



Document 12-3699

Book 2012 Page 3699 Type 06 021 Pages 2
 Date 9/05/2012 Time 9:51 AM
 Rec Amt \$.00

ARLENE SCHAUF, RECORDER/REGISTRAR
 JACKSON COUNTY IOWA

Prepared by and return to Clark Schloz, Jackson county Engineer's office, 201 West Platt Street Maquoketa, Iowa 52060
 (563-652-4782)

RESOLUTION #634-09-04-2012

FINAL RESOLUTION

TO VACATE A Portion of Public Road Right-of-way 45th Street, Van Buren Township, Section 21

WHEREAS, the date of August 27, 2012 a public hearing was held on the proposed vacation of a portion of the public road right-of-way in Jackson County, Iowa described as follows: 0.06 acre (2583 SF) tract of land known as parcel "F" surveyed for Michael F. & Ruth E.M. Dietrich within the right-of-way of 45th Street located in parcel "E" of the SW ¼ NW ¼ in Section 21, T84N, R5E (Van Buren Township) of the 5th P.M. in Jackson County,

LEGAL DESCRIPTION:

In RE: A 0.06 acre (2,583 SF) tract of land known as parcel "F" within the right-of-way of 45th Street located in parcel "E" of the SW ¼ NW ¼ in Section 21, T84N, R5E (Van Buren Township) of the 5th P.M. in Jackson County, Iowa ; described as commencing at the NW corner of section 21, T84N, R5E of the 5th P.M.: Thence S 2° 43' 47" E along the west line of said section 21, a distance of 1384.12 feet to the South Right-of-way (ROW) line of 45th Street: Thence N 89° 05' 21" E along the South ROW line of said street, a distance of 126.44 feet; Thence S 76° 00' 05" E along the South ROW line of said street, a distance of 64.82 feet to the point of beginning; Thence N 88° 54' 36" E along the new South ROW line of said street, a distance of 271.61 feet; Thence S 47° 26' 48" E along the new Southerly ROW line of said street, a distance of 14.49 feet to the existing Southerly ROW line of said street: Thence S 88° 54' 36" W along the existing South ROW line of said street, a distance of 245.00 feet; Thence N 76° 00' 05" W along the existing ROW line of said street, a distance of 38.41 feet to the point of beginning. The plat of survey subject to any and all easements of record and/or usage

The plat of survey for this vacation is recorded as document 12-3162, Book 1-U , Page 125 in the Jackson County Recorder's office.

WHEREAS, the public hearing has been held and all comments and objections have been heard and/or placed on file, and,

WHEREAS, Said part of the present road right-of-way is no longer necessary or required for use by the public for highway purposes and will not hereafter be required for maintenance or construction purposes for any public road.

NOW THEREFORE, BE IT RESOLVED by the Jackson County that:

1. Said part of the present right-of-way herein described, together with any and all rights of Jackson County in and to the same are hereby abandoned, and Jackson County hereby disclaims any right to title, easements, or interest in and to said part of the road right-of-way or to the use thereof for any purpose whatsoever.

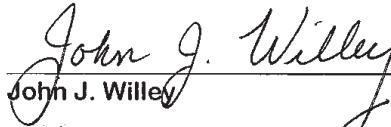
2. Said abandonment is subject to the land owners contacting Iowa One Call prior to any excavation to check for underground utilities.
3. Said abandonment is subject to any utilities of Preston Telephone Company, Maquoketa Valley REC, or any other utility company remaining in place within the abandoned right-of-way unless the owners of the property can come to a mutual agreement with said utilities concerning the status of said utilities.
4. That the County Engineer be directed to discontinue maintenance of the right-of-way, and that all traffic control devices owned by Jackson County be removed.

Passed and approved this 4th day of September 2012

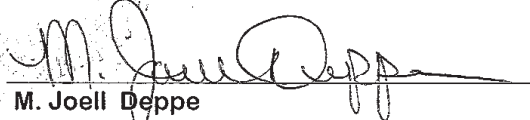
JACKSON COUNTY BOARD OF SUPERVISORS


Larry "Buck" Koos Chairman of Supervisors


Steve Flynn


John J. Willey

ATTEST:


M. Joell Deppe
Jackson County Auditor