



Board of County Commissioners Agenda Request

2N

Agenda Item #

Requested Meeting Date: 3-25-25

Title of Item: Vacate Portion of CR 77 Right of Way

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
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Submitted by: John Welle	Department: Highway
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Presenter (Name and Title): NA	Estimated Time Needed: NA
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Summary of Issue:

A landowner adjacent to County Road 77 in Section 3 of Hazelton Township has requested the vacation of a portion of excess right of way that measures approximately 25 feet wide by 150 feet long through Parcel 11-0-008903. The vacation is being requested to eliminate the need for a variance for a building that ended up being built within the zoning setback distance of the road.

The existing right of way width on the east side of the road centerline currently measures 75 feet. After the proposed vacation, there would still be a 50-foot width of right of way in this area, which is an adequate right of way width.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:
Recommend vacation by attached resolution.

Financial Impact:

Is there a cost associated with this request? Yes No

What is the total cost, with tax and shipping? \$

Is this budgeted? Yes No *Please Explain:*

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED March 25, 2025

By Commissioner: xxx

20250325-xxx

Vacate Portion of CR 77 Right of Way

WHEREAS, Aitkin County is in possession of a 75-foot right of way width adjacent to the centerline of County Road 77 through Parcel 11-0-008903 as part of a former Trunk Highway Turnback, and

WHEREAS, excess portions of right of way can be vacated pursuant to Minnesota Statute 163.11 Subd1 and 4.

NOW THEREFORE BE IT RESOLVED, that the portion of right of way as hereinafter described is hereby vacated:

The Easterly 25 feet of Aitkin County Road No. 77 (deed record County Road No. 76) (435th Avenue) (formally Old State Minnesota Highway 169) that lays South of the north line of the South 150 feet of the following tract herein described:

All that part of the Northwest Quarter of the Northwest Quarter of Section 3, Township 45, Range 27, which lies Southerly and Easterly of County Road 77 (deed states County Road 76) (formerly Old State Minnesota Highway No. 169) and Northerly and Westerly of State Highway No. 169 as said roadways are now established over and across said Northwest Quarter of the Northwest Quarter, according to the map or plat thereof on file and of record in the Office of the County Recorder in and for the County of Aitkin in and for said County and State of Minnesota, less and except the South 750 feet thereof.

Aitkin County, Minnesota.

(Abstract)

Commissioner xxx seconded the adoption of the resolution and it was declared adopted upon the following vote

xxx MEMBERS PRESENT

All Members Voting xxx

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 25th day of March 2025, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 25th day of March 2025

Jessica Seibert
County Administrator