

PATRICK F. GILL  
WOODBURY COUNTY  
AUDITOR & RECORDER &  
COMM. OF ELECTIONS

11b  
10/16/18

Roll 761 Image 4450-4453  
Document 4587 Type REARE Pages 4  
Date 10/18/2018 Time 2:56 PM  
Rec Amt \$.00

2018 NOV 22 07 08 16

PATRICK F. GILL, AUDITOR AND RECORDER  
WOODBURY COUNTY IOWA

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**Road Vacation Resolution**

**RECORDING COVER SHEET**

**Preparer Information: Mark J. Nahra, P.E., Woodbury County Engineer, 759 E. Frontage Road, Merville, IA 51039, telephone no. 712-873-3215**

**Return Document to: Mark J. Nahra, P.E., Woodbury County Engineer, 759 E. Frontage Road, Merville, IA 51039, telephone no. 712-873-3215**

**CORRECTED ROAD VACATION RESOLUTION VACATING WOODBURY-PLYMOUTH COUNTY LINE ROAD,  
ALSO KNOWN AS 100<sup>TH</sup> STREET, IN SECTION 2, TOWNSHIP 89 NORTH, RANGE 44 WEST OF THE 5<sup>TH</sup>  
PRINCIPAL MERIDIAN**

RESOLUTION NO. 12 791

WOODBURY COUNTY, IOWA

A RESOLUTION CLOSING AND VACATING A ROAD RIGHT OF WAY

(CORRECTION TO RESOLUTION NO. 12742)

Whereas, this being the date and time set for Hearing on the proposed vacation and closure of the portion of Woodbury County secondary road right of way described as follows:

A parcel of land described as the South 33.00 feet of the South Half of the Southeast Quarter of Section 35, Township 90 North, Range 44 West of the 5<sup>th</sup> P.M., Plymouth County, Iowa.

EXCEPT: the East 33 feet thereof, (both measured at the Right Angle).

Contains 1.97 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the South line of the SE1/4 of said section 35 is assumed to bear N 89°40'03"W;

AND

A parcel of land described as the East 33.00 feet of the South 33.00 feet, (both measured at a Right Angle) of the Southeast Quarter of the Southwest Quarter of Section 35, Township 90 North, Range 44 West of the 5<sup>th</sup> P.M., Plymouth County, Iowa. Contains 0.03 acres and is subservient to any and all Easement, be they of record or not.

For the purpose of this Survey the East line of the SW1/4 of said Section 35 is assumed to bear S 00°01'09"E;

AND

A parcel of land described as the North Half of the Northeast Quarter of Section 2, Township 89 North, Range 44 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, further described as follows:

Commencing at the Southwest corner of the NW1/4 of the NE1/4 of said Section 2; thence N 01°45'31"E on the West line of the NW1/4 of the NE1/4 of said Section 2, a distance of 262.22 feet to the POINT OF BEGINNING; thence continuing N 01°45'31" E on said West line, a distance of 764.90 feet to the Northwest corner of the NE1/4 of said Section 2; then S 89°40'03" E on the North line of said NE1/4; a distance of 2606.77 feet, thence S 00°27'02"W, a distance of 33.00 feet to a point on the South Right of Way Line of 100<sup>th</sup> Street (the following two courses are common to said Right of Way Line); thence N 89°40'03"W, a distance of 2574.51 feet; thence S 01°45'31"W, a distance of 735.52 feet; thence N 83°22'33"W, a distance of 33.12 feet to the POINT OF BEGINNING; contains 2.53 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the West line of the NW1/4 of the NE1/4 of said Section 2 is assumed to bear N 01°45'31"E;

AND

A parcel of land described as the Northwest Quarter of the Northeast Quarter of Section 2, Township 89 North, Range 44 West of the 5<sup>th</sup> P.M.; Woodbury County, Iowa, further described as follows:

Commencing at the Southwest corner of the NW1/4 of the NE1/4 of said Section 2; thence N 01°45'31"E on the West line of the NW1/4 of the NE1/4 of said Section 2, a distance of 126.84 feet to the POINT OF BEGINNING; thence continuing N 01°45'31"E, a distance of 135.38 feet; thence S 83°22'33"E, a distance of 33.12 feet to a point on the East Right of way Line of 100<sup>th</sup> Street; then S 01°45'31"W on said Right of Way Line, a distance of 131.75 feet; thence N 89°40'03"W, a distance of 33.01 feet to the POINT OF BEGINNING; contains 0.10 acres and is subservient to any and all Easement, be they of record or not.

For the purpose of this Survey the West line of the NW1/4 of the NE1/4 of said Section 2 is assumed to bear N 01°45'31"E;

AND

A parcel of land described as the East 33.00 feet of the North 900.00 feet, (both measured at a Right Angle) of the Northeast Quarter of the Northwest Quarter of Section 2, Township 89 North, Range 44 West of the 5<sup>th</sup> P.M. Woodbury County, Iowa. Containing 0.68 acres and is subservient to any and all Easements, be they of record or not.

For the purpose of this Survey the East line of the NE1/4 of the NW1/4 of said Section 2 is assumed to bear S 01°45'31"W.

**WHEREAS**, no objections have been received, either in writing or by persons present.

**AND WHEREAS**, this resolution is passed to correct the legal description for the third and fourth parcels of land where legal description errors were noted following recording of resolution number 12742. The resolution was recorded in the office of the Woodbury County Recorder on Roll 759, Image 4919-4921, Document 14,353.

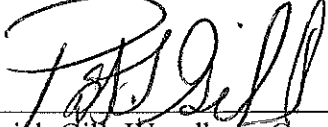
**NOW, THEREFORE IT IS RESOLVED**, by the Woodbury County Board of Supervisors that the above-described portions of secondary road rights of way are hereby closed and vacated and that all interest in the subject section of road right of way, subject to utility easements of record for ingress and egress, and it is ordered that all interest in the above described parcels be transferred to the closest adjacent landowner.

Signed and dated this 16th day of October, 2018.

  
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Rocky DeWitt, Chairman

Woodbury County Board of Supervisors

Attested:

  
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Patrick Gill, Woodbury County Auditor