



Boone County Board Minutes



MINUTES OF PUBLIC HEARING PROCEEDINGS COUNTY ROAD VACATIONS

Ken Luettel, Chairman of the Boone County Board of Commissioners, called for a motion to open a public hearing on Monday, November 21, 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 Tisthammer, second by Commissioner Luettel to open said public hearing. Present for roll call were Commissioners Jerry L. Tisthammer, Ken Luettel and Hilary K. Maricle and Darrel Thorin, County Highway Superintendent.

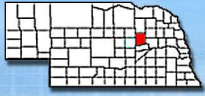
The purpose of the public hearing was to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed vacation of five sections of county roads located in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska:

1. A section of road commencing at a point between the SW1/4 corner of Section 29, thence east for one-half (1/2) mile, to a point between the SW1/4 of Section 29 and the NW1/4 of Section 32, known as 270th Street.
2. A section of road commencing at the NW corner of the S1/2 of the SW1/4 of Section 29, thence running south three-quarters (3/4) of a mile to the SW corner of the NW1/4 of Section 32, known as 290th Avenue.
3. A section of road commencing at the SE corner of the SW1/4 of Section 29, thence running north for one-half (1/2) mile to the NE corner of the SW1/4 of Section 29, known as 295th Avenue.
4. A section of road commencing at the NW corner of the NE1/4 of Section 33, thence running south for one-half (1/2) mile to the SW corner of the NE1/4 of Section 33, known as 305th Avenue.
5. A section of road commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW1/4 of Section 34, thence running east for one (1) mile, known as 275th 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 five sections of county roads located in Township 20 North, Range 5 West of the 6th P.M., Boone County, Nebraska 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. The above sections of county roads are 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. Thorin mailed certified letters to all area landowners and received no opposition. The said roads are inaccessible and are currently still open roads according to the road records in the County Register of Deeds office. No opposition was received at the hearing.

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

Motion made by Maricle, second by Luettel to officially vacate the said five sections of county roads: (1) A section of road commencing at a point between the SW1/4 corner of Section 29, thence east for one-half (1/2) mile, to a point between the SW1/4 of Section 29 and the NW1/4 of Section 32, known as 270th Street; (2) A section of road commencing at the NW corner of the S1/2 of the SW1/4 of Section 29, thence running south three-quarters (3/4) of a mile to the SW corner of the NW1/4 of Section 32, known as 290th Avenue; (3) A section of road commencing at the SE corner of the SW1/4 of Section 29, thence running north for one-half (1/2) mile to the NE corner of the SW1/4 of Section 29, known as 295th



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Avenue; (4) A section of road commencing at the NW corner of the NE1/4 of Section 33, thence running south for one-half (1/2) mile to the SW corner of the NE1/4 of Section 33, known as 305th Avenue; and (5) A section of road commencing at a point between the SW corner of the NW1/4 and the NW corner of the SW/4 of Section 34, thence running east for one (1) mile, known as 275th Street, all in Township 20 North, Range 5 West, of the 6th 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: Maricle, Luettel and Tisthammer. Nays: None. Motion carried

Kathy Thorberg,
Boone County Clerk