For stamps by Recorder, Auditor & Assessor, see last page.

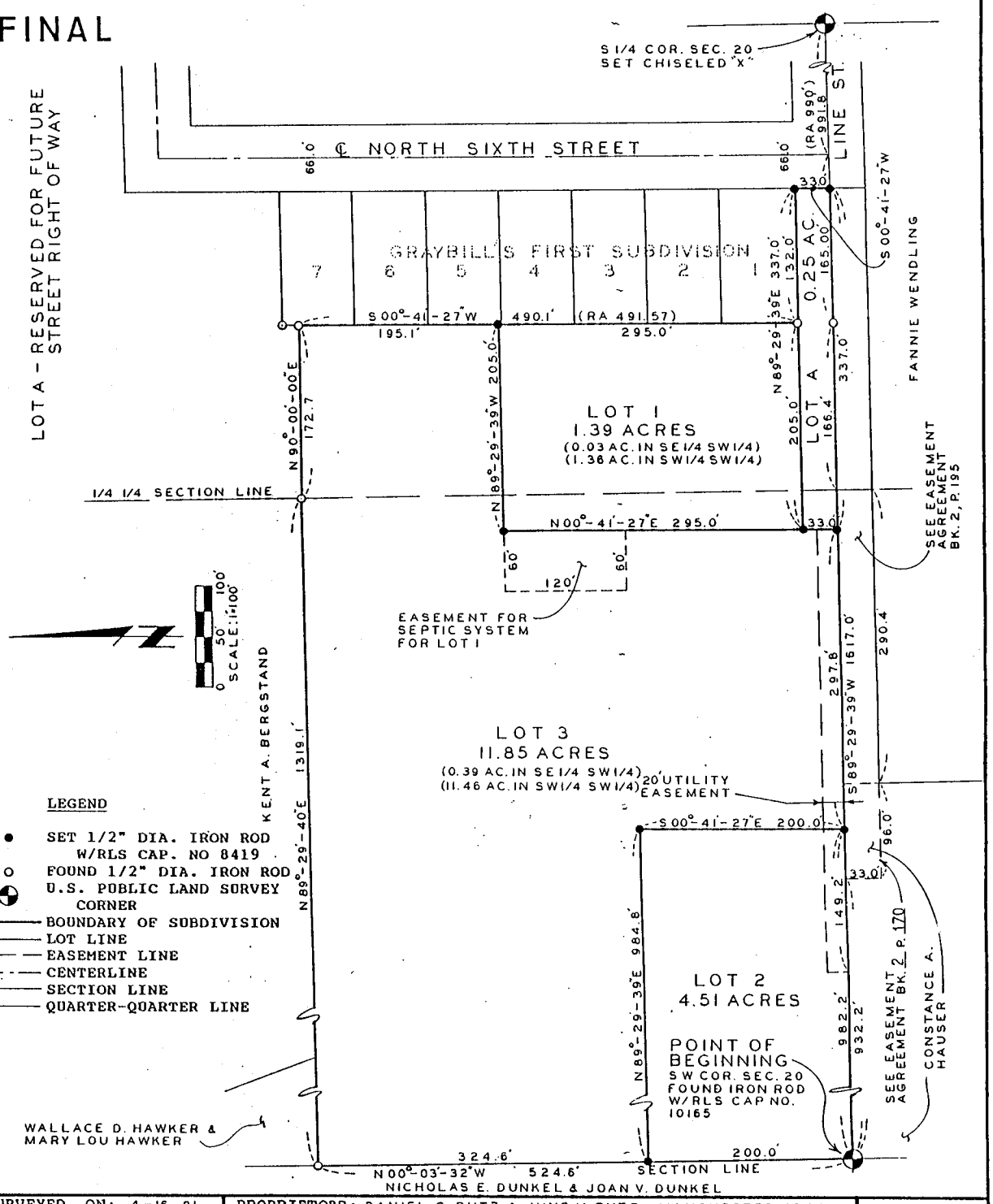
Subdivision Agreement w/City of Manchester & Survey
For Book 3 Page 217 9/24/91

Abstract For Book, See Book 18 Page 208 2-11-96 Re: Ingress/Egress Easement

PLAT OF SURVEY

POTZ SUBDIVISION - PART OF THE SOUTH ONE HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY (20), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

FINAL



LEGEND

- ● SET 1/2" DIA. IRON ROD W/RLS CAP. NO 8419
- o FOUND 1/2" DIA. IRON ROD
- ⊕ U.S. PUBLIC LAND SURVEY CORNER
- ——— BOUNDARY OF SUBDIVISION
- ——— LOT LINE
- – – – EASEMENT LINE
- —·—·— CENTERLINE
- ——— SECTION LINE
- ——— QUARTER-QUARTER LINE

SURVEYED ON: 4-16-91
FIELD BK. NO. 28-S-4

PROPRIETORS: DANIEL G. PUTZ & JUNE M. PUTZ - MANCHESTER, IOWA
LOREN R. HARBAUGH & LAURA M. HARBAUGH

REGISTERED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

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.

J. DAVID GIBBS, REG. NO. 8419 — DATE 5/07/91

TRI-STATE ENGINEERS
MANCHESTER IOWA
Municipal Consultants

PROJECT NO. 91-10
SCALE: 1"=100'
DATE: 4-19-91
DRAWN BY: D. W.
CHECKED BY:
SHEET 1 OF 8

FILE No. 106-6
RECORDING FEE $ 40.00
TRANSFER FEE $

FILED FOR RECORD THE 25 DAY OF June 19 91 AT 4:33 O'CLOCK P M. BOOK 6 PAGE 141

STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
By Plats H.F. A-46, Deputy

LEGAL DESCRIPTION:

PUTZ SUBDIVISION, Part of the South One-half (S 1/2) of the Southwest Quarter (SW 1/4) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, including three (3) lots numbered Lot One (1) through Lot Three (3) and Lot A, reserved for future street right of way, more specifically described by metes and bounds as follows:

Commencing at the Southwest Corner of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, thence North 00°-03'-32" West along the Westerly line of said Section Twenty (20) 524.6 feet, thence North 89°-29'-40" East 1319.1 feet to the Easterly line of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section Twenty (20), thence North 90°-00'-00" East 172.7 feet to the Westerly line of Lot 7 of Graybill's First Addition, thence along the Westerly line of Graybill's First Addition South 00°-41'-27" West 490.1 feet to the Southwesterly Corner of Lot One (1) of Graybill's First Subdivision, thence North 89°-29'-39" East along the Southerly line of Lot One (1) of Graybill's First Subdivision 132.0 feet to the Southeast Corner of said Lot One (1), thence South 00°-41'-27" West along the Westerly line of North Sixth Street 33.0 feet to the Southerly line of said Section Twenty (20), thence South 89°-29'-39" West along the Southerly line of said Section Twenty (20) 1617.0 feet to the POINT OF BEGINNING. The Southerly line of the South One-half (S 1/2) of the Southwest Quarter (SW 1/4) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian is assumed to bear South 89°-29'-39" West.

The subdivision includes an easement on Lot Three (3) for a septic system serving Lot One (1).

Lot A is specifically reserved for future street right of way and with this subdivision plat constitutes an easement for utilities and constitutes an easement for ingress and egress to Lot number One in lieu of the ingress and egress easement as recorded in Warranty Deed Book 127, Page 107 in the Office of the Delaware County Recorder.

Two Easement Agreements for access to Lot One (1), Two (2), and Three (3) indicated along the southerly line of Section Twenty (20) lying in Section Twenty-nine are recorded in Book 2, Page 159 and Book 2, Page 170.

The Subdivision maybe subject to an Easement for storm sewer as recorded in Book M, Page 124, in the office of the Delaware County Recorder.

SURVEYORS 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.

J. David Gibbs Date Reg. No. 8419

OWNER'S ACKNOWLEDGMENT:

I Daniel G. Putz and June M. Putz 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.

Daniel G. Putz
Daniel G. Putz

June M. Putz
June M. Putz

STATE OF Iowa

COUNTY OF Delaware ss.

On this 2nd day of May A.D. 1991 before me, a Notary Public in and for said County, personally appeared Daniel G. Putz and June M. Putz, to me known to be the persons _____ named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Vonda Billhorn
Notary Public in and for said County
Vonda Billhorn

OWNER'S ACKNOWLEDGMENT:

I Loren R. Harbaugh and Laura M. Harbaugh 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.

Loren R. Harbaugh
Loren R. Harbaugh

Laura M. Harbaugh
Laura M. Harbaugh

STATE OF Iowa

COUNTY OF Delaware ss.

On this 3rd day of May A.D. 1991 before me, a Notary Public in and for said County, personally appeared Loren R. Harbaugh and Laura M. Harbaugh, to me known to be the persons _____ named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Vonda Billhorn
Notary Public in and for said County
Vonda Billhorn

MORTGAGE HOLDERS ACKNOWLEDGEMENT:

Community Savings Bank of Edgewood, State of Iowa, does hereby certify that the above survey, as shown by the attached Plat, is made with our free consent and in accordance with our desire as mortgage holder of a portion of the premises described herein.

COMMUNITY SAVINGS BANK
Edgewood, Iowa

By _____
Steven Brady President

By _____
Jacqueline A. Johnson Vice-President

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 2nd day of May, 19 91, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven Brady and Jacqueline A. Johnson to me personally known, who being by me duly sworn, did say that they are the President and Vice-President respectively, of the corporation executing the within and foregoing instrument to which this is attached, that (no seal has been procured by the) (the seal affixed thereto is the seal of the) corporation; that said instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that Steven Brady and Jacqueline A. Johnson as officers acknowledged the executive of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
Linda A. Bessey, Notary Public in and for said State

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, a plat of Putz Subdivision, City of Manchester, Delaware County, Iowa, has been filed with the Planning and Zoning Commission of Manchester, Iowa, and after full consideration thereof the same is found to be correct, and in accordance with the ordinances of the City of Manchester, Iowa, and the laws of the State of Iowa relating to plats and additions to cities;

It is further found that said final plat is hereby acknowledged and approved by the Manchester Planning and Zoning Commission with allowance for the following variances per Section 6.01 of Ordinance No. 293-85, "Subdivisions" of the City of Manchester:

1. Section 3.03 Minimum Improvements
   (a) Streets - Private driveway access to be provided by developer. Property in this subdivision subject to assessments should future development warrant a public street as determined by the City.

2. Section 3.03 Minimum Improvements Sanitary Sewer System. Lots to be served by properly designed and constructed private sewage disposal in lieu of public sewer system, subject to future requirement to connect to public sewer, should public sewer become available as determined by the City.

3. Section 3.03 Minimum Improvements
   (c) Storm Sewer System - None required unless and until construction of future street.

4. Section 3.03 Minimum Improvements
   (e) Other Improvements relating to the construction of sidewalks.

5. Section 4.07 Block and lot standards.
   Related to public street requirement.

6. Section 4.06 Street Standards - See 1) above.

NOW, THEREFORE, BE IT RESOLVED, by the City Planning and Zoning Commission of the City of Manchester, Iowa, that said Putz Subdivision, City of Manchester, Delaware County, Iowa, be, and the same is hereby acknowledged and approved on the part of the City Planning and Zoning Commission and the commission hereby recommends to the City Council the acceptance of the same and the Chairman and the Secretary are hereby authorized and directed to certify this resolution of approval and affix the same to said plat as provided by law.

Adopted and passed this 8th day of May, 19 81.

PLANNING AND ZONING COMMISSION
MANCHESTER, DELAWARE COUNTY, IOWA

By _____
David J. Parmley, Chairman

By _____
Helen M. Knutson, Secretary

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

We, David J. Parmley, Chairman, and Helen M. Knutson, Secretary, of the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, first being duly sworn, hereby certify on oath that the above and foregoing resolution is a true and correct copy of the resolution passed by the City Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, on the 8th day of May A.D., 19 91.

_____
David J. Parmley, Chairman

_____
Helen M. Knutson, Secretary

On this 9th day of May, 1991, before me Debra A. Knutson, a Notary Public in and for the State of Iowa, personally appeared David J. Parmley, and Helen M. Knutson, to me personally known, and, who, being by me duly sworn, did say that they are the Chairperson and Secretary of the Manchester Planning and Zoning Commission 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 Planning and Zoning Commission as contained in Resolution adopted by the Planning and Zoning Commission May 8, 1991, and that David J. Parmley and Helen M. Knutson 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.

Debra A Knutson
Notary Public in and for the State of Iowa

DEBRA A. KNUTSON
MY COMMISSION EXPIRES
2-25-94

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, a plat of the Putz Subdivision, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the surveyor's certificate of J. David Gibbs, dated May 7, 1991, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa, and has been acknowledged and approved by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, who have recommended acceptance of the same to be correct and in accordance with the laws of the State of Iowa, and the ordinances of the City of Manchester, Delaware County, Iowa, with relation to plats and additions to cities;

It is further found that said final plat is hereby acknowledged and approved by the Manchester Planning and Zoning Commission with allowance for the following variances per Section 6.01 of Ordinance No. 293-85, "Subdivisions" of the City of Manchester:

1. Section 3.03 Minimum Improvements
   (a) Streets - Private driveway access to be provided by developer. Property in this subdivision subject to assessments should future development warrant a public street as determined by the City.

2. Section 3.03 Minimum Improvements Sanitary Sewer System. Lots to be served by properly designed and constructed private sewage disposal in lieu of public sewer system, subject to future requirement to connect to public sewer, should public sewer become available as determined by the City.

3. Section 3.03 Minimum Improvements
   (c) Storm Sewer System - None required unless and until construction of future street.

4. Section 3.03 Minimum Improvements
   (e) Other Improvements relating to the construction of sidewalks.

5. Section 4.07 Block and lot standards.
   Related to public street requirement.

6. Section 4.06 Street Standards - See 1) above.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Manchester, Delaware County, Iowa, that said Putz Subdivision, City of Manchester, Delaware County, Iowa, be and the same is hereby the same is acknowledged, approved and accepted on the part of the City of Manchester, Delaware County, Iowa.

Approval is subject to the Final Plat and attachments required by Code of Iowa 409 and 409A being placed of record in the office of the Delaware County Recorder within 60 days following approval of this Resolution and subject to restrictive covenants as required by City Code.

The Mayor and City Clerk are hereby directed to certify this approval and affix the same to said plat as by law provided.

Passed this 20th day of May, A.D., 1991.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 22nd day of May, 1991, 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 Number R-721-91 adopted by the City Council on the 20th day of May, 1991, 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

Linda K. Tutton; Notary Public;
my commission expires 8-29-83

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 with the Putz Subdivision, Delaware County, Iowa, on premises more specifically described in the surveyor's certificate of J. David Gibbs, dated May 7, 1991, as shown by the records of this office.

Witness my hand and seal of this office at Manchester, Iowa, in said County, this 25th day of June, 1991.

Helen McWilliams

Helen McWilliams, Treasurer of
Delaware County, Iowa.

ATTORNEY'S OPINION

I, Thomas J. Hanson, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included within the Putz Subdivision, Delaware County, Iowa, on premises more specifically described in the surveyor's certificate of J. David Gibbs, dated May 7, 1991.

Said abstract has been prepared in its entirety by the Delaware County Abstract Company, Inc., and was last certified to by said company on the 12th day of June, A.D., 1991, at the hour of 8:00 o'clock A.M.

My examination of said abstract shows goods and merchantable title on the date and hour of certification to be as follows:

(1) Loren R. Harbaugh and Laura M. Harbaugh, husband and wife, as to Lot 1 thereof;

(2) Daniel G. Putz as to the remainder of the premises.

Dated at Manchester, Iowa, in said County, this 25 day of June, 1991.

Thomas J. Hanson
Attorney at Law
401 East Main Street
Manchester, Iowa 52057
Tel: (319) 927-5920

106-6

DELAWARE COUNTY IOWA
FILED
Hanging File A-46
'91 JUN 25 PM 4 33

BOOK 6 PAGE 141
RECORDER

$40.00

FILED
SHARON THOMAS
DELAWARE COUNTY AUDITOR

JUN 26 1991

FILED
Date 6-26-91
Cheryl Stufflebeam
Dep County Assessor

Book 6 Page 141