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2/11/25

THIS DOCUMENT WAS PREPARED BY KYLE GATES, WOODBURY COUNTY ENGINEER'S OFFICE, 759 E. FRONTAGE RD., MOVILLE, IA 51039. 712-873-3215

**RESOLUTION NO. 13,851**

**WOODBURY COUNTY, IOWA**

**VACATION OF EXCESS RIGHT OF WAY**

**WHEREAS** the Code of Iowa, section 306.10 gives the Board of Supervisors the power on its own motion to alter or vacate and close any highway or road under its jurisdiction, and

**WHEREAS** the Code of Iowa, section 306.11 allows the Board to vacate a road right of way held by easement that will not change the traveled portion of the road or deny access to adjoining landowners, and

**WHEREAS** a road vacation under the circumstances outlined in section 306.11 does not require a hearing, and

**WHEREAS** there is excess right of way on Buchanan Avenue south of US 20 and

**WHEREAS** vacation of the excess right of way does not affect access or highway use, and

**WHEREAS** the Board of Supervisors no longer believes the County needs to maintain its easement on the following County right of way,

**NOW THEREFORE BE IT RESOLVED** that the Woodbury County Board of Supervisors, enters the following order in regard to the aforementioned right of way vacation.

The Board of Supervisors order the following described right of way be vacated.


A parcel of land located in a part of Gov't Lot 2 of Section 2, Township 88 North, Range 47 West of the Fifth Principal Meridian, Woodbury County, Iowa, as shown on the Abandonment Plat Exhibit "A" attached hereto and by reference made a part hereof and more particularly described as follows:

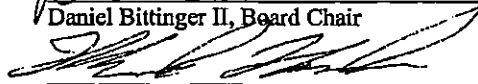
Commencing at the Northwest Corner of said Section 2; thence South 01°17'00" West, 403.09 feet along the West line of said Gov't Lot 2; thence South 88°43'00" East, 50.00 feet to a point on the existing East Right of Way line of Buchanan Avenue and the Point of Beginning; thence along said East Right of Way line for the following 2 courses; North 40°50'35" East, 62.81 feet; thence North 17°20'15" East, 162.72 feet to a point on the existing South Right of Way line of Primary Road US20; thence South 81°40'06" West, 72.01 feet along said South Right of Way line; thence South 05°26'14" West, 193.28 feet to the Point of Beginning, containing 0.20 acre.

**NOW THEREFORE BE IT RESOLVED** by the Woodbury County Board of Supervisors that all interest in the subject section of road right-of-way be vacated, subject to utility easements of record for ingress and egress.

SO ORDERED this 11<sup>th</sup> day of February, 2025.

WOODBURY COUNTY BOARD OF SUPERVISORS

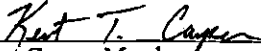
  
Daniel Bittinger II, Board Chair



Mark Nelson, Member



Matthew Ung, Member

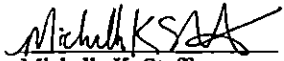


Kent Carper, Member



David Dietrich, Member

ATTEST:



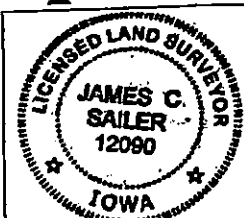
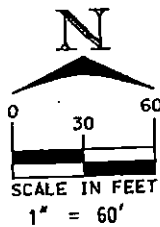
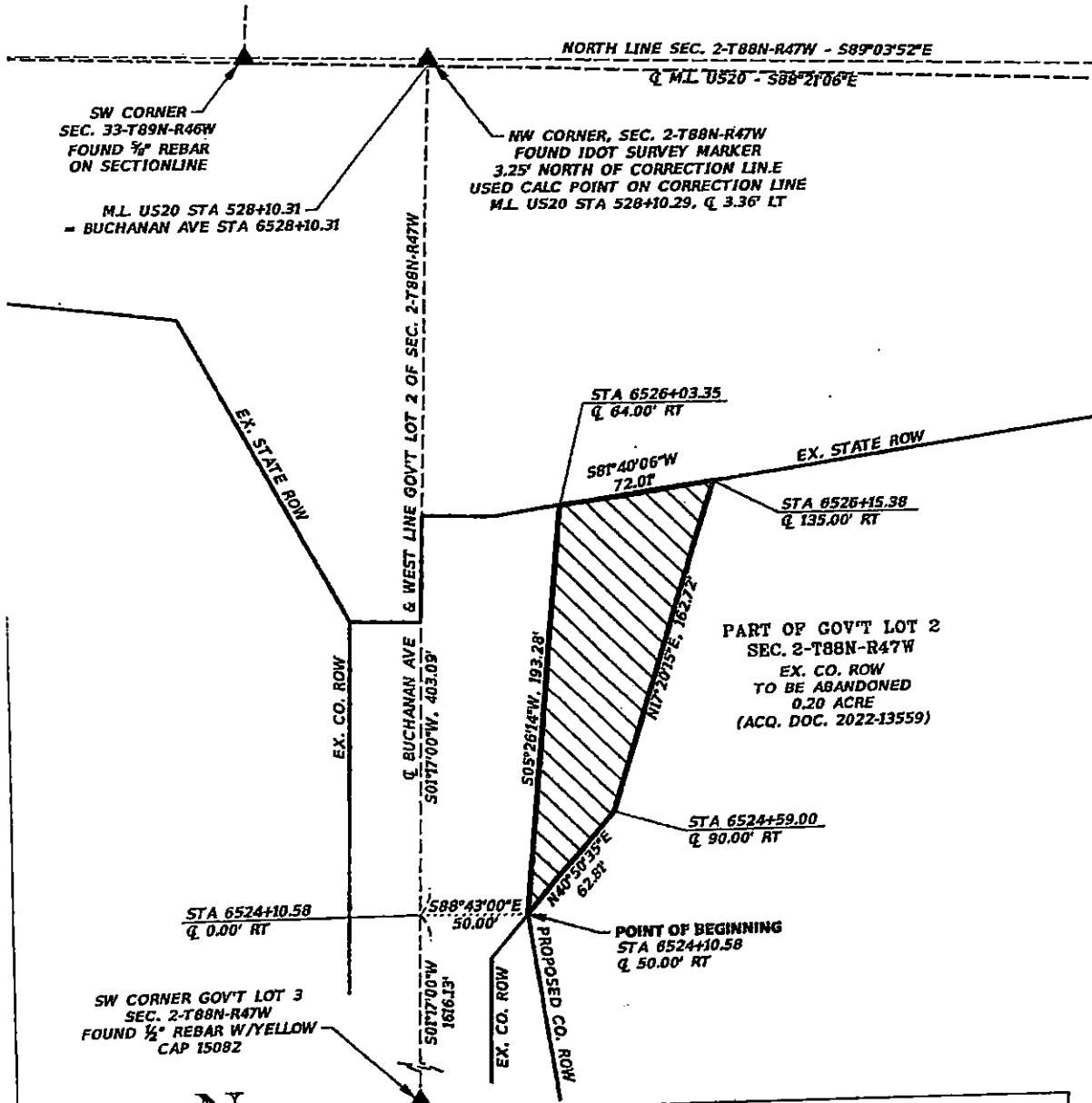
Michelle K. Staff  
Woodbury County Auditor



IOWA DEPARTMENT OF TRANSPORTATION  
ABANDONMENT PLAT  
EXHIBIT "A"

IOWA DOT

COUNTY WOODBURY STATE CONTROL NO. \_\_\_\_\_  
 PROJECT NO. NHSN-020-1(180)--2R-97 PARCEL NO. 12  
 SECTION 2 TOWNSHIP 88 NORTH RANGE 47 WEST  
 ROW - FEE \_\_\_\_\_ EASE 0.20 ACRE \* QUIT CLAIM \_\_\_\_\_  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ CO. SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM DONALD R. HENNINGS AND CAROLE L. HENNINGS, TRUSTEE(S) OF THE HENNINGS JOINT TRUST, ACQ. DOC. 2022-13559  
 \* EXISTING BUCHANAN AVENUE ROW TO BE ABANDONED.



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 Professional Land Surveyor under the laws of the State of Iowa.

*James C. Sailer* 5/17/24  
 James C. Sailer License No. 12090 Date  
 My license renewal date is December 31, 2024.  
 Pages or sheets covered by this cost: THIS SHEET ONLY.

DATE DRAWN WRS 05/07/2024