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of May A.D. 2011
Carla K. Becker, Auditor
By P. H. Hebard, Deputy
89-94

Book 2011 Page 1789

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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 Right-Of-Way along 210th Street in Section 36-T89N-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 May, 2011, enters the following order in regard to the aforementioned road vacation proceedings.

The Board of Supervisors orders the following described right-of-way to be closed and vacated. Said right-of-way is described as follows:

A portion of right of way along 210th Street, of the NE 1/4 of the NE 1/4 of Section 36, T89N, R4W. Said portion of right of way is 1.25 acres. See attached graphic exhibit on page 3 and legal description on page 4.

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

SO ORDERED THIS 31st DAY OF May, 2011;

Board of Supervisors

Jerry Ries 5-31-11
Jerry Ries, Chairperson

Shirley E. Helmrichs
Shirley E. Helmrichs

Jeff Madlom
Jeff Madlom

Attest:

Carla K. Becker
Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY OFFICIAL SEAL IOWA

On this 31st day of May, 2011, before me, Anne Rave, a notary public in and for the State of Iowa appeared Jerry Ries, Shirley E. Helmrichs, Jeff Madlom 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 May, 2011 and Jerry Ries, Shirley E. Helmrichs, Jeff Madlom 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

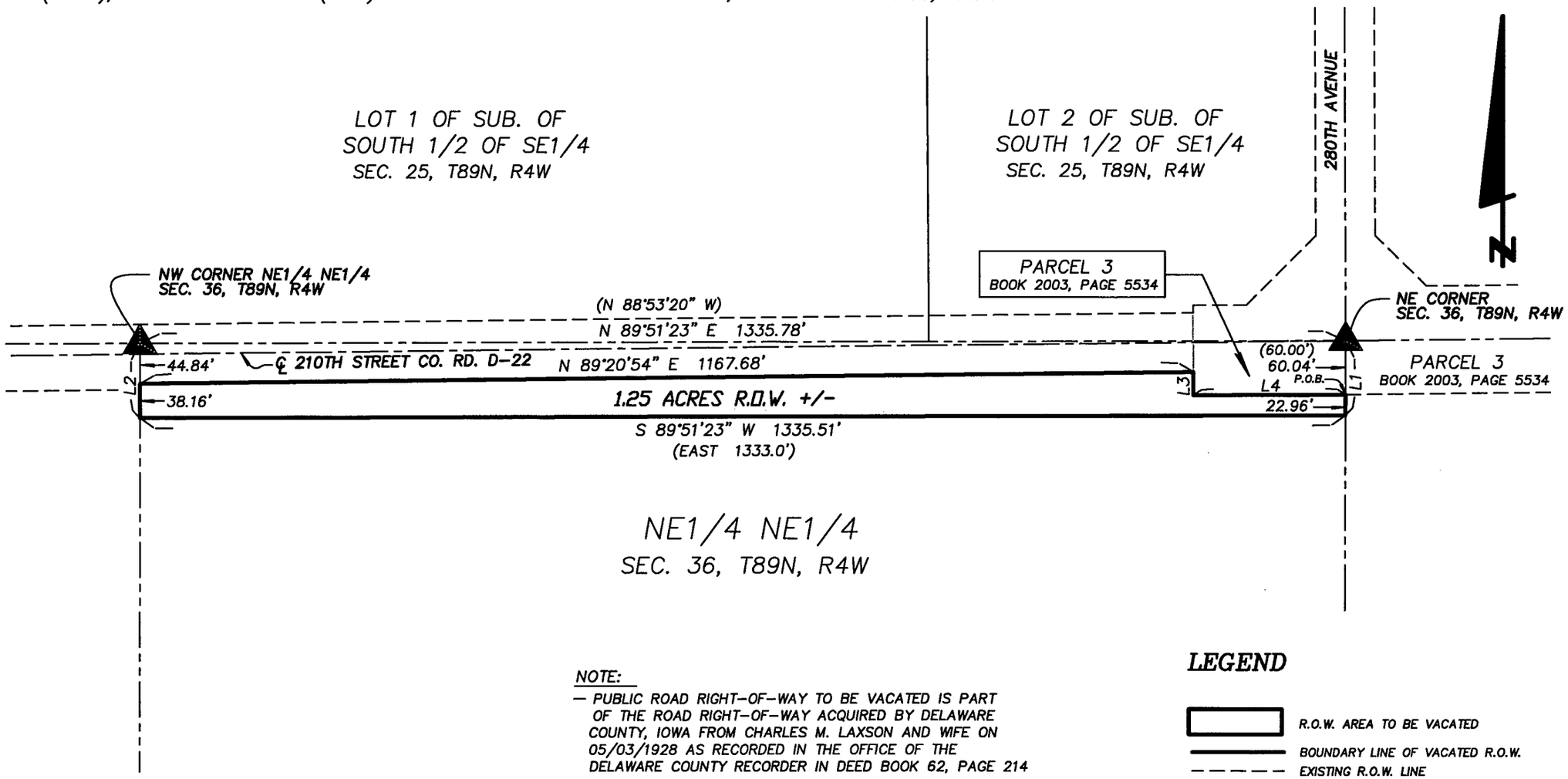
Seal:

NOTARIAL SEAL IOWA

ANNE RAVE
Commission Number 757587
MY COMMISSION EXPIRES
MARCH 25, 2012

GRAPHIC EXHIBIT

SHOWING AND DESCRIBING THAT PORTION OF PUBLIC ROAD RIGHT-OF-WAY TO BE VACATED BY DELAWARE COUNTY, IOWA. SAID RIGHT-OF-WAY IS LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4), SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA



NOTE:

— PUBLIC ROAD RIGHT-OF-WAY TO BE VACATED IS PART OF THE ROAD RIGHT-OF-WAY ACQUIRED BY DELAWARE COUNTY, IOWA FROM CHARLES M. LAXSON AND WIFE ON 05/03/1928 AS RECORDED IN THE OFFICE OF THE DELAWARE COUNTY RECORDER IN DEED BOOK 62, PAGE 214

LINE	BEARING	( )	DISTANCE	( )
L1	S 00°15'27" W	SOUTH	83.00	
L2	N 00°04'12" E	SOUTH	83.00	
L3	S 00°09'37" E	N 01°06'40" E	25.60	
L4	N 89°50'23" E	N 88°53'20" W	167.89	167.94

LEGEND

- R.O.W. AREA TO BE VACATED
- BOUNDARY LINE OF VACATED R.O.W.
- EXISTING R.O.W. LINE
- 1/4, 1/4 1/4 OR SECTION LINE
- CENTERLINE OF ROAD
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING

SCALE: 1" = 150'

150 0 150 300

SHEET 1 OF 2

PREPARED BY THE DELAWARE COUNTY ENGINEERS OFFICE 2139 HIGHWAY 38, MANCHESTER, IOWA 52057 (563) 927 3505

EASEMENT VACATION LEGAL DESCRIPTION

Part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 1.25 acres more or less of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows:

COMMENCING at the Northeast corner of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 00°-15'-27" West 60.04 feet along the East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section Thirty-six (36) to the **POINT OF BEGINNING**;

Thence South 00°-15'-27" West 22.96 feet along said East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Thirty-six (36) to the Southerly right of way line of 210th Street;

Thence South 89°-51'-23" West 1335.51 feet along said Southerly right of way line of 210th Street to the West line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Thirty-six (36);

Thence North 00°-04'-12" East 38.16 feet along said West line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Thirty-six (36);

Thence North 89°-20'-54" East 1167.68 feet to the West line of Parcel No. 3 as recorded in the Office of the Delaware County Recorder in Book 2003, Page 5534;

Thence South 00°-09'-37" East 25.60 feet along said West line of Parcel No. 3 to the Southwest corner of said Parcel No. 3;

Thence North 89°-50'-23" East 167.89 feet along a Southerly line of said Parcel No. 3 to the **POINT OF BEGINNING** containing a total of 1.25 acres more or less of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record**; (see attached Graphic Exhibit on Sheet 1)

The East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear South 00°-15'-27" West.