

Instrument #: 2020-01555
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MIS MISCELLANEOUS
Recording Fee: \$0.00 Transfer Tax: \$0
Sarah M Hearst - Recorder, Muscatine County Iowa

Prepared By: Keith L. White, P.E., Muscatine County Engineer, 3610 Park Avenue West, Muscatine, Iowa 52761 (563) 263-6351

RESOLUTION #03-30-20-01
RESOLUTION TO VACATE UNUSED SECONDARY ROAD RIGHT-OF-WAY
ADJACENT TO ECHO AVENUE IN CEDAR TOWNSHIP
AND ADJACENT TO IRON CITY AVENUE IN GOSHEN TOWNSHIP

WHEREAS, the Muscatine County Board of Supervisors recognizes that certain road right-of-way easements are no longer used for Secondary Roads purposes; and

WHEREAS, Section 306.10 of the Code of Iowa provides that the agency which has control and jurisdiction over a highway system, shall have power, on its own motion, to alter or vacate and close any such highway; and

WHEREAS, Section 306.11 of the Code of Iowa provides that a hearing is not required 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; and

WHEREAS, the following described sections of road right-of-way are no longer used or needed:

A. ADJACENT TO ECHO AVENUE

A portion of existing roadway easement, originally established Fredonia to Deming Ferry Road, recorded in Establishment Record Book "PB", Page 89, in the Office of the Muscatine County Engineer, 50 feet wide over a parcel of land located in part of Government Lot 5 of Section 15 and part of the Southwest Quarter of the Northwest Quarter of Section 14, all in Township 76 North, Range 4 West, of the 5th Principal Meridian, Muscatine County, Iowa, the centerline of which is described as follows:

Commencing at a 5/8"Ø rebar with orange cap, LS No. 15749 found in the centerline of Echo Avenue at the West Quarter Corner of Section 14, Township 76 North, Range 4 West, of the 5th Principal Meridian, Muscatine County, Iowa; thence North 0°28'30" East along the centerline of the originally established Fredonia to Deming Ferry Road, recorded in Establishment Record Book "PB", Page 89, in the Office of the Muscatine County Engineer and basis of bearings for this survey being the Iowa Regional Coordinate System, Zone 14 Burlington, a distance of 407.43 feet to a point on the northerly right of way line of Echo Avenue and Point of Beginning; thence North 0°28'30" East along said centerline, 241.11 feet to a 1/2" square iron pin found;

thence North 67°58'30" East 344.23 feet to a point on the northerly right of way line of Echo Avenue. The side lines of said 50 foot easement to be extended or shortened to meet at angle points and to terminate at the existing or additional northerly right of way line of Echo Avenue.

Said easement contains 0.67 acres, more or less, and is subject to all easements and other restrictions of record.

B. ADJACENT TO IRON CITY AVENUE

A portion of existing roadway easement, originally established Angel Road (now known as Iron City Avenue), recorded in Establishment Record Book "A", Page 155, in the Office of the Muscatine County Engineer, 66 feet wide over a parcel of land located in part of the Northwest Quarter of Section 21, Township 78 North, Range 3 West, of the 5th Principal Meridian, Muscatine County, Iowa, the centerline of which is described as follows:

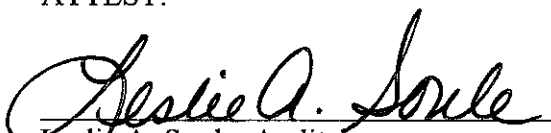
Commencing at a 5/8"Ø rebar with light blue cap, LS No. 23526 found in the centerline of Iron City Avenue at the Southwest Corner of the Northeast Quarter of the Northwest Quarter of Section 21, Township 78 North, Range 3 West, of the 5th Principal Meridian, Muscatine County, Iowa; thence North 0°38'53" East along the west line of said Northeast Quarter of the Northwest Quarter of Section 21 and centerline of the originally established Angel Road (now known as Iron City Avenue), recorded in Establishment Record Book "A", Page 155, in the Office of the Muscatine County Engineer and basis of bearings for this survey being the Iowa Regional Coordinate System, Zone 14 Burlington, a distance of 898.93 feet to a point on the northerly right of way line of the newly relocated Iron City Avenue, also the thread of Goshen Ditch, and Point of Beginning; thence continuing along said west line and centerline, 392.13 feet to a point on the south right of way line of 130th Street. The side lines of said 66 foot easement to be extended or shortened to meet at angle points and to terminate at the thread of Goshen Ditch or south right of way line of 130th Street.

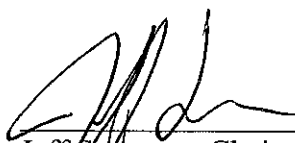
Said easement contains 0.59 acres, more or less, and is subject to all easements and other restrictions of record.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Muscatine County, Iowa, that the above described sections of road be ordered vacated and closed.

PASSED AND APPROVED this 30th day of March, 2020.

ATTEST:


Leslie A. Soule, Auditor


Jeff Sorensen, Chair
Muscatine County Board of Supervisors