Del. Co. Aud.

DELAWARE COUNTY IOWA
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DEBORAH L. HEYDE
DELAWARE CO. RECORDER
N/C

THIS DOCUMENT WAS PREPARED BY MARK NAHRA, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., DELAWARE, IA 52036, 563-927-3505

RESOLUTION

Vacation of a Portion of 210th Avenue in Section 14-T88N-R5W

WHEREAS the Code of Iowa, section 306.10 gives the Board of Supervisors the power on its own motion to alter or vacate and close any highway or road under its jurisdiction, and

WHEREAS the Board of Supervisors no longer believes the county needs to maintain its easement on the following county highway, and

WHEREAS the Board of Supervisors has held a public hearing following official notice as required by sections 306.11, 306.12, and 306.13 of the Code of Iowa, and

WHEREAS, the Board has heard any and all objections filed per 306.14 of the Code of Iowa,

NOW THEREFORE BE IT RESOLVED that the Delaware County Board of Supervisors, in session this 25th day of March, 2002, enters the following order in regard to the aforementioned road vacation proceedings.

The Board of Supervisors orders the following described road segment to be closed and vacated effective immediately upon the recording of a PERMANENT PRIVATE EASEMENT FOR VEHICULAR ACCESS WAY TO AGRICULTURAL LAND, executed and signed by all adjacent, affected property owners. Adjacent, affected property owners subject to the completion of said easement are James Freiburger, Scott Harbach, and Dorrance and Jayne Hogan or their successors and assigns. Said road is described as follows:

A closed segment of 210th Avenue beginning at a point 219.26 feet north of the SE corner of the NE ¼ of the NE ¼ of section 14, Township 88 north, Range 5 west, thence north approximately 1064.4 feet to the south right of way line of 240th Street which is 45 feet south of the NE Corner of Section 14, Township 88 north, Range 5 west. Right of way width is 85 feet.

The County Engineer is ordered to draft and record said permanent private easement and report to the Board of Supervisors completion of said instrument.

SO ORDERED THIS 25th DAY OF MARCH, 2002;

Board of Supervisors

Shirley E. Helmrichs
Chair

Steven L. Koeneke

Bill Skinner

Attest:

Sharon McCrabb
Delaware County Auditor

On this 3 day of June, 2002, before me Carolyn A. Wilson a notary public in and for the State of Iowa appeared Shirley E. Helmrichs, Steven Koeneke, William Skinner, and Sharon McCrabb, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors, members of the County Board of Supervisors, and County Auditor, respectively, of the County of Delaware, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county, and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in the Supervisors Minute Book W, as passed by the Board of Supervisors on the 3 day of June, 2002 and, Shirley E. Helmrichs and Sharon McCrabb acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

Carolyn A. Wilson
Notary Public
My Commission Expires:

Seal:

NOTARIAL SEAL IOWA
CAROLYN A. WILSON
Commission Number 167742
My Comm. Exp. 12-17-04