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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Legal Description on Page 2

PREPARER: Nick Strittmatter 123 East First Street PO Box 229 Monticello,IA 52310 Ph 319-465-3531
RETURN TO: Preparer

AFFIDAVIT RE: PUBLICATION OF NOTICE OF INTENT TO VACATE PLAT

STATE OF IOWA, COUNTY OF JONES) ss:

I, Nick Strittmatter, first being duly sworn on oath, depose and state:

1. I have been a practicing Attorney in Monticello, Iowa, since 1978.

2. John V. Ries and Ruth E. Ries, husband and wife, are the owners of a certain real estate in Delaware County, Iowa, known as *"THE RIES ADDITION", AN ADDITION TO DELAWARE COUNTY, IOWA*, the legal description of which is set forth on Exhibit A attached to this Affidavit.

3. Also attached is an Affidavit, marked Exhibit B, from the publisher of the Delaware County Leader, an official newspaper of Delaware County, Iowa, showing that a Notice of Intent to Vacate Plat was published in said newspaper on May 19 and 26, 2015 reflecting the intent of John V. Ries and Ruth E. Ries to vacate and to declare the Plat known as *"THE RIES ADDITION", AN ADDITION TO DELAWARE COUNTY, IOWA,* null and void.

4. That the vacating of the aforementioned Plat has been done with the full knowledge of and in consultation with the Delaware County Auditor.

5. That the Plat originally known as *"THE RIES ADDITION", AN ADDITION TO DELAWARE COUNTY, IOWA*, has been and should now be considered vacated and declared to be null and void.

Dated this 5th day of June, 2015.

STRITTMATTER LAW FIRM

By: _____
NICK STRITTMATTER
123 East Main Street, P.O. Box 229
Monticello, IA 52310
Phone: (319) 465-3531

ATTORNEY FOR JOHN V. RIES AND RUTH E. RIES

This AFFIDAVIT RE: PUBLIC NOTICE OF INTENT TO VACATE PLAT was acknowledged before me this 6th day of June, 2015, by NICK STRITTMATTER.

VICKY L MULLER
Commission Number 787987
My Commission Expires
January 21, 2018

_____
VICKY L. MULLER, Notary Public

EXHIBIT A

"THE RIES ADDITION", AN ADDITION TO DELAWARE COUNTY, IOWA, is located on and includes a part of the East 5 acres of the North 12.5 acres of the SE¼ NW¼ Section 18, Township 87 North, Range 3 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

"Commencing at the Northeast corner SE¼ NW¼ 18-87-3; thence West along the North line said SE¼ NW¼ 18-87-3 to the East line of Andrew Street extended from Williamson's Addition to Hopkinton, Iowa; thence South along said East line to a point 342 feet North of the Northwest corner of Lot 34 in said addition which is the place of beginning; thence South 342 feet along said East line to the Northwest corner of said Lot 34; thence East 276 feet along the North line of said Williamson's addition; thence North 150 feet along a line parallel to East line of Andrew Street extension; thence West 156 feet along a line parallel to North line said Williamson's addition; thence North 192 feet along a line parallel to East line of Andrew Street extension; thence West 120 feet along a line parallel to the North line of Williamson's Addition to the place of beginning."

EXHIBIT B

Notarization

State of Iowa, Delaware County, ss

I, Mary Helle, being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for 2 consecutive weeks beginning May 19, 2015, and ending May 26, 2015.

PRINTERS FEES: $ 23.42

Mary Helle

Subscribed in my presence and sworn to before me by Mary Helle on this 26th day of May, 2015.

Cathy S Harris

Notary Public

CATHY S. HARRIS
Commission Number 731078
My Commission Expires
October 19, 2016

Legal Notice

NOTICE OF INTENT TO VACATE PLAT

On this 14th day of May, 2015, JOHN V. RIES and RUTH E. RIES, husband and wife, hereby state they are the owners of property legally described as: **"THE RIES ADDITION", AN ADDITION TO DELAWARE COUNTY, IOWA, is located on and includes a part of the East 5 acres of the North 12.5 acres of the SE¼ NW¼ Section 18, Township 87 North, Range 3 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:**

"Commencing at the Northeast corner SE¼ NW¼ 18-87-3; thence West along the North line said SE¼ NW¼ 18-87-3 to the East line of Andrew Street extended from Williamson's Addition to Hopkinton, Iowa; thence South along said East line to a point 342 feet North of the Northwest corner of Lot 34 in said addition which is the place of beginning; thence South 342 feet along said East line to the Northwest corner of said Lot 34; thence East 276 feet along the North line of said Williamson's addition; thence North 150 feet along a line parallel to East line of Andrew Street extension; thence West 156 feet along a line parallel to North line said Williamson's addition; thence North 192 feet along a line parallel to East line of Andrew Street extension; thence West 120 feet along a line parallel to the North line of Williamson's Addition to the place of beginning."

That a Plat concerning the above-described real estate was filed on September 8, 1967, in Book 2, Page 142 of the Delaware County Recorder Records.

That no property has been transferred subject to the Plat and no easement or roadway or street has been used by the public. Although in the initial platting process, a 30 foot wide street known as Pineview Street was dedicated to the public use, this street was never accepted by Delaware County nor has Delaware County ever improved or maintained the street.

Therefore, pursuant to Iowa Code sections 354.22 and 354.23, the undersigned hereby vacate said Plat and declare said Plat to be null and void.

JOHN V. RIES and RUTH E. RIES, Proprietors
Date of Second Publication 26th day of May, 2015.