

FORECLOSURE SALE NOTICE

WHEREAS, default in the payment of principal and interest has occurred under the terms of a Promissory Note (the "Note") dated March 13, 2012, executed and delivered by Roy A. Nielsen ("Mortgagor") to USAA Federal Savings Bank, and a real estate Mortgage (the "Mortgage") of the same date securing the Note, which Mortgage was executed and delivered by said Mortgagor, to Mortgage Electronic Registration Systems, Inc. as nominee for USAA Federal Savings Bank, its successors and assigns, as Mortgagee, and which Mortgage was recorded on March 19, 2012, at Reception No. 0498524, in Book 150, at Page 701-716 in the public records in the office of the County Clerk and ex-officio Register of Deeds in and for Hot Springs County, State of Wyoming; and

WHEREAS, the Mortgage was assigned for value as follows:

Assignee: USAA Federal Savings Bank
Assignment dated: May 29, 2018
Assignment recorded: May 31, 2018
Assignment recording information: at Reception No. 0530420, in Book 181, at Page 421-422

All in the records of the County Clerk and ex-officio Register of Deeds in and for Hot Springs County, Wyoming.

WHEREAS, the Mortgage contains a power of sale which by reason of said default, the Mortgagee declares to have become operative, and no suit or proceeding has been instituted at law to recover the debt secured by the Mortgage, or any part thereof, nor has any such suit or proceeding been instituted and the same discontinued; and

WHEREAS, written notice of intent to foreclose the Mortgage by advertisement and sale has been served upon the record owner and the party in possession of the mortgaged premises at least ten (10) days prior to the commencement of this publication, and the amount due upon the Mortgage as of July 30, 2018 being the total sum of \$117,294.64, plus interest, costs expended, late charges, and attorneys' fees accruing thereafter through the date of sale;

WHEREAS, the property being foreclosed upon may be subject to other liens and encumbrances that will not be extinguished at the sale. Any prospective purchaser should research the status of title before submitting a bid;

WHEREAS, if the foreclosure sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of his/her/its money paid. The Purchaser shall have no further recourse against the Mortgagee, Mortgagor, Servicer or their attorneys;

NOW, THEREFORE USAA Federal Savings Bank, as the Mortgagee, will have the Mortgage foreclosed as by law provided by causing the mortgaged property to be sold at public venue by the Sheriff or Deputy Sheriff in and for Hot Springs County, Wyoming to the highest bidder for cash at 11:00 o'clock in the forenoon on August 21, 2018 on the front steps of the Hot Springs County Courthouse located at 415 Arapahoe, Thermopolis, WY 82443, for application on the above described amounts secured by the Mortgage, said mortgaged property being described as follows, to-wit:

Lot 3, Block 2, Meadowlark Subdivision to the Town of Thermopolis, Hot Springs County, Wyoming.

With an address of 140 Meadowlark Lane, Thermopolis, WY 82443 (the undersigned disclaims liability for any error in the address).

Together with all improvements thereon situated and all fixtures and appurtenances thereto.

Mortgagee shall have the exclusive right to rescind the foreclosure sale during the redemption period. In the event that the sale is rescinded or vacated for any reason, the successful purchaser shall only be entitled to a refund of their purchase price and/or statutory interest rate.

Dated: July 18, 2018 USAA Federal Savings Bank

By: Benjamin J. Mann
Halliday, Watkins & Mann, P.C.
376 East 400 South, Suite 300
Salt Lake City, UT 84111
801-355-2886
HWM File # 52263

Pub. July 26, Aug. 2, 9 & 16, 2018 No. 8391

NOTICE OF APPLICATION FOR RETAIL LIQUOR PERMIT

Notice is hereby given that on the 25th day of July 2018, Legion Town and Country Club, Inc. filed an application in the office of the Clerk of the County of Hot Springs for renewal of a County Retail Liquor Permit for the following described place and premises to wit: a 13'X 40' Room on the north end of a building in, NW ¼, SW ¼, Section 25, T43N, R95W PM and protests, if there be, against the issuance of such license will be heard at the hour of 5:00 p.m. on the 18th day of September 2018. The Hearing will be in the Meeting Room of the Governmental Annex Building 117 North 4th.

Nina Webber
Hot Springs County Clerk

Pub. Aug. 9 & 16, 2018 No. 8398

NOTICE OF APPLICATION FOR RETAIL LIQUOR PERMIT

Notice is hereby given that on the 16th day of July 2018 LLL Company, DBA Wind River Lounge, filed an application in the office of the Clerk of the County of Hot Springs for a County Retail Liquor Permit for the following described place and premises to wit: a 24'X 14' Room on the north east of a building in, Lot 1, Section 11, T42N, R95W PM and protests, if there be, against the issuance of such license will be heard at the hour of 5:15 p.m. on the 18th day of September 2018. The Hearing will be in the Meeting Room of the Governmental Annex Building 117 North 4th.

Nina Webber
Hot Springs County Clerk

Pub. Aug. 9 & 16, 2018 No. 8399

NOTICE OF FINAL PAYMENT

Pursuant to W.S. § 16-6-116, notice is hereby given that Hot Springs County has accepted the work on the Hot Springs County Airport Terminal Area Drainage Project, AIP Project No. 3-56-0043-101-2018, as substantially completed according to the plans and specifications and rules set forth in the Contract and that Owl Creek Excavation, Inc. is entitled to final settlement therefore. Upon the 41st day, after the first publication of this notice, (September 25, 2018), Hot Springs County, under whose direction of supervision the work has been carried out, will pay to Owl Creek Excavation, Inc. the full amount due under the Contract. All persons, firms, or corporations who have any claims for work done or materials furnished on said public work are hereby notified that final payment will be made to Owl Creek Excavation, Inc. in accordance with the terms of the Contract signed on June 26, 2018. This section does not relieve Owl Creek Excavation, Inc. and the sureties on their bond from any claims of work or labor done or materials or supplies furnished in the execution of the Contract.

Pub. Aug. 16, 23 & 30, 2018 No. 8401

NOTICE OF ELECTION

There will be an election of three directors for Hot Springs County Cemetery District on November 6, 2018. The term for three directors is four (4) years each. All persons interested may pick up petitions from Jeanie Love at 102 Susan Kay Ave., Thermopolis, Wyoming.

All petitions must be filed with Jeanie Love, Secretary of Hot Springs County Cemetery District Board of Directors. Filing date is August 9, 2018 thru August 28, 2018. Deadline is 5:00 p.m., August 28, 2018.

Dated at Thermopolis, Wyoming this 9th day of August, 2018.

Jeanie Love, Secretary

Board of Directors
Hot Springs County Cemetery District

Pub. Aug. 16 & 23, 2018 No. 8402

COUNCIL PROCEEDINGS

The Thermopolis Town Council met in regular session August 7, 2018 at 7 pm at Town Hall. Present were Mayor Mike Mortimore, Council members Tony Larson, John Dorman Sr., Bill Malloy and Dusty Lewis. Also present were Mayor/Codes Administrative Assistant Fred Crosby, Clerk/Treasurer Tracey Van Heule, Public Works Director Ernie Slagle, Police Chief Steven Shay, Town Engineer Anthony Barnett and Town Attorney Mike Messenger.

AGENDA: Following the pledge of allegiance, Malloy made a motion, seconded by Larson and carried to approve the agenda with the addition of July 17, 2018 executive session minutes, Main Street and the Discovery Center under Citizen Participation, vehicle bid award under Police and light poles under Administration.

MINUTES: Larson made a motion, seconded by Dorman and carried to approve the Council meeting minutes from June 28, July 3 and July 17, 2018 and the executive session minutes from July 17, 2018.

BILLS: Lewis made a motion, seconded by Malloy and carried to approve the General, Enterprise and Special Fund bills for July 2018. Dorman abstained on the approval of the bill to his business and Mortimore abstained on the approval of his reimbursement and bill to his business.

CITIZEN PARTICIPATION: THERMOPOLIS LIQUOR – LICENSE REQUEST: Mortimore made a motion, Lewis seconded and carried to allow Compass Realty Group Inc., dba Thermopolis Liquor to cater an event outside of the licensed area.

CITIZEN PARTICIPATION: TOM RYAN-HSC RURAL JOINT POWERS BOARD: Representing the HSC Joint Powers Rural Water Board were Phil Scheel and Matt Ryan. Ryan noted the Level 2 study is being completed and the board was looking at a Level 3 application to proceed in drilling a well at the Lysite mountain

location. The application is due in September. Drilling costs are estimated at 2 million dollars with the potential of 67% being funded by Wyoming Water Development. A variety of costs, in addition to the Town's base rate were discussed. Including the Town's EDU's (equivalent dwelling units) would help spread the cost over more users. Additional discussion ensued on the current board, whether the entities would have to pay for an inadequate well, state requirements if the well is viable, costs to construct and maintain a pipeline, costs for water in other Big Horn Basin communities, low water use by a quarter of the Town's users, economic ability for senior citizens, availability of the final report, Big Horn Regional, redundant water sources, availability of water in the Big Horn River, water plant upgrades, mothballing the water plant, raising rates before water is available to help pay for drilling and piping, the Buffalo Creek well and effects on the Big Spring, legislative approval needed for funding and applying next year. Ryan noted he would gather more information and come back on August 21, 2018.

CITIZEN PARTICIPATION: MERI ANN RUSH: MAIN STREET: Rush noted the group had applied for and received two grants. One grant is for signs in the downtown area, the second is for landscaping to the east and west of the flagpole on Broadway. Two upcoming meetings were mentioned and a rededication of the Bicentennial Veterans Tree is planned for Veterans Day. Rush also explored the idea of asking for donations for Christmas lights.

CITIZEN PARTICIPATION: BIG HORN BASIN NATURE & DISCOVERY CENTER JOINT POWERS BOARD: LETTER OF SUPPORT: Larson made a motion, seconded by Malloy and carried to allow the Mayor to sign a letter of support for the Discovery Center in their pursuit of a National Endowment of the Arts Our Town Grant.

TOWN ENGINEER: PAY ESTIMATE #4: Barnett noted the pay estimate was in the list of bills and paving should begin the week of August 13th.

DEPARTMENT REPORTS: Police Chief Shay and Public Works Director Slagle presented July reports for their departments.

POLICE DEPT: VEHICLE BID: Shay noted five bids were publically opened on August 6th at town hall. The bids for a 2019 Ford Explorer, less the trade-in of a 2011 Dodge Charger included: Thunder Basin Ford \$24,578; Trans West Ford \$25,420; Greiner Ford \$22,314; Fremont Lander \$26,077.68 and Spradley Barr Motors \$24,293. Malloy made a motion, seconded by Mortimore and carried to accept the low bid from Greiner Ford.

TOWN ATTORNEY: MIKE MESSENGER: THIRD READING OF AN ORDINANCE TO CHANGE RESIDENTIAL FENCING REGULATIONS: Following the reading, Malloy made a motion, Lewis seconded and carried to approve the third reading of the ordinance.

ORDINANCE 852
AN ORDINANCE AMENDING AND REPLACING TOWN CODE SECTION 15-1106 AND 15-1102 CONCERNING FENCING REGULATIONS: ADDRESSING CORNER LOT FENCES AND STREET VISIBILITY BY INCLUDING ALLEYS; AND REQUIRING FENCES TO ALIGN WITH THE BUILDING OR BUILDINGS; AND ELIMINATING APPEAL TO THE BOARD OF APPEALS; AND PROVIDING AN EFFECTIVE DATE.

Passed on First Reading July 3, 2018
Passed on Second Reading July 17, 2018
Passed, Approved and Adopted on Third and Final Reading August 7, 2018.

ADMINISTRATION: FRED CROSBY: DECORATIVE LIGHT POLES: Crosby noted there was a price break between purchasing 9 and 10 decorative light poles (effectively allowing the Town to receive a free pole). Mortimore made a motion and Malloy seconded to move \$2,500 from the one-cent reserve budget to the decorative light budget and purchase 10 decorative light poles for \$26,470.

ADMINISTRATION: UTILITY LINE INSURANCE OPTIONS: Mortimore made a motion, seconded by Lewis and carried to approve the sample letters to citizens informing them of the option to purchase water and sewer line insurance.

MAYOR & COUNCIL: UTILITY PAYMENT OPTIONS: Larson made a motion, seconded by Dorman and carried to approve purchasing \$8,100 in software modules to allow on-line payment of utility bills.

MAYOR & COUNCIL: OTHER: The meeting adjourned at 8:36 pm. The next Council meeting is August 21, 2018 at 7 pm.

BILLS: A & I Dist., Oil, 1,985.00; AFLAC, Insurance, \$411.92; American Welding, Rental, \$46.20; BCN Telecom, Service, \$42.60; Big Horn Water, Service, \$29.50; Brenntag, Lime, \$11,165.29; Carquest, Supplies, \$519.77; Caselle, Maintenance, \$500.00; CMI-TECO, Supplies, \$85.99; DEQ, Permit, \$1,500.00; DPC, Rental, \$50.00; Energy Lab, Service, \$338.00; Engineering Associates, Service, \$40,756.80; Fastenal, Tool, \$10.60; Ferguson Waterworks, Parts, \$5,229.82; Gottsche, Membership, \$310.00; Great West Trust, Retirement, \$2,070.00; Green Turf, Service, \$85.00; HSC Public Health, Shots, \$60.00; HSC Treasurer, Tax Collection, \$11.61; Hach, Supplies, \$752.05; High Plains Power, Service, \$57.44; HS County, Phone, \$60.30; HSC Fire District, Funding, \$15,000.00; HS Vet Clinic, Contract, \$955.00; HSC Weed & Pest, Supplies, \$471.40; HSCSD#1, Fuel, \$4,179.33; Independent Record, Service, \$829.35; Indoff, Supplies, \$44.31; Instrument & Supply, Parts, \$916.48; Insurance Trust, Premiums, \$45,660.00; Jadeco, Service, \$2,691.27; JLA, Service, \$6,101.84; Ronald Jurovich, Judge, \$825.00; Laird Sanitation, Service, \$50.00; Legion Golf Club, Funding, \$10,000.00; Laura Leseberg, Mileage, \$183.12; Marquis Award, Plaque,

\$471.39; Matthew Bender, Statutes, \$149.31; Messenger & Overfield, Service, \$4,808.00; Mike Mortimore, Service, \$300.00; Millennial Vision, Renewal, \$708.00; Montana CSSED SDU, Child Support, \$906.00; Mike Mortimore, Reimb., \$92.50; Murdoch Oil, Diesel, \$2,694.02; Napa, Parts, \$55.35; NCPERS, Life Ins., \$256.00; OCV Control, Valves, \$1,938.84; One Call, Locates, \$20.98; O'Reilly Auto, Parts, \$232.13; Owl Creek, Shirts, \$54.96; Owl Lumber, Supplies, \$27.99; Postmaster, Postage, \$528.66; QBS Safeguard, Freight, \$134.60; Respond, Supplies, \$55.80; Riveron Tire, Tires, \$1,392.00; Rocky Mt. Power, Service, \$17,892.09; RT, Service, \$499.53; David Schlager, Service, \$34.74; Scrub Board, Service, \$150.00; Secretary of State, Filing fees, \$30.00; Chris Seilaff, Mileage, \$91.56; Shopko, Supplies, \$57.96; Southwestern, Parts, \$189.02; Spillman Tech., Annual renewal, \$9,341.78; TAK Electric, Service, \$142.76; Office Shop, Supplies, \$111.54; Thermopolis Hardware, Supplies, \$300.83; Police Dept., Petty cash, \$65.96; TOT General, Acct'g & Collection, Streets Labor, \$15,680.00; TOT Office, Petty Cash, \$24.56; TOT, Depreciation & Intergov Water, \$88,033.00; Tractor & Equip., Parts, \$215.37; US Treasury, Form 720, \$148.18; Unum, Life Ins., \$111.73; UPS, Freight, \$17.35; Verizon, Service, \$158.31; Visa, Supplies, \$2,138.42; VSP, Insurance, \$449.80; WAM, Annual Dues, \$3,830.55; Wilson Brothers, Pay Est. #4, \$77,638.16; Wyo. Child Support, Child Support, \$843.00; WY Workforce, Ins., \$7,009.43; WY Gas, Service, \$238.88; WY Public Health Lab, Postage, \$72.00; WY Retirement, Retirement, \$20,385.47; WY Rural Water, Reg. \$85.00; Wyoming.com, Service, \$25.00; WY-Test, Service, \$150.00; Zedi US, Service, \$8,344.70; Payroll, \$87,443.10; Payroll Taxes, \$29,037.86.

ATTEST:

Tracey Van Heule, Clerk/Treasurer
Mike Mortimore, Mayor

Pub. Aug. 16, 2018 No. 8404

ORDINANCE 852

AN ORDINANCE AMENDING AND REPLACING TOWN CODE SECTION 15-1106 AND 15-1102 CONCERNING FENCING REGULATIONS: ADDRESSING CORNER LOT FENCES AND STREET VISIBILITY BY INCLUDING ALLEYS; AND REQUIRING FENCES TO ALIGN WITH THE BUILDING OR BUILDINGS; AND ELIMINATING APPEAL TO THE BOARD OF APPEALS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF THERMOPOLIS:

Section 1. Town Code Section 15-1106 is amended and re-enacted to read as follows:

No fence shall be constructed or maintained so as to block vision from a public street or alley or to prevent adequate visibility of the street or alley from a private drive or access road.

Section 2. Town Code Section 15-1104, Part (b) is amended and re-enacted to read:

b. The restrictions on the front yard fences

are as follows:

i. Interior Lot – Fences are restricted to

a maximum height of four feet.

ii. Corner Lot –

1.) Fences which are woven wire with a minimum of three inch by three inch weave or chain link or are otherwise capable of being seen through shall have a restriction

of

a maximum height of four feet;

all fences made of any other material shall have a restriction of a maximum height of three

feet.

2.) Fences with a maximum height of six (6) feet are allowed to extend

into one front yard on corner lots, but not both, as long as they align with the building setback requirements on the second front yard and do not pose any street or alley visibility issues as outlined

in town code Section 15-1106 and as more fully described on a revised Appendix "D" to code Section 15-1102.

3.) As determined by the Code Administrator or Town designee.

Section 3. If the property owner disputes the conditions imposed by the Town, through its Code Administrator or Town employee designated by the Mayor, the lot owner may appeal directly to the governing body of the Town. The lot owner no longer needs to appeal through the Board of Appeals.

Section 4. The Ordinance shall take effect on the 1st day of September, 2018, after being published in the Thermopolis Independent Record as required by law.

PASSED ON FIRST READING July 3, 2018.

PASSED ON SECOND READING July 17, 2018.

PASSED, APPROVED AND ADOPTED ON THE THIRD AND FINAL READING August 7, 2018.

TOWN OF THERMOPOLIS, WYOMING
A Municipal Corporation

By: Mike Mortimore, Mayor

ATTEST: Tracey Van Heule, Town Clerk

Pub. Aug. 16, 2018 No. 8403