DEL. CO. AUG 1 0 '02

DELAWARE COUNTY IOWA
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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 150th Avenue in Sections 1 & 2-T88N-R6W

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 Code of Iowa, section 306.11 allows the Board to vacate a road right of way held by easement that will not change the traveled portion of the road or deny access to adjoining landowners, and

WHEREAS a road vacation under the circumstances outline in 306.11 does not require a hearing, and

WHEREAS the Board of Supervisors on April 20, 1972 took action to close this roadway, as recorded in the Supervisors Minutes, Book F, pages 28 and 29, and

WHEREAS as part of that action, the Board of Supervisors closed, but did not vacate the road easement, and

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

NOW THEREFORE BE IT RESOLVED that the Delaware County Board of Supervisors, in session this 26th day of August, 2002, enters the following order in regard to the aforementioned road closure.

The Board of Supervisors orders the following described road segment to be closed and vacated. Said road is described as follows:

That portion of the road between sections 1 and 2 of T88N, R6W, Prairie Township, now known as 150th Avenue, beginning at the NE corner of Section 2, T88N, R6W of the 5th PM, thence south 2832.54 feet to a point 800 feet south of the east quarter corner of Section 2, T88N, R6W of the 5th PM. The vacated road easement is 66 feet in width.

SEAL OF THE COUNTY OF DELAWARE, IOWA

SO ORDERED THIS 26th DAY OF AUGUST, 2002;

Board of Supervisors

Shirley E. Helmrichs
Chair

William J. Skinner

Steven L. Koeneke

Attest:

Sharon McCrabb
Delaware County Auditor

On this 26th day of August, 2002, before me Mark J. Nahra 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 X, as passed by the Board of Supervisors on the 26th day of August, 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.

Mark J. Nahra
Notary Public
My Commission Expires: July 2, 2004

Seal:

Mark J. Nahra
COMMISSION NUMBER 165627
MY COMMISSION EXPIRES
7-2-2004