FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

SEP 27 1990

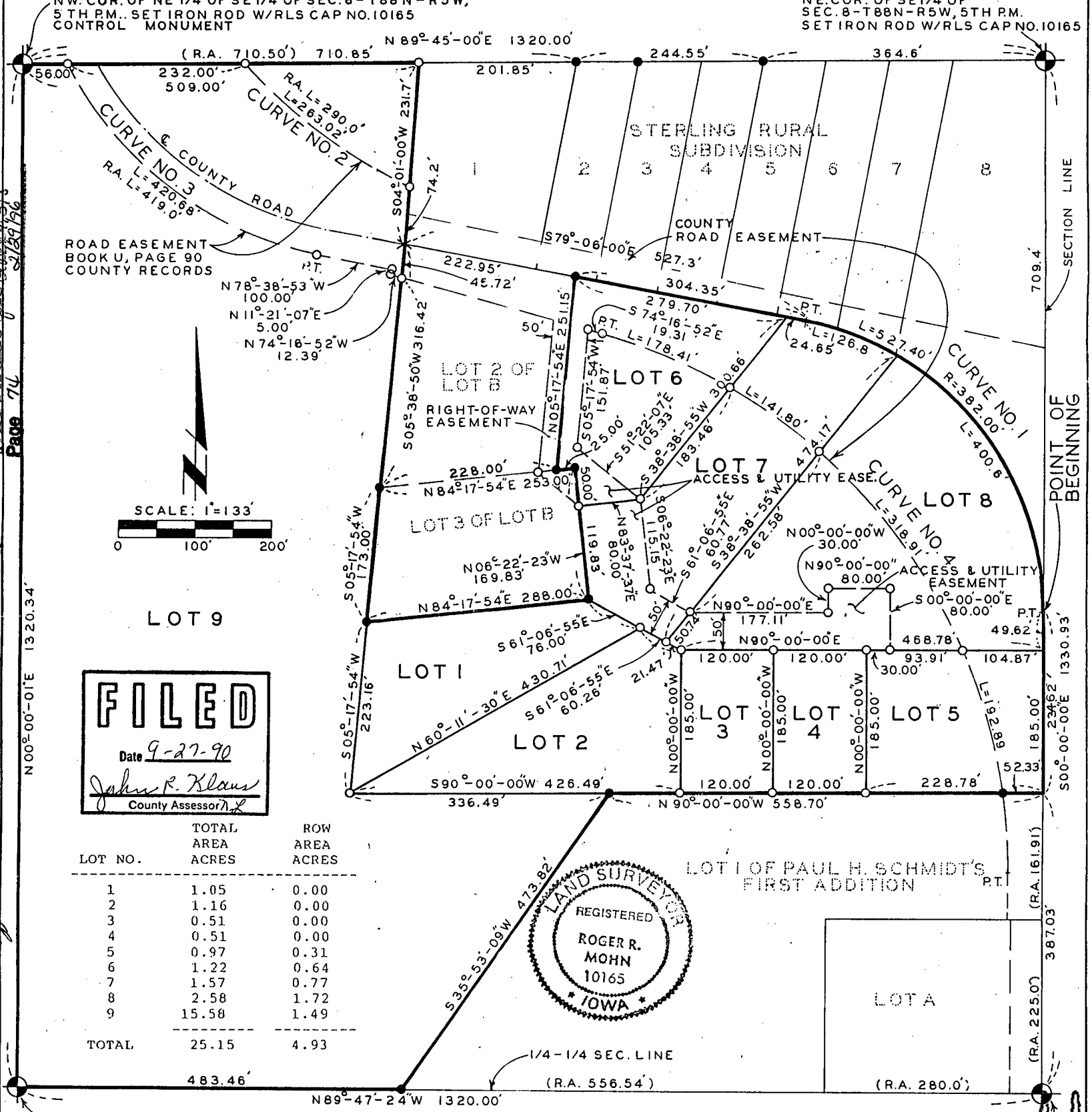
SURVEY AND PLAT OF THE

MCGRAW SECOND SUBDIVISION

45-790
DELAWARE COUNTY IOWA
FILED
'90 SEP 27 PM 1 49

A SUBDIVISION OF LOT ONE (1) OF LOT B OF MCGRAW SUBDIVISION IN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION EIGHT (8), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA.

BOOK 6 PAGE 97
JOAN SHEPPARD
RECORDER
$30.00



FILED
Date 9-27-90
John R. Klaus
County Assessor

LOT NO.	TOTAL AREA ACRES	ROW AREA ACRES
1	1.05	0.00
2	1.16	0.00
3	0.51	0.00
4	0.51	0.00
5	0.97	0.31
6	1.22	0.64
7	1.57	0.77
8	2.58	1.72
9	15.58	1.49
TOTAL	25.15	4.93

The Easterly line of the NE 1/4 - SE 1/4 of Section 8, T88N, R5W is assumed to bear S 00°-00'-00" E.

LEGEND:

- Parcel boundary established.
- Found iron rod.
- Set ½"ø iron rod w/RLS cap no. 10165.
- PT Point of tangency.
- Road RIGHT OF WAY EASEMENT.
- L. ARC Length.
- R.A. Recorded As.
- R. Radius.
- X Chiseled "X" in Concrete

CURVE NO.	TOTAL LENGTH (feet)	TOTAL DELTA ANGLE	RADIUS (feet)	CHORD LENGTH (feet)	CHORD BEARING
1	527.40	79 -06'-00"	382.00	486.20	N 39 -31'-36"
2	263.02	21 -43'-03"	693.90	261.44	N 53 -20'-40"
3	420.68	52 -02'-08"	463.20	406.37	S 52 -37'-48"
4	934.70	74 -29'-42"	718.90	870.24	S 37 -13'-51"

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision, and that I am a duly Registered Land Surveyor under the laws of the state of Iowa.

Roger R. Mohn

Date September 5, 1990 Reg. No. 10165

SURVEYED ON: JULY 18 & AUG. 25, 1990

SHEET 1 OF 3

SURVEYED FOR: JAMES MCGRAW

FILE No. 45-790	FILED FOR RECORD THE 27 DAY OF	STATE OF IOWA, DELAWARE COUNTY	
RECORDING FEE $ 30.00	September, 19 90 AT 1:49	Joan Sheppard	Recorder
TRANSFER FEE $	O'CLOCK P. M. BOOK 6 PAGE 97	By Plats A-36	Deputy

LEGAL DESCRIPTION:

MCGRAW SECOND SUBDIVISION, a subdivision of Lot One (1) of Lot B of McGraw Subdivision in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian Delaware County, Iowa, into nine (9) lots numbered one through nine containing a total of 25.15 acres including 4.93 acres in public road right of way, subject to County Road easements of record; the boundary more particularly described by metes and bounds as follows:

Commencing at the Northeast Corner of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian; thence S 00°-00'-00" E 709.4 feet along the Easterly line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section Eight (8) to the POINT OF BEGINNING: thence S 00°-00'-00" E 234.62 feet along the Easterly line of said Northeast Quarter (NE 1/4) of said Southeast Quarter (SE 1/4) which is along the centerline of a Delaware County Road; thence N 90°-00'-00" W 558.70 feet along the Northerly line of Lot 1 of Paul H. Schmidt's First Addition, thence S 35°-53'-09" W 473.82 feet along the Westerly line of Lot 1 of Schmidt's First Addition, thence N 89°- 47'-24" W 483.46 feet along the Southerly line of the Northeast Quarter (NE 1/4) of said Southeast Quarter (SE 1/4), thence N 00°-00'-01" E 1320.34 feet along the Westerly line of the Northeast Quarter (NE 1/4) of said Southeast Quarter (SE 1/4), thence N 89°-45'-00" E 509.0 feet along the Northerly line of the Northeast Quarter (NE 1/4) of said Southeast Quarter (SE 1/4), thence S 04°-01'-00" W 231.7 feet along the Westerly line of Lot 1 of the Sterling Rural Subdivision, thence S 05°-38'-50" W 316.42 feet along the Easterly line of Lot 9 and the Westerly line of Lot 2 of Lot B, thence S 05°-17'-54" W 173.00 feet along the Easterly line of Lot 9 and the Westerly line of Lot 3 of Lot B, thence N 84°-17'-54" E 288.00 feet along the Southerly line of Lot 3 of Lot B, thence N 06°-22'-23"-W 169.83 feet along the Easterly line of Lot 3 of Lot B, thence S 84°-17'-54" W 25.00 feet, thence N 05°-17'-54" E 251.15 feet along the Easterly line of Lot 2 of Lot B to the Center of a County Road, thence S 79°-06'-00" E along the centerline of the County Road 304.35 feet to a tangent point, thence 527.40 feet along the centerline of said Delaware County Road which is along a 382.0 foot radius curve concave southwesterly whose long chord bears S 39°-31'-36" E 486.20 feet to the POINT OF BEGINNING. Said described parcel containing a total of 25.15 acres, more or less, subject to county road easement and all other easements of record. The Easterly line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Eighty-eight North (T88N), Range Five West (R5W) is assumed to bear S 00°-00'-00" E.

The attached Plat represents the McGraw Second Subdivision, a subdivision of Lot One (1) of the Subdivision of Lot B of McGraw Subdivision in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian Delaware County, Iowa.

The Northwest Corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) and the Southeast Corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Eight (8), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian have been established as control monuments.

SURVEYOR'S CERTIFICATE:

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.

I hereby certify that monuments in addition to control monuments will be placed on or before August 1, 1991.

Roger R. Mohn

Roger R. Mohn

Date. September 5, 1990 ..... Reg. No.....10165.....

LAND SURVEYOR REGISTERED ROGER R. MOHN 10165 IOWA

OWNER'S ACKNOWLEDGEMENT:

I (We) James R McGraw Diana L. McGraw of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent, and in accordance with my (our) desire. James R McGraw Diana L. McGraw

I (we) Diana L. McGraw of Delaware County, State of Iowa, do hereby dedicate access and utility easements as shown on the attached plat for public use.

James R McGraw
JAMES R. MC GRAW
Diana L. McGraw
DIANA L. MC GRAW

STATE OF IOWA, Delaware County, ss.

On the 20 day of September A.D. 19 90 before me, a Notary Public in and for said County, personally appeared James R and Diana L McGraw of said County, to me personally known to be the identical person(s) whose name(s) is (are) affixed to the foregoing statement and acknowledged the same to be their voluntary act and deed.
Witness my hand and seal.

Barbara Topping
Notary Public in and for said County.
BARBARA TOPPING

BARBARA TOPPING
MY COMMISSION EXPIRES
8-24-91

ATTORNEY'S OPINION

I, _____, a practicing attorney at law in _____, _____ County, Iowa, have examined the accompanying abstracts of title to the land included within the McGraw Second Subdivision, Delaware County, Iowa, on premises more specifically described in the surveyor's certificate of Roger R. Mohn, dated _____, 19____, _____ and _____ being the properties and holders of mortgages, liens or other encumbrances of the land being platted.

Said accompanying abstracts has been prepared in its entirety by the Delaware County Abstract Company, Inc., and was last certified to by said company on the _____ day of _____, A.D., 19____, at the hour of _____. My examination of said abstracts shows good and merchantable title on the date and hour of certification to be in fee simple, free and clear of all liens and encumbrances.

Dated at _____, Iowa, in said county, this _____ day of _____, A.D., 19____.

_____
Attorney

TREASURER'S CERTIFICATE

I, Helen McWilliams, Treasurer of Delaware County, Iowa, hereby certify that there are no taxes due nor liens against the land included within McGraw Second Subdivision, Delaware County, Iowa, on premises more specifically described in the surveyor's certificate of Roger R. Mohn dated Sept 27, 1990, as shown by the records of this office.

Witness my hand and seal of this office at Manchester, Iowa, in said County, this 27th day of Sept., 1990.

DELAWARE COUNTY TREASURER SEAL IOWA

Helen McWilliams
Helen McWilliams, Treasurer of Delaware County, Iowa.

ATTORNEY'S OPINION

Manchester, Iowa September 27, 1990

TO WHOM IT MAY CONCERN:

I have examined the accompanying abstract of title to McGraw Second Subdivision which property is more specifically described in the surveyor's certificate of Roger R. Mohen dated September 5, 1990. Said accompanying abstract of title has been prepared in its entirety by the Delaware County Abstract Company, Manchester, Iowa and was last certified on September 21, 1990 at 8:00 o'clock A.M.

My examination of said abstract of title shows good and merchantable title in the name of Diana L. McGraw subject to a mortgage to First State Bank dated August 31, 1990 shown in Book 111, L.M., Page 221.

E. Michael Carr
Attorney at Law
117 S. Franklin Street
P. O. Box 333
Manchester, Iowa 52057

R-604-90

RESOLUTION WAIVING RIGHT TO REVIEW SUBDIVISION PLAT

WHEREAS, a Preliminary Plat of McGraws Second Subdivision Delaware County, Iowa, located on the premises described as:

A subdivision of Lot one (1) of Lot B of McGraw Subdivision in the northeast quarter (NE¼) of the southease quarter (SE¼) of Section eight (8) Township eighty-eight north (T88N), Range Five West (R5W) of the fifth principal meridian, Delaware County, Iowa.

WHEREAS, said subdivision is located on the fringes of the two mile radius of the current city limits, and

WHEREAS, it is unlikely that the city limits will extend to include this subdivision, and

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the City Council that the City waive it's right to review McGraw's Second Subdivision;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Manchester, Iowa that the City Council hereby waives it's right to review McGraw's Second Subdivision and that the Mayor and City Clerk are hereby authorized and directed to certify this resolution and affix the same to said plat as provided by law.

PASSED AND APPROVED this 17th day of September, 1990.

CITY OF MANCHESTER

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

On this 18th day of September, 1990, before me, Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. Cole, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution R-604-90 passed by the City Council of the City of Manchester, Iowa on the 17th day of September, 1990, and that Milt L. Kramer and Karen K. Cole acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Linda K. Tutton

Notary Public; my commission expires 8-29-93

LINDA K. TUTTON

CONSENT TO PLATTING BY MORTGAGE HOLDER

The undersigned FIRST STATE Bank, herewith consents to the platting of McGraw Second Subdivision which property is more specifically described in the surveyor's certificate dated 9-5-90 .

First State Bank

BY _____, Chairman of the Baord
JOSEPH WIEWEL

_____
J.A. WIEWEL

(Bank Seal)

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

On this 26th day of September, 1990, before me, the undersigned Notary Public in and for said State, personally appeared Joseph Wiewel and J. A. Wiewel to me personally known, who being by me duly sworn did say that they are the Chairman of the Board and President respectively of said corporation; that the seal affixed is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Joseph Wiewel and J. A. Wiewel as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by them voluntarily executed.

DEBRA A. KNUTSON
MY COMMISSION EXPIRES
2-25-91

(Notary Seal)

Debra A. Knutson
Debra A. Knutson
(type name under signature)

Notary Public in and for
said State. Seal expires 2-25-91