

Aitkin County Board of Commissioners
Request for County Board Action/Agenda Item Cover Sheet



To: Chairperson, Aitkin County Board of Commissioners Date: 9-3-13

Via: Patrick Wussow, County Administrator

From: John Welle

Title of Item: Partial Vacation of County Road 85 Right of Way

Requested Meeting Date: 9-10-13 Estimated Presentation Time: 10 minutes

Presenter: John Welle

Type of Action Requested (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> For info only, no action requested | <input type="checkbox"/> Approve under Routine Business |
| <input type="checkbox"/> For discussion only with possible future action | <input type="checkbox"/> Adopt Ordinance Revision |
| <input type="checkbox"/> Let/Award Bid or Quote (attach copy of basic bid/quote specs or summary of complex specs, each bid/quote received & bid/quote comparison) | |
| <input type="checkbox"/> Approve/adopt proposal by motion | <input checked="" type="checkbox"/> Approve/adopt proposal by resolution (attach draft resolution) |
| <input type="checkbox"/> Authorize filling vacant staff position | |
| <input type="checkbox"/> Request to schedule public hearing or sale | <input type="checkbox"/> Other (please list) _____ |
| <input type="checkbox"/> Request by member of the public to be heard | |
| <input type="checkbox"/> Item should be addressed in closed session under MN Statute _____ | |

Fiscal Impact (check all that apply)

- Is this item in the current approved budget? ☐ Yes ☐ No (attach explanation)
- What type of expenditure is this? ☐ Operating ☐ Capital ☐ Other (attach explanation)
- Revenue line account # that funds this item is: _____
- Expenditure line account # for this item is: _____

Staffing Impact (Any yes answer requires a review by Human Resources Manager before going to the board)

- Duties of a department employee(s) may be materially affected. ☐ Yes ☐ No
- Applicable job description(s) may require revision. ☐ Yes ☐ No
- Item may impact a bargaining unit agreement or county work policy. ☐ Yes ☐ No
- Item may change the department's authorized staffing level. ☐ Yes ☐ No



Supporting Attachment(s)

- ☒ Memorandum Summary of Item
- ☐ Copy of applicable county policy and/or ordinance (excerpts acceptable)
- ☐ Copy of applicable state/federal statute/regulation (excerpts acceptable)
- ☐ Copy of applicable contract and/or agreement
- ☐ Original bid spec or quote request (excluding complex construction projects)
- ☐ Bids/quotes received (excluding complex construction projects, provide comparison worksheet)
- ☐ Bid/quote comparison worksheet
- ☒ Draft County Board resolution (1)
- ☐ Plat approval check-list and supporting documents
- ☐ Copy of previous minutes related to this issue
- ☐ Other supporting document(s) (please list) _____

AITKIN COUNTY COMMISSIONER'S MEMO

TO: Aitkin County Commissioners
Patrick Wussow, County Administrator

FROM: John Welle

DATE: September 3, 2013

Regular Agenda Item:

Partial Vacation of County Road 85 Right of Way

Summary:

A landowner adjacent to CR 85 on the northwest side of Mille Lacs Lake recently requested that we vacate the outer 40 feet of the 100-foot right of way that MnDOT reverted to Aitkin County when US Hwy 169 was realigned many years ago. This is the third such request on CR 85 in the past two years. Staff has reviewed this request and is agreeable to the proposed vacation. The attached resolution provides for the vacation of right of way as described.

Resolution:

WHEREAS, Aitkin County acquired right-of-way on Aitkin County Road No. 85 as a Trunk Highway Turnback from the Minnesota Department of Transportation, and

WHEREAS, portions of excessively wide right-of-way can restrict a landowner's ability to improve the property, and

WHEREAS, a landowner has requested the vacation of the outer 40 feet of right-of-way to reduce the right-of-way width from 100 feet to 60 feet, measured from the centerline of County Road No. 85, and

WHEREAS, it has been determined that the right-of-way is excessively wide in this area and therefore can be reduced to a width of 60 feet from the centerline of County Road No. 85.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Minnesota Statute 163.11, Subd. 1 and 4 that the portion of Aitkin County Road No. 85 right-of-way hereinafter described is hereby vacated so that the property reverts to the owner of said property.

That portion of the existing right-of-way of County Road No. 85 (Pike Avenue), also known as Old US Highway 169, said existing right-of-way having been previously established as 100 feet in width, as per the Final Certificate filed in Book "64" of Deeds, Page 53 in the office of the Aitkin County Recorder, that lies within Government Lot 1 of Section 7, Township Forty-four (44), Range Twenty-seven (27), Aitkin County, Minnesota, lying northwesterly of a line parallel with and 60 feet northwesterly of the following described centerline: Commencing at the northwest corner of said Section 7; thence North 90 degrees 00 minutes 00 seconds East, assumed bearing, 1075.50 feet along the north line of said Section 7

to the existing centerline of said Old US Highway 169 as now constructed; thence South 43 degrees 48 minutes 00 seconds West 207.60 feet along said centerline; thence southwesterly 775.0 feet on a tangential curve concave to the southeast with a radius of 5729.58 feet and a central angle of 07 degrees 45 minutes 00 seconds to the point of beginning of the centerline to be described: thence continuing southwesterly along said centerline 18.33 feet along said curve with radius of 5729.58 feet and a central angle of 00 degrees 11 minutes 00 seconds; thence South 35 degrees 52 minutes 00 seconds West, tangent to said curve to its intersection with the west line of said Government Lot 1 of said Section 7 and said centerline there terminating.

It is the intent of this vacation to establish a new right-of-way width on the northerly side of this portion of County Road No. 85, said new right-of-way being 60 feet in width, being parallel with and 60 feet northwesterly of the existing centerline of said County Road No. 85 on the northerly side of this portion.