DELAWARE COUNTY IOWA
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BOOK 2004 PAGE 3454
DEBORAH L. HERRON
DELAWARE COUNTY AUDITOR
N/C

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

RESOLUTION

Order for vacation of easement on 190th Avenue in Sections 9 & 10-T87N-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, and

NOW THEREFORE BE IT RESOLVED that the Delaware County Board of Supervisors, in session this 7th day of September, 2004, 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. Said road is described as follows:

1) The east 33 feet of NE quarter of the SE quarter of section 9, township 87 north, range 5 west beginning at a point approximately 132.92 feet south of the W1/4 corner of section 10, township 87 north, range 5 west on the section line between sections 9 and 10 and ending approximately 454.07 feet south of the point of beginning. Said right of way was dedicated to the county by easement. Vacation action vacates only the road easement; utility and other easements of record remain in force.

2) Parcel A of the NW quarter of the SW quarter of Section 10, township 87 north, range 5 west. * Parcel A is part of the right of way of 190th Avenue. Said right of way is owned by the county by deed. Vacation action vacates only the road easement; utility and other easements of record remain in force. The Board of Supervisors further orders the County Engineer to dispose of parcel A per the terms of sections 306.22 through 306.25 of the Code of Iowa subject to the approval of the Board of Supervisors. *Plat recorded in Bk 2002 Page 1678

SO ORDERED THIS 7th DAY OF SEPTEMBER, 2004;

Board of Supervisors

Seal:

Steven L. Koeneke
Chair

Shirley E. Helmrichs

Bill Skinner

Attest:

Sharon McCrabb
Delaware County Auditor

On this 7th day of September, 2004, before me Mark J. Nahra a notary public in and for the State of Iowa appeared Steven Koeneke, Chair, Shirley E. Helmrichs, 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 7th day of September, 2004 and, Steven Koeneke, Shirley E. Helmrichs, William Skinner 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, 2007

Seal:

Mark J. Nahra
COMMISSION NUMBER 165627
MY COMMISSION EXPIRES
7-2-2007