



Agenda Item: Quitclaim Deed

Title: Quitclaim Deed conveying 0.21 acres of land to the City of Laramie

Recommended Council MOTION:

Move to **approve** the Quitclaim Deed conveying an approximately 0.21 acre parcel of land to the City of Laramie.

Administrative or Policy Goal:

The Quitclaim Deed conveys lands to the City of Laramie pursuant to recent settlement agreement between the City of Laramie and Bombay Land Company, Inc.

Background:

On December 26, 1985 the City of Laramie entered into an agreement with B.F.R Development, Inc. for delayed improvements as detailed in the recorded agreement filed in the Albany County Clerk's Office on April 11th, 1986, Book 358 Page 300. The agreement, which was not financially secured (as agreed to by Council) required the Subdivider to construct a portion of Bill Nye Avenue and a bridge over the Spring Creek channel.

Per the agreement the City provided written notice to the subdivider requiring plans and specifications to construct said improvements as required by the agreement. This action was taken following adoption of City Council Resolution No. 2019-82 in which staff requested authorization from Council to take this action.

Following the Resolution No. 2019-82, Davis and Connon, LLP (City Legal Counsel) provided notice to BFR per the agreement. In response, two months after our notice, BFR Development, Inc, and their attorney responded that the agreement was not enforceable as their official response. City staff and legal counsel did not agree with this position and provided a response on January 28, 2020 citing their incorrect interpretation of our code. The January 28, 2020 letter initiated a response from BFR and their attorney in March about appropriate next steps to resolve the matter, with discussion leading to a request that BFR make an offer as to an amount that could possibly resolve the Delayed Improvement Agreement based on the belief the agreement is enforceable. The City then filed Civil Action No. 35467 in Albany County District Court for declaratory judgment to determine the validity and enforceability of the 1985 DIA and the 1990 DIA with respect to the Nye Addition. Following this action, an attempt to mediate through a mediation was attempted, and ultimately the City Council approved a Settlement Agreement and Release with the owners.

Through this settlement agreement between the City of Laramie and Bombay Land Company, Inc. a the following land is being deeded to the City as part of the settlement.

Approval of the Quitclaim Deed conveys the property to the City of Laramie.

Legal/Statutory Authority:

- Wyoming State Statutes Title 15

Responsible Staff:

Todd Feezer, ACM
721-5304

Derek T. Teini, Planning Manager
721-5245

Work Session	
Advertised	
Public Hearing (PH) Held	
PH Advertised	
Introduction/1 st Reading	April 18, 2023
2 nd Reading	
3 rd Reading	

Attachments:

Quitclaim Deed to the City of Laramie