Del Co. Recorder
8-4

FILED
Date 5-30-96
Sheryl Stufflebeam
Deputy County Assessor

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
MAY 20 1996

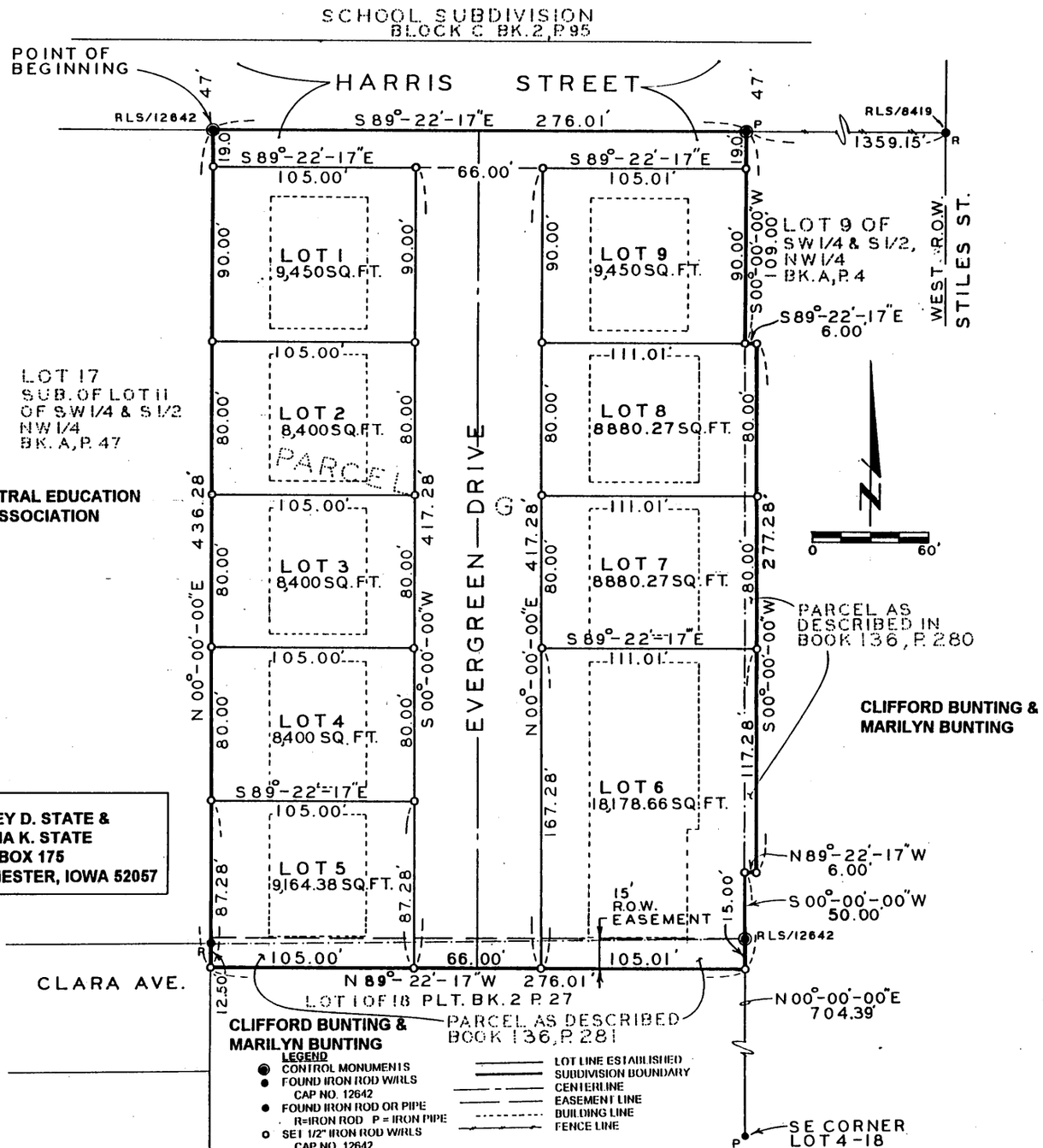
HANSING File B-4

'96 MAY 20 PM 3 45
DELAWARE COUNTY IOWA
FILED
280-3268
BOOK 7 PAGE 193
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
31.00

WM. BURGER LANDSURVEYORS | 510 3RD STREET WEST COURT, WORTHINGTON IOWA, 52078 | PHONE 319 855-2028

PLAT OF SURVEY FINAL PLAT

EVERGREEN ADDITION - A SUBDIVISION OF PARCEL G OF THE SOUTH HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4), PART OF LOT NINE (9) OF THE SOUTHWEST QUARTER (SW 1/4) AND THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) AND PART OF LOT ONE (1) OF LOT EIGHTEEN (18) OF THE SUBDIVISION OF LOT ELEVEN (11) OF THE SOUTHWEST QUARTER (SW 1/4) AND THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) ALL IN SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.



SCALE: 1"=60'

DATE OF SURVEY: 10/13/95

SHEET 1 OF 6

PROPRIETORS: JEFFREY D. STATE & CYNTHIA K. STATE

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 5/6/96
WILLIAM H. BURGER #12642 DATE

DATE 5-20-96 BOOK 7 PAGE 193 B-4

Restrictive Covenants 5-30-96 129

LEGAL DESCRIPTION

EVERGREEN ADDITION A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) , part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28) , Township Eighty-nine North (T89N) , Range Five West (R5W) of the Fifth Principal Meridian , in the City of Manchester , Delaware County, Iowa as recorded in the Office of the Delaware County Recorder plat book 7 , page 153 , book136 page280 and book136page281; containing a total of 2.80 acres ,divided into Nine Lots numbered Lot One (1) through Lot Nine (9) , a dedicated street named Evergreen Drive , a Nineteen (19) foot wide parcel of land along the North line of Evergreen Addition dedicated as Part of Harris Street and a Fifteen (15) foot wide easement along the South line of Evergreen Addition reserved for future road right of way. Subject to easements of record and more particularly described by meets and bounds as follows:

Beginning at the Northeast corner of Lot Seventeen (17) of the Subdivision of Lot Eleven (11) of the Subdivision of the Southwest Quarter (SW1/4) and the South One half (S1/2) of the Northwest Quarter (NW1/4) , Section Twenty-eight (28) , Township Eighty-nine North (T89N) , Range Five West (R5W) of the Fifth Principal Meridian , in the City of Manchester , Delaware County, Iowa as recorded in the Office of the Delaware County Recorder Book A , Page 47 ; thence South 89°-22'-17" East 276.01 feet along the North line of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of said Section Twenty-eight (28) to the Northwest corner of Lot Nine (9) of the Subdivision of the Southwest Quarter (SW1/4) and the South One half (S1/2) of the Northwest Quarter (NW1/4) of said Section Twenty-eight (28) as recorded in the Office of the Delaware County Recorder, Book A , Page 4 ; thence South 00°-00'-00" West 109.00 feet along the West line of said Lot Nine (9) ; thence South 89°-22'-17" East 6.00 feet; thence South 00°-00'-00" West 277.28 ; thence North 89°-22'-17" West 6.00 feet; thence South 00°-00'-00" West 50.00 feet; thence North 89°-22'-17" West 276.01 feet to the East line of Clara Avenue; thence North 00°-00'-00" East 436.28 feet along the East line of said Clara Avenue and the East line of said Lot Seventeen (17) of the Subdivision of Lot Eleven (11) of the Subdivision of the Southwest Quarter (SW1/4) and the South One half (S1/2) of the Northwest Quarter (NW1/4) to the POINT OF BEGINNING; containing a total of 2.80 acres subject to easements of record . The East line of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Subdivision of the Southwest Quarter (SW1/4) and the South One half (S1/2) of the Northwest Quarter (NW1/4) , Section Twenty-eight (28) , Township Eighty-nine North (T89N) , Range Five West (R5W) of the Fifth Principal Meridian , in the City of Manchester , Delaware County, Iowa is assumed to bear North 00°-00'-00" East

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.

William H. Burger 5/6/96

William H. Burger Date Reg. No. 12642

REGISTERED LAND SURVEYOR
WILLIAM H. BURGER
12642
IOWA

OWNERS ACKNOWLEDGMENT

I (We) Jeffrey D. State and Cynthia K. State husband and wife 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.

Jeffrey D. State

Cynthia K. State

STATE OF IOWA
COUNTY OF Delaware

On this 8 day of May A. D. 1996 before me, a Notary Public in and for said County, personally appeared Jeffrey D State & Cynthia K. State , to me known to be the person or persons named in and who executed the foregoing instrument, and acknowledged that ____ executed the same as ____ voluntary act and deed.

Leo K. Monaghan
Notary Public in and for said County
Leo K. Monaghan

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 **EVERGREEN ADDITION** A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa on premises more particularly described in the surveyor's certificate of William H. Burger, date May 6, 1996.

Said abstract has been prepared in its entirety by the Delaware County Abstract Company, and was last certified to by said company on the 14th day of May, AD, 19 96, 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 D. State, Cynthia K. State and Stately Homes, an Iowa Corporation

Dated at Manchester, Iowa in said County, this 17th day of May. 19 96

Attorney at Law
Thomas J. Hanson

TREASURER'S CERTIFICATE

I Carolyn Wilson, Treasurer of Delaware County, Iowa, hereby certify that there are no taxes due nor liens against the land included with EVERGREEN ADDITION, in the City of Manchester, Delaware County, Iowa, on Premises more particularly described in surveyor's certificate of William H. Burger, dated May 6, 1996, as shown by the records of this office.

Witness my hand and seal of this office at Manchester, Iowa in said County, this 20 day of May, 1996

Carolyn A. Wilson
Treasurer of Delaware County, Iowa

DELAWARE COUNTY TREASURER SEAL IOWA

CITY ENGINEER'S CERTIFICATE

Manchester, Iowa _____, 19__

The forgoing plat of **EVERGREEN ADDITION** A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (23), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa has been reviewed for compliance with current City of Manchester Platting and Subdivision regulations, and all required improvements have been satisfactorily completed in accordance with the construction plans as approved, and in substantial compliance with the approved preliminary plat.

_____

City Engineer of Manchester, Iowa

RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of the **EVERGREEN ADDITION** A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of William H. Burger, dated May 6, 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; and

WHEREAS, said final plat appears a street to be known as Evergreen Drive, a Nineteen (19) foot wide parcel of land along the North line of Evergreen Addition to be part of Harris Street, in which the Owners by said final plat have dedicated to the Public forever; and

WHEREAS, all water, sewer and street improvements have been satisfactorily completed in accordance with the construction plans as approved, and in substantial compliance with the approved preliminary plat, which the Owners by said final plat have dedicated to the Public forever; and

WHEREAS, said final plat has been examined by the Manchester Planning and Zoning Commission and find that the same conforms to the statutes and ordinances relating thereto; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said be, **EVERGREEN ADDITION** A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa and the same is hereby acknowledged. approved and accepted, on the part of the Planning and Zoning 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 8th day of May, A.D., 1996.

CITY OF MANCHESTER IOWA SEAL

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 10th day of May, 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 on the 8th day of May, 1996, and that James E. Fisher 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.

Notarial Seal

Linda K. Tutton
Linda K. Tutton, Notary

RESOLUTION APPROVING FINAL PLAT

RESOLUTION NO. R-276-96

A RESOLUTION APPROVING THE FINAL PLAT OF EVERGREEN ADDITION
A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa

WHEREAS, there has been filed with the City Clerk a final plat of Lots 1 - 9 of Evergreen Addition A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa and

WHEREAS, said final plat appears a street to be known as Evergreen Drive, a Nineteen (19) foot wide parcel of land along the North line of Evergreen Addition to be part of Harris Street, in which the Owners by said final plat have dedicated to the Public forever; and

WHEREAS, all water, sewer and street improvements have been satisfactorily completed in accordance with the construction plans as approved, and in substantial compliance with the approved preliminary plat, which the Owners by said final plat have dedicated to the Public forever; and

WHEREAS, said final plat has been examined by the City Council and they find that the same conforms to the statutes and ordinances relating thereto; and

WHEREAS, the City Council concurs that the plat should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, IOWA:

Section 1: That the dedication of Evergreen Drive, a Nineteen (19) foot wide parcel of land along the North line of Evergreen Addition to be part of Harris Street, as the same appears upon said final plat be and the same is hereby accepted and

Section 2: That the dedication of all water, sewer and street improvements are hereby accepted and

Section 3: That the final plat of **EVERGREEN ADDITION** A Subdivision of Parcel G of the South One half (S1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), part of Lot Nine (9) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) and Part of Lot One (1) of Lot Eighteen (18) of the Subdivision of Lot Eleven (11) of the Southwest Quarter (SW1/4) and the South One-Half (S1/2) of the Northwest Quarter (NW1/4) all in Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to endorse the approval of the City of Manchester, Iowa, upon said final plat.

PASSED, APPROVED, AND ADOPTED THIS 8th day of May, A.D., 1996

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 9th day of May, 1996, 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-276-96 adopted by the City Council on the 8th day of May, 19 96, and that Milt L. Kramer and Karen K. Cole acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

Linda K. Tutton
Notary Public; Linda K. Tutton
Expires 8-29-96

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 acceptance with our desire as mortgage holder of the premises described herein.

Chairman of the Board
Steven A. Brady

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 28 day of May, A.D. 1996, before me, the undersigned, a Notary Public in and for the State, personally appeared Steven A. Brady, to me personally known, who being by me duly sworn, did say that 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 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 as officer acknowledged the execution of the foregoing instrument to the voluntary act and deed of the corporation, by it and by them voluntarily executed.

LORI L. WESSELS
MY COMMISSION EXPIRES
April 20, 1997

Lori L. Wessels
Notary Public in and for said state.