

RESOLUTION NO. _____

ENTITLED: "A RESOLUTION DIRECTING CITY STAFF TO RESEARCH AND PROVIDE A REPORT REGARDING THE PROPERTY CURRENTLY UTILIZED AS A DETENTION POND AT HIGHLAND VILLAGE SUBDIVISION."

WHEREAS, on June 18, 1982, Catharine S. Holmes and R.F. Deike of the Highland Joint Venture caused to be surveyed and platted the subdivision now known as the Highland Village. Highland Village is situated in the SE1/4 of section 5 T.13 N., R.66 W, of the 6th P.M., Laramie County, Wyoming. Highland Village is more generally located north of East Fox Farm Road, east of North Avenue B-6, south of I-80, and west of Morrie Avenue. An aerial view of the property is attached and incorporated herein as *Exhibit A* and the dedicated plat is attached and incorporated herein as *Exhibit B*;

WHEREAS, the dedicated plat was approved by the then Cheyenne-Laramie Regional Planning Commission on May 17, 1982, by the City Council for the City of Cheyenne on July 7, 1982, and by the Board of County Commissioners of Laramie County, Wyoming on July 13, 1982;

WHEREAS, the plat of Highland Village dedicated a piece of property as a "Common Area". This property is located at Highland Village: Lot 25, Block 1 and is comprised of .70 acres, or 30,629 square feet. This property is bordered on the north by Teton Street, on the east by homes, on the south by Absaroka Street, and on the west by Medicine Bow Avenue. According to the County Assessor, this property is owned by the Highland Village Community Association;

WHEREAS, since June 18, 1982, the intended uses for the Common Area included communal space for recreation and for stormwater mitigation. Over the years, the Common Area has come to be utilized only for a detention pond to help mitigate stormwater, for which the City of Cheyenne may have provided some periodic maintenance and support;

WHEREAS, the Highland Village Community Association is the owner of record of the subdivision and the designated management and enforcement entity specified in subdivision's Declaration of Covenants, Conditions and Restrictions. Notwithstanding, the Highland Village Community Association does not appear to have acted to develop or otherwise maintain the Common Area;

WHEREAS, as designed, the detention pond on the southside of the Common Area periodically fills up with surface water runoff creating a muddy area. In recent years, this muddy area has become an attractive nuisance causing problems within the Highland Village subdivision;

WHEREAS, residents of Highland Village have approached the City of Cheyenne and asked that the City purchase the Common Area for continued use as a detention pond; and

WHEREAS, Wyoming Statute § 15-1-103(ii) grants the governing body of the City of Cheyenne the power to purchase and hold real property for the City's use, and purchasing the Common Area may be appropriate in this particular matter;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING, that the City Engineer, the City Attorney's Office and the City Surveyor are authorized to research all relevant information regarding this detention pond and its relationship to the City Stormwater Management Program and file a report with the Governing Body regarding their findings.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2023.

Patrick Collins, Mayor

(SEAL)

ATTEST:

Kristina F. Jones, City Clerk