Del. C. Recorder

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

JAN 29 1997

Date 1-29-96
County Assessor

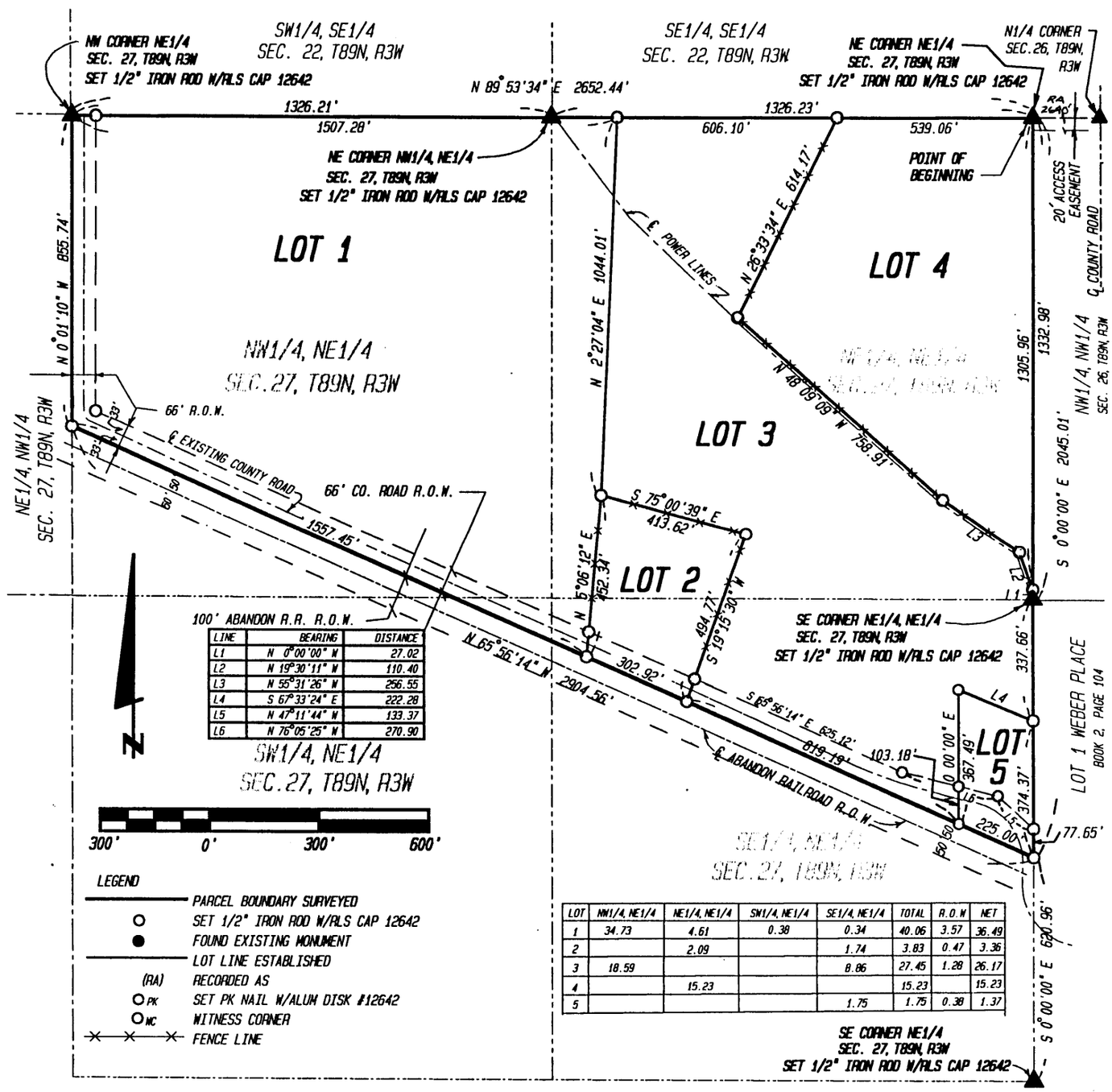
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BOOK 8 PAGE 31
DELAWARE COUNTY IOWA
FILED
DEBORAH L. FEYTON
DELAWARE COUNTY RECORDER
$26.00

292-2223

PREPARED BY WM. BURGER LANDSURVEYORS — 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 — PHONE 319 855 2028

PLAT OF SURVEY

GOERDT SUBDIVISION A SUBDIVISION OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA LYING NORTH OF THE ABANDON DUBUQUE AND NORTHWESTERN RAILROAD RIGHT OF WAY



LINE	BEARING	DISTANCE
L1	N 0°00'00" W	27.02
L2	N 19°30'11" W	110.40
L3	N 55°31'26" W	256.55
L4	S 67°33'24" E	222.28
L5	N 47°11'44" W	133.37
L6	N 76°05'25" W	270.90

LEGEND
- PARCEL BOUNDARY SURVEYED
- ○ SET 1/2" IRON ROD W/RLS CAP 12642
- ● FOUND EXISTING MONUMENT
- LOT LINE ESTABLISHED
- (RA) RECORDED AS
- ○PK SET PK NAIL W/ALUM DISK #12642
- ○WC WITNESS CORNER
- FENCE LINE

LOT	NW1/4, NE1/4	NE1/4, NE1/4	SW1/4, NE1/4	SE1/4, NE1/4	TOTAL	R.O.W	NET
1	34.73	4.61	0.38	0.34	40.06	3.57	36.49
2		2.09		1.74	3.83	0.47	3.36
3	18.59			8.86	27.45	1.28	26.17
4		15.23			15.23		15.23
5				1.75	1.75	0.38	1.37

SCALE: 1" = 300' | DATE OF SURVEY: 8/2/96, 8/20/96 | SHEET 1 OF 4

PROPRIETORS: HARRIET C. GOERDT (DEED HOLDER) RUSSELL H. GOERDT (CONTRACT PURCHASER)

REGISTERED LAND SURVEYOR WILLIAM H. BURGER 12642

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 9/16/96
WILLIAM H. BURGER #12642 DATE

DATE 1-29-97 BOOK 8 PAGE 31 B-15

LEGAL DESCRIPTION :

GOERDT SUBDIVISION a subdivision of the Northeast Quarter (NE1/4) of Section Twenty-seven (27), Township Eighty-nine North (T89N) , Range Three West (R3W) of the Fifth Principal Meridian , Delaware County , Iowa lying North of the abandon Dubuque and Northwestern Railroad right of way; containing a total of 88.32 acres including 5.70 acres of public road right of way subject to easements of record; divided into five (5) lots numbered lot one (1) through lot five (5) as shown on the attached plat and more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the Northeast Quarter (NE1/4) of Section Twenty-seven (27), Township Eighty-nine North (T89N) , Range Three West (R3W) of the Fifth Principal Meridian , Delaware County , Iowa ; thence South 00°-00'-00" East 2045.01 feet along the East line of said Northeast Quarter (NE1/4) of Section Twenty-seven (27) to the Northerly right of way line of the abandon Dubuque and Northwestern Railroad right of way; thence North 65°-56'-14" West 2904.56 feet along said Northerly abandon Railroad right of way to the West line of the Northeast Quarter (NE1/4) of Section Twenty-seven (27), Township Eighty-nine North (T89N) , Range Three West (R3W) of the Fifth Principal Meridian , Delaware County , Iowa; thence North 00°- 01'-10" West 855.74 feet along the West line and to the Northwest corner of said Northeast Quarter (NE1/4) of Section Twenty-seven (27); thence North 89°-53'-34" East 2652.44 feet along the North line of said Northeast Quarter (NE1/4) to the POINT OF BEGINNING ; containing a total of 88.32 acres including 5.70 acres of public road right of way and subject to easements of record. The East line of the Northeast Quarter (NE1/4) of Section Twenty-seven (27), Township Eighty-nine North (T89N) , Range Three West (R3W) of the Fifth Principal Meridian , Delaware County , Iowa is assumed to bear South 00°-00'-00" East .

A 20.0' wide easement for private access along the North line of the Northwest Quarter (NW1/4) of Section Twenty-six (26), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa is created for the benefit of Lot Four (4) of Goerdt Subdivision 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 3/16/06

William H. Burger Date Reg. No. 12642



OWNERS ACKNOWLEDGMENT

I Harriet C. Goerdt (Deed Holder) 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.

Harriet C. Goerdt
Harriet C. Goerdt

STATE OF IOWA)
) ss.
DELAWARE, COUNTY)

On this 23rd day of September A. D. 19 96 before me, a Notary Public in and for said County, personally appeared Harriet C. Goerdt to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Thomas H. Jenk
Notary Public in and for said County

THOMAS H. JENK
MY COMMISSION EXPIRES
SEPTEMBER 15, 1997

CONTRACT PURCHASER ACKNOWLEDGMENT

I Russell H. Goerdt 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.

Russell H. Goerdt
Russell H. Goerdt

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 23rd day of September A. D. 19 96 before me, a Notary Public in and for said County, personally appeared Russell H. Goerdt to me known to be the person named in and who executed the foregoing instrument, and acknowledged that He executed the same as His voluntary act and deed.

Thomas H. Jenk
Notary Public in and for said County

THOMAS H. JENK
MY COMMISSION EXPIRES
SEPTEMBER 15, 1997

MORTGAGE HOLDERS ACKNOWLEDGMENT

Dubuque Bank & Trust ~~Bank~~ of Dubuque, State of Iowa, do hereby certify that the above survey, is made with our free consent and in accordance with our desire as mortgage holder of the premises described herein.

JEK Richard H. Witt As loan officer

~~Chairman of the Board~~

STATE OF IOWA
COUNTY OF DUBUQUE

On this 10 day of ~~November~~ December A. D. 19 96 before me, a Notary Public in and for said County, personally appeared Richard H. Witt, to me known to be the person or persons named in and who executed the foregoing instrument, and acknowledged that ~~he~~ executed the same as his voluntary act and deed.

Diane Kramer
Notary Public in and for said County

ATTORNEY'S OPINION

I, Tom Jenk, a practicing attorney at law in Dyersville, Delaware County, Iowa have examined the abstract of title to the land included within **GOERDT SUBDIVISION**, Delaware County, Iowa, on premises more particularly described in the surveyor's certificate of William H. Burger, date Sept. 16, 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 30th day of September, 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 Harriet C. Goerdt and Russell H. Goerdt, subject to(see attached)
Dated at Dyersville, Iowa in said County, this 16th day of October, 19 96

Tom Jenk
Attorney at Law

DELAWARE COUNTY TREASURER

Delaware County, Iowa 1-16, 19 97

I the undersigned, Carolyn A. Wilson Treasurer of Delaware County, Iowa do hereby certify that all taxes and special assessments levied against Russell H. Goerdt and _____ have been paid and said real estate is free and clear of all taxes as of this date.

DELAWARE COUNTY TREASURER SEAL IOWA

Carolyn A. Wilson
County Treasurer Delaware County, Iowa

CONTINUATION OF ATTORNEY'S OPINION

1. Financing Statement recorded in Book 130, L.M., Page 105, filed June 20, 1996, Goerdt, Russell H., Debtor(s) to Harriet C. Goerdt, Secured Party(ies), covers all machinery, equipment, livestock, hay, grain, silage, growing crops, and cash rent from the following described real estate.

2. Assignment of Real Estate Rents recorded in Book 136, L.D., Page 395, dated June 18, 1996 and filed July 1, 1996, executed by Russell H. Goerdt and Harriet C. Goerdt to Dubuque Bank & Trust Company, Dubuque, Iowa, wherein they state that Harriet C. Goerdt is the current title holder of premises known as (real estate covered by this plat) and that Dubuque Bank and Trust Company now holds a mortgage dated June 18, 1996 in the amount of $96,674.63 on the above described premises; and wherein they assign all rights, titles and interest to the farm rent on the above described property, and further grant to Dubuque Bank and Trust Company the right to collect said rents and to apply said rents to payment of the mortgage and note.

3. Mortgage recorded in Book 130, L.M., Page 135, executed by Harriet C. Goerdt to Dubuque Bank and Trust Company, dated June 18, 1996 and filed July 1, 1996, due Mar. 10, 1997, secures credit in the amount of $96,674.63.

MORTGAGE HOLDERS ACKNOWLEDGMENT

The undersigned Dubuque Bank and Trust Company of Dubuque, State of Iowa, do hereby certify that the attached Plat of Survey of **GOERDT SUBDIVISION a subdivision of the Northeast Quarter (NE1/4) of Section Twenty-seven (27), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa lying North of the abandon Dubuque and Northwestern Railroad right of way**, is made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

Dubuque Bank and Trust Company
Dubuque, Iowa

By: _____
Vice President

By: _____
Vice President

STATE OF IOWA)
) ss.
DUBUQUE COUNTY)

On this 29th day of January A. D. 1997 before me, the undersigned, a Notary Public in and for said State, personally appeared Michael J. Lampo and Erling G. Jackson, to me personally known, who being by me duly sworn, did say that they are the Vice 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 Michael J. Lampo and Erling G. Jackson 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.

_____
Notary Public in and for said State

LYNNE FELDERMANN
MY COMMISSION EXPIRES
1-15-98