Del. Co. Recorder ✓

FILED
Date 10-2-96
Cheryl Stufflebeam
County Assessor

FILED
SHARON McC
DELAWARE COUNTY

OCT 8 1996

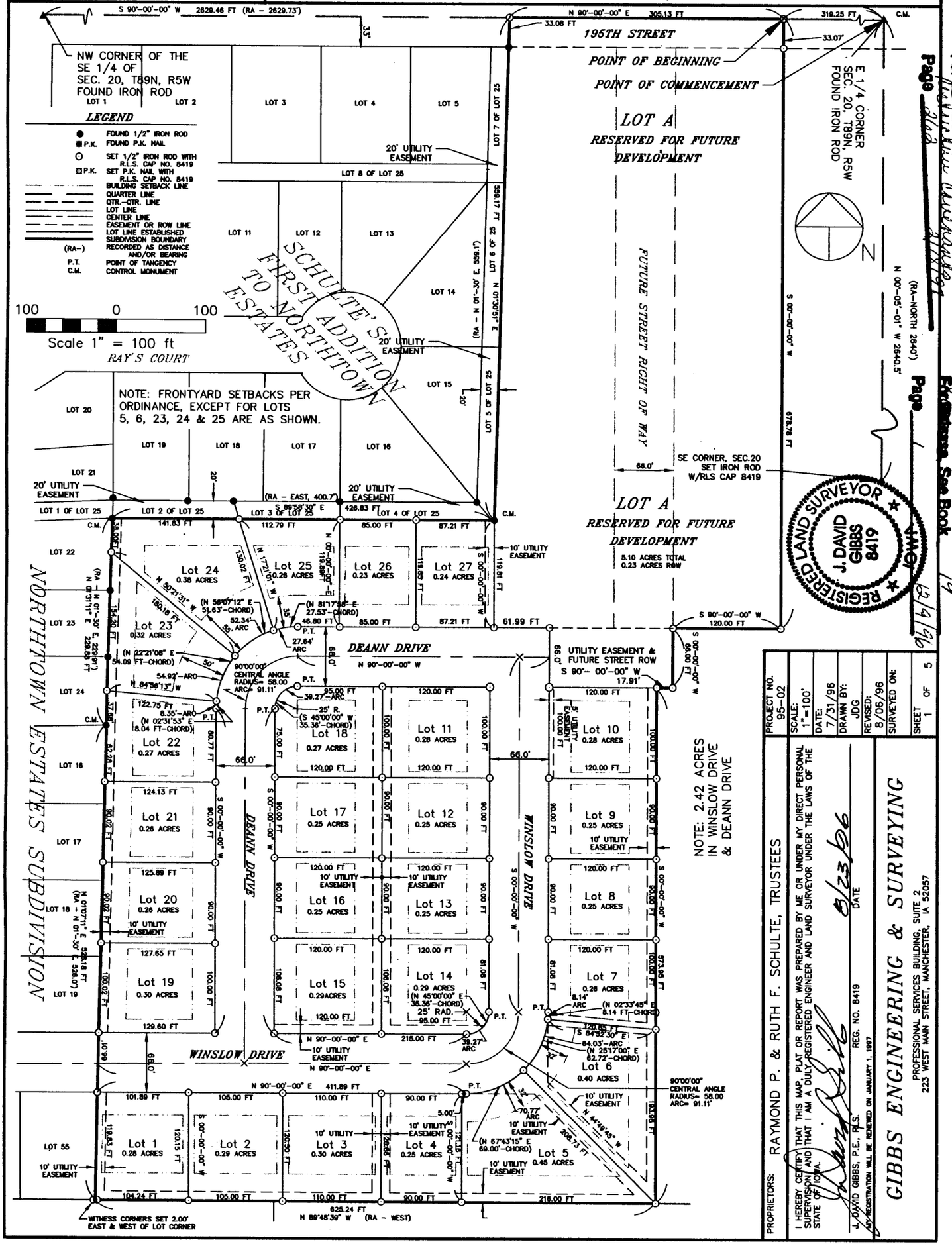
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261-1159

PREPARED BY: J DAVID GIBBS; P.O. BOX 295 MANCHESTER, IA 52057 563-927-2434

FINAL PLAT OF SURVEY

SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES, MANCHESTER, DELAWARE COUNTY, IOWA



PROJECT NO. 95-02
SCALE: 1"=100'
DATE: 7/31/96
DRAWN BY: JDG
REVISED: 8/06/96
SURVEYED ON:
SHEET 1 OF 5

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

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, P.E., R.L.S. REG. NO. 8419 DATE 8/23/96

MY REGISTRATION WILL BE RENEWED ON JANUARY 1, 1997

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

DATE 10-2-96 BOOK 8 PAGE 10 B-11

For recording see Book 6 Page 2 and Book 7 Page 1
Del. Co. Recorder will check when 19 is recorded

LEGAL DESCRIPTION

SHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES SUBDIVISION, **OF PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY (20), 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 (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth P.M., Delaware County, Iowa;

Thence, South 90°-00'-00" West along the Northerly Line of the Southeast Quarter (SE 1/4) of said Section 319.25 feet to the **POINT OF BEGINNING**;

Thence, South 00°-00'-00" West 678.78 feet;

Thence, South 90°-00'-00" West 120.00 feet;

Thence South 00°-00'-00" West 66.00 feet;

Thence South 90°-00'00" West 17.91 feet;

Thence South 00°-00'-00" West to the Southerly Line of the Northeast Quarter (NE 1/4) of said Southeast Quarter (SE 1/4), 573.95 feet;

Thence along said Southerly Line, North 89°-48'-39" West to the Southeasterly Corner of Northtown Estates Subdivision as recorded in Book 4 of Plats, Page 13 in the Office of the Delaware County Recorder, 625.24 feet;

Thence along the Easterly Line of said Northtown Estates, North 01°-07'-11" East to the Northeasterly Corner of Lot Sixteen (16) of said Northtown Estates and the Southeasterly Corner of Lot Twenty-four (24) 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, 528.18 feet;

Thence along the Easterly Line of said Schulte's First Addition to Northtown Estates, North 01°-31'-11" East to the Northeasterly Corner of Lot Twenty-two (22) of said Schulte's First Addition to Northtown Estates, 229.88 feet;

Thence along the Southerly Line of Lot Twenty-five (25) of said Schulte's First Addition to Northtown Estates, South 89°-58'-30" East 426.83 feet;

Thence along the Easterly Line of said Lot Twenty-five (25), North 01°-30'-51" East to the Northerly Line of said Southeast Quarter (SE 1/4), 559.17 feet;

Thence along the Northerly Line of said Southeast Quarter (SE 1/4), North 90°-00'-00" East 305.13 feet to the **POINT OF BEGINNING**;

Containing a total of 15.17 acres and subject to easements of record.

The Northerly Line of the Southeast 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.

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 8/23/96

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(we) Raymond P. Schulte, Trustee, and Ruth F. Schulte, Trustee, 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
Raymond P. Schulte, Trustee of the
Raymond P. Schulte Revocable Inter Vivos Trust

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

OWNERS DEDICATION

I(we) Raymond P. Schulte, Trustee, and Ruth F. Schulte, Trustee, do hereby dedicate Winslow Drive and Deann Drive and utility easements as shown on the attached plat to the public.

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

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

State of Iowa)
)
County of Delaware) ss:

On this 11th day of September A.D. 1996, before me a Notary Public in and for said County, personally appeared Raymond P. Schulte, Trustee, and Ruth F. Schulte, Trustee, 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.

Linda K. Tutton
Notary Public in and for said County Linda K. Tutton

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 Schulte's Second Addition to Northtown Estates, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated August 23, 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 3rd day of September, 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, Trustee of the Raymond P. Schulte Revocable Inter Vivos Trust & Ruth F. Schulte, Trustee of the Ruth F. Schulte Revocable Inter Vivos Trust as Tenants in common
Dated at Manchester, Iowa, in said County, this 24th day of September, 1996

Thomas J. Hanson 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 ***SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES,*** 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
Carolyn A. Wilson, County Treasurer

RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of ***SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated August 23, 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 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. *Other Improvements* relating to the construction of sidewalks, see attached *Irrevocable Standby Letter of Credit 600-96-1002* dated September 3, 1996, from First State Bank, Manchester, Iowa, regarding sidewalk improvements to Schulte's Second Addition to Northtown Estates to the City of Manchester, Iowa.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa , that said ***SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES***, 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 11th day of September, 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 12th day of September, 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 11th day of September, 1996, and that James Fisher 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 APPROVING FINAL PLAT

WHEREAS, the plat of ***SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated August 23, 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 final plat is hereby acknowledged and approved by the City Council of the City of Manchester 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. Other Improvements relating to the construction of sidewalks, see attached *Irrevocable Standby Letter of Credit 600-96-1002* dated September 3, 1996, from First State Bank, Manchester, Iowa, regarding sidewalk improvements to Schulte's Second Addition to Northtown Estates to the City of Manchester, Iowa.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES***, 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 16th day of September, A.D., 1996.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K Cole

Karen Cole, City Clerk

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 19th day of September, 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 332-96 adopted by the City Council on the 16th day of September, 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.

LINDA K. TUTTON NOTARIAL SEAL Iowa