Entered for taxation 7th day
of January AD 2014
Carla K Becker Auditor
By D. Hildebrand Deputy

Book 2014 Page 30

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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 2014-006

Vacation of County Easement in Section 34 & 35-T87N-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 the following described easements, 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 6th day of January, 2014, enters the following order in regard to the aforementioned road vacation proceedings.

The Board of Supervisors orders the following described easements to be closed and vacated. Said easement is described as follows:

That portion of a County Road established in Supervisors Minutes Book G, Page 205 and 217 in the Office of the Delaware County Auditor, lying between the South right of way line of 330th Street and the Westerly right of way line of 140th Avenue as described in Deed Book 78, Page 476 in the Office of the Delaware County Recorder, Section Thirty-four (34), Township Eighty-seven North (T87N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and said road is 66.00 feet wide, 33.00 feet on each side of the following described centerline:

COMMENCING at the Southeast corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Thirty-four (34), Township Eighty-seven North (T87N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence North 00°-08'-28" East 510.15 feet along the East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section Thirty-four (34);

Thence North 20°-05'-06" West 40.69 feet along the centerline of said County Road established in Supervisors Minutes Book G, Page 205 and 217 to the **POINT OF BEGINNING**, point also being on said Westerly right of way line of 140th Avenue;

Thence continuing along said centerline North 20°-05'-06" West 37.30 feet to a point of curvature;

Thence continuing along said centerline and along a circular curve concave Northeasterly for an arc length of 158.48 feet, said circular curve having a central angle of 19°-17'-51", a radius of 470.55 feet, a chord bearing of North 10°-26'-11" West and a chord length of 157.74 feet to a point of tangency;

Thence continuing along said centerline North 00°-47'-15" West 553.38 feet to the South right of way line of 330th Street;

The East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4), Section Thirty-four (34), Township Eighty-seven North (T87N), Range Six West (R6W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear North 00°-08'-28" East.

That portion of a County Road established in Road Book 1, Page 202 in the Office of the Delaware County Auditor, lying between the South right of way line of 330th Street and the Westerly right of way line of 140th Avenue as

described in Deed Book 78, Page 476 in the Office of the Delaware County Recorder, Section Thirty-four (34) and Thirty-five (35), Township Eighty-seven North (T87N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and said road is 66.00 feet wide, 33.00 feet on each side of the following described centerline:

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Thence North 00°-08'-28" East 617.99 feet along the East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section Thirty-four (34) to the **POINT OF BEGINNING,** point also being on said Westerly right of way line of 140th Avenue;

Thence North 00°-08'-28" East 673.63 feet along the centerline of said County Road established in Road Book 1, Page 202 to the South right of way line of 330th Street;

The East line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4), Section Thirty-four (34), Township Eighty-seven North (T87N), Range Six West (R6W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear North 00°-08'-28" East.

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

SO ORDERED THIS 6th DAY OF JANUARY, 2014;

Board of Supervisors

Jerry Ries

Jerry Ries, Chairperson

Shirley E. Helmrichs

Shirley E. Helmrichs

Jeff Madlom

Jeff Madlom

DELAWARE COUNTY IOWA OFFICIAL SEAL

Attest:

Carla K. Becker

Carla K. Becker, Delaware County Auditor

On this 6th day of January, 2014, 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 3, as passed by the Board of Supervisors on the 6th day of January, 2014 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: 3/25/2015

Seal:

NOTARIAL SEAL IOWA

ANNE RAVE
Commission Number 757587
MY COMMISSION EXPIRES
MARCH 25, 2015

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

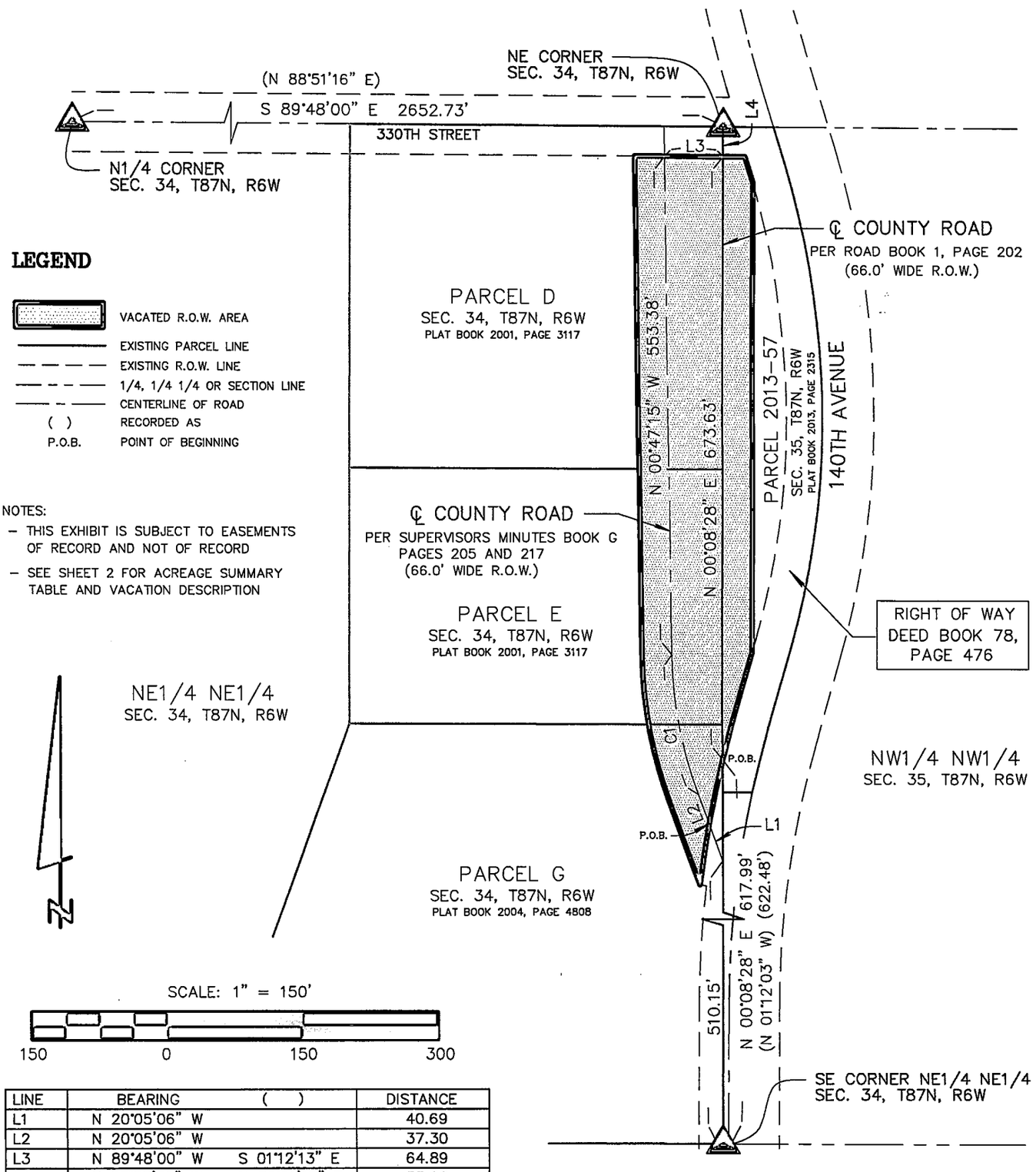
DELAWARE COUNTY ENGINEERS OFFICE
RIGHT OF WAY VACATION
EXHIBIT A

SECTION 34 & 35 **TOWNSHIP** 87 NORTH **RANGE** 6 WEST

EXCESS – RIGHT OF WAY ACRES (EASEMENT) 1.99 ACRES +/-

ACQUIRED FROM ORIGINAL ROAD ESTABLISHMENT – SUPERVISORS MINUTES BOOK G, PAGE 205 AND PAGE 217 AND ROAD BOOK 1, PAGE 202

PROPRIETORS SEE ACREAGE SUMMARY TABLE



LEGEND

- VACATED R.O.W. AREA
- EXISTING PARCEL LINE
- 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

NOTES:
- THIS EXHIBIT IS SUBJECT TO EASEMENTS OF RECORD AND NOT OF RECORD
- SEE SHEET 2 FOR ACREAGE SUMMARY TABLE AND VACATION DESCRIPTION

SCALE: 1" = 150'

150 0 150 300

LINE	BEARING	( )	DISTANCE
L1	N 20°05'06" W		40.69
L2	N 20°05'06" W		37.30
L3	N 89°48'00" W	S 01°12'13" E	64.89
L4	S 00°08'28" W	N 88°51'16" E	33.00

CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING
C1	158.48	19°17'51"	470.55	157.74	N 10°26'11" W

ACREAGE SUMMARY TABLE

LEGAL DESCRIPTION	PROPRIETOR	R.O.W. ACRES VACATED
PARCEL D SEC. 34, T87N, R6W	JASON STEPANEK & TRACY STEPANEK	0.76 +/-
PARCEL E SEC. 34, T87N, R6W	BRET J. & JENNIFER L. HAUGHENBURY	0.58 +/-
PARCEL G SEC. 34, T87N, R6W	DANIEL JOHN & MARIE R. HENDERSON	0.19 +/-
PARCEL 2013-57 SEC. 35, T87N, R6W	BRET J. & JENNIFER L. HAUGHENBURY	0.46 +/-

EASEMENT VACATION DESCRIPTION

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