



# TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

## TRANSMITTAL MEMO

### Town of Jackson

- ☒ Public Works/Engineering
- ☒ Building
- ☒ Title Company
- ☒ Town Attorney
- ☒ Police

### Joint Town/County

- ☒ Parks and Recreation
- ☒ Pathways
- ☒ Joint Housing Dept

### Teton County

- ☐ Planning Division

- ☐ Engineer
- ☒ Surveyor
- ☐ Assessor
- ☒ Clerk and Recorder
- ☐ Road and Levee

### State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

### Federal Agencies

- ☐ Army Corp of Engineers

### Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

### Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: October 10, 2022	<b>REQUESTS:</b>  The applicant is submitting a request for a Boundary Adjustment without replat (between unplatted parcels) for the properties legally known as PT SW1/4SE1/4, SEC. 28, TWP. 41, RNG. 116 PARCEL C, and PT S1/2SE1/4, SEC. 28, TWP. 41, RNG. 116 PARCEL D, PIDNs: 22-41-16-28-4-00-038 and 22-41-16-28-4-00-039.  For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.
Item #: P22-248	
Planner: Tyler Valentine  Phone: 733-0440 ext. 1305  Email: tvalentine@jacksonwy.gov	
<b>Owner</b> Lukas Farms, LLC PMB 496 PO BOX 30000 Jackson, WY 83002  <b>Applicant</b> Ron Levy (Jorgensen Assoc.) PO Box 9550 Jackson, WY 83002	
<b>Please respond by: October 21, 2022 (Sufficiency) October 28, 2022 (with Comments)</b>	

**RESPONSE:** For Departments not using Trak-it, please send responses via email to:  
[planning@jacksonwy.gov](mailto:planning@jacksonwy.gov)

October 7, 2022

Town of Jackson Planning Dept.  
P.O. Box 1727  
200 South Willow St.  
Jackson, WY 83001  
*-Digitally Delivered to [planning@jacksonwy.gov](mailto:planning@jacksonwy.gov) -*

## **RE: Lukas Farms, LLC Boundary Adjustment Application**

Dear Staff,

Attached for sufficiency review, please find one copy of the Permit Application for a boundary reconfiguration of Parcels C and D of T-Map 501 that we are submitting on behalf of our client Lukas Farms, LLC. The inferred East Gros Ventre quaternary fault extends northeast through the eastern edge of the property along the west side of the creek. Copies of this submittal will also be provided to you electronically.

- Planning Permit Application for Boundary Adjustment
- Narrative Response to Checklist
- Deed and Letter of Authorization
- Evidence of Notice of Intent
- Title Report
- Draft T-Map

Posted Notice will be erected and maintained on the land subject to this application once Public Hearing dates have been confirmed.

## **Narrative and Response to Checklists: Lukas Farms, LLC Boundary Adjustment**

### **SUBDIVISION SUMMARY**

This application is for a boundary adjustment to Parcels C and D of T-Map 501. The purpose of the boundary adjustment is to reconfigure the lot lines of record; no additional lots will be created. The subsequent parcels created will be adjusted Parcel C and adjusted Parcel D.

### **A. FINDINGS FOR APPROVAL**

According to Section 8.5.5.B.3. Boundary Adjustment of the Teton County Land Development Regulations (LDRs), a boundary adjustment is applicable for the purpose of reconfiguring lot lines.

In accordance with Section 8.5.5.D., a boundary adjustment shall be approved upon finding that:

- 1. No additional lots of record are created.** None. Complies.

2. ***Each of the resulting lots of record complies with the zone in which it is located as approved through a zoning compliance verification.*** Zoning Compliance Verification (P22-062) and an Environmental Assessment (P22-052) have been submitted and will accompany this application. Complies.
3. ***The applicability and required document provisions of this Section are met.*** This change in the lot configuration in a limited part of a platted subdivision does not abridge or destroy any of the rights and privileges of other landowners or others who have an interest in the plat. Complies.
4. ***The application complies with all other relevant standards of these LDRs and other County Resolutions.*** Complies.
5. ***The application is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.*** Complies.

#### **B. GENERAL INFORMATION**

**Title Report** – An Ownership and Exceptions Title Report is included in this application.

#### **C. INITIAL SUBMITTAL**

This is an amendment to an existing subdivision that does not require a new Plat.

1. **Draft Plat Map** – A draft subdivision plat or map of survey prepared in association with a Subdivision Plat or Boundary Adjustment application shall contain the information required by state statute and Section 8.5.3 Subdivision Plat.
2. **Notice of Intent** – Applicant has published “Notice of Intent to Subdivide” in the Jackson Hole News and Guide, once each week for 2 weeks within 30 calendar days prior to filing this application, pursuant to Wyoming statutes as amended. Evidence of Notice of Intent is included with this application.
3. **Subdivision Improvement Agreement** – None.
4. **Documents to be Recorded** – None.

Once we receive a sufficiency determination, we will provide any updates you request to the application in electronic format, and/or hard copies as requested in the number and type you would like for distribution to review agencies. Please call me if you have any questions, or if you require additional information at this time. Thank you for your assistance.

Sincerely,

JORGENSEN ASSOCIATES, P.C.

Ron Levy  
Land Use Project Manager



**PLANNING PERMIT APPLICATION**  
**Planning & Building Department**

150 E Pearl Ave. | ph: (307) 733-0440  
P.O. Box 1687 | [www.townofjackson.com](http://www.townofjackson.com)  
Jackson, WY 83001

**For Office Use Only**

Fees Paid \_\_\_\_\_ Date & Time Received \_\_\_\_\_  
Application #s \_\_\_\_\_

**Please note:** Applications received after 3 PM will be processed the next business day.

**PROJECT.**

Name/Description: \_\_\_\_\_  
Physical Address: \_\_\_\_\_  
Lot, Subdivision: \_\_\_\_\_ PIDN: \_\_\_\_\_

**PROPERTY OWNER.**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**APPLICANT/AGENT.**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**DESIGNATED PRIMARY CONTACT.**

\_\_\_\_\_ Property Owner \_\_\_\_\_ Applicant/Agent

**TYPE OF APPLICATION.** Please check all that apply; review the type of application at [www.townofjackson/200/Planning](http://www.townofjackson/200/Planning)

**Use Permit**

\_\_\_\_\_ Basic Use  
\_\_\_\_\_ Conditional Use  
\_\_\_\_\_ Special Use

**Relief from the LDRs**

\_\_\_\_\_ Administrative Adjustment  
\_\_\_\_\_ Variance  
\_\_\_\_\_ Beneficial Use Determination  
\_\_\_\_\_ Appeal of an Admin. Decision

**Physical Development**

\_\_\_\_\_ Sketch Plan  
\_\_\_\_\_ Development Plan  
\_\_\_\_\_ Design Review

**Subdivision/Development Option**

\_\_\_\_\_ Subdivision Plat  
\_\_\_\_\_ Boundary Adjustment (replat)  
\_\_\_\_\_ Boundary Adjustment (no plat)  
\_\_\_\_\_ Development Option Plan

**Interpretations**

\_\_\_\_\_ Formal Interpretation  
\_\_\_\_\_ Zoning Compliance Verification

**Amendments to the LDRs**

\_\_\_\_\_ LDR Text Amendment  
\_\_\_\_\_ Map Amendment

**Miscellaneous**

\_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_ Environmental Analysis

**PRE-SUBMITTAL STEPS.** To see if pre-submittal steps apply to you, go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: \_\_\_\_\_ Environmental Analysis #: \_\_\_\_\_  
Original Permit #: \_\_\_\_\_ Date of Neighborhood Meeting: \_\_\_\_\_

**SUBMITTAL REQUIREMENTS.** Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for submittal requirements.

Have you attached the following?

\_\_\_\_\_ **Application Fee.** Fees are cumulative. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for the fees.

\_\_\_\_\_ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

\_\_\_\_\_ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) under the relevant application type.

**Note:** Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Garon M. Levy  
\_\_\_\_\_  
Signature of Property Owner or Authorized Applicant/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Title

## LETTER OF AUTHORIZATION

Lukas Farms, LLC

, "Owner" whose address is: \_\_\_\_\_

P.O. Box 496 Jackson, Wyoming 83002

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

Lukas Farms, LLC

, as the owner of property  
more specifically legally described as: \_\_\_\_\_

PT S1/2SE1/4, SEC. 28, TWP. 41, RNG. 116 PARCEL C and D

(If too lengthy, attach description)

HEREBY AUTHORIZES Jorgensen Associates, Inc.

as

agent to represent and act for Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Town of Jackson, or the Town of Jackson Planning, Building, Engineering and/or Environmental Health Departments relating to the modification, development, planning or replatting, improvement, use or occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application or any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platting or replatting, improvement, occupancy or use of any structure or land involved in the application shall take place until approved by the appropriate official of the Town of Jackson, in accordance with applicable codes and regulations. Owner agrees to pay any fines and be liable for any other penalties arising out of the failure to comply with the terms of any permit or arising out of any violation of the applicable laws, codes or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

OWNER:

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Assistant Secretary

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner)

STATE OF Arkansas )

)SS.

COUNTY OF Benton )

The foregoing instrument was acknowledged before me by Sean Evans this 7th day of April, 2021.

WITNESS my hand and official seal.

(Seal)

(Notary Public)

My commission expires:







## PLANNING & BUILDING DEPARTMENT

April 28, 2022

Jorgensen Associates, Inc  
Attn: Ron levy  
PO Box 9550  
Jackson, WY 83002

RE: Environmental Analysis & Alternative Design Meeting Summary  
Item P22-052  
Lukas Farms Parcels C & D of T-Map 501

Dear Mr. Levy:

This letter is to confirm that the application submitted on March 9, 2022, requesting an Environmental Analysis (EA) located at the above-referenced properties, has been **approved** by the Planning Department subject to the following conditions approval:

1. As stated in the EA, the proposed areas of disturbance will require a 2:1 mitigation. Since the proposed development will impact cover types ranging from 3-8, a mitigation plan will be required at the time of Building Permit submittal. The mitigation plan shall address and summarize the disturbance areas, the mitigation goals and details, proposed fencing, proposed irrigation, proposed weed control, a summary of costs, and a monitoring program.
2. Prior to issuance of a Building Permit, a bond for 125% of the cost of the 2:1 mitigation shall be provided and held until the mitigation work has been completed and satisfactorily inspected by the Town. Prior to the Town's inspection, Alder Environmental shall conduct a site inspection of the 2:1 mitigation and provide a written summary to the Town.

This letter also serves as a follow-up to the Alternative Design Meeting held on April 12, 2022, related to the Habitat Inventory and Development Impact Assessment provided by the applicant.

Summary of Alternatives Design meeting:

After reviewing the Habitat Inventory and Development Impact Assessment prepared by Alder Environmental, it was determined that no less impactful alternative location for the proposed single-family home could be identified. Although the best suitable location for the building will disturb vegetative cover types ranking as high as 8, and is within crucial mule deer winter range, the alternative building locations (i.e., lower down the hill or further west across the site) would increase the amount of disturbance to high-ranking cover types due to the essential access road needed. The proposed building envelope is in a location close to the road that reduces the amount

of hillside disturbance compared to the alternative building sites. Staff finds that as conditioned, the proposed building envelope mitigates disturbance to both hillside and vegetative cover types.

If you have any questions or need additional information, please contact me at 307-733-0440, ext. 1305.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Valentine". The signature is stylized with a long horizontal stroke at the beginning and a large, looped "V" for the last name.

Tyler Valentine  
Senior Planner





## PLANNING & BUILDING DEPARTMENT

April 28, 2022

Jorgensen Associates, Inc  
Attn: Ron Levy  
PO Box 9550  
Jackson, WY 83002

RE: P22-062  
Zoning Compliance Verification for a Boundary Adjustment between Lukas Farms Parcels C  
& D of T-Map 501

Dear Mr. Levy:

Thank you for submitting a request for a Zoning Compliance Verification (ZCV) for the proposed Boundary Adjustment between the above-referenced parcels, which are described as Parcels C & D of T-Map 501. According to Land Development Regulation (LDR) 8.5.6.C.1, approval of a Boundary Adjustment between unplatted parcels falls to the discretion of the Planning Director and requires submittal of a new map of survey and an instrument to convey the new reconfigured parcels. Prior to submittal of a Boundary Adjustment, Section 8.5.6 (Boundary Adjustment) requires a ZCV letter to be submitted and approved by the Planning Director. This ZCV letter is intended to meet this requirement.

### **Summary of Existing Site Conditions:**

The subject parcels are located within the Rural (R-ToJ) zoning district and allow for a Boundary Adjustment between unplatted parcels. Parcel C (385 W. Gill Avenue) is 0.82 acres in size, has vehicular access from West Gill Avenue, and currently has multiple structures: a 406 sf cabin, a 2,715 sf single-family home, a 1,438 sf single-family home, and a 196 sf shed. The existing development on Parcel C sits between steep slopes over 30% to the west and Flat Creek to the east. Parcel D (no address) is 12.08 acres in size and is currently vacant. Parcel D is comprised of steep slopes of over 30% and has vehicular access from West Saddle Butte Drive through an existing 60'-wide access easement. Both parcels are located within the Natural Resource Overlay and owned by Lukas Farms, LLC.

The proposal is to expand the size of Parcel C further up the hill to be +/-3.8 acres in size which would then reduce the size of Parcel D to +/-9.09 acres in size. There would be no change in vehicular access for both parcels nor would the change impact any existing physical development.

The applicant is seeking to change the configuration because there is a portion of Parcel D that extends down to Flat Creek which is directly adjacent to Parcel C. If Parcel D is ever sold, the owner of Parcel C wants to ensure that Parcel D no longer has access to land along Flat Creek, which is next to the existing development on Parcel C. Essentially this reconfiguration creates a cleaner separation between the parcels.

### **Findings for ZCV (Section 8.6.3.C)**

In order to issue a ZCV the Planning Director shall find that the property, portion of the property, or attribute of the property in question:

**1. Complies with all relevant standards of these LDRs and other Town Ordinances.**

Staff is able to make the finding that the proposed boundary adjustment meets the standards of these LDRs and other Town Ordinances. The proposed boundary adjustment is increasing the nonconformity of Parcel D as it relates to the minimum lot size. The minimum lot size in the R zone has traditionally been 12,000 sf since the adoption of the 1994 LDRs. However, recently in April 2022, the Town increased the minimum lot size for R zoned lots to 35 acres to be consistent with Teton County (Item P21-320). This immediately made both lots nonconforming to the minimum lot size. However, LDR Section 1.9.4.C (Change of Nonconforming Lot of Record) allows one lot of record or parcel to become more nonconforming to the minimum lot size if it brings a different lot or parcel closer to compliance with the minimum lot size. Below are the three findings that must be made in order to make one lot more nonconforming as it relates to minimum lot size:

1. The benefit of the increased compliance of one lot of record outweighs the detriment of the increased non-compliance of the other lot of record, resulting in a greater overall compliance with the intent and/or standards of these LDRs;

**Complies.** Although the proposed boundary adjustment will make Parcel D more nonconforming to the minimum lot size, it will bring Parcel C closer to compliance to the minimum lot size while also creating a cleaner separation between the two parcels. Also, the proposed configuration limits the potential location of development on Parcel D further up the hill closer to the road which helps reduce hillside disturbance. The applicant also recently completed an Environmental Analysis (P22-052) which recommended that future development be located as close to the road as possible which compliments this ZCV by specifically identifying a building site with the least amount of disturbance to both the hillside and high ranking vegetative cover types. Staff finds the proposed boundary adjustment results in greater overall compliance with the intent and standards of these LDRs.

2. The overall capability of the lots of record to safely accommodate physical development is not diminished, particularly by providing needed land area for water supply and wastewater systems; and

**Complies.** The proposed boundary adjustment does not impact the ability of either lot to safely accommodate physical development. Both lots will continue to have access to water and wastewater systems.

3. The acreage transferred from one lot of record to another does not allow for increased density on the subject lots of record.

**Complies.** The proposed Boundary Adjustment does not allow increased density beyond what is currently permitted.

Staff concludes that both proposed parcels are compliant with these LDRs and all Town Ordinances. In addition, no significant issues were identified in the departmental reviews.

2. **Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.**

Not applicable to this review.

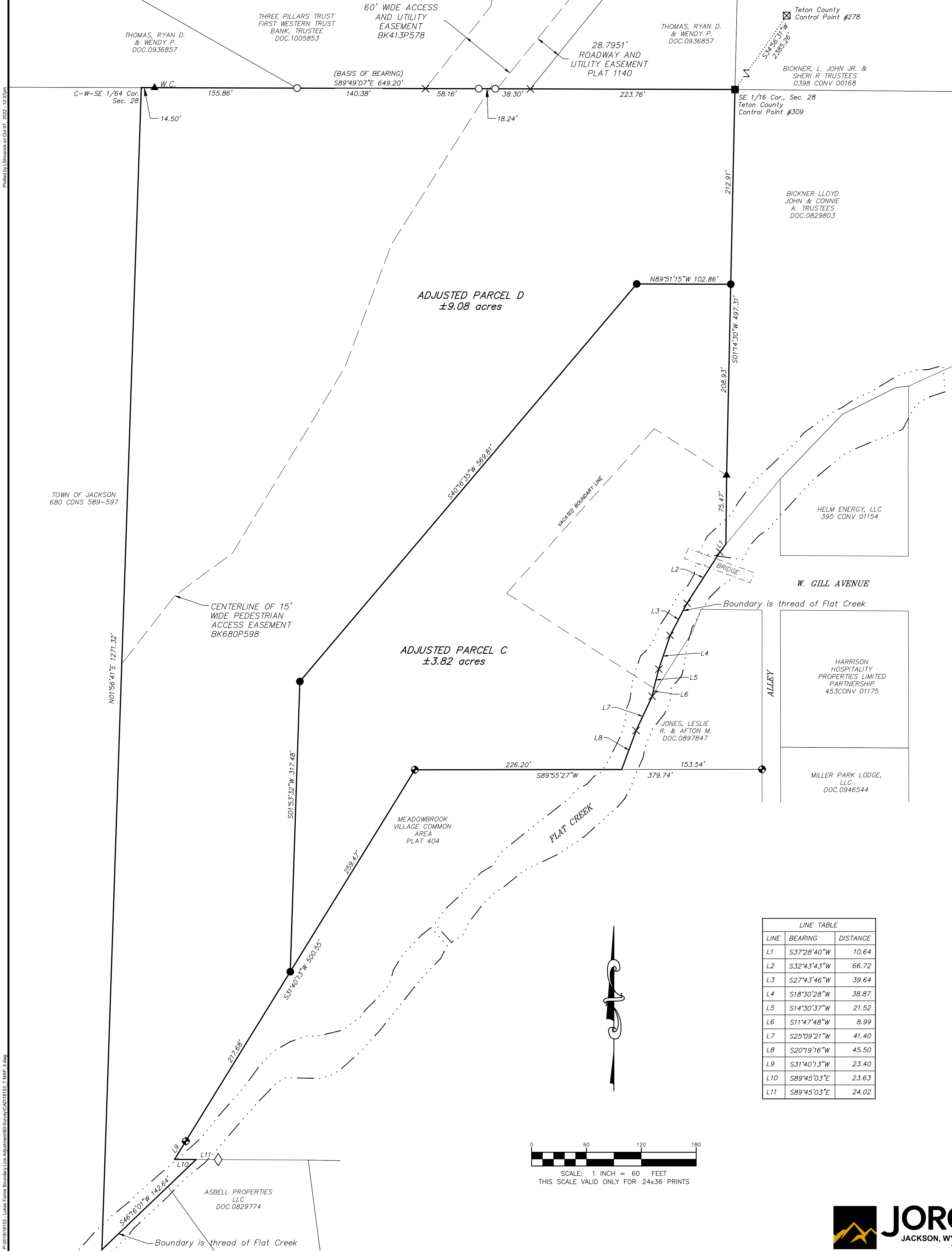
This zoning compliance shall only verify zoning compliance at the time it is issued pursuant to Division 8.6.3 Zoning Compliance Verification of the Town of Jackson Land Development Regulations. If you should have any further questions, please contact Tyler Valentine at 307-733-0440, ext. 1305 or [tvalentine@jacksonwy.gov](mailto:tvalentine@jacksonwy.gov).

Sincerely,



Tyler Valentine  
Senior Planner





LINE TABLE		
LINE	BEARING	DISTANCE
L1	S37°28'40\"W	10.64
L2	S32°43'43\"W	66.72
L3	S27°43'46\"W	39.64
L4	S18°30'28\"W	38.87
L5	S14°30'37\"W	21.52
L6	S11°47'48\"W	8.99
L7	S25°09'21\"W	41.40
L8	S20°19'16\"W	45.50
L9	S31°40'13\"W	23.40
L10	S89°45'03\"E	23.63
L11	S89°45'03\"E	24.02

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section line

sectional subdivision line

boundary, subject property

boundary, adjoining property

boundary, vacated parcel c property line

edge of creek

boundary, record easement, as noted

boundary tie

**LEGEND**

Indicates a 1 inch diameter galvanized pipe with a 3 inch diameter brass cap found this survey Wyoming Corner Record on file

Indicates a 2 inch diameter galvanized pipe with a 3 inch diameter brass cap inscribed "PLS 3831" found this survey

Indicates a 5/8 inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 3831" found this survey

Indicates a 5/8 inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 8904" found this survey

Indicates a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 4270" found this survey

Indicates a 5/8 inch reinforcing bar with an aluminum cap inscribed "PLS 13002" set this survey

Indicates a 5/8 inch reinforcing bar with no cap found this survey

no monument found or set, depicted for drawing clarity

Teton County Control Point #278

CERTIFICATE OF SURVEYOR

State of Wyoming )  
County of Teton ) SS

I, Matthew P. Gotham, a Wyoming Professional Land Surveyor, employed by Jorgensen Associates, Inc. of Jackson, Wyoming hereby certify that this map was made from data obtained during field surveys performed by others under my direction in December 2018 and from records in the Office of the Clerk of Teton County, Wyoming;

that this map illustrates and correctly represents the boundary of lands shown hereon, and the existing conditions of ownership, owned by Lukas Farms, LLC at the time this map was created.



Matthew P. Gotham  
Wyoming PLS 13002

The foregoing instrument was acknowledged before me by Matthew P. Gotham this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WITNESS my hand and official seal.

Notary Public  
My commission expires:

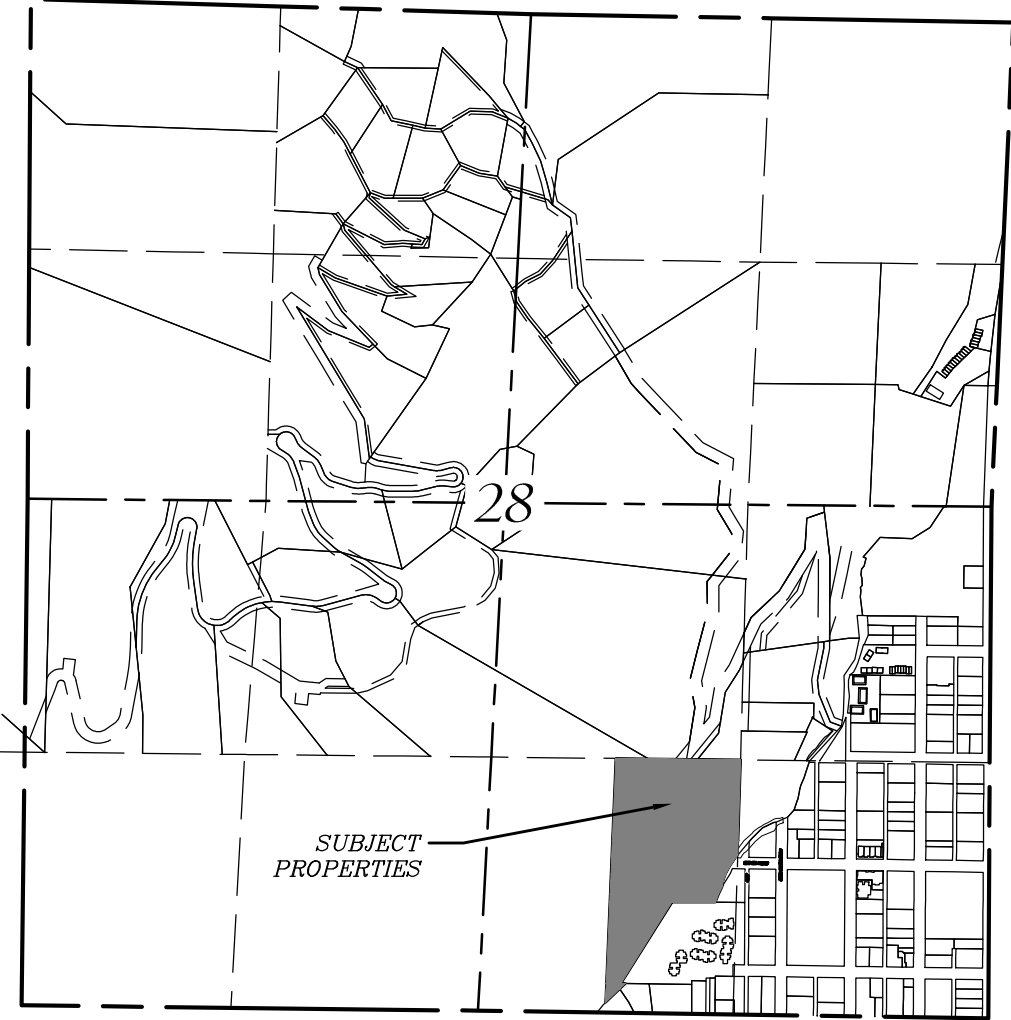
ACKNOWLEDGEMENT OF OWNER

State of Wyoming )  
County of Teton ) SS

The undersigned owner, hereby acknowledges that the boundary adjustment of the parcels as shown hereon is with their free consent and in accordance with their desires;

LUKAS FARMS, LLC  
A WYOMING LIMITED LIABILITY COMPANY

SIGNATURES BY SEPARATE AFFIDAVIT



VICINITY MAP  
SECTION 28, T.41N., R.116W.  
1"=1000'

NOTES

THE SUBJECT PROPERTY SHALL NOT BE SUBJECT TO FURTHER DIVISION EXCEPT AS PERMITTED BY THE TOWN OF JACKSON, WYOMING.

LAND USE SUMMARY

TOTAL AREA:	12.90± Acres
EXISTING PARCEL C:	0.82± Acres
EXISTING PARCEL D:	12.08± Acres
ADJUSTED PARCEL C:	3.82± Acres
ADJUSTED PARCEL D:	9.09± Acres

SURVEYOR & ENGINEER

Jorgensen Associates, Inc.  
P.O. Box 9550  
Jackson, WY 83002  
307-733-5150

OWNER

Lukas Farms, LLC  
PMB 496 P.O. Box 30000  
Jackson, WY 83002

MAP TO ACCOMPANY  
MINOR BOUNDARY ADJUSTMENT  
Parcel C & Parcel D  
Lukas Farms, LLC

LOCATED WITHIN  
PT S1/2SE1/4, Section 28  
T.41N., R.116W., 6th P.M.  
Teton County, Wyoming

**EXHIBIT “\_\_\_\_\_”**  
**Legal Description**  
**Of**  
**Adjusted Parcel C**

A parcel of land lying within the E½SW¼SE¼ of Section 28, T.41N., R.116W., 6<sup>th</sup>, P.M., Town of Jackson, Teton County, Wyoming be more particularly described as follows:

COMMENCING at the SE 1/16 corner of said Section 28, marked by a 1” diameter iron pipe with 3” brass cap inscribed, “SE 1/16 S 28”;  
THENCE S01°14’30”W, 212.91 feet, along the east line of said SW¼SE¼ to the **POINT OF BEGINNING**;  
THENCE continuing along said east line, S01°14’30”W, 284.40 feet to the thread of Fish Creek;  
THENCE along said thread approximated by the following courses:

S37°28’40”W, 10.64 feet;  
S32°43’43”W, 66.72 feet;  
S27°43’46”W, 39.64 feet;  
S18°30’28”W, 38.87 feet;  
S14°30’37”W, 21.52 feet  
S11°47’48”W, 8.99 feet;  
S25°09’21”W, 41.40 feet;  
S20°19’16”W, 45.50 feet;

THENCE departing said thread, S89°55’27”W, 226.20 feet;  
THENCE S31°40’13”W, 259.47 feet;  
THENCE N01°53’32”E, 317.48 feet;  
THENCE N40°16’35”E, 569.81 feet;  
THENCE S89°51’15”E, 102.86 feet to the POINT OF BEGINNING.

Said Adjusted Parcel C encompasses 3.82 acres, more or less.

The base bearing for this description is S89°49’07”E along the north line of said E½SW¼SE¼ of Section 28.

September 26, 2022

Jorgensen Associates, Inc.

P:\2018\18153 - Lukas Farms Boundary Line Adjustment\60-Survey\Docs\18153\_Adj. Parcel C Legal Description.docx

**EXHIBIT “ \_\_\_\_ ”**  
**Legal Description**  
**Of**  
**Adjusted Parcel D**

A parcel of land lying within the E½SW¼SE¼ of Section 28, T.41N., R.116W., 6<sup>th</sup>, P.M., Town of Jackson, Teton County, Wyoming be more particularly described as follows:

**BEGINNING** at the SE 1/16 corner of said Section 28, marked by a 1” diameter iron pipe with 3” brass cap inscribed, “SE 1/16 S 28”;

THENCE S01°14’30”W, 212.91 feet, along the east line of said SW¼SE¼;

THENCE N89°51’15”W, 102.86 feet;

THENCE S40°16’35”W, 569.81 feet;

THENCE S01°53’32”W, 317.48 feet;

THENCE S31°40’13”W, 241.08 feet;

THENCE S89°45’03”E, 23.63 feet to the thread of Fish Creek;

THENCE along said thread, S46°16’01”W, 142.64 feet to a point of intersection with the west line of said E½SW¼SE¼;

THENCE along said west line, N01°56’41”E, 1271.32 feet to the C-W-SE 1/64<sup>th</sup> corner of Section 28;

THENCE long the north line of said E½SW¼SE¼, S89°49’07”E, 649.20 feet, to the POINT OF BEGINNING.

Said Adjusted Parcel C encompasses 9.08 acres, more or less.

The base bearing for this description is S89°49’07”E along the north line of said E½SW¼SE¼ of Section 28.

September 26, 2022

Jorgensen Associates, Inc.

P:\2018\18153 - Lukas Farms Boundary Line Adjustment\60-Survey\Docs\18153\_Adj. Parcel D Legal Description.docx



Issued To:

Jorgensen Associates, PC  
1315 HWY 89 S., Suite 201  
Jackson, WY 83002

Report No.: W-26653  
Effective Date: December 3, 2021

Cost: \$750.00

Project Reference: JA#18153

Property Address: 385 West Gill Avenue, Jackson, WY 83001  
TBD West Gill Avenue, Jackson, WY 83001

County: Teton

1. According to the last deed appearing of public record, title to the fee simple estate or interest in the land described or referred to in this Report at the effective date hereof appears to be vested in:

Lukas Farms, LLC, an Arkansas limited liability company

2. The land referred to in this Report is described as follows:

See Exhibit "A" Attached Hereto and Made a Part Hereof

Issued By:

WYOMING TITLE & ESCROW, INC.  
Liz Jorgenson/Christina Feuz, Co-Managers  
Phone: 307.732.2983

**This Ownership and Encumbrance Report is not a Commitment for Title Insurance nor is it an Abstract of Title. This Ownership and Encumbrance Report is for informational purposes only, does not necessarily contain all defects, liens or encumbrances of record, and may not be relied upon as a representation of the record regarding the subject property, and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.**

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **PARCEL C:**

A parcel of land located in the E1/2SW1/4SE1/4 of Section 28, T.41N., R.116W., 6th P.M., Teton County, Wyoming described as follows:

COMMENCING at the SE1/16 Corner of said Section 28 marked by a 1 inch diameter galvanized steel pipe with a 3 inch diameter brass cap appropriately inscribed and a Wyoming Corner Record on file;

THENCE S 01°10'26" W, 421.84 along the east line of said E1/2SW1/4SE1/4 to a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 8904", being the POINT OF BEGINNING;

THENCE S 01°10'26" W, 74.44 feet continuing along said east line to the thread of Flat Creek;

THENCE along the thread of Flat Creek through the following courses:

S 37°27'10" W, 10.64 feet;

S 32°38'45" W, 66.72 feet;

S 27°37'24" W, 39.65 feet;

S 18°27'42" W, 38.88 feet;

S 11°47'16" W, 22.33 feet;

THENCE N 57°14'12" W, 57.44 feet departing said thread to a point marked by a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 4270";

THENCE continuing N 57°14'12" W, 134.17 feet to a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 3831";

THENCE N 41°53'03" E, 241.68 feet to a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 3831";

THENCE S 57°18'55" E, 93.89 feet to the POINT OF BEGINNING.

All in accordance with that map entitled, "Map to Accompany Minor Boundary Line Adjustment prepared for Lukas Farms LLC" to be recorded in the Office of the Clerk, Teton County, Wyoming.

The Base Bearing being S 89°53'11" E along the north line of said SW1/4SE1/4 line taken from the south line of Lot 113 of Saddle Butte Heights Amended, Plat No. 1140 recorded in said Office.

#### **PARCEL D:**

A parcel of land located in the E1/2SW1/4SE1/4 of Section 28, T.41N., R.116W., 6th P.M., Teton County, Wyoming described as follows:

BEGINNING at the SE1/16 Corner of said Section 28 marked by a 1 inch diameter galvanized steel pipe with a 3 inch diameter brass cap appropriately inscribed and a Wyoming Corner Record on file;

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THENCE S 01°10'26" W, 421.84 feet along the east line of said E1/2SW1/4SE1/4 to a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 8904";

THENCE N 57°18'55" W, 93.89 feet to a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 3831";

THENCE S 41°53'03" W, 241.68 feet to a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 3831";

THENCE S 57°14'12" E, 134.17 feet a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 4270";

THENCE continuing S 57°14'12" E, 57.44 feet to a point on the thread of Flat Creek;

THENCE along said thread through the following courses:

S 11°47'16" W, 8.90 feet;

S 25°04'52" W, 41.40 feet;

S 20°09'49" W, 45.48 feet to a point on the north line of Meadowbrook Village, a Condominium Project, recorded as Plat No. 404 in said Office;

THENCE departing said thread S 89°50'58" W, 226.27 feet along said north line to the northwest corner of said Meadowbrook Village, marked by a 2 inch diameter galvanized pipe with a 3 inch diameter brass cap inscribed "RLS 164";

THENCE S 31°35'00" W, 477.24 feet along the westerly line of said Meadowbrook Village to a 2 inch diameter galvanized pipe with a 3 inch diameter brass cap inscribed "RLS 164";

THENCE continuing S 31°35'00" W, 23.40 feet along said westerly line to the southwest corner of said Meadowbrook Village;

THENCE S 89°52'10" E, 23.63 feet along the south line of said Meadowbrook Village to a point on the thread of Flat Creek, being the northwest corner of Lot 5, Asbell Addition Amended, Second Filing, recorded as Plat No. 1239 in said Office;

THENCE following said thread S 46°11'43" W, 142.66 feet along the westerly line of said Lot 5 and Lot 6, Plat No. 1239 to a point on the west line of said E1/2SW1/4SE1/4;

THENCE departing said thread N 01°52'16" E, 1271.42 feet along said west line to the CWSE 1/64 corner of said Section 28;

THENCE S 89°53'11" E, 14.50 feet along the north line of said E1/2SW1/4SE1/4 to a witness corner to the CWSE1/64 corner marked by a 5/8 inch diameter reinforcing bar with an aluminum cap inscribed "PLS 8904";

THENCE S 89°53'11" E, 634.72 feet continuing along the north line of the E1/2SW1/4SE1/4 of said Section said Section 28 to THE POINT OF BEGINNING.

All in accordance with that map entitled, "Map to Accompany Minor Boundary Line Adjustment prepared for Lukas Farms LLC" to be recorded in the Office of the Clerk, Teton County, Wyoming.

The Base Bearing being S 89°53'11" E along the north line of said SW1/4SE1/4 line taken from the south line of Lot 113 of Saddle Butte Heights Amended, Plat No. 1140 recorded in said Office.

PIDN: 22-41-16-28-4-00-038, 22-41-16-28-4-00-039

ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY APPEAR TO BE (BUT ARE NOT NECESSARILY LIMITED TO) THE FOLLOWING:

THE FOLLOWING AFFECT PARCEL C:

1. General taxes for the year 2022, a lien in the process of assessment, not yet due or payable.
2. An easement upon the terms, conditions and provisions contained therein for the purpose shown below and rights incidental thereto as granted to the Town of Jackson in a document recorded July 5, 1977, as (book) 59 (page) 163, Official Records:  
Purpose: Sewer Easement  
[B59P163](#)
3. Conflicts in boundary lines as shown by the public records and any gaps/overlaps created thereby, including that Map of Survey recorded as Map T-28-A on January 24, 1979 in Book 1 of Maps, page 186, Document 193325 and Judgment recorded on March 17, 1981 as (book) 109 of Photo, (page) 586; and Deed recorded September 16, 1953 as (book) 10 of Deeds, (page) 310, Deed recorded September 21, 2007 as (book) 678, (page) 157 and Deed recorded January 23, 2007 as (book) 651, (page) 16 and Deed recorded September 21, 2007 as (book) 678 (page) 157. .  
[T-28A](#); [B109P586](#); [10D310](#); [B678P157](#); [B651P16](#)
4. Affidavit of Boundary Adjustment Among Properties Owned by Lukas Farms LLC, recorded April 13, 2012, as (book) 805 (page) 978, Official Records.  
[B805P978](#)
5. All matters shown by Record of Survey T-501 recorded April 13, 2012, as (instrument) 0812124, Official Records.  
[T-501](#)
6. An easement over said land for electric distribution circuits and incidental purposes, as granted to Lower Valley Energy, recorded June 19, 2014, as (book) 871 (page) 238, Official Records.  
[B871P238](#)
7. Any question, dispute or adverse claim as to any loss or gain of land as a result of any change in the location of Flat Creek.
8. Any right, interest or easement in favor of the public that exists or is claimed to exist over any portion of the land covered by water.

THE FOLLOW AFFECT PARCEL D:

9. General taxes for the year 2022, a lien in the process of assessment, not yet due or payable.
10. An easement over said land for communication facilities and incidental purposes, as granted to The Mountain States Telephone and Telegraph Company, recorded August 14, 1933, as (book) 3 of Mixed Records (page) 185, Official Records.  
[3MR185](#)

11. Conflicts in boundary lines as shown by the public records and any gaps/overlaps created thereby, including that Map of Survey recorded as Map T-28-A on January 24, 1979 in Book 1 of Maps, page 186, Document 193325 and Judgment recorded on March 17, 1981 as (book) 109 of Photo, (page) 586; and Deed recorded September 16, 1953 as (book) 10 of Deeds, (page) 310, Deed recorded September 21, 2007 as (book) 678, (page) 157 and Deed recorded January 23, 2007 as (book) 651, (page) 16 and Deed recorded September 21, 2007 as (book) 678 (page) 157.  
[T-28A](#); [B109P586](#); [10D310](#); [B678P157](#); [B651P16](#)
12. Restrictive Covenants as contained in instrument, recorded January 9, 1959, as (book) 11 of Deeds (page) 137, as reformed by instrument recorded July 17, 1967 in (book) 12 of Mixed Records, (page) 724 to Conform to wording contained in that instrument recorded May 31, 1956 in (book) 8 of Mixed Records, (page) 451, Official Records.  
[11D137](#); [12MR724](#); [8MR451](#)
13. Terms and Conditions of Easement for ingress, egress, and utilities, recorded January 17, 2001, as (book) 413 (page) 578, Official Records.  
[B413P578](#)
14. Terms and Conditions of Easement for ingress, egress and utilities, recorded March 9, 2001, as (book) 417 (page) 1, Official Records.  
[B417P1](#)  
  
Easement re-recorded to reflect inclusion of Exhibits, on March 9, 2001, as (book) 417 (page) 369 Official Records.  
[B417P369](#)  
  
Affidavit Affecting Title, recorded March 28, 2008, as (book) 694 (page) 828 Official Records.  
[B694P828](#)
15. Terms and conditions of Order Establishing Private Road, recorded June 6, 2006, as (book) 628 (page) 359, Official Records.  
[B628P359](#)
16. An easement upon the terms, conditions and provisions contained therein for the purpose shown below and rights incidental thereto as granted to the Town of Jackson, a municipal corporation of the State of Wyoming in a document recorded October 16, 2007, as (book) 680 (page) 598, Official Records:  
Purpose: Pedestrian Access Easement  
[B680P598](#)
17. Affidavit of Boundary Adjustment Among Properties Owned by Lukas Farms LLC, recorded April 13, 2012, as (instrument) 0812123 (book) 805 (page) 978, Official Records.  
[B805P978](#)
18. All matters shown by Record of Survey T-501 recorded April 13, 2012, as (instrument) 0812124, Official Records.  
[T-501](#)



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19. An easement over said land for electric distribution circuits and incidental purposes, as granted to Lower Valley Energy, recorded June 19, 2014, as (book) 871 (page) 239, Official Records.  
[B871P239](#)
20. Any question, dispute or adverse claim as to any loss or gain of land as a result of any change in the location of Flat Creek.
21. Any right, interest or easement in favor of the public that exists or is claimed to exist over any portion of the land covered by water.

\*\*\*\*\* End of Encumbrances \*\*\*\*\*

TAX NOTE:

Taxes, special and general, assessment districts and service areas, for the year 2021. Tax ID No. OJ-007911.

1st Installment: \$8,429.08 PAID

2nd Installment: \$8,429.07 PAID

Affects Parcel C

TAX NOTE:

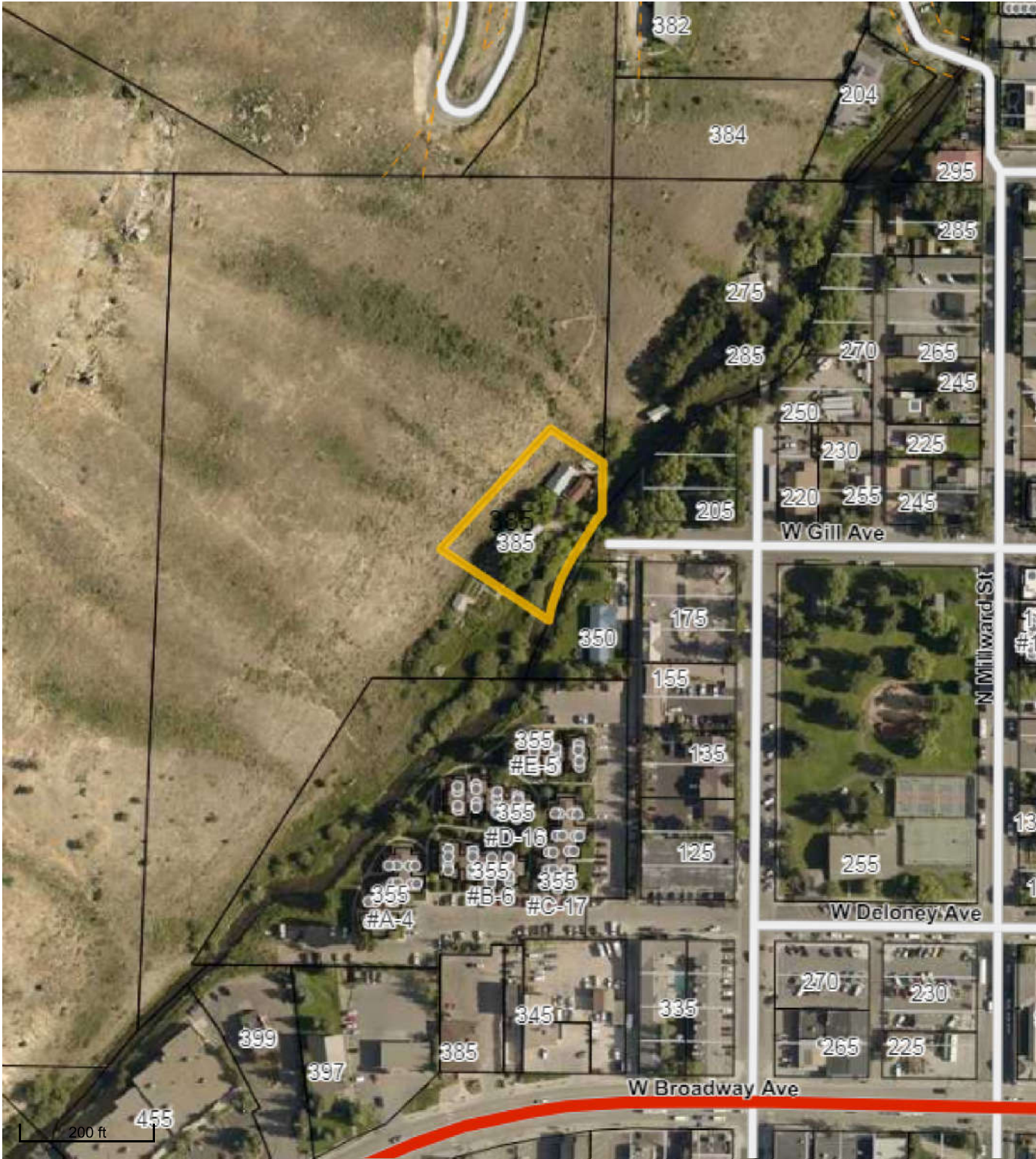
Taxes, special and general, assessment districts and service areas, **for** the year 2021. Tax ID No. OJ-007912.

1st Installment: \$2,303.24 PAID

2nd Installment: \$2,303.23 PAID

Affects Parcel D

Teton County Wyoming MapServer



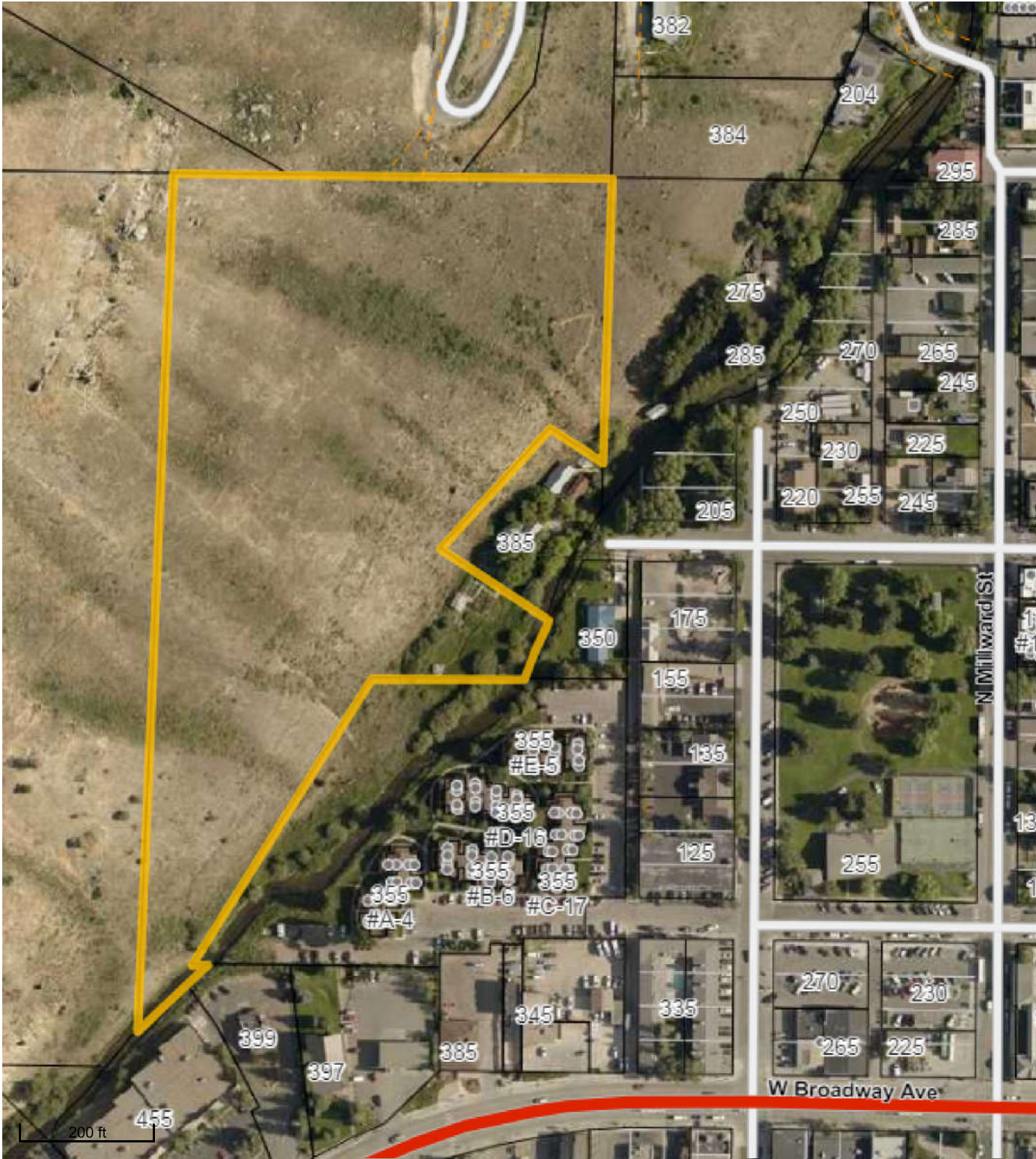
Parcel C

2020 Color, 3" resolution, private land

**NORTH**  
Teton County provides this map for illustrative purposes only and assumes no liability for actions taken by users based on information shown.  
printed 12/23/2021



Teton County Wyoming MapServer

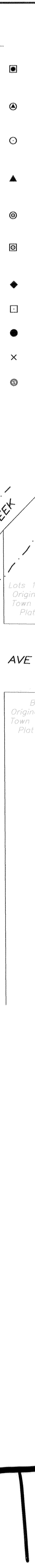


2020 Color, 3" resolution, private land

**NORTH**  
Teton County provides this map for illustrative purposes only and assumes no liability for actions taken by users based on information shown.  
printed 12/23/2021

Parcel D





Indicates a 1 inch diameter galvanized pipe with a 3 inch diameter brass cap found this survey  
Wyoming Corner Record on file

Indicates a 2 inch diameter galvanized pipe with a 3 inch diameter brass cap inscribed "RLS 164"  
found this survey

Indicates a 5/8 inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 3831"  
found this survey

Indicates a 5/8 inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 8904"  
found this survey

Indicates a 5/8 inch diameter steel reinforcing bar with an aluminum cap inscribed "PE & LS  
578" found this survey

Indicates a 5/8 inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 4270"  
found this survey

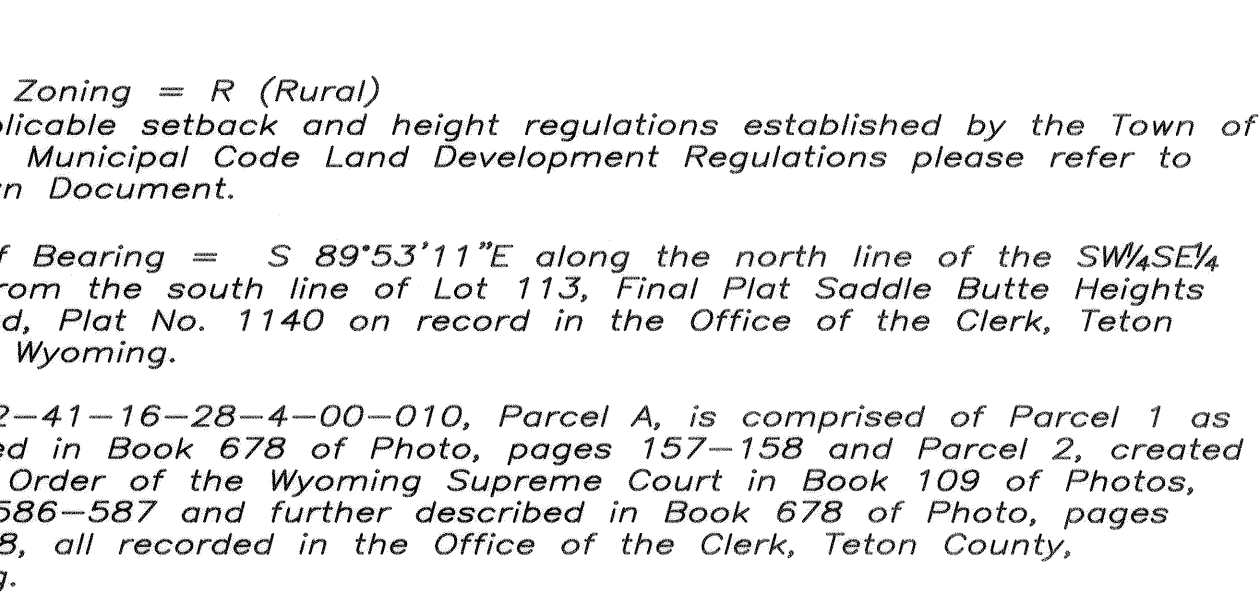
Indicates a 5/8 inch diameter steel reinforcing bar with no cap found this survey

Indicates a steel T-stake with no cap found this survey

Indicates a 5/8 inch reinforcing bar with an aluminum cap inscribed "PLS 3831" set this survey

Indicates a calculated point. Nothing found or set

Sanitary Manhole



Current Zoning = R (Rural)  
For applicable setback and height regulations established by the Town of Jackson Municipal Code Land Development Regulations please refer to the Town Document.

Base of Bearing = S 89°53'11"E along the north line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  taken from the south line of Lot 113, Final Plat Saddle Butte Heights Amended, Plat No. 1140 on record in the Office of the Clerk, Teton County, Wyoming.

PIDN 22-41-16-28-4-00-010, Parcel A, is comprised of Parcel 1 as described in Book 678 of the Photo, pages 157-158 and Parcel 2, created in that Order of the Wyoming Supreme Court in Book 109 of Photos, Pages 586-587 and further described in Book 678 of Photo, pages 157-158, all recorded in the Office of the Clerk, Teton County, Wyoming.

State of Wyoming) ss  
County of Teton )

*I, Scott R. Pierson, of Jackson, Wyoming, hereby certify that this map was made from notes taken during an actual survey made under my direction during April 2011, and from records on file with the Office of the Clerk of Teton County, and that it correctly represents the points and corners as set or found at the time of said survey.*

Scott R. Pierson  
Wyoming PLS 3831

The foregoing instrument was acknowledged before me by Scott R. Pierson this 9th day of April, 2012.

*Witness my hand and official seal.*

Notary Public

My commission expires: 10/22/14.

SECTION 28 T41N R116W 6TH P.M. SCALE 1"=1000

OWNER:  
LUKAS FARMS, LLC  
AN ARKANSAS LIMITED LIABILITY COMPANY  
POWDERHORN MALL STORE, PMB 496  
P.O. BOX 30000  
JACKSON, WY 83002

**SURVEYOR:**  
**PIERSON LAND WORKS, LLC**  
**180 S. WILLOW ST.**  
**P.O. BOX 1143**  
**JACKSON, WYOMING 83001**  
**PHONE 307-733-5429**

PREPARATION DATE: FEBRUARY 16, 2012

CERTIFICATE OF APPROVAL  
State of Wyoming )  
County of Teton ) ss  
Town of Jackson )

The Boundary Adjustment was approved by the Planning Director of the Town of Jackson on this 22nd day of February, 2012, and complies with the requirements of the Town of Jackson Land Development Regulations in effect this date.

Tyler Sinclair, Planning Director

The foregoing instrument was acknowledged before me by Tyler Sinclair this 13th day of April, 2012.

Witness my hand and official seal.

*Notary Public*

My commission expires: 2-10-15

CERTIFICATE OF OWNERS

State of Wyoming)

County of Teton )

The undersigned owners and proprietors of the lands shown hereon hereby certify that the foregoing adjustment and configuration of the boundary lines shown hereon is with their free consent and in accordance with their desires.

LUKAS FARMS, LLC  
AN ARKANSAS LIMITED LIABILITY COMPANY

*SIGNATURES BY SEPARATE AFFIDAVIT*

Map to Accompany  
Minor Boundary Adjustment  
PREPARED FOR  
**LUKAS FARMS, LLC**  
Being a Portion of the  
SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28  
T. 41 N., R. 116 W., 6th P.M.,  
TOWN OF JACKSON, WYOMING



**we define, design & deliver**  
the places that you play, Live & Work

Pierson Land Works LLC  
 P.O. Box 1143  
 180 S. Willow St.  
 Jackson, WY 83001  
 Tel 307. 733.5429  
 Fax 307. 733.9669  
[piersonlandworks.com](http://piersonlandworks.com)

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