

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

RESOLUTION # 05-16-22-04
RESOLUTION TO VACATE UNUSED SECONDARY ROAD RIGHT-OF-WAY
ADJACENT TO VAIL AVENUE IN SWEETLAND AND MONTPELIER TOWNSHIPS

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:

Excess Roadway Right of Way adjacent to Vail Avenue in Sweetland and Montpelier Townships

A portion of existing roadway easement, originally established State Road, from Fairport to the Northeast Corner of Section 1, Township 78 North, Range 1 West of the 5th Principal Meridian, recorded in Establishment Record Book "PB", Pages 196-199, in the Office of the Muscatine County Engineer, 66 feet wide over a parcel of land located in part of the East One-Half of the Northeast Quarter of Section 13, Township 78 North, Range 1 West of the 5th Principal Meridian and part of the Southwest Quarter of the Northwest Quarter of Section 18, Township 78 North, Range 1 East of the 5th Principal Meridian, all in Muscatine County, Iowa, more particularly described as follows:


All of the existing roadway easement of said established State Road lying south and east of the current roadway right of way of Vail Avenue Y26, an easement recorded in Book 104, Page 498 in the Office of the Muscatine County Recorder.

Said easement contains 1.33 acres, more or less, and is subject to all easements and other restrictions of record.

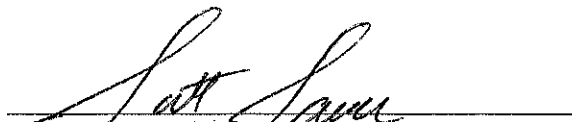
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Muscatine County, Iowa, that the above described sections of road be ordered vacated and closed.

PASSED AND APPROVED this 16th day of May, 2022.

ATTEST:



Tibe Vander Linden
Muscatine County Auditor



Scott Sauer, Chair
Muscatine County Board of Supervisors