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Fee Amt: \$0.00 Page 1 of 6  
Jasper County, Iowa  
Denise Allan County Recorder  
File **2023-00002239**

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

Recorder's Cover Sheet

**Preparer Information:**

Jasper County Auditor  
101 1st St N, Rm 201, Newton, IA 50208 (641) 792-3064

**Return Document to:**

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

**Title of Document:**

Resolution No: 23-44  
Vacating a Portion of Jasper County Public Roadway - South 12th Avenue East

**Grantor:** See Page 2

**Grantee:** See Page 2

*No Fee  
Jasper County 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 part of the Northwest Quarter of Section 6, Township 79 North, Range 17 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:**

**Commencing at the Northeast Corner of the Northwest Quarter of said Section 6; thence on an assumed bearing North 89 degrees 58 minutes 23 seconds West 697.94 feet along the north line of said Northwest Quarter; thence South 00 degrees 00 minutes 00 seconds West 33.44 feet to the present southerly right of way line of a Jasper County Highway and to the point of beginning; thence South 83 degrees 29 minutes 47 seconds West 128.33 feet; thence South 26 degrees 25 minutes 10 seconds West 68.98 feet; thence South 66 degrees 10 minutes 02 seconds West 229.88 feet; thence South 49 degrees 31 minutes 00 seconds West 646.10 feet; thence South 59 degrees 34 minutes 12 seconds West 270.21 feet; thence South 87 degrees 56 minutes 33 seconds West 336.75 feet; thence North 73 degrees 34 minutes 32 seconds West 217.35 feet to said present southerly right of way line; thence North 60 degrees 54 minutes 18 seconds East 226.03 feet along said present southerly right of way line; thence South 51 degrees 22 minutes 07 seconds East 56.68 feet; thence along a 513.00 feet radius nontangential curve, concave to the northwest, having a central angle of 54 degrees 14 minutes 25 seconds, and a chord bearing North 76 degrees 38 minutes 37 seconds East 467.71 feet; thence North 44 degrees 43 minutes 19 seconds East 358.90 feet; thence North 51 degrees 42 minutes 25 seconds East 111 .09 feet to said present southerly right of way line; thence North 51 degrees 27 minutes 38 seconds East 1 61. 76 feet along said present southerly right of way line; thence along a 932.00 feet radius nontangential curve, concave to the southeast, having a central angle of 22 degrees 14 minutes 03 seconds, and a chord bearing North 76 degrees 12 minutes 03 seconds East 359.41 feet along said present southerly right of way line; thence South 89 degrees 55 minutes 00 seconds East 122.10 feet along said present southerly right of way line to the point of beginning; Said tract contains 4.87 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.

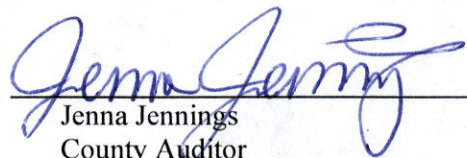
The Auditor of Jasper County, Iowa is hereby directed to promptly file in the office of the Jasper County Recorder a certified copy of this Resolution.

Passed and Approved this 9th day of May 2023.

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

  
\_\_\_\_\_  
Doug Cupples  
Board of Supervisors

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

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

**ATTACHMENT A**

INDEX LEGEND

COUNTY: JASPER  
SECTION: 6, T-79N, R-17W, NW 1/4

SURVEY FOR: Jasper County Engineer, Newton, IA  
OWNERS: Jerry G. Jansen Revocable Trust, Kellogg, 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

**RIGHT OF WAY VACATION PLAT - PARCEL 1**  
**NW 1/4, SEC. 6, T-79N, R-17W**  
**JASPER COUNTY, IOWA**  
(SEE PAGE 2 FOR GRAPHICAL REPRESENTATION OF THIS PLAT OF SURVEY)

DESCRIPTION OF PARCEL - 1

That part of the Northwest Quarter of Section 6, Township 79 North, Range 17 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 6;  
thence on an assumed bearing North 89 degrees 58 minutes 23 seconds West 697.94 feet along the north line of said Northwest Quarter;  
thence South 00 degrees 00 minutes 00 seconds West 33.44 feet to the present southerly right of way line of a Jasper County Highway and to the point of beginning;  
thence South 83 degrees 29 minutes 47 seconds West 128.33 feet;  
thence South 26 degrees 25 minutes 10 seconds West 68.98 feet;  
thence South 66 degrees 10 minutes 02 seconds West 229.88 feet;  
thence South 49 degrees 31 minutes 00 seconds West 646.10 feet;  
thence South 59 degrees 34 minutes 12 seconds West 270.21 feet;  
thence South 87 degrees 56 minutes 33 seconds West 336.75 feet;  
thence North 73 degrees 34 minutes 32 seconds West 217.35 feet to said present southerly right of way line;  
thence North 60 degrees 54 minutes 18 seconds East 226.03 feet along said present southerly right of way line;  
thence South 51 degrees 22 minutes 07 seconds East 56.68 feet;  
thence along a 513.00 feet radius nontangential curve, concave to the northwest, having a central angle of 54 degrees 14 minutes 25 seconds, and a chord bearing North 76 degrees 38 minutes 37 seconds East 467.71 feet;  
thence North 44 degrees 43 minutes 19 seconds East 358.90 feet;  
thence North 51 degrees 42 minutes 25 seconds East 111.09 feet to said present southerly right of way line;  
thence North 51 degrees 27 minutes 38 seconds East 161.76 feet along said present southerly right of way line;  
thence along a 932.00 feet radius nontangential curve, concave to the southeast, having a central angle of 22 degrees 14 minutes 03 seconds, and a chord bearing North 76 degrees 12 minutes 03 seconds East 359.41 feet along said present southerly right of way line;  
thence South 89 degrees 55 minutes 00 seconds East 122.10 feet along said present southerly right of way line to the point of beginning;

Said tract contains 4.87 acres.

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

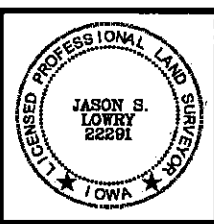
MONUMENTS

▲ - 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" IDOT aluminum capped 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 Date

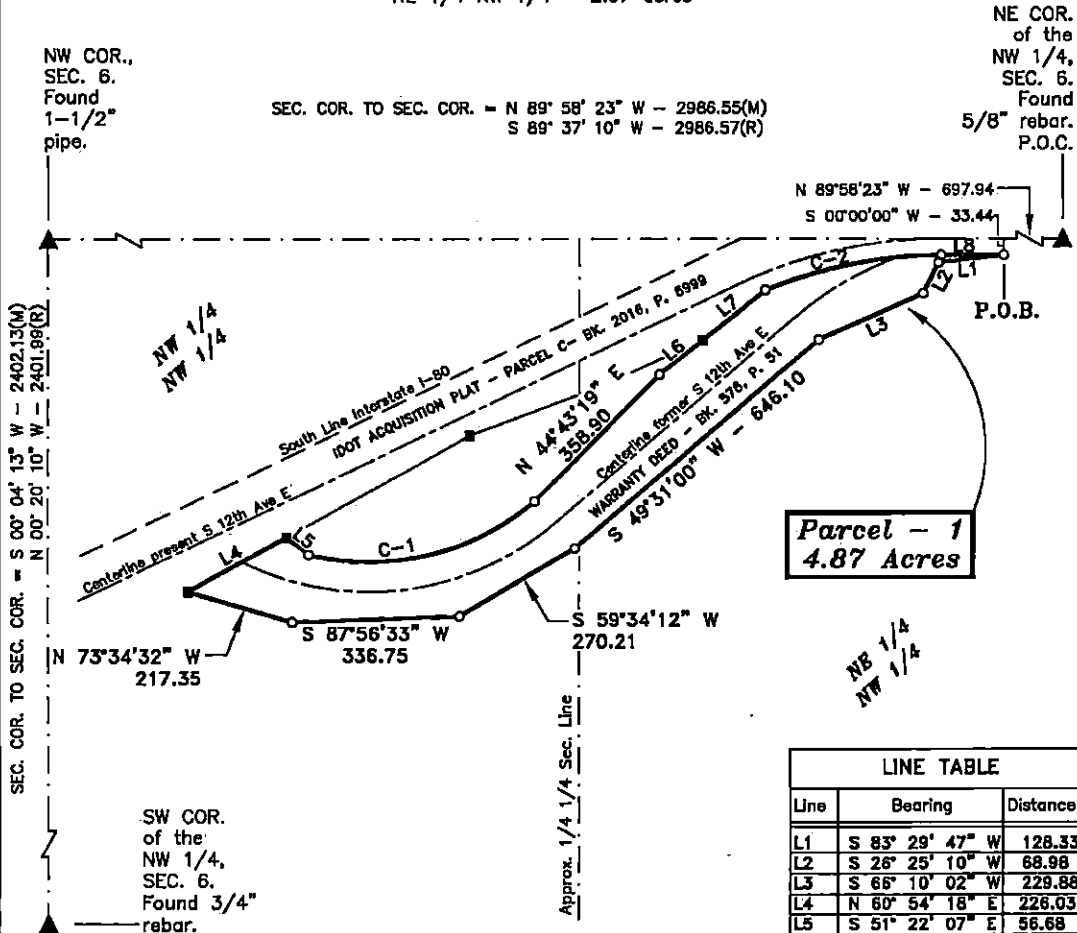
05/03/2023

**RIGHT OF WAY VACATION PLAT - PARCEL 1**  
**NW 1/4, SEC. 6, T-79N, R-17W**  
**JASPER COUNTY, IOWA**



**AREA BY 1/4 1/4 SECTION**

NW 1/4 NW 1/4 = 2.20 acres  
 NE 1/4 NW 1/4 = 2.67 acres



LINE TABLE		
Line	Bearing	Distance
L1	S 83° 29' 47" W	128.33
L2	S 26° 25' 10" W	68.98
L3	S 66° 10' 02" W	229.88
L4	N 60° 54' 18" E	226.03
L5	S 51° 22' 07" E	56.68
L6	N 51° 42' 25" E	111.08
L7	N 51° 27' 38" E	181.76
L8	S 89° 55' 00" E	122.10

**CURVE TABLE**

CURVE	RADIUS	DEGREE OF CURVE	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	513.00	11° 10' 08"	485.64	467.71	N 76° 38' 37" E	54° 14' 25"	262.74
C2	932.00	06° 08' 51"	361.67	359.41	N 76° 12' 03" E	22° 14' 03"	183.14

**SURVEYOR'S NOTE**

The intent of this survey is to vacate that portion of South 12th Avenue East as described in a Warranty Deed recorded in Book 578, Page 51, in the Jasper County Recorder's Office, which is no longer being used as public roadway following the realignment of said South 12th Ave East during I.D.O.T. Project No. IMN-80-5(241)176--OE-50 and as shown on Acquisition Plat recorded in Book 2016, Page 6999, in the Jasper County, Iowa, Recorder's Office.