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Daneen Schindler, 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 No. 2017-019

Vacation of Excess Easement in Section 1-T89N-R3W, 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, 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 27th day of February, 2017, enters the following order in regard to the aforementioned easement vacation proceedings.

The Board of Supervisors orders the following described easement to be closed and vacated. Said easement is described as follows on the attached Exhibit B.

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

SO ORDERED THIS 27th DAY OF February, 2017;

Board of Supervisors

Jeff Madlom, Chairperson

Peter Buschmann

Shirley E. Helmrichs

DELAWARE COUNTY IOWA OFFICIAL SEAL

Attest:

Carla K. Becker, Delaware County Auditor

On this 27th day of February, 2017, before me Anne Rave, a notary public in and for the State of Iowa appeared Jeff Madlom, Peter Buschmann, 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 27th day of February, 2017 and, Jeff Madlom, Peter Buschmann, 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.

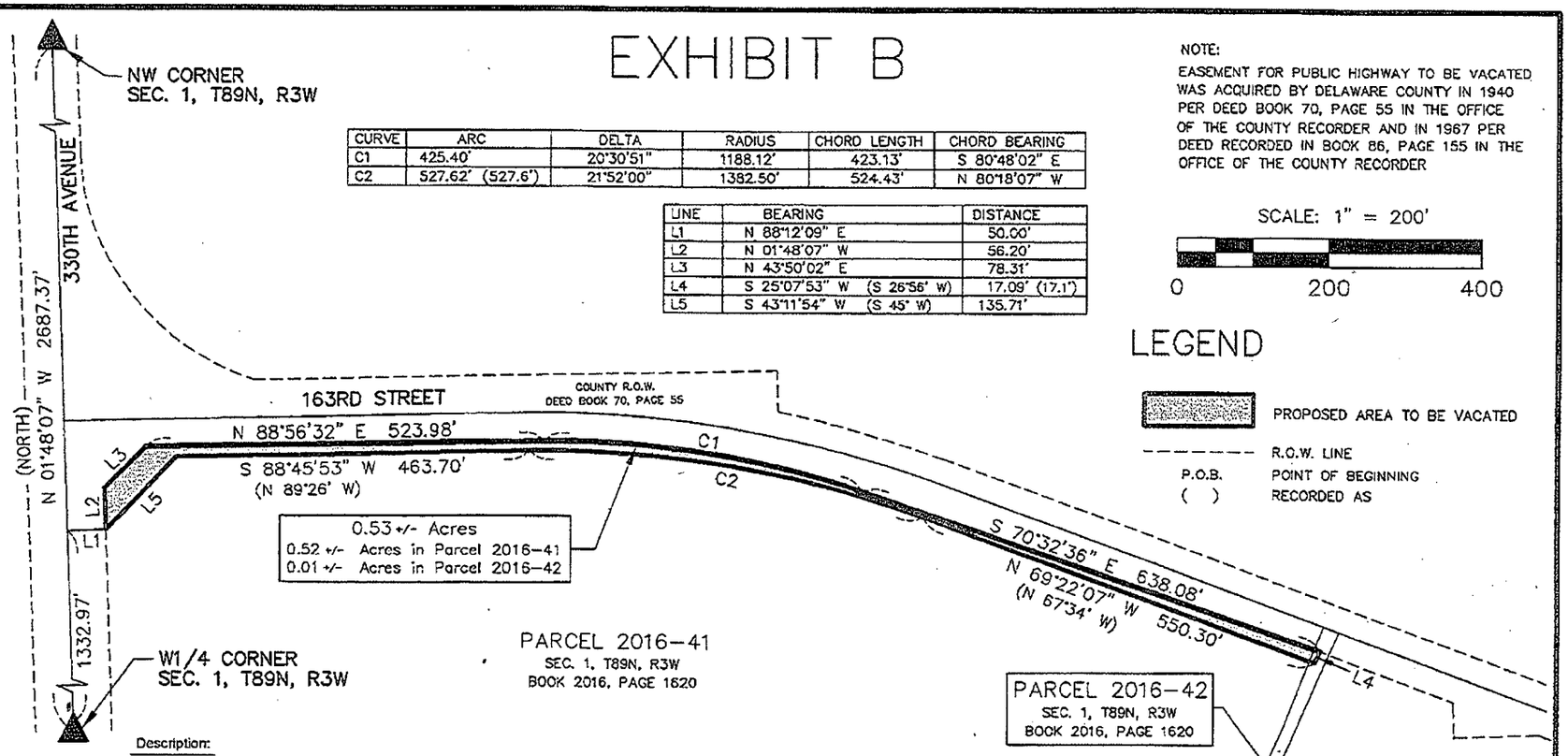
Anne Rave

Notary Public Anne Rave
My Commission Expires: 3/25/2018

Seal: NOTARIAL SEAL IOWA

ANNE RAVE
Commission Number 757587
My Commission Expires
March 25, 2018

EXHIBIT B



CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING
C1	425.40'	20°30'51"	1188.12'	423.13'	S 80°48'02" E
C2	527.62' (527.6')	21°52'00"	1382.50'	524.43'	N 80°18'07" W

LINE	BEARING	DISTANCE
L1	N 88°12'09" E	50.00'
L2	N 01°48'07" W	56.20'
L3	N 43°50'02" E	78.31'
L4	S 25°07'53" W (S 26°56' W)	17.09' (17.1')
L5	S 43°11'54" W (S 45° W)	135.71'

NOTE:
EASEMENT FOR PUBLIC HIGHWAY TO BE VACATED WAS ACQUIRED BY DELAWARE COUNTY IN 1940 PER DEED BOOK 70, PAGE 55 IN THE OFFICE OF THE COUNTY RECORDER AND IN 1967 PER DEED RECORDED IN BOOK 86, PAGE 155 IN THE OFFICE OF THE COUNTY RECORDER

SCALE: 1" = 200'

0 200 400

LEGEND

PROPOSED AREA TO BE VACATED
R.O.W. LINE
P.O.B. POINT OF BEGINNING
( ) RECORDED AS

Description:

A portion of the Easement for Public Highway along 163rd Street and 330th Avenue located in Parcel 2016-41 and Parcel 2016-42 of Section 1, T89N, R3W of the Fifth Principal Meridian, Delaware County, Iowa and more particularly described by metes and bounds as follows:
COMMENCING at the W1/4 corner of Section 1, T89N, R3W of the Fifth Principal Meridian, Delaware County, Iowa;
Thence North 01°-48'-07" West 1332.97 feet along the West line of the Northwest Fractional Quarter (NW Frl.1/4) of said Section One (1);
Thence North 88°-12'-09" East 50.00 feet to the POINT OF BEGINNING;
Thence North 01°-48'-07" West 56.20 feet;
Thence North 43°-50'-02" East 78.31 feet;
Thence North 88°-56'-32" East 523.98 feet;
Thence along a circular curve concave Southerly for an arc length of 425.40 feet, said circular curve having a central angle of 20°-30'-51", a radius of 1188.12 feet, a chord bearing of South 80°-48'-02" East and a chord length of 423.13 feet;
Thence South 70°-32'-36" East 638.08 feet to a right of way line of 163rd Street;
Thence South 25°-07'-53" West 17.09 feet along a right of way line and to a Southerly right of way corner of said 163rd Street;
Thence North 69°-22'-07" West 550.30 feet along a Southerly right of way line of said 163rd Street;
Thence along a Southerly right of way line of said 163rd Street and along a circular curve concave Southerly for an arc length of 527.62 feet, said circular curve having a central angle of 21°-52'-00", a radius of 1382.50 feet, a chord bearing of North 80°-18'-07" West and a chord length of 524.43 feet;
Thence South 88°-45'-53" West 463.70 feet along a Southerly right of way line and to a Southerly right of way corner of said 163rd Street;
Thence South 43°-11'-54" West 135.71 feet along a Southerly right of way line of said 163rd Street to the POINT OF BEGINNING, containing 0.53 acres more or less;
The West line of the Northwest Fractional Quarter (NW Frl.1/4) of Section 1, T89N, R3W of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear: North 01°-48'-07" West.