

1/21/19

RESOLUTION NO. 2019- 12

A RESOLUTION ACCEPTING AND APPROVING A REVISED CONDOMINIUM MAP AND CONDOMINIUM DECLARATION OF COMMERCE CENTRE - REVISION NO. 2 AND VACATING ALL PREVIOUS CONDOMINIUM MAPS AND REVOKING ALL PREVIOUS CONDOMINIUM DECLARATIONS OF COMMERCE CENTRE, A COMMERCIAL CONDOMINIUM DEVELOPMENT IN THE CITY OF ROCK SPRINGS, WYOMING, AND LOCATED IN THE NE ¼ OF THE NW ¼ OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 105 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SWEETWATER COUNTY, WYOMING

WHEREAS, the Governing Body of the City of Rock Springs, in a public meeting held on August 4, 2009, approved the Commerce Centre Condominium Map and Declaration, said approval recorded in Resolution 2009-157; and,

WHEREAS, the Governing Body of the City of Rock Springs, in a public meeting held on September 1, 2009, approved a revised Commerce Centre Condominium Map and Declaration, which included minor revisions, said approval recorded in Resolution 2009-178; and,

WHEREAS, the Governing Body of the City of Rock Springs, in a public meeting held on December 1, 2009, approved Commerce Centre – Revision No. 1 Condominium Map and Declaration, which included major revisions, said approval recorded in Resolution 2009-258; and,

WHEREAS, Commerce Centre, LLC, has submitted Commerce Centre – Revision No. 2 Condominium Map and Declaration, which includes major revisions; and,

WHEREAS, the City of Rock Springs Planning and Zoning Commission, in a public meeting held on November 14, 2018, approved Commerce Centre – Revision No. 1 Condominium Map and Declaration, which included major revisions, said approval recorded in Resolution 2009-258; and,

WHEREAS, the Governing Body of the City of Rock Springs, in a public meeting held on December 4, 2018, approved Commerce Centre – Revision No. 2 Condominium Map and Declaration, which included major revisions, said approval recorded in Resolution 2018-184; and,

WHEREAS, the Sweetwater County Clerk rejected the Commerce Centre – Revision No. 2 Condominium Map and Declaration, which was approved by the Governing Body of the City of Rock Springs in Resolution 2018-184, for recording due to a reference error on the face of the map; and,

WHEREAS, the Governing Body of the City of Rock Springs, in a public meeting held on February 5, 2019, has reviewed and re-approved Commerce Centre – Revision No. 2 Condominium Map and Declaration and, by this resolution, vacated all previous Commerce Centre Condominium Maps and revoked all previous Commerce Centre Condominium Declarations.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That all previous Commerce Centre Condominium Maps are hereby vacated and all previous Condominium Declarations revoked by the Governing Body of the City of Rock Springs, Wyoming.

Section 2. That the Commerce Centre – Revision No. 2 Condominium Map and Condominium Declaration, a copy of which is attached hereto and by this reference made a part hereof, is hereby accepted and approved by the Governing Body of the City of Rock Springs, Wyoming.

PASSED AND APPROVED this _____ day of _____, 2019.

President of the Council

Mayor

Attest:

City Clerk

COMMERCE CENTRE

CONDOMINIUM MAP - REVISION NO. 2 - BUILDINGS "A", "B", "C", "D", "E" AND "F"

A PARCEL LOCATED IN THE NE1/4 OF THE NW1/4 OF SECTION 3,
T. 18 N., R.105 W., OF THE SIXTH PRINCIPAL MERIDIAN,
ROCK SPRINGS, SWEETWATER COUNTY, WYOMING

C1 - (M)
Included angle = 14°13'14"
Radius = 2029.86'
Arc length = 503.20'
Ch.L. = 506°03'26"
C.H.L. = 502.51'

C1 - (R)
Included angle = 14°13'01"
Radius = 2029.96'
Arc length = 503.70'
Chord length = 502.41'

POINT OF COMMENCEMENT
34
NORTH 1/4 CORNER SECTION 3 FOUND BRASS CAP
3

ACCEPTANCE AND APPROVAL - ROCK SPRINGS CITY COUNCIL

Approved by the City Council of the City of Rock Springs, Wyoming, this _____ day of _____, A.D. 2019.

NOTE:
This Condominium Map - Revision No. 2 is the Revision of the Commerce Centre Condominium Map (Revision No. 1) - Buildings "A", "B", "C", "D", "E", "F" and "G" as recorded in the book of plats, No. 137, of the records of the Sweetwater County Clerk (Prop. dist. of 12-31-09). All earlier Condominium Maps or portions thereof encompassed by the boundaries of this Condominium Map, are hereby vacated.

TIMOTHY A. KAUMO, Mayor

Attest:
MATT McBURNETT, City Clerk

MORTGAGEE CONSENT

The undersigned Representative of HebrakLand National Bank, hereinafter MORTGAGEE, holds a mortgage in and to the property embraced by this Condominium Map, which mortgage was filed with the Clerk of Sweetwater County and Ex-Officio Recorder of Deeds at Book 1203, Page 2904, and the undersigned Representative of HebrakLand National Bank, hereinafter MORTGAGEE, holds a mortgage in and to the property embraced by this Condominium Map, which mortgage was filed with the Clerk of Sweetwater County and Ex-Officio Recorder of Deeds at Book 1212, Page 1578, and the undersigned Representative of Comerstock Bank, hereinafter MORTGAGEE, holds a mortgage in and to the property embraced by this Condominium Map, which mortgage was filed with the Clerk of Sweetwater County and Ex-Officio Recorder of Deeds at Book 1216, Page 2548.

MORTGAGEE(S), by his/her signature(s) on this plat, consents to the dedication made herein and specifically releases all easements, parking lots and easements and other areas dedicated for public use, as stated and described on this Condominium Map from the aforementioned mortgage.

Krista K Hess, EPC
Representative - HebrakLand National Bank

Kelly Kott, SVP
Representative - Comerstock Bank

STATE OF NE ss
COUNTY OF YOKE

The foregoing instrument was acknowledged before me this _____ day of JANUARY, 2019, by:

Krista K Hess
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: May 15, 2021

Kelly Kott
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: _____

NOTARY PUBLIC

GENERAL NOTARY - State of Nebraska
JENNIFER L. SCHLAFER
My Comm. Exp. May 15, 2021

NOTARY PUBLIC

GENERAL NOTARY - State of Nebraska
HEATHER BECKER
My Comm. Exp. October 28, 2019

STATEMENT OF SURVEYOR

I, David A. Fehring, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Wyoming, and that this Condominium Map is a true, correct and complete boundary of the units and bounds and descriptions as filed in the office of the County Clerk as represented, and shown herein, and that such Condominium Map was made from an accurate survey of said property by me and under my supervision and carefully shows the location and dimensions of the property, facilities, structures, easements and streets of the Condominium Map as the same have been constructed or are staked out upon the ground.

DAVID A. FEHRINGER
PROFESSIONAL ENGINEER (CIVIL) & LAND SURVEYOR
WYOMING REGISTRATION NUMBER 10952

STATE OF Wyoming ss
COUNTY OF Sweetwater

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

David A. Fehring
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: 1-20-20

REBECCA A. LEGERSKI
Notary Public - State of Wyoming
Sweetwater County
My Commission Expires: 04-23-2020

Rebecca A. Legerski
NOTARY PUBLIC

CERTIFICATE OF DEVELOPER

The undersigned, being the owner, hereby agrees to be bound by the conditions and provisions of the Revised Condominium Map and the governing zoning regulations and to maintain and level the location and development of all structures and the use of all land included within the Condominium Map to such conditions, provisions and regulations. It is further agreed that this Condominium Map shall be binding upon not only the undersigned but their successors and assigns in interest as well. It is understood that the Condominium Map may be amended only in accordance with the amendment procedures established by the City of Rock Springs, Wyoming.

Ben Doud
BEN DOUD
COMMERCE CENTRE, LLC
3808 GENESEE TRAIL ROAD
GOLDEN, COLORADO 80401
PHONE: 1-303-452-3804

STATE OF Colorado ss
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Ben Doud
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: 3-5-22

MARY J AMEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 2019050668
MY COMMISSION EXPIRES MARCH 31, 2022

Mary J Amen
NOTARY PUBLIC

CERTIFICATE OF DEDICATION

Know all men by these presents that the undersigned, The Commerce Centre, LLC, a Wyoming Limited Liability Company and Commerce Bank of Wyoming, a Branch of NebraskaLand National Bank, being the owner(s), proprietor(s), or parties of interest to the land shown on this Condominium Map, do hereby certify:

That the foregoing CONDOMINIUM MAP - (COMMERCE CENTRE CONDOMINIUM MAP - REVISION NO. 2), a parcel located in the NE1/4 of the NW1/4 of Section 3, T. 18 N., R. 105 W., of the 6th P.M., Rock Springs, Sweetwater County, Wyoming, being more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 3, thence S 38° 30' 48" W, 289.29 feet (Tie) to the TRUE POINT OF BEGINNING.

Thence along the Northern Property Boundary Line of said parcel, and along a curve to the left, having a radius of 2,029.86 feet, through a central angle of 09°15'43", 115.55 feet, said curve having a chord bearing of N 05° 10' 53" E and a chord distance of 115.55 feet.

Thence S 16° 46' 43" E along the Easterly Property Boundary Line of said parcel, 456.89 feet to the Southeast corner of said parcel.

Thence along the Southerly Property Boundary Line of said parcel, and along a non-tangent curve to the right, having a radius of 1,587.62 feet, through a central angle of 04°09'29", 115.22 feet, said curve having a chord bearing of S 42° 02' 09" W and a chord distance of 115.19 feet.

Thence continuing along the Southerly Property Boundary Line of said parcel, and along a tangent compound curve to the right, having a radius of 1,587.62 feet, through a central angle of 09°15'19", 252.30 feet, said curve having a chord bearing of S 08° 35' 11" W and a chord distance of 252.03 feet.

Thence S 73° 05' 43" W, and continuing along the Southerly Property Boundary Line of said parcel, 447.30 feet to the Southeast corner of said parcel.

Thence N 00° 32' 25" E, along the West Property Boundary Line of said parcel, 730.07 feet to the Northwest corner of said parcel.

Thence S 77° 47' 42" E, along the Northern Property Boundary Line of said parcel, 10.05 feet to the beginning of a tangent curve to the left, having a radius of 2,029.86 feet.

Thence continuing along the Northern Property Boundary Line and along said curve through a central angle of 14°13'14", 503.20 feet, said curve having a chord bearing of S 38° 05' 26" E and a chord distance of 502.51 feet to the TRUE POINT OF BEGINNING.

and containing a total area of 9.683 acres, more or less, and that this Condominium Map, as it is described and as it appears on this map, is made with the free consent and in accordance with desires of the undersigned owner(s) and proprietor(s), and that this is a correct map of the area as it is divided into units, and that the undersigned owner(s) and proprietor(s), as described on this map do hereby dedicate for perpetual public use, all easements, parking lots and easements for the purposes designated and other lands within the boundary lines of the map as indicated and not otherwise dedicated for public use.

Thence along the Northern Property Boundary Line of said parcel, and along a non-tangent curve to the right, having a radius of 1,587.62 feet, through a central angle of 04°09'29", 115.22 feet, said curve having a chord bearing of S 42° 02' 09" W and a chord distance of 115.19 feet.

Thence continuing along the Southerly Property Boundary Line of said parcel, and along a tangent compound curve to the right, having a radius of 1,587.62 feet, through a central angle of 09°15'19", 252.30 feet, said curve having a chord bearing of S 08° 35' 11" W and a chord distance of 252.03 feet.

Thence S 73° 05' 43" W, and continuing along the Southerly Property Boundary Line of said parcel, 447.30 feet to the Southeast corner of said parcel.

Thence N 00° 32' 25" E, along the West Property Boundary Line of said parcel, 730.07 feet to the Northwest corner of said parcel.

Thence S 77° 47' 42" E, along the Northern Property Boundary Line of said parcel, 10.05 feet to the beginning of a tangent curve to the left, having a radius of 2,029.86 feet.

Thence continuing along the Northern Property Boundary Line and along said curve through a central angle of 14°13'14", 503.20 feet, said curve having a chord bearing of S 38° 05' 26" E and a chord distance of 502.51 feet to the TRUE POINT OF BEGINNING.

and containing a total area of 9.683 acres, more or less, and that this Condominium Map, as it is described and as it appears on this map, is made with the free consent and in accordance with desires of the undersigned owner(s) and proprietor(s), and that this is a correct map of the area as it is divided into units, and that the undersigned owner(s) and proprietor(s), as described on this map do hereby dedicate for perpetual public use, all easements, parking lots and easements for the purposes designated and other lands within the boundary lines of the map as indicated and not otherwise dedicated for public use.

Executed this _____ day of January, 2019, by:

COMMERCE CENTRE, LLC
Ben Doud
BEN DOUD
STATE OF Colorado ss
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Ben Doud
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: 3-5-22

Mary J Amen
NOTARY PUBLIC

COMMERCE BANK OF WYOMING, A BRANCH OF NEBRASKALAND NATIONAL BANK
Michael B. Jacobson
MICHAEL B. JACOBSON
REPRESENTATIVE
STATE OF Nebraska ss
COUNTY OF Lincoln

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Michael B. Jacobson
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: May 15, 2021

Mary J Amen
NOTARY PUBLIC

STATE OF Colorado ss
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Ben Doud
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: 3-5-22

Mary J Amen
NOTARY PUBLIC

STATE OF Colorado ss
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Ben Doud
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: 3-5-22

Mary J Amen
NOTARY PUBLIC

STATE OF Nebraska ss
COUNTY OF Lincoln

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Michael B. Jacobson
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: May 15, 2021

Mary J Amen
NOTARY PUBLIC

STATE OF Nebraska ss
COUNTY OF Lincoln

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Michael B. Jacobson
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: May 15, 2021

Mary J Amen
NOTARY PUBLIC

STATE OF Nebraska ss
COUNTY OF Lincoln

The foregoing instrument was acknowledged before me this _____ day of January, 2019, by:

Michael B. Jacobson
as a free and voluntary act and deed.
Witness my hand and official seal.
My commission expires: May 15, 2021

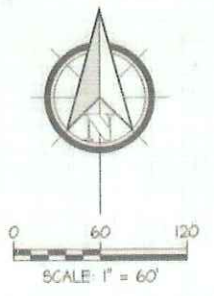
Mary J Amen
NOTARY PUBLIC

CERTIFICATE OF RECORDING - SWEETWATER COUNTY CLERK

This Condominium Map - Revision No. 2 was filed for record in the Office of the clerk and Recorder at _____ o'clock _____

_____ 2019, and is duly recorded in Book of Plats, No. _____

COUNTY CLERK
DEPUTY



FLOOD PLAIN ELEVATION
ELEV = 6231 - 6230 (WEST)
PER FIRM - PANEL #560051-0005-E
MAP REVISED - JULY 20, 1990

REVISED TO REFLECT LOMR
MAP REVISION 08-08-019P
EFFECTED ON MAY 21, 2008

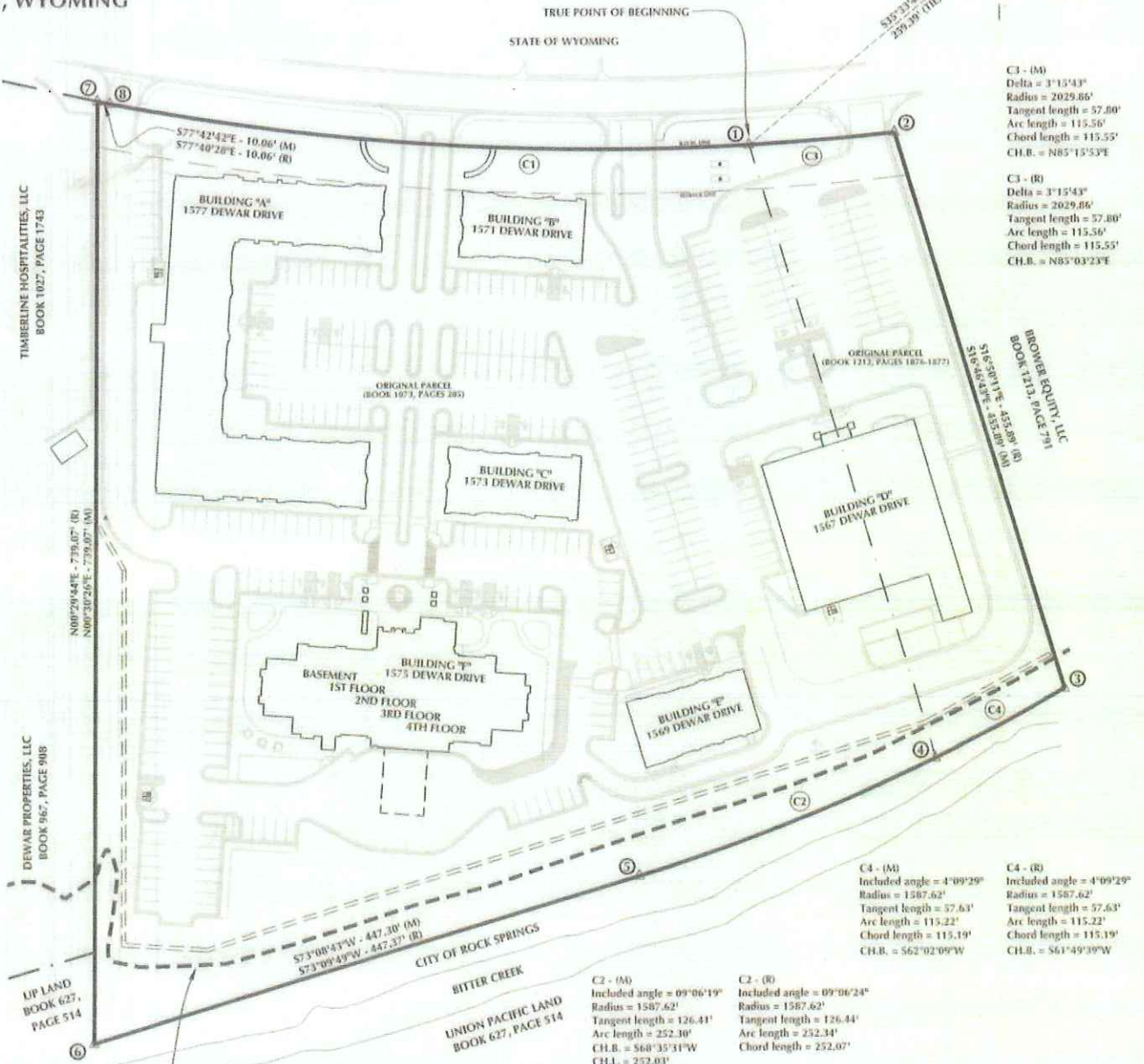
COMMERCE CENTRE - CONDOMINIUM MAP		
BUILDING "A"	0.502 ACRES	9 UNITS
BUILDING "B"	0.997 ACRES	3 UNITS
BUILDING "C"	0.183 ACRES	4 UNITS
BUILDING "D"	0.358 ACRES	1 UNIT
BUILDING "E"	0.102 ACRES	1 UNIT
BUILDING "F" - BASEMENT	0.200 ACRES	3 UNITS
BUILDING "F" - 1ST FLOOR	0.291 ACRES	1 UNIT
BUILDING "F" - 2ND FLOOR	0.244 ACRES	6 UNITS
BUILDING "F" - 3RD FLOOR	0.265 ACRES	1 UNITS
BUILDING "F" - 4TH FLOOR	0.167 ACRES	4 UNITS
COMMON AREA	7.274 ACRES	
TOTAL PARCEL ACREAGE	9.683 ACRES	

BASIS OF BEARING
THE BASIS OF BEARING IS SOUTH 16°46'43" EAST ALONG THE EASTERLY PROPERTY BOUNDARY

TOPOGRAPHIC LEGEND
PARCEL BOUNDARY
UNITS LINES

SURVEY CORNER SET LEGEND
3-1/4" BERNTSEN ALUMINUM CAP WITH 2-3/8" x 30" ALUMINUM PIPE STAMPED "COMMERCE CENTRE" MARKER (CORNER # INDICATED ON PLAT) "PELS 19052"

- NOTES:**
- WHEN INTERPRETING DEEDS AND OTHER DOCUMENTS RELATED TO THIS PLAT, ALL AS-BUILT PHYSICAL BOUNDARIES OF A UNIT OR OF A UNIT SUBSEQUENTLY RE-CONSTRUCTED IN SUBSTANTIAL ACCORDANCE WITH THE ORIGINAL PLANS SHALL BE CONCLUSIVELY PRESUMED TO BE ITS BOUNDARIES, RATHER THAN THE BOUNDARIES EXPRESSED AND DELINEATED ON THE CONDOMINIUM MAP REGARDLESS OF SETTING, LATERAL OR VERTICAL MOVEMENT OF THE BUILDING AND REGARDLESS OF MINOR VARIATIONS BETWEEN BOUNDARIES SHOWN ON THE CONDOMINIUM MAP.
 - THE CITY OF ROCK SPRINGS, WYOMING IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT MAINTENANCE OF PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE LANDSCAPE AREAS, OR OTHER PRIVATE FACILITIES WITHIN THE PROPERTY.
 - THIS PLAT HAS A MINE SUBSIDENCE RISK DESIGNATION = (LOW)
 - EASEMENTS: THIS PLAT CONTAINS A BLANKET PUBLIC UTILITY EASEMENT (BOOK 1147, PAGE 1666-1667). ALL OTHER EASEMENTS AS SHOWN IN THE OWNERSHIP AND ENCUMBRANCES REPORT ARE OFF-SITE AND DO NOT AFFECT THIS PROPERTY.



C3 - (M)
Delta = 3°15'43"
Radius = 2029.86'
Arc length = 57.80'
Chord length = 115.55'
C.H.B. = N85°15'53"E

C3 - (R)
Delta = 3°15'43"
Radius = 2029.86'
Arc length = 57.80'
Chord length = 115.55'
C.H.B. = N85°03'23"E

C4 - (M)
Included angle = 4°09'29"
Radius = 1587.62'
Tangent length = 57.63'
Arc length = 113.22'
Chord length = 115.19'
C.H.B. = S62°02'09"W

C4 - (R)
Included angle = 4°09'29"
Radius = 1587.62'
Tangent length = 57.63'
Arc length = 113.22'
Chord length = 115.19'
C.H.B. = S61°49'39"W

C2 - (M)
Included angle = 09°06'19"
Radius = 1587.62'
Tangent length = 126.44'
Arc length = 252.34'
C.H.L. = S68°35'31"W
C.H.L. = 252.03'

C2 - (R)
Included angle = 09°06'24"
Radius = 1587.62'
Tangent length = 126.44'
Arc length = 252.34'
Chord length = 252.07'

