

**SHELBY COUNTY  
OFFICE OF THE COUNTY ENGINEER  
HARLAN, IOWA 51537  
(712)-755-5954**

**Upgrade of Level "B" Road and Aggregate Surfacing Policy**

**INTENT**

The intent of this policy is to assure relatively uniform treatment of all County residents in providing aggregate surfacing to permanently occupied facilities within the County.

This policy is not intended to provide multiple rockered accesses to permanently occupied facilities or to provide rockered access to agricultural fields or grain storage installations not requiring continuous year-round access. Item 8 of this policy allows for cost sharing methods to achieve aggregate surfacing on these types of roads.

**BACKGROUND**

There are many miles of dirt roads in Shelby County. Many are little more than flat bottomed ditches or trails. Occasionally someone will purchase a parcel of land or otherwise occupy a previously vacant facility or dwelling, and request that the road accessing that site be rockered. Because of the substantial cost associated with this upgrade, and in the interest of treating all requests uniformly, the following policy is hereby adopted:

**POLICY**

REALIZING that Shelby County has many miles of unimproved roads, and also many miles of aggregate-surfaced roads; and;

REALIZING that funds to maintain these roads are limited; and;

REALIZING that there is a substantial initial and annual cost associated with upgrading a road to, or maintaining a road as an aggregate surfaced road; therefore;

BE IT RESOLVED by the Shelby County Board of Supervisors that no roads will be upgraded to aggregate surfaces, or maintained as aggregate surfaces except under the following conditions:

## Upgrade of Level "B" Road and Aggregate Surfacing Policy

1. The road right-of-way is, as determined by the County Engineer, adequate to provide for a safe traveled way and to allow for proper drainage. In all but unusual cases this will require a right-of-way of no less than 66 feet in width.

2. A substantial, permanent, new facility has been constructed and is permanently occupied along the road, or an existing owner demonstrates to the Board's satisfaction either the evidence of a long and continuing occupation of the dwelling or intent to occupy the location for a long term. In all cases, the occupant will be required to sign a binding agreement stating same, prior to the upgrade and aggregate of surfacing the road. In cases where the occupant is not the owner, the owner will also be required to sign the agreement.

3. Although aggregate surfacing will be applied at a rate to be determined by the County Engineer; the normal application rate for new surfaces is 1500 tons/mile.


4. The County is granted, by easements signed by all adjacent property owners, right to occupy adequate right-of-way, remove trees, brush etc., and to re-construct the road to meet the County's requirements. All necessary right-of-way will be provided, without charge, to the County by adjacent property owners.

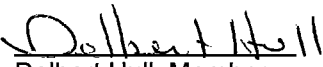
5. All parties requesting this work or benefiting from this work (including the landowner, where he is different than the occupant) will enter into an agreement that recognizes and agrees with this policy, and binds the parties thereto.

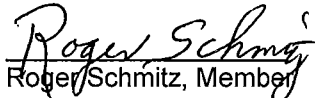
6. The Board reserves the right to discontinue surface maintenance of any road when it determines that the intent of this policy is no longer being satisfied.

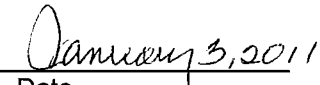
7. This policy does not supersede or override the effect of previous agreements with respect to rocking made as a result of previous policies, nor does it disallow the continuance of rocking on existing rocked roads; unless discontinued under item 6 of this policy .

8. This policy also allows for upgrade of level "B" roads and aggregate surfacing, providing the items 1, 2, 4 and 6 of these requirements are satisfied and the benefitting party agrees to pay all costs associated with said improvements. Payment will be made prior to the improvements and aggregate surfacing. The final decision as to whether the level "B" road is upgraded and aggregate surfaced remains at the discretion of the Board.

  
James Burmeister, Chairman

  
Delbert Hull, Member

  
Roger Schmitz, Member

  
Date

**Upgrade of Level "B" Road and Aggregate Surfacing Policy**

I, the undersigned, stipulate that it is my intent to permanently occupy (or cause to be occupied), the residence or facility located along the level "B" road for which I am requesting upgrading and aggregate surfaced and maintained.

I, further agree that if I choose to vacate (or discontinue use of) the premises (or cause the premises to become vacant or the use thereof discontinued). The Board may revert said road back to a level "B" road classification.

In the case where this road is being improved to the benefit of several adjacent properties, I understand that I will only be liable for that portion of the costs pro-rated to my residence or facility.

This agreement is transferable to any other resident (or owner) who may occupy (or own) the house or facility I am now in; provided that the location is not vacant more than 6 months following my departure.

ROAD DESCRIPTION:

AGREED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_