Book 2009 Page 2042
Document 2009 2042 Type 06 018 Pages 2
Date 5/26/2009 Time 10:04:25AM
Rec Amt $.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

THIS DOCUMENT WAS PREPARED BY ANTHONY BARDGETT, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., MANCHESTER, IA 52057, 563-927-3505
Return to: Delaware County Auditor, 301 E. Main Street, Manchester, IA 52057

RESOLUTION

Vacation of a Portion of 300th Ave in Section 5-T90N-R3W, Delaware County, Iowa

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 26th day of May, 2009, 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:

> Right of way of 300th Ave, formerly Colony Township Road No. 1, beginning at the East ¼ corner of Section Five (5), Township Ninety North (T90N), Range Three West (R3W) of the 5th P.M., Delaware County, Iowa and running thence one half mile north to the Delaware/Clayton County line being the North line of said Section Five (5), Township Ninety North (T90N), Range Three West (R3W) of the 5th P.M as established April 1, 1853 in Road Record Book 1, Page 33. The road alignment is 66 foot right of way.

The Board of Supervisors finds no additional damages are to be paid to any claimants on this vacation.

SO ORDERED THIS 26th DAY OF May, 2009;

Board of Supervisors

Shirley E. Helmrichs
Chair **SHIRLEY E. HELMRICHS**

Jeffrey Madlom
JEFFREY MADLOM

Jerry Ries
JERRY RIES

Attest:

Carla K Becker
Delaware County Auditor **CARLA K. BECKER**

On this 26th day of May, 2009, before me Julia Hackbarth, a notary public in and for the State of Iowa appeared Shirley E. Helmrichs, Jeff Madlom, Jerry Ries, and Carla Becker, 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 1, as passed by the Board of Supervisors on the 26th day of May, 2009 and, Shirley E. Helmrichs, Jeff Madlom, Jerry Ries and Carla Becker 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.

Julia L. Hackbarth
Notary Public
My Commission Expires: 5-24-11

Seal:



