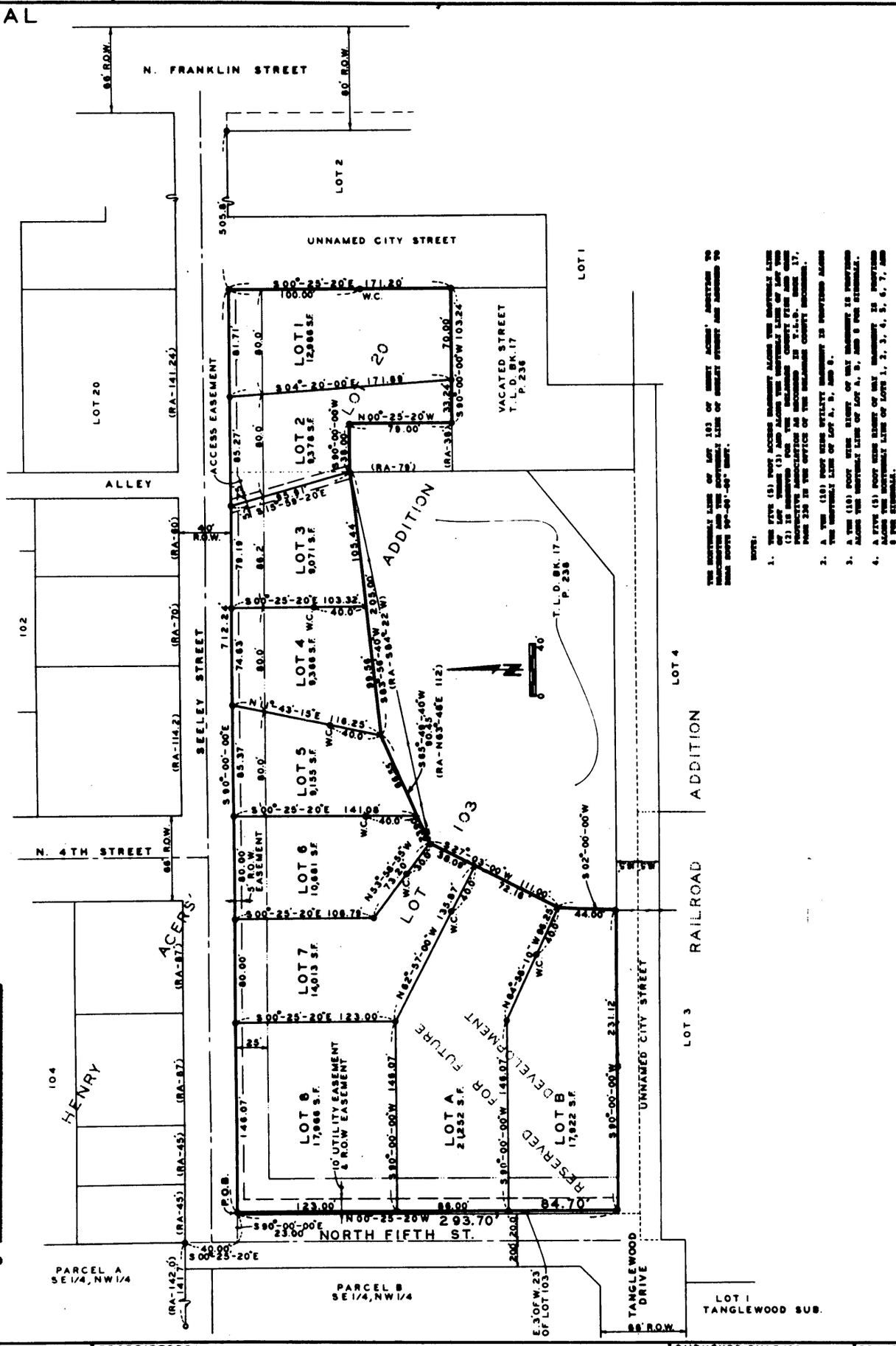
PLAT OF SURVEY

FINAL

TEGELER'S FIRST SUBDIVISION

OF PART OF LOT 20 AND PART OF LOT 103 OF HENRY ACERS' ADDITION TO MANCHESTER, SECTION 20 AND 29, TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH P.M., DELAWARE COUNTY, IOWA.



Resolution
For Release, See Book 4
Page 130 11-2-93

PROPRIETORS: JEFFERY J. TEGELER & KRISTINE M. TEGELER
701 EAST MAIN STREET, MANCHESTER, IA 52057

SURVEYED ON: 7/20
FIELD BK. NO. 28-3-14

PROJECT NO. 93-528

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. MY LICENSE RENEWAL DATE IS ON JANUARY 1, 1995.

J. DAVID GIBBS REG. NO. 8419 9/17/93 DATE

REGISTERED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

TRI-STATE ENGINEERS
OLD HWY. 20 EAST MANCHESTER IOWA

LEGEND
- LOT OR PARCEL BOUNDARY
- LOT LINE ESTABLISHED
- SUBDIVISION BOUNDARY
- FOUND IRON ROD
- SET 1/2" DIA. IRON ROD W/RLS CAP NO. 8419
- FENCE POST
- CENTERLINE
- EASEMENT LINE
- BUILDING LINE
- FENCELINE
- W.C. WITNESS CORNER
- (RA-) RECORDED AS DIST. &/OR BEARING

SCALE: 1"= 40'
DATE: 8/26/93
DRAWN BY: R. M.
CHECKED BY:
SHEET: 1 OF 2

FILE No. 318-900
RECORDING FEE $ 41.00
TRANSFER FEE $

FILED FOR RECORD THE 22 DAY OF September, 19 93 AT 8:24 O'CLOCK A M. BOOK 7 PAGE 45

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Plats A-74

LEGAL DESCRIPTION:

TEGELER'S FIRST SUBDIVISION of Part of Lot Twenty (20) and Part of Lot One hundred three (103), as described in T.L.D. Book 19, Page 621 in the Office of the Delaware County Recorder of Henry Acers' Addition to Manchester, Delaware County, Iowa, as recorded in Book 1 of Plats, Page 1, in the Office of the Delaware County Recorder, subdividing said parcels into Ten (10) Lots numbered One (1) through Eight (8) and A and B containing a total of 131,790 Square feet (3.03 acres), subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the Southwest (SW) Corner of Lot 104 of Henry Acers' Addition to Manchester as recorded in Book 1 of Plats, Page 1 in the Office of the Delaware County Recorder; thence along the Westerly line of said Henry Acers' Addition, South 00°-25'-20" East to the Northwesterly Corner of Lot 103 of said Henry Acers' Addition 40.00 feet; thence along the Northerly line of said Lot 103, South 90°-00'-00" East 23.00 feet to the Easterly line of the West 23 feet of said Lot 103, the POINT OF BEGINNING; thence continuing along the Northerly line of said Lot 103 and the Southerly line of Seeley Street South 90°-00'-00" East to the Easterly line of Lot Twenty (20) of said Henry Acers' Addition 712.24 feet; thence along the Easterly line of said Lot Twenty (20) South 00°-25'-20" East to the Southeasterly Corner of said Lot Twenty (20) 171.20 feet; thence along the Southerly line of said Lot Twenty (20) South 90°-00'-00" West to the Easterly line of the West 38 feet of said Lot Twenty (20) 103.24 feet; thence along the Easterly line of said West 38 feet North 00°-25'-20" West 79.00 feet; thence along the Northerly line of the Southerly 79 feet of said Lot Twenty (20) South 90°-00'-00" West to the Westerly line of said Lot Twenty (20) 38.0 feet; thence along the Northerly line of a Parcel as deeded to Delaware County Fish And Game Protective Association as recorded in T.L.D. Book 17, Page 238 in the Office of the Delaware County Recorder South 83°-56'-40" West 205.00 feet; thence continuing along the Northerly line of said Parcel South 65°-49'-40" West 90.45 feet; thence continuing along the Northerly line of said Parcel South 27°-03'-00" West 111.00 feet; thence along the Westerly line of said Parcel South 02°-00'-00" West 44.00 feet to the Northerly line of an Unnamed City Street as recorded in T.L.D. Book S, Page 53 in the Office of the Delaware County Recorder; thence along the Northerly line of said Unnamed City Street South 90°-00'-00" West 231.12 feet to the Easterly line of the West 23 feet of said Lot 103; thence along the Easterly line of the West 23 feet of said Lot 103 North 00°-25'-20" West 293.70 feet to the POINT OF BEGINNING; containing 131,790 square feet (3.03 acres) and subject to easements of record. The Northerly line of Lot 103 of said Henry Acers' Addition and the Southerly line of Seeley Street are assumed to bear South 90°-00'-00" East.

Lots A and B are reserved for future development.

SURVEYOR'S CERTIFICATE:

I hereby certify that this plat, map, survey or report was prepared 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 2/17/23

J. David Gibbs Date Reg. No. .8419.
My registration will be renewed on January 1, 1995.

REGISTERED LAND SURVEYOR
J. DAVID GIBBS 8419
IOWA

OWNER'S ACKNOWLEDGEMENT:

I Jeffery J. Tegeler and Kristine M. Tegeler, of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

Jeffery J. Tegeler

Kristine M. Tegeler

STATE OF Iowa, Delaware County, ss.

On this 8th day of September A.D. 1993 before me, a Notary Public in and for said County, personally appeared Jeffery J. Tegeler and Kristine M. Tegeler, of said County, to me personally known, who being by me duly (sworn or affirmed) did say that the person(s) Named in and who executed the foregoing instrument, and acknowledged that Jeffery J. Tegeler and Kristine M. Tegeler executed the same as their voluntary act and deed.
Witness my hand and seal.

Notary Public in and for said County

CHRISTINE L. TEGELER



ATTORNEY'S OPINION

I, Daniel H. Swift, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included within the TEGELER'S FIRST SUBDIVISION, Delaware County, Iowa, on premises more specifically described in the surveyor's certificate of J. David Gibbs, dated September 17, 1993.

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 22nd day of September, A.D., 1993, at the hour of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantable title on the date and hour of certification to be in Jeffrey J. Tegeler and Kristine M. Tegeler, as joint tenants, with full rights of survivorship, and not as tenants in common, subject to easements of record.

Dated at Manchester, Iowa, in said County, this 22nd day of September, 1993.

Daniel H. Swift, Attorney at Law

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, a plat of TEGELER'S FIRST 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 preliminary plat (including Lots 1 through 11) and said final plat (including Lots 1 through 8; and Lots A and B which are reserved for future platting and development) are hereby acknowledged and approved by the Manchester Planning and Zoning Commission with allowance for the following variances per **Chapter 127, Subdivision Regulations of the Code of Ordinances of the City of Manchester:**

1. **Section 127.09 Minimum Improvements**
   (e) Other Improvements relating to the construction of sidewalks, see attached Escrow Agreement.

2. **Section 127.24, paragraph 8, Requirements of Preliminary Plat. Contours not required.**

3. **Section 127.16, Construction Standards for Improvements and Resolution R-035-85, a Resolution Establishing Fees and Technical Standards, paragraphs 4.C and 4.D regarding wyed and stubbed sewer and water to each lot. Not required but water and sewer connection fees will be charged against each lot, when the lot is developed.**

NOW, THEREFORE, BE IT RESOLVED, by the City Planning and Zoning Commission of the City of Manchester, Iowa, that said TEGELER'S FIRST 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 autorized and directed to certify this resolution of approval and affix the same to said plat as provided by law.

Adopted and passed this 7th day of September, 1993.

CITY OF MANCHESTER IOWA SEAL

PLANNING AND ZONING COMMISSION
MANCHESTER, DELAWARE COUNTY, IOWA

By Beverly A. Lyness
Beverly A. Lyness, Chairman

By Helen M. Knutson
Helen M. Knutson, Secretary

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

We, Beverly A. Lyness, 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 7th day of September A.D., 1993.

Beverly A. Lyness
Beverly A. Lyness, Chairman

Helen M. Knutson
Helen M. Knutson, Secretary

On this 7th day of September, 19 93, before me Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared Beverly A. Lyness 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 September 7, 1993, 19x x, and that Beverly A. Lyness 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.



Linda K. Tutton
Notary Public in and for the State of Iowa
LINDA K. TUTTON

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, a plat of the **TEGELER'S FIRST SUBDIVISION**, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the surveyor's certificate of J. David Gibbs, dated September 17, 1993 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 preliminary plat (including Lots 1 through 11) and said final plat (including Lots 1 through 8; and Lots A and B which are reserved for future platting and development) are hereby acknowledged and approved by the Manchester Planning and Zoning Commission with allowance for the following variances per **Chapter 127, Subdivision Regulations of the Code of Ordinances of the City of Manchester:**

1. **Section 127.09 Minimum Improvements**
   (e) Other Improvements relating to the construction of sidewalks, see attached Escrow Agreement.

2. **Section 127.24, paragraph 8, Requirements of Preliminary Plat.** Contours not required.

3. **Section 127.16, Construction Standards for Improvements and Resolution R-035-85, a Resolution Establishing Fees and Technical Standards, paragraphs 4.C and 4.D** regarding wyed and stubbed sewer and water to each lot. Not required but water and sewer connection fees will be charged against each lot, when the lot is developed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said TEGELER'S FIRST SUBDIVISION, City of Manchester, Delaware County, Iowa, be, and the same is hereby 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.

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 September, A.D., 19 93.

CITY OF MANCHESTER

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 20th day of September, 19 93, 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 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-990-93 adopted by the City Council on the 20th day of September, 19 93, 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;

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 TEGELER'S FIRST SUBDIVISION, Delaware County, Iowa, on premises more specifically described in the surveyor's certificate of J. David Gibbs, dated 9/17, 19 93, as shown by the records of this office.

Witness my hand and seal of this office at Manchester, Iowa, in said County, this 22 day of Sept, 1993.

Helen McWilliams

Helen McWilliams, Treasurer of Delaware County, Iowa.

ESCROW AGREEMENT

TO: Community Savings Bank, Escrow Agent

We, the undersigned, hereby deliver to you in escrow the sum of Five Thousand Nine Hundred ($5,900.00) Dollars to insure completion of sidewalk improvements to Tegeler's First Subdivision to the City of Manchester, Iowa, to be approved by the City Council of the City of Manchester, Iowa, at its regular meeting on September 20, 1993.

Said sidewalk improvements are to be completed not more than two (2) years from the date of the approval of the final plat by the Manchester City Council. Upon notification by the City Manager for the City of Manchester, Iowa, that said sidewalk improvements have been completed, the funds in escrow plus any accrued interest shall be used to pay for said improvements; payments to be made as instructed by the City Manager of the City of Manchester, Iowa. Any funds in excess of the amount required to pay the cost of said improvements shall be delivered to Jeffery J. Tegeler and Kristine M. Tegeler. If said improvements have not been completed by September 20, 1995, the Escrow Agent, upon receipt of notice by the City Manager for the City of Manchester, Iowa, shall transfer the escrow funds plus any accrued interest to the City of Manchester, Iowa, to be used for the payment of the cost of said improvements. Upon payment of the said funds as set out herein, the duties of the Escrow Agent shall cease.

It is further understood and agreed by the City of Manchester, Iowa, and Jeffery J. Tegeler and Kristine M. Tegeler that in the event the funds held in escrow are not sufficient to pay the cost of said improvements that Jeffery J. Tegeler and Kristine M. Tegeler shall pay any additional costs required to complete said sidewalk improvements. The parties further agree that this escrow agreement and the funds referred to herein are being pledged in lieu of a performance bond as required by Section 5.13(h) of the Subdivision Ordinance of the Manchester City Code.

Dated this 20th day of September, 1993.

CITY OF MANCHESTER, IOWA

By Milt L. Kramer
Milt Kramer - Mayor

Jeffery J. Tegeler
Jeffery J. Tegeler

Karen K. Cole
Karen K. Cole - City Clerk

Kristine M. Tegeler
Kristine M. Tegeler

RECEIPT

The undersigned hereby acknowledges receipt of the above described funds and agrees to act as escrow agent under the terms as set out herein.

Dated this 20th day of September, 1993.

CITY OF MANCHESTER IOWA

By Karen K. Cole
Karen K. Cole, City Clerk