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PROPOSED DRAFT

CROOK COUNTY
MINOR SUBDIVISION
REGULATION

Adopted by Resolution: August 3, 2009
Amended: March 3, 2015

27 CROOK COUNTY

28
29 MINOR SUBDIVISION

30
31 REGULATION

32 State of Wyoming

33 Amended: March 3, 2015

34
35
36
37 I certify that the attached is a true and correct copy of the Crook County Minor Subdivision
38 Regulation, Crook County, Wyoming adopted pursuant to and in accordance with the authority
39 vested in the Board of County Commissioners of Crook County by the statutes of the State of
40 Wyoming, Sections 18-5-301 through 18-5-318, and Sections 34-12-101 through 34-12-115, and
41 Sections 16-3-101 through 16-3-115, as amended.

42
43 This Crook County Minor Subdivision Regulation supersedes all other Minor Subdivision Rules and
44 Regulations previously filed.

45
46 Prior to adoption, this Minor Subdivision Regulation was made available for public inspection on the
47 13th day of January, 2015. A notice was also published in the Sundance Times, the Moorcroft Leader,
48 and the Wyoming Pioneer at least 45 days before this Minor Subdivision Regulation was adopted by
49 the Board of County Commissioners.

50
51 The attached Crook County Minor Subdivision Regulation is effective immediately upon filing with the
52 Crook County Clerk.

53
54 Signed this 3rd day of March, 2015.

55
56 CROOK COUNTY CLERK

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59 _____
60 Linda Fritz
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CHAPTER I
GENERAL PROVISIONS

Section 1. Title. This document shall be known, cited and referred to as the "Crook County Minor Subdivision Regulation".

Section 2. Authority. This regulation is adopted pursuant to, and in accordance with the authority vested in the Board of County Commissioners of Crook County by the Wyoming State Statutes, Sections 18-5-301 through 18-5-318, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

Section 3. Subdivision Permit Required. No person shall sell land subject to subdivision regulation under Wyoming State Statutes Title 18, Chapter 5, Article 3, record a plat or commence construction of a subdivision without first obtaining a Subdivision Permit pursuant to Wyoming State Statute 18-5-306 or, if applicable, Wyoming State Statute 18-5-316 from the Board of County Commissioners of Crook County, Wyoming. See Wyoming State Statute 18-5-304.

Section 4. Purpose. This Regulation is enacted for the purpose of implementing the Crook County Minor Subdivision Regulation by the establishment of requirements and procedures to regulate and control the design and layout of all minor subdivisions of land within the County, to ensure that they comply with all regulations and policies of Crook County and the following purposes:

- a. To establish standards and procedures for the protection of the common interests of the general public, the landowner and the applicant;
- b. To protect the character and value of lands throughout the County and minimize conflicts among the uses of lands;
- c. To provide for safe and adequate transportation systems, utilities and other public facilities;
- d. To establish adequate and accurate records of land subdivision;
- e. To encourage the use of innovative land planning and urban design techniques;
- f. To provide for proper drainage, domestic water supply and distribution, and sewage disposal systems;
- g. To give potential landowners alternative choices in the land sites they choose; and
- h. To comply with the Wyoming State Statutes, and Crook County Regulations.

45 **Section 5. Applicability.** This regulation shall apply to any division of land
46 consisting of five (5) lots or less, pursuant to Wyoming State Statutes 18-5-306 and 34-12-103,
47 that is within the unincorporated area of Crook County, Wyoming. A Minor Subdivision shall
48 not be permitted if the involved parcel was created through any other Crook County subdivision
49 process.

50
51 **Section 6. Exemptions.** Unless the method of sale or other disposition is adopted for
52 the purpose of evading the provisions of this regulation, this regulation shall not apply to the
53 following:

54
55 a. The division of land made outside of a platted subdivision for the purpose of a
56 single gift or sale to a member of the landowner’s immediate family, subject to the following
57 requirements:

58
59 (1) A member of the immediate family is limited to any person who is a natural
60 or adopted child, stepchild, spouse, sibling, grandchild, grandparent or parent of the landowner;
61 **and**

62
63 (2) The purpose of the division is to provide for the housing, business or
64 agricultural needs of the grantee; **and**

65
66 (3) The parcel created shall be titled in the name of the grantor for a period of
67 not less than five (5) years prior to the division and parcels created under this exemption shall be
68 titled in the name of the immediate family member for whom the division is made for a period of
69 not less than one (1) year unless such parcel is subject to involuntary transfer including, but not
70 limited to, foreclosure, death, judicial sale, condemnation or bankruptcy; **and**

71
72 (4) No parcel smaller than five (5) acres created under this exemption shall be
73 further divided unless the owner obtains a proper subdivision permit; **and**

74
75 (5) Where the landowner is a corporation and eighty percent (80%) of the
76 shares are held by individuals related by blood or marriage, the sale or gift may be made subject to
77 the provisions of this section to an immediate family member of any shareholder who has owned
78 at least five percent (5%) of the outstanding shares for at least five (5) years continuously before
79 the date of the sale or gift.

80
81 b. The division of land created by any court of this State pursuant to the law of
82 eminent domain, by operation of law or by order of any court in the State.

83
84 c. The division of land created by a lien, mortgage, deed of trust or any other security
85 instrument, easements and rights-of-way.

86
87 d. The division of land concerns lands located within incorporated cities and towns.
88

89 e. The division of land created by the sale or other disposition of land to the State of
90 Wyoming or any political subdivision thereof.

91
92 f. The division of land affects railroad rights-of-way.

93
94 g. The division which is a sale or other disposition of land for agricultural purposes or
95 affects the alignment of property lines for agricultural purposes.

96
97 h. The division of land created by boundary line adjustments where the parcel subject
98 of the sale or other disposition is adjacent to and merged with other land owned by the grantee.

99
100 i. The division of land creates cemetery lots.

101
102 j. The division of land created by the acquisition of an interest in land in the name of
103 the husband and wife or other persons in joint tenancy or as tenants in common, and the interest
104 shall be deemed for purposes of the section as only one (1) interest.

105
106 k. The division of land creating a parcel five (5) acres or less for the purpose of
107 establishing unmanned communication facilities, compressor stations, metering stations, fiber
108 optic booster stations or similar unmanned facilities.

109
110 l. The division which creates a cluster development pursuant to and in accordance
111 with Wyoming State Statute Title 18, Chapter 5, Article 4.

112
113 m. The sale or other disposition of land where the parcels involved are thirty five (35)
114 acres or larger and meets the following requirements:

115
116 (1) Ingress and egress and utility easements are provided to each parcel by
117 binding and recordable easements of not less than forty feet (40') nor more than sixty feet (60') in
118 width to a public road; **OR**

119
120 (2) The Buyer, Grantee, or Transferee, in a binding and recordable document,
121 specifically waives the above.

122
123 n. The transfer of ownership is not a further division of land; merely the transfer of
124 land that was previously divided.

125
126 o. The Transferor of property, claiming exemption under this section, shall complete
127 and record in the Office of the County Clerk an Affidavit stating which of the above exemption(s)
128 apply. Any division of land that is not exempt or does not comply with these rules may be subject
129 to criminal and civil penalties as provided by law.

130
131 **Section 7. Definitions.** For the purpose of this regulation, the present tense shall
132 include the future tense, the singular member includes the plural member, and the plural member

133 includes the singular member. For the purpose of interpreting this regulation, the following
134 definitions shall apply:

135

136 a. **Applicant.** A natural person, firm, corporation, partnership, association,
137 developer, owner, or any combination thereof, that completes and submits a Crook County,
138 Wyoming Subdivision Application, including all supporting materials and fees to the Crook
139 County Growth & Development Department.

140

141 b. **Application.** A complete Crook County, Wyoming Subdivision Application form,
142 all supporting materials, applicable fees and any other such forms as determined, after they are
143 received and verified as complete by the Crook County Growth & Development Department.

144

145 c. **Attorney's Title Opinion.** An Attorney's Title Opinion shall set forth at a
146 minimum the following:

147

148 (1) The legal description including the acreage of the Minor Subdivision being
149 created by this Application process;

150

151 (2) The names, mailing addresses and County Clerk's recording information of
152 the legal owners, lien holders, encumbrances, easements and other interest holders of the Minor
153 Subdivision being created by this Application process; and

154

155 (3) The County Clerk's recording information, if any, and legal status of access
156 to the Minor Subdivision being created by this Application process.

157

158 d. **Board.** The Board of County Commissioners of Crook County, Wyoming.

159

160 e. **CCNRD.** The Crook County Natural Resource District.

161

162 f. **Commission.** The Crook County Land Use Planning & Zoning Commission.

163

164 g. **County.** Crook County, Wyoming.

165

166 h. **County Road.** A public road or highway established in accordance with
167 Wyoming State Statute 24-3-101, et seq., and 24-1-101, et seq. A County Road is managed and
168 maintained by the County at the discretion of the Board of County Commissioners. All public
169 roads are not necessarily county roads.

170

171 i. **Cul-de-sac.** A public street having one end connected to a public street and being
172 terminated by a vehicle turnaround at its other end.

173

174 j. **Department.** The Crook County Growth & Development Department.

175

176 k. **Developer.** A natural person, firm, corporation, partnership, association, any
177 combination of that makes a unit of land suitable for a specific use or purpose.

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l. **Drainage easement.** A land area defined by a survey and recorded on a plat, set aside to accommodate the calculated and approved flow or storage of storm waters and kept free of unapproved structures or other impediments.

m. **Easement.** A grant, by the property owner to the public, a corporation, or persons, for the use of land area for specific purposes and which takes priority over other uses of the land.

n. **Encumbrance.** A mortgage, lien (including liens for labor and materials) or record securing, or evidencing, indebtedness affecting land to be subdivided. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.

o. **Licensee.** A person who has been granted a license ("Professional Engineer"; "Professional Land Surveyor"; or "Professional Engineer & Land Surveyor") pursuant to Wyoming State Statutes 33-29-201 through 33-29-801.

p. **Lot / Tract.** A defined and numbered or lettered parcel of land intended as a unit for transfer of ownership or development.

q. **Lot Line.** A surveyed line that extends to an abutting street, road or property boundary line.

r. **Lot Depth.** The horizontal distance between the front and rear boundaries.

s. **Minor Subdivision Checklist.** List of items required for a complete subdivision application, Checklist shall be prepared by and available from Department.

t. **Owner or Proprietor.** Any natural person, partnership, corporation, firm, association or any combination of the above having a legal or equitable interest in land.

u. **Person.** A natural person, firm, corporation, partnership, association, any combination of the above or any other legal entity.

v. **Plat.** A drawing prepared in accordance with the Crook County Minor Subdivision Regulation.

w. **Public Road.** A public thoroughfare established by dedication, or as a County Road. A public road not established as a County Road is not maintained by the County nor is it a County Road.

x. **Resubdivision.** The changing of any lot or lot boundaries, any public streets, roads or other changes, of the subdivision plat recorded in the office of the County Clerk.

223 y. **Sketch Plat.** A general concept plat, usually hand drawn for the purpose of
224 facilitating staff review to identify potential problems prior to incurring the expense of preparing a
225 plat.
226

227 z. **Sell or sale.** Includes sale as evidenced by the delivery of a deed, contract for
228 deed, lease, assignment, auction or award by lottery concerning a subdivision, or any part of a
229 subdivision. “Sell” or “sale” does not include a contract to sell which is expressly contingent
230 upon the recording of the final plat by the county clerk, if all funds paid by the buyer under the
231 contract are escrowed with a financial institution located in this state or a title company licensed
232 to do business in this state until the final plat is recorded and the seller tenders the deed or the
233 contract to sell is cancelled or the buyer and seller agree otherwise in writing.
234

235 aa. **Street.** A strip of land connecting two destinations commonly referred to as street
236 in urban areas and a road in rural areas.
237

238 bb. **Subdivider.** Any person who lays out any subdivision, or parts thereof, either
239 for the account of the subdivider or others.
240

241 cc. **Subdivision.** The creation or division of a lot, tract, parcel or other unit of land
242 for the immediate or future, purpose of sale, building development or redevelopment, for
243 residential, recreational, industrial, commercial or public uses. The word “subdivide” or any
244 derivative thereof shall have reference to the term subdivision, including mobile home courts, the
245 creation of which constitutes a subdivision of land.
246

247 dd. **Water Supply System.** Includes development of the source and all structures for
248 conveyance of raw water to the treatment plant or delivery systems; all water treatment plants
249 including disinfection facilities; water supply systems used for irrigation and stock water; and all
250 finished water delivery systems including pipelines, pumping stations and finished water storage
251 facilities.
252

253 **CHAPTER II**
254 **PROCEDURES AND REQUIREMENTS FOR PLATTING**
255

256 **Section 1. Application Procedure.** The procedure for processing a Crook County
257 Minor Subdivision Application shall be as follows, to-wit:
258

259 a. The applicant shall determine, if the parcel is subject to Wyoming State Statutes
260 and this Regulation and if the parcel qualifies as a Minor Subdivision.
261

262 b. The applicant should, but is not required to submit a sketch plat and other
263 documents to Department staff for their review. The Department may determine during this
264 review what Wyoming State Statutes, County regulations and policies apply and provide an oral
265 or written report. This report is non-binding and is not a final decision on the matter.
266

267 c. The applicant shall use forms provided by the Department.

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d. The applicant may request a continuance at any time, but shall be liable for any costs caused by the continuance.

e. The applicant shall submit a complete subdivision application that fulfills the requirements as described in this regulation or other County regulations and policies or as required by state law to the Department together with all supporting materials as set forth in this regulation.

f. The Department shall review the application by comparing it to the Minor Subdivision checklist at the time of submittal to determine if the application is complete or incomplete.

(1) A complete application only means that the requirements of the Minor Subdivision check list has been provided to the Department; it does not approve their adequacy.

g. If the application is found to be incomplete it shall not be accepted by the Department.

h. If the application is found to be complete it shall be accepted by the Department for further review and the fees processed.

i. Once the application has been accepted; the Department shall send a copy of the application and supporting documentation to the CCNRD and Crook County Fire Warden within three (3) business days and review the application within fifteen (15) business days of being received by the Department.

j. After the fifteen (15) day review time has expired; and the CCNRD soils report and Crook County Fire Warden’s written report has been received; the Department shall prepare a written report and set the application for a review hearing with the Commission. The hearing shall occur after a minimum of fifteen (15) day notice can be, or has been given to record area landowners on file with the County Assessor’s office that own property within ¼ mile of the boundary of the property being subdivided at the next regularly scheduled meeting.

k. The Department shall send notice of the review hearing with the Commission by first class mail to record area landowners on file with the County Assessor’s office that own property within ¼ mile of the boundary of the property being subdivided. If an area landowner is not notified that is cause for the Commission to continue the hearing.

l. The applicant shall publish notice of the review hearing with the Commission for one week, within 21 days of and at least 10 days prior to the scheduled hearing, in the official newspaper of Crook County and the official newspaper of the town nearest to the Minor Subdivision. The newspaper notice shall include the name of the applicant, the legal description and the name of the proposed subdivision, the date, time and location of the hearing.

313 m. If any part of the applicant's proposed subdivision lies within one (1) mile of the
314 boundary of an incorporated city or town the application shall be submitted to both the
315 municipality and county concurrently; the approval by the governing bodies must be obtained in
316 accordance with Wyoming State Statutes 18-5-308 (b) and 34-12-103. The Commission will
317 request that the municipality's commission have a joint review hearing; however the applicant is
318 responsible for complying with any law, rule, or regulation of the municipality.

319
320 n. The Commission shall review the application, the Department's written report,
321 any written comments; hear from the Department, landowners, and public; and consider any
322 variances requested or other matters they deem appropriate. The applicant must appear at the
323 review hearing.

324
325 o. The Commission shall make and prepare a written recommendation to the Board
326 to approve, deny, grant a variance, or table the application. The Commission can take no final
327 action.

328
329 p. After the Commission has made its written recommendation, the Department shall
330 set the application for a final hearing with the Board at the Board's next regularly scheduled
331 meeting. Provided that a minimum of fifteen (15) day notice can be; or has been given to record
332 area landowners on file with the County Assessor's office that own property within ¼ mile of the
333 boundary of the property being subdivided. The applicant must appear at the final hearing.

334
335 q. The Department shall send written notice of the final hearing with the Board by
336 first class mail to record area landowners on file with the County Assessor's office that own
337 property within ¼ mile of the boundary of the property being subdivided. . If a record area
338 landowner is not notified that is just cause for the Board to continue the final hearing to a later
339 date.

340
341 r. The applicant shall publish notice of the final hearing with the Board for one week,
342 within 21 days of and at least 10 days prior to the scheduled hearing, in the official newspaper of
343 Crook County and the official newspaper of the town nearest to the Minor Subdivision. The
344 newspaper notice shall include the name of the applicant, the legal description and the name of the
345 proposed subdivision, the date, time and location of the hearing.

346
347 s. The Board shall review the application, the Commissions written recommendation,
348 the Department's written report, review any written comments; hear from the Commission, the
349 Department, landowners, and public; and consider any other matters they deem appropriate at the
350 final hearing.

351
352 t. The Board shall then vote to approve, deny or table the application and then
353 prepare and enter a final order if approved. The applicant must appear at the final hearing.

354
355 u. Upon approval and recordation of the subdivision plat the applicant shall erect and
356 maintain at all entrances to the subdivision; signs notifying the public that a disclosure statement is
357 available at the County Clerk's office.

358
359 (1) Signs shall be two (2) feet tall by four (4) feet wide, good quality metal and
360 shall be white letters on a green background. Signs shall be legible to the average person from a
361 distance of 200 feet and shall be placed in a location easily visible to the public at a height of six
362 (6) feet to the bottom of the sign.

363
364 (2) Physical location and variations from the following standard sign shall be
365 subject to the approval of the Department. The standard sign shall be posted at all entrances to the
366 subdivision and shall state the following verbatim:

367
368 **NOTICE**
369 **PROSPECTIVE BUYERS SHOULD OBTAIN A DISCLOSURE**
370 **STATEMENT FROM THE CROOK COUNTY CLERK'S OFFICE, PRIOR**
371 **TO PURCHASE.**
372

373 (3) Signs shall be purchased or constructed, erected and maintained by the
374 applicant for a period of four years after acceptable completion of construction of the
375 development or until all lots have been sold, whichever comes first.

376
377 **Section 2. Application Requirements.** Supporting material for Minor Subdivision
378 Applications shall include all of the following documents and information:

- 379 a. Subdivision Application Form.
380
381 b. Application Fees. (See Chapter III, Section 3.)
382
383 c. One (1) paper copy to scale, a PDF file (Portable Document Format) of the draft
384 subdivision Plat and a digital shapefile of the proposed subdivision.
385
386

387 (1) This shapefile shall be geo-referenced in NAD 1983, State Plane Wyoming
388 East FIPS 4901 (US Feet).

389
390 (2) The original mylar of the final plat shall not be prepared until directed to do
391 so by the department.

392
393 (a) This mylar final plat with the required changes and appropriate
394 signatures shall be provided to the Department five (5) business days prior to the final hearing
395 with the Board.

396
397 d. An Attorney's Title Opinion.

398
399 e. The written review and recommendations from the Crook County Natural
400 Resource District (CCNRD) regarding soil suitability, erosion control, sedimentation and flooding
401 problems as required by Wyoming State Statute 18-5-306(b), which is provided to the
402 Department directly by CCNRD.

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f. Copies of transmittal letters or other evidence showing that the applicant has delivered and/or mailed copies of the Plat, to all the utility companies, (electric, telephone, gas, etc.) the appropriate post office and school district that may provide services to the proposed subdivision.

g. A draft of a contract between the applicant and the Board contracting to construct all road(s) and/or street(s) within, and to the proposed subdivision from a county road, state or federal highway to meet or exceed the design described in Chapter II, Section 3., k.

h. Letter of Credit, for 200% of a Wyoming licensed Engineer's estimated cost of the road(s) and/or street(s) construction project.

i. A draft of the proposed covenants for the intended use of the property for the next 20 years, as required by Wyoming State Statute 18-5-306 (a) (xii).

j. A disclosure statement that clearly and concisely describes all the facts related to the following items:

- (1) A complete and accurate legal description and name of the subdivision.
- (2) Street construction, maintenance and snow removal.
- (3) Water supply - Statement to define financial and maintenance responsibility. All sources developed on the property shall be permitted and registered with the Wyoming State Engineer's Office.
- (4) Sewage disposal - Statement to define financial and maintenance responsibility. All Sewage Disposal systems shall be designed, permitted, and constructed on the property as regulated by the Wyoming Department of Environmental Quality and Crook County.
- (5) Restrictive covenants - where copies are available and describe how they are enforced.
- (6) Association fees - should be listed and described as to allocations of funds, penalties for non-payment, procedure for change in fees.
- (7) Garbage disposal - statement to define financial and physical responsibilities.
- (8) Electricity - statement to define financial responsibility for construction and connections.
- (9) Telephone company construction charge - statement to define financial responsibility.

- 448
449 (10) Cable TV charges - statement to define financial responsibilities.
450
451 (11) Street and traffic control signs and devices - statements to define
452 construction and maintenance responsibilities.
453
454 (12) Street lighting - define construction and maintenance responsibilities.
455
456 (13) Culverts, Drainage - define construction and maintenance responsibilities.
457
458 (14) Zoning - status within subdivision and surrounding area.
459
460 (15) Fire protection - status and description.
461
462 (16) Building Codes - statues of applicable codes which apply to construction
463 within the subdivision.
464
465 (17) Postal Service - define level of service and responsibility of homeowner and
466 developer as concerns mailbox construction, location and maintenance. Provide reference to the
467 Crook County Policy on Mailboxes within County Road Right of Ways.
468
469 (18) School - define school location for each age group through high school,
470 bus pickup locations and schedules, and parental responsibility for transportation. School district
471 may make changes from time to time.
472
473 (19) The Crook County Natural Resource District Review and
474 Recommendations.
475
476 (20) Noxious weeds and pests management program.
477
478 (21) Potential safety or health hazards.
479
480 k. Written variance request as described in Chapter III, Section 4; if applicable.
481

482 **Section 3. Design, Engineering and Surveying Standards.** All Minor Subdivisions
483 must comply with the following:
484

485 a. No lots, tracts, parcels or units of divided land shall be created that is less than five
486 (5) acres in size, nor shall any lot, tract, parcel or unit of divided land created by a minor
487 subdivision be further divided, or resubdivided.
488

489 b. The subdivision name shall be approved by the Department and shall not duplicate,
490 nor closely resemble, another subdivision name already used; except for a phased subdivision.
491

492 c. The proposed street and/or road names shall be approved by the Crook County
493 911 Addressing Coordinator and shall not duplicate, nor closely resemble, another name already
494 used; except for a phased subdivision or an extension of an existing platted street or road.
495

496 d. The subdividing of land shall provide each lot with legal access to an approved
497 public or private road within the subdivision, which shall not be a County Road.
498

499 e. All accesses to a public road shall be 90 degrees to the public road with a sight
500 distance of no less than 500 feet and shall have an Access Permit approved by Crook County
501 Road & Bridge if access is from a county road or the Wyoming Department of Transportation if
502 access is from a State or Federal highway.
503

504 f. The depth to front ratio of the lot shall not exceed 3 to 1. An average lot depth
505 shall be determined for irregularly shaped lots.
506

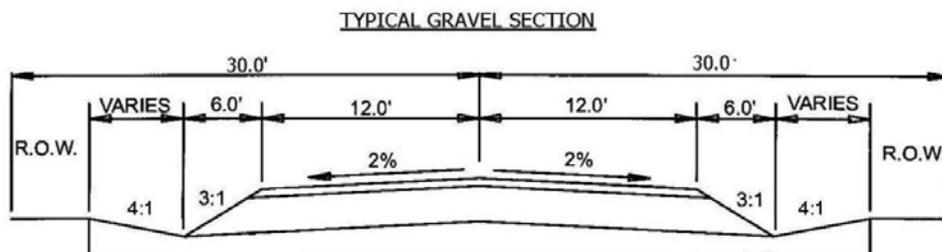
507 g. If the proposed subdivision abuts or is adjacent to a County Road easement the
508 applicant shall provide by platting and dedication to the public additional road right-of-way
509 resulting in a 50 foot easement when measured at a right angle from the existing right-of-way
510 centerline.
511

512 h. If the proposed subdivision is divided or intersected by a County Road easement
513 the applicant shall provide by platting and dedication to the public additional road right-of-way
514 resulting in a 100 foot easement being 50 feet on each side of the existing right-of-way centerline
515 when measured at a right angle.
516

517 i. When a subdivision abuts a major highway, county road, or street a service road(s)
518 or street(s) shall be required. Individual lots shall not be permitted to have direct access to major
519 highways, county roads, or arterial streets.
520

521 j. The surface top of the cul-de-sac bulb shall be a 45-foot radius to allow for
522 grading and ditches within the surveyed and platted right-of-way.
523

524 k. Streets and roads shall have a 24 foot surface top with a minimum 2% cross
525 sectional slope and surfaced with a minimum of six inches (6") of Base Coarse material, or better,
526 providing year around access for emergency vehicles. (See Typical Gravel Section below)
527
528



529 l. All subdivisions shall provide an access and utility easement which provides access
530 to adjacent properties. This access shall be a minimum of 60 feet in width and shall be placed
531 such that it can reasonably be constructed upon the terrain. The developer will not be required to
532 construct any portion of the access which does not provide access to a lot or tract within the
533 subdivision.
534

535 m. Utility easements shall be a minimum of ten feet (10') in width on each side of all
536 lot lines within the subdivision. On the subdivision's exterior perimeter boundary, a minimum
537 twenty foot (20') wide utility easement shall be provided. Other necessary utility easements within
538 the subdivision shall be a minimum of twenty feet (20') in width.
539

540 n. The subdivision boundary and each lot corner shall be monumented with a
541 permanent monument that complies with the current applicable sections of the State of Wyoming
542 Board of Professional Engineers and Professional Land Surveyors Rules and Regulations filed
543 with the Wyoming Secretary of State.
544

545 o. Prior to recording the Plat, the surveyor of the minor subdivision shall submit
546 evidence that certified land corner recordation certificates, as applicable, have been recorded in
547 the office of the County Clerk in accordance with Wyoming State Statute, 36-11-101 et. seq.
548

549 **Section 4. Plat Requirements.** A Minor Subdivision Plat shall comply with; and
550 shall include the following:
551

552 a. The plat shall be prepared and certification made as to its accuracy by a registered
553 land surveyor licensed in the State of Wyoming.
554

555 b. The Plat shall be clear, legible and measure 24 inches x 36 inches.
556

557 c. North shall be at the top of the Plat.
558

559 d. A Plat title located at the top center of the Plat to include the subdivision name and
560 subdivision location (township, range, section, quarter section).
561

562 e. The scale of the Plat shall be no less than 1.00 inch = 200.00 feet.
563

564 f. A complete and accurate legal description of the parcel to be subdivided.
565

566 g. A vicinity map that shall show the location of the subdivision of land, the total
567 owned parcel from which the Minor Subdivision of land is being severed, the township, range,
568 section and quarter section, the name(s) and location(s) of all subdivisions within a one mile of the
569 Minor Subdivision boundaries and all existing public roads by name and number.
570

571 h. A title box shall be placed in the lower right hand corner of all plat sheets,
572 containing the company name, mailing address, telephone number of the preparer; subdivision
573 name, subdivision location (township, range, section, quarter section), preparation date, submittal

574 date, revision date, sheet number and scale. The outer perimeter of the title box shall be of a
575 medium weight solid line.

576
577 i. The name, telephone number, physical and mailing address of the landowner.

578
579 j. A legend that defines the line symbology and all monuments set and found
580 depicted in the Plat.

581
582 k. An identification system for all lots, tracts, parcels or units of divided land
583 positioned in the center of each.

584
585 l. The area of each lot, tract, parcel or units of divided land labeled in acres
586 positioned in the center of each.

587
588 m. Perimeter lines shall be accurate related by distance and bearings to established
589 roads or street lines or 1/16 section corners, and closure shall be at least one foot to 5,000 feet or
590 less.

591
592 n. Lot lines shall show dimensions in feet and hundredths of feet.

593
594 o. Accurate angular and lineal dimensions for all lines, angles, and curves used to
595 describe boundaries, roads, streets, utility and drainage easements (existing & proposed) and
596 areas to be reserved for public use and other important features.

597
598 p. True angles and distances to the nearest established road or street lines, or official
599 monuments shall be accurately described on the plat and shown by appropriate symbols.

600
601 q. Radii, internal angles, points and curvatures, tangent bearings and the lengths of all
602 arcs shall be shown.

603
604 r. Accurate boundaries and legal descriptions of all easements, the area to be
605 dedicated for public use, with the purpose indicated thereon, and of any area to be reserved by
606 deed or covenants for the common use of all property owners shall be recorded on the plat.

607
608 s. All easements and encumbrances that affect the total subdivision shall be shown,
609 together with the recording information, and dedicated rights-of-ways to the subdivision.

610
611 t. The statement "**NO PARCEL, LOT, TRACT OR SUBDIVISION OF LAND**
612 **CREATED BY A MINOR SUBDIVISION SHALL BE FURTHER DIVIDED, OR**
613 **RESUBDIVIDED**" in bold capital letters placed in a conspicuous location.

614
615 u. The statement "**ACCESS IS PROVIDED BY A PLATTED PUBLIC OR**
616 **PRIVATE ROAD OR STREET; NO ACCESS SHALL BE PERMITTED BETWEEN**
617 **INDIVIDUAL LOTS AND MAJOR HIGHWAYS, COUNTY ROADS, OR ARTERIAL**
618 **STREETS**" in bold capital letters placed in a conspicuous location.

619
620 v. The statement "**NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM**"
621 in bold capital letters places in a conspicuous location; if no public sewage disposal system is
622 proposed by the applicant.

623
624 w. The statement "**NO PROPOSED DOMESTIC WATER SOURCE**" in bold
625 capital letters placed in a conspicuous location; if no domestic water source is proposed by the
626 applicant.

627
628 x. The statement "**NO PUBLIC MAINTENANCE OF STREETS OR ROADS**",
629 in bold capital letters placed in a conspicuous location; if no public maintenance for streets, alleys,
630 and roadways is proposed by the applicant.

631
632 y. The statement "**NO PROPOSED PUBLIC DISPOSAL OF GARBAGE**", in
633 bold capital letters placed in a conspicuous location; if no public garbage maintenance or disposal
634 is proposed by the applicant.

635
636 z. A legend on the plat and on all offers, contracts or agreements for the sale and
637 purchase of lots within the subdivision showing in bold capital letters "**THE SURFACE**
638 **ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND**
639 **EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE**" as required by Wyoming
640 State Statute 18-5-306 (d).

641
642 aa. Informational notes as required by the Department, Commission, or the Board.

643
644 bb. An imprint of the licensee's valid seal shall appear on original and non-original
645 copies, tracings or other documents, as required by Wyoming State Statute 33-29-801.

646
647 cc. A notarized certificate by all parties having any titled interest in or lien upon the
648 land, consenting to the recording of the Plat and the dedication of public ways, grounds and
649 easements. The certificate shall read:

650
651 The above and foregoing subdivision (*Herein insert a correct description of the land or parcel*
652 *subdivided*) as appears on this plat, is with free consent, and in accordance with the desires of the
653 undersigned owners and proprietors; containing (*Acreage to nearest one-hundredth acre*)
654 _____ acres more or less; have by these presents laid out, and surveyed as (*Subdivision's name*),
655 and do hereby dedicate and convey to and for the public use forever hereafter the roads as are laid
656 out and designated on this plat; and do also reserve perpetual easements for the installation and
657 maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on
658 this plat hereby releasing and waiving all Homestead Rights.

659
660 Executed this _____ day of _____, _____.

661
662 By: _____,
663

664 _____
665 (Designation of interest: Owner, mortgagee, lien holder, etc.)

666
667 State of Wyoming)

668 :ss.

669 County of Crook)

670
671 This instrument was acknowledged before me on _____
672 Date

673
674 by _____
675 Name of Person

676
677
678 _____
679 Signature of Notarial Officer

680
681 (Seal)

682
683 _____
684 Title and Rank

685
686
687 My commission expires: _____
688 **OR**

689
690 State of Wyoming)

691 :ss.

692 County of Crook)

693
694 This instrument was acknowledged before me on _____
695 Date

696
697 by _____
698 Name(s) of Person(s)

699
700 as _____
701 Type of Authority-officer(s), director(s), trustee(s), etc.

702
703
704 _____
705 Signature of Notarial Officer

706
707 (Seal)

708
709 _____
710 Title and Rank

711
712

713 My commission expires: _____

714

715 dd. Certificate of approval by an incorporated city or town within one mile of the
716 subdivision as follows:

717

718 Plat approved by the (*City or Town*) Council of (*Name of City or Town*) this _____ day of
719 _____, _____.

720

721 _____

722 Mayor

723

724 _____

725 Council Member

_____ Council Member

726

727 _____

728 Council Member

_____ Council Member

729

730 State of Wyoming)

731 :ss.

732 County of Crook)

733

734 This instrument was acknowledged before me on _____

735 Date

736

737 by _____

738 Name(s) of Person(s)

739

740 as _____

741 Type of Authority-officer(s), director(s), trustee(s), etc.

742

743

744 _____

745 Signature of Notarial Officer

746

747 (Seal)

748

749 _____

750 Title and Rank

751

752

753 My commission expires: _____

754

755

756 ee. Certificate of approval by the Crook County Land Use Planning & Zoning
757 Commission of Crook County, Wyoming as follows:

758

759 Plat approved by the Crook County Land Use Planning & Zoning Commission of Crook County,
760 Wyoming, this _____ day of _____, _____.

761 _____
762
763 Chairman

764 _____
765
766 Vice Chairman

767 State of Wyoming)
768 :ss.
769 County of Crook)

771 This instrument was acknowledged before me on _____
772
773 Date

774
775 by _____
776 Name(s) of Person(s)

777
778 as _____
779 Type of Authority-officer(s), director(s), trustee(s), etc.

780
781
782 _____
783 Signature of Notarial Officer

784
785 (Seal)
786
787 _____
788 Title and Rank

789
790
791 My commission expires: _____
792

793 ff. Certificate of approval by the Board of County Commissioners of Crook County,
794 Wyoming as follows:

795
796 Plat approved by the Board of County Commissioners of Crook County, Wyoming, this _____
797 day of _____, _____.

798
799 _____
800 Chairman

801
802 _____
803 Vice Chairman

804
805 _____

806 Member
807
808 State of Wyoming)
809 :ss.
810 County of Crook)
811

812 This instrument was acknowledged before me on _____
813 Date

814
815 by _____
816 Name(s) of Person(s)

817
818 as _____
819 Type of Authority-officer(s), director(s), trustee(s), etc.
820

821
822 _____
823 Signature of Notarial Officer
824

825 (Seal)

826
827 _____
828 Title and Rank
829

830
831 My commission expires: _____
832

833 gg. Certificate of recording by the County Clerk and Recorder as follows:

834
835 State of Wyoming)
836 :ss.
837 County of Crook)
838

839 I hereby certify that this plat was filed for record in my office at _____ o'clock this _____
840 day of _____, _____, and recorded at File No. _____, and Map No. _____
841 _____.

842
843 _____
844 County Clerk
845

846 hh. All required signature blocks shall be arranged upon the face of the plat such that
847 those requiring a stamp or seal are near the bottom or right edge of the sheet for ease of applying
848 an impression seal.

849
850 **Section 5. Access and Improvements.** All subdivisions of land shall have ingress and
851 egress easements, of at least sixty (60) feet in width to a dedicated, and publicly maintained
852 (Federal, State or County) roads, plus utility easements of not less than twenty (20) feet in width.

853 These easements shall be legally established and recorded providing access and utility easement
854 service to each lot, and the same shall be for the benefit of all the land divided and any and all
855 persons acquiring ownership of property within the divided land. Said easement shall be surveyed,
856 and perpetual, in addition to the requirements of Wyoming State Statute 34-1-141 and
857 appurtenant to the land.
858

859 **Section 6. Recording.** Upon approval by the Board the applicant shall record the
860 Order Approving Subdivision, the Plat, the Declaration of Covenants, Conditions and
861 Restrictions, the Disclosure Statement, and any other items referred to in the Disclosure
862 Statement that is not otherwise recorded in the County Clerk’s Office.
863

864 **Section 7. Final Digital File.** Upon approval by the Board; and recording of the Plat
865 in the County Clerk’s Office the applicant shall provide the Department with a digital shapefile of
866 the approved and recorded Minor Subdivision. This shapefile shall be geo-referenced in NAD
867 1983, State Plane Wyoming East FIPS 4901 (US Feet).
868

869 **Section 8. Corrected Plats.** If, after the approval and recording of a subdivision plat,
870 errors are found in the language or numbers on the recorded plat, the applicant shall submit a
871 properly signed, corrected or revised original mylar with the Department. The plat shall be noted
872 CORRECTED PLAT under the name of the subdivision. Notations shall be made on the face of
873 the plat listing all corrections made and the file and map numbers where the original plat was
874 recorded. The Department shall review the plat for correctness, and the applicant shall secure all
875 signatures, other than the public officials, on the corrected plat, and present the plat to the Board
876 for the reaffirmation of their approval and to the County Clerk for recording. The proper legal
877 instrument vacating the original plat shall be submitted for recordation in the Office of the County
878 Clerk prior to, or at the time of, recording the corrected plat. If there are only minor corrections
879 needed and the Department approves an “Affidavit affecting Real Property” pursuant to Wyoming
880 State Statute 34-11-101 then those minor corrections may be made.
881

882 **Section 9. Required Findings.** Before the Commission recommends action on a
883 Minor Subdivision Plat and before the Board takes action on a Minor Subdivision Plat, the
884 following findings shall be made:
885

886 a. The proposed Minor Subdivision conforms to all applicable rules and regulations
887 adopted by Crook County.
888

889 b. The proposed Minor Subdivision does not interfere with existing agricultural water
890 rights.
891

892 c. The proposed Minor Subdivision is adequate, suitable and safe for the construction
893 and operation of on-site waste water disposal systems, and small waste water treatment facilities.
894

895 d. The proposed Minor Subdivision can provide a water source that is of an adequate
896 amount and of good quality for each lot.
897

898 e. The proposed Minor Subdivision has provided an adequate garbage disposal plan.

899
900 f. The proposed Minor Subdivision has provided an adequate noxious weed and pest
901 management plan.

902
903 g. The proposed Minor Subdivision complies with all easement requirements.
904

905 **CHAPTER III**
906 **ADMINISTRATION AND ENFORCEMENT**

907
908 **Section 1. Administration.** This regulation shall be administered by the Department
909 or any other agency as designated by the Board.

910
911 a. All plats submitted to the Board shall first have been examined by the Department
912 and the Commission in accordance with the procedures established by this regulation.
913

914 **Section 2. Approval by City or Town.** Pursuant to the provisions of Wyoming State
915 Statutes 34-12-103 and 18-5-308(b), if any part of the subdivision lies within one (1) mile of the
916 boundaries of an incorporated city or town, the approval of the by governing body of the city or
917 town must also be obtained in accordance with Wyoming State Statute 34-12-103.
918

919 a. If any provision of these rules and regulations are in conflict with any requirement
920 of an incorporated city or town for which joint approval is necessary under the provisions of
921 Wyoming State Statute 34-12-103 and 18-5-308(b), then the more restrictive provision shall
922 apply.
923

924 **Section 3. Fees.** The Minor Subdivision Fee shall be two hundred dollars \$200.00 for
925 each division of land plus a Fire Fee of two hundred dollars \$200.00 for each division of land that
926 is to be paid to the Crook County Treasurer. There is also a one hundred dollar \$100.00 fee for
927 the Crook County Natural Resource District review and recommendations regarding soil
928 suitability, erosion control, sedimentation and flooding problems for each division of land. These
929 fees are nonrefundable and shall be submitted with the application in two (2) separate checks; the
930 applicant shall be responsible for any additional fees associated with the application review.
931

932 a. The recording fees are set by Wyoming State Statutes and are payable to the
933 Crook County Clerk. The recording fees shall be paid at the time of subdivision approval by the
934 Board.
935

936 **Section 4. Variance.** Should an applicant clearly demonstrate, by evidence
937 satisfactory to the Board that a variance is warranted because of peculiar physical conditions
938 pertaining to his land, the literal enforcement of one or more sections of this Regulation, or
939 minimum standards, is impractical or will cause undue hardship. The Board may grant such
940 variance(s) as may be reasonable and within the general purpose and standards established by this
941 Regulation.
942

943 a. If the applicant requests a variance from any specific requirement(s) of this
944 regulation; the applicant must submit the request to the Department at the time the application is
945 submitted in writing addressed to the Board of County Commissioners.

946
947 b. The written request shall thoroughly document the precise section(s) of the
948 Regulation to be varied providing detailed reasoning why the variance is requested and the
949 consequences of non-approval of the variance.

950
951 c. Financial hardship shall not constitute a justification for variance approval.

952
953 d. The Board will take action on the request upon the recommendation from the
954 Commission.

955
956 **Section 5. Resubdivision.** The process for a resubdivision shall follow the same
957 requirements as a new subdivision.

958
959 **Section 6. Vacations.** The owners, lien holders or proprietors thereof may vacate any
960 plat at any time before the sale of any lots therein, by submitting a copy of the plat along with a
961 Crook County Vacation of Minor Subdivision Plat Petition to the Department. In cases where
962 lots have been sold, all owners of the lots within the subdivision shall submit Crook County
963 Vacation of Minor Subdivision Plat Petitions.

964
965 a. When a Crook County Vacation of Minor Subdivision Plat Petition is submitted,
966 the Department shall schedule a public hearing with the Commission. The Department shall send
967 written notice of the hearing with the Commission by first class mail to record area landowners on
968 file with the County Assessor's office on the date the application is filed that own property within
969 ¼ mile of the boundary of the property being subdivided. The applicant shall advertise their intent
970 to apply for a vacation of a Minor Subdivision plat for one week, within 21 days of and at least 10
971 days prior to the scheduled hearing, in the official newspaper of Crook County and the official
972 newspaper of the town nearest to the Minor Subdivision. The newspaper notice shall include the
973 name of the applicant, the legal description and the name of the proposed subdivision, the date,
974 time and location of the hearing.

975
976 b. The Commission shall make a recommendation on the vacation to the Board who
977 shall either approve or disapprove the vacation. No plat or portion thereof for which a
978 subdivision permit has been obtained pursuant to Wyoming State Statute 18-5-304 shall be
979 vacated as herein provided without the approval of the Board. The recording of an instrument
980 vacating the plat shall operate to destroy the force and effect of the recording of the original plat
981 and divest all public rights in the public grounds laid out or described in such plat.

982
983 c. Streets and roads platted and laid out under the provisions of this regulation or laid
984 out under any prior law of the State of Wyoming regulating private plats may be altered or
985 vacated in the manner provided by Wyoming State Statute 24-3-101 et seq. for the alteration or
986 discontinuance of county roads.

987

988 d. Any part of a plat may be vacated under the provisions of this regulation, provided
989 such vacating does not abridge or destroy any of the rights or privileges of any other proprietors
990 in said plat and provided, further, that nothing contained in this section shall authorize the closing
991 or obstruction of any county roads, public highways, any easement or public road laid out
992 according to law. The request for vacation shall be made of all of the owners of lots within that
993 portion of the overall plat sought to be vacated.

994
995 e. When any part of a plat shall be vacated as aforesaid, public grounds shall be
996 assigned to all lots or parcels adjacent to the public area being vacated in equal proportions.

997
998 f. The County Clerk shall write in plain, legible letters across that part of said plat so
999 vacated, the word "VACATED" and also make a reference on the plat to the photo book and
1000 page in which the said instrument of vacation is recorded.

1001
1002 **Section 7. Appeals.** Any aggrieved parties shall appeal the decision of the
1003 Department or Commission within thirty (30) days to the Board, and appeal any decision of the
1004 Board to the 6th Judicial District Court in and for Crook County, Wyoming. All applicants shall
1005 exhaust their administrative remedies prior to appeal to the District Court.

1006
1007 **Section 8. Investigatory Powers; Wyoming State Statute 18-5-311.** If the Board
1008 has reason to believe that a person has engaged in activity which violates any provision of this
1009 article it shall make an investigation and may administer oaths or affirmations and upon its own
1010 motion or upon request of any party may subpoena witnesses, compel their attendance, adduce
1011 evidence and require the production of any matter which is relevant to the investigation, including
1012 the existence, description, nature, custody, condition and location of any books, documents or
1013 other tangible things and the identity and location of persons having knowledge of relevant facts
1014 or any other matter reasonably calculated to lead to the discovery of admissible evidence.

1015
1016 a. If any person subject to the provisions of this article has records required in
1017 Wyoming State Statute 18-5-311(a) located outside this state, the person shall either make them
1018 available directly to the board or pay the reasonable and necessary expenses for the board or its
1019 representative to examine them at the place where they are maintained. The board may designate
1020 representatives, including comparable officials of the state in which the records are located, to
1021 inspect them on the board's behalf.

1022
1023 b. Upon failure without lawful excuse to obey subpoena or to give testimony and
1024 upon reasonable notice to all persons affected thereby, the board may apply to the District Court
1025 for an Order Compelling Compliance.

1026
1027 **Section 9. Enforcement; Wyoming State Statute 18-5-312.** The provisions of this
1028 article are enforceable by all appropriate legal remedies including but not limited to injunctive
1029 relief or a writ of mandamus. Upon failure or refusal of any county attorney to act upon a
1030 violation of the provisions of this article, the attorney general at the request of the board shall
1031 initiate civil or criminal proceedings to enforce the provisions of this article.

1033 **Section 10. False Statement or Misrepresentation; Penalty; Wyoming State**
1034 **Statute 18-5-313.** Any person who knowingly authorizes, directs or aids in the publication,
1035 advertisement, distribution or circulation of any false statement or misrepresentation concerning
1036 any subdivision for sale in this or any other state, and every person with knowledge that any such
1037 advertisement, prospectus, pamphlet or letter concerning land or any subdivision thereof contains
1038 any written statement that is false or fraudulent in any material part or who issues, circulates,
1039 publishes or distributes the same or causes the same to be circulated, published or distributed shall
1040 upon conviction be imprisoned for a period not to exceed thirty (30) days or be fined not to
1041 exceed five hundred dollars (\$500.00). Each day of violation constitutes a new offense.
1042

1043 **Section 11. Penalties; Wyoming State Statute 18-5-314.** Any person who willfully
1044 violates any provision of this article or any rule or order issued under this article shall upon
1045 conviction be fined not more than five hundred dollars (\$500.00) or imprisoned in a county jail for
1046 not more than thirty (30) days or both. Each day of violation constitutes a new offense.
1047

1048 **Section 12. Severability.** If any provision of this regulation are held to be
1049 unconstitutional, or otherwise invalid by any court of competent jurisdiction, then such provision
1050 shall be considered separate and apart from the remaining provisions of this regulation, said
1051 section to be completely severable from the remaining provisions of this regulation. All the
1052 remaining provisions of this regulation shall remain in full force and effect.
1053

1054 **Section 13. Forms.** Applicants shall use forms created and provided by Crook County
1055 in conformance with this regulation and Wyoming State Statues.
1056

1057 **Section 14. Effective Date and Approval.** This Minor Subdivision Regulation shall
1058 become effective on the date it is filed in the office of the Crook County Clerk.
1059

1060 **APPROVAL**

1061 Approved and adopted this day 3rd of March, 2015.
1062

1063
1064 BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY
1065

1066 _____
1067 Kelly B. Dennis, Chairman
1068

1069 _____
1070 Jeanne A. Whalen, Vice-Chairman
1071

1072 _____
1073 Steve J. Stahla, Member
1074
1075
1076
1077

1078 Duly filed in the Office of the Crook County Clerk this day 3rd of March, 2015.

1079

1080 State of Wyoming)

1081 :ss.

1082 County of Crook)

1083

1084 This instrument was acknowledged before me on March 3, 2015 by Kelly B. Dennis, Chairman,
1085 Jeanne A. Whalen, Vice-Chairman and Steve J. Stahla, Member as Board of Crook County
1086 Commissioners.

1087

1088

1089

1090

Linda Fritz, Crook County Clerk

1091

1092

1093 (Seal)

1094

1095

1096

1097

My commission expires: _____

1098

PROPOSED DRAFT