Dennis Donlea
2831 200th St
Winthrop, IA
50682

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RECORDER
11.00

75-3435

Prepared by James T. Peters, P.O. Box 774, Independence, Ia 50644 1-319-334-9992

RESOLUTION R-194-98

RESOLUTION GRANTING VARIANCE FROM SUBDIVISION REQUIREMENTS OF MANCHESTER, DELAWARE COUNTY, IOWA.

WHEREAS, the City Council for the City of Manchester, Iowa, has been presented with a letter from Tom Paris as owner of certain property set forth herein, seeking a variance from the subdivision requirements for a proposed division of real estate in two parts; and

WHEREAS, Tom Paris has represented to the Council that he is the owner of the following described property:

The East 465 feet of the West 840 feet of the South 345 feet of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 89 North, Range 5 West of the 5th P.M.

The City Council for the City of Manchester hereby finds:

1. That a request has been made to the City Council seeking to divide the above-described property into two (2) parcels described below:

   The East 240 feet of the West 840 feet of the South 345 feet of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 89 North, Range 5 West Of the 5th P.M.; and

   The East 225 feet of the West 600 feet of the South 345 feet Of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 89 North, Range 5 West of the 5th P.M.

2. That the proposed parcels have been taken from a single parcel which has previously been divided and as such, is subject to subdivision requirement of the Manchester City Code.
3. The owner has requested he be granted a variance from the formal subdivision requirements to allow division of property into two parcels as set forth above.
4. The proposed lots are to be developed without connection to City water, sewer or utilities, nor shall development of the proposed parcels require construction of any new streets.
5. The proposed parcels are located on Highway 939 and each parcel has access to the highway.
6. In the event the two parcels referred to above are developed in such a manner as to require construction of streets or connection to any city water, sewer or other utilities, such development shall be required to comply with all subdivision ordinances and platting requirements of the City of Manchester, Iowa.
7. That it would not be in the best interest for development in or around the City of Manchester, Iowa, to waive subdivision requirement for any further division of the above-described parcels.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That a variance is granted to allow a division of property into two parcels described below without the requirement of complying with the Manchester subdivision ordinances:

The East 240 feet of the West 840 feet of the South 345 feet of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 89 North, Range 5 West of the 5th P.M.; and

The East 225 feet of the West 600 feet of the South 345 feet Of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 89 North, Range 5 West of the 5th P.M.

2. That in the event any streets or City utilities are proposed to be extended to either parcel described above, the property owner shall be required to comply with all subdivision and other requirements of the Manchester City Code. In addition, in the event the owner of either parcel shall further divide or transfer away a portion of the parcels described above, the owner shall be required to comply with all subdivision and other ordinances in effect for the City of Manchester, Iowa.

3. This Resolution shall be recorded in the Office of the Delaware County Recorder.

Passed and adopted this 20th day of April, 1998.

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

CITY SEAL MANCHESTER IOWA

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

On this 21st day of April, 1998, before me, Bruce A. Trapp, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. 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 authority of its City Council as contained in Resolution R-194-98 passed by the City Council of the City of Manchester, Iowa on the 20th day of April, 1998, and that Milt L. Kramer and Karen K. 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.

Bruce A. Trapp, Notary Public
My commission expires 8-25-99

BRUCE A. TRAPP Iowa NOTARIAL SEAL