Dave Gibbs

To

Raymond P. Schulte Trustee Etal

J. David Gibbs R.L.S.

DELAWARE CO. RECORDER
$31.00

BOOK 7 PAGE 170

'96 FEB 2 PM 3:25

191-2120
DELAWARE COUNTY, IOWA
FILED

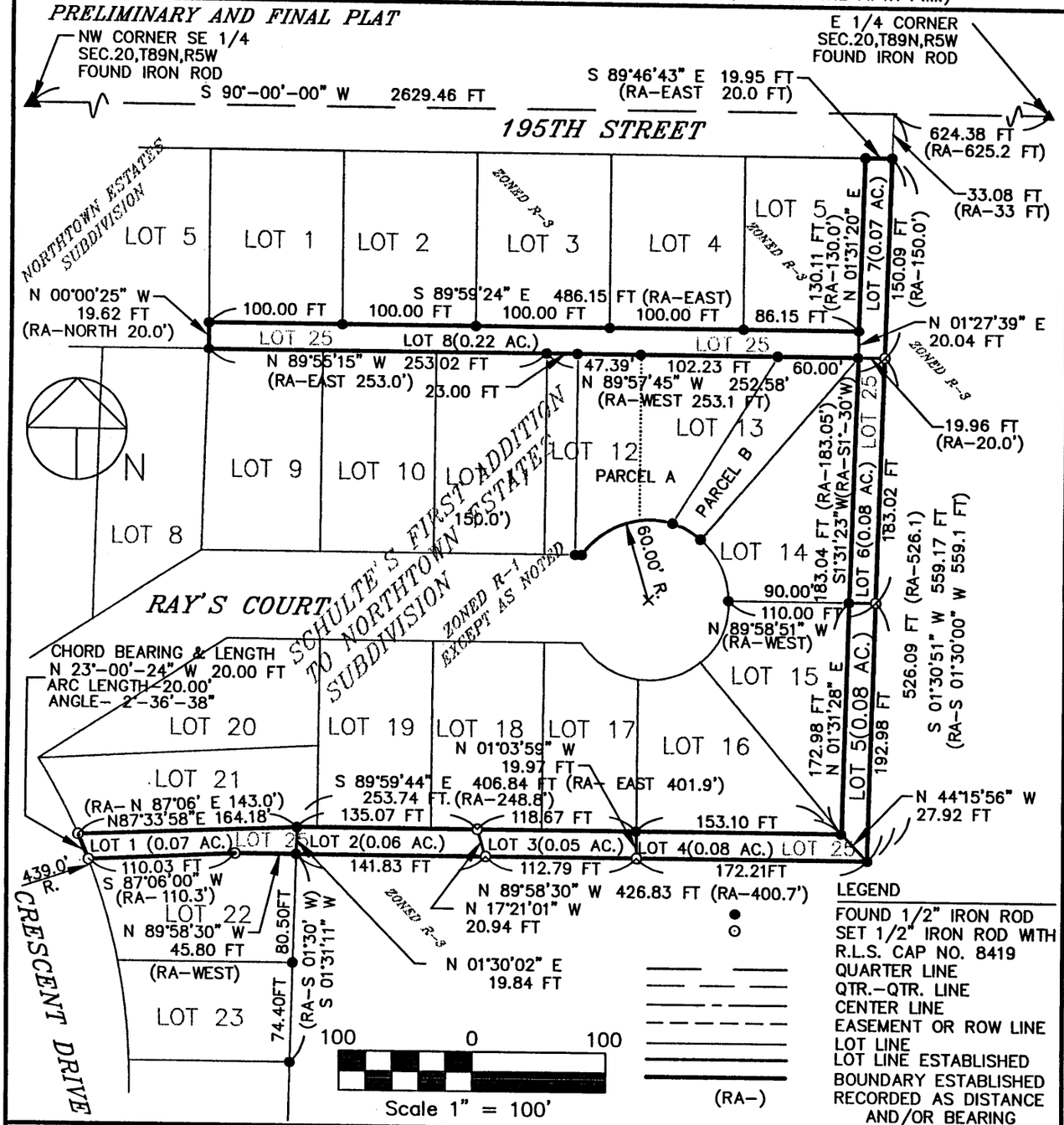
PREPARED BY: J DAVID GIBBS; 223 WEST MAIN STREET, SUITE 2, MANCHESTER, IA 52057 319-927-2434

PLAT OF SURVEY

SUBDIVISION OF LOT TWENTY-FIVE (25)

OF SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION,
CITY OF MANCHESTER, DELAWARE COUNTY, IOWA
(PART OF THE SE 1/4 OF SECTION 20, T89N, R54 OF THE FIFTH P.M.)

PRELIMINARY AND FINAL PLAT



LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH R.L.S. CAP NO. 8419
- QUARTER LINE
- QTR.-QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- LOT LINE
- LOT LINE ESTABLISHED
- BOUNDARY ESTABLISHED
- RECORDED AS DISTANCE AND/OR BEARING

SURVEYED ON: 11/14& /95
FIELD BK NO. D.L.

PROPRIETORS: RAYMOND P. & RUTH F. SCHULTE, TRUSTEES

PROJECT NO. 95-24

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

REGISTERED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

J. DAVID GIBBS, P.E., R.L.S. REG. NO. 8419 DATE 1/8/96

MY REGISTRATION WILL BE RENEWED ON JANUARY 1, 1997

SCALE: 1"=100'

DATE: 11/21/95

DRAWN BY: JDG

CHECKED BY:

REVISED

SHEET 1 OF 6

GIBBS ENGINEERING & SURVEYING
PROFESSIONAL SERVICES BUILDING, SUITE 2
223 WEST MAIN STREET, MANCHESTER, IA 52057

FILE No. 191-2120
RECORDING FEE $ 31.00
TRANSFER FEE $

FILED FOR RECORD THE 2 DAY OF February 1996 AT 3:25 O'CLOCK P M. BOOK 7 PAGE 170

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Plat

LEGAL DESCRIPTION

SUBDIVISION OF LOT TWENTY-FIVE (25) OF SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA; into eight (8) lots numbered Lot One (1) through Lot Eight (8), containing a total of 0.71 acres, subject to easements of records and more specifically described by metes and bounds as follows:

COMMENCING at the East Quarter (E 1/4) Corner of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian;

Thence along the Northerly Line of the Southeast Quarter (SE 1/4) of said Section, South 90°-00'-00" West 624.38 feet;

Thence South 01°30'-51" West to the Northeasterly Corner of Lot Twenty-five (25) of Schulte's First Addition to Northtown Estates as recorded in Book 3 of Plats, Page 166 in the Office of the Delaware County Recorder, 33.08 feet, the **POINT OF BEGINNING;**

Thence along the Easterly Line of said Lot Twenty-five (25) South 01°30'-51" West to the Southeasterly Corner of said Lot Twenty-five (25) 526.09 feet;

Thence along the Southerly Line of said Lot Twenty-five (25) North 89°-58'-30" West to the Northeasterly Corner of Lot Twenty-two (22) of said Schulte's First Addition, 426.83 feet;

Thence continuing along the Southerly Line of said Lot Twenty-five (25) North 89°-58'-30" West 45.80 feet;

Thence continuing along the Southerly Line of said Lot Twenty-five (25) South 87°-06'-00" West to the Easterly Line of Crescent Drive and the Northwesterly Corner of said Lot Twenty-two (22), 110.03 feet;

Thence along the Easterly Line of Crescent Drive along a circular curve concave southwesterly for an arc length of 20.00 feet, said circular curve having a radius of 439.00 feet, a central angle of 02°-36'-38", a chord length of 20.00 feet and a chord bearing of North 23°-00'-24" West;

Thence along the Southerly Line of Lot Twenty-one (21) of said Schulte's First Addition, North 87°-33'-58" East 164.18 feet;

Thence along the Southerly Line of Lot Sixteen (16) through Twenty-one (21) of said Schulte's First Addition South 89°-59'-44" East to the Southeasterly Corner of said Lot Sixteen (16) 406.84 feet;

Thence along the Easterly Line of Lot Fifteen (15) of said Schulte's First Addition North 01°-31'-28" East 172.98 feet;

Thence along the Easterly Line of Lot Fourteen (14) of said Schulte's First Addition North 01°-31'-23" East 183.04 feet;

Thence along the Northerly Line of Lot Thirteen (13) and Lot Twelve (12) of said Schulte's First Addition (Parcel A and B reference Book 7 of Plats, page 161 in the Office of the Delaware County Recorder) North 89°-57'-45" West 252.58 feet;

Thence along the Northerly Line of Lot Eleven (11), Lot Ten (10) and Lot Nine (9) of said Schulte's First Addition North 89°-55'-15" West 253.02 feet;

Thence along the Easterly Line of Lot Five (5) of the Northtown Estates Subdivision as recorded in Book 4 of Plats, Page 13 in the Office of the Delaware County Recorder, North 00°-00'-25" West to the Southwesterly Corner of Lot One (1) of said Schulte's First Addition 19.62 feet;

Thence along the Southerly Line of Lot (1) through Lot Five (5) of said Schulte's First Addition South 89°-59'-24" East to the Southeasterly Corner of Lot Five (5) of said Schulte's First Addition 486.15 feet;

Thence along the Easterly Line of Lot Five (5) of said Schulte's First Addition North 01°-31'-20" East to the Southerly Line of 195th Street right of way 130.11 feet;

Thence along the southerly line of said right of way and the Northerly Line of said Lot Twenty five(25) South 89°-46'-43" East 19.95 feet to the **POINT OF BEGINNING;**

Containing a total of 0.71 acres and subject to easements of record.

The Northerly Line of the South East Quarter (SE 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 90°-00'-00" West. All of each Lot, Lots One (1) through Lot Eight (8) of Lot Twenty-five (25) of Schulte's First Addition to Northtown Estates Subdivision, shall constitute a utility easement for the benefit of adjoining properties.

Lot One (1) through Lot Eight (8) of Twenty(25) of Schulte's First Addition to Northtown Estates Subdivision are non-conforming with the Manchester Subdivision Ordinance and are non-buildable lots.

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.

I hereby certify that a minimum of two (2) control monuments have been found or placed and that all monuments indicated will be placed within one (1) year of the recording of the plat.

J. David Gibbs 1/8/96

J. David Gibbs, REG. NO. 8419 DATE
My Registration will be renewed on January 1, 1997



OWNER'S ACKNOWLEDGMENT

I(we) Raymond P. Schulte and Ruth F. Schulte 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.

Raymond P. Schulte, Trustee of the
Raymond P. Schulte Revocable Inter Vivos Trust

Ruth F. Schulte, Trustee of the
Ruth F.. Schulte Revocable Inter Vivos Trust

State of Florida)
) ss:
County of Lee)

On this 29th day of December A.D. 1995, before me, a Notary Public in and for said County, personally appeared Raymond P. Schulte and Ruth F. Schulte, to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that the person, as the fiduciary, executed the instrument as their voluntary act and deed of the person and of the fiduciary.

Notary Public in and for said County

OFFICIAL NOTARY SEAL
VIVIAN G GEDNEY
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC182548
MY COMMISSION EXP. FEB. 24,1996

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 in ***SUBDIVISION OF LOT TWENTY-FIVE (25) 0F SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION***, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated January 8, 1996.

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 January, A.D., 1996, at the hour of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantible title on the date and hour of the certification to be in Raymond P. Schulte Revocable Inter Vivos Trust and Ruth F. Schulte Inter Vivos Trust .

Dated at Manchester, Iowa, in said County, this 30th day of January, 1996

Thomas J. Hanson Attorney at Law

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Weber Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***SUBDIVISION OF LOT TWENTY-FIVE (25) 0F SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION***, City of Manchester, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

County Treasurer

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of the ***SUBDIVISION OF LOT TWENTY-FIVE (25) 0F SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated January 8, 1996, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, and after full consideration thereof the same is found 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 and final plat is 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**
   As existing public improvements within *Schulte's First Addition to Northtown Estates Subdivision* adequately provide for the minimum requirements, no additional improvements are required.
2. **Section 127.18 Block and Lot Standards**
   As the purpose of the subject subdivision is to divide an existing lot (Lot 25), which does not conform to requirements with regards to providing suitable building lots, into separate lots or parcels which are non-conforming as buildable lots by themselves, but may be individually transferred to adjoining properties to provide for improved land usage, block and lot standards are not applicable.
3. **Section 127.24 Requirements of Preliminary Plat**
   6. Showing of present and proposed utility systems, not required.
   8. No contours required.
   14. Showing the location of utilities, buildings and other features, not required.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa , that said ***SUBDIVISION OF LOT TWENTY-FIVE (25) 0F SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION***, City of Manchester, Delaware County, Iowa, be, and the same is hereby acknowledged, approved and accepted on the part of the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, and the Commission hereby recommends to the City Council the acceptance of the same and the Chairperson 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 10th day of January, A.D., 1996.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By Barbara K. Sailer
Barbara K. Sailer, Chairperson

By Helen M. Knutson
Helen M. Knutson, Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 11th day of January, 1996, before me, Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared Barbara K. Sailer and Helen M. Knutson to me personally known, and, who, being by me duly sworn, did say that they are the Chairperson and Secretary, respectively, of the 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 the authority of its Planning and Zoning Commission, as contained in a Resolution adopted by the Planning and Zoning Commission on the 10th day of January, 1996, and that Barbara Sailer and Helen Knutson acknowledge 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.

RESOLUTION R-224-96

It was moved by Council Member Morris and seconded by Council Member Curran to approve R-224-96 as follows:

RESOLUTION R-224-96

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of ***SUBDIVISION OF LOT TWENTY-FIVE (25) 0F SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated January 8, 1996, 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 and final plat is 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**
   As existing public improvements within *Schulte's First Addition to Northtown Estates Subdivision* adequately provide for the minimum requirements, no additional improvements are required.
2. **Section 127.18 Block and Lot Standards**
   As the purpose of the subject subdivision is to divide an existing lot (Lot 25), which does not conform to requirements with regards to providing suitable building lots, into separate lots or parcels which are non-conforming as buildable lots by themselves, but may be individually transferred to adjoining properties to provide for improved land usage, block and lot standards are not applicable.
3. **Section 127.24 Requirements of Preliminary Plat**
   6. Showing of present and proposed utility systems, not required.
   8. No contours required.
   14. Showing the location of utilities, buildings and other features, not required.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***SUBDIVISION OF LOT TWENTY-FIVE (25) 0F SCHULTE'S FIRST ADDITION TO NORTHTOWN ESTATES SUBDIVISION*** , City of Manchester, Delaware County, Iowa, be, and the same is hereby acknowledged, approved and accepted, provided documentation shall be filed with the Delaware County Recorder's Office establishing that the City shall retain an Utility Easement on the Platted property on the part of the City of Manchester, Delaware County, Iowa.

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 15th day of January, A.D., 1996.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K Cole

Karen Cole, City Clerk

ON CALL OF ROLL: AYES: Morris, Curran, Sill, Goettsch NAYS: None

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 18th day of January, 1996, before me, Cynthia J. Summers, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen 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 the authority of its City Council, as contained in Resolution Number R-224-96 adopted by the City Council on the 15th day of January, 1996, and that Milt L. Kramer and Karen Cole acknowledge 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.

Cynthia J. Summers

Cynthia J. Summers, Notary
Expires 8-12-97