

Del. Co. Aud.



Book 2019 Page 359

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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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RESOLUTION NO. 2019-012

Vacation of County Road Right of Way in Section 27-T87N-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 following described road right of way is of any benefit to the public, 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 19th day of February, 2019, enters the following order in regard to the aforementioned road vacation proceedings.

The Board of Supervisors orders the following described public road right of way to be closed and vacated, subject to existing utility easements.

All public road right of way located within Parcel 2018-125 in Section Twenty-seven (27), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa, EXCEPT 0.16 acres more or less of public road right of way that is to be reserved by Delaware County for future use and described by metes and bounds as follows:

COMMENCING at the North Quarter (N1/4) corner of Section Twenty-seven (27), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 89°-57'-06" West 968.73 feet along the North line of the Northwest Quarter (NW 1/4) of said Section Twenty-seven (27) to the centerline of the former Chicago, Milwaukee, St. Paul and Pacific Railroad;

Thence South 17°-03'-47" West 1435.83 feet along said centerline of the former Chicago, Milwaukee, St. Paul and Pacific Railroad to the centerline of 312th Avenue;

Thence North 80°-10'-05" East 51.20 feet along the centerline of said 312th Avenue to the **POINT OF BEGINNING**, corner also being the Southwest corner of Parcel 2018-125 as recorded in Book 2018, Page 3509 in the Office of the County Recorder;

Thence North 17°-10'-23" East 50.38 feet along West line of said Parcel 2018-125;

Thence North 89°-50'-56" East 70.70 feet;

Thence North 80°-10'-05" East 117.62 feet to the East line of said Parcel 2018-125;

Thence South 13°-52'-21" West 36.04 feet along the East line and to the Southeast corner of said Parcel 2018-125;

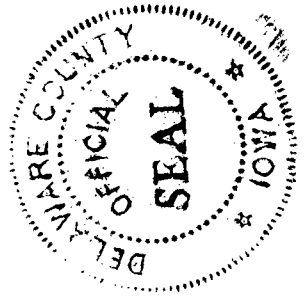
Thence South 80°-10'-05" West 195.70 feet along the South line of said Parcel 2018-125 to the **POINT OF BEGINNING**, containing a total of 0.16 acres more or less. (see attached Exhibit A).

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

SO ORDERED THIS 19th DAY OF FEBRUARY, 2019;

Shirley E. Helmrichs
Shirley Helmrichs, Chairperson
Delaware County Board of Supervisors

Attest: Carla Becker
Carla Becker, Delaware County Auditor



On this 19th day of February, 2019, before me Anne Rave, a notary public in and for the State of Iowa appeared Shirley 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 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 19th day of February, 2019 and Shirley 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
My Commission Expires: 3/25/2021

Seal:

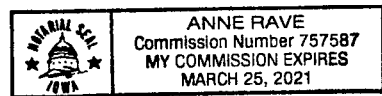
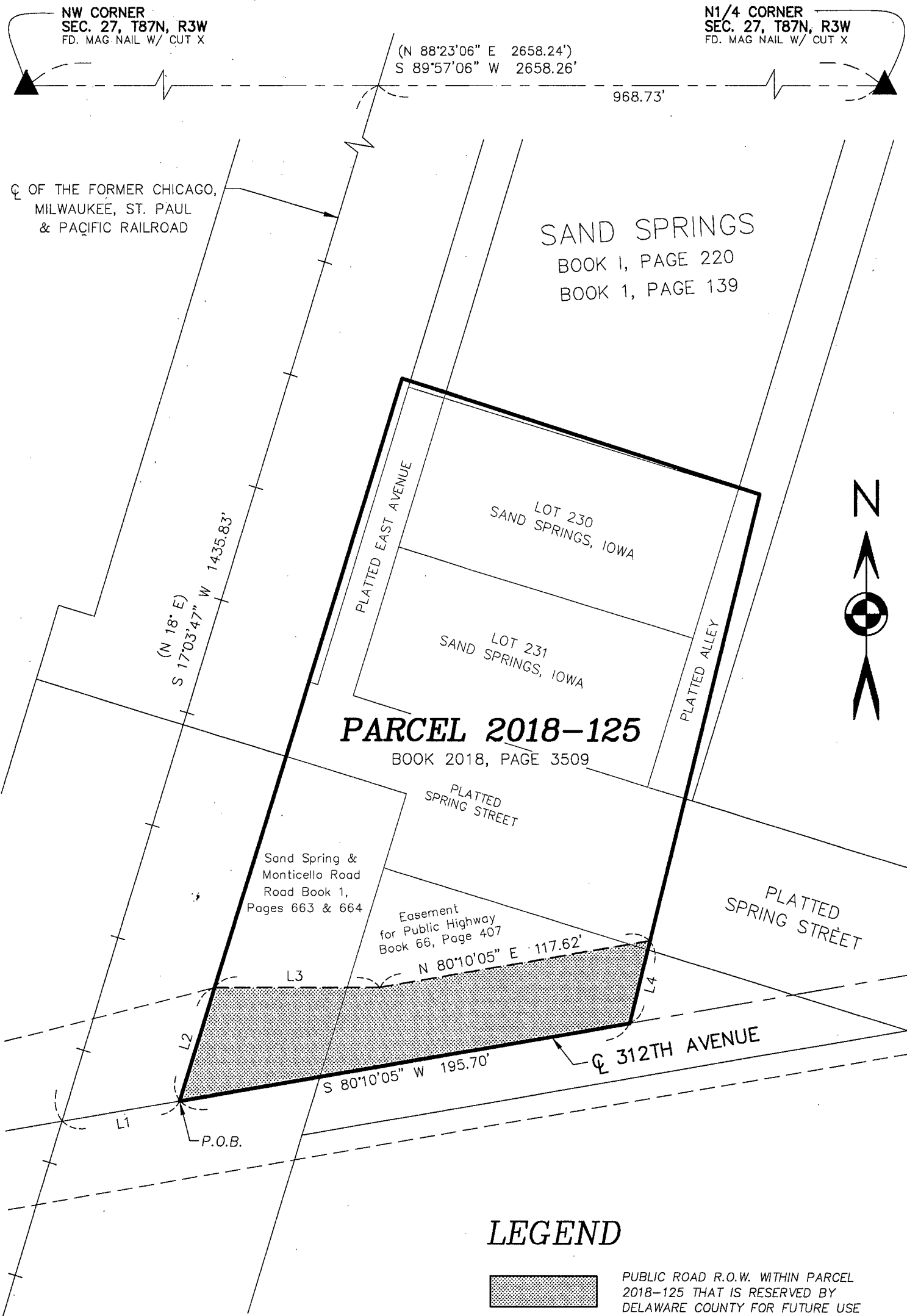
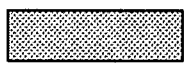


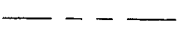
EXHIBIT A



LEGEND



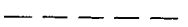
PUBLIC ROAD R.O.W. WITHIN PARCEL
2018-125 THAT IS RESERVED BY
DELAWARE COUNTY FOR FUTURE USE



SECTION LINE



PARCEL 2018-125 BOUNDARY LINE



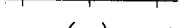
R.O.W. LINE



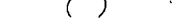
CENTERLINE OF ROAD AS TRAVELED



CENTERLINE OF FORMER RAILROAD



RECORDED AS



POINT OF BEGINNING

LINE	BEARING	DISTANCE
L1	N 80°10'05" E	51.20'
L2	N 17°10'23" E	50.38'
L3	N 89°50'56" E	70.70'
L4	S 13°52'21" W	36.04'

SCALE: 1" = 50'

