

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF FIXING THE DATE,)
TIME AND PLACE FOR A PUBLIC)
HEARING REGARDING A REQUEST TO)
VACATE PORTIONS OF A PUBLIC ROAD,) RESOLUTION NO. R-19-0056
MORE PARTICULARLY DESCRIBED IN)
EXHIBITS “A” AND “B”, AND LOCATED IN)
LANCASTER COUNTY, NEBRASKA)

WHEREAS, the Board of County Commissioners of Lancaster County, Nebraska, (“the Board”), pursuant to Neb. Rev. Stat. §§ 39-1722 et seq., received reports from the Lancaster County Engineer and the Lincoln-Lancaster County Planning Department regarding the vacation of portions of West Saltillo Road, located in Lancaster County, Nebraska, and more particularly described in Exhibits “A” and “B”, which reports are attached hereto and incorporated herein by this reference; and

WHEREAS, the report from the Lancaster County Engineering Department is provided in Attachment “A,” which is attached hereto and incorporated by this reference; and

WHEREAS, the report from the Lincoln-Lancaster County Planning Department is provided in Attachment “B,” which is attached hereto and incorporated by this reference;

NOW, THEREFORE, BE IT RESOLVED, by the Board as follows:

1) That a public hearing on the vacation for the above-described road is hereby set for the 20th day of August, 2019, at 9:00 a.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, 555 South 10th Street, Lincoln, Lancaster County, Nebraska.

2) That the Lancaster County Clerk should be and hereby is directed to publish this resolution once a week for three consecutive weeks in a legal newspaper of the County and is

further directed to serve copies of this resolution upon the owners of the land abutting on or adjacent to the portion of the above-described road to be vacated by mailing the same either by registered or certified mail to the last known address of such owner and such director not less than two weeks in advance of the above-referenced hearing date.

DATED this ____ day of _____, 2019, at the City County Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this ____ day of
_____, 2019.

Deputy County Attorney
for PAT CONDON
Lancaster County Attorney


LANCASTER
COUNTY

ATTACHMENT A
Pamela L. Dingman, P.E.
County Engineer

ENGINEERING

Kenneth D. Schroeder, R.L.S.
Deputy County Surveyor

DEPARTMENT

Date: July 19, 2019
To: Lancaster County Board of Commissioners
From: Ken Schroeder
County Surveyor 
Subject: Resolution R-19-0050
Study to vacate a portion County Road #1205, West Saltillo Road between SW 86th Street and SW 84th Street in Lancaster County, NE.

Pursuant to County Resolution R-19-005, this office has reviewed the request for vacating a portion of County Road #1205 (aka, West Saltillo Road) located in the SE ¼ of Section 34, Township 9 North, Range 5 East AND, in the NW ¼ of Section 2 and NE ¼ of Section 3, Township 8 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly depicted and described on "Exhibits "A" & "B".

This office would offer the following comments regarding proposed road vacation:

1. County Road #1205 (aka West Saltillo Road) at this location, is a section line petitioned road with 66 feet of statutory road right-of-way easement approved for location in a report to the Lancaster Board of County Commissioners in September of 1893. Final Action was taken on November 13, 1894 declaring County Road #1205 opened and damage claims paid.
2. The road surfacing in the area of proposed vacation currently is a minimum width dirt roadway approximately 850' in length with no substantial or proper drainage ditches established and with little to no maintenance upkeep being performed.
3. From a recent field inspection, the area of proposed vacation has significant vegetation overgrowth along either side with no apparent field driveways accessing adjacent properties. (see Exhibits "C", "D" & "E")
4. Status of connecting roads to the area of proposed road vacation is as follows:
 - One mile of SW 86th Street south from West Saltillo Road to West Bennet Road vacated and closed per County Resolution #08-0102.
 - Approximately 0.4 mile of dirt roadway on W. Saltillo Road east from SW 84th Street connects with an existing gravel roadway continuing east.
 - Approximately 0.3 mile of dirt roadway on SW 84th Street north from W. Saltillo Road connects with existing gravel roadway continuing north.
5. It is unknown if there are any existing public utilities in this portion of statutory road right-of-way easement, however, if approved for vacation, we do not warrant existence of, nor approval for any such utilities.

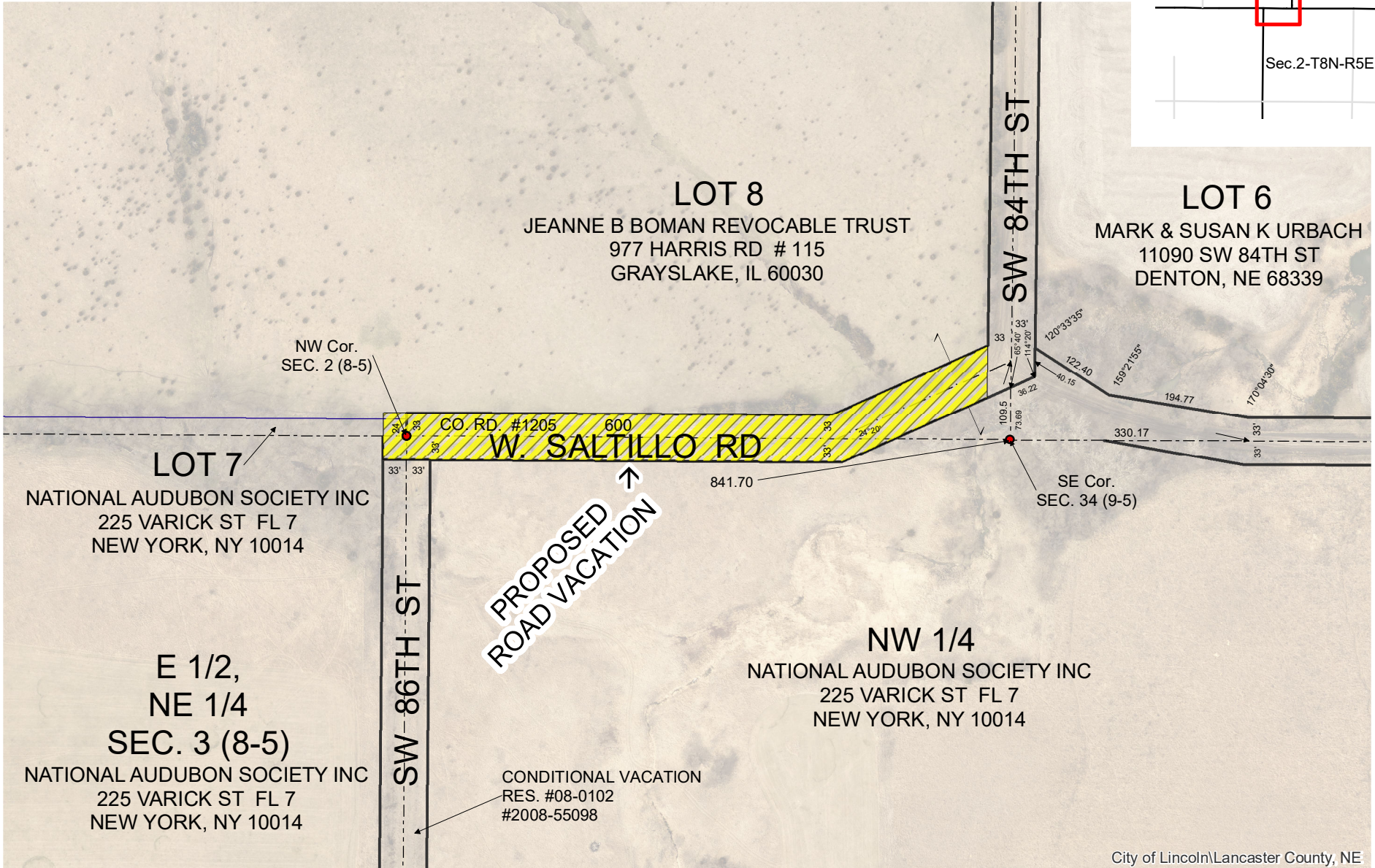
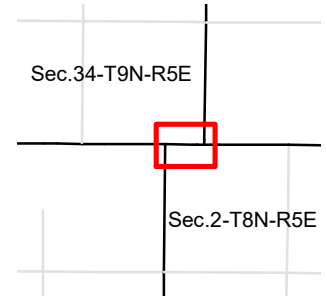
6. Drainage structure "N-252" is an existing 36-inch by 32-foot concrete pipe culvert across W. Saltillo Road located approximately 150 feet west of SW 84th Street. Upon road vacation approval, Lancaster County will relinquish this structure to the adjacent landowners and they shall maintain proper drainage along existing drainage ways to not adversely affect drainage within the County's jurisdiction.
7. This office has no immediate plans, nor any long range plans that would include the need to utilize this road right-of-way easement. Therefore, this office would recommend approval of the proposed vacation.
8. Since title of this land lies with the adjacent owners, disposition of roadway easement land would be as directed by the Lancaster County Board of Commissioners. Value, if any, is unknown at this time with a follow-up letter forthcoming.

Enclosures

Cc: Jenifer Holloway, Deputy County Attorney
Pam Dingman, County Engineer
Ron Bohaty, Road Maintenance Division Head
James Shotkoski, Right-of-way Manager
Monet McCullen, County Clerk's Office
Tom Cajka, Planning Department

EXHIBIT "A"

SEC. 34 (9-5)



City of Lincoln\Lancaster County, NE

SEC. 2 (8-5)



EXHIBIT "B"

Saltillo Road

A part of Lots 7 & 8, Irregular Tracts, located in Section 34, Township 9 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska, and a part of the NW1/4, located in Section 2, Township 8 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska, and a part of NE1/4, located in Section 3, Township 8 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

That part of County Road #1205, between the west right-of-way line of SW 86TH Street and the west right-of-way of SW 84TH Street. Being 33.00 feet each side of the following described line, BEGINNING AT a point 33.00 feet westerly from the northwest corner of the said Section 2; thence in a easterly direction, with the south line of said Section 34 and the north line of said Section 2, a distance of 633.00 feet, to a point for corner; thence in a easterly direction, deflecting 24 degrees, 20 Minutes left, to a point of intersection with the westerly right-of-way line of "SW 84 Street", said point being the point of termination.

Containing an area of 1.32 acres, more or less

EXHIBIT "C"



(Looking North)

07/16/2019



Looking South)

07/16/2019

(At SW 86th St. & Salttillo Rd)



(Looking East)

07/16/2019



(Looking West)

07/16/2019

(Along Saltillo Road)



(Looking SW)



(Looking East)

(At SW 84th St. & Saltillo Rd.)

MEMORANDUM

TO: County Board of Commissioners

FROM: Tom Cajka, Planning

SUBJECT: Request for vacation of W. Saltillo Road between SW 84th St. and SW 86th St. in Section 34-9-5

DATE: July 19, 2019

In accordance with County Resolution #R3049 the Planning Department has reviewed the request for the vacation of W. Saltillo Rd. in the SE Quarter of Section 34, Township 9 North, Range 5 East, Lancaster County, NE.

This County road is not shown in the Lincoln-Lancaster County Comprehensive Plan Existing Functional Classification map or the Rural Road Improvement Project Needs map. This road is classified as a local county road. The road is not improved and ends at a vacated road on the west.

The requested road to be vacated is outside of Lincoln's 3-mile zoning jurisdiction.

This vacation would not create any lots or parcels without frontage or access to a county road.

The Lincoln-Lancaster County Planning Department supports the application to vacate W. Saltillo Rd. between SW 84th St. and SW 86th St.

F:\DevReview\SAV\County SAV W. Saltillo.tjc.docx