

Road Vacation Procedure

1. Place the matter on County Commissioner's agenda after the Planning Commission has acted.
2. County adopts a resolution wherein it deems that it would be in the public interest to vacate the public road and directs the county highway superintendent to study the use being made of the road and to submit a report to the county board within thirty days with his recommendation as to the vacation or abandonment.
3. Upon receipt of the report the Board adopts the resolution fixing the time, date and place for public hearing. The resolution shall contain a clean and unambiguous description of the road to be vacated and then the resolution is published once a week for three consecutive weeks in a newspaper. A copy of the resolution is sent by certified mail to the adjacent property owners not less than two weeks in advance of the hearing.
4. At the next meeting after the public hearing, the County Board should adopt the resolution and specifying the reversion of the road to the owners of the adjacent real estate one-half each side. The County Board must approve by a two-thirds majority. The resolution should always state whether the property is to be sold, revert to each land owner one-half on each side, etc. Within thirty days of vacation Planning and Zoning shall ensure that a certified copy of the resolution has been provided to the register of deeds to be indexed against all affected lots.

Approved by Keith County Attorney Randy Fair

3.21.18

Updated 4.15.21