



Mills County Board of Supervisors

Lonnie Mayberry • Jack Sayers • Richard Crouch

RESOLUTION 25-14

RESOLUTION AUTHORIZING THE VACATION OF ROAD RIGHT-OF-WAY LOCATED IN MILLS COUNTY, IOWA

WHEREAS, Mills County, Iowa maintains a certain road right-of-way described as:

A parcel of land located in part of Lot 1 of Hiowa Acres being located in Section 23, Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows:

Commencing at the northwest corner of said Lot 1; thence S89°47'43"E along the North line of said Lot 1 a distance of 351.67 feet to the point of beginning; thence S09°50'07"W along the existing westerly right of way line a distance of 171.75 feet to the South line of said Lot 1; thence S89°49'41"E along said South line a distance of 90.84 feet to a point on a curve concave Northwesterly having a central angle of 15°33'08" and a radius of 692.32 feet; thence Northeasterly along said curve an arc length of 187.92 feet with a chord bearing and distance of N25°34'18"E, 187.92 feet to the North line of said Lot 1; thence N89°47'43"W along said North line a distance of 142.37 feet to the point of beginning. Said parcel contains 0.47 acres, more or less, and is subject to all existing easements of record not shown on this plat. Note: The North line of Lot 1 of said Hiowa Acres is assumed to bear S89°47'43" for this description.

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement and repair thereof as may be deemed necessary by the utilities in the future.

WHEREAS, the above-described road right-of-way is not used by the general public, and

WHEREAS, the Mills County Board of Supervisors determined that it is in the best interest of Mills County, Iowa, to vacate and close the above-described road right-of-way, and

WHEREAS, Iowa Code Section 306.10 authorizes the Mills County Board of Supervisors to vacate certain road right-of-way located in Mills County, Iowa, and

WHEREAS, Iowa Code 306.11 states that 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, then a public hearing is not required, and

WHEREAS, the above-described road right-of-way is held by easement and will not change the existing traveled portion of the road or deny access to the road by adjoining landowners, therefore, a public hearing will not be held, and

WHEREAS, the Mills County Board of Supervisors duly considered all comments made both for and against the vacation and closure of the above-described road right-of-way,

NOW, THEREFORE, BE IT RESOLVED BY THE MILLS COUNTY BOARD OF SUPERVISORS That the Mills County Board of Supervisors hereby agrees to vacate and close the above-described road right-of-way.

Approved this 22nd day of April 2025

AYE

NAY



Lonnie Mayberry, Chair Board of Supervisors

X



Jack Sayers

X



Richard Crouch

X

ATTEST:



Amber Farnan, Mills County Auditor