

MINUTES
BOARD OF ZONING ADJUSTMENT HEARING

May 9, 2022

The Village Board of Zoning Adjustments of the Village of Bertrand, Nebraska held a Special Hearing on May 9, 2022, at the Regular Meeting, by publishing in the Holdrege Daily Citizen on May 3, 2022, and posting at the First State Bank, Post Office, and Village Office. The agenda for said Hearing was kept continuously at the office of the Village Clerk. The purpose of the Hearing was to hear support, opposition, criticism, suggestions, or observations of taxpayers relating to the vacating of Kennett Street from Mason Avenue to Marshfield Avenue. Present were Chairman TJ Wilcox and Trustees Robert Dahlgren, Lucas Evans, and Brian Schroeder. Fred Spiegel was absent.

Chairman Wilcox opened the hearing at 8:00 PM and publicly stated to all in attendance that a copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the Hearing was being held.

The Board review the planning Commission's recommendations regarding the vacating of Kennett Street from Mason Avenue to Marshfield Avenue. This section of the street has been listed on the State of Nebraska Lane Mile Report as an active street. The Planning Commission determined that such street is not now in use and has not been used for some time and will not damage surrounding property owners by the closing of the part of said street.

Chairman Wilcox introduced Ordinance No. 753 which vacates part of the street in Block Five (5) of the Original Town of Bertrand, Nebraska (part of Kennett Street east of Marshfield Avenue and West of Mason Avenue). On a motion by Schroeder, seconded by Dahlgren, the statutory rule requiring an ordinance to be fully and distinctly read on three different days was waived. Voting Aye, Schroeder, Dahlgren, Evans, Wilcox. Spiegel absent. The motion to suspend the rule was adopted by three-fourths of the members elected to the board and the statutory rule was declared suspended for consideration of said Ordinance. Thereupon said Ordinance No. 753 was read by title and Trustee Dahlgren moved for its final passage, which motion was seconded by Schroeder. Voting Aye, Dahlgren Schroeder, Evans, Wilcox. Spiegel absent. Said Ordinance reads as follows:

ORDINANCE NO. 753

AN ORDINANCE TO VACATE PART OF THE ALLEY IN BLOCK FIVE (5) OF THE ORIGINAL TOWN OF BERTRAND, NEBRASKA, TO PROVIDE FOR EASEMENT, AND TO REPEAL ALL ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF BERTRAND, NEBRASKA:

Section 1. That part of Kennett Street east of Marshfield Avenue and west of Mason Avenue in the Original Town of Bertrand, Nebraska appears that such street is not now in use and has not been used for some time and will not damage surrounding property owners by the closing of the part of said street. It is advantageous and best for the interest of the Village to vacate that part of the Kennett Street in Block Five (5) of the Original Town of Bertrand, Nebraska east of Marshfield Avenue and west of Mason Avenue.

Section 2. That part of Kennett Street east of Marshfield Avenue and west of Mason Avenue in the Original Town of Bertrand, Nebraska, is hereby wholly and entirely vacated and shall no longer be or constitute a street of the Village of Bertrand, Nebraska, and the public grounds therein shall revert to the owners of lots or lands abutting the same in proportion to the respective ownerships of such lot or

grounds, subject to easement for installation, maintenance, repair, and operation of transmission line and sewer by the Village.

Section 3. All Ordinances and parts of ordinances in conflict herewith shall be and same hereby are repealed.

Section 4. This Ordinance shall be enforced from and after its passage, approval, and publication as required by law on May 25, 2022.

PASSED AND APPROVED THIS 9TH DAY OF MAY 2022.

The Hearing was adjourned at 8:43 PM.

Lori Vinzant, Village Clerk/Treasurer

TJ Wilcox, Chairman of the Board