

**RESOLUTION NO. 03 - 18
OF
CONVERSE COUNTY, WYOMING**

**A RESOLUTION APPROVING THE USE CONTROL AREA PETITION
SUBMITTED BY PHILLIPS 66 (P66)**

WHEREAS, on February 24, 2017, Phillips 66 (P66) submitted a Petition to the Converse County Commissioners to create a Use Control Area (UCA) on approximately 28.79 acres of land at the former Conoco Glenrock Refinery, now owned by P66, and which is further delineated and set forth at Exhibit "A", attached hereto; and

WHEREAS, a Use Control Area is intended to establish long-term restrictions on property in the County on which soil or groundwater was contaminated as a result of former industrial operations in the County and which are subject to a Remedy Decision of the Wyoming Department of Environmental Quality; and

WHEREAS, the statutory authority to create a Use Control Area is based on W.S. 35-11- 1609, Voluntary Remediation of Contaminated Sites; W.S. 18-5-501, et. seq., County Zoning Authority; and W.S. 16-3-103, the Wyoming Administrative Procedure Act; and

WHEREAS, a public hearing was held April 4, 2017 at the Converse County Courthouse, Douglas, Wyoming;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR CONVERSE COUNTY, WYOMING:

1. That the Board of County Commissioners does hereby approve the Use Control Area Petition (Exhibit "B") submitted by P66; and
2. That the 17 uses set forth in the Petition of P66, are prohibited; and
3. All provisions agreed to by the Town of Glenrock and P66 are also a condition of this Resolution.

Adopted this 17 day of April, 2018.

FOR THE BOARD OF COMMISSIONERS
CONVERSE COUNTY, WYOMING:


Richard C. Grant, Jr. Chairman

ATTEST:




Lucile K. Taylor, Converse County Clerk

1069557 Book 1639 Page 107
Recorded 4/20/2018 At 3:36 PM
Lucile K. Taylor, Converse County Clerk & Recorder



**EXHIBIT "A"
LEGAL DESCRIPTION
MADDEN PARCEL**

A parcel of land situate within a portion of the NW¼ of Section 5 and the NE¼ of Section 6, T.33N., R.75W., 6th P.M., Converse County, Wyoming, as shown on Exhibit "B", attached hereto and by this reference made a part hereof, said parcel being more particularly described as follows:

Commencing at the northeast corner of said Section 6, being monumented by an aluminum cap;

Thence S00°24'13"W, along the east line of said Section 6, a distance of 1010.51 feet to a point located on the southerly right-of-way line of the former Chicago Northwestern Railroad, monumented by an aluminum cap and being the Point of Beginning;

Thence S84°56'18"E, along the southerly right-of-way line of the former Chicago Northwestern Railroad, a distance of 1625.26 feet to the northeast corner of the parcel, located on the west right-of-way line of Highway 95 and monumented by an aluminum cap;

Thence in a southerly direction along the west right-of-way line of Highway 95, along a curve to the left having a radius of 1969.70 feet, through a central angle of 09°29'47", a distance of 326.47 feet, with a chord bearing of S04°52'24"W a distance of 326.09 feet to the point of tangency, monumented by a highway right-of-way marker;

Thence S14°50'16"W, along the west right-of-way line of Highway 95, a distance of 142.30 feet to an angle point, monumented by an aluminum cap;

Thence S57°33'47"W, along the westerly right-of-way line of Highway 95, a distance of 144.46 feet to an angle point, monumented by an aluminum cap;

Thence S00°52'03"W, along the westerly right-of-way line of Highway 95, a distance of 9.14 feet to a point of intersection with the north right-of-way line of Highway 20/26, monumented by an aluminum cap;

Thence N89°07'57"W, along the north right-of-way line of Highway 20/26, a distance of 1221.35 feet to a point of curvature, monumented by an aluminum cap;

Thence along the north right-of-way line of Highway 20/26, and a curve to the left having a radius of 11,492.16 feet, through a central angle of 01°04'39", a distance of 216.11 feet, with a chord bearing of N89°41'41"W, a distance of 216.11 feet to a point located on the west line of said Section 5, monumented by an aluminum cap;

Thence N00°22'48"E, along the west line of said Section 5, a distance of 42.00 feet to a point monumented by an aluminum cap;

Thence west along the north right-of-way line of Highway 20/26, and a curve to the left having a radius of 11,534.16 feet, through a central angle of 01°26'56", a distance of 291.67 feet, with a chord bearing of S89°02'39"W, a distance of 291.66 feet to a point monumented by an aluminum cap;

Thence N00°31'32"W, a distance of 92.25 feet to a point monumented by an aluminum cap;

Thence S87°53'32"W, a distance of 190.00 feet to a point monumented by an aluminum cap;

Thence N00°24'32"E, a distance of 233.00 feet to a point monumented by an iron pipe;

Thence N00°24'32"E, a distance of 335.28 feet to the northwest corner of the parcel monumented by an iron pipe;

Thence S84°54'00"E, a distance of 482.64 feet to a point located on the east line of said Section 6, monumented by an aluminum cap;

1069557 Book 1639 Page 108
Recorded 4/20/2018 At 3:36 PM
Lucile K. Taylor, Converse County Clerk & Recorder



Thence N00°24'13"E, along the east line of said Section 6, a distance of 25.08 feet to the Point of Beginning.

The above described parcel contains 28.79 acres, more or less, and is subject to all rights-of-way and/or easements, reservations and encroachments which have been legally acquired

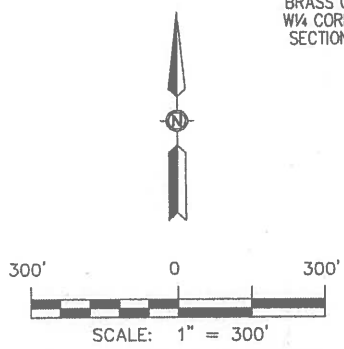
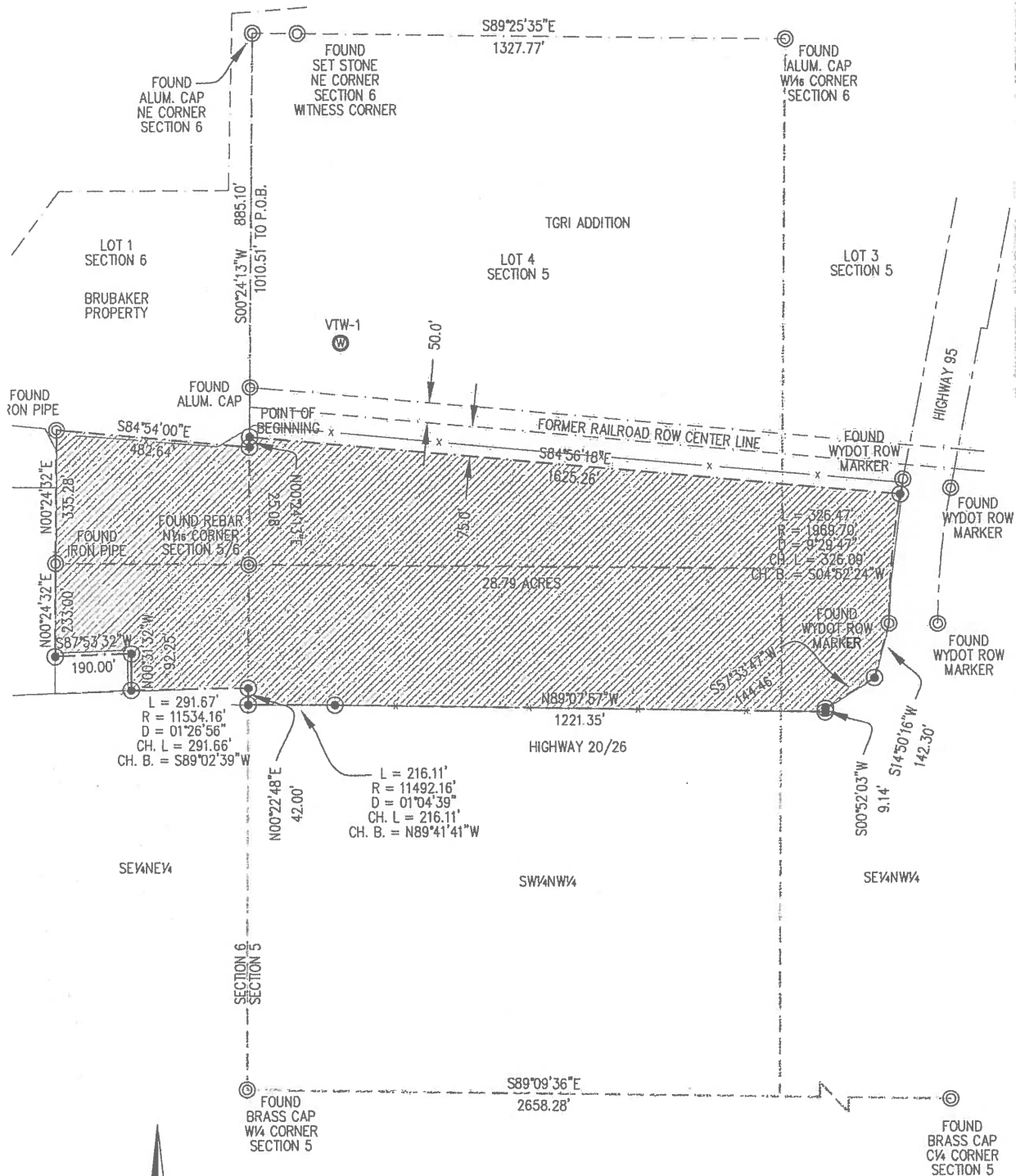
I hereby certify that this description was prepared from notes taken during a survey made under my direct supervision in January, 2004, and that on the basis of my information knowledge and belief as a Professional Land Surveyor that this description is true and correct.



MODIFICATION IN ANY WAY OF THE FOREGOING DESCRIPTION IS STRICTLY PROHIBITED. I HAVE CAREFULLY REVIEWED THIS INFORMATION AND CERTIFY IT TO BE ACCURATE ON THE BASIS OF MY KNOWLEDGE AND BELIEF. ANY CHANGE, ADDITION OR DELETION OF ANY PART OF THIS DESCRIPTION WILL ACT TO VOID ANY WARRANTY OR RESPONSIBILITY, EXPRESSED OR IMPLIED, THAT I HAVE TOWARD THE SUBJECT PROPERTY.

1069557 Book 1639 Page 109
Recorded 4/20/2018 At 3:36 PM
Lucile K. Taylor, Converse County Clerk & Recorder





BASIS OF BEARINGS:
 Wyoming State Plane Coordinate
 System, East Zone

- LEGEND**
- ⊙ FOUND CORNER AS NOTED
 - ⊙ SET ALUMINUM CAP
 - x — EXISTING FENCE

EXHIBIT "B"
 MADDEN PROPERTY

PORTIONS OF THE NW 1/4 OF SECTION 5
 PORTIONS OF THE NE 1/4 OF SECTION 6
 T.33N., R.75W.
 CONVERSE COUNTY, WYOMING
 JANUARY 2004

C.E.P.I.
 Civil Engineering Professionals, Inc.
 355 North Lincoln Street • Casper, Wyoming 82601
 (307) 266-4346 • (307) 266-0103 fax

USE CONTROL AREA PETITION

In accordance with Wyoming Statute 35-11-1609, Phillips 66 Company (P66), whose mailing address is 420 S. Keeler Avenue, 1714 PB, Bartlesville, OK 74003-6670, and whose Regional Remediation Manager's phone number is 562-290-1553 (Daniel Fischman), does hereby petition Converse County to create a Use Control Area (UCA) on approximately 28.79 acres of land at the Former Conoco Glenrock Refinery owned by P66 and which is generally located as shown on the map included as Figure 1-2.

The UCA shall be established and maintained in accordance with the requirements of Wyoming Statute 35-11-1609. The UCA shall prohibit in perpetuity the uses listed below, except as may be modified in accordance with local and state laws and notification of the Wyoming Department of Environmental Quality.

The following uses are prohibited in the UCA:

- a. Recreational uses
- b. Residential housing, fraternity, or sorority.
- c. Hospital, hospice, or nursing home.
- d. Jail or detention center.
- e. School or day care.
- f. Hotel or motel.
- g. Animal shelter; animal boarding, kennel, animal care facility; veterinary clinic.
- h. Animal or livestock sales, livestock grazing, zoo, or animal husbandry of any kind.
- i. Greenhouse, plant nursery, crop production operations, raising edible crops (except in situations where cultivated plants are grown in clean soil imported to the site where root penetration into contaminated soils would not occur).
- j. Dairy farm or dairy processing.
- k. Hunting or trapping.
- l. Overnight camping or recreational vehicle park.
- m. Unpaved racing facilities (motorized and non-motorized)
- n. Grain elevator or grain mill.
- o. Meat or food processing facility.
- p. Sanitary landfill or sewage treatment facility.
- q. Excavations (other than those completed as a component of: site remediation, construction of utility corridors and trenches, maintenance of existing utilities, or construction of buildings for permitted uses). Note that completion of excavations will require a Risk Management Plan and a worker health and safety plan.

This UCA will serve as an institutional control that will be included in a forthcoming remedy agreement (RA) between the Wyoming Department of Environmental Quality (WDEQ) and the current property owner. The RA will be tied to the legal description of the Former Conoco Glenrock Refinery and will be enforceable by law to

any/all property owners of record. A petition and public notice are required, per local and state laws, to modify this UCA. In the event that this UCA is modified in any way, the WDEQ must be notified in writing. In addition, any/all property owner(s) at the time may be subject to alternate measures necessary to protect human health from any contamination that may remain.

A public hearing on the UCA Petition shall be held no sooner than 30 days after publication of first notice. P66 shall publish notice of the petition and public hearing weekly for four consecutive weeks in a local newspaper prior to the hearing.



2-24-2017

Signature

Date

Mr. Daniel Fischman

Regional Manager, Remediation Management, Phillips 66 Company

1069557 Book 1639 Page 112

Recorded 4/20/2018 At 3:36 PM

Lucile K. Taylor, Converse County Clerk & Recorder

