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December 13, 2021

VIA First Class US Mail

Stage Stop, Inc.
PO BOX 1677
JACKSON, WY 83001-1677
c/o Hal Hutchinson
HH LAND STRATEGIES, LLC
P.O. Box 1902
Wilson, WY 83014

Re: Lot 333, Rafter J Ranch Subdivision;
PUD Amendment

My Client: Rafter J Ranch Homeowners Association

Dear Stage Stop Inc.,

Please be advised that this office represents the Rafter J Ranch Homeowners Association (the "HOA"). This letter is sent to advise Stage Stop, Inc. ("Stage Stop"), the owner of Lot 333, Rafter J Ranch Subdivision, of the HOA's position with respect to Stage Stop's ongoing efforts to amend the Rafter J Ranch Planned Unit Development ("PUD") approval applicable to Lot 333. Please direct future communications pertaining hereto to my attention.

As you are no doubt aware, Lot 333 is subject to the Declaration of Covenants, Conditions and Restrictions for the HOA and all amendments and supplements thereto (collectively, the "CCRs"). The CCRs are recorded against Lot 333 and serve to restrict the use of Lot 333 as set forth therein. Pursuant to the CCRs, Lot 333 is designated as a commercial area and should be used as such in accordance with the CCRs. To be sure, Lot 333 is not within the lots classified as "multiple dwelling" lots within the CCRs.

While Stage Stop has not provided a fulsome plan or proposal for Lot 333 to the HOA to date, it is our understanding that Stage Stop intends to seek a PUD Amendment from Teton County in order to convert Lot 333 into an apartment complex, presumably for subleasing to individual renters. Please be advised that, as the proposed use is in no way similar to the assisted living facility (and corresponding commercial use) previously

located on Lot 333, in order to accomplish this stated goal, Stage Stop will first need to obtain an amendment to the HOA's CCRs' designation of Lot 333 as "commercial" area, so that the multiple dwelling, residential use proposed will be allowed thereunder. This is in addition to any approvals or permissions required from Teton County.

The HOA has obvious and justifiable concerns relative to the community impacts presented by the conversion of Lot 333 from commercial use to large-scale multiple dwelling residential use. Given the longstanding use originally contemplated by the PUD and CCRs, which has continued without change to date, the proposed change in use must be put to vote of the HOA in accordance with the CCRs to ensure that the community is able to address its concerns and follow its required process. These concerns are in addition to any other comments or objections raised by other entities within the community, such as the Rafter J Improvement and Service District.

The HOA must be involved and consulted in Stage Stop's efforts to convert Lot 333's historic and recorded use restriction and should be involved and apprised as such effort proceed. According to the 1978 Land Use and Development Regulations:

- C-L, Convenience Commercial District is intended to meet the day-to-day needs of local residents
- With respect to amending plats, the *County LDR On Subdivision Plat Amendments, Section 8.2.13.C.5* states that "*an instrument shall be filed with the County Clerk stating that the partial vacation does not abridge or destroy any rights or privileges of other proprietors in the plat.*" (Wyoming Statute 34-12-108 Title 34, Chapter 12 states the same.)
- The filed instrument section also states that the instrument shall include, "*acknowledgement by all parties affected by the vacation.*"

Surely the HOA and its 498 other lot owners are within the class of "all parties affected by the vacation." As stated above, the proposed change in use, as we understand Stage Stop proposes, will require an amendment to the HOA's CCRs.

Thank you for your time and prompt attention to these matters. I am available to speak should you have any questions. In the event that you have counsel retained for these matters, please do not contact me directly but please refer this communication to such counsel for review and response.

Very truly yours,



Kevin P. Gregory

CC: Teton County Board of County Commissioners
Teton County Planning Department
Office of the Teton County Attorney
All above c/o Keith Gingery, Chief Deputy County Attorney
kgingery@tetoncountywy.gov