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Fee Amt: \$0.00 Page 1 of 5
Jasper County, Iowa
Denise Allan County Recorder
File **2021-00003483**

DOCUMENT PREPARED BY:

Jason Lowry – Jasper County Engineers Office

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

RETURN RECORDED DOCUMENT TO:

JASPER COUNTY AUDITOR'S OFFICE

TITLE OF DOCUMENT:

Resolution No. 21-43 Vacating a Portion of Jasper County Public Roadway

GRANTOR: See Page 2

GRANTEE: See Page 2

NO FCC

**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 were ever open or used as roadways.

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 C as recorded in Book 2020, Page 4075, in the Jasper County, Iowa, Recorder's Office, described as follows:

That part of the Southeast Quarter of Section 35, Township 79 North, Range 18 West of the Fifth Principal Meridian, all of which is located in Jasper County, Iowa, and being more particularly described as follows:

Commencing at the Southeast Corner of Lot 8, Block 10, said Original Town of Killduff;

Thence North 00 degrees 00 minutes 12 seconds West, along the east line of said Block 10, the Original Town of Killduff and its northerly extension, a distance of 80.29 feet, to the northeasterly right-of-way line of Railroad Street and the point of beginning;

Thence North 00 degrees 00 minutes 12 seconds West, along the west right-of-way line of Lodge Street, a distance of 4.93 feet;

Thence Northwesterly 27.38 feet along a curve to the left, tangent to the last described line, having a radius of 15.00 feet, a delta angle of 104 degrees 36 minutes 02 seconds and a chord distance of 23.74 feet which bears North 52 degrees 18 minutes 15 seconds West;

Thence Southwesterly 2.21 feet along a reverse curve to the right, tangent to the last described line, having a radius of 105.00 feet, a delta angle of 01 degree 12 minutes 24 seconds and a chord distance of 2.21 feet which bears South 75 degrees 59 minutes 56 seconds West;

Thence South 47 degrees 53 minutes 47 seconds East, along said northeasterly right-of-way line of Railroad Street, a distance of 28.21 feet, to said west right-of-way line of Lodge Street and the point of beginning.


Contains 0.004 acres more or less.

Said parcel is subject to any and all restrictions, covenants and easements of record.

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 11 day of May 2021.




Doug Cupples
Chairman Board of Supervisors



Brandon Talsma
Board of Supervisors



Dennis Carpenter
Board of Supervisors

ATTEST: 

Dennis Parrott
County Auditor

INDEX LEGEND

COUNTY: JASPER COUNTY, IOWA
LOCATION:
 SEC 35 - TWP 79 NORTH - RGE 18 WEST, SE 1/4

PROPRIETOR: BUENA VISTA TOWNSHIP
 6423 E 108 ST S
 SULLY IA 50251

REQUESTED BY: KILLDUFF TRANSPORT
 7389 LODGE STREET
 SULLY, IOWA 50251

SURVEYOR: THAREN J. HELGERSON, PLS #18530
SURVEY COMPANY: NILLES ASSOCIATES, INC.

RETURN TO: THAREN J. HELGERSON,
 NILLES ASSOCIATES, INC.
 1250 SW STATE STREET, SUITE A
 ANKENY, IOWA 50023 PH: (515) 965-0123



Doc ID: 03382270002 Type: SUR
 Recorded: 07/13/2020 at 01:27:13 PM
 Fee Amt: \$12.00 Page 1 of 2
 Jasper County, Iowa
 Denise Altman, County Recorder
 File # 2020-00004075

PLAT OF SURVEY

PARCEL C LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 79 NORTH, RANGE 18 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ALL OF WHICH IS LOCATED IN JASPER COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 10, THE ORIGINAL TOWN OF KILLDUFF, AN OFFICIAL PLAT, LOCATED IN JASPER COUNTY; THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS WEST, ALONG THE EAST LINE OF SAID BLOCK 10, THE ORIGINAL TOWN OF KILLDUFF AND ITS NORTHERLY EXTENSION, A DISTANCE OF 80.29 FEET, TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD STREET AND THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS WEST, ALONG WEST RIGHT-OF-WAY LINE OF LODGE STREET, A DISTANCE OF 4.93 FEET; THENCE NORTHWESTERLY 27.38 FEET ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 15.00 FEET, A DELTA ANGLE OF 104 DEGREES 36 MINUTES 02 SECONDS AND A CHORD DISTANCE OF 23.74 FEET WHICH BEARS NORTH 52 DEGREES 18 MINUTES 15 SECONDS WEST; THENCE SOUTHWESTERLY 2.21 FEET ALONG A REVERSE CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 105.00 FEET, A DELTA ANGLE OF 01 DEGREE 12 MINUTES 24 SECONDS AND A CHORD DISTANCE OF 2.21 FEET WHICH BEARS SOUTH 75 DEGREES 59 MINUTES 56 SECONDS WEST; THENCE SOUTH 47 DEGREES 53 MINUTES 47 SECONDS EAST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD STREET, A DISTANCE OF 28.21 FEET, TO SAID WEST RIGHT-OF-WAY LINE OF LODGE STREET AND THE POINT OF BEGINNING
 CONTAINS 0.004 ACRES MORE OR LESS.

SURVEY NOTES

- LAND AREA: 0.083 ACRES
- THE SOUTH LINE OF THE ORIGINAL TOWN OF KILLDUFF IS ASSUMED TO BEAR NORTH 89°52'15" EAST.
- PARCEL C OF SE 1/4 OF SECTION 35-79-18 WILL BE TIED TO PARCELS A OF LOTS 5 AND 8, BLOCK 10, THE ORIGINAL TOWN OF KILLDUFF AND PARCELS A OF LOT A OF THE SE 1/4 OF SECTION 35-79-18 AND THE SW 1/4 OF SECTION 35-79-18 AND PARCEL B OF EXISTING RAILROAD STREET RIGHT-OF-WAY.
- PARCEL D SHALL BE DEDICATED TO JASPER COUNTY, IOWA FOR PUBLIC RIGHT-OF-WAY PURPOSES.

PARCEL D LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 79 NORTH, RANGE 18 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ALL OF WHICH IS LOCATED IN JASPER COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 10, THE ORIGINAL TOWN OF KILLDUFF, AN OFFICIAL PLAT, LOCATED IN JASPER COUNTY; THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS WEST, ALONG THE EAST LINE OF SAID BLOCK 10, THE ORIGINAL TOWN OF KILLDUFF AND ITS NORTHERLY EXTENSION, SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF LODGE STREET, A DISTANCE OF 164.46 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF LODGE STREET, A DISTANCE OF 79.23 FEET, THENCE NORTHWESTERLY 27.38 FEET ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 15.00 FEET, A DELTA ANGLE OF 104 DEGREES 36 MINUTES 02 SECONDS AND A CHORD DISTANCE OF 23.74 FEET WHICH BEARS NORTH 52 DEGREES 18 MINUTES 15 SECONDS WEST; THENCE SOUTHWESTERLY 2.21 FEET ALONG A REVERSE CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, HAVING A RADIUS OF 105.00 FEET, A DELTA ANGLE OF 01 DEGREE 12 MINUTES 24 SECONDS AND A CHORD DISTANCE OF 2.21 FEET WHICH BEARS SOUTH 75 DEGREES 59 MINUTES 56 SECONDS WEST, TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD STREET; THENCE NORTH 47 DEGREES 53 MINUTES 47 SECONDS WEST, NOT TANGENT TO THE LAST DESCRIBED CURVE, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF RAILROAD STREET, A DISTANCE OF 82.29 FEET; THENCE SOUTH 74 DEGREES 41 MINUTES 34 SECONDS EAST, A DISTANCE OF 23.02 FEET; THENCE NORTHEASTERLY 44.65 FEET ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED LINE, HAVING A RADIUS OF 55.00 FEET, A DELTA ANGLE OF 46 DEGREES 30 MINUTES 46 SECONDS AND A CHORD DISTANCE OF 43.43 FEET WHICH BEARS NORTH 82 DEGREES 03 MINUTES 02 SECONDS EAST; THENCE NORTH 58 DEGREES 47 MINUTES 39 SECONDS EAST, TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 19.59 FEET, TO SAID WEST RIGHT-OF-WAY LINE OF LODGE STREET AND THE POINT OF BEGINNING.
 CONTAINS 0.060 ACRES MORE OR LESS.

SAID PARCEL IS SUBJECT TO ANY AND ALL RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

CERTIFICATION



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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
 SIGNATURE: *[Signature]*
 NAME: THAREN J. HELGERSON, PLS.#18530
 MY LICENSE RENEVAL DATE: DECEMBER 31, 2020
 DATE OF SURVEY: 07/13/2020
 DATE OF SURVEY: 05/19/2020
 PAGES OR SHEETS COVERED BY THIS SEAL: SHEETS PS-1 AND PS-2 ONLY

PROJECT: PARCELS C AND D	LOCATION: PART OF THE SOUTHEAST 1/4 OF SECTION 35 JASPER COUNTY, IOWA
DATE: 07/06/20	CHECKED BY: BJR
DRAWN BY: T.J.H.	DATE: 07/06/20
DWG NO: 20082	SHEET TITLE: PS-1

Nilles Associates Inc. OK 12/20

