

"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."

THE
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Dishonesty from the WT-E!

**Grasslands annexation was never about
62 acres for an Arboretum.**

It was always 2200 acres. Always!

City loses on yet another illegal annexation.

Laramie County Attorney Mark Voss did not submit the brief he was directed to by Judge Edward Grant, but once again the Terminator, Gay Woodhouse, presented a convincing legal argument and the Plaintiffs in the Grasslands annexation dispute were granted summary judgment against the City of Cheyenne.

While "void ab initio" does not appear in his Letter or Order, Judge Grant did write that City Attorney Mike Basom's key argument was a "non sequitur."

"Non sequitur" is another of those Latin terms some use to appear intellectual. Other words, more commonly in use, would convey a meaning more familiar to more people, but ...

A non sequitur is a conversational and literary device, often used for comical purposes (as opposed to its use in formal logic). It is a comment which, due to its lack of meaning relative to the comment it follows, is absurd to the point of being humorous or confusing. Its use can be deliberate or unintentional. Literally, it is Latin for "it does not follow." In other literature, a non sequitur can denote an abrupt, illogical, unexpected or absurd turn of plot or dialogue not normally associated with or appropriate to that preceding it.

Back to how the judge used the term in a second.

The dispute in this matter involved an annexation approved by the City governing body (Ordinance No. 3689, not 3698 as Basom stated in his latest brief) which annexed approximately 2200 acres of land west of F.E. Warren Air Force Base. This land has been under a \$1.00 per annum lease to the

United States of America (Government), for use, in 1928, as the Central Great Plains Field Station (now High Plains Grasslands Research Station). That lease describes the land under lease as falling within Township 14 North, Range 67 West, 6th P.M.

Within this large expanse of land, all of Section 8 and parts of Sections 9, 15, 16, 20, 21, and 22 are owned by the City and are leased to the Government.

As most readers know, a section of land is comprised of 640 acres. So, obviously the land in question is more than 62 acres. 62 acres is a small part of the 2168 acres under lease, which the Botanic Garden group covets for an Arboretum. There is a 35-acre parcel out there which is also under lease to the Girl Scouts.

From the outset, the legal dispute has involved the nearly 2200 acres, never just the 62 acres.

Yet, when the Judge ruled in favor of the Plaintiffs, the Wyoming Tribune-Eagle reported that the summary judgment was about the 62 acres sought for an Arboretum.

That was not a mistake. That was a lie.

Maps were drawn and presented showing the parcel which was annexed early in 2006. It was obvious when compared to the F.E. Warren land mass that the annexed land was greater than 62 acres.

Most legal documents filed by all three litigants in this matter (the City, the County and county property owners) stated the land area to be about 2200. More incriminating to the false reporting are the

repeated WT-E stories themselves.

"The City of Cheyenne owns the approximately 2,100 acres on which the research station stands; it has plans to make about 60 acres of it into a city park."

WT-E, Jessica Lowell, January 20, 2006

"The Cheyenne City Council unanimously approved the annexation of about 2,100 acres at its meeting Monday night."

"Plans for the land include a 60-acre city park and a 42-acre arboretum ..."

"The case involves the United States Department of Agriculture Grasslands Research Station and the Ware Pump Station annexations, which total 2,163 acres."

"... It obtained another two sections through trades and sales with local landowners, ... It then leased just over 2000 acres to the federal government for 199 years."

"Last November I learned the city planned to annex their station property with an ordinance stating: ..."

That March 2nd article was assumption- and error-filled. That writer, like all the WT-E, believed everything the City told her and repeated it in a Features article as though it were gospel.

She said the City was annexing the land to hold for parks and recreation area as though that use could not be altered in the future. The City cannot commit a future governing body to those uses and they change ordinances all the time - that is what rezoning does. She believed, and repeated, that the City wouldn't have the normal "developmental oversight"

In this issue ...

- Mayor's salary
- Hunkins platform adopted by Guv
- Life without the Cheyenne Herald
- Doctors leaving state
- Recycling plastics
- Kohl's is coming
- Wyoming opposes charter schools
- Daylight savings time

within one mile of the city boundary, as they do everywhere else. She: "Nor does it allow landowners to use this island of city as a basis for more annexations."

Hook, line and sinker.

Her defense of the City's illegal annexation was blown out of the water by Judge Grant's ruling. Basically, what he ruled was that an annexation of distant land, if it can be done legally, places that parcel under the same laws, rules and regulations imposed on city land elsewhere.

Former County Attorney Peter Froelicher opined that the City could not annex from that satellite parcel but admitted that there is no case law either way. Of course the City can and would annex from that parcel and develop that land as growth in other directions becomes impossible.

A developer wanted to develop (in the county but under city standards) next to this parcel but was told that if the growth wasn't in the City, he could not buy city water. **(Story concludes on page 7)**

Note: Judge Grant's single page Order and three-page Letter can be read in their entirety on our website (address below).

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