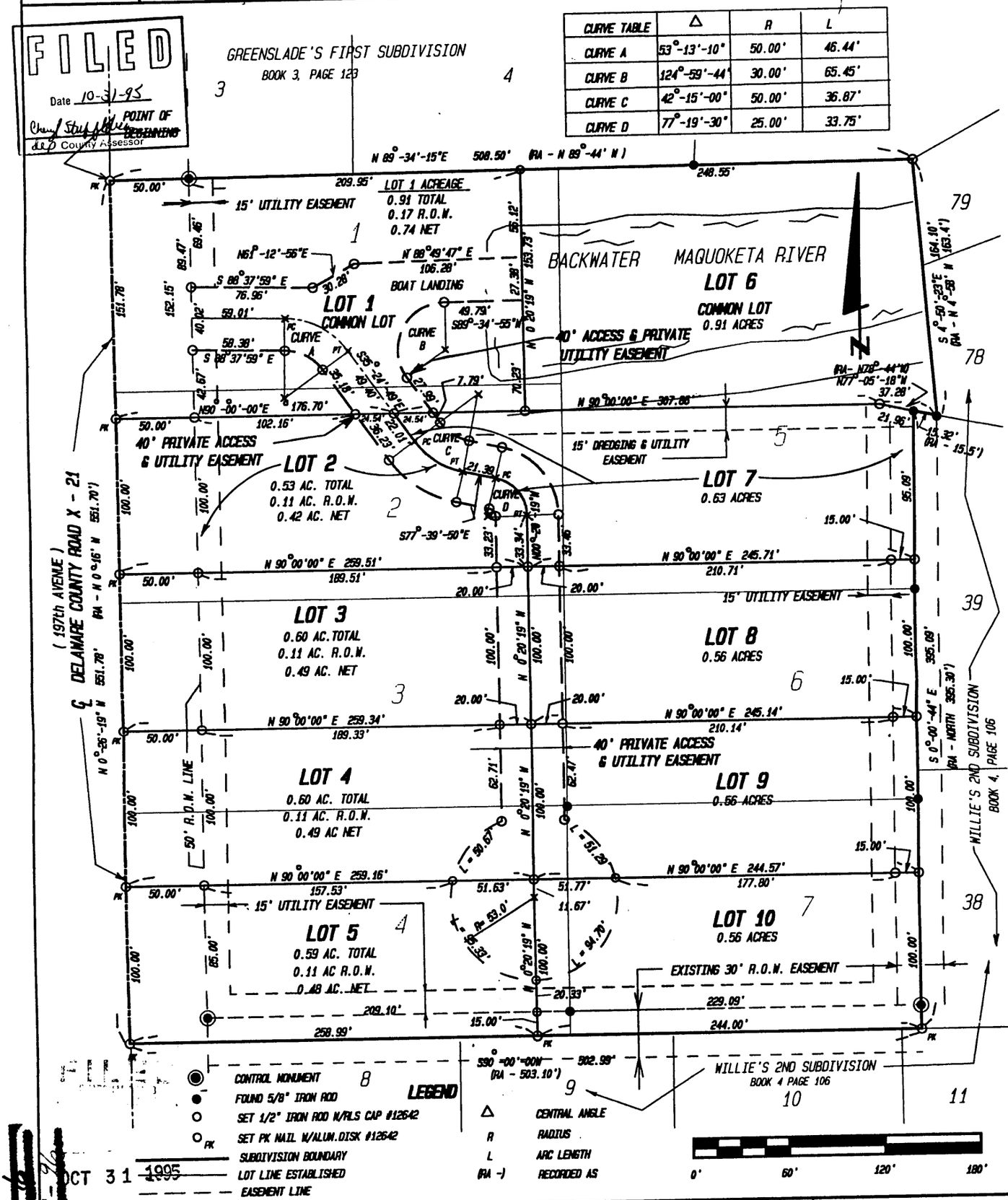
PLAT OF SURVEY

COZY COVE SUBDIVISION A SUBDIVISION OF LOT ONE (1) THROUGH LOT SEVEN (7) OF WILLIE'S SECOND SUBDIVISION, BEING PART OF THE SE1/4 OF THE NE1/4 OF SECTION 15, AND PART OF THE NE1/4 OF THE SE1/4 OF SECTION 15, AND PART OF THE NW1/4 OF THE NW1/4 OF SECTION 14, (T88N), (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

FILED
Date 10-31-95
POINT OF BEGINNING
County Assessor

CURVE TABLE	Δ	R	L
CURVE A	53°-13'-10"	50.00'	46.44'
CURVE B	124°-59'-44"	30.00'	65.45'
CURVE C	42°-15'-00"	50.00'	36.87'
CURVE D	77°-19'-30"	25.00'	33.75'



LEGEND

CONTROL MONUMENT	Δ CENTRAL ANGLE
FOUND 5/8" IRON ROD	R RADIUS
SET 1/2" IRON ROD W/RLS CAP #12642	L ARC LENGTH
SET PK NAIL W/ALUM.DISK #12642	(RA -) RECORDED AS
SUBDIVISION BOUNDARY	
LOT LINE ESTABLISHED	
EASEMENT LINE	

OCT 31 1995

SCALE: 1" = 60.0' | DATE OF SURVEY: 7/5/95 | SHEET 1 OF 4

PROPRIETORS: DAVE FINK

REGISTERED LAND SURVEYOR
WILLIAM H. BURGER
12642
IOWA

Wm. Burger
LandSurveyors
510 3rd Street West Court
Worthington, Iowa 52078

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 LANDSURVEYOR UNDER THE LAWS OF THE STATE OF IOWA. MY REGISTRATION EXPIRES 12/31/96

William H. Burger 8/19/95
WILLIAM H. BURGER #12642 DATE

FILE No. 169-1258
RECORDING FEE $ 26.00
TRANSFER FEE $

FILED FOR RECORD THE 31 DAY OF October, 19 95 AT 9:48 O'CLOCK A M. BOOK 7 PAGE 156

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Plats A-98

LEGAL DESCRIPTION

COZY COVE SUBDIVISION -- A Subdivision of Lot One (1) through Lot Seven (7) of Willie's Second (2nd) Subdivision of part of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) and part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) , Section Fifteen (15) , Township Eighty-eight North (T88N) , Range Five West (R5W) of the Fifth Principal Meridian , Delaware County, Iowa , and part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) , Section Fourteen (14) , Township Eighty-eight North (T88N) , Range Five West (R5W) of the Fifth Principal Meridian , Delaware County, Iowa , as recorded in the Office of the Delaware County Recorder Plat Book 4 , Page 106 ; Divided into Ten (10) Lots numbered Lot One (1) through Lot Ten (10) , containing a total of 6.45 acres including 0.61 acres of public road right of way , subject to easements of record and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot One (1) of Willie's Second (2nd) Subdivision of part of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) and part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) , Section Fifteen (15) , Township Eighty-eight North (T88N) , Range Five West (R5W) of the Fifth Principal Meridian , Delaware County, Iowa , and part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) , Section Fourteen (14) , Township Eighty-eight North (T88N) , Range Five West (R5W) of the Fifth Principal Meridian , Delaware County, Iowa , as recorded in the Office of the Delaware County Recorder Plat Book 4 , Page 106 ; thence North 89°-34' -15" East 508.50 feet along the North line of Lot One (1) and Lot Five (5) to the Northeast corner of Lot Five (5) of said Willie's Second (2nd) Subdivision ; thence South 04°-50'-23" East 164.10 feet along the Easterly line of said Lot Five (5) also being the West line of Lot Seventy-nine (79) and Lot Seventy-eight (78) of said Willie's Second (2nd) Subdivision, to the Southwest corner of said Lot Seventy-eight (78) ; thence North 77°-05'-18" West 15.32 feet along the Northerly line and to the Northwesterly corner of Lot Thirty-nine (39) of said Willie's Second (2nd) Subdivision ; thence South 00°-00'-44" East 395.09 feet along the West line of Lot Thirty-nine (39) and Lot Thirty-eight (38) of said Willie's Second (2nd) Subdivision , to the Southwest corner of said Lot Thirty-eight (38) ; thence South 90°-00'-00" West 502.99 feet along the North line of Lot Ten (10) , Lot Nine (9) and Lot Eight (8) of said Willie's Second (2nd) Subdivision , to the Northwest corner of said Lot Eight (8) said point also being on the centerline of Delaware County Road X-21 (197th Avenue) ; thence North 00°-26'-19" West 551.78 feet along the centerline of said road to the POINT OF BEGINNING ; containing a total 6.45 acres including 0.61 acres of public road right of way subject to easements of record . The North line of Lot Eight (8) , Lot Nine (9) and Lot Ten (10) of Willie's Second (2nd) Subdivision of part of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) and part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) , Section Fifteen (15) , Township Eighty-eight North (T88N) , Range Five West (R5W) of the Fifth Principal Meridian , Delaware County, Iowa , and part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) , Section Fourteen (14) , Township Eighty-eight North (T88N) , Range Five West (R5W) of the Fifth Principal Meridian , Delaware County, Iowa , as recorded in the Office of the Delaware County Recorder Plat Book 4 , Page 106 is assumed to bear South 90°-00'-00" West .

Cozy Cove Subdivision includes a Forty foot (40') wide easement for private access and utility's located as shown on the plat , also a Fifteen foot (15') wide easement for Utility's along the West , South and East sides of the Subdivision as shown on the plat, and an existing thirty foot (30') wide right of way easement centered along the South and East side of the Subdivision as shown on the plat.

SURVEYORS CERTIFICATE :

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. All monuments were set or will be set within one year of the date this plat is recorded.

William H. Burger 8/19/95

William H. Burger Date Reg. No. 12642

REGISTERED LAND SURVEYOR
WILLIAM H. BURGER
12642
IOWA

OWNERS ACKNOWLEDGMENT

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

Dave Fink

Dave Fink

STATE OF IOWA
COUNTY OF Delaware

On this 15th day of August A. D. 1995 before me, a Notary Public in and for said County, personally appeared Dave Fink, to me known to be the person or persons named in and who executed the foregoing instrument, and acknowledged that the executed the same as his voluntary act and deed.

Notary Public in and for said County

JAMES E. LAXSON
MY COMMISSION EXPIRES
3/1/1998

JAMES E. LAXSON
Iowa
NOTARIAL SEAL

MORTGAGE HOLDERS ACKNOWLEDGMENT

Community Savings Bank Bank of Edgewood State of Iowa, do hereby certify that the above survey, is made with our free consent and in accordance with our desire as mortgage holder of the premises described herein.

Chairman of the Board
Steven A Brady

STATE OF IOWA

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 13 day of October, A.D. 19 95, before me, the undersigned, a Notary Public in and for the said state, personally appeared Steven A. Brady, ~~and~~ , to me personally known, who being by me duly sworn, did say that ~~they are~~ he is the Chairman of the Board and President and CEO, 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 the instrument was signed **(and sealed)** on behalf of the corporation by authority of its Board of Directors; and that Steven A. Brady ~~and~~ as officers acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and by them voluntarily executed.

LISA A. DUGAN
MY COMMISSION EXPIRES
4-30-96

Lisa A. Dugan, Notary Public in and for said state.

THE IOWA STATE BAR ASSOCIATION
Official Form No. 172
Revised April, 1992
This Printing April, 1992

Acknowledgment: For use in case of corporations (Section 558.39 and 558.39, Code of Iowa)

DELAWARE COUNTY TREASURER

Delaware County, Iowa October 31 ,19 95

I the undersigned Carolyn A. Wilson , Treasurer of Delaware County, Iowa do hereby certify that all taxes and special assessments levied against David J. Fink a/k/a Dave Fink, a single person have been paid and said real estate is free and clear of all taxes as of this date.

SEAL DELAWARE CO IOWA

Carolyn A. Wilson

Carolyn A. Wilson, Delaware County Treasurer, Iowa

ATTORNEY'S OPINION

I, Daniel H. Swift, Swift & Swift, Attorneys at Law, with offices located at 108 North Madison Street, P.O. Drawer D, Manchester, Iowa 52057, (319) 927-4901, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included within COZY COVE SUBDIVISION, Delaware County, Iowa, on premises more particularly described in the surveyor's certificate of William H. Burger dated August 14, 1995.

Said abstract has been prepared in its entirety by the Delaware County Abstract Company, Inc. and was last certified by said company to the 31st day of October, A.D., 1995, at the hour of 9:30 o'clock A.M.

My examination of said abstract shows good and merchantable title on the date and hour of certification to be in David J. Fink a/k/a Dave Fink, a single person, who is the proprietor thereof, subject to the following comments:

1. Entry Number 69 of the abstract sets forth an Easement by Mildred M. Smith, Richard H. Willie, and Barbara A. Willie, dated July 17, 1979 and filed July 17, 1979 in Book S, Misc., Page 270; said Easement grants to all future owners and/or current and future lessees of all lots in Willie's Second Subdivision the use of all roads in the Subdivision for purposes of ingress and egress; said grant further states that the care and maintenance of all roads in Willie's Second Subdivision shall be the responsibility of all of the future owners and/or current and future lessees; the present owners named therein shall not be responsible for said care and maintenance; said Easement appears to be binding upon the parties thereto, their heirs, successors and assigns and appears to run with the land; the Easement creates rights and responsibilities between the parties thereto; that you should examine said Easement and ascertain the location of said Easement as it relates to your real estate to determine the nature and affect of same upon the use of your real estate if you desire to do so.

2. Entry Number 68 of the abstract sets forth an Easement from Mildred M. Smith, Richard H. Willie, and Barbara A. Willie, dated July 10, 1979 and filed July 13, 1979 in Book S, Misc., Page 269; said Easement grants to all future owners and/or current and future lessees of and only Lots 42, 45, 46, 47, 48, 68, 69, 71, 72, 73, 74 and 75 of Willie's Second Subdivision an Easement 20 foot wide running along the east side of lot 72 of Willie's Second Subdivision to allow the above named lot owners and/or current and future lessees of said lots for the purpose of putting in or

taking out boats on the river; at no time will boat trailers or vehicles be parked in this area so as to obstruct passage thereof; said Easement is exclusive to only those lot owners and/or current and future lessees of those lots enumerated therein; said Easement appears to be binding upon the parties thereto, their heirs, successors and assigns and appears to be perpetual and run with the land; the Easement creates rights and responsibilities between the parties thereto; that you should examine said Easement and ascertain the location of same as it relates to your real estate to determine the nature and affect of same upon the use of your real estate if you desire to do so.

3. Entry Number 67 of the abstract sets forth a Restrictive Use Covenant from Mildred M. Smith, Richard H. Willie, and Barbara A. Willie dated July 10, 1979 and filed July 13, 1979 in Book S, Misc., Page 268; said Restrictive Use Covenant recites that the present owners of the Subdivision wish to maintain certain use standards for the real estate so as to preserve its natural beauty and use for the present and all future owners; the present owners establish that no additional trailer of mobile homes will be allowed in Willie's Second Subdivision except on those lots now occupied with a trailer or mobile home; in the event the trailer or mobile homes now present are removed or destroyed they can be replaced only with another trailer or mobile home which is as good or better than the present trailer or mobile home currently located on said lot; that you should examine said Restrictive Use Covenant to determine the nature and affect of same upon the use of your real estate if you desire to do so.

4. Entry Number 58 of the abstract sets forth an Easement for Public Highway from Mildred M. Smith to County of Delaware, for road purposes and for use as a Public Highway dated April 19, 1967 and filed September 9, 1968 in Book L, Misc., Page 208; that you should examine said Easement and ascertain the location of said Easement as it relates to your real estate to determine the nature and affect of same upon the use of your real estate if you desire to do so.

5. Entry Number 46 of the abstract sets forth Certified Copies before the Iowa Natural Resources Council in the matter of the application of Interstate Power Company, Dubuque, Iowa Order No. 73-43, filed September 25, 1974 in Book P, Misc., Page 101; said Permit requires that the water level in the impoundment should be maintained at an elevation ranging between 121.5 and 122.0 assumed local datum subject to local flow of the river; said permit requires that the water levels will continue to be available for recreational use by property owners in the area and the general public; further, that public access to the water area shall continue through the public parks and access points; said order is now applicable to Lake Delhi Recreation Association, Inc.

Dated at Manchester, Iowa, in said County, this 31st day of October, 1995.

Daniel H. Swift, Attorney at Law

169-1258

DELAWARE COUNTY IOWA
FILED

'95 OCT 31 AM 9 48

BOOK 7 PAGE 156
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
$26.00

HANGING FILE A-98

William H. Burger, R.L.S.

To

Dave Fink

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