

**2024-04959**

**RECORDED: 10/21/2024 03:32:57 PM**

**RECORDING FEE: \$0.00**

**REVENUE TAX: \$**

**COMBINED FEE: \$0.00**

**DENISE ALLAN, RECORDER**

**JASPER COUNTY, IOWA**

## **Resolution for Vacating a Portion of Jasper County Public Roadway**

Recorder's Cover Sheet

### **Preparer Information:**

Mike Frietsch, Jasper County Engineers Office

Address: 910 N 11th Ave E, Newton, IA 50208 - Phone: 641.792.5862

### **Return Document to:**

Jasper County Auditor, 101 1st St N, Newton, IA 50208

### **Title of Document:**

Resolution No: 24-92

Vacating a Portion of Jasper County Public Roadway - That part of Parcel "J" as recorded in Book 970, Page 599 in the Jasper County, Iowa, Recorder's Office located in the Southeast Quarter of the Northeast Quarter of Section 2, Township 79 North, Range 17 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:

Commencing at the southeast corner of said Parcel "J"; thence on an assumed bearing North 00 degrees 15 minutes 01 seconds West 40.00 feet along the east line of said Parcel "J" to the present right of way line of a Jasper County Highway; thence South 89 degrees 41 minutes 21 seconds West 86.22 feet along said present right of way line to the point of beginning; thence North 59 degrees 54 minutes 25 seconds West 96.91 feet; thence North 18 degrees 37 minutes 30 seconds West 170.62 feet to the said present right of way line; thence South 33 degrees 20 minutes 26 seconds East 251.67 feet along said present right of way line to the point of beginning. Said tract contains 0.13 acres.

**Grantor:** See Page 2

**Grantee:** See Page 2

*No Fee - Auditor*

**RESOLUTION  
VACATING A PORTION OF  
JASPER COUNTY PUBLIC ROADWAY**

BE IT RESOLVED that the Jasper County, Iowa roadway easements and other interests upon the real estate described below are no longer necessary for any public purpose and ought now be vacated in the manner allowed by law, reserving however all of such area for general public utility usage.

FURTHER RESOLVED that by Iowa Code 306.11 which states "If the proposed vacation is of part of a road right-of-way held by easement and will not change the existing traveled portion of the road or deny access to the road by adjoining landowners, a hearing is not required" a public hearing was not held since there was no evidence found to indicate that any of the described portions of roadway are currently used for roadway purposes.

NOW, THEREFORE, BE IT HEREBY RESOLVED that any and all interests of Jasper County, Iowa in and to the following described real estate are hereby vacated and no longer shall be available for any public use for roadway or other public purposes other than utility purposes:

**PARCEL - 1**

**That part of Parcel "J" as recorded in Book 970, Page 599 in the Jasper County, Iowa, Recorder's Office located in the Southeast Quarter of the Northeast Quarter of Section 2, Township 79 North, Range 17 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:**

**Commencing at the southeast corner of said Parcel "J";  
thence on an assumed bearing North 00 degrees 15 minutes 01 seconds West 40.00 feet along the east line of said Parcel "J" to the present right of way line of a Jasper County Highway;  
thence South 89 degrees 41 minutes 21 seconds West 86.22 feet along said present right of way line to the to the point of beginning;  
thence North 59 degrees 54 minutes 25 seconds West 96.91 feet;  
thence North 18 degrees 37 minutes 30 seconds West 170.62 feet to the said present right of way line;  
thence South 33 degrees 20 minutes 26 seconds East 251.67 feet along said present right of way line to the point of beginning.**

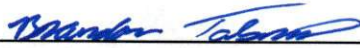
**Said tract contains 0.13 acres.**

BE IT HEREBY FURTHER RESOLVED that the aforesaid property and all interests of Jasper County, Iowa in and to said property be, and are hereby, conveyed to the owners of record (both legal and equitable titleholders as their respective interests may appear), an equal split of the adjacent strip to record owners of such respective adjoining parcels or as agreed upon by said owners, subject to reservation of utility use thereof. Upon subsequent formal or informal request by any such adjoining landowner or successors in interest and preparation of all documents by said landowners at their sole expense and to the satisfaction of the Jasper County Attorney as to both form and content, Jasper County, Iowa, by and through the chairperson of its Board of Supervisors and its Auditor shall execute and deliver appropriate conveyancing instruments reserving utility use interests only.

The Auditor of Jasper County, Iowa is hereby directed to promptly file in the office of the Jasper County Recorder a certified copy of this Resolution.

Passed and Approved this 15<sup>th</sup> day of October, 2024

  
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Doug Cupples  
Chairman Board of Supervisors

  
\_\_\_\_\_  
Brandon Talsma  
Board of Supervisors

  
\_\_\_\_\_  
Denny Stevenson  
Board of Supervisors

ATTEST:   
\_\_\_\_\_  
Jenna Jennings  
County Auditor *Deputy*