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JAN 25 2011

LANCASTER COUNTY  
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE VACATION OF )  
NORTH STREET ABUTTING LOT 1, BLOCK 1, )  
AS PLATTED IN THE UNINCORPORATED )  
VILLAGE OF AGNEW, LANCASTER COUNTY )  
NEBRASKA. )

RESOLUTION NO.

R-11-0009

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722 (Reissue 2008), the Board of County Commissioners of Lancaster County, Nebraska (hereinafter referred to as the "County Board"), directed the Lancaster County Engineering Department to conduct a study and submit a report regarding the use being made of a portion of North Street abutting Lot 1, Block 1, as platted in the unincorporated Village of Agnew, Lancaster County, Nebraska. The portion of North Street is shown in the diagram provided in Exhibit "A," which is attached hereto and incorporated by this reference; and

WHEREAS, the County Board, by Resolution No. R- 10-0083, directed the Lancaster County Engineering Department to conduct a study and submit a report regarding the use being made of said road; and

WHEREAS, the County Board has now received said report from the Engineering Department as well as a report from the Lincoln/Lancaster County Planning Department relative to the vacation of said road, both of which are attached hereto and incorporated by this reference; and

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1725 (Reissue 2008), the County Board conducted a public hearing on January 18, 2011.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the vacation of the above described road is hereby denied.

DATED this 25 day of January, 2011.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 25 day of  
January, 2011.

Brian Behrens  
for JOE KELLY  
County Attorney

Jane Kopylov  
Deb Schorr  
Henry Heiler  
Don Heier  
**Heier Absent**

LANCASTER  
COUNTY  
ENGINEERING

Don R. Thomas  
County Engineer

Kenneth D. Schroeder - Deputy  
County Surveyor

DEPARTMENT

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OCT 6 - 2010

Lincoln/Lancaster Co.  
Planning Department

**DATE:** October 5, 2010  
**TO:** Lancaster County Board of Commissioners

**FROM:** Ken D. Schroeder *Ken D. Schroeder*  
County Surveyor

**SUBJECT:** RESOLUTION NO. R-10-0083  
PROPOSED VACATION OF NORTH STREET  
IN UNINCORPORATED AREA OF AGNEW

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Study to vacate North Street as platted in the unincorporated area of Agnew located in the SW $\frac{1}{4}$  of Section 12, Township 12 North, Range 5 East, of the 6<sup>th</sup> Principal Meridian, Lancaster County Nebraska.

As per Resolution No. R-10-0083, this office has reviewed the request for vacating North Street between the northerly extension of the west line of Block 1, and the northwesterly extension of the easterly line of Block 1, Agnew and would offer the following comments:

- 1) North Street was dedicated as a 50 foot wide public street by the platting of the unincorporated area of Agnew in 1889 and recorded in Plat Book 2 on Page 251.
- 2) We find that North Street has not been graded or developed for public use and is currently being used and maintained by the adjacent land owner for yard and gardening purposes.
- 3) It is unknown if there are existing utility easements or use in this portion of street right-of-way therefore, if approved, a blanket utility easement should be retained.
- 4) This office has no immediate plans, nor any long range plans, that would include the need to utilize the right-of-way that was dedicated.

Therefore, this office would recommend approval of the requested vacation. Disposition of the 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 pertaining to any value.


Cc: Mike DeKalb, Planning Department  
Jim Shotkoski, Right-of-way Manager

KDS/bml  
Vacation/North Street - Agnew - Proposed vacation.lmem

**MEMORANDUM**

**DATE:** September 29, 2010

**TO:** County Board

**FROM:** Mike DeKalb, Planning 

**RE:** Request for Vacation of North Street, abutting Lot 1, Block 1, in Agnew.

**CC:** Marvin Krout  
Steve Henrichsen  
Ken Schroeder  
Terry Kathe

In accordance with County Resolution #3049, the Planning Department has reviewed the request for the vacation of North Street, in the plat of Agnew, in Lancaster County, NE.

This County Road is not shown in the Lincoln-Lancaster County Comprehensive Plan for future paving or as anything other than a local county road. The land adjacent to this road is shown as Agriculture.

This will create a circumstance of the long lot abutting to the east having access only from W. Agnew Road to the south. That appears to be the way it is used today.

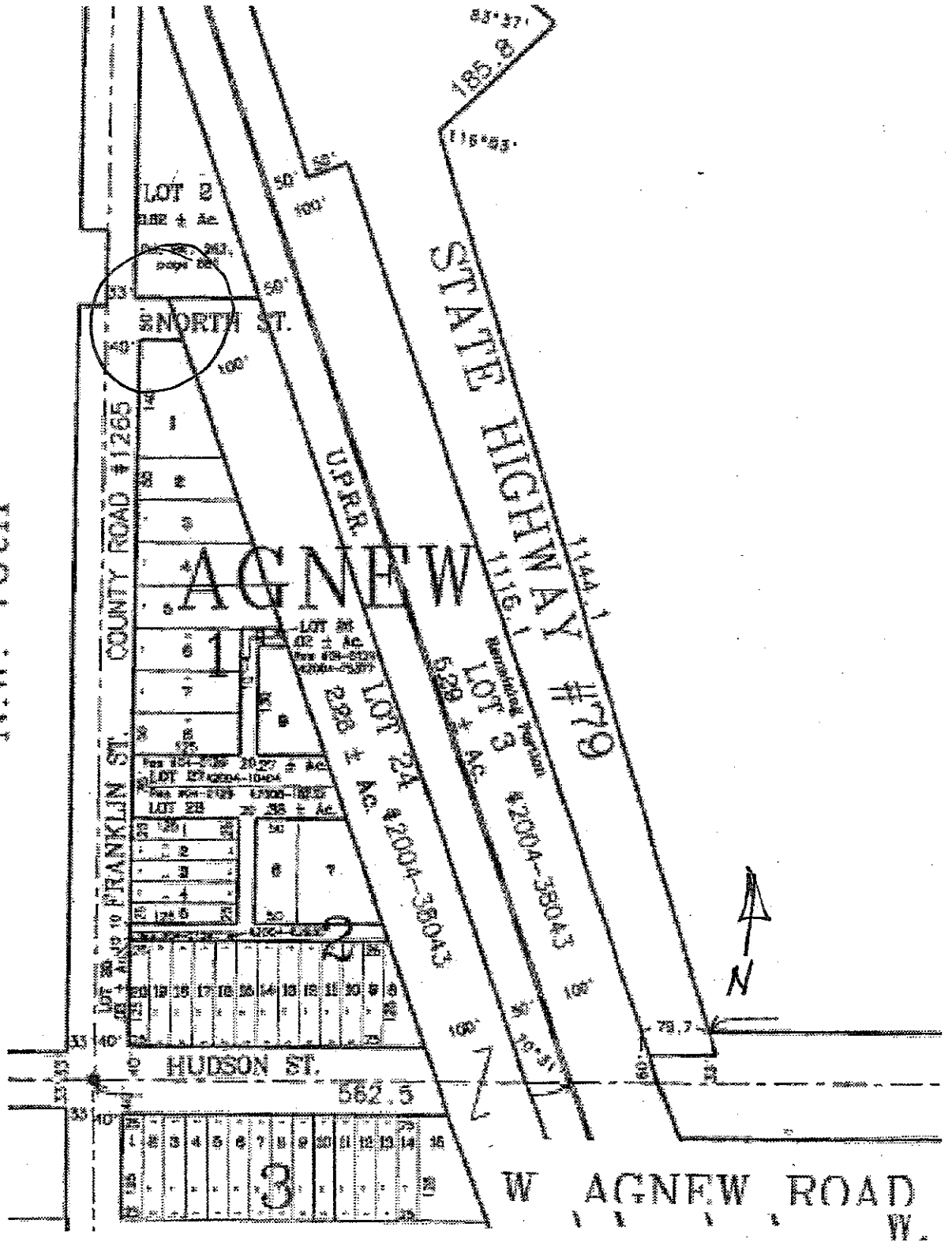
This is an unimproved county road stub. NW 70<sup>th</sup> street is not open to the north of this intersection due to the creek and the bridge being removed.

The abutting property is zoned AG Agriculture. There is an existing residence to the south that has petitioned to vacate and purchase this road.

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

The vacation does not appear to cause or create any issues or problems and would not be considered in conflict with the Plan.

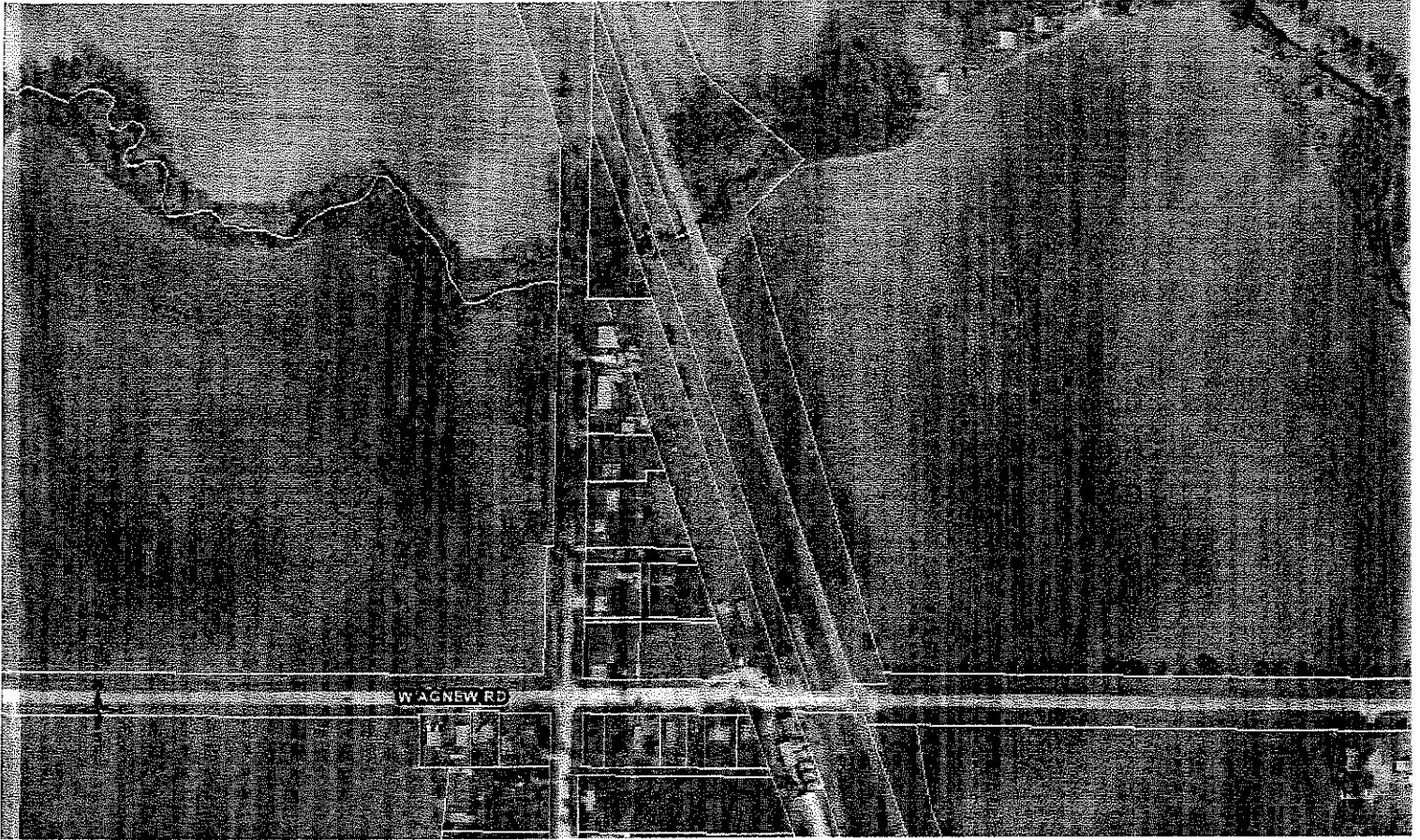
N.W. 70th



30.00 x 29.88 in

# City of Lincoln/Lancaster County GIS Map

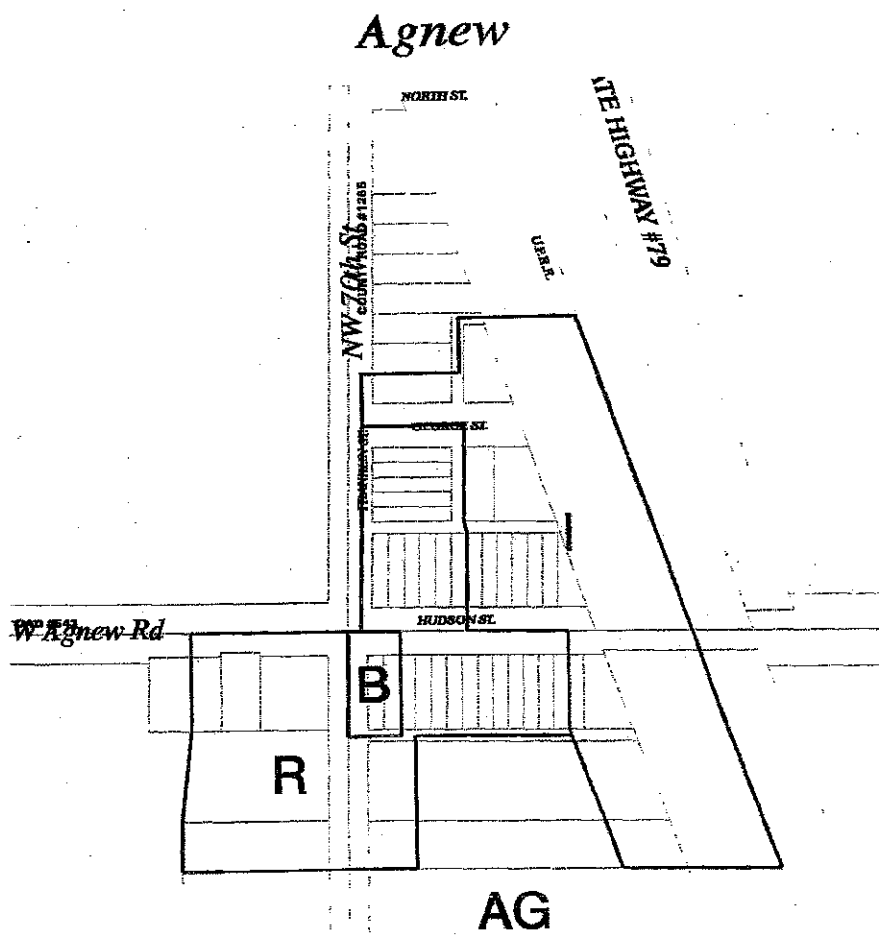
**Vacate North street.**



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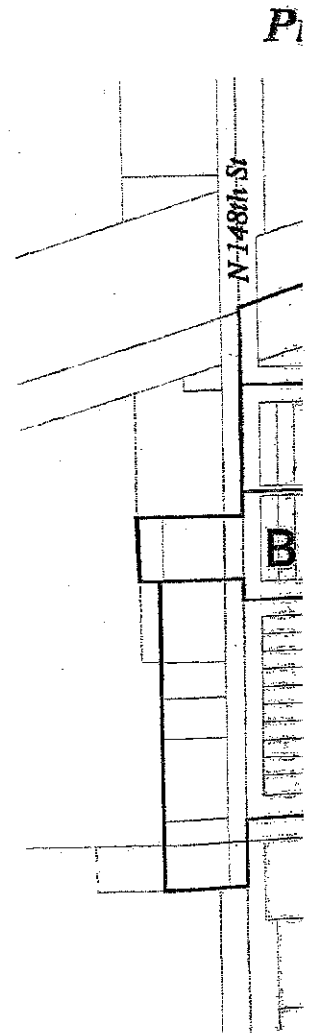
# ZONING: I

Lincoln City/



*Detail 1*

Scale: 1 inch = 200 feet



*Detail 2*

AG

*Princeton*

R

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JAN 13 2011

Lincoln/Lancaster Co.  
Planning Department

January 12, 2011

Mike Dekalb  
Planning Department  
555 South 10<sup>th</sup> St., Ste. 213  
Lincoln, NE 68505

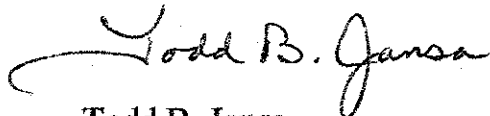
Dear Mike:

I have received a letter from the Lancaster County Clerk explaining the possibility of closing the North road in Agnew, Nebraska. They have already closed George Street, which I was not contacted about, nor aware of. I would hope that you would please consider leaving the North road open since that will be my only access to the North end of my property. You can see by looking at the map it would limit my access.

I am also wondering about the possibility of reopening George Street. It seems that it should be policy to contact anyone with any amount of property if it is going to affect them. I have plans for further development on that property and if I have minimal access, it could adversely affect my business.

Thank you for your time and consideration.

Sincerely,



Todd B. Jansa