

## RESOLUTION #1039-06-11-2024

### Rescind Resolution #610-10-27-98 and Area Service "C" Road Classification for 267<sup>th</sup> Street

WHEREAS, Resolution #610-10-27-98 was approved on October 27, 1998 to change the classification of 267<sup>th</sup> Street to Area Service "C" road; and

WHEREAS, Jackson County believes that is in the interest of all parties at this time to rescind the aforementioned resolution and establish the following road described as the Area Service "C" road location; and

WHEREAS, Jackson County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57; and

WHEREAS, the following road be classified as an Area Service "C" road:

**267th Street located in Richland Township T86, R3E, Section 7 and 18; commencing from 1,130 feet east (Northing: 8334531.171, Easting: 21465384.259) of the SW 1/4 Section 7 and proceeding east 3,900 feet to the intersection of 216th Avenue (Northing: 8334571.106, Easting: 21469229.660); All coordinates are in Iowa DOT Regional Coordinate System Zone 11; and**

WHEREAS, the only persons who will have access rights to the roads shall be:

- (1) The owner, lessee, or person in lawful possession of any adjoining land,
- (2) The agent or employee of the owner, lessee, or person in lawful possession of any adjoining land,
- (3) Any peace officer,
- (4) Any magistrate,
- (5) Any public employee whose duty it is to supervise the use or perform maintenance of the road,
- (6) Any agent or employee of any utility located upon the road.

WHEREAS, the minimal level of maintenance will be as follows:

1. **Blading.** Blading or dragging will not be performed on a regular basis.
2. **Snow and Ice Removal.** Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis.
3. **Signing.** Except for load limit posting for bridges, signing shall not be continued or provided. All Area Service Level C Roads shall be identified with a sign at all points of access to warn the public of the lower level of maintenance.
4. **Weed, Brush, and Trees.** Mowing or spraying weeds, cutting brush, and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained.
5. **Structures.** Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
6. **Road Surfacing.** There will be no surfacing materials applied to Area Service System C Roads on a regular basis.
7. **Shoulders.** Shoulders will not be maintained on a regular basis.
8. **Crown.** A crown will not be maintained on a regular basis.
9. **Repairs.** There will be no road repair on a regular basis.
10. **Uniform Width.** Uniform width for the traveled portion of the road will not be maintained.
11. **Inspections.** Regular inspections will not be conducted.
12. **Gates.** Gate(s) shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained, the County may remove the gate(s). The gate(s) shall be locked with combination with the combination provided to all persons who have access rights.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JACKSON COUNTY, that Resolution #610-10-27-98 is hereby rescinded; and

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF JACKSON COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

The above and foregoing resolution was adopted by the Board of Supervisors of Jackson County, Iowa on the 11<sup>th</sup> day of June, 2024, with the vote thereon being as follows:

Aye: Mike Steines  
Mike Steines, Chair

Nay: \_\_\_\_\_

Nin Flagel  
Nin Flagel, Member

ATTEST: Alisa Smith  
Alisa Smith  
Jackson County Auditor

Don Schwenker  
Don Schwenker, Member

*Handwritten signature*