Sharon McCrady
Clerk to Auditor

Book 2005 Page 3889

Document 2005 3889 Type 06 018 Pages 2
Date 10/28/2005 Time 1:40 PM
Rec Amt $.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

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

RESOLUTION

Vacation of 267th Street in Section 25 and 26-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, and

NOW THEREFORE BE IT RESOLVED that the Delaware County Board of Supervisors, in session this 24th day of October, 2005, 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 centerline is described as follows:

That portion of 267th Street beginning 553.52 feet east of the SW corner of the NE ¼ - SE ¼ Section 26, T88N, R5W, at the east right of way line of relocated 267th Street, thence running east 778.81 feet at a bearing of South 89 degrees, 47 minutes, 4 seconds East along the south line of the NE ¼ -SE ¼ of section 26, T88N, R5W, to the SE corner of the NE ¼ - SE ¼ of Section 26, T88N, R5W, thence North 0 degrees, 38 minutes, 52 seconds East along the east line of said NE ¼ - SE ¼ terminating at the intersection of the east right of way line of relocated 267th Street. The vacated road easement is 66 feet in width.

The Board of Supervisors finds no additional damages are to be paid to any claimants on this vacation. The county engineer is directed to replace field fence at the right of way line per the right of way acquisition contracts for project LOST-04(01)—73-28. Utility easements and other easements of record are not addressed by this action.

SO ORDERED THIS 24th DAY OF OCTOBER, 2005;

Board of Supervisors

Shirley E. Helmrichs
Chair

Bill Skinner

Steven L. Koeneke

Attest:

Sharon McCrady
Delaware County Auditor

On this 24th day of October, 2005, 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 24th day of October, 2005 and, Shirley E. Helmrichs, Steven Koeneke, 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: 7-2-2007

Seal:

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