FILED
Date 9-10-98
John B. Klauerbaugh
County Assessor

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

SEP 10 1998

BOOK 8 PAGE 154
DEDORAH L. PRYOR
DELAWARE CO. RECORDER

1998 SP 10 AM 10:34

DELAWARE COUNTY IOWA
FILED

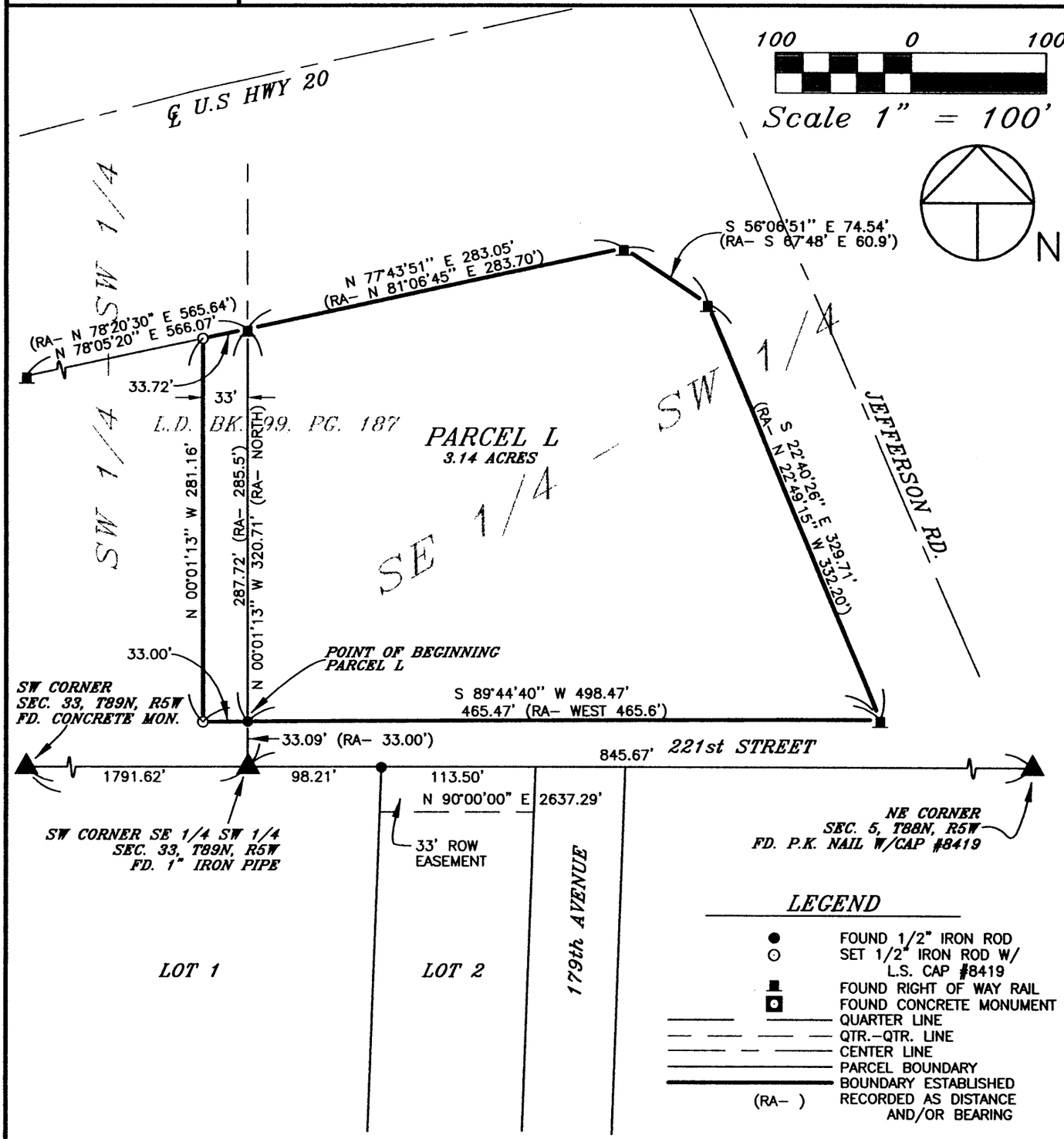
961

26.00

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

PLAT OF SURVEY

PARCEL L, PART OF THE SOUTH 1/2 OF THE SW 1/4 OF SEC. 33, T89N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD W/ L.S. CAP #8419
- FOUND RIGHT OF WAY RAIL
- FOUND CONCRETE MONUMENT
- QUARTER LINE
- QTR.-QTR. LINE
- CENTER LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (RA-) RECORDED AS DISTANCE AND/OR BEARING

SURVEY REQUESTED BY: JEFF EIDEL

SURVEYED ON: 8/7/98

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

PROPRIETORS: *RICHARD N. EIDEL & DARLENE M. EIDEL*

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.

J. DAVID GIBBS, P.E., RLS. REG. NO. 8419 DATE 9/2/98

MY LICENSE RENEWAL DATE IS DECEMBER 31,1998

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

PROJECT NO. 98-58
SCALE: 1"=100'
DATE: 8/11/98
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 5

DATE 9-10-98 BOOK 8 PAGE 154

LEGAL DESCRIPTION:

PARCEL L, *PART OF THE SOUTH ONE-HALF (S ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 3.14 acres, subject to easements of record, and more specifically described by metes and bounds as follows;

COMMENCING at the Southwest Corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-three (33), North 00° 01' 13" West, 33.09 feet to the **POINT OF BEGINNING**;

THENCE South 89° 44' 40" West, 33.00 feet;

THENCE North 00° 01' 13" West, to the Southerly right of way line of U.S. Highway 20, 281.16 feet;

THENCE along the Southerly right of way line of U.S. Highway 20, North 78° 30' 30" East, 33.67 feet;

THENCE continuing along the Southerly right of way line of U.S. Highway 20, North 77° 43' 51" East, 283.05 feet;

THENCE continuing along the Southerly right of way line of U.S. Highway 20, South 56° 06' 51" East, to the Westerly right of way line of Jefferson Road, 74.54 feet;

THENCE along the Westerly right of way line of Jefferson Road, South 22° 40' 26" East, to the Southerly Line of a 2.84 acre parcel as recorded in L.D. Book 99, Page 187 in the Office of the Delaware County Recorder, 329.71 feet;

THENCE along the Southerly Line of said 2.84 acre parcel, South 89° 44' 40" West, 465.47 feet to the **POINT OF BEGINNING**;

containing a total of 3.14 acres and subject to easements of record.

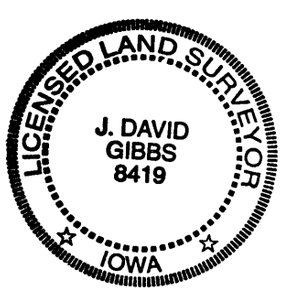
The section line between the Northeast Corner of Section Five (5), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa and the Southwest Corner of Section Thirty-three (33), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 90° 00' 00" East.

SURVEYOR'S CERTIFICATE

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.

J. David Gibbs L.S. #8419 DATE

My license will be renewed on December 31, 1998



OWNER'S ACKNOWLEDGMENT

I Richard N. Eidel & Darlene M. Eidel 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.

Richard N. Eidel

Darlene M. Eidel

State of Iowa)
)
County of Delaware) Ss:

On this 17th day of August A.D. 1998, before me a Notary Public in and for said County, personally appeared Richard N. Eidel & Darlene M. Eidel to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said County

NOTARIAL SEAL IOWA
LARRY R. HILLERS
MY COMMISSION EXPIRES
6-7-99

RESOLUTION R-244-98

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 Richard N. Eidel and Darlene M. Eidel 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, Richard N. Eidel and Darlene M. Eidel have represented to the City Council that they are the owners of the following described property:

Commencing at the Southwest corner of Section Thirty-three (33), Township Eighty-nine North (T89N), Range Five West (R5W), thence East four hundred forty-two and twenty-eight hundredths (422.28) feet to the POINT OF BEGINNING, thence North 19°35' West one hundred seven and ninety-nine hundredths (107.99) feet to a point being one hundred seventy (170) feet normally distant to the centerline of Primary Road No. U.S. 520, thence North 74°14' East three hundred seventy-five and eighty-six hundredths (375.86) feet to a point being one hundred seventy (170) feet normally distant to the centerline of Primary Road No. U.S. 520, thence North 78°20'30" East five hundred sixty-five and sixty-four hundredths (565.64) to a point being one hundred eighty (180) feet normally distant to the centerline of Primary Road No. U.S. 520, thence South three hundred eighteen and forty-six hundredths (318.46) feet, thence West four hundred seventy-three and nineteen hundredths (473.19) feet, thence South seven hundred eighty-three and ninety-nine hundredths (783.99) feet, thence North 68°30' West three hundred ninety-six (396) feet, thence North 7°30' East three hundred sixty-three (363) feet, thence North 17° West two hundred ninety-one and seventy-two hundredths (291.72) feet, thence West zero and thirty-eight hundredths (0.38) feet to the POINT OF BEGINNING

and

BEGINNING at a point thirty-three (33) feet North of the Southwest corner of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼), Section Thirty-three (33), Township Eighty-nine North (T89N), Range Five West (R5W), on the West line thereof, thence North two hundred eighty-five and five tenths (285.5) feet along said West line, thence North 81°06 ¾' East two hundred eighty-three and seven tenths (283.7) feet, thence South 67°48' East sixty and nine tenths (60.9) feet, thence South 22° 49 ¼' East three hundred thirty two and three tenths (332.3) feet, thence West four hundred sixty-five and six tenths (465.6) feet to the POINT OF BEGINNING

The Manchester City Council for the City of Manchester, Iowa, hereby finds:

1. That a request has been made to the City Council of the City of Manchester seeking to create Parcel L as shown in the attached Plat and Legal Description from the above described property;

2. That the proposed Parcel L has been taken from two parcels which have been previously 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 Parcel L as set forth above.

4. The proposed Parcel L will not have a connection to City water, sewer or utilities, nor shall the proposed Parcel L require construction of any new streets.

5. The proposed Parcel L is located on 221st Street.

6. In the event the proposed Parcel L is 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 requirement of the City of Manchester, Iowa.

7. That it would not be in the best interest of 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. A variance is granted to allow a division of property into Parcel L without the requirement of complying with the Manchester subdivision ordinances.

2. That in the event any streets or City utilities are proposed to be extended to above described Parcel L, 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 Parcel L shall further divide or transfer away a portion of the above described Parcel L, 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 8th day of September, 1998

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

On this 9th day of September, 1998, before me, Linda K. Tutton, 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-244 98 passed by the City Council of the City of Manchester, Iowa on the 8th day of September, 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
My commission expires 8-29-99