SUBDIVISION PLAT

WESTSIDER'S SUBDIVISION OF RAILROAD RIGHT-OF-WAY*
CITY OF DELAWARE, DELAWARE COUNTY, IOWA.

* CHICAGO, MILWAUKEE, St. PAUL, AND PACIFIC RAILROAD COMPANY.

246-600

DELAWARE COUNTY IOWA
FILED
'96 AUG 6 PM 1 11
BOOK 7 PAGE 214 8-10
PEYTON
RECORDER
$16.00

FILED
Date 8-6-96
Cheryl Stufflebeam
Deputy County Assessor



100' 50' 0 100'
SCALE: 1 inch = 100 feet

LEGEND
- Fd 2"ø Pipe Set 1/2"ø Rebar & Cap #7474
- Set 1/2"ø Rebar & Cap #7474
- 110'R Distance as Recorded
- SURVEY LINE

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
AUG 6 1996

JEFFERSON

N 89°51'40" E 219.10'

1182 | 1181 | 110'R

50' | 241.45' | N 23°57'40" E | 3.29'

1.1089 acres | AREA | 3 | 150' | 241.56' | N 23°57'40" E | 33.00'

1183 | 1184 | 110'R

219.05'

N 89°53'15" E

66'

N 89°53'15" E 219.05'

MADISON

50' | 277.75' | N 23°57'40" E

1.2753 acres | AREA | 2 | 150' | 277.75' | N 23°57'40" E

1222 | 1221 | 110'R

1223 | 1224 | 110'R

219.05'

N 89°53'15" E

66'

N 89°53'15" E 54.76'

MONROE

℄ RAILROAD RIGHT-OF-WAY

1262 | 1261 | 110'R

555.50' | AREA | 0.2328 acres | 241.61' | N 23°57'40" E

1263 | 1264 | 110'R

SEVENTH ST.

25' | 25'

1 | 66'

HARRISON

SE 1/4, Sec 31-89-4

N 23°57'40" E | AREA | 0.4427 acres | 313.89' | N 23°57'40" E

1302 | 1301 | 110'R

1303 | 1304 | 110'R

33' | 33'

66'

VIRGINIA

N 89°5315" E 54.76'

1342 | 1341 | 145'R

SW CORNER
Sec 32-89-4W
Fd CONC MON

294.5'R | 294.5'R

REGISTERED LAND SURVEYOR
JOHN R. CRAWFORD
7474
IOWA

PAGE 1 of 2

I HEREBY CERTIFY THAT THIS SUBDIVISION 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.
REG. RENEWAL DATE 12/31/95 IOWA REG. NO. 7474

John R. Crawford 4/13/95
JOHN R. CRAWFORD P.E. & L.S. DATE

PROPRIETORS: STEVEN C. McAREAVY and BEVERLY J. McAREAVY

DATE OF SURVEY: DECEMBER 1994

CRAWFORD ENGINEERING & SURVEYING, INC.
205 SECOND AVENUE N.E.
P.O. BOX 793, INDEPENDENCE, IOWA 50644
Phone (319) 334-7077

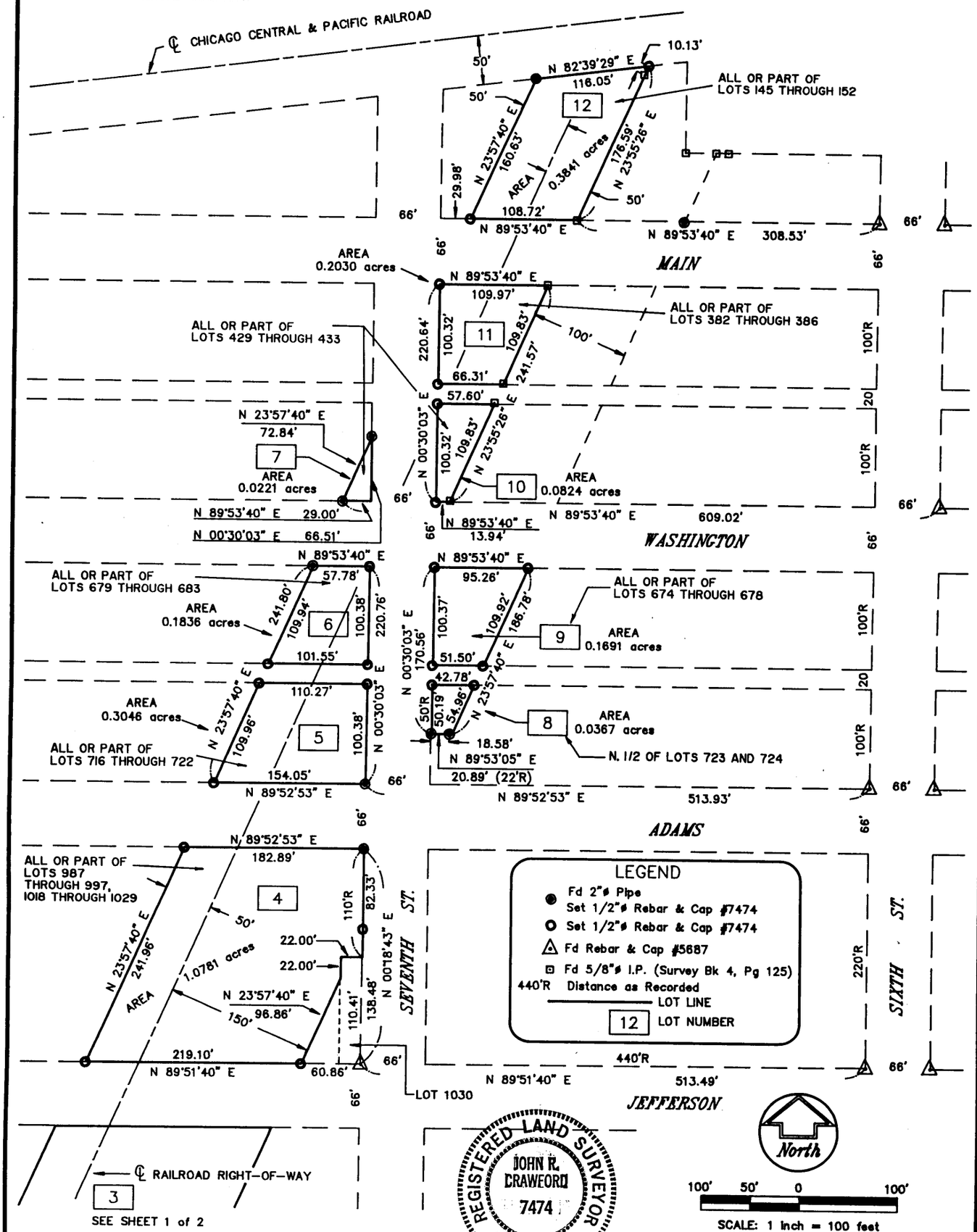
PROJECT NO. 94246 FLD.BK.NO. 54 PAGE 27,29

DATE 8-6-96 BOOK 7 PAGE 214 8-10

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PAGE 2 of 2

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY 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.
REG. RENEWAL DATE 12/31/95 IOWA REG. NO. 7474

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PROJECT NO. 94246 FLD.BK.NO. 54 PAGE 27,29

PLAT OF SURVEY

Description:

All of Lot 987 in the Town of Delaware; also

All or part of the following described Lots in the Town of Delaware lying between parallel line 50 feet westerly of and 50 feet easterly of the centerline of the original main track of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company; Lot 145 through 152 inclusive; Lots 382 through 386 inclusive; Lots 429 through 433 inclusive (except portions of said Lots previously conveyed to Hutchinson, Incorporated by Deed Dated April 17, 1975);

All or part of the following described Lots in the Town of Delaware, lying between parallel line 50 feet westerly of and 150 feet easterly of the centerline of the original main track of said Railroad Company; also, Lots 674 through 683 inclusive; Lots 716 through 722 inclusive; the North Half of Lots 723 and 724; Lots 988 through 997 inclusive; Lots 1018 through 1029 inclusive; Lots 1181 through 1184 inclusive; Lots 1221 through 1224 inclusive; also,

All of the 50 foot wide right of way of the said former Railroad Company across the Southeast Quarter of the Southeast Quarter (SE¼, SE¼) of Section 31 lying northerly of the centerline of Virginia Street as projected westerly, Town of Delaware, and across the Southwest Quarter of the Southwest Quarter (SW¼, SW¼) of Section 32, being in Town Lots, Town of Delaware, all in Township 89 North, Range 4 West.

SURVEYOR'S CERTIFICATE

I, John R. Crawford, duly registered under the laws of the State of Iowa, do hereby certify that the above Description and attached Plat are correct, and in accordance with a Survey completed by me on March 27, 1995, at the request of Beverly J. McAreavy.

Signed: John R. Crawford
John R. Crawford, R.L.S.
Iowa License #7474

Subscribed and sworn to before me by John R. Crawford this 13th day of April, 1995.

DEBORA L. WEIS
MY COMMISSION EXPIRES
2-22-97

Debora L. Weis
Notary Public in and for the
State of Iowa

CRAWFORD ENGINEERING & SURVEYING, INC.
205 Second Avenue N.E.
P.O. Box 793
Independence, Iowa 50644

BOOK 7 PAGE 214

STATEMENT OF PROPRIETORS

The undersigned herewith state that the plat of Westsider's Subdivision of Railroad Right-of-Way City of Delaware, Delaware County, Iowa, which property is more specifically described in the surveyor's certificate sworn to by John R. Crawford on April 13, 1995 was prepared with their free consent and in accordance with their desire.

Steven C. McAreavy

Steven C. McAreavy

Beverly J. McAreavy

Beverly J. McAreavy

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 5 day of July, 1996 before me the undersigned a notary public in and for the State of Iowa personally appeared Steven C. McAreavy and Beverly J. McAreavy to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

DIANNE K. FOUST
Iowa

Dianne K. Foust

Notary Public in and for the State of Iowa.
Dianne K. Foust

CONSENT TO PLATTING BY MORTGAGEHOLDER
Heritage Bank f/n/a

The undersigned/Delhi Savings Bank herewith consents to the platting of Westsider's Subdivision of Railroad Right-of-Way City of Delaware, Delaware County, Iowa which property is more specifically described in the surveyor's certificate sworn to by John R. Crawford on April 13, 1995 and attached to the plat. All real estate mortgages previously owned by Delhi Savings Bank are now owned by Heritage Bank.

HERITAGE BANK f/n/a
DELHI SAVINGS BANK

By _____
Tamara L. Danover, President

By _____
Jason P. Else, Secretary

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 26th day of March, 1996 before me the undersigned a notary public in and for said state personally appeared Tamara L. Danover and Jason P. Else to me personally known who being by me duly sworn did say that they are the President and Secretary respectively of said corporation; that (no seal has been procured ~~the seal affixed the~~ by the said) corporation; that said instrument was ~~is the seal of said~~) signed (~~and sealed~~) on behalf of said corporation by authority of its Board of Directors; and that the said Tamara L. Danover and Jason P. Else as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by them voluntarily executed.

CYNTHIA L. ORR
MY COMMISSION EXPIRES
October 6 1996

_____, Notary Public in and for the State of Iowa.

RESOLUTION OF THE CITY OF DELAWARE

WHEREAS the plat of Westsider's Subdivision of Railroad Right-of-Way City of Delaware, Delaware County, Iowa described specifically on the attachment hereto and showing Lots #1 through #12 inclusive with the dimensions shown on the plat has been considered by the City Council and found to be correct and in accordance with the provisions of the laws of the State of Iowa and the ordinances of the City of Delaware, Iowa,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DELAWARE, IOWA that said plat of Westsider's Subdivision of Railroad Right-of-Way City of Delaware, Delaware County, Iowa be and the same is hereby accepted and approved on the part of the City of Delaware, Iowa and the Mayor and City Clerk are hereby directed to certify this Resolution of approval and affix the same to said plat as provided by law.

PASSED this 13 day of April, 1996.

Edith L. Schnittjer
Edith L. Schnittjer Mayor

ATTEST:

Beverly J McAreavy
Beverly J. McAreavy, City Clerk

ON CALL OF ROLL: AYES: 4 NAYS: None

CERTIFICATION

I, Beverly J McAreavy, Clerk of the Incorporated City of Delaware, Iowa hereby certify that the foregoing resolution is a true and exact copy of said resolution as adopted by the Council of said Incorporated City of Delaware, Iowa at its regular meeting held on the 13 day of April, 1996 and appearing in Minute Books of the minutes of the meeting of the City Council of Delaware, Iowa.

Beverly J. McAreavy
Beverly J. McAreavy, City Clerk

Subscribed and sworn to before me personally appeared Beverly McAreavy, City Clerk, this 13 day of April, 1996.

Dianne K. Foust
Dianne K. Foust, Notary

LIANNE K. FOUST
IOWA
NOTARIAL SEAL

ATTORNEY'S OPINION

Manchester, Iowa February 14, 1996

TO WHOM IT MAY CONCERN:

I have examined the accompanying abstract of title to Westsider's Subdivision of Railroad Right-of-Way City of Delaware, Delaware County, Iowa which property is more specifically described in the surveyor's certificate sworn to by John R. Crawford on April 13, 1995 and attached to the plat.

Said accompanying abstract of title has been prepared in its entirety by the Delaware County Abstract Company of Manchester, Iowa and was last certified to on November 15, 1995 at 8:00 o'clock A.M.

My examination of said abstract shows good and merchantable title to be in the names of Steven C. McAreavy and Beverly J. McAreavy subject to the following:

1. The final decree of the United States District Court of the Northern District of Illinois dated November 12, 1985 and provisions thereunder shown at Entry 20 and the reservations contained in the quit claim deed shown in Book 47 T.L.D. page 269 shown at Entry 21.

2. Entry 26 shows a mortgage to Delhi Savings Bank dated June 22, 1992 and filed for record June 29, 1992 in Book 30 T.L.M. page 181. Steven C. McAreavy and Beverly J. McAreavy are shown as the mortgagors.

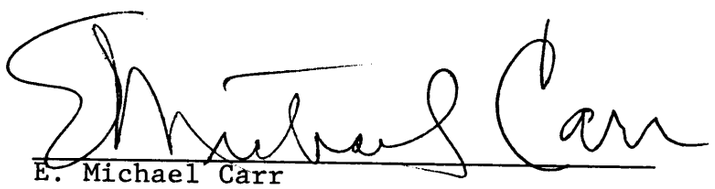
3. Entry 27 shows a mortgage to Delhi Savings Bank dated January 16, 1993 and filed for record January 29, 1993 in Book 31 T.L.M. page 304. The mortgagors are shown as Steven C. McAreavy and Beverly J. McAreavy.

4. Entries 29, 30, 31 and 32 reveal a small overlapping pertaining to Lot 674 in the Village of Delaware. The potential

ATTORNEY'S OPINION (CONT.)

overlapping claimants are George J. Bishop and Phyllis J. Bishop as shown in warranty deed dated July 6, 1993 and filed July 8, 1993 in Book 52 T.L.D. page 330.

5. Entry 28 shows the plat of survey for the property abstracted and examined. It is noted that a portion of Madison Street is included in the real estate examined and platted and such is not shown vacated by the Village of Delaware in the abstract.



E. Michael Carr
Attorney at Law
117 S. Franklin St.
P. O. Box 333
Manchester, IA 52057

TREASURER'S CERTIFICATE

Manchester, Iowa July 29, 1996

I, the undersigned Carolyn Wilson, Treasurer of Delaware County, Iowa do certify that all taxes levied against the real estate included within the plat of Westsider's Subdivision of Railroad Right-of-Way City of Delaware, Delaware County, Iowa which property is more specifically described in the surveyor's certificate sworn to by John R. Crawford on April 13, 1995 have been paid and said real estate is free from taxes as of this date.

DELAWARE COUNTY TREASURER SEAL IOWA

Carolyn A Wilson Pam Klein Deputy

Carolyn Wilson, Treasurer of Delaware County, Iowa.