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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. 2017-021

Vacation of Excess Easement in Section 4-T88N-R5W, 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 A.

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:

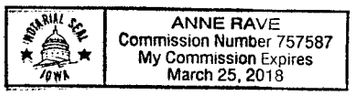
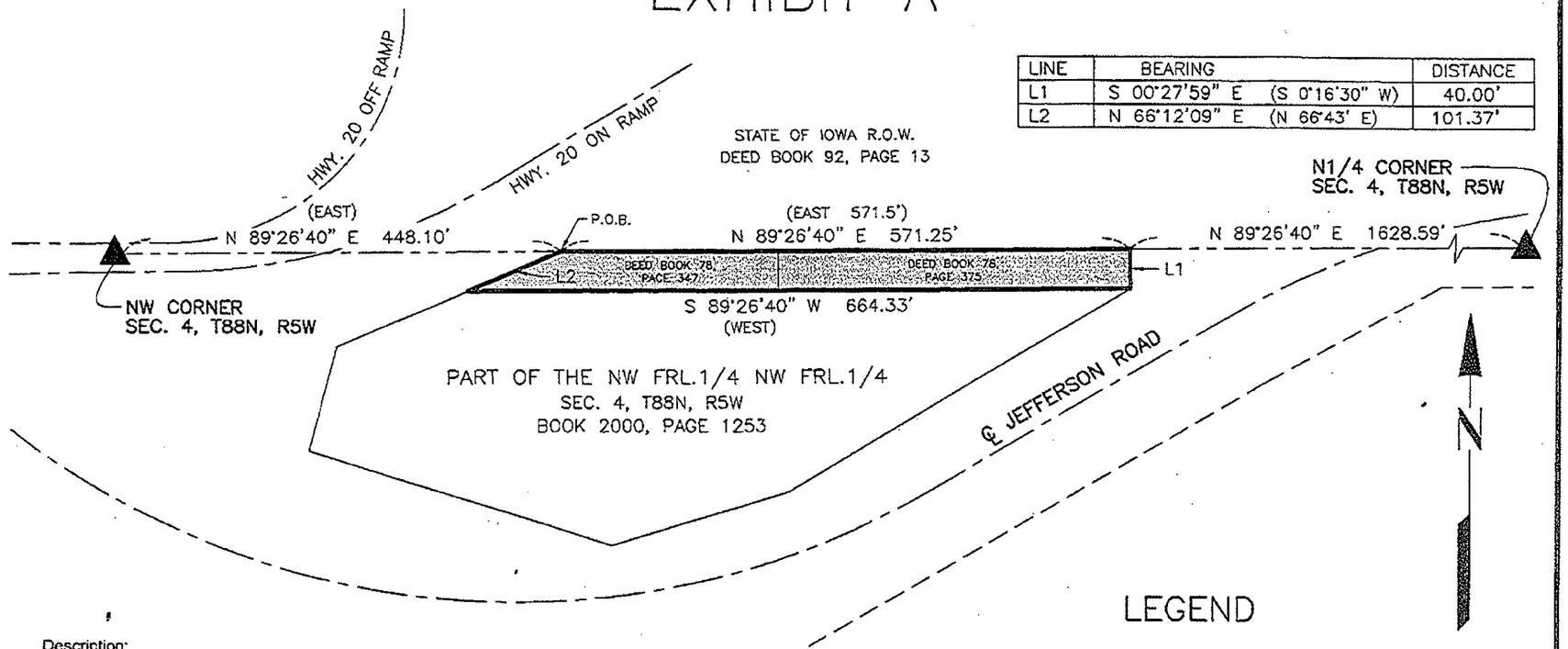


EXHIBIT A



LINE	BEARING	DISTANCE
L1	S 00°27'59" E (S 0°16'30" W)	40.00'
L2	N 66°12'09" E (N 66°43' E)	101.37'

Description:

A portion of the Easement for Public Highway along Jefferson Road located in Section 4, T88N, R5W 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 4, T88N, R5W of the Fifth Principal Meridian, Delaware County, Iowa;
Thence North 89°-26'-40" East 448.10 feet along the North line of the Northwest Fractional Quarter (NW Frl.1/4) of said Section Four (4) to the POINT OF BEGINNING, said corner also being a Northerly corner of a parcel of land described by deed in Book 2000, Page 1253 in the Office of the Delaware County Recorder;
Thence North 89°-26'-40" East 571.25 feet along said North line and to the Northeasterly corner of said parcel of land;
Thence South 00°-27'-59" East 40.00 feet along an Easterly line and to an Easterly corner of said parcel of land, said corner also being on a Southerly line of an easement for public highway;
Thence South 89°-26'-40" West 664.33 feet along said Southerly line of an easement for public highway to a Westerly line of said parcel of land;
Thence North 66°-12'-09" East 101.37 feet along a Westerly line of said parcel of land to the POINT OF BEGINNING, containing 0.57 acres more or less;
The North line of the Northwest Fractional Quarter (NW Frl.1/4) of Section 4, T88N, R5W of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear: North 89°-26'-40" East.

LEGEND

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

NOTE:
EASEMENT FOR PUBLIC HIGHWAY TO BE VACATED WAS ACQUIRED BY DELAWARE COUNTY IN 1956 PER DEED BOOK 78, PAGE 375 AND DEED BOOK 78, PAGE 347 IN THE OFFICE OF THE COUNTY RECORDER

SCALE: 1" = 150'

0 150 300