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COMPUTER	✓
RECORDED	✓
COMPARED	—

MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

✓ Prepared By: Todd R. Hagan, P.E., Madison County Engineer, 1105 E. Court Ave., Winterset, Iowa 50273, Telephone: (515) 462-1136

RESOLUTION

WHEREAS, this Resolution shall correct three (3) scrivener's errors in the original Resolution filed the 10th day of November, 2005, in Book 2005, Page 5459, at the Madison County Recorder's Office, Madison County, Iowa. The first scrivener's error is in the legal description of the attached EXHIBIT "C". The second scrivener's error is an oversight in listing and conveying the owners of real estate adjacent to the part of the streets and alleys to be vacated as described in EXHIBIT "F". The third scrivener's error is an oversight in the attachment of EXHIBIT "F".

WHEREAS, the Recorder of Madison County, Iowa and the Auditor of Madison County, Iowa shall place a notation on the original Resolution filed the 10th day of November, 2005, in Book 2005, Page 5459, at the Madison County Recorder's Office, Madison County, Iowa, showing the date of filing and Book and Page of the recording of this Resolution.

WHEREAS, the three (3) scrivener's errors shall be corrected by replacing all of the text and attachments of the original Resolution filed the 10th day of November, 2005, in Book 2005, Page 5459, at the Madison County Recorder's Office, Madison County, Iowa, WITH THE FOLLOWING TEXT AND ATTACHMENTS:

WHEREAS, Chapter 306 of the Code of Iowa provides that the Madison County Board of Supervisors proposed to vacate by this Resolution various streets and alleys in the unincorporated Town of Barney, Madison County, Iowa, and;

WHEREAS, a public hearing was held in the office of the Madison County Board of Supervisors at 10:00 a.m., November 8, 2005, pursuant to notice, in regard to vacating and abandoning any right, title or interest in various streets and alleys in the unincorporated Town of Barney, Madison County, Iowa, described in EXHIBIT "A", and;

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

1. Raymond E. and Doris P. Ricketts, which persons are the owners of the real estate adjacent to the part of the streets and alleys to be vacated and described as follows: SEE EXHIBIT "B".

RESOLUTION CONTINUED

2. John Wayne and Sandra Harper, which persons are the owners of the real estate adjacent to the part of the streets and alleys to be vacated and described as follows: SEE EXHIBIT "C".
3. Francis Platt, which person is the owners of the real estate adjacent to the part of the streets and alleys to be vacated and described as follows: SEE EXHIBIT "D".
4. Joseph F. Jr. and Sheryl J. Corfits, which persons are the owners of the real estate adjacent to the part of the streets and alleys to be vacated and described as follows: SEE EXHIBIT "E".
5. Matthew and Shannon Harper, which persons are the owners of the real estate adjacent to the part of the streets and alleys to be vacated and described as follows: SEE EXHIBIT "F".

WHEREAS, written and oral objections or claims for damages were received and reviewed, see attached.

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

1. That various streets and alleys as described in EXHIBIT "A" in the unincorporated Town of Barney, 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 Raymond E. and Doris P. Ricketts, all real estate adjacent to the part of the streets and alleys vacated and described in EXHIBIT "B".
3. That Madison County, Iowa, hereby conveys to John Wayne and Sandra Harper, all real estate adjacent to the part of the streets and alleys vacated and described in EXHIBIT "C".
4. That Madison County, Iowa, hereby conveys to Francis Platt, all real estate adjacent to the part of the streets and alleys vacated and described in EXHIBIT "D".
5. That Madison County, Iowa, hereby conveys to Joseph F. Jr. and Sheryl J. Corfits, all real estate adjacent to the part of the streets and alleys vacated and described in EXHIBIT "E".
6. That Madison County, Iowa, hereby conveys to Matthew and Shannon Harper, all real estate adjacent to the part of the streets and alleys vacated and described in EXHIBIT "F".
7. This instrument and Resolution shall be filed and indexed as a conveyance by the Recorder and Auditor of Madison County, Iowa.

RESOLUTION CONTINUED

MADISON COUNTY BOARD OF SUPERVISORS

AYE

NAY

[Signature]

[Signature]

[Signature]

ATTEST: *[Signature]*
Madison County Auditor

DATE: MARCH 7, 2006

EXHIBIT "A"

DESCRIPTION OF STREETS AND ALLEYS

That part of the streets and alleys of the town of Barney platted May 11, 1887, recorded in Book 4, Page 156, Madison County Recorder's Office, Madison County, Iowa, vacation of streets and alleys described as follows:

North Street lying North of Block 1, Block 2, Block 3, and Block 4, from 66 feet West of the northwest corner of Lot 4, Block 4, East to the northeast corner of Lot 1, Block 1.

And

An Alley in Block 4, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 4, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 4, from the northwest corner of Lot 5 Block 4, East to the northeast corner Lot 8, Block 4.

And

An Alley in Block 3, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 3, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 3, from the northwest corner of Lot 5, Block 3, East to the northeast corner Lot 8, Block 3.

And

An Alley in Block 2, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 2, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 2, from the northwest corner of Lot 5, Block 2, East to the northeast corner Lot 8, Block 2.

And

An Alley in Block 1, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 1, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 1, from the northwest corner of Lot 5, Block 1, East to the northeast corner Lot 8, Block 1.

And

Spring Street between Block 4 and Block 5, from the northwest corner of Lot 4, Block 5, East to the northeast corner of Lot 1, Block 5.

And

Spring Street between Block 1 and Block 8, from the northwest corner of Lot 4, Block 8, East to the northeast corner of Lot 1, Block 8.

And

West Street lying West of Block 4, and Block 5, from 66 feet North of the northwest corner of Lot 4, Block 4, South to the northerly line of a Madison County Highway.

And

Madison Street between Block 3 and Block 4, from the northwest corner of Lot 4, Block 3, South to the southwest corner of Lot 5, Block 3.

EXHIBIT "A"

DESCRIPTION OF STREETS AND ALLEYS CONTINUED

And

Center Street between Block 2 and Block 3, from the northwest corner of Lot 4, Block 2, South to the southwest corner of Lot 5, Block 2.

And

Center Street between Block 6 and Block 7, from the northwest corner of Lot 4, Block 7, South to the southwest corner of Lot 5, Block 7.

And

Center Street between Block 10 and the Public Square, from the northwest corner of the Public Square, South to the southwest corner of the Public Square.

And

Oliver Street between Block 1 and Block 2, from the northwest corner of Lot 4, Block 1, South to the southwest corner of Lot 5, Block 1.

And

Oliver Street between Block 9 and the Public Square, from the northwest corner of Lot 16, Block 9, South to the southwest corner of Lot 5, Block 9.

And

An Alley in Block 5, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 5, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 5, from the northwest corner of Lot 5, Block 5, East to the northeast corner Lot 8, Block 5.

And

An Alley in Block 6, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 6, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 6, from the northwest corner of Lot 5, Block 6, East to the northeast corner Lot 8, Block 6.

And

An Alley in Block 7, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 7, and lying North of Lot 5, Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, Lot 12, Lot 13, Lot 14, Lot 15, and Lot 16 of Block 7, from the northwest corner of Lot 5, Block 7, East to the northeast corner Lot 16, Block 7.

And

An Alley in Block 8, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 8, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 8, from the northwest corner of Lot 5, Block 8, East to the northeast corner Lot 8, Block 8.

EXHIBIT "A"

DESCRIPTION OF STREETS AND ALLEYS CONTINUED

And

An Alley in Block 10, lying East of Lot 9 and Lot 10 of Block 10, and lying West of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, and Lot 8 of Block 10, from the northwest corner of Lot 1, Block 10, South to the southwest corner Lot 8, Block 10.

And

An Alley in Block 9, lying East of Lot 5, Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, Lot 12, Lot 13, Lot 14, Lot 15, and Lot 16 of Block 9, and lying West of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 9, from the northwest corner of Lot 1, Block 9, South to the southwest corner Lot 4, Block 9.

And

An Alley between Block 9 and the Rail Road Grounds, from the southwest corner of Lot 5, Block 9, East to the southeast corner of Lot 4, Block 9.

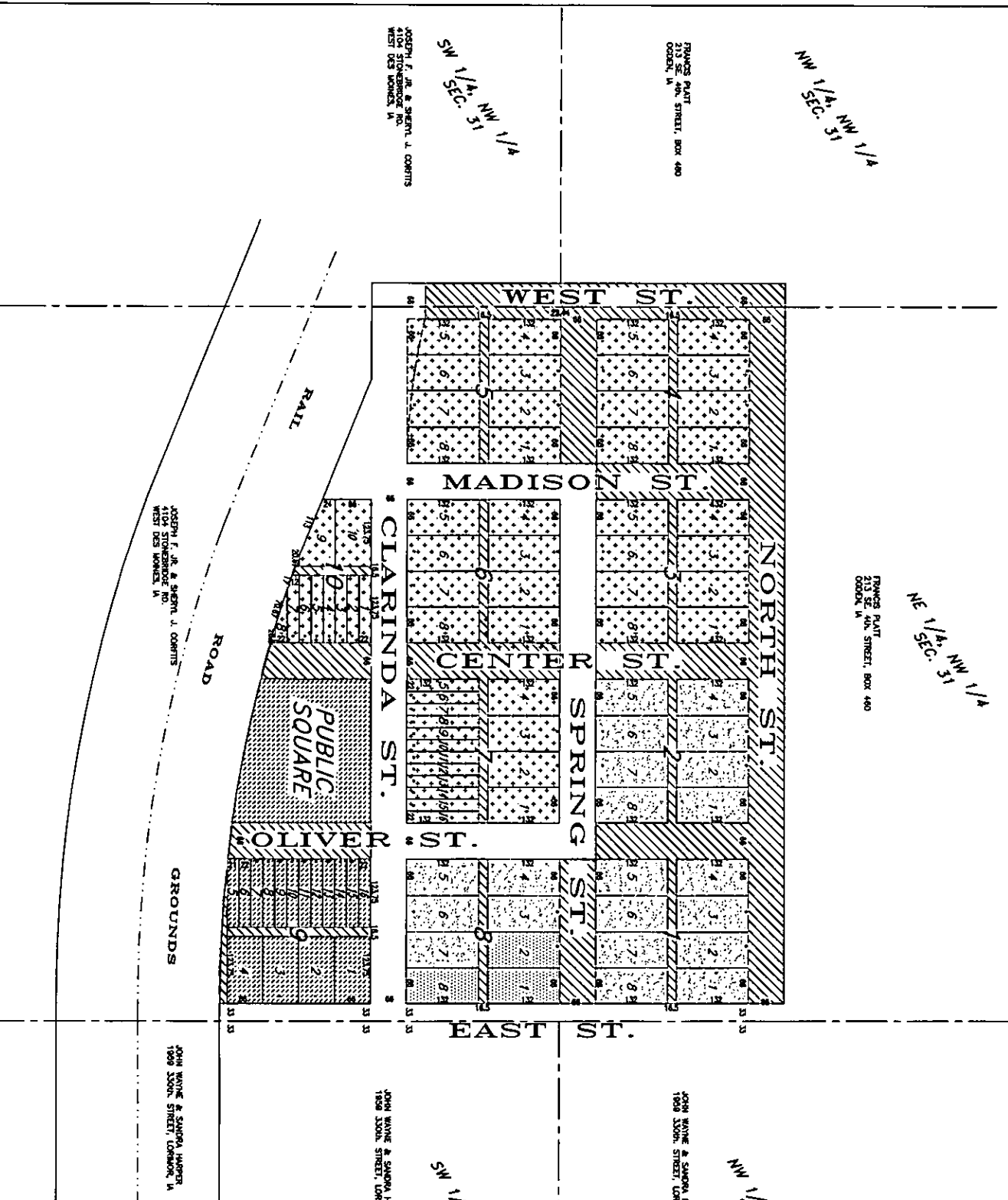
And

An Alley between Block 10 and the Rail Road Grounds, from the southwest corner of Lot 9, Block 10, East to the southeast corner of Lot 8, Block 10.

EXHIBIT "A"

TOWN PLAT OF BARNEY

PROPOSED VACATION



NW 1/4, NW 1/4
SEC. 51

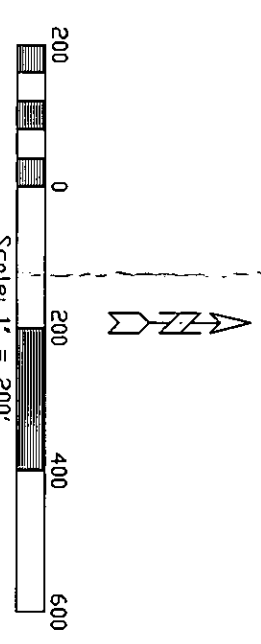
NE 1/4, NE 1/4
SEC. 51

FRANCIS PLATT
213 SE 4th STREET, BOX 480
OAKDALE, IA

FRANCIS PLATT
213 SE 4th STREET, BOX 480
OAKDALE, IA

JOSEPH F. JR. & SHEILA J. COMBES
4104 STONERIDGE RD.
WEST DES MOINES, IA

JOSEPH F. JR. & SHEILA J. COMBES
4104 STONERIDGE RD.
WEST DES MOINES, IA



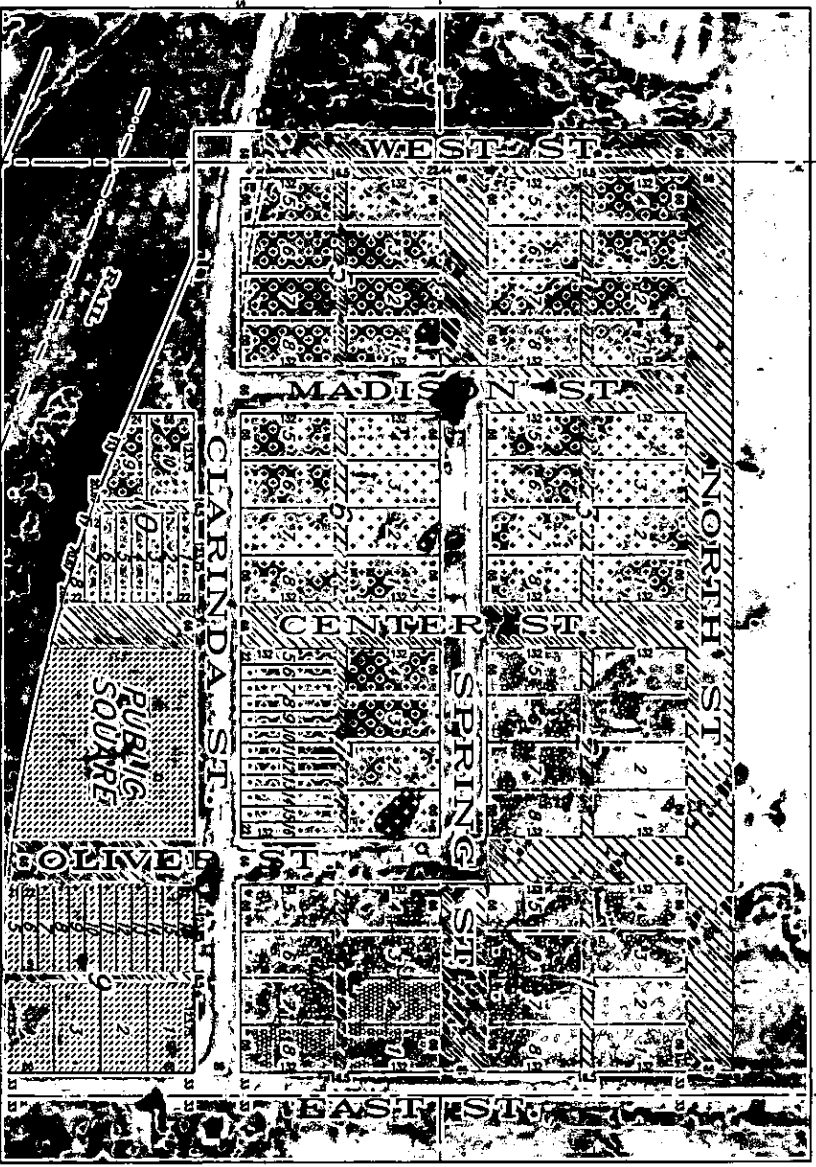
- OWNERSHIP LEGEND**
- JOHN WATNE & SANDRA HARPER
1809 330th STREET, LOANBORO, IA
 - FRANCIS PLATT
213 SE 4th STREET, BOX 480
OAKDALE, IA
 - FRANCIS PLATT
213 SE 4th STREET, BOX 480
OAKDALE, IA
 - MATTHEW & SHANNON HARPER
2071 HIGH SCHOOL DR., WATSON, IA
- PROPOSED VACATION**
- STREETS AND ALLEYS TO BE VACATED.

EXHIBIT "A"
TOWN PLAT OF BARNEY
PROPOSED VACATION

NW 1/4, NW 1/4
 SEC. 31

NE 1/4, NW 1/4
 SEC. 31

FRANCIS PLAT
 213 SE 4th STREET, BOX 460
 OGDEN, IA

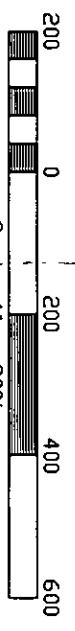


JOSEPH F. DE. & SHERYL J. COOKITS
 4114 STANBROOK RD.
 WEST DES MOINES, IA

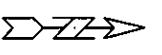
JOSEPH F. DE. & SHERYL J. COOKITS
 4114 STANBROOK RD.
 WEST DES MOINES, IA

JOHN WAIN & SANDRA HUBER
 1928 LYON STREET, LONDON, IA

JOHN WAIN & SANDRA HUBER
 1928 LYON STREET, LONDON, IA



Scale: 1" = 200'
 DATE: OCTOBER 18, 2005



OWNERSHIP LEGEND

- JOHN WAIN & SANDRA HUBER
1928 LYON STREET, LONDON, IA
- RANDOLPH E. & DOBBS P. ROBERTS
118 N. 5th STREET, WINTERSSET, IA
- FRANCIS PLAT
213 SE 4th STREET, BOX 460
OGDEN, IA
- WALTER & SANDRA HUBER
2071 WHEAT SPRING DR., WYOM, IA

PROPOSED VACATION

- STREETS AND ALIENS TO BE VACATED.

EXHIBIT "A"
 STREET AND ALLEY VACATION
 UNINCORPORATED TOWN OF BARNEY

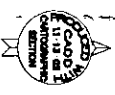
HIGHWAY AND TRANSPORTATION MAP
 MADISON COUNTY
 IOWA

Presented by



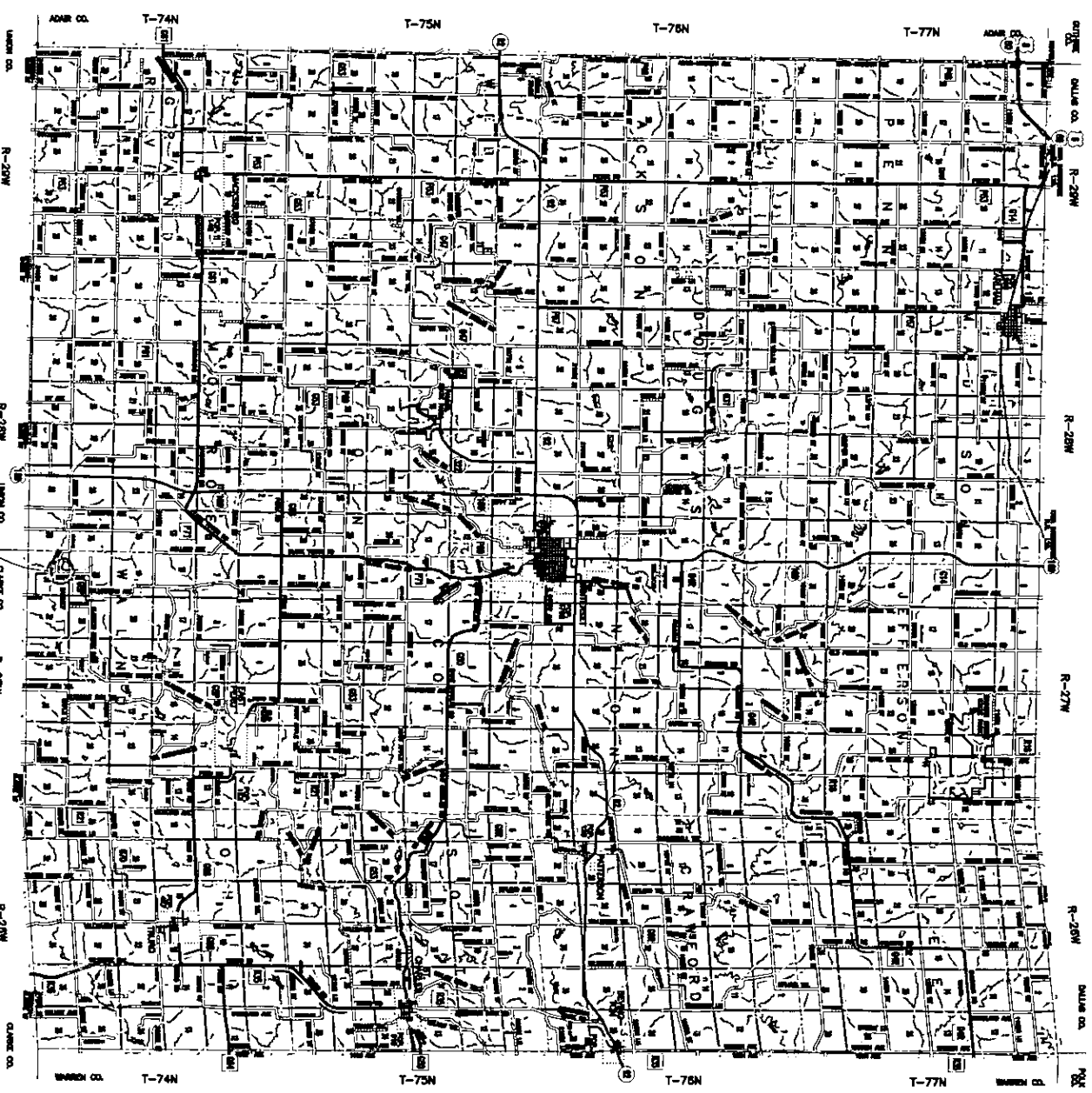
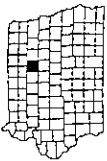
Iowa Department
of Transportation
Phone: (515) 281-1222
In Cooperation With
United States
Department of Transportation

JANUARY 1, 2002



LEGEND

- STATE HIGHWAY
- COUNTY HIGHWAY
- LOCAL HIGHWAY
- STREET
- ALLEY
- VACATED STREET
- VACATED ALLEY
- RIGHT-OF-WAY
- EASEMENT
- SURVEY
- SECTION LINE
- TOWNSHIP LINE
- RANGE LINE
- SECTION NUMBER
- TOWNSHIP LETTER
- RANGE LETTER



STREET AND ALLEY VACATION
 UNINCORPORATED TOWNSHIP
 SECTION 31, T-74N, R-27W

EXHIBIT "B"

DESCRIPTION OF STREETS AND ALLEYS

That part of the streets and alleys of the town of Barney platted May 11, 1887, recorded in Book 4, Page 156, Madison County Recorder's Office, Madison County, Iowa, vacation of streets and alleys described as follows:

The South one half of North Street lying North of Block 3, and Block 4, from 22.44 feet West of the northwest corner of Lot 4, Block 4, East to 33 east of the northeast corner of Lot 1, Block 3.

And

An Alley in Block 4, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 4, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 4, from the northwest corner of Lot 5 Block 4, East to the northeast corner Lot 8 Block 4.

And

An Alley in Block 3, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 3, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 3, from the northwest corner of Lot 5 Block 3, East to the northeast corner Lot 8 Block 3.

And

Spring Street between Block 4 and Block 5, from the northwest corner of Lot 4, Block 5, East to the northeast corner of Lot 1, Block 5.

And

The East 22.44 feet of West Street lying West of Block 4, and Block 5, from the northwest corner of Lot 4, Block 4, South to the northerly line of a Madison County Highway.

And

Madison Street between Block 3 and Block 4, from the northwest corner of Lot 4, Block 3, South to the southwest corner of Lot 5, Block 3.

And

The West one half of Center Street between Block 2 and Block 3, from the northeast corner of Lot 1, Block 3, South to the southeast corner of Lot 8, Block 3.

And

Center Street between Block 6 and Block 7, from the northwest corner of Lot 4, Block 7, South to the southwest corner of Lot 5, Block 7.

And

An Alley in Block 5, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 5, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 5, from the northwest corner of Lot 5, Block 5, East to the northeast corner Lot 8, Block 5.

EXHIBIT "B"

DESCRIPTION OF STREETS AND ALLEYS CONTINUED

And

An Alley in Block 6, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 6, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 6, from the northwest corner of Lot 5 Block 6, East to the northeast corner Lot 8 Block 6.

And

An Alley in Block 7, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 7, and lying North of Lot 5, Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, Lot 12, Lot 13, Lot 14, Lot 15, and Lot 16 of Block 7, from the northwest corner of Lot 5 Block 7, East to the northeast corner Lot 16 Block 7.

And

The West one half of Center Street between Block 10 and the Public Square, from the northeast corner of Lot 1, Block 10, South to the northerly line of the Rail Road Grounds.

And

An Alley in Block 10, lying East of Lot 9 and Lot 10 of Block 10, and lying West of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, and Lot 8 of Block 10, from the northwest corner of Lot 1 Block 10, South to the southwest corner Lot 8 Block 10.

And

An Alley between Block 10 and the Rail Road Grounds, from the southwest corner of Lot 9 Block 10, East to the southeast corner of Lot 8 Block 10.

EXHIBIT "C"

DESCRIPTION OF STREETS AND ALLEYS

That part of the streets and alleys of the town of Barney platted May 11, 1887, recorded in Book 4, Page 156, Madison County Recorder's Office, Madison County, Iowa, vacation of streets and alleys described as follows:

The South one half of Spring Street lying North of Lot 1 and Lot 2, Block 8, from the northwest corner of Lot 2, Block 8, East to the northeast corner of Lot 1, Block 8.

And

An Alley in Block 8, lying South of Lot 1, Block 8, and lying North of Lot 8, Block 8, from the northwest corner of Lot 8, Block 8, East to the northeast corner Lot 8, Block 8.

And

The North one half of an Alley in Block 8, lying South of Lot 2, Block 8, from the southwest corner of Lot 2, Block 8, East to the southeast corner Lot 2, Block 8.

EXHIBIT "D"

DESCRIPTION OF STREETS AND ALLEYS

That part of the streets and alleys of the town of Barney platted May 11, 1887, recorded in Book 4, Page 156, Madison County Recorder's Office, Madison County, Iowa, vacation of streets and alleys described as follows:

The North one half of North Street lying North of Block 1, Block 2, Block 3, and Block 4, from 22.44 feet West of the northwest corner of Lot 4, Block 4, East to the northeast corner of Lot 1, Block 1.

And

The South one half of North Street lying North of Block 1, and Block 2, from 33 feet West of the northwest corner of Lot 4, Block 2, East to the northeast corner of Lot 1, Block 1.

And

The East one half of Center Street between Block 2 and Block 3, from the northwest corner of Lot 4, Block 2, South to the southwest corner of Lot 5, Block 2.

And

Oliver Street between Block 1 and Block 2, from the northwest corner of Lot 4, Block 1, South to the southwest corner of Lot 5, Block 1.

And

An Alley in Block 2, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 2, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 2, from the northwest corner of Lot 5 Block 2, East to the northeast corner Lot 8 Block 2.

And

An Alley in Block 1, lying South of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 1, and lying North of Lot 5, Lot 6, Lot 7, and Lot 8 of Block 1, from the northwest corner of Lot 5 Block 1, East to the northeast corner Lot 8 Block 1.

And

The North one half of Spring Street lying South of Block 1, from the southwest corner of Lot 5, Block 1, East to the southeast corner of Lot 8, Block 1.

And

The South one half of Spring Street lying North of Lot 3 and Lot 4, Block 8, from the northwest corner of Lot 4, Block 8, East to the northeast corner of Lot 3, Block 8.

And

An Alley in Block 8, lying South of Lot 3 and Lot 4 of Block 8, and lying North of Lot 5 and Lot 6 of Block 8, from the northwest corner of Lot 5 Block 8, East to the northeast corner Lot 6 Block 8.

EXHIBIT "D"

DESCRIPTION OF STREETS AND ALLEYS CONTINUED

And

The South on half of an Alley in Block 8, lying North of Lot 7, Block 8, from the northwest corner of Lot 7 Block 8, East to the northeast corner Lot 7 Block 8.

And

The West 43.56 feet of West Street lying West of Block 4 and Block 5, from 66 feet North of the northwest corner of Lot 4, Block 4, South to the northwest corner of Lot 4, Block 5.

EXHIBIT "E"

DESCRIPTION OF STREETS AND ALLEYS

That part of the streets and alleys of the town of Barney platted May 11, 1887, recorded in Book 4, Page 156, Madison County Recorder's Office, Madison County, Iowa, vacation of streets and alleys described as follows:

The West 43.56 feet of West Street lying West of Block 5, from the northwest corner of Lot 4, Block 5, South to the northerly line of a Madison County Highway.

EXHIBIT "F"

DESCRIPTION OF STREETS AND ALLEYS

That part of the streets and alleys of the town of Barney platted May 11, 1887, recorded in Book 4, Page 156, Madison County Recorder's Office, Madison County, Iowa, vacation of streets and alleys described as follows:

The East one half of Center Street lying west of the Public Square, from the northwest corner of the Public Square, South to the southwest corner of the Public Square.

And

Oliver Street between Block 9 and the Public Square, from the northwest corner of Lot 16, Block 9, South to the southwest corner of Lot, 5 Block 9.

And

The West one half of an Alley in Block 9, lying East of Lot 5, Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, and Lot 11 Lot 12, Lot 13, Lot 14, Lot 15, Lot 16, of Block 9, from the northeast corner of Lot 16, Block 9, South to the southeast corner Lot 5, Block 9.

And

The East one half of an Alley in Block 9, lying West of Lot 1, Lot 2, Lot 3, and Lot 4 of Block 9, from the northeast corner of Lot 1, Block 9, South to the southeast corner Lot 4, Block 9.

And

An Alley between Block 9 and the Rail Road Grounds, from the southwest corner of Lot 5 Block 9, East to the southeast corner of Lot 4 Block 9.