

Resolution # 1011

Resolution vacating a county road

Moved by Eddy and seconded by Heidenwirth to approve the following resolution:

WHEREAS, a petition, signed by all adjoining landowners, requesting that a portion of Pearl Lane (AKA Pearl Ave) be vacated and closed as a public road; and

WHEREAS, The Butler County Board of Supervisors, pursuant to Resolution #1008, dated November 23, 2021, a hearing was held on December 14, 2021, at the Courthouse in Allison, Iowa to hear comments on the proposed vacation of the following described roads:

That part of Pearl Ave in Section 27 Dayton Township lying NORTH of the Northwest corner of Parcel "D" (Inst. No. 2011-2887) in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 (Book A Pages 205-206), and SOUTH of the thread of the Shell Rock River; and

WHEREAS, The Butler County Board of Supervisors finds that proper notice of said hearing was published in a newspaper of general circulation in Butler County prior to said Hearing and that proof of publication is now on file in the office of the County Auditor, and

WHEREAS, The Butler County Board of Supervisors finds that proper notice was mailed by certified mail to the adjoining property owners, and

WHEREAS, The Butler County Board of Supervisors, has considered all objections offered at said Public Hearing.

NOW THEREFORE BE IT RESOLVED that all of the above described road be vacated subject to prescriptive rights to utility companies and all other easements of record, and

BE IT FURTHER RESOLVED that the Butler County Board of Supervisors disallows any and all claims for damages, and

BE IT FURTHER RESOLVED that the Butler County Board of Supervisors does hereby Quit Claim Butler County's interest in said road to the adjoining property owners as follows:

To: Steve Henning

The part of the West 2 rods of Lot 2 of the Subdivision of the W 1/2 SE 1/4 and SE 1/4 SE 1/4 (Book A Page 205-206) AND the West 2 rods of Lot 2 of the Subdivision of the SW 1/4 NE 1/4 of Section 27, Township 93 North, Range 16 West of the 5th P.M., lying NORTH of the Northwest corner of Parcel "D" in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 and SOUTH of the thread of the Shell Rock River.

To: Nicholas L Norton & Virginia R Toye

That part of the East 2 rods of the Southwest Quarter (SW 1/4) AND the East 2 rods of Lot 2 of the Subdivision of the NW 1/4 (Book A Page 201), all in Section 27, Township 93 North, Range 16 West of the 5th P.M., lying NORTH of the Northwest corner of Parcel "D" (Inst. No. 2011-2887) in Lot 2 of the Subdivision of W 1/2 SE 1/4 and SE 1/4 SE 1/4 (Book A Pages 205-206), and SOUTH of the thread of the Shell Rock River.