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

**RESOLUTION NO. 14,012**

**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 the abandoned roadway alignment 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.

The abandoned portion of Road 92 (now known as Newton Path), the former alignment of the relocated county highway (now known as Osceola Avenue), in the (NW ¼ NE ¼, SW ¼ NE ¼, SE ¼ NE ¼ & NE ¼ SE ¼) of Section 13, Township 88 North, Range 43 West of the 5th P.M., Woodbury County, Iowa, further described as follows:

Beginning at a point on the road centerline of Newton Path as described in Roll 695 Image 8626 and Document 2022-05818 "...thence North 76°10'03" East, a distance of 90.18 feet to a point on the Centerline of a Local County Road...", thence southeasterly to its intersection with Osceola Ave except the right-of-way as recorded in Book 1213 Page 501, the current west right-of-way of Osceola Avenue.

**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 3<sup>rd</sup> day of March, 2026.

WOODBURY COUNTY BOARD OF SUPERVISORS



Mark Nelson, Board Chair



David Dietrich, Member

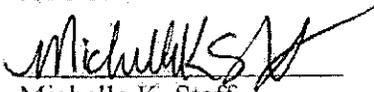


Matthew Ung, Member

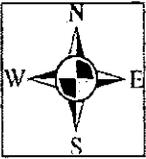
Daniel Bittinger II, Member

Kent Carper, Member

ATTEST:



Michelle K. Staff  
Woodbury County Auditor



Newton  
Path

Section 13  
T88N R43W

Section 18  
T88N R42W

Osceola Ave

190th St

