

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on October 16, 2014. The meeting was convened at 8:30 a.m. by Chairman McCormack. The following members were present constituting a quorum:

Bruce McCormack, Chairman, Cody  
Clair Anderson, Vice Chairman, Riverton  
Ted Ertman, Commissioner, Newcastle  
Milt Coulter, Commissioner, Gillette  
Bob Ruwart, Commissioner, Wheatland (via telephone)  
Todd Seeton, Commissioner, Jackson  
John Cox, Director  
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Gregg Fredrick, Assistant Chief Engineer of Engineering and Planning; Ken Shultz, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Colonel John Butler, Highway Patrol Administrator; Mike Kahler, Assistant Attorney General; Rodney Freier, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Katie Pfister, Aeronautics Commission Secretary; Joel Barnett, Highway Engineer, FHWA; and Paul Phillips, Territory Representative, and Glen Wise, Vice President of Sales, Wyoming Machinery Company, in Cheyenne.

Commissioner K. John Dooley, of Laramie; and Messrs. Delbert McOmie, Chief Engineer; and Dennis Byrne, Aeronautics Administrator; were absent.

1. Pledge of Allegiance: Chairman McCormack led the attendees in the Pledge of Allegiance.
2. Changes/Additions to the Agenda: Secretary Scott advised that a late scheduled delegation, Wyoming Machinery Company, should be added to the agenda. Also, under Agenda Item 15, General Matters, Secretary Scott will ask for Commission approval to approve Ms. Caryn M. Erickson, Senior Budget Specialist, as an authorized WYDOT signatory.

It was recommended by Secretary Scott, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to add the above items to the agenda.

3. Approval of Minutes: It was recommended by Secretary Scott, moved by Vice Chairman Anderson, seconded by Commissioner Ertman, and carried to approve the minutes from the September 17, 2014, FY 2015 Budget presentation; the September 18, 2014, breakfast meeting and regular business meeting; and the October 2, 2014, special meeting that was held via teleconference.

4. Correspondence: Secretary Scott presented a letter from the Federal Aviation Administration (FAA) explaining its stance on the recent FAA Part 135 rule change. The letter was in response to the Transportation Commission's letter of August 20, 2014, requesting an exemption to allow

the use of 30-seat aircraft between city pairs up to 24 round trip flights per week, since the current 4 round-trip limit is a DOT statute and FAA regulation under FAR Part 110. The FAA indicated that its regulatory mandate is for aviation safety, and denied the Commission's request for an exemption.

In its August 20 request, the Transportation Commission also requested a limited exception for FY 2016 and 2017 Airport Improvement Program (AIP) funding to continue at the FY 2013 level. The FAA indicated that approval of such a request would require legislative action. However, according to the FAA, "under current law, airports facing reduced enplanements unrelated to demand may qualify for the previous year's apportionment. Additionally, the airports remain eligible to compete for discretionary AIP funds."

5. In-state Bidder Preference: Chairman McCormack asked Messrs. Glen Wise and Paul Phillips to present their concerns regarding the recent changes to the in-state bidder preference law.

Wyoming Machinery Company is the Caterpillar® dealer in 16 Wyoming counties. Mr. Wise questioned WYDOT's interpretation of the 2013 changes to the Wyoming statutes that pertain to residency preference. Mr. Wise believes that the references to in-state bidder preference in W.S. 16-6-102 through 16-6-107 do apply to the equipment that is sold by Wyoming Machinery.

Mr. Phillips indicated that he received an email from WYDOT two months ago requesting that companies must register their residency with the Wyoming Department of Workforce Services (DWS) office. Wyoming Machinery has received its certificate of residency from the DWS. Since then, Mr. Phillips learned that the residency requirement has been removed from WYDOT's equipment bids. Mr. Phillips expressed his concern about the risk that this poses to the state if the state were to purchase foreign equipment, as they do not have local dealerships to service the equipment or to address warranty issues. A consistent determination is necessary, as city and county governments also utilize Wyoming statutes in their bidding processes and they tend to follow WYDOT's application of the statutes.

Mr. Shultz explained that the 2013 legislature voted to amend the Wyoming residency preference laws. The changes became effective July 1, 2014, and they were implemented to clarify the application of in-state preference to apply only to public works, construction, major maintenance, renovation, and printing contracts. In-state preference does not apply to state procurement purchases or supplier contracts.

Before the legislature amended the residency requirements of W.S. 16-6-102 through 16-6-107, WYDOT and the Wyoming Department of Administration and Information applied resident preference to all state-funded procurement. W.S. 16-6-105 was changed to, “. . . shall prefer in all purchases for supplies, material, agricultural products, equipment, machinery and provisions to be used in the *construction, maintenance and renovation* of their respective institutions . . .” (emphasis added). According to W.S. 16-6-101(v), major maintenance means “the repair or replacement of complete or major portions of building and facility systems at irregular intervals which is required to continue the use of the building or facility at its original capacity for its original intended use and is typically accomplished by contractors due to the personnel demand to accomplish the work in a timely manner, the level of sophistication of the work or the need for warranted work; . . .”

Mr. Shultz shared the same concerns that were stated by the Wyoming Machinery representatives.

Mr. Phillips referred to W.S. 16-6-102, titled, “Resident contractors; preference limitation with reference to lowest bid or qualified response; decertification; denial of application for residency,” and asked for clarification of (a), which reads:

“If a contract is let by the state, any department thereof, . . . or other public corporation of the state for the construction, major maintenance or renovation of any public building, . . . *or for any public work or improvements*, the construction shall be let, if advertisement for bids or request or proposal is not required, *to a resident of the state.*” (emphasis added)

Mr. Phillips believes that “for any public work or improvements” includes the use of equipment that is purchased for those improvements. Mr. Shultz deferred the question to Mr. Kahler, Assistant Attorney General, but he admitted there may be some conflicting language within the statute, but he was leaning toward the intent of the bill as it was being developed throughout the 2013 legislative session.

Mr. Kahler advised that a formal opinion has not been requested from the Wyoming Attorney General to clarify the statutory intent. Chairman McCormack asked Director Cox to pursue a formal opinion from the Attorney General to address the ambiguity in the statute. When a formal opinion is received, the outcome will be passed along to Wyoming Machinery Company.

Messrs. Wise and Phillips left the meeting.

6. Director Cox presented the Director’s report.

Safety Issues on Highway 220 Reconstruction Project: Wyoming Senator Drew Perkins wrote a letter to the Transportation Commission and to WYDOT on September 8, 2014, regarding safety and other issues caused by the reconstruction of Highway 220 in Natrona County. Director Cox provided a detailed written response to Senator Perkins on October 14, addressing the concerns, and he offered to have the district engineer, Lowell Fleenor, meet with Senator Perkins onsite to address any potential further concerns.

State Compensation Policy: A recent change was made to the Wyoming Compensation Commission policy that allows a one-time review of certain employee positions that were reclassified, where the employee was brought only to the minimum allowable salary within that classification. WYDOT asked for reconsideration of the policy, as it was outdated. The request for a policy change was approved by the Compensation Committee and by Governor Mead, and it will positively impact about 200 WYDOT employees. Director Cox advised that the policy change will affect WYDOT’s budget. A quarterly budget modification will be brought before the Commission in January 2015 to implement the change.

Trinity Industries Guardrail Products: A U.S. District Court judge recently ruled for the plaintiff in a case against Trinity Industries, Inc., a Texas manufacturer of guardrail products. Director Cox advised that the Trinity guardrail end-caps in question are not used in Wyoming. WYDOT’s guardrail specifications permit the use of certain Trinity products, but the lawsuit does not have implications for Wyoming.

7. Mr. Freier presented the Budget report.

The September 2014 budget report reflected a cash balance of about \$2.8 million in the H01 account, which is not a significant amount of cash reserves considering the scale of payments made by WYDOT on a monthly basis. The Department has increased its FY 2015 cash reserve budget by \$5 million to ease concerns of low cash reserves, which are used in the course of conducting business.

Mr. Freier noted that the September 2014 budget report that was provided to the Commission required one modification since printing the report. On Page 10, under the Maintenance Program, Road Surface account, the amount should be \$15,011,797. The adjustment impacts the final amount of Commission expenditures for FY 2014, and brings the total Commission expenditures to 92 percent for the year. Legislative expenses were 94 percent for the year, which averages out to 92 percent overall budget expenditures for FY 2014.

8. Mr. Fredrick presented the Engineering and Planning report, beginning with the bid tabulations from the letting held October 9, 2014, in Laramie.

**COMMISSION DISTRICT 1**  
**Bob Ruwart - Commissioner**

Federal project NHPPI-I806198, involving grading, draining, milling plant mix and concrete, placing crushed base and bituminous pavement surfacing, plant mix wearing course, concrete pavement, structure replacements, electrical, removal and replacement of guardrail, and miscellaneous work on 2.19 miles of I-80, between Cheyenne and the Nebraska state line (Pine Bluffs Marginal, westbound lane), in Laramie County.

Engineer’s Estimate	\$ 9,745,231.55	
<b>Reiman Corp. and Subsidiary, Cheyenne, WY</b>	<b>\$ 9,999,980.25</b>	<b>+2.6%</b>
SEMA Construction, Inc and Subsidiaries, Centennial, CO	\$10,441,990.53	
S & S Builders, LLC, Gillette, WY	\$11,946,604.47	
New Design Construction Company, Denver, CO	\$12,592,998.25	

It was recommended by Mr. Fredrick, moved by Commissioner Ruwart, seconded by Commissioner Ertman, and carried that **Reiman Corp. and Subsidiary, Cheyenne, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Mr. Dailey noted that the Pine Bluffs Marginal project is one of several federally funded WYDOT projects that were selected as projects of division interest for FY 2015. Projects of division interest receive a higher level of FHWA involvement because of their significance in meeting FHWA division and WYDOT goals. The projects were selected by the FHWA and WYDOT staff because they are more significant than normal. Mr. Dailey explained that the selected projects are not being singled out because of any particular problems, and that the FHWA would merely like to assist in ensuring their success.

**COMMISSION DISTRICTS 1 and 2**

**Bob Ruwart - Commissioner**

**K. John Dooley - Commissioner**

Federal projects STP-PM-B151026 and CMP-PM-B151036 combined, involving crack sealing and miscellaneous work on 81.75 miles of various roads in Transportation District 1, including Albany, Carbon, and Laramie counties.

Engineer's Estimate	\$523,532.00
<b>Z &amp; Z Seal Coating, Inc., Billings, MT</b>	<b>\$464,049.01 -11.4%</b>

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Ruwart, and carried that **Z & Z Seal Coating, Inc., Billings, Montana**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICTS 2 and 3**

**K. John Dooley - Commissioner**

**Todd Seeton - Commissioner**

State project SSP-TO-B143104, involving overhead sign upgrades and miscellaneous work at various locations in Transportation District 3, including Lincoln, Sweetwater, Teton, and Uinta counties.

Engineer's Estimate	\$191,950.00	
<b>Advanced Electrical Contracting, Inc., Sheridan, WY</b>	<b>\$248,520.00</b>	<b>+29.5%</b>
TK Construction US, LLC, Grand Junction, CO	\$280,100.00	
Plus 5% for Comparison	\$294,105.00	
S & L Industrial, Cowley, WY	\$343,150.00	
Cache Valley Electric Company and Subsidiaries, Salt Lake City, UT	\$353,506.91	
Plus 5% for Comparison	\$371,182.26	
Keyhole Technologies, LLC, Mills, WY	\$435,270.01	
Modern Electric Co. and its Subsidiary, Casper, WY	\$448,291.00	

It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Coulter, and carried that **Advanced Electrical Contracting, Inc., Sheridan, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

**COMMISSION DISTRICT 4**  
**Milt Coulter - Commissioner**

Federal project STP-0302086, involving slide repair, to include grading, draining, placing crushed base and bituminous pavement surfacing, and miscellaneous work at reference marker (RM) 15.40 on US 14, between Sheridan and Ucross (Sheridan Alps Slide), in Sheridan County.

Engineer's Estimate	\$940,739.00	
<b>Wilson Bros. Construction, Inc., Cowley, WY</b>	<b>\$679,875.30</b>	<b>-27.7%</b>
Intermountain Construction & Materials, Gillette, WY	\$723,549.00	
T & T Contracting, Inc., Victor, MT	\$915,190.00	

It was recommended by Mr. Fredrick, moved by Commissioner Coulter, seconded by Commissioner Ertman, and carried that **Wilson Bros. Construction, Inc., Cowley, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICTS 4 and 6**  
**Milt Coulter - Commissioner**  
**Ted Ertman - Commissioner**

Federal project STP-PM-B154030, involving crack sealing and miscellaneous work at various locations in Transportation District 4, including Campbell, Crook, Johnson, Sheridan, and Weston counties.

Engineer's Estimate	\$531,701.00	
<b>Hardrives Construction, Inc., and Subsidiaries, Billings, MT</b>	<b>\$469,716.00</b>	<b>-11.7%</b>
Highway Improvement, Inc., Sioux Falls, SD	\$511,981.00	
Z & Z Seal Coating, Inc., Billings, MT	\$564,453.62	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Coulter, and carried that **Hardrives Construction, Inc., and Subsidiaries, Billings, Montana**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICTS 5 and 7**  
**Bruce McCormack - Chairman**  
**Clair Anderson - Vice Chairman**

Federal projects STP-PM-B155016 and NHPP-PM-B155037 combined, involving crack sealing and miscellaneous work at various locations in Transportation District 5, including Big Horn, Fremont, Hot Springs, Natrona, Park, and Washakie counties.

Engineer's Estimate	\$2,635,400.00
<b>Highway Improvement, Inc., Sioux Falls, SD</b>	<b>\$2,300,304.13 -12.7%</b>

It was recommended by Mr. Fredrick, moved by Vice Chairman Anderson, seconded by Commissioner Coulter, and carried that **Highway Improvement, Inc., Sioux Falls, South Dakota**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 7**  
**Clair Anderson - Vice Chairman**

Federal projects SIB-ACNHPP-N212094, ARSCT-N212A02, and ARSCT-N212A03 combined, involving grading, draining, milling plant mix, placing crushed base, bituminous pavement surfacing, plant mix wearing course, concrete pavement, curb and gutter, sidewalk, a precast wall component system, water and sewer, electrical systems, guardrail, thermoplastic pavement markings, fencing, and miscellaneous work on 7.56 miles of the Casper West Belt Loop Road, in Natrona County.

Engineer's Estimate	\$16,589,055.75
<b>Ralph L. Wadsworth Construction Company, LLC, Draper, UT</b>	<b>\$16,602,038.54 +0.1%</b>
Lawson Construction Company, Longmont, CO	\$17,991,433.64
Interstate Highway Construction, Inc., Englewood, CO	\$18,413,354.26
Hedquist Construction, Inc., Mills, WY	\$18,674,907.02
Oftedal Construction, Inc., Casper, WY	\$19,955,882.72
Concrete Works of Colorado, Inc., Lafayette, CO	\$22,236,792.99

It was recommended by Mr. Fredrick, moved by Vice Chairman Anderson, seconded by Commissioner Seeton, and carried that **Ralph L. Wadsworth Construction Company, LLC, Draper, Utah**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision. Mr. Dailey noted that this project is also designated as an FHWA project of division interest.

Federal project NHPP-N203052, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, chip seal, structure widening, electrical, guardrail, fencing, and miscellaneous work on 3.32 miles of WYO 789, beginning at RM 100.86, between Hudson and Riverton (Riverton South Section), in Fremont County.

Engineer's Estimate	\$11,410,004.73	
<b>LeGrand Johnson Construction Co., Logan, UT</b>	<b>\$11,040,283.00</b>	<b>-3.2%</b>
H-K Contractors, Inc., Idaho Falls, ID	\$11,998,777.00	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$12,267,620.66	
Oftedal Construction, Inc., Casper, WY	\$12,541,379.94	
High Country Construction, Inc., Lander, WY	\$13,118,991.74	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Coulter, and carried that **LeGrand Johnson Construction Co., Logan, UT**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project NHPP-N342046, involving removal and replacement of curb and gutter, placing crushed base and bituminous pavement surfacing, and miscellaneous work on the north side of US 20/26, between RM 99.61 and RM 99.82, in Fremont County.

Engineer's Estimate	\$287,871.25	
<b>Reiman Corp. and Subsidiary, Cheyenne, WY</b>	<b>\$286,215.25</b>	<b>-0.6%</b>

It was recommended by Mr. Fredrick, moved by Vice Chairman Anderson, seconded by Commissioner Coulter, and carried that **Reiman Corp. and Subsidiary, Cheyenne, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

9. It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to approve the following project authorizations:

**COMMISSION DISTRICT 1**

Rural Minor Collector

STP-CR 7.00 CN08079; Platte County; Glendo Park Road; pavement preservation; FY 2015; request federal preliminary engineering funds of \$48,375; request federal construction engineering and construction funds of \$793,349

**COMMISSION DISTRICT 3**

Rural Major Collector

ARSCT 0.00 B173A01; Lincoln County; Shute Creek County Road 340; chip seal; FY 2017; request preliminary engineering funds of \$33,500; estimated construction engineering and construction cost of \$368,500; to be reimbursed by Lincoln County



**COMMISSION DISTRICT M (Miscellaneous)**

Various

SCP 0.00 TRFSIGN; Albany, Carbon, Laramie, Sweetwater, and Uinta counties; I-80 corridor, various locations; repair and replace logo signs; FY 2015; request state construction engineering and construction funds of \$575,000

GCP 0.00 B159103; statewide; various locations; miscellaneous work associated with railroad surfacing projects; FY 2015; request state construction funds of \$100,000

HSIP 0.00 B151104; Albany, Carbon, and Laramie counties; Highway District One, various locations; thermoplastic pavement markings; FY 2015; request federal preliminary engineering funds of \$35,300; request federal construction engineering and construction funds of \$372,300

HSIP 0.00 B152105; Natrona and Niobrara counties; Highway District Two, various locations; thermoplastic pavement markings; FY 2015; request federal preliminary engineering funds of \$28,600; request federal construction engineering and construction funds of \$301,640

HSIP 0.00 B153106; Sweetwater, Sublette, and Teton counties; Highway District Three, various locations; thermoplastic pavement markings; FY 2015; request federal preliminary engineering funds of \$10,300; request federal construction engineering and construction funds of \$108,900

HSIP 0.00 B154107; Campbell, Sheridan, and Weston counties; Highway District Four, various locations; thermoplastic pavement markings; FY 2015; request federal preliminary engineering funds of \$13,500; request federal construction engineering and construction funds of \$142,600

HRRR 0.00 HRRR015; University of Wyoming Technology Transfer Center; High Risk Rural Road (HRRR) Program; assist Wyoming counties in safety planning and speed-related safety studies; FY 2015; request federal funds of \$200,000

10. Mr. Fredrick presented the following ratified resolution for relinquishment. The original resolution that was approved by the Commission at its August 24, 2014, meeting was to relinquish the described property to Sheridan County, Wyoming, but the printed resolution mistakenly stated that the property was relinquished to the City of Sheridan. The following resolution replaces the resolution previously approved by the Commission on August 24, 2014.

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Coulter, and carried to approve the following ratified Resolution for Relinquishment.

## RESOLUTION FOR RELINQUISHMENT

**WHEREAS**, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of a state highway upon reconstruction or relocation of an existing state highway; and

**WHEREAS**, a portion of Wyoming Department of Transportation's right-of-way for State Highway No. 332, Loop Road, Sheridan County, Wyoming, established under Wyoming State Highway Federal Aid Project No. CN03031 is no longer needed for state highway purposes. Said portion being described as follows:

All that portion of Wyoming Department of Transportation's right-of-way for Wyoming State Highway No. 332, Loop Road, Sheridan County, Wyoming, established under Wyoming State Highway Federal Aid Project No. S-69(1) and all of Parcel No. 3 described in that certain Correction Deed recorded April 16, 1996 in Book 379, Page 189 of the Sheridan County Records, located in the S½SE¼ of Section 3, and N½NE¼ of Section 10, T55N, R84W, of the 6<sup>th</sup> P.M., Sheridan County, Wyoming, being described by metes and bounds as follows:

Commencing at a point on the north boundary of said Section 10 from which the northeast corner thereof bears N88°36'40.6" E a distance of 1,867.94 feet, said corner being monumented by a ¾ inch aluminum survey cap LS 2615 and from which a witness corner to the north quarter corner thereof bears S88°40'26.5" W a distance of 759.25 feet, said witness corner being located in a fence line being monumented by a rebar with a 3 inch aluminum survey cap LS 2615 and bearing S 89°33'27" W a distance of 50.36 feet from said quarter corner;

thence S30°21'51.0"W a distance of 870.64 feet;

thence S59°38'09"E a distance of 60 feet to the southwest corner of said Parcel No. 3 and a point on the existing southeasterly right-of-way boundary of Wyoming State Highway No. 332, also being the TRUE POINT OF BEGINNING;

thence along said southeasterly right-of-way boundary N30°21'51.0"E a distance of 128.65 feet to a point on the existing northerly right-of-way boundary of old Wyoming State Highway No. 332 as established under Federal Aid Project No. S-69(1);

thence along said northerly right-of-way boundary N89°07'30.8"E a distance of 529.39 feet to a jog in the right-of-way boundary of old Wyoming State Highway 332;

thence along said jog N00°50'06.5"W a distance of 10.00 feet to the point of beginning of a circular curve concave northwesterly, the radius of which is 369.3 feet, and a line tangent to said curve bears N89°03'19.7"E;

thence northeasterly along said right-of-way boundary and said curve through a central angle of 89°51'36.2" an arc distance of 579.19 feet to the point of ending of said curve, (long chord bearing of N44°07'31.6"E, with a distance of 521.63 feet), being on the existing westerly right-of-way boundary of said old Wyoming State Highway No. 332, said point being monumented by a highway right-of-way monument;

thence along said westerly right-of-way boundary N00°53'33.6"W a distance of 1,001.47 feet to a highway right-of-way monument;

thence along said right-of-way boundary N69°50'43.8"W a distance of 89.80 feet to a point on said existing southeasterly right-of-way boundary of Wyoming State Highway No. 332, being a point on a curve concave northwesterly, the radius of which is 2,934.79 feet, and a line tangent

to said curve bears N20°09'13.9"E, said point being monumented by a highway right-of-way monument;

thence northeasterly along said southeasterly right-of-way boundary and said curve through a central angle of 05°10'08.3" an arc distance of 264.76 feet to the point of ending of said curve, (long chord bearing of N17°34'02.6"E, with a distance of 264.67 feet), to a point on the existing easterly right-of-way boundary of said old Wyoming State Highway 332, said point being monumented by a highway right-of-way monument;

thence leaving said existing southeasterly right-of-way boundary and traveling along said right-of-way boundary of old Wyoming State Highway No. 332, S00°53'34.7"E a distance of 62.63 feet to a highway right-of-way monument;

thence along said right-of-way boundary of old Wyoming State Highway No. 332, S 73°50'47.2"E a distance of 83.78 feet to a point on the existing easterly right-of-way boundary of said old Wyoming State Highway No. 332, said point being monumented by a highway right-of-way monument;

thence along said easterly right-of-way boundary S00°52'53.0"E a distance of 1,197.45 feet to a highway right-of-way monument;

thence continuing along said easterly right-of-way boundary S00°52'53.0"E a distance of 439.32 feet to a point on the existing southerly right-of-way boundary of said old Wyoming State Highway No. 332;

thence along said southerly right-of-way boundary S89°09'53.5"W a distance of 448.82 feet to a highway right-of-way monument;

thence continuing along said southerly right-of-way boundary S89°09'53.5"W a distance of 317.84 feet to the northeast corner of said Parcel No. 3;

thence S00°41'26.0"E a distance of 50.24 feet to the southeast corner of said Parcel No.3;

thence S89°07'50.8"W along the south boundary of said Parcel 3 a distance of 278.06 feet to the point of beginning.

The above described parcel of land contains 5.61 acres, more or less.

The basis of bearing for the above described parcel of land is N88°36'40.6"E along the north boundary of the NE¼ of said Section 10.

The above described parcel of land is shown on Exhibit "A" being attached hereto and made parts hereof.

**NOW, THEREFORE BE IT RESOLVED**, the Transportation Commission of Wyoming hereby relinquishes the above-described land to Sheridan County, State of Wyoming, as provided for under provisions and authority of W.S. 24-3-126.

11. Sale of East Lincolnway Property in Laramie County: Mr. Fredrick presented information about the sale of property on East Lincolnway in the city of Cheyenne, Laramie County. The land parcel is adjacent to Suburban Propane on East Lincolnway in Cheyenne, and it has been deemed nonessential for highway purposes. Sealed bids were received to sell the property. The highest bid was 78 percent of its appraised value, which requires Commission consideration. Mr. Fredrick recommended that the Commission approve the sale of the property based on the bid received.

It was moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to approve the sale of the property described below, located on East Lincolnway, in Cheyenne, Wyoming.

A parcel of land located in Block 445 of the Original City of Cheyenne, which is located in Section 32, T14N, R66W, of the 6<sup>th</sup> P.M., Laramie County, Wyoming, more particularly described by metes and bounds as follows:

A portion of Block 445, Original City of Cheyenne, beginning at a point on the westerly boundary of said Block 445, which bears N26°25'49"W, a distance of 92.46 feet from the southwesterly corner of said Block No. 445, and also being the northwesterly corner of that parcel of land described in the sale deed recorded in Book 1424, Page 1493 of the Laramie County Clerk's Office;

thence continuing along said westerly boundary of Block 445 on a bearing of N26°25'49"W, a distance of 38.00 feet to a point;

thence on a bearing of S78°27'44"E, a distance of 141.27 feet to a point on the westerly line of a 30 foot right-of-way easement granted by Ordinance of the City of Cheyenne to the Union Pacific Railroad Company and recorded in Book 41, Page 437 of said Laramie County Clerk's Office;

thence on and along said westerly line of a 30 foot right-of-way easement on a bearing of S17°01'59"W, a distance of 30.10 feet to a point being the northeasterly corner of said parcel of land described in the sale deed recorded in Book 1424, Page 1493 of the Laramie County Clerk's Office;

thence on a bearing of N78°27'44"W, a distance of 115.01 feet to the point of beginning.

Said parcel contains 3,839 square feet, more or less.

12. It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Ertman, and carried to approve the following resolution for abandonment.

### **RESOLUTION FOR ABANDONMENT**

**WHEREAS**, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of state highways upon reconstruction or relocation of an existing state highway; and

**WHEREAS**, a portion of Wyoming Department of Transportation's right-of-way for Bosler Junction to Wheatland, WYO 34, North Sybille Canyon, Albany County, Wyoming, established under Project Number 0109-00(021) is no longer needed for state highway or public use purposes. Said portion being described as follows:

Parcel No. 9

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 421 of the Albany County Records, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the north and northwest of a parallel right-of-way line of hereinafter stated distances to the left or north and northwesterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins and ends in said SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Commencing at the southeast corner of said Section 30, said corner being monumented by brass cap, G&F, and from which the south quarter corner of said Section 30 bears S89°46'57.3"W, a distance of 794.540 meters (2,606.75 feet), said corner being monumented by an aluminum cap, stamped LS 601 $\frac{1}{4}$ , thence N76°32'22.9"W, a distance of 332.958 meters (1,092.38 feet) to a point on said survey line of highway, said point being the point of beginning of a circular curve concave southeasterly, having a radius of 550.000 meters (1,804.46 feet), the length of which is 441.493 meters (1,448.46 feet), and the central angle of which is 45°59'31.9";

thence northeasterly along said curve through a central angle of 06°27'18.5", a distance of 61.965 meters (203.30 feet), said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side, continuing northeasterly along the circular arc of said curve through a central angle of 16°40'06.2", a distance of 160.000 meters (524.93 feet), more or less, to the point of ending.

The above described parcel of land contains 290 square meters (3,122 square feet) more or less.

The basis for bearing is the south boundary of the SE $\frac{1}{4}$  of said Section 30, it being S89°46'57.3"W.

Parcel No. 9A

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 421 of the Albany County Records, located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 29, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the south and southeast of a parallel right-of-way line of hereinafter stated distances to the right or south and southeasterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins in said SW $\frac{1}{4}$ SW $\frac{1}{4}$  and ends on the north boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

Commencing at a point on said survey line of highway from which the southwest corner of said Section 29, bears S0°37'53.9" W, a distance of 255.978 meters (839.82 feet) and from which the west quarter corner bears N0°37'53.9" E, a distance of 547.349 meters (1,795.76 feet), said corners each being monumented by a G&F brass cap, said point being located on a circular curve concave southeasterly, the radius of which is 550.000 meters (1804.46 feet), the total central angle of which is 45°59'31.9" and at said point a line tangent to said curve bears N8°07'37.9"E, said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southerly side, northeasterly along said curve through a central angle of  $6^{\circ}26'13.4''$ , a distance of 61.791 meters (202.73 feet) to the point of ending of said curve;

thence continuing with the last described parallel line,  $N87^{\circ}33'51.3''$  E, a distance of 32.125 meters (105.40 feet) to the point of beginning of a spiraled curve concave northwesterly, the spiral lengths of which are 60.000 meters (196.85 feet), the total length of which is 339.774 meters (1114.74 feet) and the total central angle of which is  $64^{\circ}07'10.3''$ ;

thence continuing with the last described parallel line, easterly along the spiral arc of said curve through a central angle of  $6^{\circ}52'31.8''$ , a distance of 60.000 meters (196.85 feet); thence with said parallel line 30.000 meters (98.42 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of  $33^{\circ}18'39.9''$ , a distance of 145.347 meters (476.86 feet);

thence with said parallel line 20.000 meters to the right, continuing northeasterly along the circular arc of said curve through a central angle of  $17^{\circ}03'26.8''$ , a distance of 74.427 meters (244.18 feet);

thence continuing with the last described parallel line, northeasterly along the spiral arc of said curve through a central angle of  $4^{\circ}36'42.8''$ , a distance of 25.573 meters (83.90 feet), more or less, to a point where said parallel line intersects the northerly boundary of said  $SW\frac{1}{4}SW\frac{1}{4}$ , the point of ending. LESS and EXCEPTING therefrom any portion lying within the  $NW\frac{1}{4}SW\frac{1}{4}$  of said Section 29.

The above described parcel of land contains 0.852 of a hectare (2.11 acres), more or less.

The basis of bearing is the west boundary of the  $SW\frac{1}{4}$  of said Section 29, it being  $N0^{\circ}37'53.9''E$ .

#### Parcel No. 9B

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County Records, located in the  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ , and the  $S\frac{1}{2}NE\frac{1}{4}$  of Section 29, the  $W\frac{1}{2}NW\frac{1}{4}$ ,  $NE\frac{1}{4}NW\frac{1}{4}$ , and the  $NW\frac{1}{4}NE\frac{1}{4}$  of Section 28, the  $SW\frac{1}{4}SE\frac{1}{4}$  of Section 21, T21N, R71W, of the 6th P.M., Albany County Wyoming, lying to the north and northwest of hereinafter stated distances to the left or north and northwesterly side and lying to the south and southeast of hereinafter stated distances to the right or south and southeasterly side when measured at right angles or radially to the following described survey line of highway 34, said parallel right-of-way lines begin on the west boundary of the  $NE\frac{1}{4}SW\frac{1}{4}$  of said Section 29 and end on the east boundary of the  $SW\frac{1}{4}SE\frac{1}{4}$  of said Section 21:

Commencing at the southwest corner of said Section 29, said corner being monumented by a brass cap, G&F, and from which the west quarter corner of said Section 29 bears  $N0^{\circ}37'53.9''E$ , a distance of 803.327 meters (2,635.58 feet), said corner being monumented by a G&F brass cap;

thence  $N38^{\circ}51'37.0''E$ , a distance of 571.101 meters (1,873.69 feet) to a point on said survey line of highway, said point being the beginning of a spiral curve concave southeasterly, the radius of which is 350.000 meters (1,148.29 feet), the spiral lengths of which are 65.000 meters (213.25 feet), the total length of which is 415.333 meters (1362.64 feet), the total central angle of which is  $57^{\circ}21'01.0''$ ;

thence northeasterly along the spiral arc of said curve through a central angle of  $2^{\circ}48'39.2''$ , a distance of 47.246 meters (155.01 feet) to THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southeasterly side continuing northeasterly along the spiral arc of said curve through a central angle of  $2^{\circ}30'34.0''$ , a distance of 17.754 meters (58.25 feet);

thence continuing with last described parallel line to the right, northeasterly along the circular arc of said curve through a central angle of  $9^{\circ}37'13.0''$ , a distance of 58.767 meters (192.80 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side, northeasterly along the circular arc of said curve through a central angle of  $37^{\circ}05'21.6''$ , a distance of 226.566 meters (743.33 feet);

thence continuing with said parallel lines, northeasterly along the spiral arc of said curve through a central angle of  $5^{\circ}19'13.2''$ , a distance of 65.000 meters (213.25 feet);

thence continuing with said parallel lines,  $N80^{\circ}47'42.1''E$ , a distance of 26.371 meters (86.52 feet) to the point of beginning of a spiral curve concave northwesterly, the radius of which is 350.000 meters (1,148.29 feet), the spiral lengths of which are 90.000 meters (295.28 feet), the total length of which is 295.974 meters (971.04 feet), the total central angle of which is  $33^{\circ}43'06.1''$ ;

thence continuing with said parallel lines, northeasterly along the spiral arc of said curve through a central angle of  $3^{\circ}28'51.1''$ , a distance of 61.866 meters (202.97 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 24.000 meters (78.74 feet) to the left or northwesterly side, northeasterly along the spiral arc of said curve through a central angle of  $3^{\circ}53'08.7''$ , a distance of 28.134 meters (92.30 feet);

thence continuing with said parallel lines, northeasterly along the circular arc of said curve through a central angle of  $18^{\circ}59'06.5''$ , a distance of 115.974 meters (380.49 feet);

thence continuing with said parallel lines, northeasterly along the spiral arc of said curve through a central angle of  $7^{\circ}21'59.8''$ , a distance of 90.000 meters (295.28 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side,  $N47^{\circ}04'35.9''E$ , a distance of 19.028 meters (62.43 feet) to the point of beginning of a spiral curve concave southeasterly, the radius of which is 350.000 meters (1,148.29 feet), the spiral lengths of which are 60.000 meters (196.85 feet), the total length of which is 269.833 meters (885.28 feet), the total central angle of which is  $34^{\circ}21'00.6''$ ;

thence continuing with said parallel lines, northeasterly along the spiral arc of said curve through a central angle of  $4^{\circ}54'39.8''$ , a distance of 60.000 meters (196.85 feet);

thence continuing with said parallel lines, northeasterly along the circular arc of said curve through a central angle of  $01^{\circ}17'14.5''$ , a distance of 7.864 meters (25.80 feet);

thence continuing with last described right or southeasterly boundary and a parallel right-of-way line 17.000 meters (55.77 feet) to the left or northwesterly side continuing along the circular arc of said curve through a central angle of  $04^{\circ}44'50.5''$ , a distance of 29.000 meters (95.14 feet);

thence continuing with last described right or southeasterly boundary and a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side continuing northeasterly along the circular arc of said curve through a central angle of  $18^{\circ}29'36.0''$ , a distance of 112.969 meters (370.63 feet);

thence continuing with the last described left or northwesterly boundary and a parallel right-of-way line 18.000 meters (59.05 feet) to the right or southeasterly side, easterly along the

spiral arc of said curve through a central angle of  $04^{\circ}54'39.8''$ , a distance of 60.000 meters (196.85 feet) to the point of ending of said curve;

thence continuing with last described left and right boundaries  $N81^{\circ}25'36.5''E$ , a distance of 17.031 meters (55.88 feet);

thence continuing with last described right or southerly boundary and a parallel right-of-way line 25.000 meters (82.02 feet) to the left or northerly side, continuing  $N81^{\circ}25'36.5''E$ , a distance of 10.868 meters (35.66 feet) to the point of beginning of a circular curve concave northwesterly the radius of which is 550.000 meters (1,804.46 feet) the total length of which is 242.518 meters (795.66 feet) and the total central angle of which is  $25^{\circ}15'51.0''$ ;

thence continuing with last described left and right boundaries, northeasterly along said curve through a central angle of  $16^{\circ}34'38.8''$ , a distance of 159.132 meters (552.09 feet);

thence continuing with last described left or northwesterly boundary and a parallel right-of-way line 20 meters (65.62 feet) to the right or southeasterly side, continuing northeasterly along said circular curve through a central angle of  $08^{\circ}41'12.2''$ , a distance of 83.387 meters (273.58 feet) to the point of ending of said curve;

thence continuing with said parallel lines,  $N56^{\circ}09'45.6''E$ , a distance of 23.731 meters (77.86 feet) to the point of beginning of a circular curve concave southeasterly, having a radius of 1,100.000 meters (3,608.92 feet), the length of which is 230.721 meters (756.96 feet), and the central angle of which is  $12^{\circ}01'03.4''$ ;

thence continuing with said parallel lines, northeasterly along the circular arc of said curve through a central angle of  $4^{\circ}50'16.6''$ , a distance of 92.882 meters (304.73 feet);

thence with parallel right-of-way lines 55.000 meters (180.45 feet) apart, being 25.000 meters (82.02 feet) to the right or southeasterly side and 30.000 meters (98.43 feet) to the left or northwesterly side, continuing along the circular arc of said curve through a central angle of  $5^{\circ}12'31.3''$ , a distance of 100.000 meters (328.08 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 25.000 meters (82.02 feet) to the left or northwesterly side, northeasterly along the circular arc of said curve through a central angle of  $1^{\circ}58'15.5''$ , a distance of 37.839 meters (124.14 feet);

thence continuing with said parallel lines,  $N68^{\circ}10'48.9''E$ , a distance of 62.161 meters (203.94 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 45.000 meters (147.64 feet) to the left or northwesterly side,  $N68^{\circ}10'48.9''E$ , a distance of 25.000 meters (82.02 feet);

thence continuing with last described parallel line left and a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southeasterly side,  $N68^{\circ}10'48.9''E$ , a distance of 40.248 meters (132.05 feet) to the point of beginning of a circular curve concave northwesterly, having a radius of 600.000 meters (1,968.50 feet), the length of which is 137.438 meters (450.91 feet), and the central angle of which is  $13^{\circ}07'27.6''$ ;

thence continuing with said parallel lines, northeasterly along the circular arc of said curve through a central angle of  $5^{\circ}42'21.2''$ , a distance of 59.752 meters (196.04 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side, northeasterly along the circular arc of said curve through a central angle of  $7^{\circ}25'06.4''$ , a distance of 77.686 meters (254.87 feet);

thence continuing with said parallel lines,  $N55^{\circ}03'21.4''E$ , a distance of 122.314 meters (401.29 feet);



thence continuing with last described parallel line left and a parallel right-of-way line 18.000 meters (59.05 feet) to the right or southeasterly side, N55°03'21.4"E, a distance of 75.000 meters (246.06 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 30.000 meters (98.43 feet) to the left or northwesterly side, N55°03'21.4"E, a distance of 325.000 meters (1,066.27 feet);

thence continuing with last described parallel line left and a parallel right-of-way line 12.000 meters (39.37 feet) to the right or southeasterly side, N55°03'21.4"E, a distance of 52.071 meters (170.84 feet) to the point of beginning of a circular curve concave southeasterly, having a radius of 600.000 meters (1,968.50 feet), the length of which is 225.790 meters (740.78 feet), and the central angle of which is 21°33'41.0";

thence continuing with last described parallel line left and a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of 21°33'41.0", a distance of 225.790 meters (740.78 feet);

thence continuing with last described parallel lines, N6°37'02.4"E, a distance of 42.723 meters (140.17 feet) to a point being the beginning of a spiral curve concave northwesterly, the radius of which is 400.000 meters (1,312.33 feet), the spiral lengths of which are 60.000 meters (196.85 feet), the total length of which is 193.738 meters (635.62 feet), the total central angle of which is 19°09'23.9";

thence continuing with last described parallel lines, northeasterly along the spiral arc of said curve through a central angle of 1°01'58.1", a distance of 29.415 meters (96.51 feet);

thence continuing with last described parallel line right and a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side, northeasterly along the spiral arc of said curve, through a central angle of 3°15'51.8", a distance of 30.585 meters (100.34 feet);

thence continuing with said parallel line left and a parallel right-of-way line 25.000 meters (82.02 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of 6°21'43.1", a distance of 44.415 meters (145.72 feet);

thence continuing with said parallel line right and a parallel right-of-way line 30.000 meters (98.43 feet) to the left or northwesterly side, northeasterly along the circular arc of said curve through a central angle of 4°12'01.0", a distance of 29.323 meters (96.20 feet);

thence continuing with last described parallel lines, northeasterly along the spiral arc of said curve through a central angle of 4°17'49.9", a distance of 60.000 meters (196.85 feet), more or less, until said parallel lines intersect the east boundary of the SW¼SE¼ of said Section 21.

LESS AND EXCEPTING therefrom any portion lying within the NW¼SW¼ of said Section 29, and LESS AND EXCEPTING therefrom any portion lying within the SE¼SW¼ of said Section 21.

The above described parcel of land contains 0.747 of a hectare (1.857 acres), more or less.

The basis of bearing is the west boundary of the SW¼ of said Section 29, being N 0°37'53.9"E.

Parcel No. 9C

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County

Records, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the south and southeast of a parallel right-of-way line of hereinafter stated distances to the right or south and southeasterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins on the west boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  and ends in said SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Commencing at the southeast Section corner of said Section 21, said corner being monumented by brass cap, G&F, PE & LS #680, and from which the south quarter corner of said Section 21 bears N89°57'52.4"W, a distance of 808.167 meters (2,651.46 feet) said corner monumented by brass cap, G&F, thence N79°41'59.1"W, a distance of 584.390 meters (1,917.29 feet) to a point on said survey line of highway, said point being the point of beginning of a spiraled curve concave northwesterly, having a radius of 400.000 meters (1,312.33 feet), the spiral lengths of which are 60.000 meters (196.85 feet), the total length of which is 193.738 meters (635.62 feet), the total central angle of which is 19°09'23.9";

thence northeasterly along the spiral arc of said curve through a central angle of 4°17'49.9", a distance of 60.000 meters (196.85 feet); thence continuing northeasterly along the circular arc of said curve through a central angle of 10°33'44.1", a distance of 73.738 meters (241.92 feet);

thence continuing northeasterly along the spiral arc of said curve through a central angle of 3°39'24.9", a distance of 36.840 meters (120.87 feet), said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 25.000 meters (82.02 feet) to the right or southeasterly side, continuing northeasterly along the spiral arc of said curve through a central angle of 0°38'25.0", a distance of 23.160 meters (75.98 feet);

thence continuing with last described parallel line, N57°27'38.5"E, a distance of 24.285 meters (79.68 feet) to the point of beginning of a circular curve concave southeasterly, having a radius of 700.000 meters (2,296.58 feet), the length of which is 216.687 meters (710.91 feet), and the central angle of which is 17°44'09.9";

thence continuing with last described parallel line, northeasterly along the circular arc of said curve through a central angle of 11°09'49.8", a distance of 136.392 meters (447.48 feet), the point of ending.

The above described parcel of land contains 128 square meters (1,378 square feet), more or less.

The basis of bearing is the south boundary of the SE $\frac{1}{4}$  of said Section 21, being N89°57'52.4"W.

#### Parcel No. 9D

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County Records, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21, W $\frac{1}{2}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 22, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the south and southeast of a parallel right-of-way line of hereinafter stated distances to the right or south and southeasterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins in SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 21 and ends in said NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 22.

Commencing at the southeast Section corner of said Section 21, said corner being monumented by brass cap, G&F, PE & LS #680, and from which the south quarter corner of said Section 21 bears N89°57'52.4"W, a distance of 808.167 meters (2,651.46 feet) said corner monumented by brass cap, G&F, thence N32°45'30.8"W, a distance of 332.073 meters (1,089.48 feet) to a point on said survey line of highway, said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southeasterly side, N75°11'48.4"E, a distance of 82.009 meters (269.06 feet) to the point of beginning of a circular curve concave northwesterly, having a radius of 750.000 meters (2,460.63 feet), the length of which is 394.856 meters (1,295.46 feet), and the central angle of which is 30°09'53.3";

thence continuing with last described parallel line, northeasterly along the circular arc of said curve through a central angle of 30°09'53.3", a distance of 394.856 meters (1,295.46 feet);

thence continuing with last described parallel line, N45°01'55.2"E, a distance of 268.326 meters (880.33 feet) to the point of beginning of a spiral curve concave southeasterly, the radius of which is 400.000 meters (1,312.33 feet), the spiral lengths of which are 60.000 meters (196.85 feet), the total length of which is 331.645 meters (1,088.07 feet), the total central angle of which is 38°54'37.2";

thence continuing with last described parallel line, northeasterly along the spiral arc of said curve through a central angle of 4°17'49.9", a distance of 60.000 meters (196.85 feet);

thence continuing with last described parallel line, northeasterly along the circular arc of said curve through a central angle of 01°25'56.6", a distance of 10.000 meters (32.81 feet) more less, to the point of ending. Said parallel line intersects the prolonged easterly boundary of a parcel of land described in Document 2005-7529 of the Albany County Records.

The above described parcel of land contains 0.209 of a hectare (0.52 of an acre), more or less.

The basis of bearing is the south boundary of the SE¼ of said Section 21, being N89°57'52.4"W.

Parcel No. 9E

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County Records, located in the NE¼SW¼ and the SE¼NW¼ of Section 22, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the south and southeast of a parallel right-of-way line of hereinafter stated distances to the right or south and southeasterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins on the prolonged easterly boundary of a parcel of land described in Document No. 2005-7529 of the Albany County Records and ends in said SE¼NW¼ of said Section 22.

Commencing at the southwest Section corner of said Section 22, said corner monumented by brass cap, G&F, P.E. & L.S. #680, and from which the southeast Section corner of said Section 22 bears N89°43'51.4" E, a distance of 1,586.271 meters (5,204.29 feet) said corner being monumented by aluminum cap w/ rebar, LS #601;

thence N32°00'52.0"E, a distance of 807.065 meters (2,647.85 feet) to a point on said survey line of highway, said point being the point of beginning of a spiraled curve concave

southeasterly, having a radius of 400.000 meters (1,312.33 feet), the spiral lengths of which are 60.000 meters (196.85 feet), the total length of which is 331.645 meters (1,088.07 feet), the total central angle of which is 38°54'37.2";

thence northeasterly along the spiral arc of said curve through a central angle of 4°17'49.9", a distance of 60.000 meters (196.85 feet);

thence continuing northeasterly along the circular arc of said curve through a central angle of 0°27'09.0", a distance of 3.159 meters (10.36 feet), said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of 21°40'48", a distance of 151.355 meters (496.57 feet);

thence with a parallel right-of-way line 12.000 meters (39.37 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of 08°11'00.4", a distance of 57.131 meters (187.44 feet);

thence continuing with said parallel line, easterly along the spiral arc of said curve through a central angle of 4°17'49.9", a distance of 60.000 meters (196.85 feet);

thence continuing with said parallel line, N83°56'32.4"E, a distance of 32.869 meters (107.84 feet);

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southerly side, N83°56'32.4"E, a distance of 42.339 meters (138.91 feet), more or less, to a point where said parallel line intersects the east boundary of said SE¼NW¼ of said Section 22.

The above described parcel of land contains 0.157 of a hectare (0.39 of an acre), more or less.

The basis of bearing is the south boundary of said Section 22, being N89°43'51.4" E.

#### Parcel No. 9F

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County Records, located in the SW¼NW¼ and the E½NW¼ of Section 23, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the south and southeast of hereinafter stated distances to the right or south and southeasterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins on the west boundary of the SW¼NW¼ and ends in the NE¼NW¼ of said Section 23.

Commencing at the west quarter corner of said Section 23, said corner monumented by aluminum cap, mound of stones, L.S. #601, and from which the northwest section corner of said Section 23 bears N0°31'02.4" E, a distance of 790.449 meters (2,593.33 feet) said corner being monumented by stone;

thence N00°31'02.4"E along the west boundary of the SW¼NW¼ of said Section 23, a distance of 258.938 meters (849.53 feet) to a point on said survey line of highway, said point being located on a circular curve concave southeasterly the radius of which is 3,000.000 meters (9,842.50 feet) and at which point a line tangent to said curve bears N71°26'12.2"E, said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 16.000 meters (52.49 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of  $0^{\circ}10'22.1''$ , a distance of 9.048 meters (29.68 feet) to the point of ending of said curve;

thence continuing with last described parallel line,  $N71^{\circ}36'34.3''E$ , a distance of 184.631 meters (605.74 feet);

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the right or southeasterly side,  $N71^{\circ}36'34.3''E$ , a distance of 144.395 meters (473.74 feet) to the point of beginning of a circular curve concave northwesterly, having a radius of 600.000 meters (1,968.50 feet), the length of which is 84.840 meters (278.35 feet), and the central angle of which is  $8^{\circ}06'05.9''$ ;

thence with a parallel right-of-way line 25.000 meters (82.02 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of  $8^{\circ}06'05.9''$ , a distance of 84.840 meters (278.35 feet) to the point of ending of said curve;

thence continuing with said parallel line,  $N63^{\circ}30'28.3''E$ , a distance of 345.765 meters (1,134.40 feet) to the point of ending.

The above described parcel of land contains 0.387 of a hectare (0.96 of an acre), more or less.

The basis of bearing is the west boundary of the  $NW\frac{1}{4}$  of said Section 23, it being  $N 0^{\circ}31'02.4''E$ .

#### Parcel No. 9G

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County Records, located in the  $NW\frac{1}{4}NE\frac{1}{4}$  and the  $NE\frac{1}{4}NW\frac{1}{4}$  of Section 23, T21N, R71W, of the 6th P.M., Albany County, Wyoming, 20 meters (65.62 feet) to the left or north and northwesterly side when measured at right angles to the following described survey line of highway, said parallel right-of-way line begins in the  $NE\frac{1}{4}NW\frac{1}{4}$  and ends in the  $NW\frac{1}{4}NE\frac{1}{4}$  of said Section 23.

Commencing at the north quarter corner of said Section 23, said corner monumented by a marked stone, and from which the northwest Section corner of said Section 23 bears  $N87^{\circ}44'25.8''W$ , a distance of 789.921 meters (2,591.60 feet) said corner being monumented by stone;

thence  $S10^{\circ}59'36.9''W$ , a distance of 185.502 meters (608.60 feet) to a point on said survey line of Highway, said point being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 20.000 meters (65.62 feet) to the left or northwesterly side,  $N63^{\circ}30'28.3''E$ , a distance of 114.000 meters (374.01 feet), more or less, to the point of ending.

The above described parcel of land contains 42 square meters (452 square feet), more or less.

The basis of bearing is the north boundary of the  $NW\frac{1}{4}$  of said Section 23, being  $N87^{\circ}44'25.8''W$ .

Parcel No. 9H

All that portion of the presently existing right-of-way of Highway 34 being a portion of that certain tract of land described in Book U of Deeds at Page 420 of the Albany County Records, located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, T21N, R71W, of the 6th P.M., Albany County, Wyoming, lying to the south and southeast of a parallel right-of-way line of hereinafter stated distances to the right or southeasterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins in said NE $\frac{1}{4}$ SW $\frac{1}{4}$  and ends on the east boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 13.

Commencing at the southwest Section corner of said Section 13, said corner being monumented by marked stone, and from which the west quarter corner of said Section 13 bears N0°08'10.3"W, a distance of 799.768 meters (2,623.91 feet) said corner monumented by marked GLO stone;

thence N48°35'16.1"E, a distance of 688.509 meters (2,258.88 feet) to a point on said survey line of highway, said point being the beginning of a spiraled curve concave northwesterly, having a radius of 400.000 meters (1,312.33 feet), the spiral lengths of which are 100.000 meters (328.08 feet), the total length of which is 532.092 meters (1,745.71 feet), the total central angle of which is 61°53'33.5";

thence northeasterly along the spiral arc of said curve through a central angle of 7°09'43.1", a distance of 100.000 meters (328.08 feet) to the point of beginning of the circular arc of said curve also being THE TRUE POINT OF BEGINNING;

thence with a parallel right-of-way line 25.000 meters (82.02 feet) to the right or southeasterly side, northeasterly along the circular arc of said curve through a central angle of 41°43'06.0", a distance of 295 meters (955.69 feet), more or less, until said parallel line intersects the east boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 13.

The above described parcel of land contains 0.160 of a hectare (0.39 of an acre), more or less.

The basis of bearing is the west boundary of the SW $\frac{1}{4}$  of said Section 13, being N0°08'10.3"W.

**NOW, THEREFORE BE IT RESOLVED**, the Transportation Commission of Wyoming hereby abandons the above-described land as provided for under provisions and authority of W.S. 24-3-126.

Commissioner Ertman asked Mr. Fredrick how landowners and county clerks know the owner of record after the property is abandoned. Mr. Fredrick advised that WYDOT's current practice is to abandon the property to the adjacent landowner, as required by statute. Commissioner Ertman indicated that it is equally as important for the Department to follow through and file a quit claim deed so that proper records are kept. Mr. Fredrick acknowledged the idea and will consider the change when properties are abandoned in the future.

13. FY 2015-2016 State Transportation Improvement Program (STIP) Map: Mr. Fredrick provided a FY 2015-2016 projects map made up of projects that are programmed in the STIP. Projects are displayed geographically, and they are referenced with a legend that gives a brief project description. Chairman McCormack appreciated the effort that went into preparing the

STIP map, and advised that, if it could be continually updated, the map would be a useful tool to keep legislators and the public informed of WYDOT's planned projects. Mr. Fredrick offered to investigate the possibility of keeping the document updated for future use.

14. Colonel Butler presented the Highway Patrol report.

The Fatal Crash Summary through September 30, 2014, includes 102 fatal crashes involving 117 deaths. The fatalities include 46 rollover crashes, 42 multi-car crashes, 5 fixed objects, 15 motorcycles and all-terrain vehicles, and 9 pedestrians or bicyclists. Of the 102 crashes that occurred so far this year, 28<sup>1</sup> involved commercial vehicles.

There have been 30<sup>2</sup> crashes to date deemed alcohol related, resulting in 33<sup>2</sup> deaths. Of those deaths, 17<sup>2</sup> were attributed to not using occupant restraints.

Of the 117 deaths that have occurred to date this year, 56 can be attributed to the non-use of occupant restraints, with 33 involving rollover crashes, 21 involving multi-car collisions, and 2 involving fixed objects. Of the 56 deaths that occurred from non-use of occupant restraints, 37 were Wyoming residents, and 19 were non-residents. Fifteen of those who perished were under 21 years of age, and 11 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 102 fatal crashes that have occurred to date this year, 52 (49 percent) of them occurred on primary/secondary highways, 25 (24 percent) occurred on interstate highways, and 29 (27 percent) occurred on city/county roads.

Thirteen multi-fatality crashes have occurred on Wyoming highways so far this year, of which 9 involved multiple vehicles, 6 involved commercial vehicles, and 2 were alcohol related.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 4,702<sup>3</sup> crashes statewide, of which 3,730 involved non-commercial vehicles, and 972 involved commercial vehicles.

WYO 59 Public Meetings: On October 8-9, 2014, Commissioners Ertman and Coulter, Colonel Butler, Del McOmie, and district staff met with Senator Michael Von Flatern and Representative Eric Barlow at public meetings in Douglas and Wright, Wyoming, to discuss safety issues on Wyoming Highway 59 in Campbell and Converse counties. The meeting in Douglas generated some considerable frustration from the public regarding the significant increase in commercial truck traffic.

At the public meeting, Mr. McOmie explained the future projects that are planned for WYO 59, which will help alleviate some traffic congestion, but the public would like to have a more expedient solution. Speed limits may be reduced near Douglas and through the town of Bill, and school bus stops may be moved to get buses off the highway.

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<sup>1</sup>Number not included in total deaths (sub-crash data).

<sup>2</sup>Not all chemical test results were available at the time of reporting.

<sup>3</sup>Does not contain all September crashes worked. Some September reports were still pending at the time of reporting.

Colonel Butler believes that driver behavior is a major contributing factor to the safety concerns, and advised that the Highway Patrol will continue to provide law enforcement to promote a safer driving environment.

15. Ms. Pfister presented the Aeronautics report in Mr. Byrne's absence, including the September 2014 Aeronautics Flight Operations Passenger Summary report and the Wyoming Aircraft Accident Report.

16. Mr. Shultz presented the Operations report.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Coulter, and carried to approve, by consent, the following bids:

- Bid number 14-321 to furnish 32,100 tons of maintenance stockpiled material (salt/sand) on an as-needed delivery basis, for use by District 4 maintenance crews. The bid was awarded to Croell Redi-Mix, Inc., of Sundance, Wyoming, for the sum of \$869,600.00.
- Bid number 14-327 to furnish seven each, new, current model, four-door sedans, for delivery in Cheyenne and Laramie. The bid was awarded to Fremont Chevrolet Buick GMC of Riverton, Wyoming, for the sum of \$127,958.67.
- Bid number 14-332 to furnish two each, new, current model 3/4-ton, four-wheel-drive, extended cab pickup trucks, for delivery in Casper and Cheyenne. The bid was awarded to Greiner Motor Co.-Casper, of Casper, Wyoming, for the sum of \$51,090.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to approve purchase for bid number 14-330 to furnish five each, new, current model, 15-series, four-wheel-drive, crew cab pickup trucks, for delivery in Cheyenne and Sheridan. The bid was awarded to Halladay Motors, of Cheyenne, Wyoming, for the sum of \$144,975.00.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Coulter, and carried to approve purchase for Requisition Number 0000035824 to provide the Wyoming Department of Transportation's share of the cost of the Transportation Learning Network (TLN), for the period of October 1, 2014, through September 30, 2015. The bid was awarded to the North Dakota Department of Transportation, of Bismarck, North Dakota, for the sum of \$117,000.00.

It was recommended by Mr. Shultz, moved by Commissioner Coulter, seconded by Commissioner Seeton, and carried to approve purchase for Requisition Number 0000035847 to furnish the annual DCN line charges for the period of September 1, 2014, through August 31, 2015. The contract was awarded to Dakota Carrier Network, of Fargo, North Dakota, for the sum of \$103,300.00.

It was recommended by Mr. Shultz, moved by Vice Chairman Anderson, seconded by Commissioner Ruwart, and carried to approve purchase for Requisition Number 0000035886 to provide software updates and maintenance for the Wyoming Department of Transportation's traffic signal operating system, for the period of October 1, 2014, through September 30, 2019.



The contract was awarded to Northwest Signal Supply, Inc., of Tualatin, Oregon, for the sum of \$135,000.00.

17. It was recommended by Secretary Scott, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to add Caryn M. Erickson as an authorized signatory for the Wyoming Department of Transportation.

18. It was moved by Commissioner Coulter, seconded by Commissioner Seeton, and carried to adjourn the meeting. Chairman McCormack adjourned the meeting at 11:15 a.m., on Thursday, October 16, 2014.