FILED
Date 12-4-96
Cheryl Stufflebeam
Deputy

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
DEC 4 1996

HANGING FILE B-14
$31.00

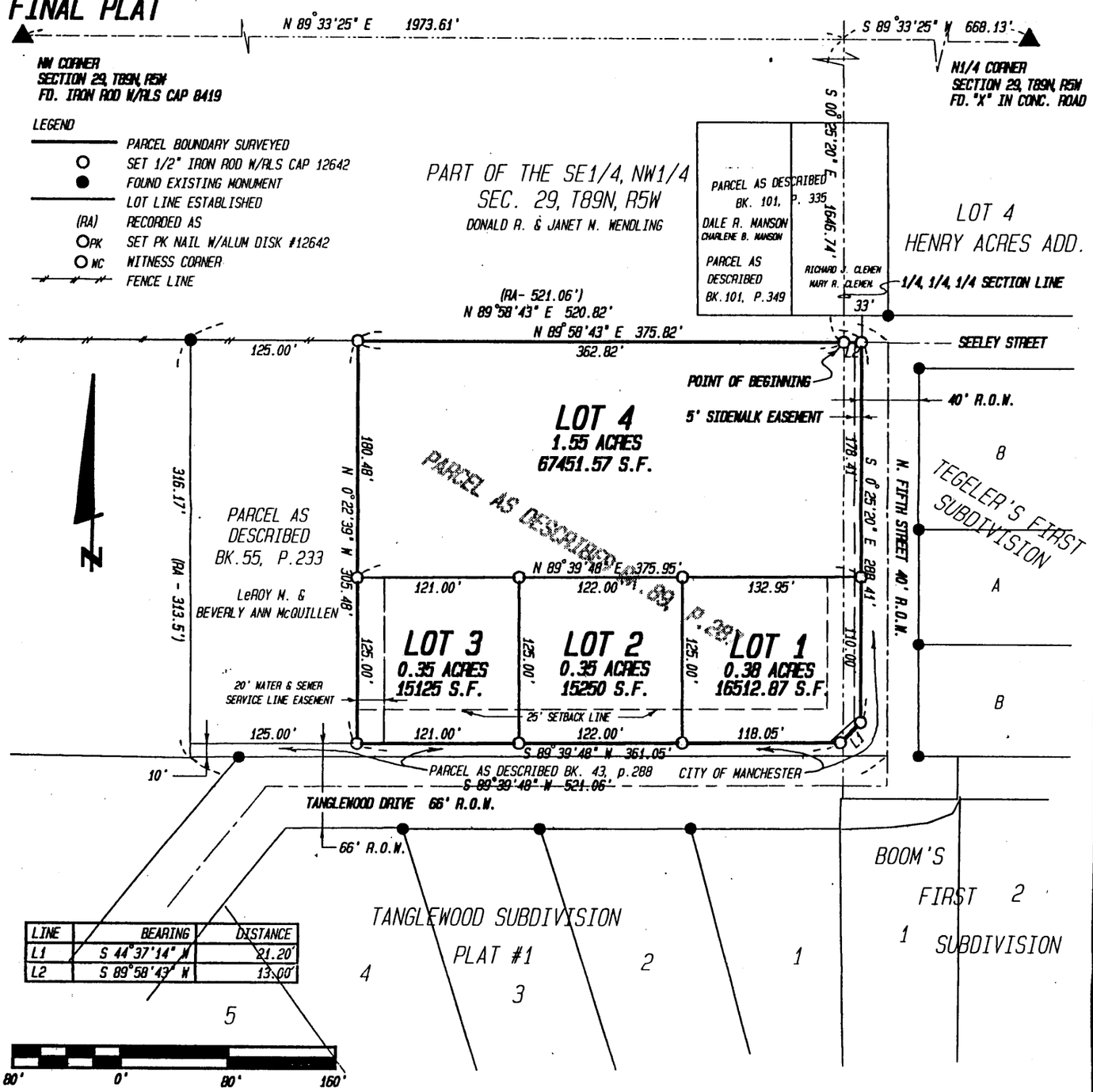
DELAWARE COUNTY IOWA
FILED
'96 DEC 4 PM 3 51
BOOK 8 PAGE 22
DEBORAH L. PEYTON
DELAWARE CO. RECORDER

378-780

PREPARED BY WM. BURGER, WM. BURGER LANDSURVEYORS 510 3RD STREET WEST COURT WORTHINGTON, IOWA 52078 PHONE 319 859 3028

PLAT OF SURVEY	CLEMEN'S FIRST SUBDIVISION PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4), SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

FINAL PLAT



LINE	BEARING	DISTANCE
L1	S 44°37'14" W	21.20'
L2	S 89°58'43" W	13.00'

SCALE: 1" = 80.00'

DATE OF SURVEY: 10/14/96

SHEET 1 OF 6

PROPRIETORS: RICHARD J. CLEMEN & MARY R. CLEMEN

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 12/6/96
WILLIAM H. BURGER #12642 DATE

12-4-96 BOOK 8 PAGE 22

LEGAL DESCRIPTION

CLEMEN'S FIRST SUBDIVISION - A Subdivision of part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) Section Twenty-nine (29), 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 89, Page 287, containing a total of 2.63 acres and subject to easements of record divided into four (4) lots and numbered Lot One (1) through Lot Four (4) ; and more particularly described by metes and bounds as follows:

COMMENCING at the north 1/4 corner of Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa; thence South 89°-33'-25" West 668.13 feet; thence South 00°-25'-20" East 1646.74 feet to the POINT OF BEGINNING; thence North 89°-58'-43" East 13.00 feet to the west right of way line of North Fifth Street; thence South 00°-25'-20" East 288.41 feet along said west right of way line; thence continuing along said right of way line South 44°-37'-14" West 21.20 feet to the north right of way line of Tanglewood Drive; thence South 89°-39'-48" West 361.05 feet along the north right of way line of said Tanglewood Drive to the southeast corner of a parcel of land as described in Book 55, Page 233; thence North 00°-22'-39" West 305.48 feet along the east line and to the northeast corner of said parcel of land; thence North 89°-58'-43" East 362.82 feet to the POINT OF BEGINNING; said described parcel containing a total of 2.63 acres and subject to easements of record; divided into four (4) lots and numbered Lot One (1) through Lot Four (4) as shown on the attached plat.

The West right of way line of North Fifth Street is assumed to bear South 00°-25'-20" East in relation to a previously recorded plat.

All utility easements are as shown on the attached plat.

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. All monuments were set or shall be set within one year from the date this plat is recorded .

William H. Burger 10/16/96

William H. Burger Date Reg. No. 12642



OWNERS ACKNOWLEDGMENT

I (We) Richard J. Clemen & Mary R. Clemen of DELAWARE County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Richard J. Clemen

Richard J. Clemen

Mary R. Clemen

Mary R. Clemen

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 6th day of November A. D. 1996 before me, a Notary Public in and for said County, personally appeared Richard J. Clemen and Mary R. Clemen, to me known to be the person or persons named in and who executed the foregoing instrument, and acknowledged that ~~they~~ executed the same as their voluntary act and deed.

Linda K. Schaul

Notary Public in and for said County

LINDA K. SCHAUL
MY COMMISSION EXPIRES
8-16-97

MORTGAGE HOLDERS ACKNOWLEDGMENT

The undersigned First State Bank of Manchester State of Iowa, do hereby certify that the attached Plat of Survey of **CLEMEN'S FIRST SUBDIVISION - A Subdivision of part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) Section Twenty-nine (29), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa;** is made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

First State Bank Bank Manchester Iowa

By: _____ President

Christine L Tegeler V.P.

STATE OF IOWA)
Delaware) ss.
~~DUBUQUE~~ COUNTY)

On this 6th day of November A. D. 1996 before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph Diesel and Christine L. Tegeler, to me personally known, who being by me duly sworn, did say that they are the President and Vice President respectively, of the corporation executing the within and foregoing instrument; 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 and Joseph Diesel & Christine L. Tegeler as officers acknowledged the execution of the foregoing instrument to be the voluntarily act and deed of the corporation, by it and by them voluntarily executed.

Debra A Ratzlaff

Notary Public in and for said State

DEBRA A. RATZLAFF
MY COMMISSION EXPIRES
2-25-97

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 The East 3/4 of that tract of land described as follows Commencing at a point one (1) rod North of the Southwest corner of Lot One Hundred Three (103), Henry Acres Addition to Manchester, Iowa, thence North nineteen (19) rods to the center of West end of forty (40) foot street on North side of said Lot One Hundred Three (103), thence West forty two (42) rods, one (1) foot, nine inches, thence South nineteen (19) rods to North line of two (2) rods Road on South side of this land, thence East forty two (42) rods, one (1) foot nine (9) inches to point of beginning, being a part of the South one half (S1/2) of the Northwest quarter (NW1/4) of Section Twenty Nine (29), Township Eighty Nine (89) North, Range (5), West of the Fifth P.M. except the West 125.00 feet
Said abstract has been prepared in its entirety by the Delaware County Abstract Company, and was last certified to by said company on the 15th day of November, 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 Richard J. Clemen and Mary R. Clemen, husband and wife.
Dated at Manchester, Iowa in said County, this 22nd day of November. 19 96

Thomas J. Hanson - Attorney at Law

DELAWARE COUNTY TREASURER

Delaware, Iowa 12-9, 19 96

I the undersigned, Carolyn A. Wilson Treasurer of Delaware County, Iowa do hereby certify that all taxes and special assessments levied against The East 3/4 of that tract of land described as follows Commencing at a point one (1) rod North of the Southwest corner of Lot One Hundred Three (103), Henry Acres Addition to Manchester, Iowa, thence North nineteen (19) rods to the center of West end of forty (40) foot street on North side of said Lot One Hundred Three (103), thence West forty two (42) rods, one (1) foot, nine inches, thence South nineteen (19) rods to North line of two (2) rods Road on South side of this land, thence East forty two (42) rods, one (1) foot nine (9) inches to point of beginning, being a part of the South one half (S1/2) of the Northwest quarter (NW1/4) of Section Twenty Nine (29), Township Eighty Nine (89) North, Range (5), West of the Fifth P.M. except the West 125.00 feet 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, Iowa

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of **CLEMEN'S FIRST SUBDIVISION - A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA;** effecting premises more specifically described in the Surveyor's Certificate of William H. Burger, dated October 16, 1996, being within the corporate limits of the City of Manchester 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, which body has 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 Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said **CLEMEN'S FIRST SUBDIVISION - A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE 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.

Passed this 30th day of October, A.D., 1996.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By James E. Fisher
James E. Fisher, Chairperson

By Helen M. Knutson
Helen M. Knutson, Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 1st day of November, 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 30th day of October, 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.

LINDA K. TUTTON Iowa

Linda K. Tutton
Notary

RESOLUTION R-349-96

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of **CLEMEN'S FIRST SUBDIVISION - A SUBDIVISION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA;** effecting premises more specifically described in the Surveyor's Certificate of William H. Burger, dated October 16, 1996 1996, being within the corporate limits of the City of Manchester 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, which body has 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 **CLEMEN'S FIRST SUBDIVISION - A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION TWENTY-NINE (29), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA;** be, and the same is hereby acknowledged, approved and accepted. 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 4th day of November, A.D., 1996.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen Cole, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 6th day of November, 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-349-96 adopted by the City Council on the 4th day of November, 1996, and that Milt L. Kramer and Karen 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

Notary

Linda K. Tutton
Term expires 8-29-99