Del. Co. Recorder

FILED
Date 7-16-96
County Assessor

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
JUL 16 1996

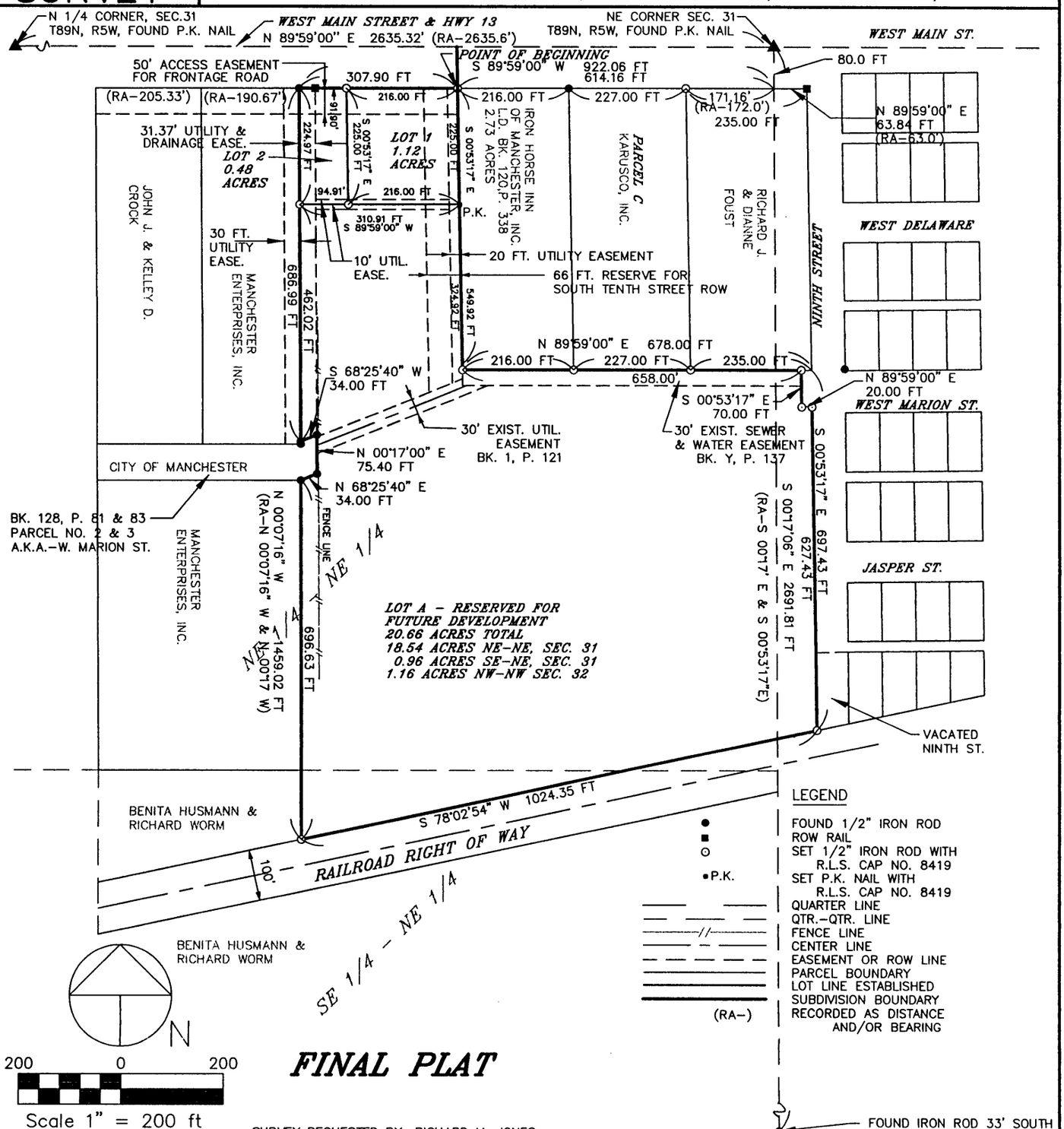
238-308
DELAWARE COUNTY IOWA
FILED
'96 JUL 16 PM 4 11
RECORDER
7 PAGE 207 B-7
$31.00

PREPARED BY: J DAVID GIBBS; P.O. BOX 295 MANCHESTER, IA 52057 319-927-2434

PLAT OF SURVEY

KARUSCO SOUTH SUBDIVISION

PART OF THE E 1/2 NE 1/4 OF SECTION 31 AND PART OF THE NW 1/4 OF SECTION 32, ALL OF T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



SURVEYED ON: 6/28&29/96
FIELD BK NO. D.L.

PROPRIETORS: *KARUSCO, INCORPORATED - a.k.a. JAY DEVELOPMENT CORPORATION, 1221 WEST MAIN STREET, MANCHESTER, IOWA 52057*

PROJECT NO. 96-25

REGISTERED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

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 REGISTERED ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

J. David Gibbs 7/10/96

J. DAVID GIBBS, P.E., R.L.S. REG. NO. 8419 DATE

MY REGISTRATION WILL BE RENEWED ON JANUARY 1, 1997

SCALE: 1"=200'
DATE: 7/2/96
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

DATE 7-16-96 BOOK 7 PAGE 207 B-7

LEGAL DESCRIPTION

***KARUSCO SOUTH SUBDIVISION*, PART OF THE EAST ONE HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THIRTY-ONE (31) AND PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION THIRTY-TWO (32), ALL OF TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA;** Part of vacated lots, streets and alleys in the Town of Manchester, Iowa, as recorded in L.D. Book 93, Page 73 in the Office of the Delaware County Recorder; into three (3) lots numbered Lot One (1), Lot Two (2) and Lot A (reserved for future development), containing a total of 22.26 acres, subject to easements of record and more specifically described by metes and bounds as follows:

COMMENCING at the Northeast (NE) Corner of Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa;

Thence along the Easterly Line of said Northeast Quarter (NE 1/4), South 00°17'-06" East to the Southerly Line of Highway 13 and West Main Street 80.0 feet;

Thence along the said Southerly Line South 89°-59'-00" West to the Northwesterly Corner of a 2.73 Acre Parcel as recorded in L.D. Book 120, Page 338 in the Office of the Delaware County Recorder, 614.16 feet, the **POINT OF BEGINNING**;

Thence along the Westerly Line of said 2.73 Acre Parcel South 00°-53'-17" East to the Southwesterly Corner of said 2.73 Acre Parcel 549.92 feet;

Thence along the Southerly Line of said 2.73 Acre Parcel and the Southerly Line of Parcel C as recorded in Book 6 of Plats, Page 154 in the Office of the Delaware County Recorder, North 89°-59'-00" East to the Westerly Line of West Marion Street as recorded in T.L.D. Book 51, Page 174 in the Office of the Delaware County Recorder 658.00 feet;

Thence along the Westerly Line of West Marion Street, South 00°-53'-17" East 70.00 feet;

Thence along the Southerly Line of West Marion Street, North 89°-59'-00" East to the Westerly Line of Ninth Street 20.00 feet;

Thence along the Westerly Line of Ninth Street South 00°-53'-17" East to the Northerly Line of a railroad right of way 627.43 feet;

Thence along the Northerly Line of the railroad right of way South 78°-02-'54" West 1024.35 feet;

Thence North 00°-07'-16" West to the Southerly Line of West Marion Street as recorded in L.D. Book 128, Pages 81 and 83 in the Office of the Delaware County Recorder 696.63 feet;

Thence along said Southerly Line of West Marion Street North 68°-25'-40" East 34.00 feet;

Thence along the Easterly Line of said West Marion Street North 00°-17'-00" East 75.40 feet;

Thence along the Northerly Line of West Marion Street South 68°-25'-40" West to the Easterly Line of an 11.34 Acre Parcel as recorded in Book 3 of Plats, Page 127 in the Office of the Delaware County Recorder 34.00 feet;

Thence along the Easterly line of said 11.34 Acre Parcel, North 00°-07'-16" West to the Southerly Line of Highway 13 and West Main Street 686.99 feet;

Thence along the Southerly Line of Highway 13 and West Main Street, North 89°-59'-00" East 307.90 feet to the **POINT OF BEGINNING**;

Containing a total of 22.26 acres divided into three (3) lots numbered Lot One (1), Lot Two (2) and Lot A (reserved for future development) and subject to easements of record.

The Northerly Line of the Northeast Quarter (NE 1/4) of Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West of the Fifth Principal Meridian is assumed to bear South 89°-59'-00" West.

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 7/10/96

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

REGISTERED LAND SURVEYOR
J. DAVID GIBBS 8419
IOWA

OWNER'S ACKNOWLEDGMENT

I Richard M. Jones, President and Secretary, of Karusco Incorporated, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with the free consent, and in accordance with our desires of the board of directors of said corporation.

Karusco, Incorporated (a.k.a. - Jay Development Corporation)

Richard M. Jones

By: Richard M. Jones, President & Secretary

State of Iowa)
)
County of Delaware) Ss:

On this 12th day of July, 1996 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard M. Jones to me personally known, who being duly sworn, did say that he is the President and Secretary, of Karusco Incorporated executing the within and foregoing instrument to which this is attached , that (no seal has been procured by the) (the seal affixed hereto is the seal of the) corporation ; that said instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors ; and that Richard M. Jones as officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

William D. Werger
Notary Public in and for said County

WILLIAM D. WERGER
Oct-6, 1998

OWNERS DEDICATION

I Richard M. Jones, President and Secretary, of Karusco Incorporated, State of Iowa, do hereby dedicate the easements as show on the attached plat.

Karusco, Incorporated (a.k.a. - Jay Development Corporation)

Richard M Jones

By: Richard M. Jones, President & Secretary

State of Iowa)
)
County of Delaware) Ss:

On this 12th day of July, 1996, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard M. Jones, to me personally known, who being duly sworn, did say that he is the President and Secretary, 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 hereto is the seal of the) ; that said instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors ; and that Richard M. Jones as officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

William D. Werger
Notary Public in and for said County

WILLIAM D. WERGER
Oct-6, 1998

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RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of Karusco South Subdivision, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated July 10, 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

1) Streets - The present West Main Street and State Highway 13, along with private streets or drives will serve Lot 1 and 2, Lot A served by Ninth Street. Property in this subdivision is subject to street assessments should future street improvements be necessary as determined by the City.

2) Sanitary Sewer System - Sanitary sewer service to Lot 1 and 2 can be provided by individual service sewers from the south or west through easements provided.

3) Storm Sewer System - None required unless and until construction of future streets.

4) Water Main System - Water service to Lot 1 can be provided by a separate service line from the south and Lot 2 can be provided by a separate service line from the north (across West Main Street) in easements or right of way.

5) Other Improvements relating to the construction of sidewalks, not required.

2. Section 127.24 Requirements of Preliminary Plat

8) No contours required.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said KARUSCO SOUTH 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.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By _____
James E. Fisher, Chairperson

By _____
Helen M. Knutson, Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 11th day of July, 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 July, 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, Notary Public

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of Karusco South Subdivision, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated July 10, 1996, 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; and with the allowance for the following variances:

1. Section 127.09 Minimum Improvements

1) Streets - The present West Main Street and State Highway 13, along with private streets or drives will serve Lot 1 and 2, Lot A served by Ninth Street. Property in this subdivision is subject to street assessments should future street improvements be necessary as determined by the City.

2) Sanitary Sewer System - Sanitary sewer service to Lot 1 and 2 can be provided by individual service sewers from the south or west through easements provided.

3) Storm Sewer System - None required unless and until construction of future streets.

4) Water Main System - Water service to Lot 1 can be provided by a separate service line from the south and Lot 2 can be provided by a separate service line from the north (across West Main Street) in easements or right of way.

5) Other Improvements relating to the construction of sidewalks, not required.

2. Section 127.24 Requirements of Preliminary Plat

8) No contours required.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said KARUSCO SOUTH 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, the Mayor and the City Clerk are hereby authorized and directed to certify this resolution of approval and affix the same to said plat as provided by law.

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 16th day of July, 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 R-307-96 passed by the City Council of the City of Manchester, Iowa on the 15th day of July, 1996 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
My commission expires 8-29-99

BOOK 7 PAGE 2026-7

ATTORNEY'S OPINION

I, William D. Werger, a practicing attorney at law in Manchester, Iowa County, Iowa, have examined the abstract of title to the land included in ***KARUSCO SOUTH SUBDIVISION***, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated July 10, 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 July, 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 Karusco Incorporated.

Dated at Manchester, Iowa, in said County, this 15th day of July, 1996

William D. Werger
Attorney at Law

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***KARUSCO SOUTH 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.

Carolyn A. Wilson
County Treasurer

DELAWARE COUNTY TREASURER 7/15