Rel. Co. Recorder

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
JUN 20 1997

FILED
Date 6-30-97
John R. Klaus Jr.
County Assessor

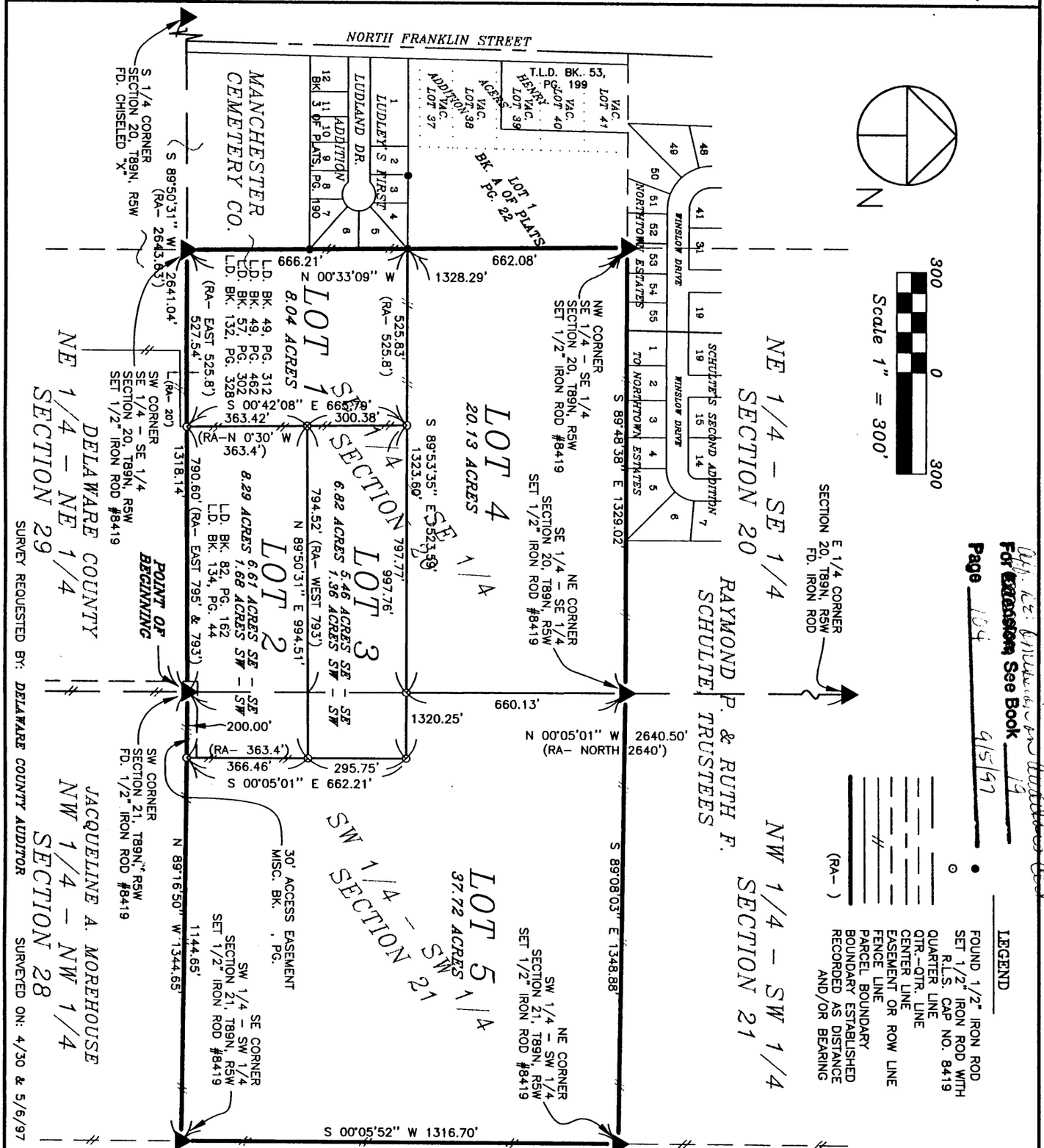
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332-3752

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

PLAT OF SURVEY

AUDITOR'S PLAT NO. 5 – TOOL'S FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 20, AND OF THE SW 1/4 OF THE SW 1/4 OF SECTION 21, ALL OF T89N, R5W OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: DELAWARE COUNTY AUDITOR

SURVEYED ON: 4/30 & 5/6/97

For Exclusion, See Book 13 Page 104 6/5/97

PROPRIETORS: *RICHARD E. TOOL FAMILY TRUST, FLORENCE L. TOOL REVOCABLE TRUST MANCHESTER CEMETERY CO., DELAWARE COUNTY, IOWA*

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

J. DAVID GIBBS, P.E., RLS. REG. NO. 8419 DATE 6/11/97

MY LICENSE RENEWAL DATE IS DECEMBER 31,1998

PAGES OR SHEETS COVERED BY THIS SEAL: 1–5

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

PROJECT NO.	97-14
SCALE:	1" =300'
DATE:	5/6/97
DRAWN BY:	RLR
CHECKED BY:	JDG
FIELD BK:	D.L.
REVISED	
SHEET	1 OF 5

B-17

DATE 6-20-97 BOOK 8 PAGE 60

LEGAL DESCRIPTION

***AUDITOR'S PLAT NO. 5 - TOOLS FIRST ADDITION*, A SUBDIVISION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER OF SECTION TWENTY (20) AND OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-ONE (21), ALL OF TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA;** into five (5) lots numbered Lot One (1) through Lot Five (5) containing a total of 81.00 acres, subject to easements of record and more specifically described by metes and bounds as follows:

BEGINNING at the Southeast (SE) Corner of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa;

Thence along the Southerly Line of the Southeast Quarter (SE 1/4) of said Section Twenty (20), South 89° 50' 31" West to the Southwesterly Corner of the Southeast Quarter (SE ¼) of said Southeast Quarter (SE ¼) 1318.14 feet;

Thence along the Westerly Line of the Southeast Quarter (SE ¼) of said Southeast Quarter (SE ¼) and the Easterly Line of *Ludley's First Addition* as recorded in Book 3 of Plats, Page 190 in the Office of the Delaware County Recorder, North 00° 33' 09" West to the Northwesterly Corner of the Southeast Quarter (SE ¼) of said Southeast Quarter (SE ¼), 1328.29 feet;

Thence along the Northerly Line of the Southeast Quarter (SE ¼) of said Southeast Quarter (SE ¼) South 89° 48' 38" East to the Northeasterly Corner of the Southeast Quarter (SE ¼) of said Southeast Quarter (SE ¼) 1329.02 feet;

Thence along the Northerly Line of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Twenty-one (21), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, South 89° 08' 03" East to the Northeasterly Corner of the Southwest Quarter (SW ¼) of said Southwest Quarter (SW ¼) 1348.88 feet;

Thence along the Easterly Line of the Southwest Quarter (SW ¼) of said Southwest Quarter (SW ¼) South 00° 05' 52" West to the Southeasterly Corner of the Southwest Quarter (SW ¼) of said Southwest Quarter (SW ¼) 1316.70 feet;

Thence along the Southerly Line of the Southwest Quarter (SW ¼) of said Southwest Quarter (SW ¼) North 89° 16' 50" West 1344.65 feet to the **POINT OF BEGINNING**;

Containing a total of 81.00 acres divided into five (5) lots numbered Lot One (1) through Five (5) and subject to easements of record.

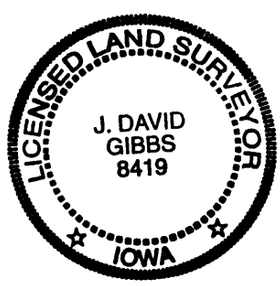
The Easterly Line of the Southeast Quarter (SE 1/4) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West of the Fifth Principal Meridian is assumed to bear North 00°05' 01" West.

SURVEYOR'S CERTIFICATE

I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

J. David Gibbs 6/11/97

J. David Gibbs, License No. 8419 Date
My License renewal date is December 31, 1998



AUDITOR'S CERTIFICATION

I, the Undersigned, Sharon McCrabb, Auditor of Delaware County, Iowa, do hereby certify that the accompanying AUDITOR'S PLAT NO. 5 - TOOL'S FIRST ADDITION was ordered by this office to be prepared pursuant to Chapter 354 of the Code of Iowa and is in fulfillment of that order. In lieu of the consent of the individual property owner's involved, I hereby approve AUDITOR'S PLAT NO. 5 - TOOL'S FIRST ADDITION.

I do also hereby certify that no search was made, at this time, to determine the existence of any liens, mortgages, delinquent taxes, or special assessments, and that no search was made, other than the records of the Delaware County Auditor's Office, to establish title to the property within said Auditor's Plat.

AUDITOR'S PLAT NO. 5 - TOOL'S FIRST ADDITION, being of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Twenty (20) and of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section Twenty-one (21), all of Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, a subdivision into Five (5) lots numbered Lot One (1) through Lot Five (5). The following is a list of each lot, the current proprietor's names, the area of each lot expressed in acres, and the Book and Page number of the recorded conveyance to each proprietor:

LOT 1 - consisting of 8.04 acres, said lot is owned by Manchester Cemetery Company per deed records Book 49 L.D., Page 312, Book 49 L.D., Page 462, Book 57 L.D., Page 302, and Book 132 L.D., Page 328, as recorded in the Office of the Delaware County Recorder.

LOT 2 - consisting of 8.29 acres, said lot is owned by Delaware County, Iowa, per deed records Book 82 L.D. , Page 162, and Book 134 L.D., Page 44, as recorded in the Office of the Delaware County Recorder.

LOT 3 - consisting of 6.82 acres, said lot is being purchased on contract by Delaware County, Iowa, from the Richard E. Tool Family Trust and the Florence L. Tool Revocable Trust as per contract recorded in Book ___ L.D., Page____, as recorded in the Office of the Delaware County Recorder.

LOT 4 - consisting of 20.13 acres, said lot is owned by the Richard E. Tool Family Trust, per deed record in Book 134 L.D., Page 225 and by the Florence L. Tool Revocable Trust per deed record in Book 134 L.D., Page 226, as recorded in the Office of the Delaware County Recorder.

LOT 5 - consisting of 37.72 acres, said lot is owned by the Richard E. Tool Family Trust, per deed record in Book 134 L.D., Page 225 and by the Florence L. Tool Revocable Trust per deed record in Book 134 L.D., Page 226, as recorded in the Office of the Delaware County Recorder.

Witness my hand and seal of this County, at Manchester, Iowa, Delaware County, Iowa, this ____ day of June 1997.

Sharon McCrabb, Auditor
Delaware County, Iowa

State of Iowa)
) Ss:
County of Delaware)

On this 20 day of June 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Sharon McCrabb , Auditor of Delaware County, Iowa, to me personally known and that Sharon McCrabb acknowledged the execution of the foregoing instrument.

Carolyn A. Wilson
Notary Public in and for said County
12-17-98

CAROLYN A. WILSON
Iowa
NOTARIAL

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of ***TOOL'S FIRST ADDITION***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated June 11, 1997, 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 - Lot 1 (Manchester Cemetery Co.), Lot 2 (Delaware County), and Lot 3 (to be deeded to Delaware County) can be adequately served by the respective adjoining property. Lots 4 and 5 of this subdivision are subject to street assessments should there be future development of the property and street improvements be necessary as determined by the City.

2. Sanitary Sewer System - Lot 1 (Manchester Cemetery Co.), Lot 2 (Delaware County), and Lot 3 (to be deeded to Delaware County) can be adequately served by the respective adjoining property. Lots 4 and 5 of this subdivision are subject to sewer assessments should there be future development of the property requiring sanitary sewer service as determined by the City.

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

4. Water Main System - Lot 1 (Manchester Cemetery Co.), Lot 2 (Delaware County), and Lot 3 (to be deeded to Delaware County) can be adequately served by the respective adjoining property. Lots 4 and 5 of this subdivision are subject to water assessments should there be future development of the property requiring water service as determined by the City.

5. Other Improvements relating to the construction of sidewalks.

6. Assessments - Owners of Lots 1, 2, and 3 will not be assessed for any improvements as Lot 4 and Lot 5 are developed.

2. Section 127.24 Requirements of Preliminary Plat

Not required.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa , that said ***TOOL'S FIRST ADDITION***, 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 June, AD, 1997.

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 13th day of June, 1997, 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 June, 1997, 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
Linda K. Tutton ; Notary Public.

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of ***AUDITOR'S PLAT NO. 5 - TOOLS FIRST ADDITION***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated June 11, 1997, 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;

1. Section 127.09 Minimum Improvements

1. Streets - Lot 1 (Manchester Cemetery Co.), Lot 2 (Delaware County), and Lot 3 (to be deeded to Delaware County) can be adequately served by the respective adjoining property. Lots 4 and 5 of this subdivision are subject to street assessments should there be future development of the property and street improvements be necessary as determined by the City.

2. Sanitary Sewer System - Lot 1 (Manchester Cemetery Co.), Lot 2 (Delaware County), and Lot 3 (to be deeded to Delaware County) can be adequately served by the respective adjoining property. Lots 4 and 5 of this subdivision are subject to sewer assessments should there be future development of the property requiring sanitary sewer service as determined by the City.

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

4. Water Main System - Lot 1 (Manchester Cemetery Co.), Lot 2 (Delaware County), and Lot 3 (to be deeded to Delaware County) can be adequately served by the respective adjoining property. Lots 4 and 5 of this subdivision are subject to water assessments should there be future development of the property requiring water service as determined by the City.

5. Other Improvements relating to the construction of sidewalks.

6. Assessments - Owners of Lots 1, 2, and 3 will not be assessed for any improvements as Lot 4 and Lot 5 are developed.

2. Section 127.24 Requirements of Preliminary Plat

Not required.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***AUDITOR'S PLAT NO. 5 - TOOLS FIRST ADDITION***, 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 June, A.D., 1997.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen Cole, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 16th day of June, 199_, 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-069-97 adopted by the City Council on the 16th day of June, 199_, 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.