Del. Co. Recorder ✓

(INDEX IN USE)

FILED
Date 4-29-96
County Assessor

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
APR 29 1996

215-3073
DELAWARE COUNTY IOWA
FILED
'96 APR 29 PM 2 15
RECORDED BY L. PEYTON
DELAWARE CO. RECORDER
$11.00
BOOK 7 PAGE 188

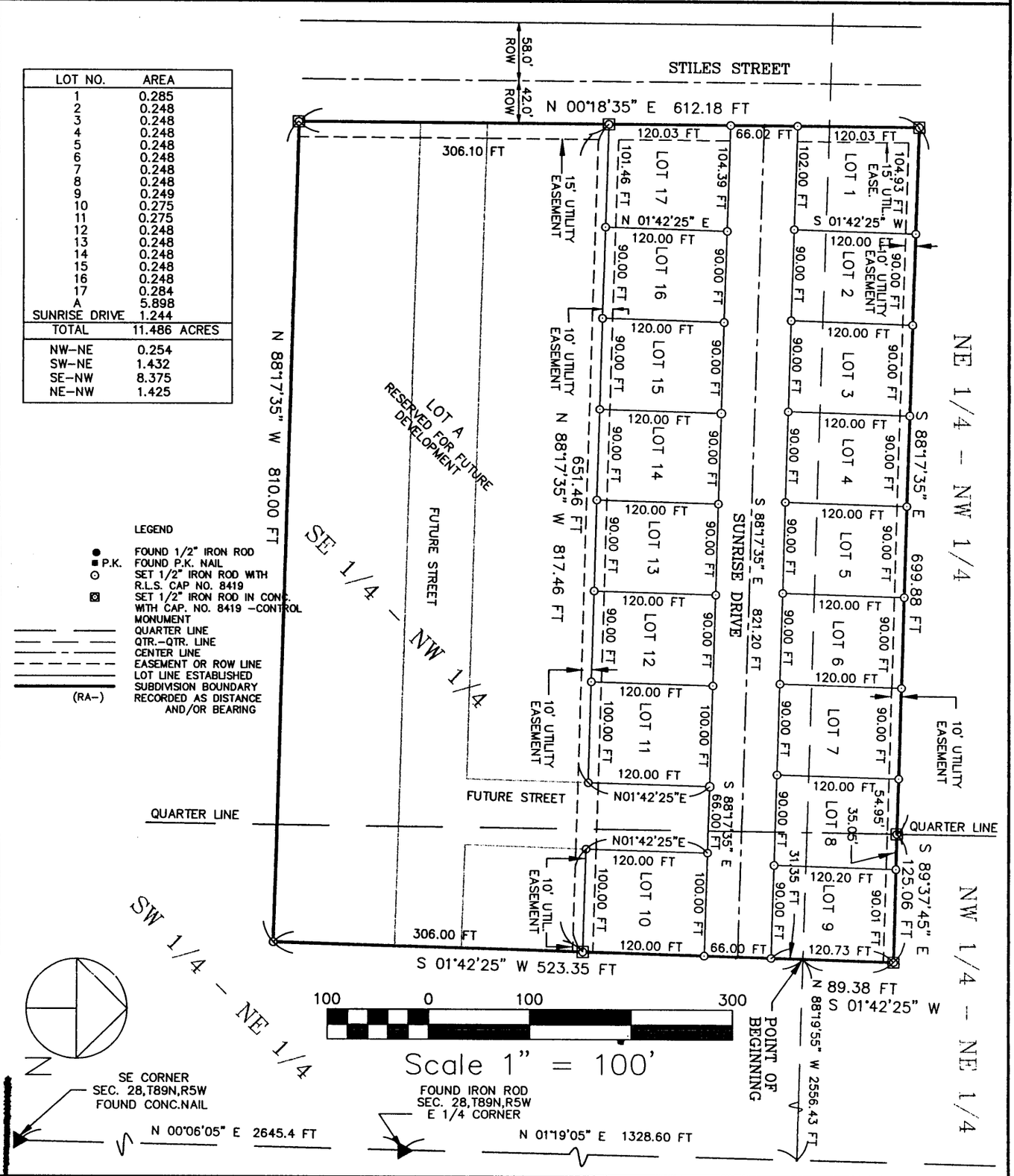
PREPARED BY: J. DAVID GIBBS, 223 WEST MAIN STREET, SUITE 2, MANCHESTER, IA 52057, 319-927-2434

PLAT OF SURVEY

MEADOW PARK

A SUBDIVISION OF PART OF THE NW 1/4–NE 1/4, SW 1/4–NE 1/4, NE 1/4–NW 1/4 AND THE SE 1/4–NW 1/4, ALL OF SECTION 28, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

LOT NO.	AREA
1	0.285
2	0.248
3	0.248
4	0.248
5	0.248
6	0.248
7	0.248
8	0.248
9	0.249
10	0.275
11	0.275
12	0.248
13	0.248
14	0.248
15	0.248
16	0.248
17	0.284
A	5.898
SUNRISE DRIVE	1.244
TOTAL	11.486 ACRES
NW–NE	0.254
SW–NE	1.432
SE–NW	8.375
NE–NW	1.425



SURVEYED ON: 3/12/96
FIELD BK. NO.: D.L.

PROPRIETORS: JEROME A. AND ROSE ANN KROGMANN

PROJECT NO. 95-07

SCALE: 1" = 100'

DATE: 11/04/95

DRAWN BY: JDG

REVISED: 3/05/96

SHEET 1 OF 5

I HEREBY CERTIFY THAT THIS MAP, PLAT OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

J. DAVID GIBBS, P.E., R.L.S. — REG. NO. 8419 — DATE April 3, 1996

MY REGISTRATION RENEWAL DATE IS JANUARY 1, 1997

REGISTERED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

GIBBS ENGINEERING & SURVEYING

PROFESSIONAL SERVICES BUILDING, SUITE 2
223 WEST MAIN STREET, MANCHESTER, IOWA

DATE 4-29-96 BOOK 7 PAGE 188 8-3

LEGAL DESCRIPTION

***MEADOW PARK*, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), PART OF THE NORTHEAST QUARTER (NE 1/4)OF THE NORTHWEST QUARTER (NW 1/4) AND PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4), ALL OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST(R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA; more specifically described by metes and bounds as follows:**

COMMENCING at the East Quarter (E 1/4) Corner of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence along the Easterly Line of the Northeast Quarter of said Section, North 01°19' 05" East to the Northeasterly Corner of the Southeast Quarter (SE 1/4) of said Northeast Quarter (NE 1/4) 1,328.60 feet;

Thence along the Northerly Line of the Southeast Quarter (SE 1/4) of said Northeast Quarter (NE 1/4) and the Southwest Quarter (SW 1/4) of said Northeast Quarter (NE 1/4) North 88°- 19'-55" West 2,556.43 feet to the **POINT OF BEGINNING**;

Thence South 01°-42'-25" West 523.35 feet;

Thence North 88°-17'-35" West to the Easterly right of way of Stiles Street, 810.00 feet;

Thence along the Easterly Line of Stiles Street, North 00°-18'-35" East 612.18 feet;

Thence along the Northerly Line of the South 1.14 chains of the Northeast Quarter (NE 1/4)of the Northwest Quarter (NW 1/4) of said Section, South 88° -17'-35" East to the Easterly Line of the Northeast Quarter(NE 1/4) of said Northwest Quarter(NW 1/4), 699.88 feet;

Thence South 89°-37'-45" East 125.06 feet;

Thence South 01°42'-25" West 89.38 feet to the **POINT OF BEGINNING**;

Containing a total of 11.486 acres.

The Easterly Line of the Stiles Street right of way is assumed to bear North 00°-18'-35" East.

SURVEYOR'S CERTIFICATE

I hereby certify that this plat, map, survey, or report was prepared by me or under my direct personal supervision, that all monuments have been found or placed 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 4/03/96

J. David Gibbs, REG. NO. 8419 DATE

My Registration will be renewed on January 1, 1997



RESTRICTIVE COVENANTS
MEADOW PARK SUBDIVISION IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

The undersigned, being the owners and developers of lots in the Meadow Park Subdivision in the City of Manchester, Delaware County, Iowa, in order to establish and maintain the residential character of said Subdivision, do hereby covenant and agree that each of these lots shall be subject to the following restrictive covenants, which shall run with the land and be in full force and effect and binding upon all persons who now or may hereafter own one or more said lots or any right or title, or interest therein as follows:

1. All lots described herein shall be known, described, and used solely as residential lots.

2. All dwellings shall be erected on these lots in accordance with the requirements of the Zoning Ordinance of the City of Manchester, Iowa.

3. All housing plans must have the developer's approval before construction is commenced. No building shall be erected on any lot unless the design and location is in harmony with existing structures and locations in the Subdivision.

4. No single family dwelling shall be erected in said Subdivision having a minimum above grade living area square footage of less than:

a. ranch style	1,150 square feet
b. two story	1,400 square feet
c. split foyer	1,150 square feet
d. tri-level	1,150 square feet

No dwelling shall exceed three (3) stories in height or thirty (30) feet in height, whichever is lesser. The dwelling shall have an attached garage of no less than two (2) stalls nor more than four (4) stalls. There shall be no detached garages.

5. No lot shall be subdivided.

6. All driveways shall be finished with concrete.

7. The titleholder of each lot, improved or vacant, shall keep the lots free of weeds and debris or other waste.

8. Antennas are permitted if attached to the dwelling and do not extend more than ten (10) feet above the peak of the dwelling. All other antennas, satellite TV dishes, poles for radios and windmills are prohibited.

9. No animals or poultry of any kind shall be kept in any part of any lot and no animal compound or run, enclosure, shelter or dog house shall be constructed, used or maintained on said lots. All house pets must be kept on a leash. Any pet which is disruptive or causes damage in any way shall violate the restrictive covenants.

10. No noxious or offensive trade shall be conducted upon any of the lots in the Subdivision, nor shall anything be done upon any lot in the Subdivision which may be or become an annoyance or nuisance to the neighborhood.

11. No vans, motor homes, boats or recreational vehicles shall be maintained, parked or kept for any purpose on any of the lots in this Addition for more than 48 hours except within an enclosed garage.

12. There is no time limit within which construction must begin, but after commencement of construction all interior and exterior construction and lot grading and landscaping shall be completed within one (1) year of the date of commencement. No dwelling shall be occupied during construction.

13. No mobile home, modular home or log cabin shall be constructed or located on any lot or lots. Houses which were previously constructed on another building site are prohibited from being moved to and placed upon any of the lots in the Subdivision.

14. No truck or other commercial vehicles rated larger than one ton shall be maintained or parked overnight for any purpose in the Subdivision. Builder/Developer shall be able to maintain or park such vehicles until such time as the Subdivision is completed.

15. No trailer, motor home, basement, tent, shack, garage, barn or other out buildings, on said lots, shall at any time be used as a residence temporarily, or permanently, nor shall any residence of a temporary nature be permitted.

16. No inoperable, dismantled, or wrecked motor vehicles, trailers, or machinery or parts thereof, including scrap metal or other scrap materials shall be permitted to be upon or remain upon any of the property within the Subdivision.

17. No above-ground swimming pools shall be erected or permitted on any lot within the Subdivision.

18. A perpetual easement is reserved over and along the lot lines of the lots as shown by the recorded plat for utility installation and maintenance and for drainage. No building, walls, fences, paving or planting shall be erected upon any part of the property which will interfere with the easements.

19. These covenants shall run with the land and shall be binding on each and all of the owners of each of said lots or building plots in the Subdivision.

RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of ***MEADOW PARK***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated April 3, 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;

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa , that said ***MEADOW PARK***, 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 April, A.D., 1996.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By _____
James E. Fisher, Chairperson

By Helen M. Knutson
Helen M. Knutson, Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 11th day of April, 1996, before me, Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared James E. Fisher 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 Resolution adopted by the Planning and Zoning Commission on the 10th day of April, 1996, and that James E Fisher and Helen M 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 APPROVING FINAL PLAT

WHEREAS, the plat of ***MEADOW PARK***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated April 3, 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;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***MEADOW PARK***, 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.

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 April, A.D., 1996.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen Cole, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 16th day of April, 1996, before me, Linda K. Tutton, 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-259-96 adopted by the City Council on the 15th day of April, 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.

Linda K. Tutton

Linda K. Tutton, Notary Public.

20. If the parties hereto, or any of them, or their heirs, successors, or assigns, shall violate or attempt to violate any of the covenants or restrictions herein, it shall be lawful for any other person or persons owning any other lot or lots in said Subdivision to prosecute any proceedings at law or in equity, against the person or persons violating or attempting to violate any such covenant or restriction either to prevent him/her or them from so doing, or to recover damages from such violation.

21. Invalidation of any one or more of these covenants or restrictions by judgment, decision, or decree of a Court shall in no way nor to any extent affect any of the other provisions or restrictions herein provided, which shall remain in full force and effect.

22. Anyone found at fault for violating any of the above covenants or restrictions shall agree to pay all expenses, including attorney's fees, and court costs to enforce compliance with the Restrictive Covenants.

Executed this 5th day April, 1996.

Jerome A. Krogmann
Jerome A. Krogmann

Rose Ann Krogmann
Rose Ann Krogmann

STATE OF IOWA)
)
COUNTY OF DELAWARE)

On this 5th day of April, 1996, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jerome A. Krogmann and Rose Ann Krogmann, husband and wife, 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.

NOTARIAL SEAL IOWA
DONNA M. KUNDE
MY COMMISSION EXPIRES
8-16-97

Donna M. Kunde
Notary Public in and for the State of Iowa

OWNER'S ACKNOWLEDGMENT

I(we) Jerome A. Krogmann and Rose Ann Krogmann 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.

Jerome A. Krogmann

Rose Ann Krogmann

OWNERS DEDICATION

I(we) Jerome A. Krogmann and Rose Ann Krogmann, do hereby dedicate Sunrise Drive and utility easements as shown on the attached plat to the public.

Jerome A. Krogmann

Rose Ann Krogmann

State of Iowa)
)
County of Delaware) ss:

On this 3rd day of April A.D. 1996, before me a Notary Public in and for said County, personally appeared Jerome A. Krogmann and Rose Ann Krogmann, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Donna M. Kunde
Notary Public in and for said County

DONNA M. KUNDE
MY COMMISSION EXPIRES
8-16-97

ATTORNEY'S OPINION

I, William D. Werger, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in Meadow Park Subdivision, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated April 3, 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 11th day of April, 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 Jerome A. Krogmann and Rose Ann Krogmann
Dated at Manchester, Iowa, in said County, this 23rd day of April, 1996.

Attorney at Law
William D. Werger

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***MEADOW PARK,*** City of Manchester, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

DELAWARE COUNTY TREASURER SEAL IOWA

Carolyn A. Wilson, County Treasurer