FILED
Date 8/24/98

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

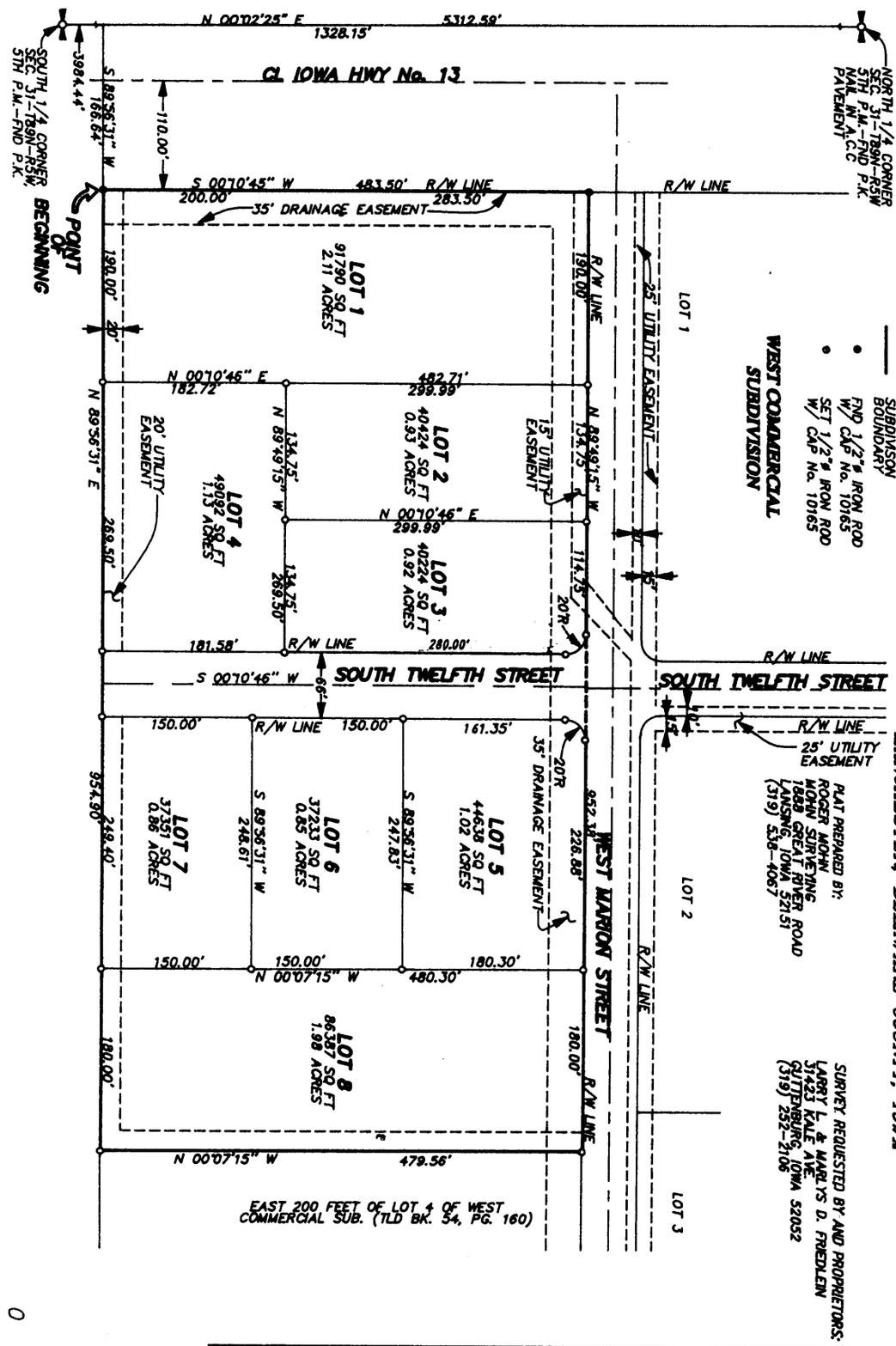
AUG 24 1998

DELAWARE COUNTY IOWA
FILED
1998 AUG 24 AM 10: 22
BOOK 8 PAGE 147
DEBORAH L. PETOK
DELAWARE CO. RECORDER
$10.00

MOHN SURVEYING • ROGER MOHN • 1888 GREAT RIVER ROAD LANSING, • IOWA 52151 • (319) 538-4067

FINAL PLAT OF FRIEDLEIN SUBDIVISION

LOT 1, EXCEPT THE EAST 200 FEET THEREOF, OF WEST COMMERCIAL SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4-NE1/4) OF SECTION 31, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



LEGEND
SUBDIVISION BOUNDARY
FND 1/2"ø IRON ROD W/ CAP No. 10165
SET 1/2"ø IRON ROD W/ CAP No. 10165

PLAT PREPARED BY:
ROGER MOHN
MOHN SURVEYING
1888 GREAT RIVER ROAD
LANSING, IOWA 52151
(319) 538-4067

SURVEY REQUESTED BY AND PROPRIETORS:
LARRY L. & MARLYS D. FRIEDLEIN
31423 KALE AVE.
GUTTENBURG, IOWA 52052
(319) 252-2106

Scale 1" = 150'
0 150 300

I HERBY CERTIFY THAT THIS LAND SURVEING DOCUMENT WAS PREPARED AND 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.

Roger R. Mohn August 5, 1998

ROGER R. MOHN
LICENCE NUMBER 10165
MY LICENSE RENEWAL DATE IS DECEMBER 31, 1998
PAGES OR SHEETS COVERED BY THIS SEAL:
Sheet No. 1 of 5 and 2 of 5

LICENSED LAND SURVEYOR
ROGER R. MOHN
10165
IOWA

SHEET NO. 1 OF 5

DATE 8-24-98 BOOK 8 PAGE 147

LEGAL DESCRIPTION OF FRIEDLEIN SUBDIVISION:

FRIEDLEIN SUBDIVISION, a subdivision of Lot Four (4), ~~except~~ the East two hundred (200) feet thereof, of West Commercial Subdivision of part of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4) of Section Thirty-one (31), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa, consisting of Lot One (1) through Lot Eight (8). The boundary of said FRIEDLEIN SUBDIVISION is more particularly described by metes and bounds as follows:

Commencing at the North 1/4 Corner of Section 31, Township 89 North, Range 5 West of the 5th P.M.; thence S 00°-02'-25" W, 1328.15 feet along the north-south 1/4 section line of said Section 31; thence N 89°-56'-31" E, 166.64 feet along the south line of the NW1/4-NE1/4 of said Section 31 to the Point of Beginning; thence N 89°-56'-31" E, 954.90 feet along the south line of said NW1/4-NE1/4; thence N 00°-07'-15" W, 479.56 feet; thence N 89°-49'-15" W, 952.38 feet; thence S 00°-10'-45" W, 483.50 feet along the east right-of-way line of Iowa Highway No. 13 to the Point of Beginning. Said described parcel contains a total of 10.54 acres, more or less. The north-south 1/4 section line of Section 31, T89N, R5W is assumed to bear S 00°-02'-25" W.

SURVEYOR'S CERTIFICATE

LICENSED LAND SURVEYOR
ROGER R. MOHN 10165
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.

Roger R. Mohn August 5, 1998

Roger R. Mohn *Date*

License Number 10165

My license renewal date is December 31, 1998

Pages or sheets covered by this seal:

Sheet No. 1 of 5 and 2 of 5

OWNER'S ACKNOWLEDGMENT

The attached plat represents a survey of FRIEDLEIN SUBDIVISION being a subdivision of Lot 4, except the **East** 200 feet thereof, of West Commercial Subdivision of part of the Northwest ~~Quarter of the Northeast Quarter (NW¼-NE¼) of Section 31, Township 89 North, Range 5 West~~ of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa.

I (We) Larry L. Friedlein and Marlys D. Friedlein of Clayton County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent and in accordance with my (our) desire.

Larry L. Friedlein

Larry L. Friedlein

Marlys D. Friedlein

Marlys D. Friedlein

STATE OF IOWA, Delaware County SS.

On the 10th day of August A.D. 1998 before me, a Notary Public in and for said County, personally appeared Larry L. Friedlein and Marlys D. Friedlein of said County, to me personally known to be the identical person(s) whose name(s) is (are) affixed to the foregoing statement, and acknowledged the same to be their voluntary act and deed.

DIANE L. NELSON Iowa NOTARIAL SEAL

Witness my hand and seal.

Diane L. Nelson

Diane L. Nelson Notary Public in and for said County

OWNERS DEDICATION

We, Larry L. Friedlein and Marlys D. Friedlein, of Clayton County, Iowa, do hereby dedicate the easements as shown on the attached plat.

Larry L. Friedlein

Larry L. Friedlein

Marlys D. Friedlein

Marlys D. Friedlein

I (We) Larry L. Friedlein and Marlys D. Friedlein of Clayton County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent and in accordance with my (our) desire.

Larry L. Friedlein

Larry L. Friedlein

Marlys D. Friedlein

Marlys D. Friedlein

STATE OF IOWA, Delaware County SS.

On the 10th day of August A.D. 1998 before me, a Notary Public in and for said County, personally appeared Larry L. Friedlein and Marlys D. Friedlein of said County, to me personally known to be the identical person(s) whose name(s) is (are) affixed to the foregoing statement, and acknowledged the same to be their voluntary act and deed.

Witness my hand and seal.

DIANE L. NELSON
Iowa
NOTARIAL SEAL

Diane L. Nelson

Diane L. Nelson Notary Public in and for said County

ATTORNEY'S OPINION

I, Michael J. Schuster, a practicing attorney at law in Guttenberg, Iowa, have examined the abstract of title to the land included in FRIEDLEIN SUBDIVISION, City of Manchester, Delaware County, Iowa, on premises more specifically described in LEGAL DESCRIPTION OF FRIEDLEIN SUBDIVISION on Sheet No. 2 of 5 and in the Surveyor's Certificate of Roger R. Mohn, Dated August 5, 1998.

Said abstract has been prepared in its entirety by the Delaware County Abstract Company, Inc., and was last cerified to by said company on the 14th day of August, A.D., 1998, 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 Larry L. and Marlys D. Friedlein. The west 180' is subject to a 99-year lease in favor of Julie Friedlein Finnegan and Jody Friedlein Mizell.

Dated at Guttenberg, Iowa, in Clayton County, this 21st day of August, 1998.

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 FRIEDLEIN SUBDIVISION, City of Manchester, Delaware County, Iowa, have been paid and said real estate is free of all taxes as of this date.

Carolyn A. Wilson

County Treasurer

Carolyn A. Wilson

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

Whereas, the plat of FRIEDLEIN SUBDIVISION, City of Manchester, Delaware County, Iowa, affecting premised more specifically described in the LEGAL DESCRIPTION OF FRIEDLEIN SUBDIVISION on Sheet No. 2 of 5 and Surveyor's Certificate of Roger R. Mohn, dated Aug. 5, 1998, has been filed with the Planning and Zoning Commission of the City of Manchester, 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. Sidewalks shall not be required at this time. The owner or owners of record of the lots of FRIEDLEIN SUBDIVISION may be required to construct sidewalks at a future date as directed by the City of Manchester. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots of FRIEDLEIN SUBDIVISION.

2. South Twelfth Street temporarily ends without a cul-de-sac. Said street will be extended at the time of future development of land south of FRIEDLEIN SUBDIVISION.

3. The dedication of and construction of improvements of South Twelfth Street will be delayed as per the stipulations of the AGREEMENT FOR FUTURE STREET DEDICATION AND CONSTRUCTION that is a part of this document.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said FRIEDLEIN SUBDIVISION, 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 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 12th day of August, AD, 1998.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By: _____
Mark Odden, Chairperson

By: Helen M. Knutson
Helen M. Knutson, Secretary

STATE OF IOWA)
) SS
COUNTY OF DELAWARE)

On this 14th day of August, 1998, before me, Linda K. Tutton, a Notary Public in and for State of Iowa, personally appeared Mark Odden 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 12th day of August, 1998, and that Mark Odden 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
Notary Public in and for said County
Linda K. Tutton

RESOLUTION R-230-98

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of FRIEDLEIN SUBDIVISION, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the LEGAL DESCRIPTION OF FRIEDLEIN SUBDIVISION on Sheet No. 2 of 5 and in the Surveyor's Certificate of Roger R. Mohn, dated August 5, 1998, 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 preliminary and 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. Sidewalks shall not be required at this time. The owner or owners of record of the lots of FRIEDLEIN SUBDIVISION may be required to construct sidewalks at a future date as directed by the City of Manchester. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots of FRIEDLEIN SUBDIVISION.
2. South Twelfth Street temporarily ends without a cul-de-sac. Said street will be extended at the time of future development of land south of FRIEDLEIN SUBDIVISION.
3. The dedication of and construction of improvements of South Twelfth Street will be delayed as per the stipulations of the AGREEMENT FOR FUTURE STREET DEDICATION AND CONSTRUCTION that is a part of this document.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said FRIEDLEIN SUBDIVISION, 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 17th day of August, A.D., 1998.

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole
Karen K. Cole, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 19th day of August, 1998, before me, Linda K. Tutton, a Notary Public in and for 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 the authority of its City Council, as contained in Resolution R-230-98 adopted by the City Council on the 17th day of August, 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.

Linda K. Tutton
Notary Public in and for said County of Delaware, State of Iowa
Linda K. Tutton