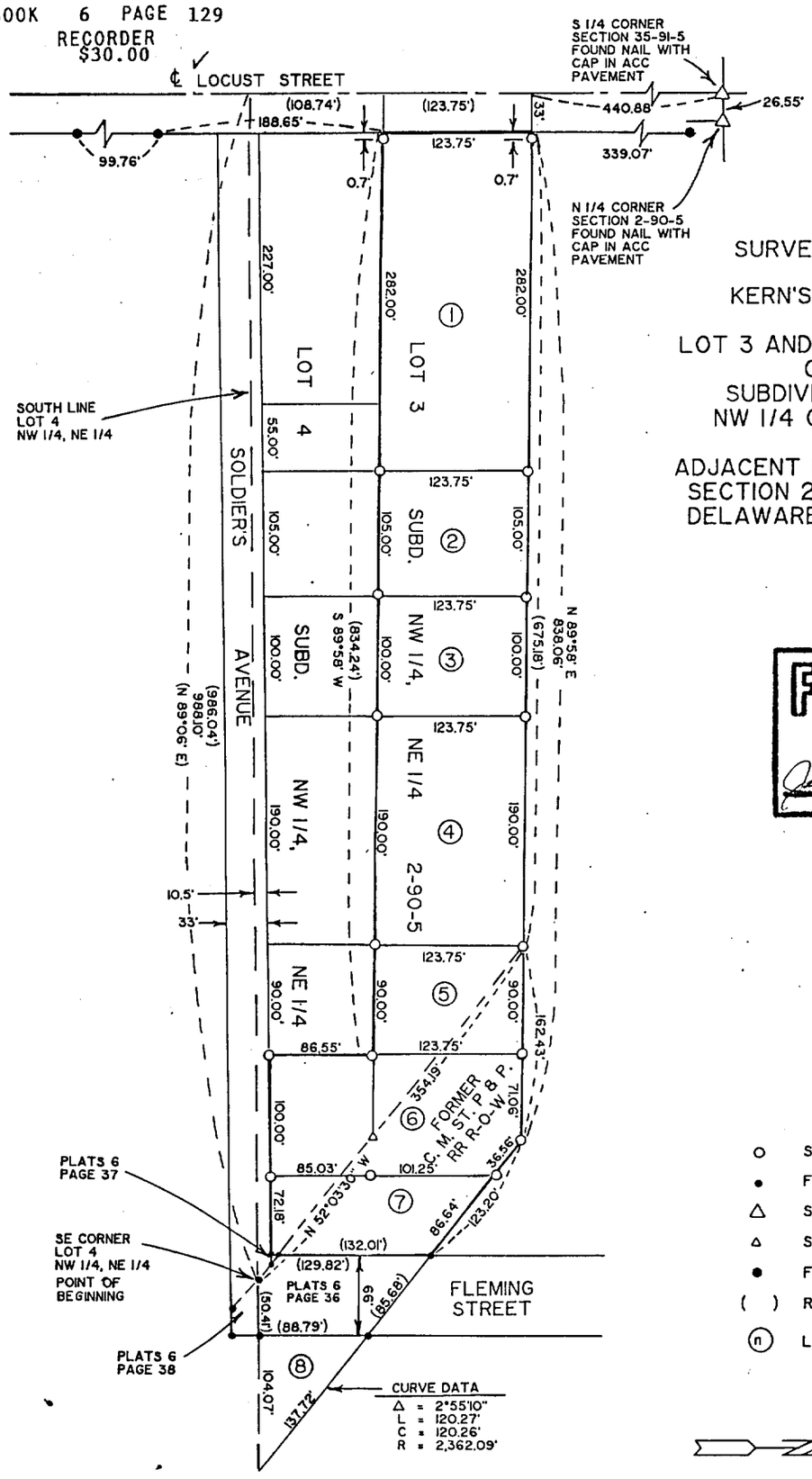
91-2560
DELAWARE COUNTY IOWA
FILED

'91 MAY 2 PM 3 37
HANGING FILE A-43
BOOK 6 PAGE 129
RECORDER
$30.00

FILED
DELAWARE COUNTY AUDITOR

MAY 2 1991



SURVEY AND PLAT OF KERN'S SUBDIVISION OF LOT 3 AND PART OF LOT 4 OF THE SUBDIVISION OF THE NW 1/4 OF THE NE 1/4 AND ADJACENT RAILROAD R-O-W SECTION 2, T 90 N, R 5 W DELAWARE COUNTY, IOWA

FILED
Date 5/2/91
John R. Klaus P.M.
County Assessor

- ○ SET IRON PIN WITH CAP
- • FOUND "T" BAR #9761
- △ SECTION CORNER
- ▵ SET NAIL
- ● FOUND IRON PIPE
- ( ) RECORD
- (n) LOT NO.

SCALE: 1" = 100'
0 100

SURVEY REQUESTED BY: TOM KERNS

I HEREBY CERTIFY THAT THIS SURVEY AND PLAT 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. IOWA REG. NO. 7474

John R. Crawford 3/22/91
JOHN R. CRAWFORD, R.L.S. DATE

REGISTERED LAND SURVEYOR
JOHN R. CRAWFORD
7474
IOWA

CRAWFORD ENGINEERING & SURVEYING, INC.
207 SECOND AVENUE N.E.
P.O. BOX 793
INDEPENDENCE IOWA 50644
TELEPHONE: 319/334-7077

PROJECT NO. 90257 FLD. BK. NO. 39 PAGE 53

FILE No. 91-2560	FILED FOR RECORD THE 2 DAY OF	STATE OF IOWA, DELAWARE COUNTY
RECORDING FEE $ 30.00	May, 19 91 AT 3:37	Joan Sheppard, Recorder
TRANSFER FEE $	O'CLOCK P. M. BOOK 6 PAGE 129	By Plats A-43, Deputy

SURVEY AND PLAT OF

Description:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 90 NORTH, RANGE 5 WEST OF THE 5TH P.M., DELAWARE COUNTY, IOWA, BEING FURTHER DESCRIBED AS FOLLOWS:

Lot 3 and Lot 4 except the west 800.00 feet, of the Subdivision of the Northwest Quarter of the Northeast Quarter of Section 2; and Beginning at the southeast corner of Lot 4 of the subdivision of the Northwest Quarter of the Northeast Quarter; thence N 52°03'30" W. 354.19 feet along the southwesterly line of the former railroad right-of-way; thence N 89°58' E, 162.43 feet; thence S 52°03'30" E, along the northeasterly line of the former railroad right-of-way, 226.15 feet; thence along a 2,362.09 feet radius curve concave southwesterly, 120.27 feet (chord = S 50°33'30" E, 120.26 feet); thence S 89°06' W, 154.34 feet to the Point of Beginning. The above property is subdivided in Lots numbered 1 through 8 and is subject to right-of-way and easements of record.

SURVEYOR'S CERTIFICATE

I, John R. Crawford, duly registered under the laws of the State of Iowa, do hereby certify that the above Description and attached Plat are correct, and in accordance with a Survey completed by me on March 22, 1991, at the request of Tom Kerns.

Signed: John R Crawford
John R. Crawford, R.L.S.
Iowa License #7474

Subscribed and sworn to before me by John R. Crawford this 27th day of March, 1991.

DEBORA L. WEIS
MY COMMISSION EXPIRES
2-22-94

Debora L. Weis
Notary Public in and for the
State of Iowa

I, Tom Kerns, do hereby acknowledge that the Survey and Plat as above described were made in accordance with my request.

Thomas R Kerns
Tom Kerns

Joan M. Kerns
Joan Kerns

Subscribed and sworn to before me by Tom Kerns this 4 day of April, 1991.

ROBERT J. PHILIPP
MY COMMISSION EXPIRES
8-1-93

Robert J. Philipp
Notary Public in and for the
State of Iowa

CRAWFORD ENGINEERING & SURVEYING, INC.
207 Second Avenue N.E.
Independence, Iowa 50644
Telephone: 319/334-7077

RESOLUTION NO. 91-3

RESOLUTION APPROVING A PLAT FOR KERN'S SUBDIVISION OF LOT 3 AND PART OF LOT 4 OF THE SUBDIVISION OF THE NW¼ OF THE NE¼ AND ADJACENT RAILROAD R-O-W SECTION 2, T90N R 5 W, DELAWARE COUNTY, IOWA.

WHEREAS, a plat has been submitted to the City Council of Edgewood, Iowa for Kern's Subdivision of Lot 3 and part of Lot 4 of the subdivision of the NW¼ of the NE¼ and adjacent railroad r-o-w Section 2, T90N R 5 W, Delaware County, Iowa, which lies in the City of Edgewood, Iowa, for approval; and

WHEREAS, upon review by the City Attorney and the City Council it appears that the plat is within the city limits of Edgewood, Iowa; and

WHEREAS, the City Council had determined the plat appears to be in compliance with the Code of Iowa and the Code of Edgewood, Iowa; now

THEREFORE, Be it resolved by the City Council of the City of Edgewood, Iowa, that the plat of Kern's Subdivision of Lot 3 and part of Lot 4 of the subdivision of the NW¼ of the NE¼ and adjacent railroad r-o-w Section 2, T90N R 5 W, Delaware County, Iowa, as described on the attached sheet, is hereby approved.

Dated this 15th day of April, 1991.

CITY OF EDGEWOOD

James J. Forkenbrock, Mayor

James Forkenbrock, Mayor

Attest: Martha S. Romig

Martha Romig, Clerk

SEAL

Lot 3 and Lot 4 except the west 800.00 feet, of the Subdivision of the Northwest Quarter of the Northeast Quarter of Section 2; and Beginning at the southeast corner of Lot 4 of the subdivision of the Northwest Quarter of the Northeast Quarter; thence N 52°03'30" W. 354.19 feet along the southwesterly line of the former railroad right-of-way; thence N 89°58' E, 162.43 feet; thence S 52°03'30" E, along the northeasterly line of the former railroad right-of-way, 226.15 feet; thence along a 2,362.09 feet radius curve concave southwesterly, 120.27 feet (chord = S 50°33'30" E, 120.26 feet); thence S 89°06' W, 154.34 feet to the Point of Beginning. The above property is subdivided in Lots numbered 1 through 8 and is subject to right-of-way and easements of record.

Edgewood, Iowa April 15, 1991

The undersigned, James J. Forkenbrock, Mayor and Martha S. Romig, Clerk of the City of Edgewood, Iowa, do hereby certify that the foregoing plat described as Part of the Northwest Quarter of the Northeast Quarter of Section 2, Township 90 North, Range 5 West of the 5th P.M., Delaware County, Iowa, being further described as follows: Lot 3 and Lot 4 except the West 800.00 feet, of the Subdivision of the Northwest Quarter of the Northeast Quarter of Section 2, and Beginning at the Southeast corner of Lot 4 of the subdivision of the Northwest Quarter of the Northeast Quarter; thence N 52 03' 30' W, 354.19 feet along the southwesterly line of the former railroad right-of-way; thence N 89 58' E, 162.43 feet; thence S 52 03'30" E, along the northeasterly line of the former railroad right-of-way, 226.15 feet; thence along a 2,362.09 feet radius curve concave southwesterly, 120.27 feet (chord = S 50 33' 30" E, 120.26 feet); thence S 89 06' W, 154.34 feet to the Point of Beginning. The above property is subdivided in Lots numbered 1 through 8 and is subject to right-of-way and easements of record, as appears on sheets 1 and 2 hereof, has been filed in the Office of the Clerk of the City of Edgewood, Iowa, and that by Resolution No. 91-3, the City Council of the City of Edgewood, Iowa, approved this plat.

CITY OF EDGEWOOD

James J. Forkenbrock, Mayor — James J. Forkenbrock, Mayor

Martha S. Romig — Martha S. Romig, Clerk

On this 18th day of April, 1991, before me Vikki Welsh, Notary Public in and for the State of Iowa, personally appeared James J. Forkenbrock and Martha S. Romig, 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 Edgewood, Iowa; and 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 No. 91-3 passed by the City Council, under roll call no. ___ of the City Council on the 15th day of April, 1991 and that James J. Forkenbrock, Mayor and Martha S. Romig, Clerk 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.

VIKKI A. WELSH
MY COMMISSION EXPIRES

Vikki A. Welsh
Notary Public; my commission expires 4-26-93

TREASURER'S CERTIFICATE

I, Helen McWilliams, Treasurer of Delaware County, Iowa, hereby certify that, as shown by the records of this office, there are no taxes due nor tax liens against the land included within Kern's Subdivision of Lot 3 and Part of Lot 4 of the Subdivision of the NW¼ of the NE¼ and Adjacent Railroad R-O-W, Section 2, T 90 N, R 5 W, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of John R. Crawford, R.L.S., dated March 22, 1991, and subscribed and sworn to by the said John R. Crawford on March 27, 1991.

Witness my hand and seal of this office at Manchester, Iowa, this 2 day of May, A.D., 1991.

SEAL

Helen McWilliams by Carol A. Wilson, Dep.

Helen McWilliams, Treasurer of Delaware County, Iowa.

ATTORNEY'S OPINION

I, Mary Lou Tracey, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included within Kern's Subdivision of Lot 3 and Part of Lot 4 of the Subdivision of the NW¼ of the NE¼ and Adjacent Railroad R-O-W, Section 2, T 90 N, R 5 W, Delaware County, Iowa, more specifically described in the Surveyor's Certificate of John R. Crawford, R.L.S., dated March 22, 1991, and subscribed and sworn to by the said John R. Crawford on March 27, 1991.

Said abstract of title was prepared in its entirety by the Delaware County Abstract Company, Inc., and was last certified to by said company on the 2nd day of April, A.D., 1991, at the hour of 8:00 o'clock A.M., with accompanying Addendum dated on the 30th day of April, A.D., 1991.

My examination of said abstract and accompanying addendum showed good and merchantable title to be in Thomas R. Kerns and Joan M. Kerns, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common, free and clear of all liens and encumbrances.

Dated at Manchester, Iowa, this 2nd day of May, A.D., 1991.

Mary Lou Tracey

Mary Lou Tracey