035-08-00-010-00
Parcel # 035-09-00-006-00
Carla Becker Auditor
Verified By: MMagroffN
Parcel #035-16-00-005-00
035-17-00-024-00
90-68
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Date 8/31/2009 Time 3:03:04PM
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 239th Avenue in Sections 8, 9, 16 & 17-T90N-R4W, 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 31st day of August, 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:

> That portion of 239th Avenue, commencing two hundred and seventy (270) feet south and approximately twenty (20) feet west of the northeast corner of Section Seventeen (17), Township Ninety (90) North, Range Four (4) West of the Fifth P.M., Delaware County, Iowa, to the point of beginning, which is on the northerly right-of-way line of Nature Road, thence running approximately six hundred ninety (690) feet in a north-northwesterly direction, as the road is presently traveled, to the point of termination. The road alignment is sixty-six (66) feet right-of-way.

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

SO ORDERED THIS 31st DAY OF August, 2009;

Board of Supervisors

Shirley E. Helmrichs

Shirley E. Helmrichs, Chairperson

Jeffery Madlom

Jeffery Madlom

Jerry Ries

Jerry ~~Reis~~ Ries

Attest:

Carla K. Becker

Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY OFFICIAL SEAL IOWA

On this 31st day of August, 2009, before me, Anne Rave, 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 31st day of August, 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.

Anne Rave

Notary Public Anne Rave
My Commission Expires: 3/25/2012

Seal:

