



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
- ☐ Housing Department

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

| | |
|---|---|
| <p>Date: March 8, 2024</p> <p>Item #: P24-035</p> <p>Planner: Katelyn Page</p> <p>Phone: 733-0440 ext. 1302</p> <p>Email: kpage@jacksonwy.gov</p> <p>Owners: Bivouac, LLC 5430 New Northside Dr. Ste. 200 Atlanta, GA 30339</p> <p>Applicant: SJ Planning Solutions PO Box 523 Jackson, WY 83001</p> | <p>REQUESTS:</p> <p>The applicant is submitting a request for a Zoning Compliance Verification for the properties located at 10, 30, and 50 Pine Drive.</p> <p>For questions, please call Katelyn Page at 307-733-0440 x 1302 or email the address shown to the left. Thank you.</p> |
| <p>Please respond by: March 29, 2024 (with Comments)</p> | |

RESPONSE: For Departments not using SmartGov, please send responses via email to: planning@jacksonwy.gov



PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | 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

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 and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: N/A Environmental Analysis #: N/A
Original Permit #: N/A 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 and select the relevant application type for submittal requirements.

Have you attached the following?

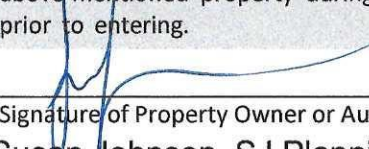
\$640 **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

X **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>.

X **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 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.



Signature of Property Owner or Authorized Applicant/Agent
Susan Johnson, SJ Planning Solutions

Name Printed

March 1, 2024

Date
Agent

Title



March 1, 2024

Town of Jackson Planning Staff

Town of Jackson Planning and Building Department

Submitted via email: planning@jacksonwy.gov

RE: Zoning Compliance Verification Request to Determine Development Allowances

Dear Planning Staff,

Pursuant to LDR Section 8.6.3, I am submitting a request for a Zoning Compliance Verification (ZCV). This ZCV concerns 10, 30, and 50 Pine Drive (subject properties) all under ownership by Bivouac, LLC, which have been conveyed together with separate legal descriptions; with 10 Pine Drive conveyed as 4 distinct tracts of land, all described separately (see attached deed and Map of Survey T-56D, attached). The subject properties are adjacent to Snow King Mountain and are shown below as PIDN: 22-41-16-33-4-08-001, 22-41-16-33-4-00-003, and 22-41-16-33-4-00-005:



The subject properties include one developed platted lot—the westernmost property 50 Pine Drive is platted as Lot 1, Aspen Hill Lots (Plat No. 124, attached), as well as two unplatted metes and bounds parcels (10 Pine Drive and 30 Pine Drive). All three properties are zoned NL-2.

Background

It is clear that 50 Pine Drive was created in 1938 via Plat No. 124. The origin of 10 and 30 Pine Drive is less clear. A Deed for the 30 Pine Drive property dated July 18, 1994 was found in the Clerk's records (attached). A Trustees Deed of record dated September 5, 1992 for 10 Pine Drive is attached, conveying the Parcel as Tracts 1, 2 and 3—all with separately described legal descriptions, which pre-dates a 2003 Quiet Title Judgment. The 2003 Quiet Title Judgment (attached) verifies that 10 Pine Drive is indeed comprised of four tracts of land (as depicted on Map T-56D), rather than three tracts described in the September 5, 1992 Deed.

Please respond to the following questions and statements:

1. **Pursuant to LDR Sec. 5.4.1.C.2, because all three of the subject properties were legally created prior to November 9, 1994, are they exempt from the requirement to submit a Hillside Conditional Use Permit (CUP)? If so, would development on any of the subject properties require only submittal of a Building Permit and any required sub-permits which may include, but are not limited to Grading and Erosion Control Permit, Sewer Connection Permit, Mechanical, Plumbing and Electrical Permits?**

See Background above, along with relevant attachments.

2. **The 10 Pine Drive property consists of four distinct tracts of land, of which Tracts 1, 2 and 3 appear to be conveyable by deed as separate parcels, pursuant to LDR Section 8.5.4.B.3.c, as they have not been combined by a recorded instrument of conveyance. Please confirm if three of the four tracts can be sold separately to different entities.**

LDR Section 8.5.4.B.3.c allows properties that consist of separate parcels or tracts of land to be conveyed separately by deed, without needing to plat them, regardless if they meet minimum lot size requirements, as copied and pasted below. Any division of land shall comply with this section, unless it is one of the following divisions of property, which are not considered a division of land:

- c. The sale or disposition of separate parcels of land that were separate when lawfully created or conveyed and which have not been combined by a recorded instrument of conveyance signed by all of the owners.

Per the Order at the bottom of page 2 of the Quiet Title Judgment, Order B requires Tract 4 to be merged and not be considered a separate lot or parcel unless approved by the Town of Jackson. All known deeds for this property consistently have conveyed 10 Pine Drive as three distinct tracts, and as four distinct Tracts since the Quiet Title Judgment.

- a. **Alternatively, could the three tracts (plus the fourth merged tract) that comprise 10 Pine Drive continue to be held by the same entity and permit the owner to construct three single-family dwelling units—one each on Tract 1, 2 and 3.**
- b. **If there was one owner of all 3 (or 4) tracts comprising 10 Pine Drive, and they could build three dwelling units and associated ARUs on 10 Pine Drive without conveying the tracts as separate parcels, could the development occur without regard to the existing boundaries of each tract?**

This would allow an owner to develop the property as a single site without regard to where the interior property lines exist.

- c. If the tracts were to be developed and/or conveyed separately, what are the structure and site development setbacks for each tract?
 - d. If the tracts were to be developed and/or conveyed separately, what is the maximum allowed floor area for each tract?
 - e. Would the separate conveyance of each tract trigger the requirement for a Hillside CUP, and if so why if the individual tracts existed prior to November 9, 1994?
 - f. Can the existing 3 (or 4) tracts be reconfigured via a Boundary Adjustment if no new tracts are created? If they were reconfigured, would they be considered new "lots" created after November 9, 1994 and therefore be subject to the Hillside CUP requirement?
3. What is the maximum allowable floor area on each of the subject properties (10, 30 and 50 Pine drive)?
 4. What are the structural and site development setbacks for each of the subject properties?
 5. Does 10 Pine Drive qualify for a credit toward a Workforce Housing requirement, per LDR 6.3.2.A.1? If so, how would the amount of credit be determined? Aerial photos show a house existing on the property from at least 1967 to when it received a Demolition Permit in 2004.

1999 Aerial:



6. Does the structure on 50 Pine Drive meet all required setbacks? If not, is it exempt from the 20% limitation on expansion of a nonconforming structure because it was built in 1947?
7. Does 50 Pine Drive qualify for a historical floor area exemption? The original residence was built in 1947 and had 2 remodels in 1980 and 1997.
8. If 50 Pine Drive received designation to the Town's Historic Register or was considered to be a "Structure of Merit" by the Historic Preservation Board:
 - a. Would such a designation allow an additional dwelling unit to be built on the lot?

- b. Would there be exemptions from affordable workforce housing requirements? If so, what would those be?**
- c. Could the owner transfer or sell unused floor area to another property located in certain zoning districts in Town (DC-1, DC-2, CR-1, CR-2, CR-3, BP, NM-2, or NH-1 zone), provided an historic easement is placed on the property that contains the historic structure?**

Thank you for your time and attention to this ZCV request. Please find all relevant attachments on the following pages. Feel free to contact me with any questions.

Best Regards,



Susan Johnson
SJ Planning Solutions
307-413-2694
susan@sjplanningsolutions.com

Attachments:

1. Letter of Authorization
2. Current deed
3. Map of Survey T-56D
4. Plat No. 124
5. July 18, 1994 Deed for 30 Pine Drive
6. September 5, 1992 Deed for 10 Pine Drive
7. 2003 Quiet Title Judgment



Town of Jackson
150 E Pearl Avenue
PO Box 1687, Jackson, WY 83001
P: (307)733-3932 F: (307)739-0919
www.jacksonwy.gov

Date:

LETTER OF AUTHORIZATION
NAMING APPLICANT AS OWNER'S AGENT

PRINT full name of property owner as listed on the deed when it is an individual OR print full name and title of President or Principal Officer when the owner listed on the deed is a corporation or an entity other than an individual: Richard Woodruff Title: OWNER

Being duly sworn, deposes and says that BIVOUAC LLC is the owner in fee of the premises located at: _____
Name of legal property owner as listed on deed

Address of Premises: 10,30,50 PINE DR.

Legal Description: PT NE 1/4 SE 1/4, SEC 33 TWP 41 R6116 PARCEL 3 : PARCEL 2, Lot 1, BLK 5
Please attach additional sheet for additional addresses and legal descriptions ASPEN HILLS LOTS

And, that the person named as follows: Name of Applicant/agent: SUSAN JOHNSON

Mailing address of Applicant/agent: PO BOX 523, JACKSON, WY 83001

Email address of Applicant/agent: SUSAN@STPLANNINGSOLUTIONS.COM

Phone Number of Applicant/agent: 307 413 2694

Is authorized to act as property owner's agent and be the applicant for the application(s) checked below for a permit to perform the work specified is this(these) application(s) at the premises listed above:

- ☐ Development/Subdivision Plat Permit Application ☐ Building Permit Application
☐ Public Right of Way Permit ☐ Grading and Erosion Control Permit ☐ Business License Application
☐ Demolition Permit ☐ Home Occupation ☒ Other (describe) ZCV

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.

[Signature] 2/12/04
Property Owner Signature

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

STATE OF Georgia)
) SS.
COUNTY OF Fulton)

The foregoing instrument was acknowledged before me by Richard Woodruff this 12th day of February 2024. WITNESS my hand and official seal.

[Signature]
Notary Public

My commission expires:

1-20-2026



| | |
|------------|---|
| Released | |
| Indexed | |
| Abstracted | / |
| Scanned | |

WARRANTY DEED

Richard Woodruff, a married man, GRANTOR, of Atlanta, Georgia, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEYS AND WARRANTS to Bivouac, LLC, a Wyoming limited liability company, GRANTEE, whose address is 5430 New Northside Drive #200, Atlanta, Georgia 30339, the following described real estate, situate in the County of Teton, State of Wyoming, hereby waiving and releasing all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to-wit:

See attached Exhibit A.

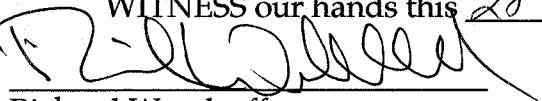
Parcel 1: PIN #22-41-16-33-4-08-001
Parcel 2: PIN #22-41-16-33-4-08-002
Parcel 3: PIN #22-41-16-33-4-08-003

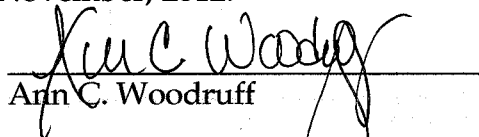
GRANTOR: WOODRUFF, RICHARD
GRANTEE: BIVOUAC LLC
Doc 0826539 bk 827 pg 351-353 Filed At 16:55 ON 12/03/12
Sherry L. Daigle Teton County Clerk fees: 14.00
By Mary Smith Deputy

Together with and including all improvements thereon and all appurtenances and hereditaments thereunto belonging. Subject to all covenants, conditions, restrictions, easements, reservations, and rights-of-way of record.

Ann C. Woodruff having joined in the execution of this Warranty Deed solely for the purpose of waiving all homestead exemption rights under the law of the State of Wyoming.

WITNESS our hands this 28TH day of November, 2012.


Richard Woodruff

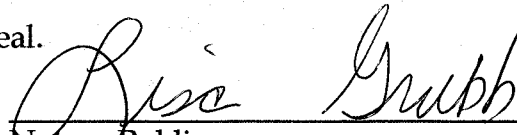

Ann C. Woodruff

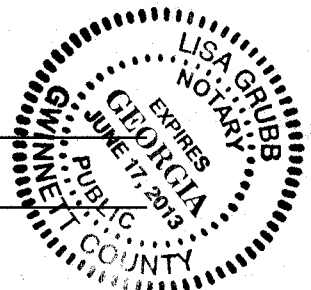
STATE OF GEORGIA

COUNTY OF Burnett }

The foregoing instrument was acknowledged before me this 28th day of November, 2012 by Richard Woodruff and Ann C. Woodruff.

WITNESS my hand and official seal.


Notary Public
My Commission Expires: _____



Notary Public for the State of Georgia
My Commission Expires June 17, 2013
My Office Address is 1000 North Main Street, Suite 100, Winnett, Georgia 30090

Legal Description - Exhibit A, Page 1



Jackson Hole Title & Escrow

Reference: WENDNAGEL STEEL-WOODRUFF

Case Number: 1011-143A

Three parcels of land lying within the NE ¼ SE ¼ of Section 33, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming and being identical to those parcels described in those Quit Claim Deeds recorded in Book 570 of Photo, pgs. 356-357 and Book 780 of Photo, pgs. 204-205 in the Office of the Clerk of Teton County, Wyoming, with said parcels being more particularly described as follows:

Parcel 1 (PIDN: 22-41-16-33-4-08-001): Lot 1 of Block 5 of the Aspen Hill Lots, Teton County, Wyoming, according to that plat recorded in said Office on May 13, 1938 as Plat No. 124.

Parcel 2 (PIDN: 22-41-16-33-4-00-003):

BEGINNING at the northeast corner of said Lot 1, Block 5, Aspen Hill Lots marked by a steel T-stake with chrome cap inscribed "RLS 578";

THENCE S 89°57'29" E, 100.00 feet to a point marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE S 00°05'27" W, 148.61 feet to a point on the north line of the Pine Glades Townhomes Phase One Addition to the Town of Jackson, recorded as Plat No. 1285 in said Office, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE S 89°56'06" W, 100.00 feet along said north line to the southeast corner of said Lot 1, Block 5, Aspen Hill Lots, marked by a brass cap pipe monument inscribed "RLS 164";

THENCE N 00°05'27" E, 148.53 feet along the east line of said Lot 1, Block 5, Aspen Hill Lots, to the POINT OF BEGINNING;

Parcel 3 (PIDN: 22-41-16-33-4-00-005): Comprised of four Tracts of land described as follows:

Tract 1

BEGINNING at the northeast corner of Parcel 2 as described above, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE EAST, 59.28 feet to a point on the east line of said Section 33;

THENCE S 01°44'34" W, 148.71 feet along said east line of Section 33 to the northeast corner of the Pine Glades Townhomes Phase One Addition to the Town of Jackson, recorded as Plat No. 1285, marked by a marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE S 89°56'06" W, 55.00 feet, along the north line of said Pine Glades Townhomes to the southeast corner said Parcel 2 as described above;

THENCE N 00°05'27" E, 148.61 feet along the east line of said Parcel 2 to the POINT OF BEGINNING.

Tract 2

COMMENCING at the E ¼ corner of said Section 33 marked by an illegible brass cap;

THENCE S 01°44'34" W, 289.74 feet along the east line of said Section 33 to the **POINT OF BEGINNING** being a point on the south line of that 40 foot wide Public Right-of-Way easement as described in Book 6 of Mixed Records, pg. 609 on record in said Office;

THENCE N 89°53'42" W, 83.57 feet, along the south line of said Public Right-of-Way easement to a point marked by a marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

(continued on next page)

Legal Description - Exhibit A, Page 2



Jackson Hole Title & Escrow

Reference: WENDNAGEL STEE -WOODRUFF

Case Number: 1011-143A

(Continued)

THENCE S 64°39'38" W, 111.90 feet, continuing along said south line of the Public Right-of-Way easement to a point on the north line of Pine Drive as shown on said plat of Aspen Hill Lots, marked by a rebar with aluminum cap inscribed "PLS 3889";

THENCE S 89°56'28" E, 22.72 feet along said north line of Pine Drive to the northeast corner of Pine Drive, marked by a rebar with aluminum cap inscribed "PLS 3889";

THENCE continuing S 89°56'28" E, 100.13 feet, along the north line of Tract 4 as described below to the north corner common to said Tract 4 and Tract 3 as described below, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE EAST, 60.43 feet along the north line of said Tract 3 to a point on said east line of Section 33;

THENCE N 01°44'34" E, 48.00 feet along said east line of Section 33 to the POINT OF BEGINNING.

Tract 3

BEGINNING at a point on the east line of said Section 33, lying S 01°44'34" W, 377.69 feet from the E ¼ of said Section 33 and also lying EAST, 59.28 feet from the northeast corner of Parcel 2 as described above;

THENCE N 01°44'34" E, 39.96 feet along said east line of Section 33 to the southeast corner of Tract 2 as described above;

THENCE WEST, 60.43 feet to the northeast corner of Tract 4 as described below, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE S 00°05'27" W, 40.00 feet to said northeast corner of Parcel 2, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE EAST, 59.28 feet to the POINT OF BEGINNING.

Tract 4

BEGINNING at the northeast corner of Lot 1, Block 5, Aspen Hill Lots, marked by a steel T-stake with chrome cap inscribed "RLS 578";

THENCE N 00°05'37" W, 39.89 feet along the east end of Pine Drive to the northeast corner of Pine Drive, being a point on the south line of Tract 2 as described above, marked by a rebar with aluminum cap inscribed "PLS 3889";

THENCE S 89°56'28" E, 100.13 feet, along the south line of said Tract 2 to the northwest corner of Tract 3 as described above, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE S 00°05'27" W, 40.00 feet, along the west line of said Tract 3 to the southwest corner of said Tract 3, being coincident with the northeast corner of Parcel 2 as described above, marked by a 5/8" rebar with aluminum cap inscribed "PLS 3831";

THENCE N 89°57'29" W, 100.00 feet, along the north line of said Parcel 2 to the POINT OF BEGINNING.

The base bearing for this legal description is S 01°44'34" W along the line common to Sections 33 & 34 per Plat No. 1282 recorded in said Office.

All in accordance with that map titled "Map of Survey Prepared for Wendnagel Steel, LLC" filed as T-56D in said Office.

LEGEND

- ⊙ Indicates an iron pipe with brass cap inscribed "RLS 164" found this survey
- ▲ Indicates an iron pipe with brass cap inscribed "PE&LS 578" found this survey
- ⊠ Indicates a iron pipe with brass cap inscribed "RLS 376" found this survey
- ⊙ Indicates a steel T-stake with chrome cap inscribed "PE&LS 2612" found this survey
- ⊙ Indicates a steel T-stake with chrome cap inscribed "PE&LS 578" found this survey
- Indicates a rebar with aluminum cap inscribed "PLS 3889" found this survey
- △ Indicates a rebar with aluminum cap inscribed "PLS 4270" found this survey
- Indicates a 1" diameter iron pipe found this survey
- Indicates a 5/8" steel rebar found this survey
- Indicates a 5/8" steel rebar with aluminum cap inscribed "PLS 3831" set this survey

- Lot/Tract Boundary Line
- Adjoining Lot/Tract Boundary Line
- Record Tract Line
- Record Easement Line
- Section Line
- Tie
- S 89°57'29" E 599.78' Measured Dimension
- (150') Record Distance

Shannon Elliott, Trustee
412P518-519

Sno-King Village
Townhouse Addition
Phase I
Plat No. 336

Sno-King Village
Townhouse Addition
Phase II
Plat No. 353

Sno-King Village
Townhouse Addition
Phase III
Plat No. 353

Jackson Hole
Conservation Alliance
415P971

Lot 1
Pine Lodge
Amended Addition
Plat No. 1282

35' Wide Public
Right-of-Way Easement
703P1021-1024

Lot 2
Pine Lodge
Amended Addition
Plat No. 1282

Pine Drive

Found Iron Pipe Removed

N 17°14'34" W 3.26'

S 89°57'29" E 599.78'

S 89°56'28" E 122.84'

Tract 4
570P356-357

Tract 2
570P356-357

Parcel 3
±0.48 ac.

Tract 1
570P356-357

Lot 1
Block 5
Aspen Hills Addition
Plat No. 124
±0.34 ac.

Parcel 2
±0.34 ac.

Lot 2
Block 5
Aspen Hills Addition
Plat No. 124

Existing House

S 02°18'01" E 8.50'

Pulled with Permission from
Mike Quinn, PLS 4270 of
Nelson Engineering

Spruce Drive

Lot H-Common Area
Pine Glades Townhomes
Phase One
Plat No. 1285.

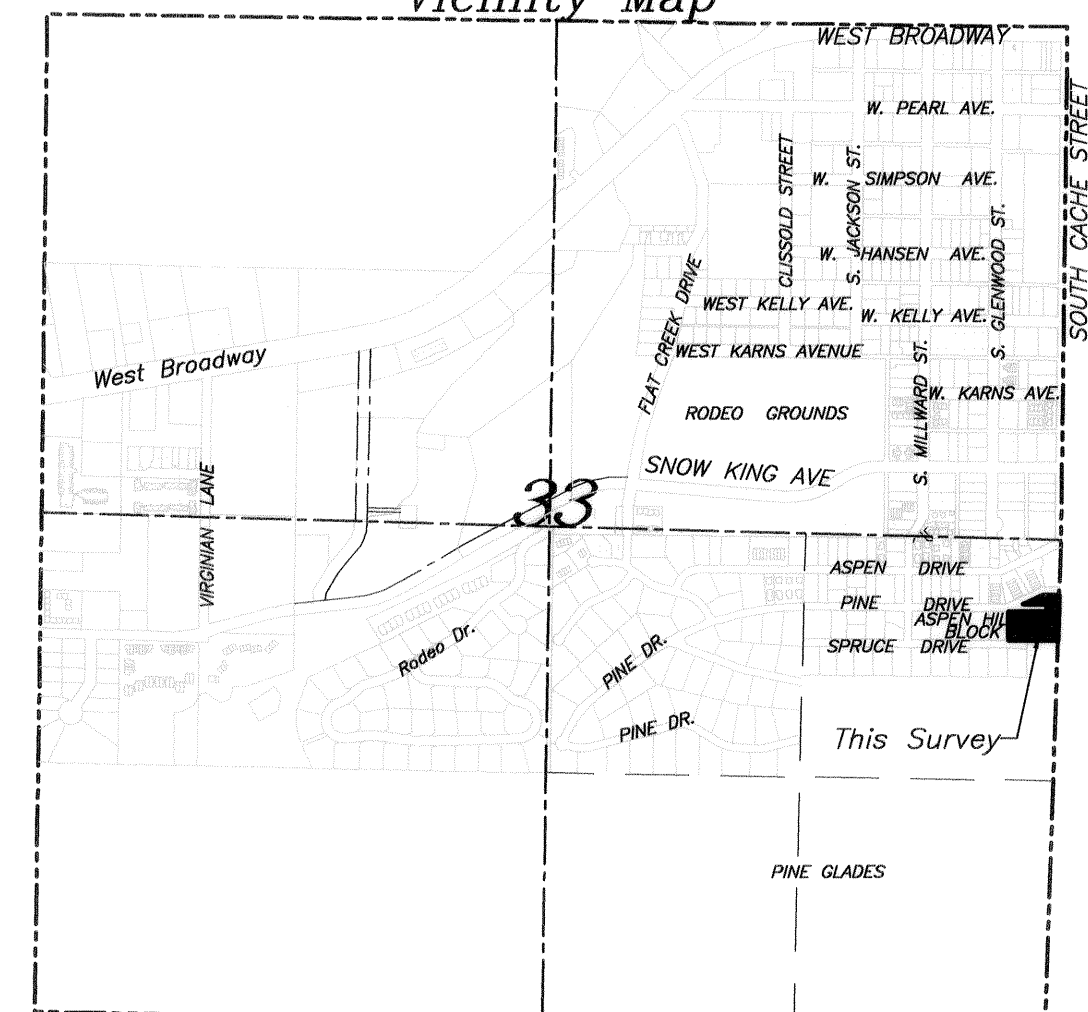
Lot 7
Block 7
Aspen Hills Addition
Plat No. 124.

Lot 8
Block 7
Aspen Hills Addition
Plat No. 124.

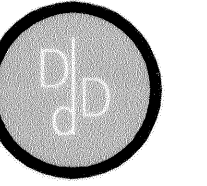
NOTE:

Base of Bearing = S 01°44'34" W along the line common to Sections 33 & 34 per Plat No. 1282.

Vicinity Map



Sec. 33, T. 41 N., R. 116 W. Scale: 1"=1000'



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

CERTIFICATE OF SURVEYOR

State of Wyoming)
County of Teton) ss

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 November 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
Scott R. Pierson
Wyo PLS 3831
Date 14 November 2011

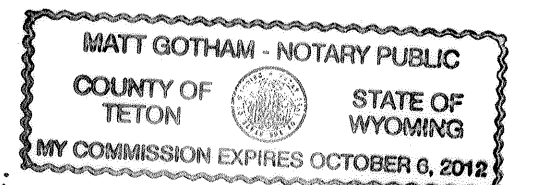
ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me by Scott R. Pierson this 14th day of November, 2011.

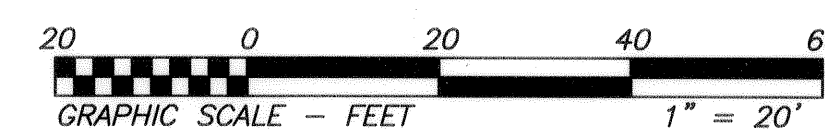
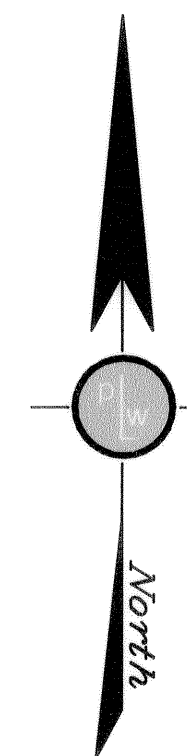
Witness my hand and official seal.

Notary Public

My commission expires:

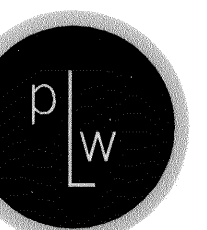


Town of Jackson



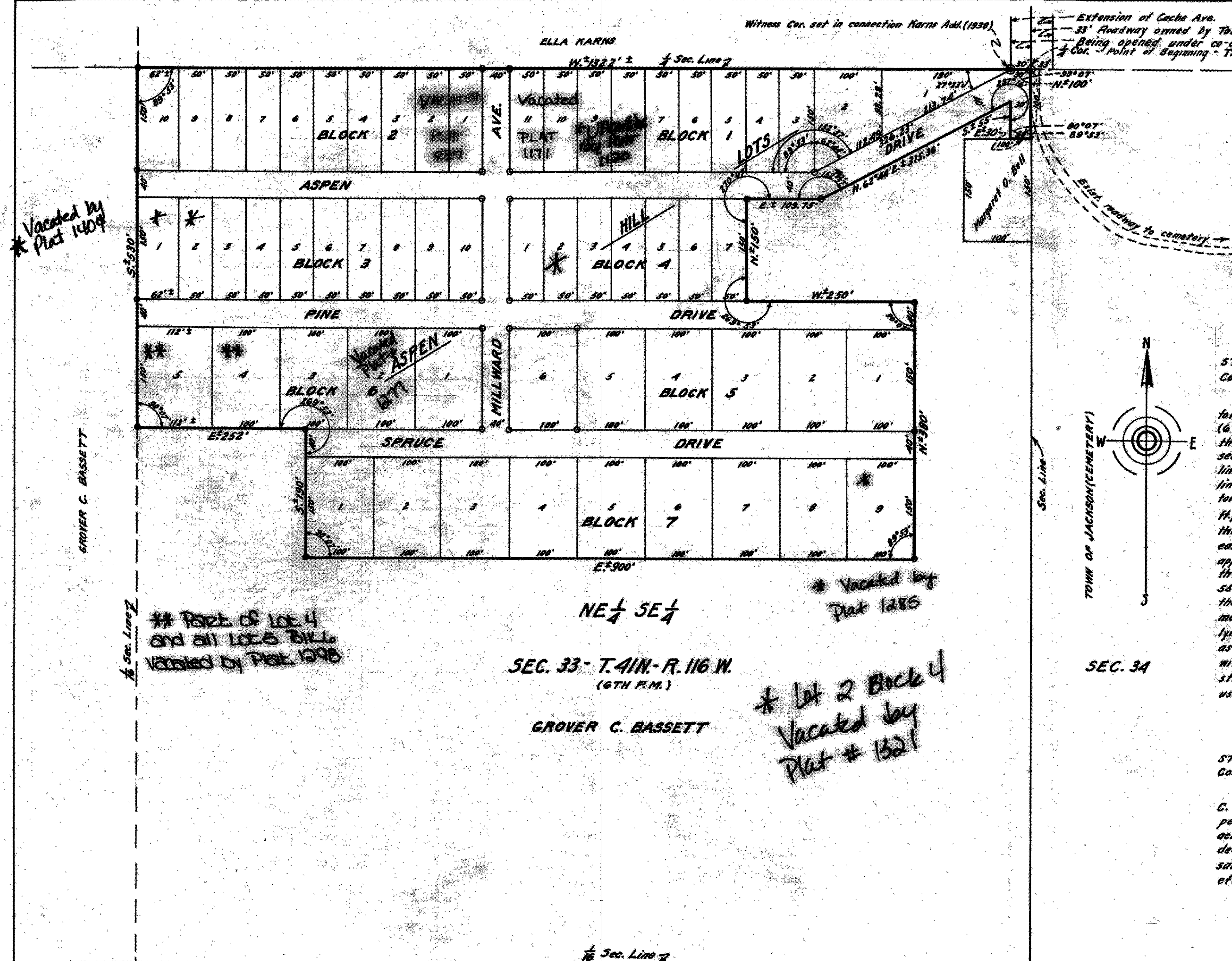
GRANTOR: PIERSON, SCOTT R SURVEYOR
GRANTEE: THE PUBLIC T-56D
Doc 0804579 bk 2MAPS pg 237-237 Filed At 16:42 ON 11/14/11
Sherry L. Daigle Teton County Clerk fees: 25.00
By Kassie Hansen Deputy

Map of Survey
PREPARED FOR
Wendnagel Steel, LLC
Being a Portion of the
NE¼SE¼ Sec. 33
T. 41 N., R. 116 W., 6th P.M.,
TETON COUNTY, WYOMING



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

Sheet 1 of 1



DEDICATION

STATE OF WYOMING } SS.
County of Teton

The subdivision, as shown hereon, of a tract of land bounded as follows: beginning at the $\frac{1}{4}$ cor. common to Secs. 33 & 34, T. 41 N., R. 116 W. (6th P.M.), thence westerly along the $\frac{1}{4}$ sec. line for approx. 1322 ft. to the E. $\frac{1}{16}$ sec. line through Sec. 33, thence southerly along the said $\frac{1}{16}$ sec. line for 530 ft., thence easterly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 252 ft., thence southerly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 190 ft., thence easterly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 900 ft., thence northerly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 380 ft., thence westerly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 250 ft., thence northerly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 150 ft., thence easterly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 109.75 ft., thence approx. N. 62° 44' E. (turning an interior angle of 152° 37') for 315.36 ft., thence southerly and parallel to the aforesaid $\frac{1}{16}$ section line for 55 ft., thence easterly and parallel to the aforesaid $\frac{1}{16}$ sec. line for 30 ft., thence northerly along the sec. line between Secs. 33 & 34 for 100 ft., more or less, to the place of beginning, containing 17.29 acres, more or less, lying wholly within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 41 N., R. 116 W. (6th P.M.), as appears on this plat, is with the free consent, and in accordance with the desires of the undersigned owners and proprietors, and the streets or roadways, as hereon shown, are hereby dedicated to public use in fee simple.

Grover C. Bassett
Grover C. Bassett

Mabel Bassett
Mabel Bassett

STATE OF WYOMING } SS.
County of Teton

On this 21th day of May, 1938, before me personally appeared Grover C. Bassett and Mabel Bassett, his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their own free act and deed, including the release and waiver of the right of homestead, the said wife having been by me fully apprised of her right and of the effect of signing and acknowledging the said instrument.

Given under my hand and notarial seal, this 21th day of May, A.D. 1938

My commission expires on the 8th day of Oct. A.D. 1941

Notary Public

SEC. 33 - T. 41 N. - R. 116 W.
(6TH P.M.)

GROVER C. BASSETT

* Lot 2 Block 4
Vacated by
Plat # 1321

* Vacated by
Plat 1285

NE $\frac{1}{4}$ SE $\frac{1}{4}$

** Part of Lot 4
and all Lots 5, 6, 7, 8, 9, 10
Vacated by Plat 1298

* Vacated by
Plat 1409

TETON NATIONAL FOREST

No. 15736
State of Wyoming } SS.
County of Teton
Filed for record in my office this 13th day of May, A.D. 1938 at 1:10 o'clock P.M., and recorded as Plat No. 124
E. N. Moody
County Clerk & Ex-Officio Register of Deeds
Feb 25, 38 By Joyce Ameson
Field Joyce Ameson Deputy (Scri.)

PLAT
OF
ASPEN HILL LOTS
TETON COUNTY - WYOMING

SCALE - 1 IN. = 100 FT.

Drawn by John C. Simpson - Civil Eng.
Jackson, Wyo. 3-16-38 Wyo. Reg. 207

NO. 124

| | |
|------------|-------------------------------------|
| RELEASED | <input checked="" type="checkbox"/> |
| INDEXED | <input checked="" type="checkbox"/> |
| ABSTRACTED | <input checked="" type="checkbox"/> |

DEED

KNOW ALL MEN BY THESE PRESENTS that **SUE DUNLAP**, as trustee u/t/a dated February 14, 1983 and any amendments thereto, of P.O. Box A, Jackson, Wyoming 83001, Grantor, for nominal but adequate consideration receipt whereof is hereby acknowledged, remises, releases and forever quitclaims unto **DALLAS ROBERTSON**, a married woman taking as her sole and separate property, of P.O. Box 7828, Jackson, Wyoming 83001, Grantee, all right, title, interest, claim and demand that grantor has or ought to have in and to all of the following-described property situated in the County of Teton, State of Wyoming:

A tract of land in the NE 1/4 SE 1/4, Section 33, T41N, R116, 6th P.M. described by metes and bounds as follows: Beginning at corner No. 1, identical with the Northeast corner of Lot 1, Block 5 of the Aspen Hill Addition to the Town of Jackson, Wyoming, thence East 100 feet; thence South 150 feet; thence West 100 feet to the Southeast corner of said Lot; thence North 150 feet to the place of beginning,

including and together with all and singular the tenements, hereditaments, appurtenances and improvements thereunto belonging.

IN WITNESS WHEREOF this instrument has been duly executed and delivered effective as of the 18th day of July, 1994.

Grantor: DUNLAP, SUE TRUSTEE

Grantee: ROBERTSON, DALLAS

Doc 0387885 bk 299 pg 723-723 Filed at 11:22 on 12/15/94

V Jolynn Coonce, Teton County Clerk fees: 6.00

By CLAIRE K ABRAMS Deputy


SUE DUNLAP, as Trustee

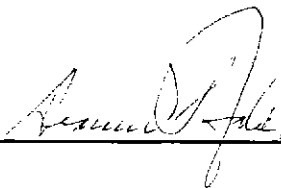
STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing Quitclaim Deed was acknowledged before me by **Sue Dunlap** this 18th day of July, 1994.

WITNESS my hand and official seal.



My commission expires:


Notary Public

My commission expires 5-29-96

TRUSTEE'S DEED

Phillip D. Anderson, of Palm Beach Gardens, Florida, Successor and Substitute Trustee under the Trust created by and under the Last Will and Testament of Lillian Haley Stevenson, Deceased, dated April 28, 1976 pursuant to that Order on Petition for the Appointment of a Substitute Trustee entered and filed on April 7, 1992 in Case No. CL 92-3535 AO in the Circuit Court of the Fifteenth Judicial Circuit of Florida, in and for Palm Beach County, GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, conveys to Ronald Douglas Bixler, of P.O. Box 163, 417 5th Avenue, Clarence, Iowa 52216, GRANTEE, the following described property situated in the County of Teton, State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to wit:

The property described on Exhibit "A" attached hereto and by this reference made a part hereof.

Including and together with all and singular the tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, encumbrances, covenants, conditions, restrictions, rights of way and easements of sight and record, if any.

WITNESS my hand this 5th day of September, 1992.

Phillip D. Anderson, as Trustee
Phillip D. Anderson, as Trustee

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

SS. 592-36-3247

The foregoing Trustee's Deed was acknowledged before me by Phillip D. Anderson, as Trustee, this 5th day of September, 1992.

WITNESS my hand and official seal.

 Lisa A. Donovan
Notary Public
STATE OF FLORIDA
My Comm Exp 7/25/94
(Notary Public Seal)

Lisa A. Donovan
Notary Public, State of Florida at Large
LISA A. DONOVAN CC 1063-086
JD-DL-FL A53466423008

My commission expires: 7/25/94

Grantor: ANDERSON, PHILLIP D TRUSTEE

Grantee: BIXLER, RONALD DOUGLAS

Doc 337155 bk 258 pg 0032-0033 Filed at 2:43 on 09/16/92

V Jolynn Coonce, Teton County Clerk fees: 8.00

By CLAIRE K ABRAMS

Deputy

RELEASED

Exhibit "A"

Trustee's

The land referred to in this Deed is situated in the State of Wyoming, County of Teton, and is described as follows:

TRACT 1:

A portion of the NE1/4SE1/4 Sec. 33, T41N, R116W, 6th P.M. described by metes and bounds as follows: Starting at Corner No. 1 (which is 100 feet east of the northeast corner of Lot No. 1 of Block No. 5 of the Aspen Hill Addition to Jackson, Wyoming) thence east approximately 75 feet to the north-south quarter section line of the east side of said NE1/4SE1/4. Corner No. 2; thence south along said quarter section line 150 feet to Corner No. 3; thence west 75 feet more or less to a point which is 100 feet east of the southeast corner of said Lot No. 1, Block No. 5, Corner No. 4; thence north 150 feet to Corner No. 1, the place of beginning.

TRACT 2:

A portion of the Northeast Quarter of the Southeast Quarter of Section 33, Township 41 North, Range 116 West of the 6th Principal Meridian, more particularly described as follows: Beginning at Corner No. 1 (which is a point in the east line of said section and is 290 feet south of the East Quarter Corner of said section); (Said Corner No. 1 is also the southeast point of a right-of-way granted to the Town of Jackson by written easement dated December 13, 1947, and recorded on July 21, 1951, in Book 6 of Mixed Records at page 609, records of Teton County, Wyoming); thence west 81.8 feet following the south line of said easement to Corner No. 2; thence continuing along the south line of said easement S 65 degrees 30 minutes W for 120.7 feet to Corner No. 3, which is a point on the north line of Pine Drive; thence easterly following the north line and the north line extended of Pine Drive for 191.2 feet to Corner No. 4, a point on the east line of said Section 33; thence northerly following said east line for 50.2 feet more or less to Corner No. 1, the place of beginning.

TRACT 3:

A tract of land located in the NE1/4SE1/4 Section 33, T41N, R116W, 6th P.M., described by metes and bounds as follows: Beginning at a point, (Corner No. 1), which is 175 feet East of the Northeast Corner of Lot No. 1 of Block 5 of the Aspen Hill Addition to the Town of Jackson, Wyoming; thence North 40 feet to Corner No. 2; thence due West 75 feet to Corner No. 3; thence due South 40 feet to Corner No. 4; thence due East 75 feet to Corner No. 1 and the point of beginning.

IN THE DISTRICT COURT OF TETON COUNTY, WYOMING
NINTH JUDICIAL DISTRICT

FILED

TETON COUNTY, WYOMING

03 OCT 22 AM 11 00

Debbie Dalgley
CLERK OF DISTRICT COURT

RONALD DOUGLAS BIXLER,

Plaintiff,

vs.

GROVER C. BASSETT

Defendant.

Civil Action No. 12786

| | |
|------------|--|
| RELEASED | |
| INDEXED | |
| ABSTRACTED | |
| SCANNED | |

JUDGMENT

A Quiet Title action having been filed by the plaintiff against the defendant, and the defendant having been served by publication in the Jackson Hole News & Guide newspaper and the defendant having failed to answer or otherwise defend and plaintiff having filed the appropriate default pleadings and affidavits and the Court having been sufficiently advised.

THE COURT FINDS AS FOLLOWS:

1. Plaintiff is the owner of certain real property located in Jackson, Teton County, Wyoming, legally described on the attached Schedule C. The property is located at 10 Pine Drive in Jackson, Wyoming.
2. Defendant was the developer of the Aspen Hill Lots Subdivision per that plat filed in the office of the Teton County Clerk on May 13, 1938 as Plat No. 124, which subdivision abuts plaintiff's property. Defendant received said land by patent directly from the United States Of America in 1931 as filed in Book 2 of Patents, page 133 in the office of the Teton County Clerk.
3. Plaintiff purchased his property in 1992. At the time of purchase, and at all times since plaintiff has owned the property, he understood the boundary of the property to encompass that described in Schedule C, as well as the legal description prepared by Marlowe Scherbel of Surveyor Scherbel, Ltd., attached hereto as Exhibit A (Description For Ronald Douglas Bixler For Quiet Title). Plaintiff only recently discovered that he did not have legal title to the property described in Exhibit A.

The State of Wyoming

County of Teton

I, Clerk of the Ninth Judicial

District Court within and for said County and in the State aforesaid, Do Hereby Certify that Foregoing to Be a Full, True and Complete Copy.

Signed: *Debbie Dalgley*

Grantor: GUTHRIE, NANCY J DISTRICT*

Grantee: BIXLER, RONALD DOUGLAS

Doc 0608983 bk 529 pg 119-122 Filed at 2:50 on 10/23/03

Sherry L Dalgley, Teton County Clerk fees: 17.00

By MARY D ANTROBUS Deputy

4. Plaintiff has continuously possessed the subject property (Exhibit A) for over ten continuous years and has paid taxes on the subject property. No other person has asserted an interest in the property since he has owned it.

5. It appears that the property described in Exhibit A is a remnant parcel that was inadvertently omitted by defendant/developer when plaintiff's property was conveyed to plaintiff's predecessor in interest. The legal description contained in the original deeds from defendant to plaintiff's predecessors in interest, and the deed conveyed to plaintiff, were incorrect in that the descriptions do not reflect the real property described in Exhibit A. The incorrect legal description has created title problems to plaintiff's property which needs quieted.

6. The legal description prepared by Marlowe A. Scherbel of Surveyor Scherbel, Ltd. contain the correct legal description of the subject property which should be included as plaintiff's property along with that described in Schedule C.

7. Plaintiff is entitled to have title to his property quieted.

NOW THEREFORE IT IS ORDERED AS FOLLOWS:

A. Title to the land described in the attached Exhibit A is quieted in favor of plaintiff Ronald Douglas Bixler, and against defendant Grover C. Bassett. Any ownership interest of defendant Grover C. Bassett in and to the real property described in Exhibit A is hereby extinguished.

B. The real property described in the attached Exhibit A shall be merged with that real property described in Schedule C and shall not be considered a separate lot or parcel from the land described in Schedule C unless otherwise approved by the Town of Jackson.

DATED this 22nd day of October, 2003.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was served by mail/tax upon the following persons at their last known address this 22 day of Oct 2003.

J. D. Bixler

By D. J. Hunter

Nancy J. Cuthrie
Nancy J. Cuthrie
District Judge

SCHEDULE C

The land referred to in this Commitment is situated in the State of Wyoming, County of Teton, and is described as follows:

TRACT 1:

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T41N, R116W, 6th P.M. described by metes and bounds as follows:
STARTING at Corner No. 1 (which is 100 feet east of the Northeast corner of Lot No. 1 of Block No. 5 of the Aspen Hill Addition to Jackson, Wyoming)

Thence East approximately 75 feet to the North-South quarter section line of the East side of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, Corner No. 2;

Thence South along said quarter section line 150 feet to Corner No. 3;

Thence West 75 feet more or less to a point which is 100 feet east of the Southeast corner of said Lot No. 1, Block No. 5, Corner No. 4;

Thence North 150 feet to Corner No. 1, the PLACE OF BEGINNING.

TRACT 2:

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T41N, R116W, 6th P.M., more particularly described as follows:
BEGINNING at Corner No. 1 (which is a point in the East line of said section and is 290 feet south of the E $\frac{1}{4}$ Corner of said section);

(Said Corner No. 1 is also the Southeast point of a right-of-way granted to the Town of Jackson by written easement dated December 13, 1947, and recorded on July 21, 1951, in Book 6 of Mixed Records at page 609, records of Teton County, Wyoming);

Thence West 81.8 feet following the South line of said easement to Corner No. 2;

Thence continuing along the South line of said easement S 65° 30' W for 120.7 feet to Corner No. 3, which is a point on the North line of Pine Drive;

Thence Easterly following the North line and the North line extended of Pine Drive for 191.2 feet to Corner No. 4, a point on the East line of said Section 33;

Thence Northerly following said East line for 50.2 feet more or less to Corner No. 1, the PLACE OF BEGINNING.

TRACT 3:

A tract of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T41N, R116W, 6th P.M., described by metes and bounds as follows:

BEGINNING at a point, (Corner No. 1), which is 175 feet East of the Northeast Corner of Lot No. 1 of Block 5 of the Aspen Hill Addition to the Town of Jackson, Wyoming;

Thence North 40 feet to Corner No. 2;

Thence due West 75 feet to Corner No. 3;

Thence due South 40 feet to Corner No. 4;

Thence due East 75 feet to Corner No. 1 and the POINT OF BEGINNING.

**DESCRIPTION FOR
RONALD DOUGLAS BIXLER
FOR QUIET TITLE TRACT**

To-wit:--

That part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T41N, R116W, within the Incorporated Limits of the Town of Jackson, Teton County, Wyoming, bounded as follows:

On the west by the east end of Pine Drive as shown on the "PLAT OF ASPEN HILL LOTS" of record in the Office of the Clerk of Teton County as Plat No. 124;

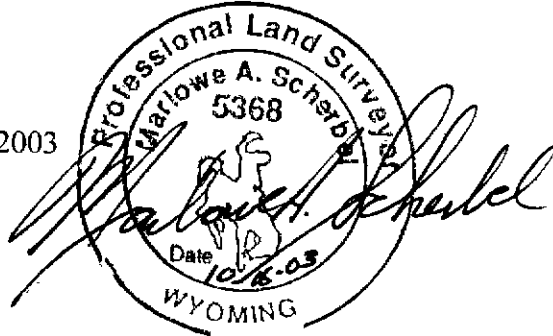
on the north by that tract of record in said Office in Book 15 of Deeds on page 282;

on the east by that tract of record in said Office in Book 14 of Deeds on page 338;

on the southeast by that tract of record in said Office in Book 12 of Deeds on page 92;

on the south by that tract of record in said Office in Book 456 of Photo on page 722;

12 October 2003



Professional Land Surveyors

Paul N. Scherbel
Wyo. Registration No. 164
Utah Registration No. 1670
Idaho Registration No. 3990
Nevada Registration No. 6805

Scott A. Scherbel
Wyo. Registration No. 3889
Idaho Registration No. 8026
Utah Registration No. 372111

MARLOWE A. SCHERBEL
Wyo. Registration No. 5368

Surveyor Scherbel, LTD.
Afton, Wyoming
Big Piney, Wyoming
Jackson, Wyoming
Lava Hot Springs, Idaho
Montpelier, Idaho

EXHIBIT A

"Modification in any way of the foregoing description terminates liability of the surveyor"