

SCOTT COUNTY BOARD OF SUPERVISORS

ORDER PERTAINING TO THE MATTER OF THE VACATION OF A PARCEL OF ROAD RIGHT-OF-WAY LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 80 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT COUNTY, IOWA

On March 3, 2022, the Scott County Board of Supervisors (hereinafter “the Board”) met pursuant to Iowa Code §306.11 for a hearing regarding the proposed vacation of a parcel of road right-of-way located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 80 North, Range 4 East of the 5th P.M., Scott County, Iowa. All members of the Board were present for the hearing. The Board is satisfied that proper notice of hearing has been served in accordance with Iowa Code §306.12. After the hearing, the Board makes the following findings and enters this order:

Findings: The parcel of road right-of-way is a portion of a frontage road that originally provided access for a private property to Primary Road No. IA. 956. The frontage road is an approximately 12 feet wide gravel lane. In 2003, the Iowa Department of Transportation transferred jurisdiction of IA. 956 to Scott County. The road and adjoining right-of-way became a part of the Scott County Secondary Road System and is now known as Scott Park Road. Sometime after the transfer, the private property obtained direct access to Scott Park Road. Mark and Melissa Lane presently own the above mentioned private property and contacted our department to vacate and sell this parcel of road right-of-way. The Lane’s own the land adjacent to the parcel of road right-of-way. The public can access this gravel lane from the intersection of 307th Street and Scott Park Road. However, the gravel lane dead ends at Lane’s property line. Although the road right-of-way dead ends at their north property line, the gravel lane continues south onto their property and outlets onto Scott Park Road through their driveway entrance. Occasionally, the traveling public uses this gravel lane and Lane’s driveway to make U-turns

back onto Scott Park Road. This creates a hardship for the Lane's. This gravel lane is of no benefit to the traveling public, because it dead ends at Lane's property line and it has no turn-around area. Our department has performed minimal maintenance of this gravel lane since it was transferred to our department.

The parcel of road right-of-way is legally described as:

Part of the Southwest Quarter of the Northeast Quarter of Section 7, Township 80 North, Range 4 East of the 5th P.M., Scott County, Iowa, more particularly described as follows: Commencing at the Center of said Section 7; thence north 87 degrees 57 minutes 14 seconds east along the South line of the Northeast Quarter of said Section 7, 573.52 feet; thence north 02 degrees 02 minutes 46 seconds west and perpendicular to said South line, 414.32 feet to the Point of Beginning; thence north 04 degrees 27 minutes 22 seconds east along the Westerly right-of-way line of Scott Park Road, 174.85 feet to the Southeast Corner of Lot 1 of Shannon Subdivision; thence north 87 degrees 13 minutes 07 seconds east, 55.35 feet; thence south 01 degree 08 minutes 47 seconds west, 174.70 feet; thence south 87 degrees 57 minutes 14 seconds west along the existing Scott Park Road right-of-way line, 65.42 feet to the Point of Beginning. Containing 0.24 acres or 10,500 square feet more or less, and subject to easements, reservations, restrictions, and right-of-way record and not of record.

The Board has not received written notice of objection to the vacation from the public.

The Lane's are the only adjoining landowners and they requested the road right-of-way vacation.

Nobody appeared at the hearing to voice objection to the proposed vacation. The Board notes that if the parcel of road right-of-way is vacated and sold to the Lane's, Scott County's interest will no longer exist.

The Board recognizes that, although this parcel of road right-of-way is a low maintenance road, there is still expense involved to the taxpayers of Scott County in maintaining it. The Board is of the opinion that the general public is not served by continuing to keep this parcel of road right-of-way. It also appears to the Board that it is in the general interest of economy and public welfare to vacate this parcel of road right-of-way.

Order: The Scott County Board of Supervisors does hereby vacate and close the above described parcel of road right-of-way located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 80 North, Range 4 East of the 5th P.M., Scott County, Iowa.

A copy of this Order shall be filed with the Scott County Auditor.

Dated this _____ day of _____, 2022.

Ken Beck, Chairman of the Board
Scott County Board of Supervisor

ATTEST: Kerri Tompkins
Scott County Auditor

Scott County Engineer's Office
950 E. Blackhawk Trail
Eldridge, IA 52748

563-326-8640
engineer@scottcountyiowa.gov

307TH ST

306TH ST

SCOTT PARK RD

Scott County ROW

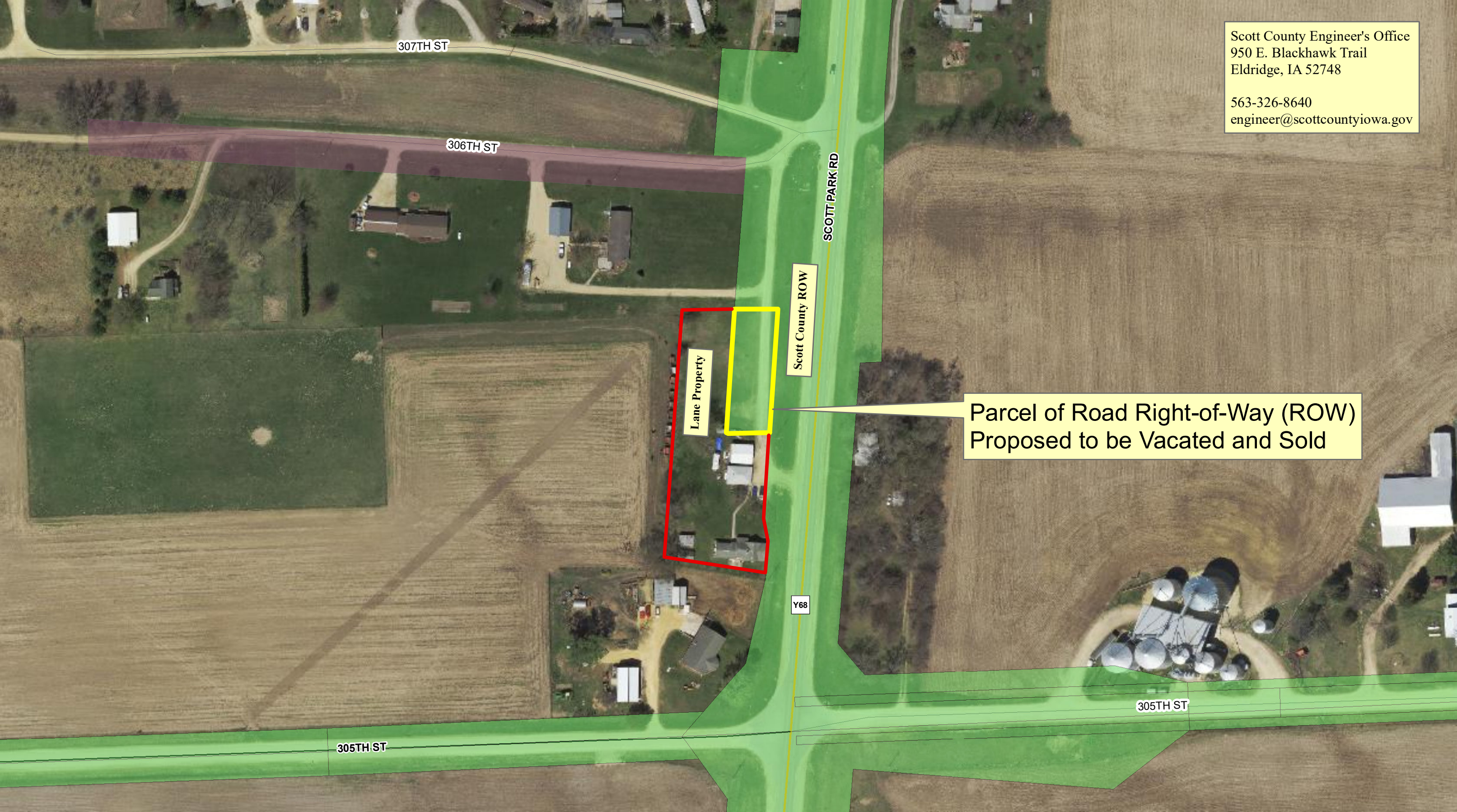
Lane Property

Parcel of Road Right-of-Way (ROW)
Proposed to be Vacated and Sold

Y68

305TH ST

305TH ST



THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
THAT THIS RESOLUTION HAS BEEN FORMALLY
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N - _____2022

SCOTT COUNTY BOARD OF SUPERVISORS

April 28, 2022

APPROVAL OF ROAD VACATION OF A PARCEL OF ROAD RIGHT-OF-WAY
LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 7, TOWNSHIP 80 NORTH, RANGE 4 EAST
OF THE 5TH P.M., SCOTT COUNTY, IOWA

WHEREAS, a public hearing was conducted on March 3, 2022, following publication and service of notice as required by law on the proposed vacation and closure of a portion of Scott County Secondary Road, described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 7, Township 80 North, Range 4 East of the 5th P.M., Scott County, Iowa, more particularly described as follows: Commencing at the Center of said Section 7; thence north 87 degrees 57 minutes 14 seconds east along the South line of the Northeast Quarter of said Section 7, 573.52 feet; thence north 02 degrees 02 minutes 46 seconds west and perpendicular to said South line, 414.32 feet to the Point of Beginning; thence north 04 degrees 27 minutes 22 seconds east along the Westerly right-of-way line of Scott Park Road, 174.85 feet to the Southeast Corner of Lot 1 of Shannon Subdivision; thence north 87 degrees 13 minutes 07 seconds east, 55.35 feet; thence south 01 degree 08 minutes 47 seconds west, 174.70 feet; thence south 87 degrees 57 minutes 14 seconds west along the existing Scott Park Road right-of-way line, 65.42 feet to the Point of Beginning. Containing 0.24 acres or 10,500 square feet more or less, and subject to easements, reservations, restrictions, and right-of-way record and not of record.

WHEREAS, No objections have been received, either in writing or by persons present.

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the subject section of road be ordered vacated and closed.
- Section 2. This resolution shall take effect immediately.