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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 210th Street between Sections 29 & 32-T89N-R6W, 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 25th day of February, 2013, 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 210th Street commencing at the Southwest corner of Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa; thence North 89d 58' 27" East 1863.35 feet along the South line of the Southwest Quarter (SW1/4) of said Section Twenty-nine (29) to the Point of Beginning; thence North 03d 49' 39" West 30.62 feet to the Northerly right-of-way line of 210th Street; thence north 89d 52' 51" East 1017.32 feet along said Northerly right-of-way line of 210th Street to the Westerly right-of-way line of Candle Road; thence South 34d 47' 55" West 17.42 feet along said Westerly right-of-way line of Candle Road; thence South 34d 02' 54" West 62.50 feet along said Westerly right-of-way line of Candle Road to the Southerly right-of-way line of 210th Street; thence South 89d 52' 51" West 967.97 feet along said Southerly right-of-way line of 210th Street; thence North 03d 49' 39" West 35.52 feet to the Point of Beginning containing a total of 1.50 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 Graphic Exhibit for more details.)

Vacation action vacates only the road easement; utility and other easements of record remain in force.

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

SO ORDERED THIS 25th DAY OF FEBRUARY, 2013;

Board of Supervisors

Jeff Madlom, Chairperson

Jerry Ries

Shirley E. Helmrichs

Attest:

Carla Becker, County Auditor

DELAWARE COUNTY OFFICIAL SEAL IOWA

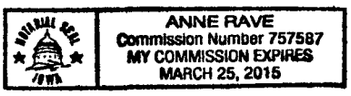
On this 25th day of February, 2013, before me Anne Rave, a notary public in and for the State of Iowa appeared Jeff Madlom, Jerry Ries, Shirley E. Helmrichs and Carla Becker, to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the County Board of Supervisors, 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 25th day of February, 2013 and, Jeff Madlom, Jerry Ries, Shirley E. Helmrichs 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

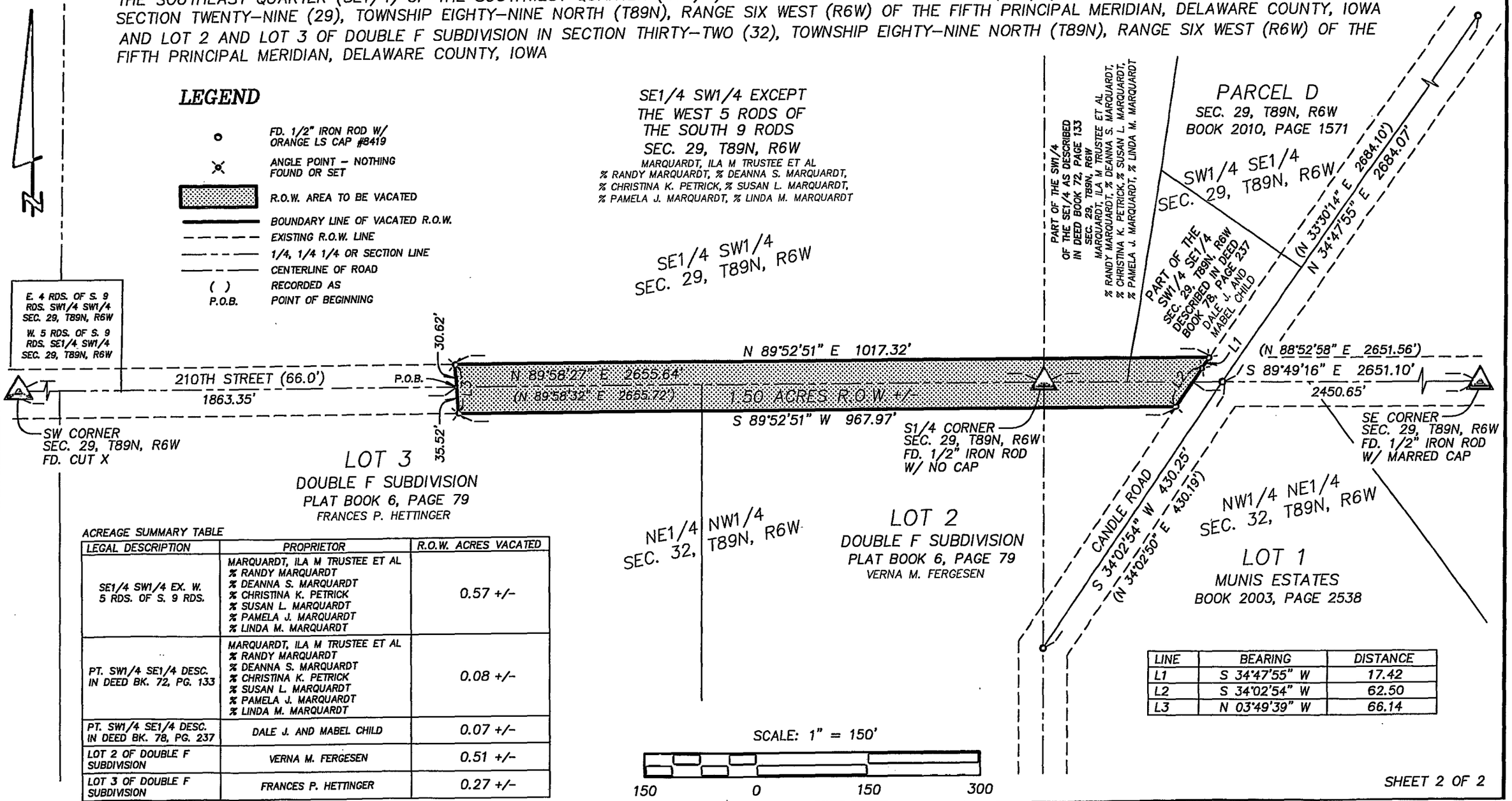
My Commission Expires: 3/25/2015

Seal:



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 SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) AND THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4), SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA AND LOT 2 AND LOT 3 OF DOUBLE F SUBDIVISION IN SECTION THIRTY-TWO (32), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA



ACREAGE SUMMARY TABLE

LEGAL DESCRIPTION	PROPRIETOR	R.O.W. ACRES VACATED
SE1/4 SW1/4 EX. W. 5 RDS. OF S. 9 RDS.	MARQUARDT, ILA M TRUSTEE ET AL % RANDY MARQUARDT % DEANNA S. MARQUARDT % CHRISTINA K. PETRICK % SUSAN L. MARQUARDT % PAMELA J. MARQUARDT % LINDA M. MARQUARDT	0.57 +/-
PT. SW1/4 SE1/4 DESC. IN DEED BK. 72, PG. 133	MARQUARDT, ILA M TRUSTEE ET AL % RANDY MARQUARDT % DEANNA S. MARQUARDT % CHRISTINA K. PETRICK % SUSAN L. MARQUARDT % PAMELA J. MARQUARDT % LINDA M. MARQUARDT	0.08 +/-
PT. SW1/4 SE1/4 DESC. IN DEED BK. 78, PG. 237	DALE J. AND MABEL CHILD	0.07 +/-
LOT 2 OF DOUBLE F SUBDIVISION	VERNA M. FERGESEN	0.51 +/-
LOT 3 OF DOUBLE F SUBDIVISION	FRANCES P. HETTINGER	0.27 +/-

LINE	BEARING	DISTANCE
L1	S 34°47'55" W	17.42
L2	S 34°02'54" W	62.50
L3	N 03°49'39" W	66.14

EASEMENT VACATION LEGAL DESCRIPTION

Part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) and the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa, and Lot 2 and Lot 3 of Double F Subdivision in Section Thirty-two (32), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa containing a total of 1.50 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 Southwest corner of Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence North 89°-58'-27" East 1863.35 feet along the South line of the Southwest Quarter (SW1/4) of said Section Twenty-nine (29) to the **POINT OF BEGINNING**;

Thence North 03°-49'-39" West 30.62 feet to the Northerly right of way line of 210th Street;

Thence North 89°-52'-51" East 1017.32 feet along said Northerly right of way line of 210th Street to the Westerly right-of-way line of Candle Road;

Thence South 34°-47'-55" West 17.42 feet along said Westerly right-of-way line of Candle Road;

Thence South 34°-02'-54" West 62.50 feet along said Westerly right-of-way line of Candle Road to the Southerly right-of-way line of 210th Street;

Thence South 89°-52'-51" West 967.97 feet along said Southerly right-of-way line of 210th Street;

Thence North 03°-49'-39" West 35.52 feet to the **POINT OF BEGINNING** containing a total of 1.50 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 2)

The South line of the Southwest Quarter (SW1/4), Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear North 89°-58'-27" East.