

RESOLUTION TO VACATE A COUNTY ROAD

Cass County Resolution No. 2021-021

WHEREAS, in accordance with Iowa Code section 306.10 and 306.11, a public hearing was held on October 29, 2021 on the proposed vacation and closure of a portion of Cass County Secondary Road, described as follows:

That portion of 570th Street (Road #4 of 1875), originally established on April 6, 1875, contained within the State of Iowa right-of-way for Interstate 80, in Sections 3 & 4, Brighton Twp., T-77N, R-37W. The intent of this road closure is to vacate all of 570th Street contained in the State of Iowa right-of-way for Interstate 80. This roadway segment is 40 feet wide and is centered on the Section Line. The length of road to be affected by this resolution is about 500 feet in Section 4 and 400 feet in Section 3; and

WHEREAS, the Iowa Department of Transportation has developed a Cooperative Agreement for Bridge Removal Mitigation Program to remove certain overpasses and underpasses on the Interstate System in Iowa; and

WHEREAS, the Iowa Department of Transportation has approached Cass County about removing this underpass on Interstate 80; and

WHEREAS, no objections were received in writing, but several objections were made by persons present at the open meeting held on October 29, 2021; and after due discussion, these objections were concluded to be insufficient in accordance to Iowa Code section 306.14.

NOW, THEREFORE, BE IT RESOLVED by the Cass County Board of Supervisors that the subject section of road be ordered vacated and closed.

BE IT FURTHER RESOLVED that the remaining roadway segments of 570th north of Boston Road and south of the Cass-Shelby County line remain a Class A roadway.

BE IT FURTHER RESOLVED that Cass County Bridge 460 shall remain a priority, and in the event that a bridge inspection recommends a posting under a legal 80,000 lb. load, remedial steps to alleviate the deficiency will be taken and be a priority.

BE IT FURTHER RESOLVED that the order to vacate and close the subject section road is contingent on the execution of a Cooperative Agreement for Bridge Removal Mitigation Program between Cass County and the Iowa Department of Transportation.

Vote: Ayes: Mark O'Brien, John Hartkopf, Stephen Green, Bernard Pettinger, and Steve Baier

Nays: None

Resolution ADOPTED this 7th day of December, 2021.

/s/-Steve Baier, Chair

Attest: /s/-Dale Sunderman, Auditor