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Jasper County, Iowa
Denise Allan County Recorder

File **2022-00006338**

DOCUMENT PREPARED BY:

Jasper County Office

Address: 101 1st St N - Newton, IA 50208 – Phone: 641.792.7016

RETURN RECORDED DOCUMENT TO:

JASPER COUNTY AUDITOR'S OFFICE

TITLE OF DOCUMENT:

Resolution No. 22-73 Vacating a Portion of Jasper County Public Roadway

GRANTOR: See Page 2

GRANTEE: See Page 2

*No Charge
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 in Attachment "A" 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 and that easement access rights shall be granted to all existing utilities on said described road vacation to allow access to their current facilities, now and in the future, for maintenance, repair patrol, operation, and reconstruction of said facilities.

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 land owners, a hearing is not required" a public hearing was not held, since the described portions of the roadway are no longer in the traveled portion and access to properties are maintained.

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:

That portion of West 140th Street North located in Sections 29 and 30, Township 81 North, Range 21 West of the Fifth P.M., Jasper County, Iowa, described as the following parcels:

Parcel – 1

Part of Parcel "B" as recorded in Book 2006, Page 5185 in the Jasper County, Iowa, Recorder's Office, commencing at the southeast corner of said Parcel "B", also being the Southeast Corner of said Section 30; thence on an assumed bearing North 00 degrees 18 minutes 09 seconds East 130.06 feet along the east line of said Southeast Quarter of the Southeast Quarter to the point of beginning; thence North 20 degrees 55 minutes 21 seconds West 118.81 feet; thence North 31 degrees 06 minutes 31 seconds West 134.85 feet to the present right of way line of a Jasper County Highway; thence North 78 degrees 09 minutes 11 seconds East 113.21 feet along said present right of way line to the said east line of said Southeast Quarter of the Southeast Quarter; thence South 00 degrees 18 minutes 09 seconds West 249.67 feet to the point of beginning; Said tract contains 0.29 acres.

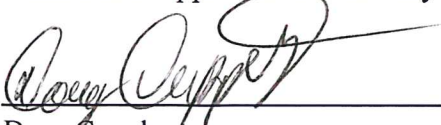
Parcel – 2

Commencing at the Southwest Corner of said Section 29; thence on an assumed bearing North 00 degrees 18 minutes 09 seconds East 103.06 feet along the west line of said Southwest Quarter of the Southwest Quarter to the point of beginning; thence North 00 degrees 18 minutes 09 seconds East 249.79 feet to the present northerly right of way line of a Jasper County Highway; thence North 89 degrees 53 minutes 00 seconds East 33.00 feet along said northerly line to the present easterly right of way line of said Jasper County Highway; thence South 00 degrees 18 minutes 09 seconds West 352.73 feet along said easterly line to the south line of said Southwest Quarter of the Southwest Quarter; thence North 18 degrees 03 minutes 29 seconds West 108.21 feet to the point of beginning; Said tract contains 0.23 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), 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 6th day of September 2022.




Doug Cupples
Chairman Board of Supervisors



Brandon Talsma
Board of Supervisors



Dennis Carpenter
Board of Supervisors

ATTEST: 

Dennis Parrott
County Auditor

ATTACHMENT A

INDEX LEGEND

COUNTY: JASPER
SECTION: 30, T-81N, R-21W, SE 1/4 OF THE SE 1/4

SURVEY FOR: Jasper County Engineer, Newton, IA
OWNER: Michael W. Birkenholtz, Prairie City, IA

SURVEYOR & SURVEY COMPANY:
Jason S. Lowry, P.L.S.
Lowry Land Services, L.L.C.
752 Diamond Trail Rd., Searsboro, Iowa 50242

PREPARED BY AND RETURN TO:
Jason S. Lowry, P.L.S.
752 Diamond Trail Rd., Searsboro, Iowa 50242
(641) 521-1160, lowrylandservices@gmail.com

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Iowa E-Filing Fee: \$3.00
Combined Fee: \$15.00
Revenue Tax:
Jasper County, Iowa
Denise Allan RECORDER
Instr. Number: 202200006025

RIGHT OF WAY VACATION PLAT - PARCEL 1
SE 1/4 of the SE 1/4, SEC. 30, T-81N, R-21W
JASPER COUNTY, IOWA

(SEE PAGE 2 FOR GRAPHICAL REPRESENTATION OF THIS PLAT OF SURVEY)

DESCRIPTION OF PARCEL - 1

That part of Parcel "B" as recorded in Book 2006, Page 5185 in the Jasper County, Iowa, Recorder's Office located in the Southeast Quarter of the Southeast Quarter of Section 30, Township 81 North, Range 21 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:

Commencing at the southeast corner of said Parcel "B", also being the Southeast Corner of said Section 30;
thence on an assumed bearing North 00 degrees 18 minutes 09 seconds East 130.06 feet along the east line of said Southeast Quarter of the Southeast Quarter to the point of beginning;
thence North 20 degrees 55 minutes 21 seconds West 118.81 feet;
thence North 31 degrees 06 minutes 31 seconds West 134.85 feet to the present right of way line of a Jasper County Highway;
thence North 78 degrees 09 minutes 11 seconds East 113.21 feet along said present right of way line to the said east line of said Southeast Quarter of the Southeast Quarter;
thence South 00 degrees 18 minutes 09 seconds West 249.67 feet to the point of beginning;

Said tract contains 0.29 acres.

SURVEYOR'S NOTE

The intent of this survey is to vacate the present established Jasper County Highway Easement described.

MEASURED DISTANCE/BEARING - (M)
RECORDED DISTANCE/BEARING - (R)

MONUMENTS

- ▲ - found sec. cor. (pipe, stone, etc.)
- - set - 5/8" x 18" rebar with pink plastic cap P.L.S. 22291 or Mag nail in pavement
- - no monument found or set
- - found lot cor. (5/8" rebar unless otherwise noted)



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

My license renewal date is 12/31/2023

Pages covered by this seal: 1 - 2

Jason S. Lowry
Jason S. Lowry Iowa Lic. No. 22291

9/12/22
Date

LOWRY LAND SERVICES, L.L.C. 752 DIAMOND TRAIL RD., SEARSBORO, IOWA 50242, 641-521-1160

INDEX LEGEND

COUNTY: JASPER
SECTION: 29, T-81N, R-21W, SW 1/4 OF THE SW 1/4

SURVEY FOR: Jasper County Engineer, Newton, IA
OWNERS: DRA Properties, LC, Ankeny, IA

SURVEYOR & SURVEY COMPANY:
Jason S. Lowry, P.L.S.
Lowry Land Services, L.L.C.
752 Diamond Trail Rd., Searsboro, Iowa 50242

PREPARED BY AND RETURN TO:
Jason S. Lowry, P.L.S.
752 Diamond Trail Rd., Searsboro, Iowa 50242
(641) 521-1160, lowrylandservices@gmail.com

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Iowa E-Filing Fee: \$3.00
Combined Fee: \$15.00
Revenue Tax:
Jasper County, Iowa
Denise Allan RECORDER
Instr. Number: 202200006026

RIGHT OF WAY VACATION PLAT - PARCEL 2
SW 1/4 of the SW 1/4, SEC. 29, T-81N, R-21W
JASPER COUNTY, IOWA

(SEE PAGE 2 FOR GRAPHICAL REPRESENTATION OF THIS PLAT OF SURVEY)

DESCRIPTION OF PARCEL - 2

That part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 81 North, Range 21 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:

Commencing at the Southwest Corner of said Section 29;
thence on an assumed bearing North 00 degrees 18 minutes 09 seconds East 103.06 feet along the west line of said Southwest Quarter of the Southwest Quarter to the point of beginning;
thence North 00 degrees 18 minutes 09 seconds East 249.79 feet to the present northerly right of way line of a Jasper County Highway;
thence North 89 degrees 53 minutes 00 seconds East 33.00 feet along said northerly line to the present easterly right of way line of said Jasper County Highway;
thence South 00 degrees 18 minutes 09 seconds West 352.73 feet along said easterly line to the south line of said Southwest Quarter of the Southwest Quarter;
thence North 18 degrees 03 minutes 29 seconds West 108.21 feet to the point of beginning;

Said tract contains 0.23 acres.

SURVEYOR'S NOTE

The intent of this survey is to vacate the present established Jasper County Highway Easement described.

MEASURED DISTANCE/BEARING - (M)
RECORDED DISTANCE/BEARING - (R)

MONUMENTS

- ▲ - found sec. cor. (pipe, stone, etc.)
- - set - 5/8" x 18" rebar with pink plastic cap P.L.S. 22291 or Mag nail in pavement
- - no monument found or set
- - found lot cor. (5/8" rebar unless otherwise noted)



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

My license renewal date is 12/31/2023

Pages covered by this seal: 1 - 2

Jason S. Lowry
Jason S. Lowry Iowa Lic. No. 22291

9/12/22
Date

LOWRY LAND SERVICES, L.L.C.

752 DIAMOND TRAIL RD., SEARSBORO, IOWA 50242, 641-521-1160

PROJ. NO. 5222

DATE OF SURVEY: 06/28/22

PAGE 1

RIGHT OF WAY VACATION PLAT - PARCEL 2
 SW 1/4 of the SW 1/4, SEC. 29, T-81N, R-21W
 JASPER COUNTY, IOWA

