



# Boone County Board Minutes



## MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATION

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, October 17, 2016 at 10:00 A.M. in the Boone County Courthouse Commissioners Meeting Room in Albion, Nebraska. Notice of the hearing was given in advance by publication and the convened hearing was open to the public. Motion made by Commissioner Luettel, second by Commissioner Tisthammer to open said public hearing. Present for roll call were Commissioners Ken Luettel and Jerry L. Tisthammer and Darrel Thorin, County Highway Superintendent. Commissioner Maricle was absent. Also, present for the hearing was Trevor VanDeWalle.

The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of a portion of county road:

- A road commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, Township 20 North, Range 5 West, of the 6<sup>th</sup> P.M., Boone County, Nebraska, known as 270<sup>th</sup> Street.

Darrel Thorin, County Highway Superintendent, had previously submitted a written feasibility study for the Board's review dated September 15, 2016 recommending that said portion of county road known as 270<sup>th</sup> Street be officially vacated, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. This portion of road is not included in the county's current inventory with the Nebraska Department of Roads and will have no effect on the State Highway Allocation funds received by the County. The road may currently be driven on by four-wheel drive vehicles from 280<sup>th</sup> Avenue, but for less than one-quarter mile and at that point it becomes impassable. It does not appear that vacating said road will land lock any landowners in this section. No opposition was received at the hearing.

VanDeWalle spoke in favor of the vacation of said portion of road known as 270<sup>th</sup> Street.

Motion made by Tisthammer, second by Luettel to close said hearing at 11:00 A.M. Roll call vote: Yeas: Tisthammer and Luettel. Nays: None. Absent: Maricle. Motion carried.

Motion made by Luettel, second by Tisthammer to officially vacate said portion of 270<sup>th</sup> Street, commencing at the SW1/4 corner of Section 30 and the NW1/4 corner of Section 31, running thence east approximately one (1) mile to the SE1/4 corner of Section 30 and the NE1/4 corner of Section 31, Township 20 North, Range 5 West, of the 6<sup>th</sup> P.M., Boone County, Nebraska, with all right-of-way rights to be relinquished and shall revert to the owners of the adjacent real estate, one-half on each side thereof, with the understanding that all utilities with assets that may be affected by this vacation continue to have full access to their property. Roll call vote: Yeas: Luettel and Tisthammer. Nays: None. Absent: Maricle. Motion carried.

Kathy Thorberg,  
Boone County Clerk