

**AGREEMENT FOR MAINTENANCE OF ROAD ON
COMMON BOUNDARY
Between
LARAMIE COUNTY, WYOMING and BANNER COUNTY, NEBRASKA**

THIS AGREEMENT made and entered into by and between the County of Laramie, State of Wyoming, hereinafter referred to as "Laramie County", and the County of Banner, State of Nebraska, hereinafter referred to as "Banner County", witnesseth:

WHEREAS, there exists improved public road along the common boundary of Laramie County and Banner County, hereinafter more specifically described; and

WHEREAS, in the past, based on a verbal agreement, Laramie County has maintained a certain portion of the common boundary public road, and Banner County a certain portion of the common boundary public road; and

WHEREAS, the parties to this Agreement wish to reduce to writing the responsibility of each county to maintain certain portions of improved public road on their common boundary.

WHEREAS, the parties to this Agreement wish to reduce to writing the responsibility of each county to trade maintenance of a portion of Laramie County Road 237 and a portion of Banner County Road 4; and

WHEREAS, Banner County, Nebraska has the authority under their Interlocal Agreement Cooperation Act, Neb. Rev. Stat. section 13-801 to 13-827 to enter into said agreement, to cooperate with other local governments on a basis of mutual advantage; and

WHEREAS, Laramie County, Wyoming has the authority to enter into joint agreements under the Intergovernmental Cooperation Act, Wyoming Stat Ann. 16-1-101, et.al. for joint or cooperative action.

NOW, THEREFORE, in consideration of the above recitals which are made a contractual part hereof, mutual execution of this Agreement, and performance of the covenants hereinafter stated, **IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:**

1. Portion of Public Road to be Maintained by Laramie County: Laramie County shall maintain the public road on the common boundary between Laramie County and Banner County described as

Laramie County Road 164 also known as Banner County Road 1 also known as State Line Road beginning at Banner County Road 14 thence south approximately 6.25 miles to Laramie County Road 227.

Also, Banner County Road 4 beginning at Laramie County Road 164 also known as Banner County Road 1 also known as State Line Road thence east approximately 0.75 miles.

(see 'Exhibit A' attached and incorporated herein for a visual reference)

2. Portion of Public road to Maintained by Banner County: Banner County shall maintain the public road on the common boundary between Laramie County and Banner County described as

Laramie County Road 164 also known as Banner County Road 1 also known as State Line Road beginning at Banner County Road 14 thence north approximately 5.00 miles to Banner County Road 24.

Also, Laramie County Road 237 beginning at Laramie County Road 164 also known as Banner County Road 1 also known as State Line Road thence west approximately 0.75 miles.

(see 'Exhibit A' attached and incorporated herein for a visual reference)

3. Maintenance shall mean grading and snow removal

Capital improvements with an estimated cost in excess of \$2,000.00 will not be considered maintenance and will be negotiated between the parties.

4. Term and Effective Date of Agreement: This Agreement shall remain in force and effect for the earlier of: 1) ten (10) years, or 2) until the same is terminated by either party hereto as hereinafter provided. This Agreement shall become effective on the date signed by the last party hereto.

5. Termination of Agreement: Either party hereto may terminate this Agreement by giving the other party written notice of said fact. Termination shall occur sixty (60) days following said written notice. Until terminated as herein provided, this Agreement shall be binding upon and inure to the succeeding members of the Board of County Commissioners of each party hereto. Termination by either party hereto shall not relieve the terminating party of any obligations under this Agreement required to be performed prior to date of termination.

6. Retention of Respective Governmental Immunity and Indemnification. Pursuant to Wyo. Stat. § 1-39-104(a), Laramie County, reserves governmental immunity by entering into this Contract. Pursuant to Neb.Rev.Stat. § 13-902, Banner County, reserves governmental immunity by entering into this Contract. Each party specifically retains immunity and all defenses available to them as governmental entities pursuant to Wyo. Stat. §1-39-101, et seq, Neb.Rev.Stat § 13-902, and all other applicable law. Designations of venue, choice of law, enforcement actions, and similar provisions shall not be construed as a waiver of said governmental immunity. The parties agree that any ambiguity in this Contract shall not be strictly construed, either against or for either party, except that any ambiguity as to immunity shall be construed in favor of immunity. Each party to this Contract shall assume the risk of any liability arising from its own conduct. Neither party agrees to insure, defend, or indemnify the other.

[remainder left blank, signatures on the following page]

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SIGNATURE PAGE

LARAMIE COUNTY
BOARD OF COMMISSIONERS

Chairman

Member

Member

Member

Member

ATTEST:

County Clerk

BANNER COUNTY
BOARD OF COMMISSIONERS

Chairman

Member

Member

ATTEST:

County Clerk

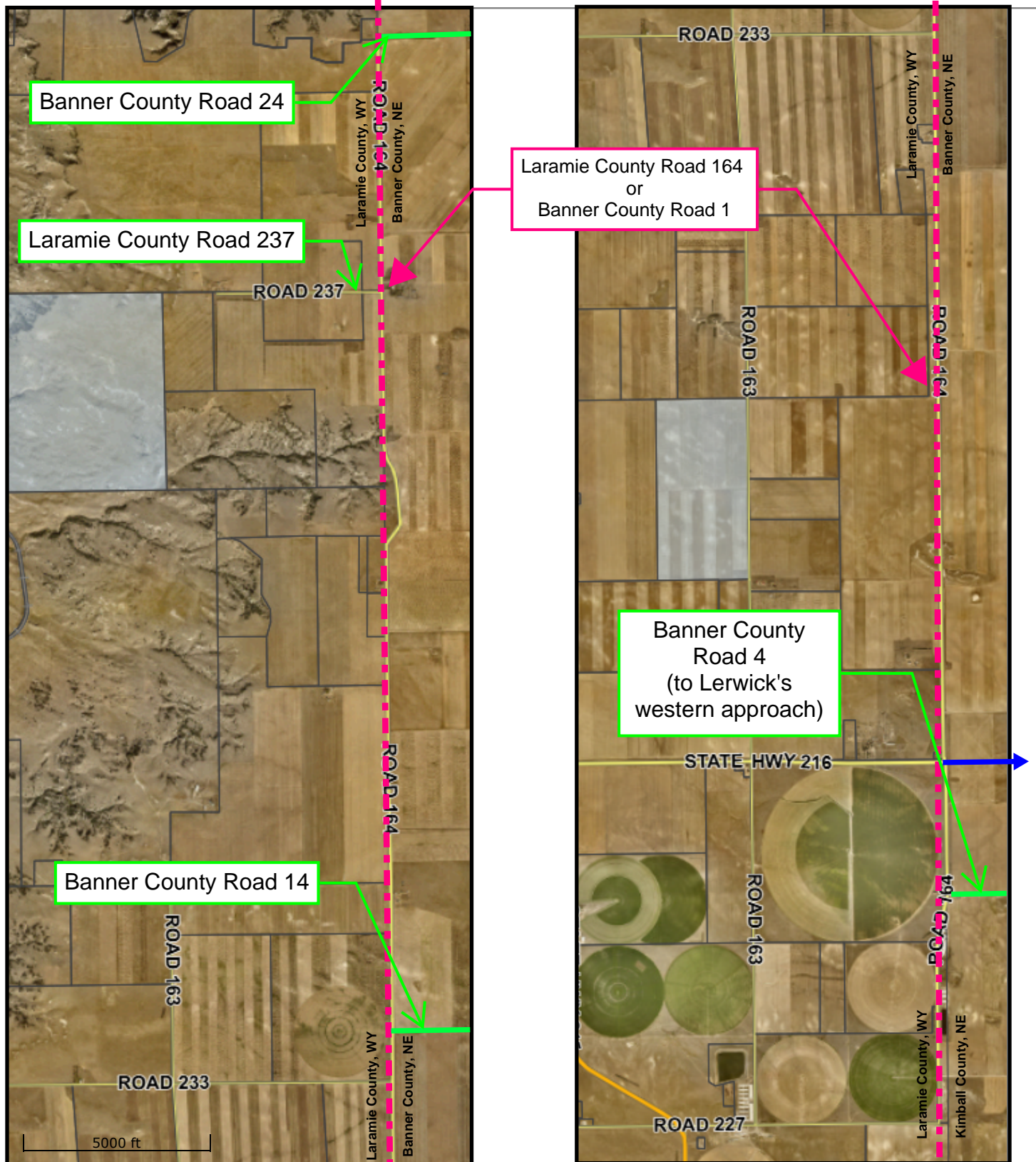
REVIEWED AND APPROVED AS TO FORM ONLY

By: 
Laramie County Attorney's Office

Date 6-18-25

By: _____
Banner County Attorney's Office

Date _____



--- NE/WY State Line → County Line

- Interstate
- Major Road
- Imps only
- State Land
- Curt Gowdy State Park
- BLM Land

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printed 12/5/2024

NORTH

**Laramie County
Wyoming MapServer**

Exhibit A