-	3.29-	03/05/2014	
	274875	AIR FILTERS	02/18/2014	7.74	7.74	03/05/2014	
	274916	SHOP SUPPLIES	02/18/2014	11.98	11.98	03/05/2014	
	274997	TOOLS	02/19/2014	33.98	33.98	03/05/2014	
	275033	CUTTING WHEELS	02/20/2014	11.16	11.16	03/05/2014	
Total 2390:				286.31	286.31		
<b>ACKER ELECTRIC</b>							
<b>270</b>							
	29848	AUDITORIUM ELECTRICAL	01/24/2014	743.38	743.38	03/05/2014	
Total 270:				743.38	743.38		
<b>ADVANCED INFO SYSTEMS</b>							
<b>129162</b>							
	11222	CYCLE 4 OUTSOURCE BILLS	02/10/2014	235.69	235.69	03/05/2014	
	11245	CYCLE 1 OUTSOURCE BILLS	02/12/2014	387.23	387.23	03/05/2014	
	11253	CYCLE 2 OUTSOURCE BILLS	02/19/2014	178.41	178.41	03/05/2014	
Total 129162:				801.33	801.33		
<b>ADVANTAGE REHABILITATION</b>							
<b>126251</b>							
	326321	REC CENTER REFUND	02/14/2014	40.00	40.00	03/05/2014	
Total 126251:				40.00	40.00		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
<b>AERATION INDUSTRIES INTERNATIONAL</b>							
<b>126195</b>							
	0150350	AERATOR REPAIRS	02/06/2014	3,962.94	3,962.94	03/05/2014	
Total 126195:				3,962.94	3,962.94		
<b>ALBERTSONS</b>							
<b>430</b>							
	007747	OFFICE SUPPLIES	02/07/2014	11.98	11.98	03/05/2014	
	010830	SUPPLIES	02/10/2014	5.27	5.27	03/05/2014	
	020614	MEETING EXPENSE	02/06/2014	21.47	21.47	03/05/2014	
Total 430:				38.72	38.72		
<b>ALSCO</b>							
<b>126551</b>							
	997955	TOWELS - REC CENTER	02/10/2014	50.04	50.04	03/05/2014	
	997972	RUGS - CITY HALL	02/10/2014	52.69	52.69	03/05/2014	
	997973	RUGS - AUDITORIUM	02/10/2014	176.23	176.23	03/05/2014	
	999764	TOWELS - REC CENTER	02/17/2014	50.03	50.03	03/05/2014	
Total 126551:				328.99	328.99		
<b>ALTEC INDUSTRIES</b>							
<b>515</b>							
	10183874	GROUNDING ROD - SEWER JE	02/12/2014	146.12	146.12	03/05/2014	
Total 515:				146.12	146.12		
<b>AMERICAN PUBLIC WORKS ASSOCIATION</b>							
<b>620</b>							
	696709	SUBSCRIPTION	02/11/2014	550.00	550.00	03/05/2014	
Total 620:				550.00	550.00		
<b>AMERICAN WELDING &amp; GAS, INC.</b>							
<b>128592</b>							
	02605462	CYLINDER REFILL	02/05/2014	59.16	59.16	03/05/2014	
	02608906	SPARK LIGHTER	02/10/2014	13.80	13.80	03/05/2014	
Total 128592:				72.96	72.96		
<b>ARBOR SOLUTIONS TREE CARE</b>							
<b>129915</b>							
	020114	CLEAR LOW LIMBS - CHAMBER	02/01/2014	3,000.00	3,000.00	02/19/2014	
Total 129915:				3,000.00	3,000.00		
<b>BAREFOOT, CHRISTOPHER</b>							
<b>129877</b>							
	020714	RESTITUTION FROM MC-1306-0	02/07/2014	30.00	30.00	03/05/2014	
Total 129877:				30.00	30.00		
<b>BEAR CO, INC</b>							
<b>1010</b>							
	178144	BOBCAT TIRE REPAIR	02/03/2014	50.00	50.00	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
	178411	FLAT REPAIR	02/20/2014	20.00	20.00	03/05/2014	
Total 1010:				70.00	70.00		
<b>BIG HORN WHOLESALE</b>							
<b>1210</b>							
	10912	MATERIAL & SUPPLIES	02/11/2014	548.80	548.80	03/05/2014	
	10917	MATERIAL & SUPPLIES	02/11/2014	76.86	76.86	03/05/2014	
Total 1210:				625.66	625.66		
<b>BLOEDORN LUMBER</b>							
<b>1590</b>							
	1540341	MATERIAL & SUPPLIES	02/12/2014	.49	.49	03/05/2014	
	1551300	SHOP SUPPLIES	02/20/2013	11.92	11.92	03/05/2014	
Total 1590:				12.41	12.41		
<b>BLUE CROSS BLUE SHIELD OF WYOMING</b>							
<b>1360</b>							
	021814	INSURANCE PREMIUM	02/18/2014	115,776.84	115,776.84	03/05/2014	
	021814	INSURANCE PREMIUM - CREDI	02/18/2014	1,209.76-	1,209.76-	03/05/2014	
Total 1360:				114,567.08	114,567.08		
<b>BOBCAT OF BIG HORN BASIN, INC.</b>							
<b>128623</b>							
	7942	EQUIPMENT REPAIR	12/23/2013	26.34	26.34	03/05/2014	
Total 128623:				26.34	26.34		
<b>BOOT BARN, INC</b>							
<b>128267</b>							
	IVC00444943	UNIFORMS - LINED BIB - TROY	12/11/2013	109.99	109.99	03/05/2014	
	IVC00444943	UNIFORMS - QUILTED LINED - T	12/11/2013	99.99	99.99	03/05/2014	
Total 128267:				209.98	209.98		
<b>CHARTER</b>							
<b>129861</b>							
	021514	INTERNET - SHOP	02/15/2014	46.13	46.13	03/05/2014	
	021514	INTERNET - SHOP	02/15/2014	11.88	11.88	03/05/2014	
	021514	INTERNET - SHOP	02/15/2014	6.99	6.99	03/05/2014	
	021514	INTERNET - SHOP	02/15/2014	4.90	4.90	03/05/2014	
	021514	INTERNET - CITY HALL	02/15/2014	79.90	79.90	03/05/2014	
Total 129861:				149.80	149.80		
<b>CITY OF CODY</b>							
<b>2260</b>							
	020814	RESTITUTION FROM PRESLEY	02/08/2014	35.77	35.77	03/05/2014	
	021414	UTILITIES	02/14/2014	427.75	427.75	03/05/2014	
	022114	UTILITIES	02/21/2014	3,450.81	3,450.81	03/05/2014	
	022114	UTILITIES	02/21/2014	135.44	135.44	03/05/2014	
	022114	UTILITIES	02/21/2014	1,265.83	1,265.83	03/05/2014	
	022114	UTILITIES	02/21/2014	4,191.41	4,191.41	03/05/2014	
	022114	UTILITIES - REC CENTER	02/21/2014	2,844.01	2,844.01	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
	022114	UTILITIES - REC CENTER	02/21/2014	8,532.05	8,532.05	03/05/2014	
	022114	UTILITIES	02/21/2014	1,192.78	1,192.78	03/05/2014	
	022114	UTILITIES	02/21/2014	307.22	307.22	03/05/2014	
	022114	UTILITIES	02/21/2014	180.72	180.72	03/05/2014	
	022114	UTILITIES	02/21/2014	126.49	126.49	03/05/2014	
	022114	UTILITIES	02/21/2014	2,204.91	2,204.91	03/05/2014	
	022114	UTILITIES	02/21/2014	1,385.50	1,385.50	03/05/2014	
	022114	UTILITIES	02/21/2014	503.86	503.86	03/05/2014	
	022114	UTILITIES	02/21/2014	4,371.56	4,371.56	03/05/2014	
Total 2260:				31,156.11	31,156.11		
<b>CODY CHAMBER OF COMMERCE</b>							
<b>124707</b>							
	4798	TRIP CHALLENGE - REC CENT	02/12/2014	1,100.00	1,100.00	03/05/2014	
Total 124707:				1,100.00	1,100.00		
<b>CODY ENTERPRISE</b>							
<b>2590</b>							
	1101459	NEWSPAPER ADS	01/31/2014	421.00	421.00	03/05/2014	
Total 2590:				421.00	421.00		
<b>CODY OVERHEAD DOOR COMPANY, LLC</b>							
<b>2710</b>							
	20893	BUILDING REPAIR	02/11/2014	97.50	97.50	03/05/2014	
Total 2710:				97.50	97.50		
<b>CRUM ELECTRIC</b>							
<b>3300</b>							
	1519752-00	SUPPLIES	01/21/2014	28.92	28.92	03/05/2014	
	1519752-00	SAFETY SUPPLIES	01/21/2014	13.95	13.95	03/05/2014	
	1524307-00	REPLACE BALLISTS IN PARK S	02/05/2014	68.64	68.64	03/05/2014	
	1525841-00	TOOLS	02/11/2014	8.11	8.11	03/05/2014	
	1525841-00	SUPPLIES	02/11/2014	30.09	30.09	03/05/2014	
	1526029-00	BATTERIES	02/11/2014	3.76	3.76	03/05/2014	
	1528767-00	EQUIPMENT REPAIR	02/20/2014	22.45	22.45	03/05/2014	
Total 3300:				175.92	175.92		
<b>CUSTOM DELIVERY SERVICE</b>							
<b>3343</b>							
	183011	SHIPPING	01/31/2014	146.99	146.99	03/05/2014	
Total 3343:				146.99	146.99		
<b>DASH MEDICAL GLOVES</b>							
<b>127577</b>							
	INV0841174	MATERIAL & SUPPLIES	01/31/2014	224.70	224.70	03/05/2014	
Total 127577:				224.70	224.70		
<b>DENNY MENHOLT CHEVROLET</b>							
<b>129672</b>							
	11262	A17 THOTTLE BODY	01/31/2014	248.63	248.63	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 129672:				248.63	248.63		
<b>DEPT OF FAMILY SERVICES</b>							
<b>125899</b>							
	021414	BACKGROUND CHECKS - REC	02/14/2014	80.00	80.00	03/05/2014	
Total 125899:				80.00	80.00		
<b>DW ELECTRIC</b>							
<b>129940</b>							
	10300	NORTH BPS HEAT CHECK	02/10/2014	63.00	63.00	03/05/2014	
Total 129940:				63.00	63.00		
<b>EASTGATE CLEANERS</b>							
<b>3960</b>							
	78309	CLEAN CITY FLAGS	02/18/2014	11.00	11.00	03/05/2014	
Total 3960:				11.00	11.00		
<b>ECOLAB PEST ELIM. DIV.</b>							
<b>128686</b>							
	3691367	PEST CONTROL - REC CENTER	02/10/2014	61.00	61.00	03/05/2014	
	3691367	PEST CONTROL - REC CENTER	02/10/2014	61.00	61.00	03/05/2014	
	3691368	PEST CONTROL - AUDITORIUM	02/10/2014	70.00	70.00	03/05/2014	
	3788537	PEST CONTROL - CITY HALL	02/10/2014	50.00	50.00	03/05/2014	
	3788538	PEST CONTROL - SANT/RECY	02/10/2014	50.00	50.00	03/05/2014	
	3790146	PEST CONTROL - EL SHOP	02/10/2014	50.00	50.00	03/05/2014	
Total 128686:				342.00	342.00		
<b>ELECTRICAL ALLY, INC.</b>							
<b>129214</b>							
	1415	LIGHTING - AUDITORIUM	01/31/2014	258.60	258.60	03/05/2014	
	1428	LIGHT REPAIR - RECYCLE REP	02/17/2014	90.00	90.00	03/05/2014	
Total 129214:				348.60	348.60		
<b>ENERGY WEST</b>							
<b>2630</b>							
	021114	UTILITIES	02/11/2014	541.53	541.53	03/05/2014	
	021114	UTILITIES	02/11/2014	1,546.51	1,546.51	03/05/2014	
	021114	UTILITIES	02/11/2014	1,173.95	1,173.95	03/05/2014	
	021214	UTILITIES - SHOP	02/12/2014	1,151.81	1,151.81	03/05/2014	
	021214	UTILITIES - SHOP	02/12/2014	296.68	296.68	03/05/2014	
	021214	UTILITIES - SHOP	02/12/2014	174.52	174.52	03/05/2014	
	021214	UTILITIES - SHOP	02/12/2014	122.16	122.16	03/05/2014	
	021214	UTILITIES	02/12/2014	612.79	612.79	03/05/2014	
	021414	UTILITIES	02/14/2014	533.48	533.48	03/05/2014	
Total 2630:				6,153.43	6,153.43		
<b>ENGINEERING ASSOCIATES</b>							
<b>4140</b>							
	3402017	16TH ST STORM DRAIN	02/21/2014	2,707.50	2,707.50	03/05/2014	
	3402018	W COOPER LN INFLUENT SEW	02/21/2014	2,407.75	2,407.75	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 4140:				5,115.25	5,115.25		
<b>FARM PLAN CORPORATION</b>							
<b>4210</b>							
	3058690	SHOP SUPPLIES	02/08/2014	34.30	34.30	03/05/2014	
Total 4210:				34.30	34.30		
<b>FASTENAL COMPANY 01WYCDY</b>							
<b>126018</b>							
	WYCDY51934	SAFETY VESTS	01/31/2014	29.98	29.98	03/05/2014	
	WYCDY51964	NUTS & BOLTS	02/03/2014	5.10	5.10	03/05/2014	
	WYCDY52007	CUTTING EDGE BOLTS	02/06/2014	20.01	20.01	03/05/2014	
	WYCDY52032	SHOP SUPPLIES	02/07/2014	10.18	10.18	03/05/2014	
	WYCDY52083	SAFETY SUPPLIES	02/12/2014	422.58	422.58	03/05/2014	
	WYCDY52083	SUPPLIES	02/12/2014	38.88	38.88	03/05/2014	
	WYCDY52114	SUPPLIES	02/13/2014	1.58	1.58	03/05/2014	
	WYCDY52117	SAFETY VESTS	02/13/2014	49.95	49.95	03/05/2014	
	WYCDY52117	SAFETY VESTS	02/13/2014	29.97	29.97	03/05/2014	
Total 126018:				608.23	608.23		
<b>FINCHER, CATHERINE</b>							
<b>129878</b>							
	020714	RESTITUTION FROM MC-1308-0	02/07/2014	150.00	150.00	03/05/2014	
Total 129878:				150.00	150.00		
<b>FINISHING TOUCH</b>							
<b>126968</b>							
	29348	VEHICLE REPAIR A11	02/05/2014	901.55	901.55	03/05/2014	
Total 126968:				901.55	901.55		
<b>H B I INSURANCE</b>							
<b>12306</b>							
	52408	NOTARY BOND - JONATHAN BE	02/10/2014	50.00	50.00	03/05/2014	
Total 12306:				50.00	50.00		
<b>HEARTLAND PAPER COMPANY</b>							
<b>128769</b>							
	C156264-1	CREDIT - ORG INV G372030 - S	02/07/2014	51.45-	51.45-	03/05/2014	
	C156265-1	CREDIT - ORG INV G371258 - S	02/07/2014	51.45-	51.45-	03/05/2014	
	G363575-1	MATERIAL & SUPPLIES	01/31/2014	86.89	86.89	03/05/2014	
	G367913-1	MOPS	02/03/2014	40.40	40.40	03/05/2014	
	G372038-2	MATERIAL & SUPPLIES	02/10/2014	13.28	13.28	03/05/2014	
	G376876-1	MATERIAL & SUPPLIES	02/06/2014	48.49	48.49	03/05/2014	
Total 128769:				86.16	86.16		
<b>INLAND TRUCK PARTS</b>							
<b>5220</b>							
	1-91049	PTO FOR C06	02/06/2014	1,846.38	1,846.38	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 5220:				1,846.38	1,846.38		
<b>K3 GUEST RANCH, LLC</b>							
<b>128257</b>							
	1024	COUNCIL RETREAT	02/04/2014	87.50	87.50	03/05/2014	
Total 128257:				87.50	87.50		
<b>KOONS, JOHN H</b>							
<b>129498</b>							
	020714	RESTITUTION FROM MC-1205-0	02/07/2014	100.00	100.00	03/05/2014	
Total 129498:				100.00	100.00		
<b>LONG BUILDING TECH INC</b>							
<b>125191</b>							
	SRVCE006505	SENSOR DHW REC CENTER	02/04/2014	605.00	605.00	03/05/2014	
	SRVCE006512	REPAIR GREENHOUSE FAN	02/13/2014	110.00	110.00	03/05/2014	
	SRVCE006517	PARKS SHOP HEAT REPAIR	02/18/2014	110.00	110.00	03/05/2014	
Total 125191:				825.00	825.00		
<b>MCCOY, TATE</b>							
<b>129941</b>							
	021314	REFUND CASH BOND PAID FO	02/13/2014	500.00	500.00	03/05/2014	
Total 129941:				500.00	500.00		
<b>MED-TECH RESOURCE, INC</b>							
<b>129942</b>							
	24152	SAFETY TRAFFIC VESTS	02/06/2014	77.78	77.78	03/05/2014	
Total 129942:				77.78	77.78		
<b>MIDLAND IMPLEMENT CO</b>							
<b>6640</b>							
	746518001	CREDIT FOR BROKEN IRRIGATI	02/10/2014	528.23-	.00		
Total 6640:				528.23-	.00		
<b>MOUNTAIN WEST SCREEN PRINTERS</b>							
<b>6930</b>							
	50943	VOLLEYBALL SHIRTS	02/04/2014	246.11	246.11	03/05/2014	
	50960	UNIFORMS - SEW PATCHES	02/07/2014	6.00	6.00	03/05/2014	
Total 6930:				252.11	252.11		
<b>NORCO, INC.</b>							
<b>128948</b>							
	12790272	CO2 WASHER - REPAIR (LESS	01/14/2014	1.54	1.54	03/05/2014	
	12793461	CO2 (LESS SALES TAX OF \$7.13	01/14/2014	201.66	201.66	03/05/2014	
	12850939	CO2 (LESS SALES TAX OF \$5.3	01/24/2014	157.12	157.12	03/05/2014	
	12906610	CO2	01/31/2014	86.80	86.80	03/05/2014	
Total 128948:				447.12	447.12		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
<b>NORTH CENTRAL LABORATORIES</b>							
<b>7320</b>	334014	LAB SUPPLIES	02/12/2014	839.75	839.75	03/05/2014	
Total 7320:				839.75	839.75		
<b>NORTHWEST COLLEGE</b>							
<b>7355</b>	CTD 2014-34	EDUCATION & TRAINING - DAN	02/17/2014	15.00	15.00	03/05/2014	
Total 7355:				15.00	15.00		
<b>NORTHWEST PIPE</b>							
<b>7400</b>	1248776	Clamp Repair 8"	02/17/2014	377.82	377.82	03/05/2014	1031-W
	1248776	3/4" MIP x Compression Adapter	02/17/2014	32.30	32.30	03/05/2014	1103-W
	1248776	1" Compression curb stop	02/17/2014	230.20	230.20	03/05/2014	1118-W
	1248776	3/4" FIP x Compression Adapter	02/17/2014	34.40	34.40	03/05/2014	1096-W
Total 7400:				674.72	674.72		
<b>OLIVE GLENN GOLF &amp; CC</b>							
<b>7450</b>	022014	COMMUNITY FUNDING ALLOCA	02/20/2014	3,639.35	3,639.35	03/05/2014	
Total 7450:				3,639.35	3,639.35		
<b>ONE-CALL OF WYOMING</b>							
<b>127665</b>	34358	WYOMING ONE CALL	02/07/2014	29.25	29.25	03/05/2014	
Total 127665:				29.25	29.25		
<b>OPATZ ELECTRIC MOTOR REPAIR</b>							
<b>7470</b>	16253	REPAIR SLIDE PUMP	02/12/2013	924.00	924.00	03/05/2014	
	16264	AERATOR MOTOR REPAIR	02/21/2014	150.00	150.00	03/05/2014	
Total 7470:				1,074.00	1,074.00		
<b>PARKWAY PLAZA HOTEL</b>							
<b>126771</b>	537637	ROOM - OSHA CLASS - ERIC A	02/05/2014	120.00	120.00	03/05/2014	
	537638	ROOM - OSHA CLASS - BRETT	02/05/2014	120.00	120.00	03/05/2014	
	537639	ROOM - OSHA CLASS - MONTE	02/05/2014	120.00	120.00	03/05/2014	
Total 126771:				360.00	360.00		
<b>PROGRESSIVE BUSINESS PUBLICATIONS</b>							
<b>8210</b>	186760701RE	SAFETY SUBSCRIPTION - 2014	02/10/2014	475.20	475.20	03/05/2014	
Total 8210:				475.20	475.20		
<b>QUALITY UTILITY EQUIP. SUPPLY</b>							
<b>124974</b>	40574	EQUIPMENT REPAIR	02/10/2014	413.97	413.97	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 124974:				413.97	413.97		
<b>RADAR SHOP</b>							
<b>128503</b>							
	RS-8113	REPAIR C07 / A17 RADAR	02/05/2014	297.31	297.31	03/05/2014	
Total 128503:				297.31	297.31		
<b>REESE, D. LINCOLN</b>							
<b>124744</b>							
	021414	BASKETBALL REFEREE	02/14/2014	72.00	72.00	03/05/2014	
Total 124744:				72.00	72.00		
<b>ROCKVAM, PERRY</b>							
<b>125104</b>							
	021814	REIMBURSE FOR SUPPLIES	02/18/2014	8.85	8.85	03/05/2014	
Total 125104:				8.85	8.85		
<b>ROCKY MOUNTAIN POWER</b>							
<b>7570</b>							
	021814	UTILITIES	02/18/2014	42.65	42.65	03/05/2014	
	021814	UTILITIES	02/18/2014	369.79	369.79	03/05/2014	
Total 7570:				412.44	412.44		
<b>S &amp; S AUDIO - VIDEO INC</b>							
<b>8840</b>							
	10075278	MATERIAL & SUPPLIES	02/11/2014	9.97	9.97	03/05/2014	
Total 8840:				9.97	9.97		
<b>S &amp; S WORLDWIDE INC</b>							
<b>124166</b>							
	7987694	INDOOR FOOTBALLS	01/28/2014	66.98	66.98	03/05/2014	
Total 124166:				66.98	66.98		
<b>SCHOENING, WILLIAM D</b>							
<b>123147</b>							
	021414	BASKETBALL REFEREE	02/14/2014	204.00	204.00	03/05/2014	
Total 123147:				204.00	204.00		
<b>SEARS</b>							
<b>9010</b>							
	T001520	VAC FILTER - CREDIT	02/05/2014	13.99-	13.99-	03/05/2014	
	T051525	VAC FILTER	02/05/2014	13.99	13.99	03/05/2014	
	T436515	VAC FILTER	02/05/2014	17.50	17.50	03/05/2014	
Total 9010:				17.50	17.50		
<b>SECRETARY OF STATE</b>							
<b>123386</b>							
	021914	NOTARY FEE - JOANTHAN C B	02/19/2014	30.00	30.00	03/05/2014	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 123386:				30.00	30.00		
<b>SHOSHONE OFFICE SUPPLY</b>							
<b>9140</b>							
	101155	SUPPLIES FOR MASTER PLAN	02/13/2014	5.12	5.12	03/05/2014	
	101354	OFFICE SUPPLIES	02/04/2014	89.90	89.90	03/05/2014	
	101507	SUPPLIES	02/20/2014	9.69	9.69	03/05/2014	
Total 9140:				104.71	104.71		
<b>THE UPS STORE</b>							
<b>6240</b>							
	2605	WATER SAMPLE SHIPPING	02/18/2014	49.43	49.43	03/05/2014	
Total 6240:				49.43	49.43		
<b>TRIPLE L SALES</b>							
<b>9980</b>							
	I-29786	IRRIGATION SUPPLIES	02/18/2014	13.63	13.63	03/05/2014	
Total 9980:				13.63	13.63		
<b>TYDEN BROOKS</b>							
<b>129682</b>							
	508186	METER REPAIRS	02/04/2014	868.03	868.03	03/05/2014	
Total 129682:				868.03	868.03		
<b>US POSTMASTER</b>							
<b>129112</b>							
	2122014	2 MONTHS POSTAGE FOR UTIL	02/12/2014	3,700.00	3,700.00	03/05/2014	
Total 129112:				3,700.00	3,700.00		
<b>V-1 PROPANE</b>							
<b>10180</b>							
	0857868	OIL STORAGE TANK FOR WAS	01/15/2014	100.00	100.00	03/05/2014	
	7176	SUPPLIES	02/19/2014	35.99	.00	03/05/2014	
	7176	SUPPLIES	02/19/2014	35.99-	.00		
	857868	OIL STORAGE TANK FOR WAS	01/15/2014	100.00	.00	03/05/2014	
	857868	OIL STORAGE TANK FOR WAS	01/15/2014	100.00-	.00		
	858119	SUPPLIES	02/19/2014	35.99	35.99	03/05/2014	
Total 10180:				135.99	135.99		
<b>WAL MART COMMUNITY BRC</b>							
<b>10330</b>							
	00418	SUPPLIES	02/13/2014	117.66	117.66	03/05/2014	
	004633	OFFICE SUPPLIES	02/18/2014	41.09	41.09	03/05/2014	
	01497	SUPPLIES	02/21/2014	35.95	35.95	03/05/2014	
	05372	GATORAID	02/04/2014	29.90	29.90	03/05/2014	20008
	05372	Snack Cakes	02/04/2014	32.18	32.18	03/05/2014	20027
	05372	Chips	02/04/2014	19.96	19.96	03/05/2014	20031
	05372	Ramen Soup	02/04/2014	28.68	28.68	03/05/2014	20050
	05372	Hot Dogs	02/04/2014	17.76	17.76	03/05/2014	20053

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 10330:				323.18	323.18		
<b>WCS TELECOM</b>							
<b>124746</b>							
	21521700	LONG DISTANCE	02/01/2014	142.32	142.32	03/05/2014	
Total 124746:				142.32	142.32		
<b>WESCO DISTRIBUTION INC</b>							
<b>10480</b>							
	789773	SYSTEM UPGRADE	02/07/2014	185.23	185.23	03/05/2014	
Total 10480:				185.23	185.23		
<b>WEST PARK HOSPITAL</b>							
<b>10500</b>							
	COPD-2/2/14	BLOOD DRAWS / CREDIT FOR	02/02/2014	600.30	600.30	03/05/2014	
Total 10500:				600.30	600.30		
<b>WYOMING HOME &amp; RANCH</b>							
<b>129698</b>							
	35416	TOOLS	02/12/2014	99.99	99.99	03/05/2014	
Total 129698:				99.99	99.99		
Grand Totals:				192,830.88	193,359.11		

PAYROLL TOTAL \$204,269.82

GRAND TOTAL \$ 397,628.93

## Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.



# City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

\*\*\*\*\*

Name of person to appear before the Council Margie Johnson

Organization Represented Cody Events Committee

Date you wish to appear before the Council March 4<sup>th</sup>

Mailing Address P.O. Box 287 Wapiti, WY 82450 Telephone 587-2331

E-Mail Address star\_starhiker@vcn.com

Preferred form of contact: Telephone \_\_\_\_\_ E-Mail X either works

Names of all individuals who will speak on this topic Margie Johnson

Event Title (if applicable) ST. Patricks Day Parade

Date(s) of Event (if applicable) March 15<sup>th</sup>, 2014 SATURDAY

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Street closure + support for ST. Patricks Day parade. PARADE STARTS AT 4pm From 9<sup>th</sup> Street (Chamber) To 14<sup>th</sup> St. going east.

Which City employee(s) have you spoken to about this issue? CINDY BAKER

Signature Margie Johnson Date Feb 20, 2014

INSURANCE documents To follow

Thank you!  
Revised 3/2007

# Memorandum

**To:** Cindy Baker, Administrative Services Officer  
**CC:** Steve Payne, Public Works Director  
**From:** Keith Viles, Water Systems/Sanitation Superintendent   
**Date:** 2/21/2014  
**Re:** Surplus garbage containers

---

The Sanitation Division has 43 garbage containers that we would like to have declared surplus to allow us to sell them. They consist of the following;

- 14 - three yard Teem dumpsters, these containers are primarily salvage quality and range in approximate age from 12 to 15 years.
- 17 - three yard Emco dumpsters, these containers are of sufficient quality to be reused in some fashion. They range in approximate age from 15 to 20 years old. In addition, we don't use Emco containers anymore and therefore have no use for these dumpsters.
- 12 - one and a half yard dumpsters, these containers are primarily salvage quality and range in approximate age from 15 to 20 years.

Please let me know if you need further information regarding the above.

**CONFIDENTIAL**

MEETING DATE: MARCH 4, 2014  
DEPARTMENT: PUBLIC WORKS  
PREPARED BY: STEPHEN PAYNE, PE  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: STEPHEN W. PAYNE, PE

## **AGENDA ITEM SUMMARY REPORT**

### **RIVERSIDE CEMETERY EASEMENT AND VACATION OF EXISTING EASEMENT**

#### **ACTION:**

Authorize the Mayor to sign two documents associated with the Riverside Cemetery District. The first document is a Release and Termination of Right-of-Way Agreement and the second is an Exclusive Irrigation Line Easement. The first document terminates right-of-way over which existing facilities cross City of Cody property and the second provides for a new easement to address the proposed facilities.

#### **SUMMARY:**

The City of Cody is in receipt of a request from the Riverside Cemetery District to vacate an existing easement and to grant a new easement for facilities that cross City of Cody property. The property proposed to be crossed is a tract of land north of the Skyline Drive. The attached letter outlines their request.

Both documents have been reviewed and approved by the City Attorney.

#### **FISCAL IMPACT**

The City of Cody could ask for reimbursement for the value of the easement, but the Riverside Cemetery District is really just requesting an exchange of an old easement for a new one. In addition, the City of Cody was granted a sewer easement across Riverside Cemetery District property earlier this year at no cost.

#### **ALTERNATIVES**

1. Authorize the Mayor to sign the Release and Termination of Right-of-Way Agreement and the Exclusive Irrigation Line Easement as outlined.

#### **RECOMMENDATION**

Staff recommends that the Council authorizes the Mayor to sign the attached Release and Termination of Right-of-Way Agreement and the Exclusive Irrigation Line Easement.

#### **ATTACHMENTS**

Release and Termination of Right-of-Way Agreement and the Exclusive Irrigation Line Easement

#### **AGENDA & SUMMARY REPORT TO:**

Attorney Mary Helen Reed

**AGENDA ITEM NO. \_\_\_\_\_**

# MCCARTY, REED AND EARHART

ATTORNEYS AT LAW, L.C.

P.O. BOX 1418

CODY, WYOMING 82414

MICHAEL McCARTY\*  
MARY HELEN REED  
ANDREA L. EARHART\*\*

\*ALSO ADMITTED IN COLORADO  
\*\*ALSO ADMITTED IN MONTANA

February 11, 2014

BANK OF THE WEST BUILDING  
1130 SHERIDAN AVENUE, SUITE 200

TELEPHONE 307-587-6291  
FAX 307-587-5547

mick@mreatorneys.com  
mary@mreatorneys.com  
andrea@mreatorneys.com

City of Cody  
ATTN: Steve Payne  
P. O. Drawer 2200  
Cody, Wyoming 82414

RE: Riverside Cemetery District

Dear Steve:

Enclosed is the revised irrigation line easement. I have spoken with Scott Kolpitcke and I have made the changes he has requested. If you have further questions or concerns, please do not hesitate to contact me. If the document is satisfactory, if you would please have the document properly signed and return to me for recording with the Exhibit A that I sent with the first version of the easement, I would appreciate it. Thank you.

Yours very truly,

  
MARY HELEN REED

MHR/kmk  
Enclosure  
cc/enc.:

Mr. Sam Welch, Riverside Cemetery District  
Mr. Nathan Steiner  
Mr. Scott Kolpitcke

# MCCARTY, REED AND EARHART

ATTORNEYS AT LAW, L.C.  
P.O. BOX 1418  
CODY, WYOMING 82414

MICHAEL McCARTY\*  
MARY HELEN REED  
ANDREA L. EARHART\*\*  
\*ALSO ADMITTED IN COLORADO  
\*\*ALSO ADMITTED IN MONTANA

January 22, 2014

BANK OF THE WEST BUILDING  
1130 SHERIDAN AVENUE, SUITE 200

TELEPHONE 307-587-6291  
FAX 307-587-5547

mick@mreattorneys.com  
mary@mreattorneys.com  
andrea@mreattorneys.com

City of Cody  
ATTN: Steve Payne  
P. O. Drawer 2200  
Cody, Wyoming 82414

RE: Riverside Cemetery District

Dear Mr. Payne:

Our office represents the Riverside Cemetery District. As you are likely aware, the Riverside Cemetery District has a buried irrigation line through your property. The line is in need of repair and the Riverside Cemetery District is planning to replace the line through your property. This work has brought to the attention of the Riverside Cemetery District that the pipeline, in some areas, is located outside of the described area of the 1957 easement granting the right for the placement of the pipeline.

The Riverside Cemetery District is proposing a new easement and a vacation of the old easement. I am enclosing both proposed documents for your review. I am also enclosing a map showing where the easement varies from the actual pipeline currently.

The Riverside Cemetery District is asking that you review the enclosed documents and, if you have questions, please feel free to call me or Sam Welch, the Sextant. You may reach Sam at the cemetery district office during business hours at 587-6662.

If the documents are acceptable, you may sign them before a notary and provide them to me at my mailing address above. I am enclosing a postage paid envelope for your assistance in returning the documents. Thank you.

Yours very truly,



MARY HELEN REED

MHR/kmk  
Enclosures  
cc/enc.:

Mr. Sam Welch, Riverside Cemetery District  
Mr. Nathan Steiner

## RELEASE AND TERMINATION OF RIGHT-OF-WAY AGREEMENT

THIS RELEASE AND TERMINATION OF RIGHT-OF-WAY AGREEMENT is made and entered into by and between RIVERSIDE CEMETERY DISTRICT, a special cemetery district, and REDNOUR, INC., a Wyoming corporation, ROBIN R. RICHARDSON, TRUSTEE OF THE ROBIN RENEE RICHARDSON REVOCABLE TRUST DATED FEBRUARY 15, 2011, GLENN ARDEN NIELSON, PATRICK G. PITET and LYNN T. PITET, husband and wife, and the CITY OF CODY, a municipal corporation.

WHEREAS, a Right-of-Way Agreement was filed and recorded on June 28, 1957, in Book 219, page 374, as Document No. 90647, in the records of the Park County Clerk and Recorder of Park County, Wyoming; and

WHEREAS, the Riverside Cemetery District has determined that the irrigation pipeline intended to be built pursuant to the Right-of-Way Agreement is not located at all points within the legal description set forth in the Right-of-Way Agreement; and

WHEREAS, the Riverside Cemetery District is replacing and upgrading an irrigation pipeline and desires to vacate the Right-of-Way Agreement, as the parties have agreed to record Exclusive Irrigation Line Easements and Rights-of-Way in the actual location of the pipeline.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid by each party to the other, the parties agree as follows:

1. The Right-of-Way Agreement filed and recorded on June 28, 1957, in Book 219, page 374, as Document No. 90647, in the records of the Park County Clerk and Recorder of Park County, Wyoming, is hereby released, terminated, rescinded and of no further force and effect.
2. The Right-of-Way Agreement has been replaced by the following documents:
  - (a) Exclusive Irrigation Line Easement and Right-of-Way from Grantor, Rednour, Inc., a Wyoming corporation, to Riverside Cemetery District, a special cemetery district, recorded in the office of the Clerk and Recorder of Park County, Wyoming, at \_\_\_\_\_.
  - (b) Exclusive Irrigation Line Easement and Right-of-Way from Grantor, Robin R. Richardson, Trustee of the Robin Renee Richardson Revocable Trust Dated February 15, 2011, to Riverside Cemetery District, a special cemetery district, recorded in the office of the Clerk and Recorder of Park County, Wyoming, at \_\_\_\_\_.
  - (c) Exclusive Irrigation Line Easement and Right-of-Way from Grantor, Glenn Arden Nielson, to Riverside Cemetery District, a special cemetery district, recorded in the office of the Clerk and Recorder of Park County, Wyoming, at \_\_\_\_\_.

\_\_\_\_\_.

(d) Exclusive Irrigation Line Easement and Right-of-Way from Grantors, Patrick G. Pitet and Lynn T. Pitet, husband and wife, to Riverside Cemetery District, a special cemetery district, recorded in the office of the Clerk and Recorder of Park County, Wyoming, at \_\_\_\_\_.

(e) Exclusive Irrigation Line Easement and Right-of-Way from Grantor, City of Cody, a municipal corporation, to Riverside Cemetery District, a special cemetery district, recorded in the office of the Clerk and Recorder of Park County, Wyoming, at \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014.

RIVERSIDE CEMETERY DISTRICT, a special cemetery district

By \_\_\_\_\_  
Tara Hart, President, Board of Trustees

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF PARK     )

The above and foregoing Release and Termination of Easement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by TARA HART, President, Board of Trustees, RIVERSIDE CEMETERY DISTRICT, a special cemetery district.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

REDNOUR, INC., a Wyoming corporation

By \_\_\_\_\_, Its \_\_\_\_\_

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PARK )

The above and foregoing Release and Termination of Easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, the \_\_\_\_\_ of REDNOUR, INC., a Wyoming corporation.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
ROBIN R. RICHARDSON, TRUSTEE OF THE  
ROBIN RENEE RICHARDSON REVOCABLE  
TRUST DATED FEBRUARY 15, 2011

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PARK )

The above and foregoing Release and Termination of Easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by ROBIN R. RICHARDSON, TRUSTEE OF THE ROBIN RENEE RICHARDSON REVOCABLE TRUST DATED FEBRUARY 15, 2011.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
GLENN ARDEN NIELSON

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF PARK     )

The above and foregoing Release and Termination of Easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by GLENN ARDEN NIELSON.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
PATRICK G. PITET

\_\_\_\_\_  
LYNN T. PITET

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF PARK     )

The above and foregoing Release and Termination of Easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by PATRICK G. PITET and LYNN T. PITET, husband and wife.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

CITY OF CODY, a municipal corporation

By \_\_\_\_\_, Its \_\_\_\_\_

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF PARK     )

The above and foregoing Release and Termination of Easement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, the \_\_\_\_\_ of CITY OF CODY, a municipal corporation.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## EXCLUSIVE IRRIGATION LINE EASEMENT AND RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS: That CITY OF CODY, a municipal corporation, hereinafter called GRANTOR, whose address is P.O. Drawer 2200, Cody Wyoming, GRANTOR, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto RIVERSIDE CEMETERY DISTRICT, a special cemetery district, hereinafter called GRANTEE, 1721 Gulch Avenue, Cody, Wyoming 82414 its successors, transferees and assigns an EXCLUSIVE IRRIGATION LINE EASEMENT AND RIGHT-OF-WAY including the right to lay, erect, construct, install, operate, maintain, inspect, alter, repair, replace, change the size of and remove irrigation pipelines and appurtenances thereto, under, across and through a fifteen (15) foot wide strip of land situated in the County of Park in the State of Wyoming, which strip of land is more particularly described on the attached Exhibit "A", as it crosses the Grantor's property, referenced on Exhibit "A" as Tract A, which by this reference is made a part hereof.

TO HAVE AND TO HOLD unto said GRANTEE, its successors and assigns, together with the right of ingress to and egress from said land for the purpose of the right to lay, erect, construct, install, operate, maintain, inspect, alter, repair, replace, change the size of and remove irrigation line facilities, pipelines and appurtenances thereto, of the GRANTEE, in whole or in part, at the will of the GRANTEE; it being the intention of the parties hereto that the GRANTOR may continue to use the surface of the easement strip conveyed hereby provided, however, that such use shall not interfere with GRANTEE'S exercise of the rights hereby conveyed.

IT IS FURTHER AGREED AND UNDERSTOOD as follows:

1. This right-of-way and easement does not convey any interest whatever in any oil, gas, or other minerals in, on or under the above described land.

2. Before GRANTOR allows any party other than GRANTEE to excavate or dig in any manner in the vicinity of the easement, GRANTOR shall inform the other party of the existence of the easement and the requirement for providing access to the pipeline within the right-of-way.

3. **GRANTEE is solely responsible for constructing, maintaining, repairing, replacing and operating the irrigation line facilities and appurtenances in the above easement. During construction, the Grantor agrees that the Grantee shall have a temporary construction easement of one (100) hundred feet consisting of fifty (50) feet on either side of the centerline described on the attached Exhibit "A".**

4. The surface of the temporary construction easement shall be restored following installation and shall include seeding of native grass seed. The Grantee does not guarantee the germination of the seed.

5. This easement and the covenants and agreements herein contained shall run with the land in perpetuity and shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors, and assigns of the parties hereto.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014

GRANTOR:

CITY OF CODY, a municipal corporation

By \_\_\_\_\_, Its \_\_\_\_\_

GRANTEE:

RIVERSIDE CEMETERY DISTRICT

By \_\_\_\_\_  
Tara Hart, President,  
Board of Trustees

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PARK )

The foregoing instrument was acknowledged before me by \_\_\_\_\_, the \_\_\_\_\_ of CITY OF CODY, a municipal corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission Expires: \_\_\_\_\_

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PARK )

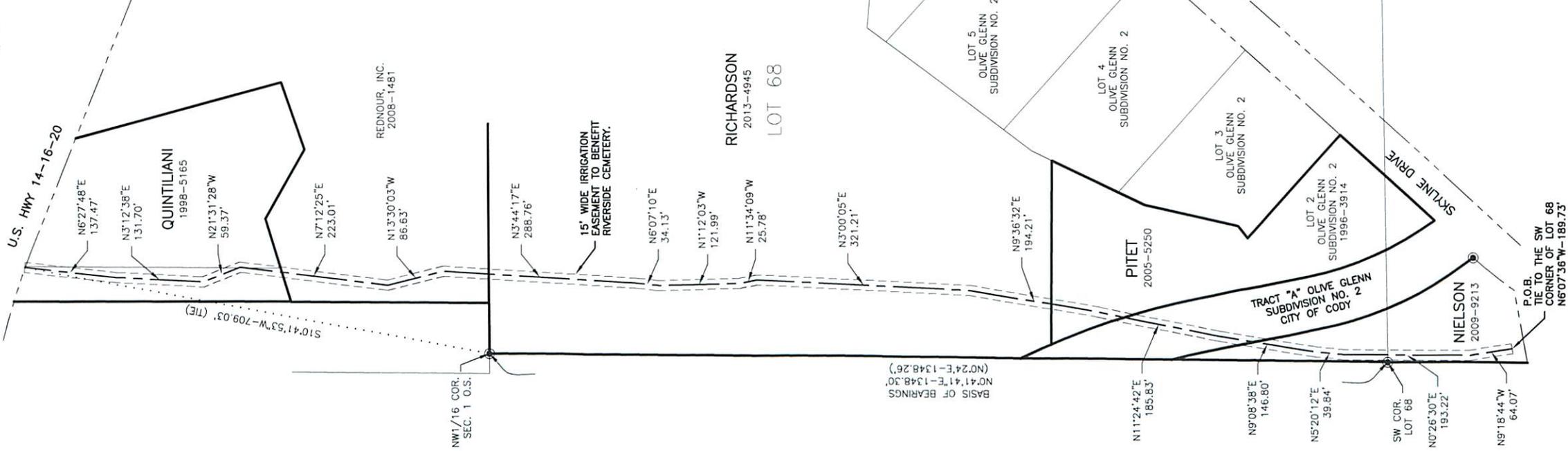
The foregoing instrument was acknowledged before me by TARA HART, President, Board of Trustees of RIVERSIDE CEMETERY DISTRICT, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission Expires: \_\_\_\_\_

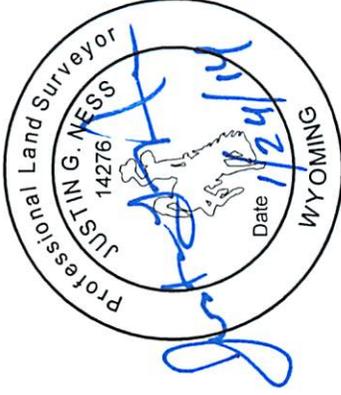
T.52N., R.102W., 6TH P.M.  
(RESURVEY)



**EASEMENT DESCRIPTION**

BEING AN EASEMENT FOR IRRIGATION PIPELINE PURPOSES OVER A STRIP OF LAND 15 FEET IN WIDTH LYING WITHIN LOT 68, RESURVEY T.52N. R.102W., 6TH P.M., PARK COUNTY WYOMING, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MARKING THE SOUTHWEST CORNER OF SAID LOT 68; FROM WHICH A FOUND BRASS CAP MARKING THE NW 1/16 CORNER OF SECTION 1, ORIGINAL SURVEY, BEARS N0°41'41"E., 1348.30 FEET; THENCE S.6°07'36"E., 189.73 FEET TO THE POINT OF BEGINNING; THENCE N.9°18'44"W., 64.07 FEET; THENCE N.0°26'30"E., 193.22 FEET; THENCE N.5°20'12"E., 39.84 FEET; THENCE N.9°08'38"E., 146.80 FEET; THENCE N.11°24'42"E., 185.83 FEET; THENCE N.09°36'32"E., 194.21 FEET; THENCE N.3°00'05"E., 321.21 FEET; THENCE N.11°34'09"W., 25.78 FEET; THENCE N.11°20'03"W., 121.99 FEET; THENCE N.6°07'10"E., 34.13 FEET; THENCE N.3°44'17"E., 288.76 FEET; THENCE N.13°30'03"W., 86.63 FEET; THENCE N.7°12'25"E., 223.01 FEET; THENCE N.21°31'28"W., 59.37 FEET; THENCE N.3°12'38"E., 131.70 FEET; THENCE N.6°27'48"E., 137.47 FEET, MORE OR LESS, TO A POINT ON THE SOUTH RIGHT-OF-WAY OF U.S. HWY 14-16-20, FROM WHICH SAID NW 1/16 CORNER OF SECTION 1, ORIGINAL SURVEY, BEARS S.10°41'53"W., 709.03 FEET.



JUSTIN G. NESS  
WYOMING PLS 14276

**LEGEND**

- EXISTING BOUNDARY
- RIGHT-OF-WAY LINE
- EASEMENT CENTERLINE
- EASEMENT LINE
- FOUND IRON PIPE
- MEASURED DATA
- RECORD DATA

N0°41'41"W-1348.29'  
(N0°24'E-1348.26')



**SCALE**



**EXHIBIT A**

SHOWING  
15' WIDE IRRIGATION EASEMENT  
WITHIN

LOT 68, T.52N. R.102W., 6TH P.M.  
PARK COUNTY, WYOMING

PROJECT NO. 131209



ENGINEERING · SURVEYING · PLANNING  
1508 STAMPEDE AVE., CODY, WYOMING 82414

SURVEY COMPLETED  
DATE: 1/24/14  
BY: JGN  
REVIEWED BY: JGN

NOT FOR CONSTRUCTION

This drawing is the property of the Landscape Architect. It has been prepared for the use of this site and is not to be used for any other purpose, location, or project without the written consent of the Landscape Architect.

Riverside Cemetery Irrigation  
Supply Line Replacement  
PRELIMINARY  
HORIZONTAL ALIGNMENT

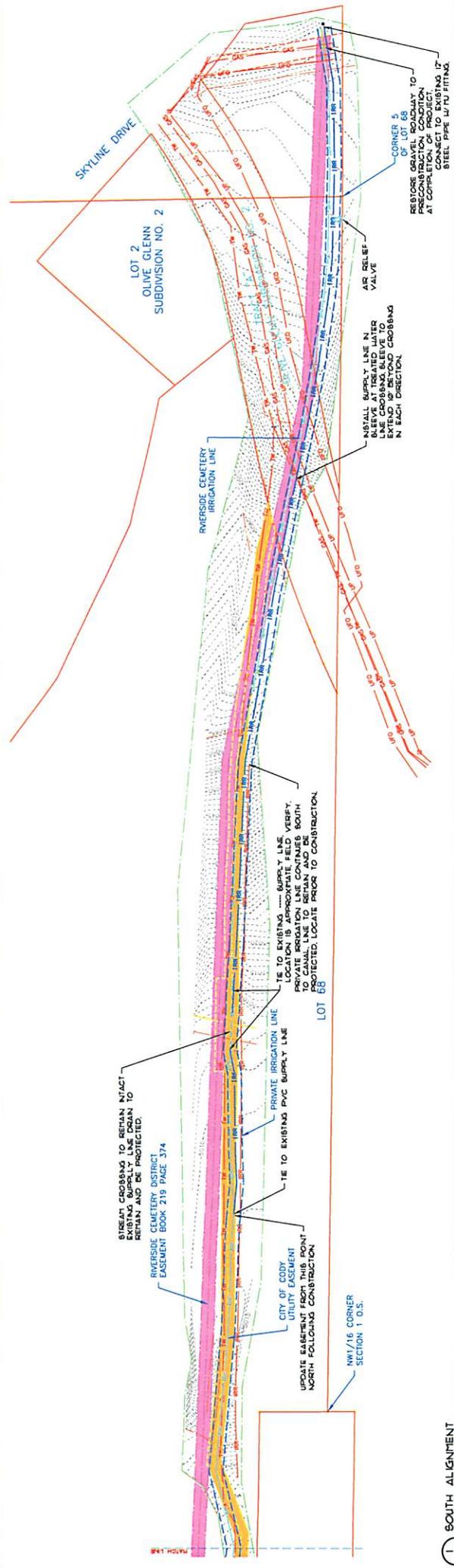
COPYRIGHT  
2013  
STEINER THUESEN PLLC

STEINER  
THUESEN  
PLLC

COLE COURSE ARCHITECTURE  
IRRIGATION DESIGN  
LANDSCAPE ARCHITECTURE  
192 GRAND AVE. SUITE 100  
PO BOX 2848  
IRVING, TEXAS 75038-2848-2848

Drawn by: NGS  
Date: 1/16/14  
Checked by: NGS  
Date: 1/16/14  
Rev: \_\_\_\_\_  
Rev: \_\_\_\_\_  
File: S:\HORZ ALIGNMENT.DWG

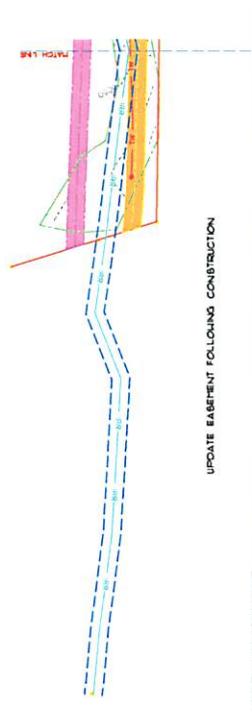
SHEET  
1



**NOTES:**  
 1. CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES ON SITE OR ADJACENT PROPERTY SHALL BE CONTRACTOR'S RESPONSIBILITY.  
 2. PIPE ROUTING IS DIAGNOSTIC IN NATURE. FIELD ADJUSTMENT OF ROUTING AND EQUIPMENT MAY BE NECESSARY. CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION. ALL CHANGES IN PIPE LAYOUT MAY BE MADE BY THE CONTRACTOR WITH THE ADVANCE APPROVAL OF THE ARCHITECT.  
 3. LOCATIONS OF MANLINE DRAINS MAY VARY. ACTUAL LOCATIONS SHALL BE IN ALL LOW SPOTS ALONG THE ALIGNMENT.  
 4. LOCATIONS OF AIR RELIEF VALVES MAY VARY. ACTUAL LOCATIONS SHALL BE IN ALL HIGH SPOTS ALONG THE ALIGNMENT.  
 5. APPROXIMATE LOCATIONS ARE SHOWN.  
 6. CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.  
 7. ALL CONDUIT TO BE 1" MINIMUM CONDUIT OR BURT WHEREVER POSSIBLE. ALL VISIBLE CONDUITS SHALL BE ROUTED AS DIRECTED. ALL BURIED CONDUITS SHALL BE ELECTRICAL GRADE SCHEDULE 40 PVC. ALL CONDUITS ABOVE GRADE SHALL BE ELECTRICAL GRADE SCHEDULE 40 PVC. REFER TO DETAILS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.

**SCHEDULE**

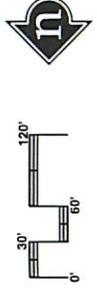
SYMBOL	DESCRIPTION	SIZE	MANUF.	MODEL NUMBER
---	AIR RELIEF VALVE	2"	BERTRUD	CLASS 200
---	SLEEVES-PVC	12"	M	CLASS 200



- PRELIMINARY NOTES:**
- PROPOSED SUPPLY ALIGNMENT IS 5' O.C. FROM EXISTING ALIGNMENT IN ALL LOCATIONS POSSIBLE.
  - PRELIMINARY EASEMENT REQUIREMENTS:
    - A- TEMPORARY 10' WIDE CONSTRUCTION EASEMENT TO ALLOW ACCESS, SIGNS, ETC. DURING CONSTRUCTION.
    - B- EASEMENT TO BE 15' WIDE EXISTING EASEMENT TO BE ABANDONED.
    - C- ADJUST EASEMENT NORTH OF CONSTRUCTION AREA AS REQUIRED TO MATCH CURRENT AS-BUILT CONDITION.

**LEGEND:**

---	EXISTING PRIVATE IRRIGATION LINE
---	UNDERGROUND GAS
---	UNDERGROUND POWER
---	UNDERGROUND FIBER OPTICS
---	CITY OF CODY TREATED WATER LINE AND EASEMENT
---	PROPOSED CEMETERY SUPPLY LINE ALIGNMENT AND 15' EASEMENT
---	EXISTING CEMETERY SUPPLY LINE
---	EXISTING CEMETERY EASEMENT



MEETING DATE:	MARCH 4, 2014
DEPARTMENT:	CITY PLANNER
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT** **Termination of Unused Utility Easement on CLDC Property**

### **ACTION TO BE TAKEN:**

Authorize the termination of an unused utility right-of-way and easement to the Cody Land Development Corporation.

### **SUMMARY:**

On October 2, 2009, the City of Cody received a "Right-of-way and Easement" from Cody Land Development Corporation. At the time, the easement was to be used for a water main to the planned water tank north of Road 2AB. On June 23, 2011, The Cody Land Development Corporation granted another "Right-of-way and Easement" to reflect the as-built situation, which was no longer a straight line, but one that followed a zigzag with the access road up the hill to the water tank. The surveyor's drawing on that 2011 easement indicated that a portion of the prior easement was to be vacated, yet there was no language in the document that did so.

The property owner now requests that the unused portion of the 2009 "Right-of-way and Easement" be eliminated, as was the intent in 2011.

### **FISCAL IMPACT**

As the new easement was granted at no cost based on the understanding that the prior easement was being eliminated, no reimbursement for the cost of the easement termination is recommended.

### **ALTERNATIVES**

1. Retain the unused easement.
2. Authorize the Mayor to sign a Termination of Easement document to terminate the unused utility right-of-way and easement, subject to approval of the document by the city attorney.

### **RECOMMENDATION**

Staff recommends that the Council authorize the Mayor to sign a Termination of Easement document, with language approved by the city attorney, to eliminate the unused easement identified in document number 2009-8322.

### **ATTACHMENTS:**

Draft "Vacation and Termination of Easement" document, with the 2009 and 2011 deeds attached.

### **AGENDA & SUMMARY REPORT TO:**

Justin Ness, GDA Engineering  
Rick Patton, Cody Land Development Corporation

**AGENDA ITEM NO. \_\_\_\_\_**

**VACATION & TERMINATION OF EASEMENT**

This *Vacation and Termination of Easement* made and dated this \_\_\_\_ day of \_\_\_\_\_, 2014 by the easement owner, City of Cody, a municipal corporation, (hereinafter referred to as "GRANTEE") and with the knowledge and consent of the landowner, Cody Land Development Corporation, a Wyoming corporation, (hereinafter referred to as "GRANTOR");

W I T N E S S E T H:

WHEREAS, on or about October 5, 2009, GRANTOR provided a utility Right-of-Way Easement (EASEMENT NO. 1) to the City of Cody (GRANTEE), which was recorded with the Park County Clerk, Park County, Wyoming at Document Number 2009-8322 (a copy of which is attached herewith containing the specific legal description of the easement);

WHEREAS, on or about June 30, 2011, GRANTOR provided a utility Right-of-Way Easement (EASEMENT NO. 2) to the City of Cody (GRANTEE), which was recorded with the Park County Clerk, Park County, Wyoming at Document Number 2011-3714;

WHEREAS, the purpose of recording EASEMENT NO. 2 was to replace EASEMENT NO. 1; and therefore, GRANTOR and GRANTEE agree and desire to permanently vacate and terminate EASEMENT NO. 1 since it is not necessary and so that it does not encumber GRANTOR's real property.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein set forth between GRANTOR and GRANTEE, it is agreed as follows:

**GRANTEE, and its successors, transferees and assigns, does hereby permanently vacate, abandon and relinquish to GRANTOR, its successors and assigns, all right, title and interest of any kind or nature, now and forever, to the land described in EASEMENT NO. 1 as recorded with Park County, Wyoming.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF CODY, a Wyoming municipality

By: \_\_\_\_\_  
Name  
\_\_\_\_\_  
Title

STATE OF WYOMING                    )  
  ) ss.  
County of Park                        )

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument as an authorized representative to the City of Cody, a Wyoming municipality, and acknowledged to me that he/she executed the same for the purpose of therein expressed.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2014.

My Commission expires: \_\_\_\_\_ Notary Public

Easement #1

**RIGHT-OF-WAY AND EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:** That the **Cody Land Development Corporation**, a Wyoming Corporation, whose address is 1002 Sheridan Ave. Cody, WY 82414 its successors, transferees and assigns, hereinafter called **GRANTOR**, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, convey and warrant unto the City of Cody, a municipal corporation, whose address is P.O. Drawer 2200, Cody, Wyoming, herein called **GRANTEE**, a utility right-of-way and easement together with a parcel of land for a temporary construction easement, along a route, the right to lay, erect, construct, install, operate, maintain, inspect, alter, repair, replace, change the size of and remove pipelines and appurtenances thereto, under, across and through a strip of land situated in the County of Park in the State of Wyoming, which strips of land are described as follows:

Being a right-of-way and easement for utility purposes over a strip of land 30 feet in width lying within Lot 7 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29, Resurvey, T.53N., R.101W., 6<sup>th</sup> P.M., Park County, Wyoming, the centerline of which is more particularly described as follows:

Commencing at the Northwest Corner of Lot 7 of said Section 29 from which the Northwest Corner of said S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said section 29 bears N.0°13'12"E., 330.14 feet; thence S.43°38'52"E., 781.39 feet, to a point on the northerly right-of-way of Road 2AB, being the point of beginning for this description; thence N.21°05'17"W., 798.35 feet, to the south line of a parcel of land deeded to the City of Cody for the purposes of a Water Tank site, with the outside lines of said easement being extended and trimmed to the south line of said Tank Parcel, being the end point of said 30 foot wide strip.

Said strip of land parcel more particularly shown on the attached Exhibit "A" which by this reference is made a part hereof.

Being an temporary construction easement for the purposes of constructing utilities through a strip of land 90 feet in width lying within Lot 7 and the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29, Resurvey, T.53N., R.101W., 6<sup>th</sup> P.M., Park County, Wyoming, the centerline of which is more particularly described as follows:

Commencing at the Northwest Corner of Lot 7 of said Section 29 from which the Northwest Corner of said S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 29 bears N.0°13'12"E., 330.14 feet; thence S.43°38'52"E., 781.39 feet, to a point on the northerly right-of-way of Road 2AB, being the point of beginning for this description; thence N.21°05'17"W., 798.35 feet, to the south line of a parcel of land deeded to the City of Cody for the purposes of a Water Tank site, with the outside lines of said easement being extended and trimmed to the south line of said Tank Parcel, being the end point of said 30 foot wide strip.

The temporary construction easement described above shall be considered to be vacated at the completion of the project or by June 30, 2012.

**TO HAVE AND TO HOLD unto said GRANTEE**, its successors and assigns, together with the right of ingress to and egress from said land for the purpose of operating, maintaining, inspecting, altering, repairing or replacing and removing, the utility facilities of the GRANTEE, in whole or in part, at the will of the GRANTEE; it being the intention of the parties hereto that the GRANTOR may continue to use the surface of the easement strip conveyed hereby provided, however, that such use shall not interfere with GRANTEE'S exercise of the rights hereby conveyed.

**IT IS FURTHER AGREED AND UNDERSTOOD as follows:**

1. GRANTEE, its successors, transferees and assigns, shall have the right to assign and convey this grant and any of the rights provided for herein in whole or in part and the same shall be divisible among two or more owners as to any right or rights created hereunder.

2. This right-of-way and easement does not convey any interest whatever in any oil, gas, or other minerals in, on or under the above described land.

3. It is understood and acknowledged by GRANTOR that the person securing this grant is without authority to make any agreement in regard to the subject matter hereof which is not expressed herein and that any such agreement will not be binding on GRANTEE. This instrument contains the entire agreement of the parties and there are no other or different agreements or understandings between the GRANTOR and the GRANTEE or its agents, and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the GRANTEE or its agents and employees, except as such as are set forth herein.

4. This right-of-way, servitude and easement grant may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original. All such counterparts shall together constitute one and the same right-of-way, servitude and easement grant. The word GRANTOR as used herein shall mean the party or parties who execute this instrument as GRANTOR, whether or not named in the caption or introductory paragraph hereof, and they shall be bound individually and in solido. Wherever necessary, words used in the singular shall be construed to read in the plural and words used in the masculine gender shall be construed to read in the feminine gender.

5. GRANTOR herein agrees not to reduce or increase the grade within the easement area by more than one (1) foot or knowingly permit any party other than GRANTEE to reduce or increase such grade. Before GRANTOR allows any party other than GRANTEE to excavate or dig in any manner in the vicinity of the easement, GRANTOR shall inform the other party of the existence of the easement and the requirement for providing access pipeline within the right-of-way

6. This instrument and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors, and assigns of the parties hereto.

DATED this 2<sup>nd</sup> day of Oct., 2008.

Cody Land Development Corporation

By: Glenn Ross  
Glenn Ross, Chairman

STATE OF WYOMING)  
  )SS.  
COUNTY OF PARK )

The foregoing instrument was acknowledged before me by

Glenn Ross, this 2<sup>nd</sup> day of Oct, 2008.

WITNESS my hand and official seal.



(S E A L)

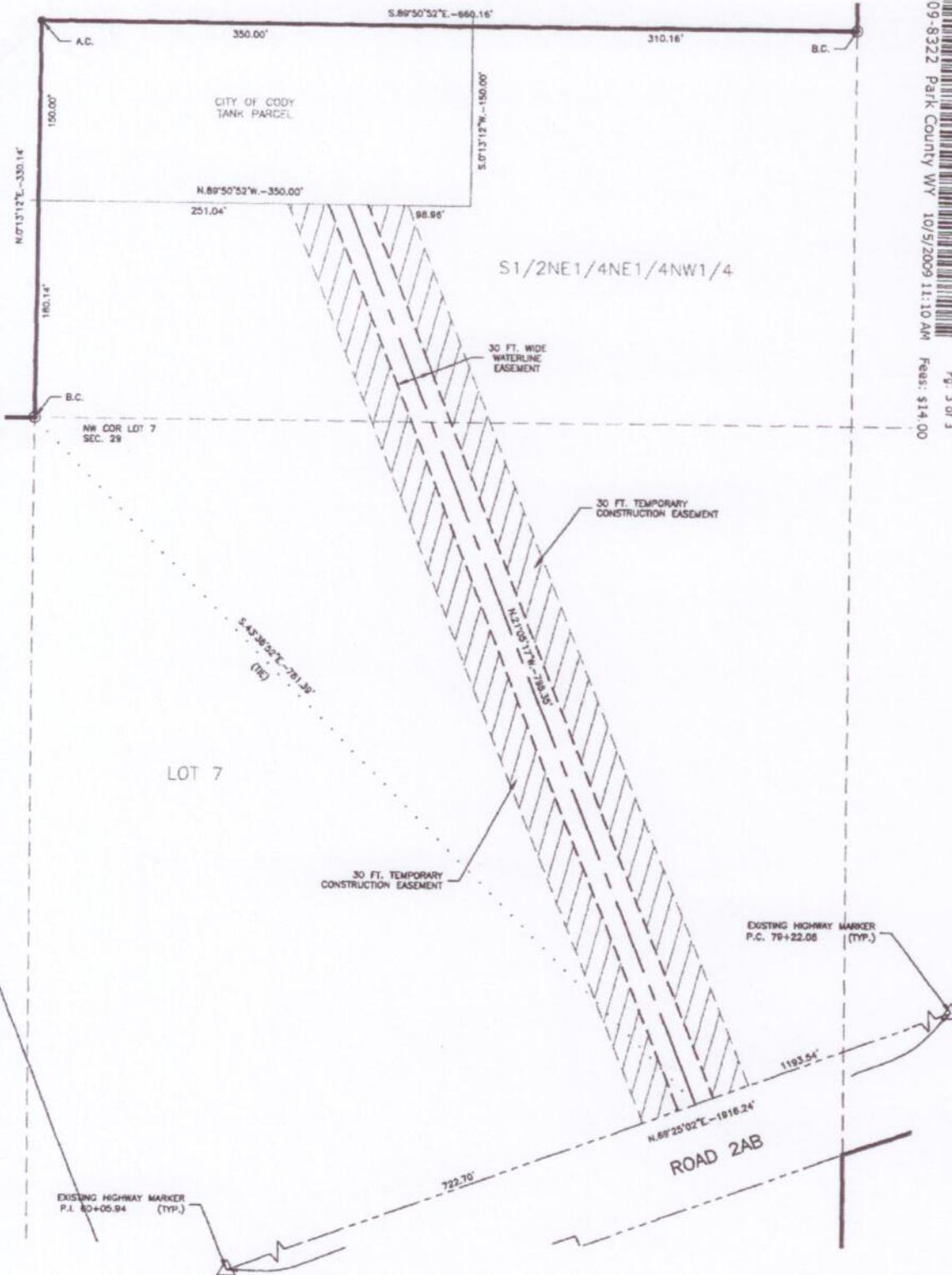
Pamela Feeley

My commission Expires:



T. 53 N., R. 101 W.

2009-8322 Park County WY 10/5/2009 11:10 AM Pg. 3 of 3  
Fees: \$14.00



CERTIFICATE OF SURVEYOR

I, RICHARD T. MUSCIO, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS SURVEY AND EXHIBIT "A" WERE MADE BY ME OR UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH ALL STATE AND COUNTY STATUTORY PROVISIONS AND REGULATIONS.



DATED THIS 28 DAY OF AUG. 2009.  
Wyoming Registration No. PLS 6627

**GDA**  
ENGINEERS

SCALE = 1:100

EXHIBIT "A"  
 WITHIN  
 LOT 7 AND S1/2NE1/4NE1/4NW1/4  
 OF SECTION 29 RESURVEY  
 T. 53 N., R. 101 W., 6TH P.M.,  
 PARK COUNTY, WYOMING.  
 CODY LAND DEVELOPMENT  
 PARK COUNTY, WYOMING



**RIGHT-OF-WAY AND EASEMENT**

Easement #2

**KNOW ALL MEN BY THESE PRESENTS:** That the **Cody Land Development Corporation**, a Wyoming Corporation, whose mailing address is Post Office Box 338, Cody, WY 82414 its successors, transferees and assigns, hereinafter called **GRANTOR**, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, convey and warrant unto the City of Cody, a municipal corporation, whose address is P.O. Drawer 2200, Cody, Wyoming, herein called **GRANTEE**, a utility right-way-way and easement together with a parcel of land for a temporary construction easement, along a route, the right to lay, erect, construct, install, operate, maintain, inspect, alter, repair, replace, change the size of and remove pipelines and appurtenances thereto, under, across and through a strip of land situated in the County of Park in the State of Wyoming, which strips of land are described as follows:

Being a right-of-way and easement for utility purposes over a strip of land 30 feet in width lying within Lot 7 and the S½NE¼NE¼NW¼ of Section 29, Resurvey, T.53N., R.101 W., 6<sup>th</sup> P.M., Park County, Wyoming, the centerline of which is more particularly described as follows:

Commencing at the Northwest Corner of Lot 7 from which the Northwest Corner of said S½NE¼NE¼NW¼ of said section 29 bears N.0°13'12"E., 330.14 feet; thence S.42°37'42"E., 775.64 feet, to a point on the northerly right-of-way of Road 2AB, being the Point of Beginning for this description; thence N.21°05'17"W., 595.00 feet; thence N.57°20'09"W., 28.82 feet; thence N.81°41'07"W., 99.29 feet; thence N.9°03'57"E., 167.28 feet, to the south line of a parcel of land deeded to the City of Cody for the purposes of a Water Tank site; thence S.89°50'52"E., along said south line, 30.37 feet; thence S.9°03'57"E., 95.93 feet; thence S.33°44'44"E., 26.90 feet; thence S.57°20'09"E., 62.29 feet; thence S.81°41'07"E., 64.89 feet; thence N.68°54'43"E., 11.06; thence S.21°05'17"E., 30.00 feet; thence S.68°54'43"W., 40.92 feet; thence S.21°05'17"E., 579.61 feet, to a point on said northerly right-of-way line of Road 2AB; thence S.69°25'02"W., along said northerly right-of-way line, 30.00 feet, to the Point of Beginning. Containing 0.68 acres, more or less.

Said strip of land parcel more particularly shown on the attached Exhibit "B" which by this reference is made a part hereof.

**TO HAVE AND TO HOLD unto said GRANTEE**, its successors and assigns, together with the right of ingress to and egress from said land for the purpose of operating, maintaining, inspecting, altering, repairing or replacing and removing, the utility facilities of the GRANTEE, in whole or in part, at the will of the GRANTEE; it being the intention of the parties hereto that the GRANTOR may continue to use the surface of the easement strip conveyed hereby provided, however, that such use shall not interfere with GRANTEE'S exercise of the rights hereby conveyed.

**IT IS FURTHER AGREED AND UNDERSTOOD as follows:**

1. GRANTEE, its successors, transferees and assigns, shall have the right to assign and convey this grant and any of the rights provided for herein in whole or in part and the same shall be divisible among two or more owners as to any right or rights created hereunder.
2. This right-of-way and easement does not convey any interest whatever in any oil, gas, or other minerals in, on or under the above described land.
3. It is understood and acknowledged by GRANTOR that the person securing this grant is without authority to make any agreement in regard to the subject matter hereof which is not expressed herein and that any such agreement will not be binding on GRANTEE. This instrument contains the entire agreement of the parties and there are no other or different agreements or understandings between the GRANTOR and the GRANTEE or its agents, and that the GRANTOR, in executing and delivering this instrument, has not relied upon any promises, inducements, or representations of the GRANTEE or its agents and employees, except as such as are set forth herein.

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4. This right-of-way, servitude and easement grant may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original. All such counterparts shall together constitute one and the same right-of-way, servitude and easement grant. The word GRANTOR as used herein shall mean the party or parties who execute this instrument as GRANTOR, whether or not named in the caption or introductory paragraph hereof, and they shall be bound individually and in solido. Wherever necessary, words used in the singular shall be construed to read in the plural and words used in the masculine gender shall be construed to read in the feminine gender.

5. GRANTOR herein agrees not to reduce or increase the grade within the easement area by more than one (1) foot or knowingly permit any party other than GRANTEE to reduce or increase such grade. Before GRANTOR allows any party other than GRANTEE to excavate or dig in any manner in the vicinity of the easement, GRANTOR shall inform the other party of the existence of the easement and the requirement for providing access pipeline within the right-of-way

6. This instrument and the covenants and agreements herein contained shall inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors, and assigns of the parties hereto.

DATED this 23 day of JUNE, 2011.

Cody Land Development Corporation

By: Rick Patton  
Rick Patton, Chairman

STATE OF WYOMING)  
  )SS.  
COUNTY OF PARK )

The foregoing instrument was acknowledged before me by

Rick Patton, this 23 day of June, 2011.

WITNESS my hand and official seal.

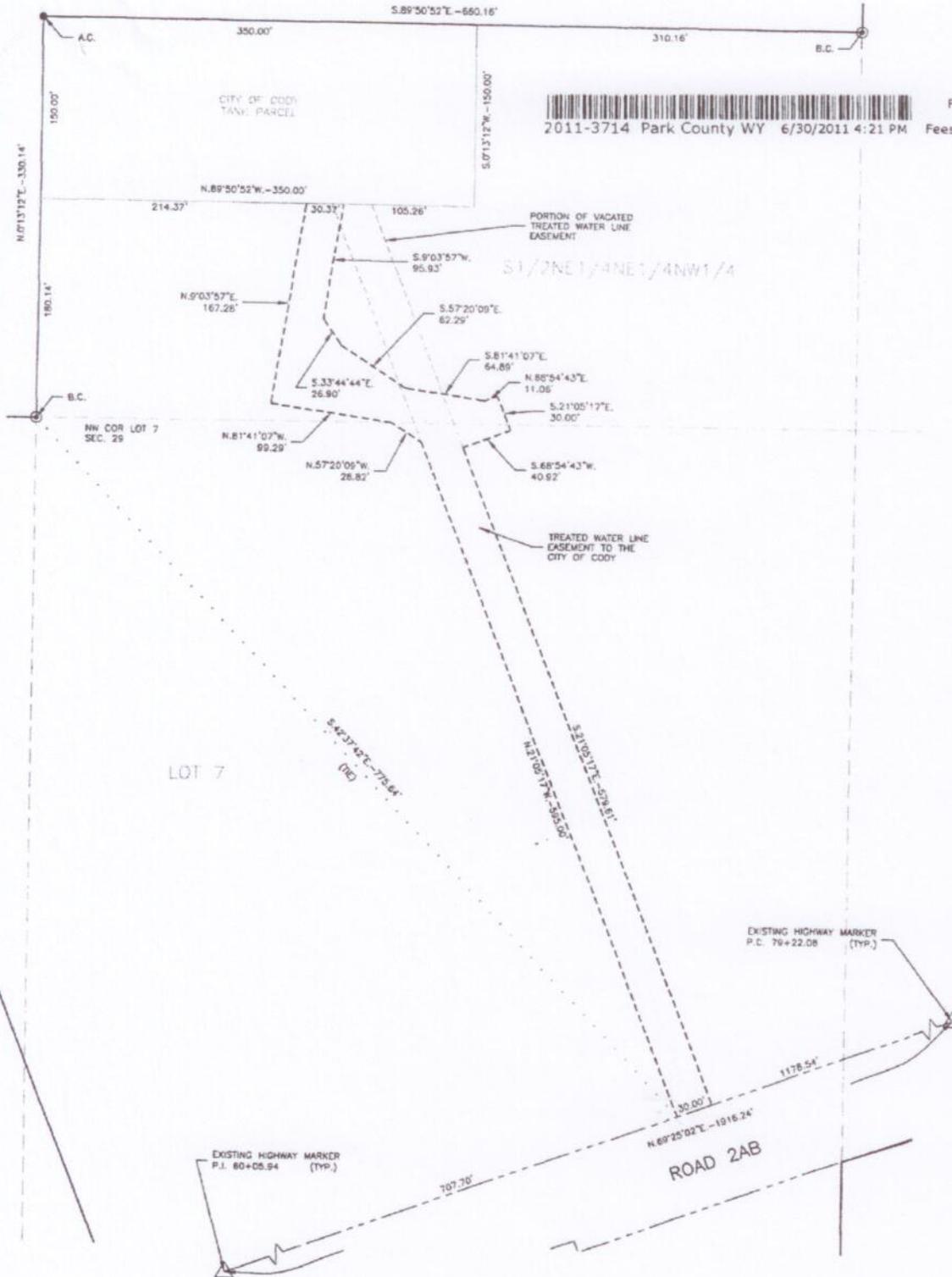


Patricia January

(S E A L)

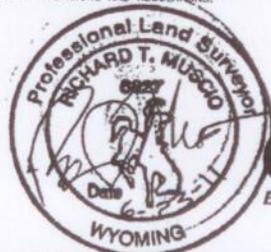
My commission Expires: April 8, 2013





CERTIFICATE OF SURVEYOR

I, RICHARD T. MUSCO, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS SURVEY AND EXHIBIT "A" WERE MADE BY ME OR UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH ALL STATE AND COUNTY STATUTORY PROVISIONS AND REGULATIONS.



GDA ENGINEERS

DATED THIS 23 DAY OF JUNE 2011.  
Wyoming Registration No. PLS 6827

SCALE = 1:100

EXHIBIT "B"

WITHIN

LOT 7 AND S1/2NE1/4NE1/4NW1/4

OF SECTION 29 RESURVEY

T.53N., R.101W., 6TH P.M.

PARK COUNTY, WYOMING.

CODY LAND DEVELOPMENT

PARK COUNTY, WYOMING

**ORDINANCE NO. 2014-01**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 1, SECTION 2 OF THE CODY CITY CODE - ADOPTION OF UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING:**

Section 1: Title 6, Chapter 1, Section 2 is hereby amended to provide as follows:

**6-1-2: ADOPTION OF UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS:**

Wyoming Statutes chapter 5, sections 31-5-101 through and including 31-5-1507, as amended, being the Uniform Act Regulating Traffic on Highways, are hereby adopted by reference and incorporated in this section as part of this code as fully as if completely set out in full herein. One copy of these provisions shall be kept at City Hall for examination and inspection by the public.

PASSED ON FIRST READING \_\_\_\_\_ February 4, 2014 \_\_\_\_\_.

PASSED ON SECOND READING \_\_\_\_\_ February 18, 2014 \_\_\_\_\_

PASSED ON THIRD AND FINAL READING \_\_\_\_\_

CITY OF CODY

\_\_\_\_\_  
Nancy Tia Brown, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia D. Baker  
Administrative Services Officer