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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. 2017-020

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 C.

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 OFFICIAL SEAL IOWA

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.

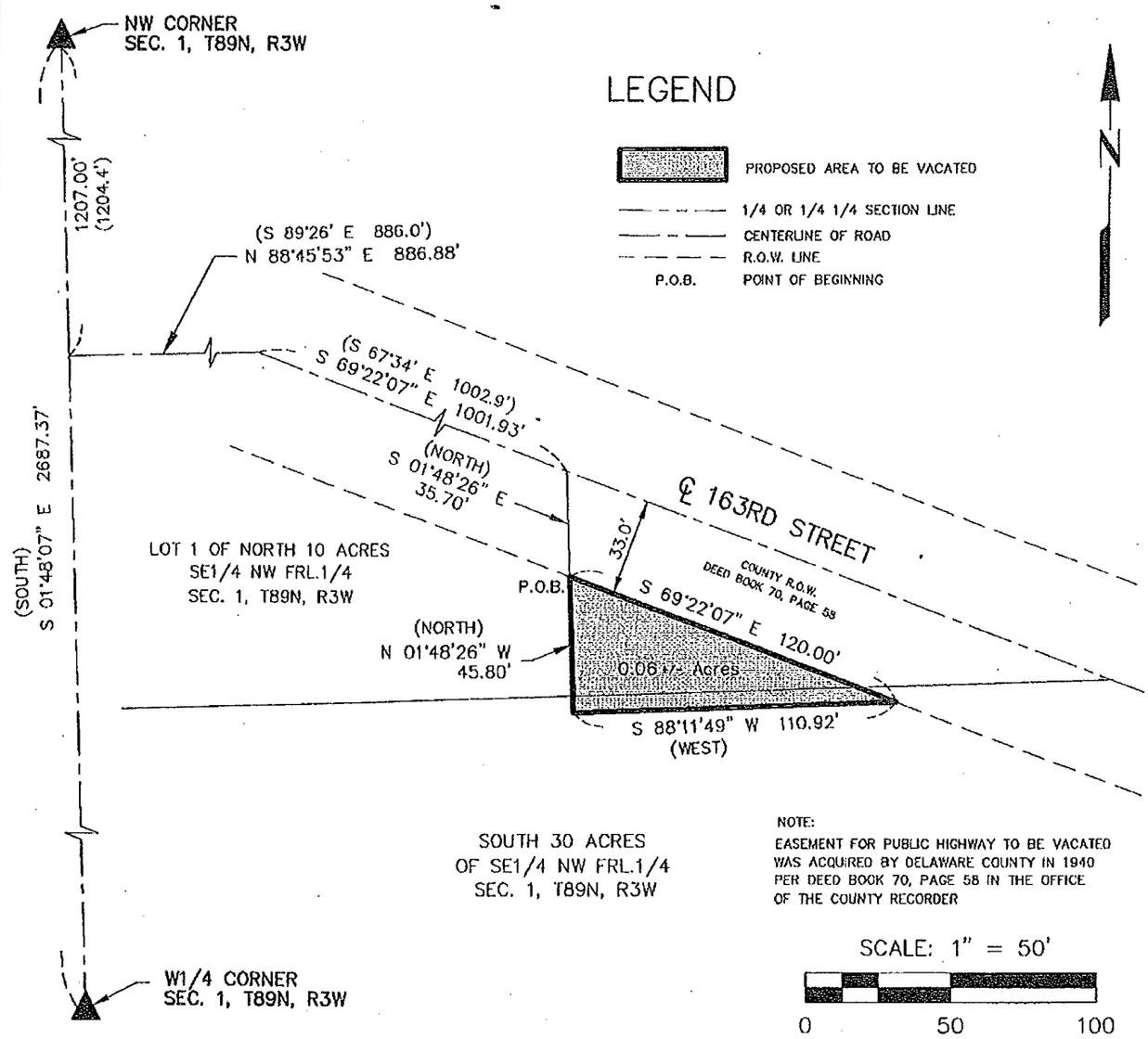
Anne Rave

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 C



Description:

A portion of the Easement for Public Highway along 163rd Street located in Lot 1 of the North 10 acres of the Southeast Quarter (SE1/4) of the Northwest Fractional Quarter (NW Frl.1/4) and in the South 30 acres of said Southeast Quarter (SE1/4) of the Northwest Fractional Quarter (NW Frl.1/4), all in 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 Northwest corner of Section 1, T89N, R3W of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 01°-48'-07" East 1207.00 feet along the West line of the Northwest Fractional Quarter (NW Frl.1/4) of said Section One (1) to the centerline of 163rd Street;

Thence North 88°-45'-53" East 886.88 feet along a centerline tangent of said 163rd Street;

Thence South 69°-22'-07" East 1001.93 feet along a centerline tangent of said 163rd Street;

Thence South 01°-48'-26" East 35.70 feet to the POINT OF BEGINNING;

Thence South 69°-22'-07" East 120.00 feet to a Southerly right of way line of 163rd Street;

Thence South 88°-11'-49" West 110.92 feet along said Southerly right of way line;

Thence North 01°-48'-26" West 45.80 feet along a right of way line of said 163rd Street to the POINT OF BEGINNING, containing 0.06 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: South 01°-48'-07" East