

SPECIAL COUNCIL MEETING  
Tuesday, May 8, 2018, 4:30 p.m.  
Casper City Hall  
Council Chambers

AGENDA

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. RESOLUTION

A. Consent

1. Authorizing an Underground **Right-of-Way Easement** with **Rocky Mountain Power** to Install Electrical Service Underground to the **Former Ka-Lark's Gymnastics Building** at 355 South Ash Street.

4. ADJOURNMENT

April 23, 2018

MEMO TO: J. Carter Napier, City Manager *JCN*

FROM: Andrew Beamer, P.E., Public Services Director *AB*  
Liz Becher, Community Development Director

SUBJECT: Authorizing an Underground Right-of-Way Easement with Rocky Mountain Power to Install Electrical Service Underground to the former Ka-Lark's Gymnastics Building at 355 South Ash Street

Meeting Type & Date:  
Regular Council Meeting  
May 8 , 2018

Action Type:  
Resolution

Recommendation:  
That Council, by resolution, authorize an underground right-of-way easement with Rocky Mountain Power (RMP) to install electrical service underground to the former Ka-Lark's Gymnastics building at 355 South Ash Street.

Summary:  
With the partial demolition of the former Plains Furniture building and conversion of overhead power underground for the construction of David Street Station, the remaining overhead power in the alley between West Yellowstone Highway and West Midwest Avenue was vacated. In order to provide new underground service to existing buildings within this block, surface locations must be provided for transformers, switch gear, vaults and cabinets.

RMP has identified the southeast corner of Lot 12, Block 1, of the City of Casper Addition, as a site needed for this equipment necessary to serve the former Ka-Lark's Gymnastics building and future screen printing business. The underground right-of-way easement will allow RMP access to this location to service their equipment.

Financial Considerations  
N/A

Oversight/Project Responsibility  
Andrew Beamer, P.E., Public Services Director

Attachments  
Resolution  
Underground Right-of-Way Easement

REV101512

Return to:

Rocky Mountain Power

Estimator: Jeri Leach

2840 E. Yellowstone

Casper, WY 82604

Project Name: 1890 Holdings, LLC

WO#: 6490569

**UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, **City of Casper, Wyoming** (“Grantor”), hereby grants to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power, its successors and assigns, (“Grantee”), an easement for a right of way **15 feet in width and 15 feet in length**, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults together, the “electrical system” on, across, or under the surface of the real property of Grantor in **Natrona County, State of Wyoming** more particularly described as follows and as more particularly described and/or shown on Exhibits **A&B** attached hereto and by this reference made a part hereof:

**Legal Description: A 15’ x 15’ parcel to be designated as Rocky Mountain Power Easement located in and being a portion of Lot 12, Block 1, City of Casper. The south fifteen feet of the east fifteen feet of Lot 12, Block 1, City of Casper, Wyoming.**

Together with the right of reasonable access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee’s facilities or impede Grantee’s activities.

Grantor hereby reserves, and shall have the right to use the right of way granted herein for any use which does not otherwise unreasonably interfere with the Grantee’s use thereof, including the right to install walkways, trails, or sidewalks, or other public or private utilities on or in the easement property.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

The easement shall terminate, and be of no further force or effect upon the Grantee ceasing to use the easement granted herein for its use for the electrical system described herein. Grantee shall restore all areas disturbed for the purpose of the electrical system on the easement property to pre-existing conditions or better.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018

Approved As To Form:

*Walker Tremel*

\_\_\_\_\_  
City Attorney

ATTEST: CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Fleur D. Tremel  
City Clerk  
STATE OF WYOMING  
County of NATRONA ) ss.

\_\_\_\_\_  
Ray Pacheco  
Mayor

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Ray Pacheco, as the Mayor of the City of Casper, Wyoming, a Wyoming Municipal Corporation.

\_\_\_\_\_  
(notary signature)

NOTARY PUBLIC FOR \_\_\_\_\_ (state)  
Residing at: \_\_\_\_\_ (city, state)  
My Commission Expires: \_\_\_\_\_ (d/m/y)

APPROVED AS TO FORM: \_\_\_\_\_  
(Rocky Mountain Power representative)



**EXHIBIT "A"**  
**ROCKY MOUNTAIN POWER EASEMENT**  
**Lot 12, Block 1**  
**City of Casper, Wyoming**

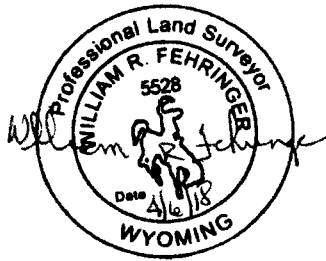
A 15' x 15' parcel to be designated as Rocky Mountain Power easement located in and being a portion of Lot 12, Block 1, City of Casper, as shown on Exhibit B attached hereto and by this reference made a part hereof and being more particularly described as follows:

**Lot 12, Block 1:**

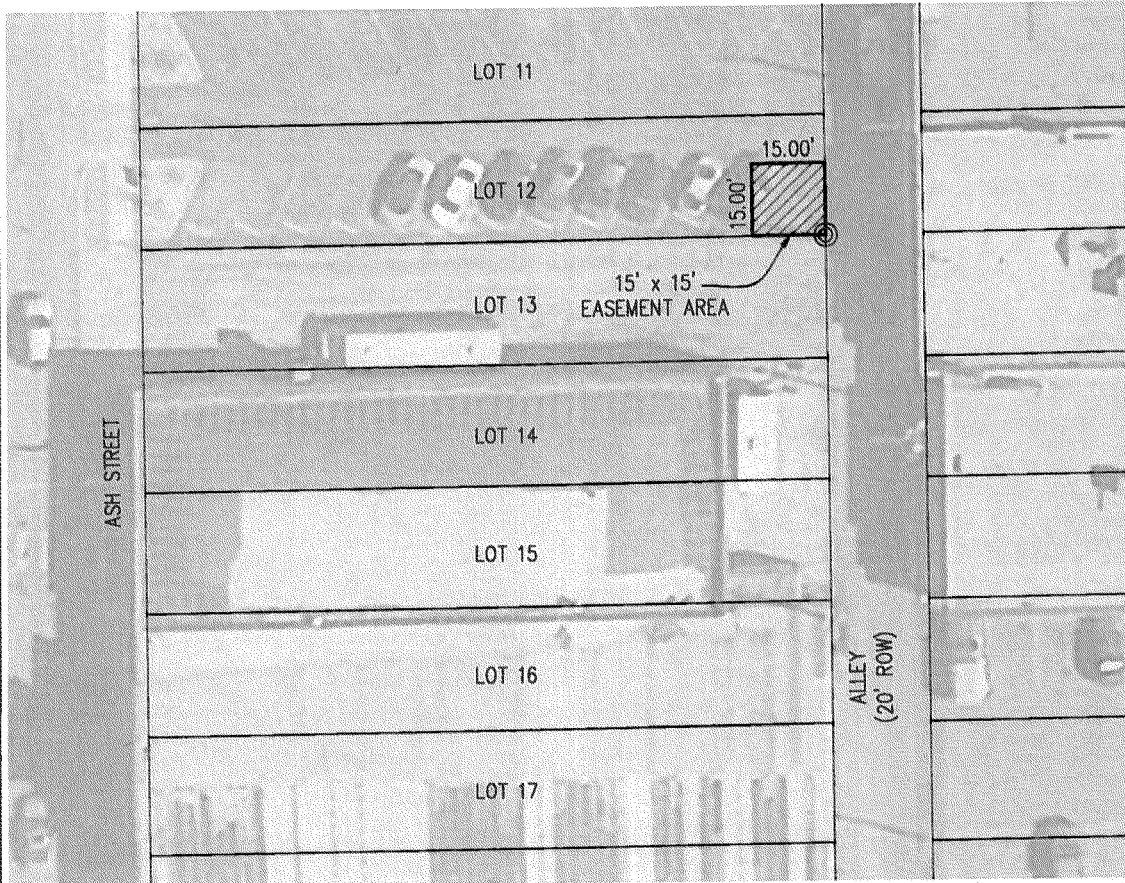
The south fifteen feet (15') of the east fifteen feet (15') of Lot 12, Block 1, City of Casper, Wyoming.

The above described parcel contains approximately 0.005 acres (225.00 s.f.), more or less, and is subject to all rights-of-way and/or easements, reservations and encroachments which have been legally acquired.

I hereby certify that this description was prepared from notes taken during an actual survey made under my direct supervision in March, 2018, and that on the basis of my information knowledge and belief as a Professional Land Surveyor that this description is true and correct.



MODIFICATION IN ANY WAY OF THE FOREGOING DESCRIPTION IS STRICTLY PROHIBITED. I HAVE CAREFULLY REVIEWED THIS INFORMATION AND CERTIFY IT TO BE ACCURATE ON THE BASIS OF MY KNOWLEDGE AND BELIEF. ANY CHANGE, ADDITION OR DELETION OF ANY PART OF THIS DESCRIPTION WILL ACT TO VOID ANY WARRANTY OR RESPONSIBILITY, EXPRESSED OR IMPLIED, THAT I HAVE TOWARD THE SUBJECT PROPERTY.



M:\Land 2018\Suretying\18-152 RMP - HUFF RMP EASEMENT.dwg, 4/6/2018, BBI



0 30' 60'

SCALE: 1" = 30'



Civil Engineering Professionals, Inc.  
 6080 Enterprise Drive, Casper, WY 82609  
 Phone 307.266.4346 Fax 307.266.0103  
 www.cepi-casper.com

THIS DRAWING SHOULD BE USED ONLY AS A REPRESENTATION OF THE LOCATION OF THE EASEMENT BEING CONVEYED. THE EXACT LOCATION OF ALL STRUCTURES, LINES AND APPURTENANCES IS SUBJECT TO CHANGE WITHIN THE BOUNDARIES OF THE RIGHT-OF-WAY HEREIN GRANTED.

**EXHIBIT B**  
**15' x 15' ROCKY MOUNTAIN POWER**  
**EASEMENT**

Lot 12, Block 1  
 City of Casper, Wyoming  
 April, 2018  
 W.O. 18-152

RESOLUTION NO.18-98

A RESOLUTION AUTHORIZING AN UNDERGROUND RIGHT-OF-WAY EASEMENT WITH ROCKY MOUNTAIN POWER TO INSTALL ELECTRICAL SERVICE UNDERGROUND TO THE FORMER KA-LARK'S GYMNASISTICS BUILDING AT 355 SOUTH ASH STREET.

WHEREAS, for the conversion of overhead power underground, surface locations must be provided for electrical transformers, switch gear, vaults and cabinets; and,

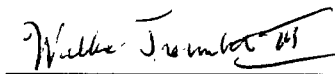
WHEREAS, the City of Casper property at the southeast corner of Lot 12, Block 1, of the City of Casper Addition needs transformers, switch gear, vaults, and cabinets from Rocky Mountain Power for power to 355 South Ash Street; and,

WHEREAS, Rocky Mountain Power requires an underground right-of-way easement to install their electrical equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That the Mayor is hereby authorized and directed to execute, and the City Clerk to attest, an underground right-of-way easement with Rocky Mountain Power for the purpose of using City-owned property at the southeast corner of Lot 12, Block 1, of the City of Casper Addition, for the installation of electrical equipment, more particularly described in said underground right-of-way easement, and specifically subject to the conditions set forth therein.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED AS TO FORM:

  
\_\_\_\_\_

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Fleur D. Tremel  
City Clerk

\_\_\_\_\_  
Ray Pacheco  
Mayor