

STATE OF WYOMING )  
 )  
COUNTY OF ALBANY ) IN THE DISTRICT COURT  
 ) SECOND JUDICIAL DISTRICT  
 ) CIVIL ACTION NO. 35036

ANGELA MACIAS aka ANGELA F. )  
GARCIA, )  
Plaintiff, )  
vs. )  
THE CITY OF LARAMIE, CORDELIA )  
M. CRAWFORD, STEPHAN MESA, )  
AND CHANTILLY ANGELIQUE )  
TRUJILLO, )  
Defendants. )

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**FINAL SETTLEMENT AGREEMENT  
AND  
STIPULATED ORDER QUIETING TITLE**

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This *Final Settlement Agreement and Stipulated Order Quieting Title* (“Agreement & Stipulation”) is entered into effective September 16<sup>th</sup>, 2020, by and among the following Parties who have appeared in this action:

The Plaintiff Angela Macias aka Angela F. Garcia, represented by Philip A. Nicholas with the firm of Nicholas & Tangeman, LLC (“Macias);

The City of Laramie, represented by the Robert W. Southard, City Attorney for the City of laramie “City”); and

Stephen Mesa, represented by Dustin J. Richards with the law firm of Pence & MacMillan LLC (“Mesa”).

The Agreement & Stipulation has been provided to Cordelia M. Crawford (“Crawford”) and Chantilly Angelique Trujillo (“Trujillo”) who have been served and who have not filed an answer in this matter. By their signatures below, they hereby consent to the entry of this *Stipulated Order Quieting Title* acknowledging the benefits to their property.

I. RECITALS.

A. The above captioned civil action (“Civil Action”) was commenced to quiet title in

and to a portion of Kearney Street, Laramie, Wyoming lying between Cedar Street and Spruce Street;

- B. Kearney Street is completed through the east half of the block, and terminates at the alley such that the portion of Kearney Street lying west of the alley is the site where Plaintiff Macias' home is situate;
- C. There is a common area road passing over the northerly portion of the area in controversy used by Macias, the City and Crawford;
- D. Defendants Trujillo and Mesa own homes that encroach on what would be the within the southern boundary of the original Kearney Street;
- E. There exists a dispute over the ownership to the lands at issue in this matter; and
- F. The Parties have agreed to stipulate to Court's entry of an *Order Quieting Title*, a copy of which is attached as **Exhibit 1** hereto which is intended to determine finally the ownership of the Parties consistent with historic and current use.

## II. AGREEMENT.

Now therefore, in consideration of the settlement to the above action and the mutual benefits to the Parties to the continued peaceful enjoyment of their respective properties, it is hereby agreed as follows:

1. The Parties or their representatives met at the site of the property at issue in person with Dave Hammond of Hammond Land Surveying, Inc., on June 16<sup>th</sup>, 2020. During that on-site visit, the Parties directed Mr. Hammond to place survey stakes at locations reflecting current fence lines, roads, homes and yards.

2. The Parties present instructed Mr. Hammond to complete a survey based upon those survey stakes intended to document the following:

- a. Macias shall be determined to be the owner of the property where her home is presently located described as 468 W. Kearney Street, to be bound by the fence to the South, Spruce Street to the West, the alley to the East and the area where grass ends to the northern boundary, which may not be a straight line;
- b. Crawford shall be determined to be the owner of the property where her home is located described as 465 W. Kearney Street, to be bound on the south by the approximate northern boundary of what was to be Kearney Street;
- c. Mesa shall be determined to be the owner of the property where his home is located described as 601 Spruce Street, with a northerly boundary which includes his existing northern fence;
- d. Trujillo shall be determined to be the owner of the property where their home is located described as 601½ South Spruce Street, with a northerly boundary which includes their existing fence;
- e. City shall be determined to have a public easement over the north-south alley passing through the block; and
- f. The existing east-west alleyway lying between the Macias and Crawford property shall be determined to be jointly owned by Macias and Crawford subject to a private easement in favor of the City for all purposes.

3. The survey stakes placed by Dave Hammond on June 16, 2020 were placed at locations intended to allow all of the Parties to continue to own and enjoy their properties consistent with historical uses, and to allow all Parties common use of the existing roadways in to

perpetuity.

4. Dave Hammond thereafter completed his survey based upon the physical survey stakes placed by Dave Hammond on June 16, 2020, a copy of which is Attached hereto as **Exhibit 2** (the “Hammond Survey”). The Parties move, stipulate and agree that the Hammond land survey shall become the Parties’ new legal boundary.

5. The Parties move, stipulate and agree to the entry of an *Order Quieting Title* in the form attached as **Exhibit 1** by this Court granting all relief requested by any of the Parties consistent with this agreed Agreement & Stipulation.

6. From and after the Court’s adoption of the Dave Hammond Survey as the true and correct boundary lines for this area in dispute, each of the individual Parties shall be adjudicated to have and to hold the properties shown on the survey to be owned exclusively by them free and clear of the claims of all others, removing all clouds from their respective title, and establishing in their respective names an undisputed title in fee simple to said real property and improvements thereon.

7. From and after the Court’s adoption of the Dave Hammond Survey as the true and correct boundary lines for this area in dispute, the City shall be determined to have and to hold a public easement over the existing north-south alley way passing through the block.

8. From and after the Court’s adoption of the Dave Hammond Survey as the true and correct boundary lines for this area in dispute, the existing east-west roadway lying between the Macias and Crawford property, identified on as “City Easement Area” on the attached survey, shall be determined to be jointly owned as follows: the south one-half to be owned by Macias and the north one-half to be owned by Crawford, both subject to a private easement in favor of the City for all municipal purposes. The City’s municipal purposes shall include but not be limited to

access by the City's employees and its agents, and their vehicles, and the City's right to install above and below-ground utilities and city related infrastructure the same as any other public street within the area. The surface owners of City Easement Area agree to and shall keep the easement area free of all above ground obstructions, free of any buildings or structures or plantings of any kind, and further agree not to obstruct traffic, or park or store vehicles or equipment, in and over the City Easement Area.

9. This agreement does not affect liens and encumbrances of record, provided that, this agreement is intended to and does reflect the Parties' historical property lines

*STIPULATED AND AGREED TO:*

*STIPULATED AND AGREED TO:*

\_\_\_\_\_  
Angela Macias

Dated: \_\_\_\_\_

\_\_\_\_\_  
Steven Mesa

Dated: \_\_\_\_\_

*AGREED AS TO FORM:*

*AGREED AS TO FORM:*

\_\_\_\_\_  
Philip A. Nicholas, WSB # 5-1785

NICHOLAS & TANGEMAN, LLC

P.O. Box 928

170 North 5th Street

Laramie, Wyoming 82073

(307) 742-7140

Attorneys for the Plaintiff

Dated: \_\_\_\_\_

\_\_\_\_\_  
Dustin J. Richards

Pence and MacMillan LLC

P.O. Box 1285

Laramie, Wyoming 82073

Attorney for Steven Mesa

Dated: \_\_\_\_\_

*STIPULATED AND AGREED TO:*

*STIPULATED AND AGREED TO:*

\_\_\_\_\_  
Chantilly Angelique Trujillo

Dated: \_\_\_\_\_

\_\_\_\_\_  
Cordelia M. Crawford

Dated: \_\_\_\_\_

*STIPULATED AND AGREED TO:*  
The City of Laramie

\_\_\_\_\_  
Major Joseph Shumway, Mayor  
Date: \_\_\_\_\_

AGREED AS TO FORM:

\_\_\_\_\_  
Robert W. Southard  
City Attorney for the City of Laramie  
406 Ivinson Avenue  
Laramie, WY 82070  
Date: \_\_\_\_\_

**EXHIBIT 1**

STATE OF WYOMING	)	IN THE DISTRICT COURT
	)	SECOND JUDICIAL DISTRICT
COUNTY OF ALBANY	)	CIVIL ACTION NO. 35036
ANGELA MACIAS aka ANGELA F.	)	
GARCIA,	)	
Plaintiff,	)	
vs.	)	
THE CITY OF LARAMIE, CORDELIA	)	
M. CRAWFORD, STEPHAN MESA,	)	
AND CHANTILLY ANGELIQUE	)	
TRUJILLO,	)	
Defendants.	)	

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**FINAL ORDER QUIETING TITLE**

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This matter came before the Court on upon the stipulated motion for entry of this *Final Order Quieting Title* signed by the following Parties who have entered their appearance in this matter:

The Plaintiff Angela Macias aka Angela F. Garcia, represented by Philip A. Nicholas with the firm of Nicholas & Tangeman, LLC (“Macias);

The City of Laramie, represented by the Robert W. Southard, City Attorney for the City of laramie “City”); and

Stephen Mesa, represented by Dustin J. Richards with the law firm of Pence & MacMillan LLC (“Mesa”).

The Court finds that the remaining Defendants named in the including Cordelia M. Crawford (“Crawford”) and Chantilly Angelique Trujillo ( “Trujillo”) have been duly served but failed to appear and have defaulted. Nevertheless, named Defendants Crawford and Trujillo have signed and approved the stipulated motion for entry of this Order.

The Court finds good cause to adopt the Parties’ *Stipulated Order Quieting Title* (“Agreement & Stipulation”) to determine the true ownership to the property identified below.

NOW, THEREFORE, THE COURT HEDEBY ORDERS, ADJUDGES AND DECREES  
AS FOLLOWS;

1. The Hammond Land Survey dated \_\_\_\_\_, which is attached as **Exhibit A** hereto by reference, is and reflect the Parties' legal boundaries.

2. The Hammond Land Survey legal description for the Macias property commonly known as 468 W. Kearney Street, Laramie, Wyoming, is hereby determined to be and is the legal description attached hereto as **Exhibit B**.

3. The Hammond Land Survey legal description for the Mesa property commonly known as 601 Spruce Street, Laramie, Wyoming, is hereby determined to be and is the legal description attached hereto as **Exhibit C**.

4. The Hammond Land Survey legal description for the Crawford property commonly known as 465 W. Kearney Street, Laramie, Wyoming, is hereby determined to be and is the legal description attached hereto as **Exhibit D**.

5. The Hammond Land Survey legal description for the Trujillo property commonly known as 601½ South Spruce Street, Laramie, Wyoming, is hereby determined to be and is the legal description attached hereto as **Exhibit E**.

6. The existing east-west roadway lying between the Macias and Crawford property, identified on as "**City Easement Area**" on the attached Hammond Land Survey, is hereby determined to be owned as follows:

- a. The south one-half of the City Easement Area is determined to be owned by Macias and the north one-half is determined to be owned by Crawford subject to the easement in favor of the City described below; and
- b. The City Easement Area is determined to be subject to a non-exclusive



private easement in favor of Macias, Crawford and the City for municipal use. The City's municipal purposes shall include but not be limited to access by the City's employees and its agents, and their vehicles, and subject the City's right to install above and below-ground utilities and city related infrastructure the same as any other public street within the area. The surface owners of City Easement Area agree to and shall keep the easement area free of all above ground obstructions, free of any buildings or structures or plantings of any kind, and further agree not to obstruct traffic, or park or store vehicles or equipment, in and over the City Easement Area.

7. The City shall have and is hereby adjudicated a public easement over the north-south alley passing through the block for all purposes consistent with a City of Laramie alleyway. The adjoining land owners shall have the same rights, if any, that other adjoining landowners within the Henry Hodgeman's Addition to City of Laramie, Albany County, Wyoming.

8. From and after the date of this Order, the true and correct boundary lines to the property shown on **Exhibit A** shall be those shown on **Exhibits B, C, D and E**, and title is hereby declared, adjudged, and decreed to be the true legal boundaries of the homeowners within the surveyed area.

9. Effective upon the date of this Order, the Court declares, adjudges, and decrees that the respective owners to the lots described in **Exhibits B, C, D and E** is declared good, valid, quieted, and free from cloud on any other owner of any lot adjudicated herein.

10. This Order shall not affect or address rights of mortgagees or lien holders, excepting that their rights shall be restricted to and limited to the title hereby adjudicated to their respective

grantor or mortgagor.

SO ORDERED this \_\_\_\_\_ day of September, 2020.

BY THE COURT:

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TORI R.A. KRICKEN  
DISTRICT JUDGE

cc: Philip A. Nicholas  
Dustin J. Richards  
Robert W. Southard  
Cordelia M. Crawford, 465 W. Kearney Street, Laramie, Wyoming, 82072  
Chantilly Angelique Trujillo, 601½ South Spruce Street, Laramie, Wyoming 82072