RESOLUTION NO. 2011-7

THE ADOPTION OF THE CROOK COUNTY ONE SPLIT REGUATION

WHEREAS, the Board of County Commissioners and Crook County staff feels the public would be better served if a Subdivision Regulation was developed and adopted that allows for a simplified process for the creation of one (1) single Lot division of less than 35.00 acres;

WHEREAS, the Board is charged under State law with promoting the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Crook County, Wyoming pursuant to W. S. §18-5-201; and the regulation and control of the subdivision of land in the unincorporated areas of Crook County pursuant to W. S. §18-5-301 et. Seq., W. S. §34-12-101 et. Seq., and W. S. §16-3-101 et. Seq., as amended; and

WHEREAS notice of a public hearing on the proposed rules was advertised in the Moorcroft Leader, Sundance Times and Wyoming Pioneer and the Crook County Web Site at least 45 days before the hearing and all comments heard were taken into consideration;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR CROOK COUNTY, WYOMING, that the "Crook County One Split Regulation" is approved and adopted and that any rules, regulations, policies and/or procedures previously adopted and in conflict with this Resolution are hereby rescinded and of no further force or effect.

Dated this 4th day of May 2011.

BOARD OF COUNTY COMMISSIONERS IN
AND FOR CROOK COUNTY, WYOMING

BY J. W. Hadley
J. W. HADLEY, CHAIRMAN

BY Kelly B. Dennis
KELLY B. DENNIS, VICE-CHAIRMAN

BY Jeanne A. Whalen
JEANNE A. WHALEN, MEMBER

State of Wyoming }
}
County of Crook }

Signed or attested before me on May 4, 2011 by J. W. Hadley, Chairman, Kelly B. Dennis, Vice-Chairman and Jeanne A. Whalen, Member, Board of Crook County Commissioners.

Connie D. Tschetter
CONNIE D. TSCHETTER, CROOK COUNTY CLERK

(Seal)

MY TERM EXPIRES THE FIRST
MONDAY IN JANUARY 2015

My commission expires: _____

SEAL

No. 614261
Photo Book 506 Page: 0144
Filed for record May 4, 2011 at 01:15 PM
Connie D. Tschetter, Crook County Clerk

CROOK COUNTY
ONE SPLIT SUBDIVISION
REGULATION

Adopted by Resolution: May 4, 2011

CROOK COUNTY
ONE SPLIT SUBDIVISION
REGULATION

State of Wyoming

Adopted: May 4, 2011

I certify that the attached is a true and correct copy of the Crook County One Split Subdivision Regulation, 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 18-5-318, and Sections 34-12-101 through 34-12-115, and Sections 16-3-101 through 16-3-115, as amended.

Prior to adoption, this One Split Subdivision Regulation was made available for public inspection on the 17th day of March, 2011. A notice was also published in the Sundance Times, the Moorcroft Leader and the Wyoming Pioneer at least 45 days before this One Split Subdivision Regulation was adopted by the Board of County Commissioners in and for the County of Crook, Wyoming.

The attached One Split Subdivision Regulation is effective immediately upon filing with the Crook County Clerk.

Signed this 4th day of May, 2011.

CROOK COUNTY CLERK

Connie D. Tschetter

Connie D. Tschetter

MY TERM EXPIRES THE FIRST
MONDAY IN JANUARY 2015

SEAL

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CHAPTER I
GENERAL PROVISIONS

Section 1. **Title.** This document shall be known, cited and referred to as the "Crook County One Split 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, Wyoming by the statutes of the State of Wyoming, 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. **Purpose.** This regulation is enacted for the purpose of implementing the Crook County One Split Subdivision Regulation whereby the Board may grant a single, one time split of a parent parcel of land. A One Split proposal:

a. Shall protect the common interests of the general public, owner and Crook County;

b. Shall establish adequate and accurate records of land subdivisions;

c. Shall encourage the use of innovative land planning and design techniques; and

d. Shall comply with all applicable Crook County Rules and Regulations, Wyoming Statutes and other State Rules and Regulations.

Section 4. **Application.** This regulation shall apply to all unincorporated lands in Crook County, Wyoming.

Section 5. **Law.** No person shall sell land subject to subdivision regulation under Wyoming Statute Title 18, Chapter 5, Article 3 Real Estate Subdivisions, record a plat or commence construction of a subdivision without first obtaining a subdivision permit pursuant to W.S. 18-5-306 or, if applicable, W.S. 18-5-316 from the board of the county in which the land is located.

Section 6. **Exemptions.** No parcel of land that has been previously subdivided or taken advantage of any of the exemptions pursuant W.S. 18-5-301 et seq. and any amendments, shall be eligible for a One Split Subdivision pursuant to this Regulation.

Section 7. **Definitions.** For the purpose of this regulation, the present tense shall include the future tense, the singular member shall include the plural member and the plural member shall include the singular member. The following definitions shall apply:

a. **Applicant.** A natural person, firm, corporation, partnership, association, developer, owner, or any combination thereof, which completes and submits a Crook County, Wyoming Subdivision Application, includes paying all fees, to the Crook County Growth & Development Department.

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

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

(1) The legal description including the acreage of the parent parcel and the separate parcel being created by this Application process;

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

(3) The County Clerk's rec ording information, if any, and legal status of access to the parent parcel and the separate parcel being created by this Application process.

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

e. **Commission.** The Crook County Land Use Planning and Zoning Commission.

f. **County.** Crook County, Wyoming.

g. **County Road.** A public road or highway established in accordance with W .S. 24-3-101, et seq., and 24-1-101, et seq. A county road is managed and may be maintained by the County at the discretion of the Board of County Commissioners.

h. **Department.** The Crook County Growth & Development Department.

i. **Developer.** A natural person, firm, corporation, partnership, association or any combination thereof.

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

k. **Easement.** A grant by a land owner, for the use of a defined land area for specific purposes which take priority over other uses of that land.

l. **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.

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

n. **Parcel.** A contiguous piece of property under common ownership.

o. **Parent Parcel.** Is a parcel of land that existed on July 1, 2001 from which the parcel being created by this Application process may be subdivided. It is the original parcel before it was split as it appeared on July 1, 2001. The parent parcel shall have been a separate parcel when lawfully created or conveyed, and which has not been combined by a recorded instrument or conveyance signed by all of the owners.

p. **Plat.** A plan, map, or chart of a piece of land with actual or proposed features (divisions of land, as lots) prepared in compliance with the adopted Crook County One Split Subdivision Regulation.

q. **Public Road.** A road that was created by a public entity, including but not limited to a county, state or federal highway or road; or dedicated to the public's use.

r. **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 a 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.

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

t. **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.

CHAPTER II
PROCEDURES AND REQUIREMENTS FOR PLATTING

Section 1. **Application Procedure.** The process to obtain a Crook County One Split Subdivision permit is as follows:

a. The applicant shall determine, if the parcel is subject to Wyoming State Statutes, this Regulation and if the parcel qualifies as a One Split Subdivision.

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

c. The applicant shall submit a complete subdivision application that fulfills the requirements as described in this regulation or other County rules and as required by state law to the Department together with any attachments set forth in this regulation.

d. The Department shall review the application at the time of submittal to determine if the application is complete or incomplete.

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

f. If the application is found to be complete it shall be accepted by the Department and the fees processed.

g. 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 accepted by the Department's Office.

h. After the fifteen (15) day review time has expired; and the CCNRD soils report has been received; the Department shall prepare a written recommendation and set the application for a review hearing with the Commission. The hearing shall occur after a minimum of (15) regular days notice can be, or has been given to record area landowners on file with the County Assessor's office that own property contiguous to the boundary of the new parcel being created at the next regularly scheduled meeting.

i. 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 contiguous to the boundary of the new parcel being created.

j. 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 Land Use Board have a joint review hearing; however the applicant is responsible for complying with any law, rule, or regulation of the municipality.

k. The Commission shall review the application, the Department's written recommendation, any written comments; hear from the Department, landowners, and public; and consider any matters they deem appropriate at the review hearing. The applicant and owner must appear at the review hearing.

l. The Commission shall make and prepare a written recommendation to the Board to approve, deny, or table the application. The Commission can take no final action.

m. 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. Provided that a minimum of (15) days notice can be; or has been given to record area landowners on file with the County Assessor's office that own property contiguous to the boundary of the new parcel being created. The applicant and owner must appear at the final hearing.

n. 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 contiguous to the boundary of the new parcel being created. If a record area landowner is not notified that is just cause for the Board to continue the final hearing to a later date.

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

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

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

a. Completed Subdivision Application Form.

b. Application Fees. (See Chapter 3, Section 3.)

c. One (1); paper copy to scale and a PDF or image file format etc. (BMP, GIF, TIF, JPEG or other electronic file format compatible with existing County Software) 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 final hearing with the Board.

d. An Attorneys' Title Opinion, copies of all recorded easements, rights-of-ways, encumbrances, etc. and any State/County approach permits showing Legal Access as required by Wyoming Statute 34-1-141 and the Crook County Access Rules and Regulations.

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), which is provided to the Department directly by CCNRD.

Section 3. **Design and Engineering Standards.** All One Split Subdivisions shall comply with the following:

a. The subdivided land shall have legal access to a public road as determined by an Attorney's Title Opinion and pursuant to the County Access Rules and Regulations.

b. The utility easements shall be a minimum of twenty feet (20') wide within the entire perimeter of a parcel.

Section 4. **Plat Requirements.** A One Split Subdivision is a one time division of land, granted by the Board. The One Split Plat shall be clear and legible, and be 18"x 24" or 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:

a. A complete and accurate legal description of the parcel to be subdivided and Subdivision name.

b. The name, telephone number, physical and mailing address of the owner.

c. A title box 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. The outer perimeter of the title box shall be of a medium weight solid line.

d. A vicinity map shall show the location of the subdivision of land, the totally owned parcel from which the One Split Subdivision parcel of land was severed, the section, township, range and quarter section, the name(s) and location(s) of all subdivisions within a one mile of the One Split parcel boundaries and all existing public roads by name and number.

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

f. An identification system for lot/tract. Lot/tract lines shall show dimensions in feet and hundredths of feet.

g. Perimeter lines shall be accurate 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.

h. True angles and distances to the nearest established 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.

i. Each lot/subdivision corner shall be monumented with permanent markers. Descriptions of all monuments found or set shall be shown either by legend or separate description.

j. Label the divided land with the size in acres, positioned in the center of the lot, tract, parcel or unit of divided land.

k. Accurate boundaries and legal descriptions shall describe all easements, dedicated rights-of-ways and any areas to be dedicated for public use, with the purpose indicated thereon shall be recorded on the plat.

l. 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. _____

m. The statement **"NO DIVISION OF LAND CREATED BY A ONE SPLIT SUBDIVISION SHALL BE FURTHER DIVIDED OR RESUBDIVIDED, NOR SHALL THE PARENT PARCEL, AS DEPICTED ON THIS PLAT, BE ELIGIBLE FOR FURTHER ONE SPLIT SUBDIVISIONS",** in bold capital letters shall appear on the plat.

n. The subdivision shall have a name approved by the Department. The name, if any, of the access easement/road shall be approved by the Crook County 911 Addressing Coordinator. Neither of the names shall duplicate, nor closely resemble, another name already used.

o. Prior to recording the Plat, the surveyor of the One Split 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.

p. 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.

q. 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.

r. 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.

s. 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.

t. If an access easement is a private easement, the words **"ACCESS EASEMENT IS PRIVATE, NO PUBLIC ACCESS",** shall appear, in bold capital letters, in a conspicuous place on the plat.

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

v. 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).

w. 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: _____

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

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

_____
Mayor

_____ _____
Council Member Council Member

_____ _____
Council Member Council Member

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: _____

y. 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: _____

z. Certificate of approval by the Board of County Commissioners of Crook County, Wyoming as follows:

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

_____
Chairman

_____
Vice Chairman

_____
Member

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: _____

aa. 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 File No. _____, and Map No. _____.

_____
County Clerk

bb. 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.** Upon approval by the Board the applicant shall record the Plat, the Order Approving Subdivision and any other items as directed 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; and before the Board takes action on a One Split Subdivision Plat, the following findings shall be made:

a. The application is complete and conforms to the Crook County One Split Subdivision Regulations.

b. The applicant has complied with all county rules and regulations in effect at the time his/her application was filed.

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 application does not harm the public health, safety, morals or general welfare of the county.

CHAPTER III
ADMINISTRATION AND ENFORCEMENT

Section 1. **Administration.** This One Split Subdivision Regulation shall be administered by the Department or any other designee so designated by the Board.

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 proposed subdivision lies within one (1) mile of the boundary of an incorporated city or town, that proposed 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 One Split Subdivision Fee shall be one hundred dollars $100.00 plus a Fire Fee of two hundred dollars $200.00 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. 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.** One Split Subdivisions are ineligible for variances.

Section 5. **Vacation of Plat.** One Split Subdivisions are ineligible for vacation; unless the owner of the subdivision also owns land that is contiguous totaling 35.00 acres or more, so that the parcel created by the vacation will merge with the other contiguous owned lands. If the owner of a One Split Subdivision meets this criteria and wishes to vacate the subdivision plat the following process is required:

a. The owner may initiate the vacation process by submitting a completed Crook County Vacation of Plat Form along with a copy of the plat to the Department.

b. The Department shall submit the completed Crook County Vacation of Plat Form and copy of the plat to the Commission at the Commission's next regularly scheduled meeting. The Commission shall review the submittal, hear from the owner and consider any matters they deem appropriate at this meeting. The owner must appear at this meeting.

c. At the conclusion of this meeting the Commission shall make and prepare a written recommendation to the Board to approve or deny the vacation request. The Commission can take no final action.

d. After the Commission has made its written recommendation, the Department shall submit the completed Crook County Vacation of Plat Form and copy of the plat along with the Commission's written recommendation to the Board at the Board's next regular scheduled meeting. The Board shall review the submittal, hear from the owner and consider any matters they deem appropriate at this meeting. The owner must appear at this meeting.

e. At the conclusion of this meeting the Board shall either approve or deny the vacation. No plat 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 Board. 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.

f. Streets and roads platted and laid out under the provisions of this regulation 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.

g. A plat may be vacated under the provisions of this regulation, provided such vacating does not abridge or destroy any of the rights or privileges of any other owners 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 the overall plat sought to be vacated.

h. The County Clerk shall write in plain, legible letters across 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 party may 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, other county rules and regulations and Wyoming Statues.

Section 13. **Effective Date and Approval.** This Crook County One Split Subdivision Regulation shall become effective on the date it is filed in the office of the Crook County Clerk.

APPROVAL
Approved and adopted this 4th day of May, 2011.

BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY

J.W. Hadley, Chairman

Kelly B. Dennis, Vice-Chairman

Jeanne A. Whalen, Member

Duly filed in the Office of the Crook County Clerk this 4th day of May, 2011.

State of Wyoming)
:ss.
County of Crook)

This instrument was acknowledged before me on May 4, 2011 by J.W. Hadley, Chairman, Kelly B. Dennis, Vice-Chairman and Jeanne A. Whalen, Member as Board of Crook County Commissioners.

Connie D. Tschetter, Crook County Clerk

(Seal)

My commission expires: MY TERM EXPIRES THE FIRST MONDAY IN JANUARY 2015

614261

STATE OF WYOMING } SS
County of Crook

FILED FOR RECORD ON

May 4, 2011

at 1:15 o'clock P M., and

in book 506 of ____ Page 144-162

____ County Clerk and Recorder

Connie D. Lechelter County Clerk

Linda Fitz Deputy

RECORDED ✓

INDEXED ✓

ABSTRACTED ____

no fee Crook County