

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

DIRECTING THE COUNTY ENGINEER )  
TO CONDUCT A STUDY AND THE )  
PLANNING DEPARTMENT TO WRITE A )  
REPORT REGARDING VACATING PORTIONS )  
OF A PUBLIC ROAD RIGHT-OF-WAY, MORE )  
PARTICULARLY DESCRIBED IN EXHIBIT )  
“A”, AND LOCATED IN LANCASTER )  
COUNTY, NEBRASKA )

RESOLUTION NO. R-22-0047

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722, the Board of County Commissioners of Lancaster County, Nebraska, (“County Board”) may by resolution, when it deems the public interest may require vacation or abandonment of a public road of the County, direct the County Engineer to study the use being made of such public road and to submit in writing to the County Board within thirty days, a report on the study and the Engineer’s recommendation as to the vacation or abandonment the road; and

WHEREAS, pursuant to Neb. Rev. Stat. § 39-1722, the County Board shall not require vacation or abandonment of any public road or any part thereof which is within the area of zoning jurisdiction of a city of the primary class without the prior approval of the governing body of such city; and

WHEREAS, the County Board has received information that the public interest may require vacation or abandonment of Road 1208, located in Lancaster County, Nebraska, and more particularly described in Exhibit “A,” which is attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to County Resolution No. R-19-0040, the County Board shall also refer this matter to the Lincoln/Lancaster County Planning Department (“Planning”) to report in writing to the County Board within thirty days, unless a longer period is granted by the County

Board, as to the character and degree of conformity or nonconformity of the proposed vacation to the Comprehensive Plan. Planning must also determine if the road to be vacated is within three miles of the City of Lincoln. If within three miles of the City of Lincoln, City Council approval must also be obtained, and Planning will initiate this process. The City Clerk will forward such approval or disapproval to the County Clerk and the County Board;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the Lancaster County Engineer, or such person designated by the Engineer, shall conduct a study of the use being made of the above-described portion of county road, and to submit in writing to the County Board within thirty days, a report upon the study made and their recommendation as to the vacation thereof; and

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that Planning shall write a report as to the character and degree of conformity or nonconformity of the proposed vacation to the Comprehensive Plan, and to submit in writing to the County Board within thirty days, unless a longer period is granted by the County Board, a report and its recommendation as to the vacation thereof. Planning shall also determine if the road to be vacated is within three miles of the City of Lincoln. If within three miles, Planning will initiate this process to get the City Council's approval.

DATED this 28 day of June, 2022.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

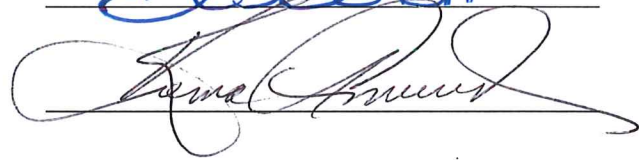
APPROVED AS TO FORM  
this 28<sup>th</sup> day of  
June, 2022.

  
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for PAT CONDON  
County Attorney

  
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**FLOWERDAY ABSENT**  
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