



CROOK COUNTY
RESIDENTIAL
MINOR SUBDIVISION
RULES
AND
REGULATIONS

Adopted by Resolution: August 3, 2009

CROOK COUNTY
RESIDENTIAL
MINOR SUBDIVISION
RULES
AND
REGULATIONS

State of Wyoming

Adopted: August 3, 2009

I certify that the attached is a true and correct copy of the Crook County Residential Minor Subdivision Rules and Regulations, Crook County, Wyoming adopted pursuant to and in accordance with the authority vested in the Board of County Commissioners of Crook County by the statutes of the State of Wyoming, Sections 18-5-301 through 18-5-315, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

These Crook County Residential Minor Subdivision Rules and Regulations replace Chapter II, Section 4, Minor Subdivisions as a stand alone document, and repeals Chapter II, Section 4, Minor Subdivisions from the Crook County Subdivision Resolution, Amended May 2, 2007.

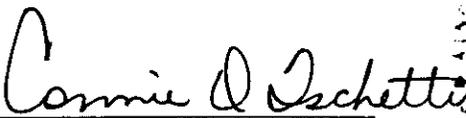
These Crook County Residential Minor Subdivision Rules and Regulations supersede all other Minor Subdivision Rules and Regulations previously filed.

Prior to adoption, these Residential Minor Subdivision Rules and Regulations were made available for public inspection on the 16th day of April, 2009. A notice was also published in the Sundance Times, the Moorcroft Leader, and the Wyoming Pioneer at least 45 days before these Residential Minor Subdivision Rules and Regulations were adopted by the Board of County Commissioners.

The attached Crook County Residential Minor Subdivision Rules and Regulations are effective immediately upon filing with the Crook County Clerk.

Signed this 3rd day of August, 2009.

CROOK COUNTY CLERK



Connie D. Tschetter



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**CHAPTER I
GENERAL PROVISIONS**

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

Section 2. Authority. These rules and regulations are adopted pursuant to and in accordance with the authority vested in the Board of County Commissioners of Crook County by the statutes of the State of Wyoming, Sections 18-5-301 through 18-5-315, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

Section 3. Law W.S. 18-5-304. No person shall sell land subject to subdivision regulation under Wyoming Statute Title 18, Chapter 5, Article 3, record a plat or commence the physical layout or construction of a subdivision without first obtaining a Subdivision Permit from the Board of County Commissioners of Crook County, Wyoming.

Section 4. Purpose. This resolution is enacted for the purpose of implementing the Crook County Residential Minor Subdivision Rules and 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 the goals and policies of Crook County and the following purposes:

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

Section 5. Application. These rules and regulations shall apply to any division of land consisting of five (5) lots or less, pursuant to Wyoming State Statutes 18-5-303(b), 18-5-306 and 34-12-103, that is within the unincorporated area of Crook County, Wyoming. A Residential Minor Subdivision shall not be permitted if the involved parcel was created through any other Crook County subdivision process.

Section 6. Exemptions. Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of these rules and regulations, these rules and regulations shall not apply to the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

i. The division of land creates cemetery lots.

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

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

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

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

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

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

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

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

Section 7. Definitions. For the purpose of these rules and regulations, the present tense shall include the future tense, the singular member includes the plural member, and the

plural member includes the singular member. For the purpose of interpreting these rules and regulations, the following definitions shall apply:

- a. **Applicant.** A natural person, firm, corporation, partnership, association, any combination of that completes and submits a Crook County, Wyoming Subdivision Application Form and fees to the Crook County Growth & Development Department.
- b. **Application.** A completed Crook County, Wyoming Subdivision Application Form, and any other such forms as determined and fees submitted to the Crook County Growth & Development Department.
- c. **Board.** The Board of County Commissioners of Crook County, Wyoming.
- d. **Commercial.** Occupied with or engaged in work intended for the exchange or buying and selling of commodities on a large scale involving transportation from place to place.
- e. **Commission.** The Crook County Land Use Planning & Zoning Commission.
- f. **County.** Crook County, Wyoming.
- g. **County Road.** A public road or highway established in accordance with W.S. 1977, Sections 24-3-101, et seq., and 24-1-101, et seq. A County Road is managed and maintained by the County at the discretion of the Board of County Commissioners. All public roads are not necessarily county roads.
- h. **Cul-de-sac.** A public street having one end connected to a public street and being terminated by a vehicle turnaround at its other end.
- i. **Department.** The Crook County Growth & Development Department.
- j. **Developer.** A natural person, firm, corporation, partnership, association, any combination of that makes a unit of land suitable for residential purposes.
- k. **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.
- l. **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.
- m. **Encumbrance.** A mortgage, lien or record securing or evidencing indebtedness affecting land to be subdivided including liens for labor and materials. Taxes and assessments levied by a public authority are not an encumbrance, except such taxes and assessments as may be delinquent.

- n. **Industrial.** A systematic labor particularly for some useful purpose or for the creation of something of value.
- o. **Lot / Tract.** A defined and numbered or lettered parcel of land intended as a unit for transfer of ownership or development.
- p. **Lot Line.** A surveyed line that extends to an abutting street, road or property boundary line.
- q. **Lot Depth.** The horizontal distance between the front and rear boundaries.
- r. **Owner or Proprietor.** Any natural person, partnership, corporation, firm, association or any combination of the above having a legal or equitable interest in land.
- s. **Person.** A natural person, firm, corporation, partnership, association, any combination of the above or any other legal entity.
- t. **Plat.** A drawing prepared in accordance with the Crook County Residential Minor Subdivision Rules and Regulations.
- u. **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.
- v. **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 shall be deemed a resubdivision.
- w. **Single Family.** Consisting of or having only one basic unit in society traditionally consisting of two parents rearing their children; or any of various social units differing from but regarded as equivalent to the traditional family.
- x. **Sketch Plat.** A general concept plat, usually hand drawn for the purpose of identifying existing problems not obvious to the applicant prior to going to the expense of preparing a plat.
- y. **Sell or sale.** Includes sale as evidenced by the delivery of a deed, contract for deed, lease, assignment, auction or award by lottery concerning a subdivision, or any part of a subdivision. "Sell" or "sale" does not include a contract to sell which is expressly contingent upon the recording of the final plat by the county clerk, if all funds paid by the buyer under the contract are escrowed with a financial institution located in this state or a title company licensed to do business in this state until the final plat is recorded and the seller tenders the deed or the contract to sell is cancelled or the buyer and seller agree otherwise in writing.

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

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

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

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

CHAPTER II PROCEDURES AND REQUIREMENTS FOR PLATTING

Section 1. Application Procedure. The procedures for processing a Crook County Residential Minor Subdivision Application shall be as follows, to-wit:

a. The applicant shall determine, if the parcel is subject to Wyoming State Statutes and this Resolution and if the parcel qualifies as a Residential Minor Subdivision.

b. The applicant should, but is not required to submit a sketch plat and other documents to Department staff for their review, and recommendations. The Crook County Growth & Development Department may determine at this stage what statutes and rules apply and issue oral or written recommendations. These recommendations are non-binding and are not a final decision on the matter.

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

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 application that fulfills the requirements as described in these rules or other County rules or as required by state law to the Department together with any attachments set forth in these rules.

f. The Department shall send a copy of the application and supporting documentation to the CCNRD within three (3) business days and review the application within fifteen (15) business days of being received by the Department's Office.

g. The Department shall determine if the application is incomplete or complete, and prepare a written report for the applicant and Commission.

h. If the Department determines that the application is incomplete then the applicant may request a continuance until the application is determined to be complete by the Department. If the applicant does not request a continuance, the Department may reject the application as incomplete and the applicant must file a new application.

i. After the fifteen (15) day review time has expired, the Department shall set the application for an initial review with the Commission at the next regularly scheduled meeting. However, no review hearing shall be held by the Commission on any application until five (5) business days after the CCNRD report has been filed with the Department.

j. The Department shall send notice of 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 $\frac{1}{4}$ mile of the boundary of the property being subdivided from the list provided by the applicant. If an area landowner is not notified that is cause for the Board to continue the hearing.

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

l. The Commission shall review all applications at the review hearing. This is not a trial or contested case. The Commission shall review the application, review the Department's recommendation, review any written comments; hear from the Department, landowners, and public; and consider any variances requested or other matters they deem appropriate. The applicant must appear at the review hearing.

m. The Commission shall make a recommendation to the Board of County Commissions to approve, deny, grant a variance, or table the application. The Commission can take no final action. An applicant may within five (5) business days of the review hearing request that the submission of the Commission's recommendation to the Board be continued if the applicant so desires. The clerk of the Commission or Board shall grant such request to a set date no more than one (1) year in the future.

n. After the Commission has made its written recommendation, the Department shall set the application for a final hearing with the Board at the Board's next regularly scheduled meeting but no sooner than ten (10) business days. The applicant must appear at the final hearing.

o. All objections at the final hearing shall be in writing and received by the Board at least five (5) business days before the final hearing. The County Clerk shall deliver or mail a copy of any objection to the Department and applicant.

p. The applicant shall submit a list of witnesses they intend to call at the final hearing and shall provide a copy of any additional evidence to be submitted at the final hearing to the Board. The witness list and evidence shall be received by the Board at least five (5) business days before the final hearing. The County Clerk shall deliver or mail a copy of each to the Department and any objector that has filed a written notice in a timely manner.

q. The objector shall submit a list of witnesses they intend to call at the final hearing and shall provide a copy of any additional evidence to be submitted at the final hearing to the Board. The witness list and evidence shall be received by the Board at least five (5) business days before the final hearing. The County Clerk shall deliver or mail a copy of each to the Department and the applicant.

r. The Department shall send written notice of the final hearing with the Board by first class mail to the current area landowners as on file with the County Assessor's office that own property within $\frac{1}{4}$ mile of the boundary of the property being subdivided from the list provided by the applicant. If a record area landowner is not notified that is just cause for the Board to continue the final hearing to a later date.

s. The Board shall review all applications at the final hearing. If no written objections are filed in a timely manner by a person their objection will not be considered by the Board. The Board will conduct this final hearing as a contested case pursuant to the Administrative Procedures Act and as specifically set forth in these rules:

- (1) The Board shall determine who the parties are for this hearing.
- (2) The Board shall hear opening statements.
- (3) The Department shall present the Commission's written recommendation, the Department's recommendation to the Board and a proposed order. The Applicant and any other person that has filed a written objection may cross-examine the Department staff.
- (4) After the Department has presented its case, the applicant shall present its application and evidence. The Department and any other person that has filed a written objection in a timely manner may cross-examine the applicant and any of their witnesses.
- (5) After the Applicant has presented its case, any objector shall present its evidence. The applicant, Department, and any other person that has filed a written objection in a timely manner may cross-examine the objector and any of their witnesses.
- (6) The Board shall hear closing statements.
- (7) The Board shall then consider the evidence, and then vote to approve or deny each request for variance, vote to approve or deny any recommended conditions by the Commission, vote to approve or deny any recommended conditions by the Department, vote to approve or deny any recommended conditions by each of the Objectors, then vote to approve or

deny the specific findings as required by the rules, then vote to approve or deny the application, and then prepare and enter a final order.

t. If a landowner or any other person fails to object at the review hearing or final hearing for any reason including not receiving notice their objection shall be waived.

Section 2. Application Requirements. Supporting material for Residential Minor Subdivision Applications shall include all of the following documents and information, to-wit:

- a. Subdivision Application Form.
- b. Application Fees. (See Chapter 3, Section 3.)
- c. Fourteen (14) paper copies and one (1) PDF file (Portable Document Format) of the Plat. The original mylar of the plat with the required changes and appropriate signatures shall be provided to the Department five (5) business days prior to the regular scheduled Board meeting.
- d. An attorneys' letter(s) of opinion, copies of all recorded easements, rights-of-ways, etc, and any State/County approach permits showing Legal Access as required by Wyoming Statute 34-1-141.
- e. The written review and recommendations from the Crook County Natural Resource District (CCNRD) regarding soil suitability, erosion control, sedimentation and flooding problems as required by Wyoming Statute 18-5-306(b).
 - (1) If the Crook County Natural Resource District's review and recommendations identify a rating of "Very limited" for septic tank absorption fields, the applicant shall provide one of the following:
 - (a) a site specific geotechnical investigation, which will include borings on each lot, percolation tests, laboratory testing, and engineering analysis;
 - (b) a submittal to DEQ for a Chapter 23 adequacy evaluation; or
 - (c) a system approved by Wyoming Department of Environmental Quality.
 - (2) The submittal shall specifically address the concerns expressed by the CCNRD.
- f. An Ownership and Encumbrance Report, or title opinion from an attorney.

g. Copies of transmittal letters showing that the applicant has delivered and/or mailed copies of the Plat, to the all utility companies (electric, telephone, gas, etc) the appropriate post office and school district at the time of application.

h. A draft of a contract between the applicant and the Board contracting to construct all roads and/or streets within, and to the proposed subdivision to meet or exceed the Crook County Road Standards

i. Letter of Credit, 200% of estimated cost of project.

j. A list of the names and mailing addresses of current area landowners as on file with the County Assessor's office that own property within ¼ mile of the boundary of the property being subdivided.

k. A full disclosure statement shall be submitted to the Department for review and approval by the Commission and the Board before the approval of the plat. Copies of disclosure statements will be recorded by the applicant after the recording of the plat and kept at the office of the County Clerk and will be available on request to the public. Disclosure statements shall clearly and concisely present 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 - design criteria to include information on the adequacy and quality of potential water sources and maintenance responsibilities.
- (4) Sewage disposal - design criteria to include a written report and certificate by the applicant's Wyoming licensed engineer certifying the adequacy and safety of individual sewage disposal systems proposed for each lot of the subdivision and maintenance responsibilities.
- (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.

- (10) Cable TV charges - statement to define financial responsibilities.
- (11) Street and traffic control signs and devices - statements to define construction and maintenance responsibilities.
- (12) Street lighting - define construction and maintenance responsibilities.
- (13) Culverts, Drainage - define construction and maintenance responsibilities.
- (14) Zoning - status within subdivision and surrounding area.
- (15) Fire protection - status and description.
- (16) Building Codes - statues of applicable codes which apply to construction within the subdivision.
- (17) Postal Service - define level of service and responsibility of homeowner and developer as concerns mailbox construction, location and maintenance.
- (18) School - define school location for each age group through high school, bus pickup locations and schedules, and parental responsibility for transportation. School district may make changes from time to time.
- (19) The Crook County Natural Resource District Review and Recommendations.
- (20) Noxious weeds and pests management program.
- (21) Potential safety or health hazards.

I. Upon recordation of the subdivision plat the applicant shall erect and maintain at all entrances to a subdivision signs notifying the public that a disclosure statement is available at the County Clerk's office.

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

(2) Physical location and variations from the following standard sign shall be subject to the approval of the Department. The standard sign shall be posted at each entrance to the subdivision and shall state the following verbatim:

**NOTICE
PROSPECTIVE BUYERS SHOULD OBTAIN A DISCLOSURE
STATEMENT AT CLERK'S OFFICE, CROOK COUNTY
PRIOR TO PURCHASE.**

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

m. Submit a copy 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).

Section 3. Design and Engineering Standards. All Residential Minor Subdivisions must comply with the following:

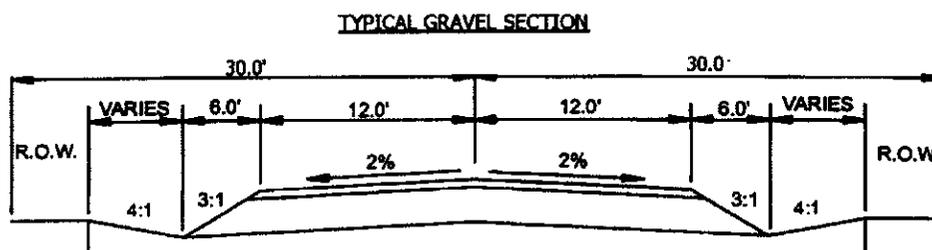
a. The subdividing of land shall provide each lot with satisfactory access to an approved public road, which shall not be a County Road. All accesses to a public road shall be 90 degrees to the public road with a sight distance of no less than 500 feet.

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

c. When a residential subdivision abuts a major highway, county road, or a street, service roads shall be required. Lots shall not be permitted to have direct access to major highways, county roads, or arterial streets. The words, "**NO ACCESS BETWEEN THE LOTS AND MAJOR HIGHWAYS, COUNTY ROADS, OR STREETS**", in bold capital letters shall appear on the plat.

d. The surfacing of the cul-de-sac bulb shall be 45-foot radius to allow for grading and ditches within the right-of-way.

e. Streets and roads shall have a 24 foot surface top with a minimum ½ inch per foot cross sectional slope and surfaced with a minimum of six inches (6") of L Base material, or better, providing year around access for emergency vehicles. (See Typical Gravel Section below)



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

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

Section 4. Plat Requirements. A Residential Minor Subdivision Plat may be utilized where a division of land results in the creation of not more than five (5) lots, parcels, tracts or other units of land. When any document which evidences the sale of property within said Residential Minor Subdivision Plat is filed it shall refer to the Residential Minor Subdivision Plat. The Residential Minor Subdivision Plat shall include the following information:

a. The name, telephone number, physical and mailing address of the landowner and a legal description of the property.

b. The Plat shall be clear and legible, and be 24" x 36" in size. North shall be at the top of the Plat, the scale of the Plat shall be no less than 1.00 inch = 200.00 feet, and the Plat shall include the following information and standard forms:

(1) A title box (Figure 1. below) shall be placed in the lower right hand corner of all plat sheets, containing the company name, mailing address, telephone number of the preparer; subdivision name, subdivision location (township, range, section, quarter section), preparation date, submittal date, sheet number and scale. This title box shall be six and one half inches in width and three and one half inches in height, the "preparer" area shall be six and one half inches in width and one inch in height, the "subdivision" area shall be six and one half inches in width and one and three fourths inches in height, the two rows of four columns on the bottom shall equal six and one half inches in width and three fourths inch in height. The outer perimeter of the title box shall be of a medium weight solid line.

Figure 1. Plat Title Box (Not to scale)

Prepared By:			
Drawn By:	Date:	Scale:	
Revised By:	Date:	Sheet ____ of ____	

(2) A vicinity map, the scale of which shall be no less than 1.00 inch = 1,000.00 feet, showing the location of the subdivision of land, the section, township and range, the names and locations of all subdivisions within a one mile radius, existing roads, highways and county roads by name and number in the vicinity, well location(s) and the well permit number(s) as recorded with the State Engineer's office. The vicinity map shall be on the Plat and shall show the total owned parcel from which the subdivision of land was severed.

(3) Accurate angular and lineal dimension for all lines, angles, and curves used to describe boundaries, streets, utility and drainage easements (existing & proposed) and areas to be reserved for public use and other important features.

(4) An identification system for all lots. Lot lines shall show dimensions in feet and hundredths of feet.

(5) Perimeter lines shall be accurately related by distance and bearings to established roads or street lines or 1/16 section corners, and closure shall be at least one foot to 5,000 feet or less.

(6) True angles and distances to the nearest established street lines or official monuments shall be accurately described on the plat and shown by appropriate symbols. Radii, internal angles, points and curvatures, tangent bearings and the lengths of all arcs shall be shown.

(7) A complete and accurate legal description of the parcel to be subdivided.

(8) Each lot corner shall be monumented with permanent markers. Descriptions of all monuments found or set shall be shown either by legend or separate description.

(9) Label each lot, tract, parcel or units of divided land with the size in acres, positioned in the center of lot, tract or parcel.

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

(11) The Plat shall show all easements and encumbrances that affect the total subdivision, together with the recording information, and dedicated rights-of-ways to the subdivision. Any County Road which abuts, is adjacent to, or is within any proposed subdivision shall have a minimum easement width of 100 feet centered on the existing physical centerline of the road.

(12) Certificate of Surveyor signed by a land surveyor registered under the laws of the State of Wyoming. Certificate of registered land surveyor shall be as follows:

I, _____, a duly registered land surveyor in the State of Wyoming, do hereby certify that this plat of _____ truly and correctly represents the results of a survey made by me or under my direct supervision.

Registered Land Surveyor

No. _____

c. No parcel shall be created that is less than five (5) acres in size, nor shall any parcel, lot, tract or subdivision of land created by a residential minor subdivision be further divided, or resubdivided the statement "**NO PARCEL, LOT, TRACT OR SUBDIVISION OF LAND CREATED BY A RESIDENTIAL MINOR SUBDIVISION SHALL BE FURTHER DIVIDED, OR RESUBDIVIDED**" shall be placed in bold capital letters in a conspicuous location upon the plat.

d. The subdivision shall have a name approved by the Department. The names of the streets and roads shall be approved by the Crook County 911 Addressing Coordinator. Neither of the names shall duplicate, nor closely resemble, another name already used.

e. Prior to recording the Plat, the surveyor of the minor subdivision shall submit evidence that certified land corner recordation certificates, as applicable, have been recorded in the office of the County Clerk in accordance with Wyoming Statutes, 1977, 36-11-101 et. seq. After recording the plat the applicant shall record the Order Approving Subdivision, the Disclosure Statement, and any other items referred to in the Disclosure Statement that are not otherwise recorded in the Crook County Clerk's Office.

f. If no public sewage disposal system is proposed by the applicant, the words, "**NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM**", in bold capital letters shall appear on the plat.

g. If no domestic water source is proposed by the applicant, the words, "**NO PROPOSED DOMESTIC WATER SOURCE**", in bold capital letters shall appear upon the plat. -

h. If no public maintenance for streets, alleys, and roadways is proposed by the applicant, the words, "**NO PUBLIC MAINTENANCE OF STREETS OR ROADS**", in bold capital letters shall appear upon the plat.

i. If no public garbage maintenance is proposed by the applicant, the words, "**NO PROPOSED PUBLIC DISPOSAL OF GARBAGE**", in bold capital letters shall appear upon the plat.

j. Informational notes as required by the Department, Commission, or the Board.

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

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

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

Executed this _____ day of _____, _____.

By: _____

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

State of Wyoming)

:SS.

County of Crook)

This instrument was acknowledged before me on _____
Date

by _____
Name of Person

Signature of Notarial Officer

(Seal)

Title and Rank

My commission expires: _____

OR

State of Wyoming)

:ss.

County of Crook)

This instrument was acknowledged before me on _____
Date

by _____
Name(s) of Person(s)

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

Signature of Notarial Officer

(Seal)

Title and Rank

My commission expires: _____

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

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

Chairman

Vice Chairman

State of Wyoming)
 :SS.
County of Crook)

This instrument was acknowledged before me on _____
Date

by _____
Name(s) of Person(s)

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

Signature of Notarial Officer

(Seal)

Title and Rank

My commission expires: _____

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

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

State of Wyoming)

:ss.

County of Crook)

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

County Clerk

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

Section 5. Access and Improvements. All subdivisions of land shall have ingress and egress easements, or rights-of-way of at least sixty (60) feet in width to dedicated, and publicly maintained (Federal, State or County) roads, plus utility easements of not less than twenty (20) feet in width. These easements shall be legally established and recorded providing access and utility easement service to each lot, and the same shall be for the benefit of all the land divided and any and all persons acquiring ownership of property within the divided land. Said easement shall be surveyed, and perpetual, in accordance with Wyoming State Statute 34-1-141 and appurtenant to the land.

Section 6. Recording. The applicant shall record the Plat, the Order Approving Subdivision, the Disclosure Statement, and any other items referred to in the Disclosure Statement that is not otherwise recorded in the County Clerk's Office.

Section 7. Corrected Plats. If, after the approval and recording of a subdivision plat, errors are found in the language or numbers on the recorded plat, the applicant shall submit a properly signed, corrected or revised original mylar with the Department. The plat shall be noted CORRECTED PLAT under the name of the subdivision. Notations shall be made on the face of the plat listing all corrections made and the file and map numbers where the original plat was recorded. The Department shall review the plat for correctness, and the applicant shall secure all signatures, other than the public officials, on the corrected plat, and present the plat to the Board for the reaffirmation of their approval and to the County Clerk for recording. The proper legal instrument vacating the original plat shall be submitted for recordation in the Office of the County Clerk prior to, or at the time of, recording the corrected plat. If there are only minor corrections needed and the Department approves an "Affidavit affecting Real Property" pursuant to Wyoming State Statute 34-11-101 then those minor corrections may be made.

Section 8. Required Findings. Before the Commission recommends action on a Residential Minor Subdivision Plat and before the Board takes action on a subdivision plat, the following findings shall be made:

- a. The proposed subdivision conforms to all applicable rules and regulations adopted by Crook County.
- b. The proposed subdivision does not interfere with existing agricultural water rights.
- c. The proposed subdivision is adequate, suitable and safe for the construction and operation of on-site waste water disposal systems, and small waste water treatment facilities.
- d. The proposed subdivision can provide a water source that is of an adequate amount and of good quality for each lot.
- e. The proposed subdivision has provided an adequate garbage disposal plan.
- f. The proposed subdivision has provided an adequate noxious weed and pest management plan.
- g. The proposed subdivision complies with all easement requirements.
- h. The subdivision is to be used for single family residences.

CHAPTER III ADMINISTRATION AND ENFORCEMENT

Section 1. Administration. This resolution shall be administered by the Department or any other agency as designated by the Board.

a. All plats submitted to the Board shall first have been examined by the Department and the Commission in accordance with the procedures established by these rules and regulations.

Section 2. Approval by City or Town. Pursuant to the provisions of Wyoming State Statute 34-12-103 and 18-5-308(b), when any subdivision lies outside the limits of an incorporated city or town, but within one (1) mile of the boundary of an incorporated city or town, that subdivision shall be approved by both governing bodies in accordance with Wyoming State Statute 34-12-103.

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

Section 3. Fees. The Minor Subdivision Fee shall be one hundred dollars \$100.00 for each division of land plus a Fire Fee of two hundred dollars \$200.00 for each division of land that is to be paid to the Crook County Treasurer. There is also a seventy five dollar \$75.00 fee that is to be paid to the Crook County Natural Resource District for each division of land. These fees are nonrefundable and shall be submitted with the application in two (2) separate checks. The

recording fee is set by State Statutes and is payable to Crook County Clerk. The recording fee shall accompany the final plat, and the other documents required, when submitted for recordation.

Section 4. Variances. Should a applicant clearly demonstrate, by convincing evidence, because of peculiar physical conditions pertaining to his land, the literal enforcement of one or more of these regulations, or minimum standards, is impractical or will cause undue hardship, the Board may permit such variance or variances as may be reasonable and within the general purpose and standards established by these rules and regulations.

a. If the applicant requests a variance from any specific requirement(s) of these rules and regulations, he must submit a request in writing to the Department at the time the application is submitted. The written request shall thoroughly document the precise section(s) of the Regulations to be varied, provide detailed reasoning why the variance is requested and the consequences of non-approval of the variance. Financial hardship shall not constitute a justification for variance approval. The Board will take action on the request upon the recommendation from the Commission.

Section 5. Vacations. The owners or proprietors thereof may vacate any plat at any time before the sale of any lots therein, by submitting a copy of the plat to the Department along with a Crook County Vacation of Plat Form to the Commission. In cases where lots have been sold, all the owners of lots within that subdivision shall make the written request which the applicant shall include with his/her Crook County Vacation of Plat form.

a. After filing a Crook County Vacation of Plat form, the applicant shall advertise his/her intent to apply for a vacation of a plat for two consecutive weeks, within 30 days of the scheduled hearing, in the official newspaper of Crook County and the official newspaper of the town nearest to the subdivision . The newspaper notice shall include the name of the applicant, the legal description of and the name of the subdivision to be vacated and the date, time and place of the hearing.

b. The Commission shall make a recommendation on the vacation to the Board who shall either approve or disapprove the vacation. No plat or portion thereof for which a subdivision permit has been obtained pursuant to W.S. 18-5-304 shall be vacated as herein provided without the approval of the County Commissioners. No municipal or county approval under this section shall be arbitrarily or unreasonably withheld. The recording of an instrument vacating the plat shall operate to destroy the force and effect of the recording of the original plat and divest all public rights in the public grounds laid out or described in such plat.

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

d. Any part of a plat may be vacated under the provisions of these rules and regulations, provided such vacating does not abridge or destroy any of the rights or privileges of

any other proprietors in said plat and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any county roads or public highways laid out according to law. The request for vacation shall be made of all of the owners of lots within that portion of the overall plat sought to be vacated.

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

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

Section 6. Appeals. Any aggrieved parties shall appeal the decision of the Board within thirty (30) days to the 6th Judicial District Court in and for Crook County, Wyoming. All applicants shall exhaust their administrative remedies prior to appeal to the District Court.

Section 7. Investigatory Powers W.S. 18-5-311. If the board has reason to believe that a person has engaged in activity which violates any provision of this article it shall make an investigation and may administer oaths or affirmations and upon its own motion or upon request of any party may subpoena witnesses, compel their attendance, adduce evidence and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of admissible evidence.

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

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

Section 8. Enforcement W.S. 18-5-312. The provisions of this article are enforceable by all appropriate legal remedies including but not limited to injunctive relief or a writ of mandamus. Upon failure or refusal of any county attorney to act upon a violation of the provisions of this article, the attorney general at the request of the board shall initiate civil or criminal proceedings to enforce the provisions of this article.

Section 9. False Statement or Misrepresentation; Penalty W.S. 18-5-313. Any person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circulation of any false statement or misrepresentation concerning any subdivision for sale in this

or any other state, and every person with knowledge that any such advertisement, prospectus, pamphlet or letter concerning land or any subdivision thereof contains any written statement that is false or fraudulent in any material part or who issues, circulates, publishes or distributes the same or causes the same to be circulated, published or distributed shall upon conviction be imprisoned for a period not to exceed thirty (30) days or be fined not to exceed five hundred dollars (\$500.00). Each day of violation constitutes a new offense.

Section 10. Penalties W.S. 18-5-314. Any person who willfully violates any provision of this article or any rule or order issued under this article shall upon conviction be fined not more than five hundred dollars (\$500.00) or imprisoned in a county jail for not more than thirty (30) days or both. Each day of violation constitutes a new offense.

Section 11. Severability. If any section of these rules and regulations are held to be unconstitutional, or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of these rules and regulations, said section to be completely severable from the remaining provisions of these rules and regulations. All the remaining provisions of these rules and regulations shall remain in full force and effect.

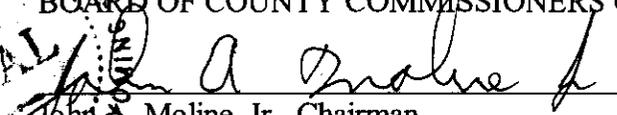
Section 12. Forms. Applicants shall use forms created and provided by Crook County in conformance with these rules and Wyoming Statutes.

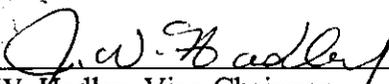
Section 13. Effective Date and Approval. These Residential Minor Subdivision Rules and Regulations shall become effective on the date it is filed in the office of the Crook County Clerk.

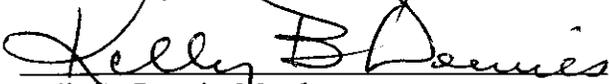
APPROVAL

Approved and adopted this 3rd day of August, 2009.

BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY


John A. Moline, Jr., Chairman


J.W. Hadley, Vice-Chairman


Kelly B. Dennis, Member

Duly filed in the Office of the Crook County Clerk this 3rd day of August, 2009.

State of Wyoming)

:ss.

County of Crook)

This instrument was acknowledged before me on August 3, 2009 by John A. Moline, Jr., Chairman, J. W. Hadley, Vice-Chairman and Kelly B. Dennis, Member as Board of Crook County Commissioners.

Connie D. Tschetter

Connie D. Tschetter, Crook County Clerk

(Seal)

My commission expires: _____



**MY TERM EXPIRES THE FIRST
MONDAY IN JANUARY 2011**