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Book 2023 Page 675 Type 06 022 Pages 5  
Date 4/06/2023 Time 2:51:01PM  
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BRANDY MACUMBER, COUNTY RECORDER  
MADISON COUNTY IOWA

## Road Vacation Recorder's Cover Sheet

**Preparer Information:** Mike Hackett, 1105 E Court Ave Winterset, IA 50273 515-462-1136

**Taxpayer Information:** 1.) Scott Curtis Zetterberg, 409 N 1<sup>st</sup> Street, Winterset, IA 50273  
2.) Roger L. & Victoria M. Hutton, 2518 Violet Ln, Saint Charles, IA 50240

**Return Document To:** Madison County Secondary Roads Dept. 1105 E Court Ave, Winterset, IA 50273

**Grantors:** Madison County Iowa, 112 John Wayne Dr., Winterset, IA 50273

**Grantees:** 1.) Scott Curtis Zetterberg, 409 N 1<sup>st</sup> Street, Winterset, IA 50273  
2.) Roger L. & Victoria M. Hutton, 2518 Violet Ln, Saint Charles, IA 50240

**Legal Description:** See Attached: Exhibit A & Exhibit B

**Document or instrument number of previously recorded documents:**

**SR – RESOLUTION – 03-28-2023 - A**

WHEREAS, Chapter 306 of the Code of Iowa provides that the Board of Supervisors shall have authority to establish, alter and vacate any highway under its jurisdiction and;

WHEREAS, a public hearing was held in the in the Meeting Room, Lower Level of Madison County Annex, 201 West Court in Winterset, Iowa 50273, at **10:00 o'clock A.M., March 28, 2023**, pursuant to notice, in regard to vacating and abandoning any right, title or interest in the unincorporated town of West St. Charles (now called Hanley). The description of the road is as follows:

**Original Town of West St. Charles (now called Hanley)**

That part of Alley of the Original Town of West St. Charles (now called Hanley) platted December 9, 1887, recorded in Book 4, Page 138, on file in the Madison County Recorder's Office, Madison County, Iowa, vacation of the Alley described as follows:

The Alley in Block 10, lying East of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

WHEREAS, Madison County proposes to convey by this Resolution portions of said Alley being vacated to:

1. Scott Curtis Zetterberg, which persons are the owners of the real estate adjacent to the part of the Alley vacated and described as follows: SEE EXHIBIT "A".
2. Roger L. Hutton and Victoria M. Hutton, which persons are the owners of the real estate adjacent to the part of the Alley vacated and described as follows: SEE EXHIBIT "B".

WHEREAS, written and oral objections or claims for damages were received and reviewed, see attachment;

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Madison County, Iowa;

1. That various streets and alleys as described above in the unincorporated town of West St. Charles (now called Hanley), Madison County, Iowa, is hereby vacated and declared vacated, and any right, title or interest be abandoned subject to continuation of a right of prescriptive easement for any and all presently existing utilities in possession of the streets and alleys herein vacated and abandoned as pursuant to the provision of Iowa Code Section 354.23 of the Code of Iowa.

2. That Madison County, Iowa, hereby conveys to Scott Curtis Zetterberg, all real estate adjacent to the part of the Alleys vacated and described below in EXHIBIT "A".

**EXHIBIT "A"**

That part of Alley of the Original Town of West St. Charles (now called Hanley) platted December 9, 1887, recorded in Book 4, Page 138, on file in the Madison County Recorder's Office, Madison County, Iowa, vacation of the Alley described as follows:

The Alley in Block 10, lying East of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

3. That Madison County, Iowa, hereby conveys to Roger L. Hutton and Victoria M. Hutton, all real estate adjacent to the part of the Alleys vacated and described below in EXHIBIT "B".

**EXHIBIT "B"**

That part of Alley of the Original Town of West St. Charles (now called Hanley) platted December 9, 1887, recorded in Book 4, Page 138, on file in the Madison County Recorder's Office, Madison County, Iowa, vacation of the Alley described as follows:

The Alley in Block 10, lying East of Lots 14.

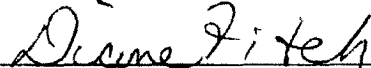
4. This instrument and resolution shall be filed and indexed as a conveyance by the Recorder and Auditor of Madison County, Iowa.

MADISON COUNTY BOARD OF SUPERVISORS

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Phillip Clifton, Chairman

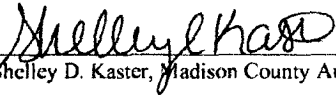


Diane Fitch, Supervisor



Heather Stancil, Supervisor

ATTEST:



Shelley D. Kaster, Madison County Auditor

NAY

Phillip Clifton, Chairman

Diane Fitch, Supervisor

Heather Stancil, Supervisor

DATE 3/28/23

# ATTACHMENT

WHEREAS, Chapter 306 of the Code of Iowa provides that the Board of Supervisors shall have authority to establish, alter and vacate any highway under its jurisdiction and;

WHEREAS, written and oral objections or claims for damages were received and reviewed, as follows or see attached:

<u>NAME</u>	<u>ADDRESS</u>
NONE	NONE