

**2024-03829**

**RECORDED: 08/23/2024 12:15:51 PM**

**RECORDING FEE: \$0.00**

**REVENUE TAX: \$**

**COMBINED FEE: \$0.00**

**DENISE ALLAN, RECORDER**

**JASPER COUNTY, IOWA**

**Preparer Information:** (Name, address and phone number)

Mike Frietsch, 910 N 11<sup>th</sup> Ave E, Newton, IA 50208, (641) 792-5862

**Return Document to:** (Name and complete address)

Jasper County Auditor, 101 1<sup>st</sup> St N., Newton, IA 50208

**TITLE OF DOCUMENT:**

Resolution 24-80 Vacating a Portion of Jasper County Public Roadway

*Auditor (No fee)*

**RESOLUTION  
VACATING A PORTION OF  
JASPER COUNTY PUBLIC ROADWAY**

BE IT RESOLVED that the Jasper County, Iowa roadway easements and other interests upon the real estate described below are no longer necessary for any public purpose and ought now be vacated in the manner allowed by law, reserving however all of such area for general public utility usage.

FURTHER RESOLVED that by Iowa Code 306.11 which states "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, a hearing is not required" a public hearing was not held since there was no evidence found to indicate that any of the described portions of roadway are currently used for roadway purposes.

NOW, THEREFORE, BE IT HEREBY RESOLVED that any and all interests of Jasper County, Iowa in and to the following described real estate are hereby vacated and no longer shall be available for any public use for roadway or other public purposes other than utility purposes:

**PARCEL - 1**

**That part of Parcel A as recorded in Book 970, Page 422 in the Jasper County, Iowa, Recorder's Office located in the Northwest Quarter of the Southwest Quarter of Section 20, Township 80 North, Range 19 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:**

**Commencing at the southwest corner of said Parcel A;  
thence on an assumed bearing South 85 degrees 41 minutes 56 seconds East 281.78 feet along the south line of said Parcel A to the present right of way line of a Jasper County Highway and to the point of beginning;  
thence North 40 degrees 28 minutes 12 seconds West 287.48 feet along said present right of way line to the north line of said Parcel A;  
thence North 49 degrees 35 minutes 46 seconds East 53.00 feet along said north line;  
thence South 59 degrees 31 minutes 55 seconds East 214.67 feet;  
thence South 01 degrees 38 minutes 09 seconds East 147.48 feet to the south line of said Parcel A;  
thence North 85 degrees 41 minutes 56 seconds West 42.93 feet to the point of beginning.**

Said tract contains 0.60 acres.

**PARCEL - 2**

**That part of Parcel B as recorded in Book 970, Page 422 in the Jasper County, Iowa, Recorder's Office located in the Northwest Quarter of the Southwest Quarter of Section 20, Township 80 North, Range 19 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:**

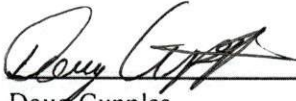
**Commencing at the northwest corner of said Parcel B;  
thence on an assumed bearing South 85 degrees 41 minutes 56 seconds East 281.78 feet along the south line of said Parcel A to the present right of way line of a Jasper County Highway and to the point of beginning;  
thence South 85 degrees 41 minutes 56 seconds East 42.93 feet;  
thence South 01 degrees 38 minutes 09 seconds East 75.53 feet to said present right of way line;  
thence along said present right of way line along a 227.30 feet radius curve, concave to the southwest, having a central angle of 23 degrees 01 minutes 42 seconds, and a chord bearing North 29 degrees 51 minutes 02 seconds West 90.74 feet, to the point of beginning.**


Said tract contains 0.03 acres.

BE IT HEREBY FURTHER RESOLVED that the aforesaid property and all interests of Jasper County, Iowa in and to said property be, and are hereby, conveyed to the owners of record (both legal and equitable titleholders as their respective interests may appear), an equal split of the adjacent strip to record owners of such respective adjoining parcels or as agreed upon by said owners, subject to reservation of utility use thereof. Upon subsequent formal or informal request by any such adjoining landowner or successors in interest and preparation of all documents by said landowners at their sole expense and to the satisfaction of the Jasper County Attorney as to both form and content, Jasper County, Iowa, by and through the chairperson of its Board of Supervisors and its Auditor shall execute and deliver appropriate conveyancing instruments reserving utility use interests only.


The Auditor of Jasper County, Iowa is hereby directed to promptly file in the office of the Jasper County Recorder a certified copy of this Resolution.

Passed and Approved this 20 day of August, 2024

  
\_\_\_\_\_  
Doug Cupples  
Board of Supervisors

  
\_\_\_\_\_  
Brandon Talsma  
Chairman Board of Supervisors

  
\_\_\_\_\_  
Denny Stevenson  
Board of Supervisors

ATTEST:   
\_\_\_\_\_  
Jenna Jennings  
County Auditor

INDEX LEGEND

COUNTY: Jasper  
SECTION: 20, T-80N, R-19W, NW 1/4 of the SW 1/4  
SURVEY FOR: Jasper County Engineer, Newton, IA  
OWNERS: Eric J. Miller & Kimberly K Miller, Newton, IA  
and Cody B. Snyder & Kacy J. Baxter, Newton, IA  
  
REFERENCED DOCUMENTS: Book 970, Page 422  
SURVEYOR & SURVEY COMPANY:  
Jason S. Lowry, P.L.S.  
Lowry Land Services, L.L.C.  
752 Diamond Trail Rd., Searsboro, Iowa 50242  
PREPARED BY AND RETURN TO:  
Jason S. Lowry, P.L.S.  
752 Diamond Trail Rd., Searsboro, Iowa 50242  
(641) 521-1160, lowrylandservices@gmail.com

**RIGHT OF WAY VACATION PLAT - PARCELS 1 & 2**  
NW 1/4 of the SW 1/4, SEC. 20, T-80N, R-19W  
JASPER COUNTY, IOWA

(SEE PAGE 2 FOR GRAPHICAL REPRESENTATION OF THIS PLAT OF SURVEY)

DESCRIPTION OF PARCEL - 1

That part of Parcel A as recorded in Book 970, Page 422 in the Jasper County, Iowa, Recorder's Office located in the Northwest Quarter of the Southwest Quarter of Section 20, Township 80 North, Range 19 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:

Commencing at the southwest corner of said Parcel A;  
thence on an assumed bearing South 85 degrees 41 minutes 56 seconds East 281.78 feet along the south line of said Parcel A to the present right of way line of a Jasper County Highway and to the point of beginning;  
thence North 40 degrees 28 minutes 12 seconds West 287.48 feet along said present right of way line to the north line of said Parcel A;  
thence North 49 degrees 35 minutes 46 seconds East 53.00 feet along said north line;  
thence South 59 degrees 31 minutes 55 seconds East 214.67 feet;  
thence South 01 degrees 38 minutes 09 seconds East 147.48 feet to the south line of said Parcel A;  
thence North 85 degrees 41 minutes 56 seconds West 42.93 feet to the point of beginning.

Said tract contains 0.60 acres.

DESCRIPTION OF PARCEL - 2

That part of Parcel B as recorded in Book 970, Page 422 in the Jasper County, Iowa, Recorder's Office located in the Northwest Quarter of the Southwest Quarter of Section 20, Township 80 North, Range 19 West of the Fifth Principal Meridian, Jasper County, Iowa, described as follows:

Commencing at the northwest corner of said Parcel B;  
thence on an assumed bearing South 85 degrees 41 minutes 56 seconds East 281.78 feet along the south line of said Parcel A to the present right of way line of a Jasper County Highway and to the point of beginning;  
thence South 85 degrees 41 minutes 56 seconds East 42.93 feet;  
thence South 01 degrees 38 minutes 09 seconds East 75.53 feet to said present right of way line;  
thence along said present right of way line along a 227.30 feet radius curve, concave to the southwest, having a central angle of 23 degrees 01 minutes 42 seconds, and a chord bearing North 29 degrees 51 minutes 02 seconds West 90.74 feet, to the point of beginning.

Said tract contains 0.03 acres.

SURVEYOR'S NOTE

The intent of this survey is to vacate the present established Jasper County Highway Easement described.

MEASURED DISTANCE/BEARING - (M)  
RECORDED DISTANCE/BEARING - (R)

MONUMENTS

- ▲ - found sec. cor. (pipe, stone, etc.)
- - set - 5/8" x 18" rebar with pink plastic cap P.L.S. 22291 or Mag nail in pavement
- - no monument found or set
- - found lot cor. (1/2" rebar unless otherwise noted)



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 Land Surveyor under the laws of the State of Iowa.

My license renewal date is 12/31/2025

Pages covered by this seal: 1 - 2

*Jason S. Lowry*  
Jason S. Lowry

Iowa Lic. No. 22291

08/21/2024

Date

**LOWRY LAND SERVICES, L.L.C.**

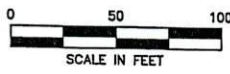
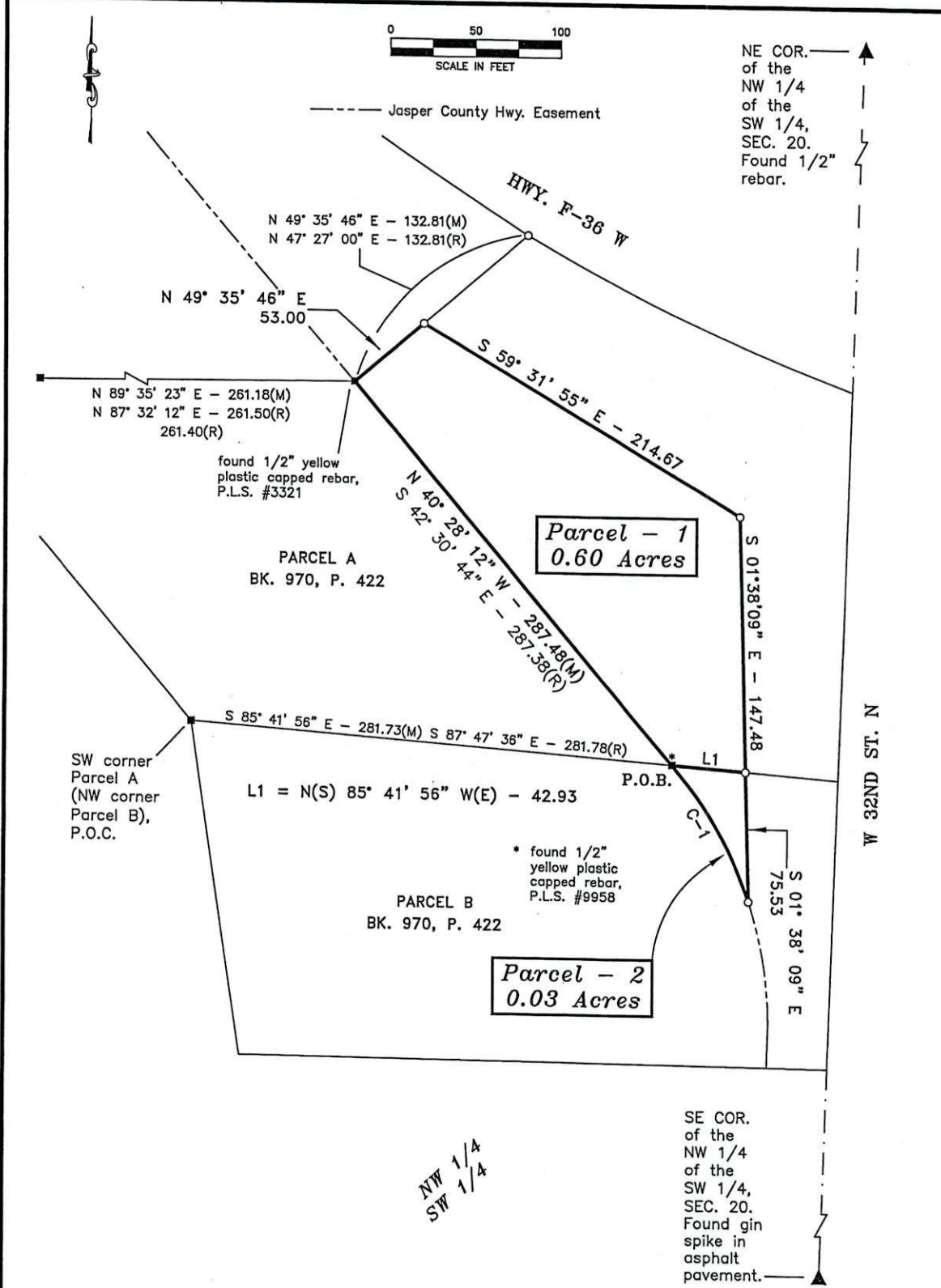
752 DIAMOND TRAIL RD., SEARSBORO, IOWA 50242, 641-521-1160

PROJ. NO. 7724

DATE OF SURVEY: 08/08/24

PAGE 1

**RIGHT OF WAY VACATION PLAT - PARCELS 1 & 2**  
 NW 1/4 of the SW 1/4, SEC. 20, T-80N, R-19W  
 JASPER COUNTY, IOWA



NE COR. of the NW 1/4 of the SW 1/4, SEC. 20. Found 1/2" rebar.

----- Jasper County Hwy. Easement

HWY. F-36 W

N 49° 35' 46" E - 132.81(M)  
 N 47° 27' 00" E - 132.81(R)

N 49° 35' 46" E  
 53.00

N 89° 35' 23" E - 261.18(M)  
 N 87° 32' 12" E - 261.50(R)  
 261.40(R)

found 1/2" yellow plastic capped rebar, P.L.S. #3321

PARCEL A  
 BK. 970, P. 422

**Parcel - 1**  
**0.60 Acres**

S 59° 31' 55" E - 214.67  
 N 40° 28' 12" W - 287.48(M)  
 S 42° 30' 44" E - 287.38(R)

S 01° 38' 09" E - 147.48

SW corner Parcel A (NW corner Parcel B), P.O.C.

S 85° 41' 56" E - 281.73(M) S 87° 47' 36" E - 281.78(R)

L1 = N(S) 85° 41' 56" W(E) - 42.93

P.O.B.

\* found 1/2" yellow plastic capped rebar, P.L.S. #9958

PARCEL B  
 BK. 970, P. 422

**Parcel - 2**  
**0.03 Acres**

W 32ND ST. N

SE COR. of the NW 1/4 of the SW 1/4, SEC. 20. Found gin spike in asphalt pavement.

NW 1/4  
 SW 1/4

CURVE TABLE

CURVE	RADIUS	DEGREE OF CURVE	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	227.30	25°12'36"	91.36	90.74	N 29° 51' 02" W	23°01'42"	46.30