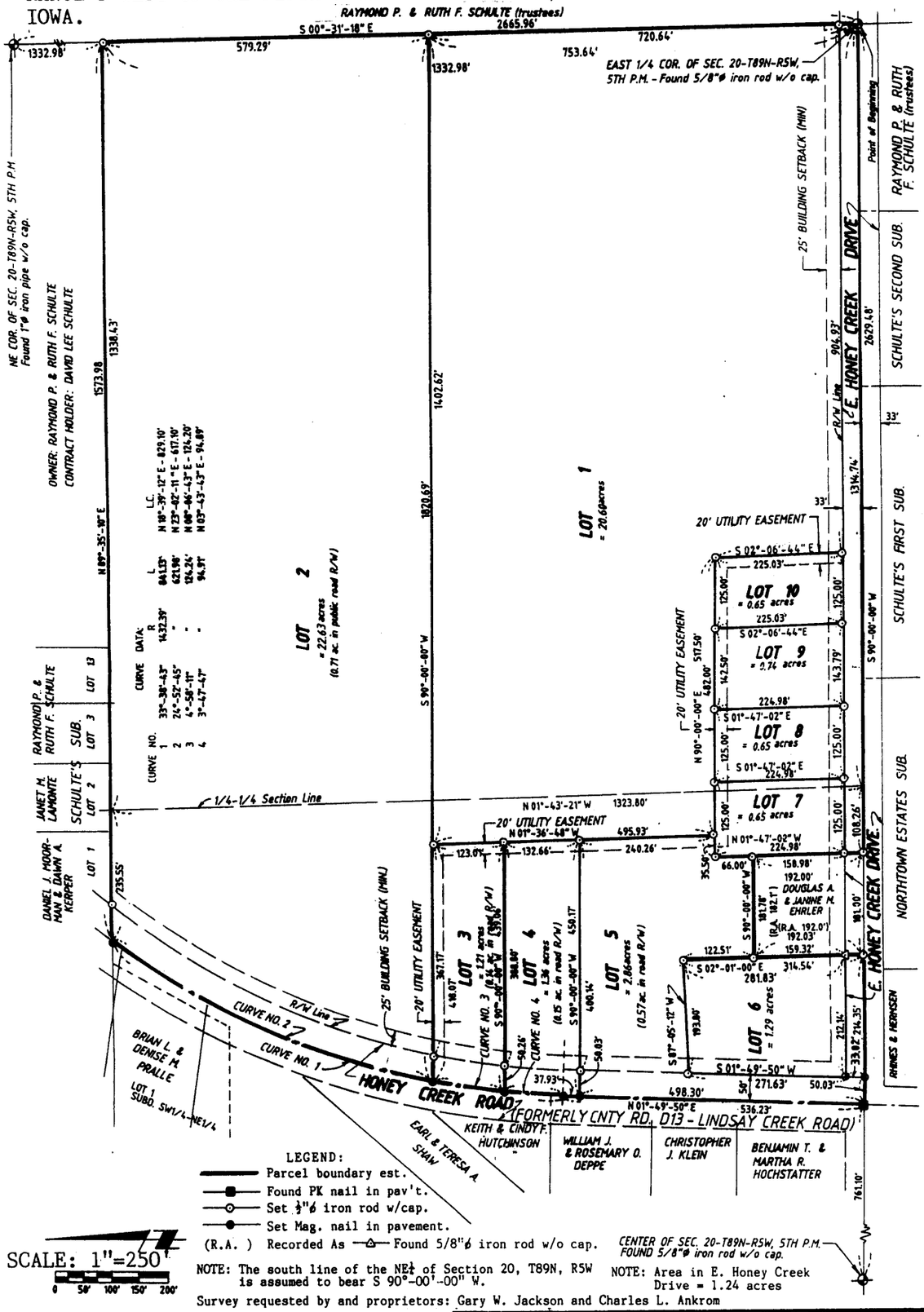
Mary Lou Trac

DELAWARE COUNTY, IOWA
FILED
1999 JA 13 AM 9:34
BOOK 199 PAGE 36.0
DELAWARE CO. RECORDER

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

FINAL PLAT OF NORTH OAK SUBDIVISION

A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER ($SE\frac{1}{4}$-$NE\frac{1}{4}$) AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER ($SW\frac{1}{4}$-$NE\frac{1}{4}$) OF SECTION 20, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.



LEGEND:
- Parcel boundary est.
- Found PK nail in pav't.
- Set ½"ø iron rod w/cap.
- Set Mag. nail in pavement.
- (R.A.) Recorded As
- Found 5/8"ø iron rod w/o cap.

SCALE: 1"=250'
0 50' 100' 150' 200'

NOTE: The south line of the NE¼ of Section 20, T89N, R5W is assumed to bear S 90°-00'-00" W.

NOTE: Area in E. Honey Creek Drive = 1.24 acres

Survey requested by and proprietors: Gary W. Jackson and Charles L. Ankrom

Surveyed: Aug. - Sept., 1998
(127, 69)

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 November 30, 1998
Roger R. Mohn *Date*
License Number 10165
My license renewal date is December 31, 1998
Pages or sheets covered by this seal:
This sheet only.

Sheet No. 1 of 6

LEGAL DESCRIPTION OF NORTH OAK SUBDIVISION:

A subdivision of the Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4) and part of the Southwest Quarter of the Northeast Quarter (SW1/4-NE1/4) of Section Twenty (20), Township Eighty-nine ~~(89) North, Range Five (5) West of the Fifth Principal~~ Meridian, in the City of Manchester, Delaware County, Iowa, containing a total of 53.88 acres, more or less, and more particularly described by metes and bounds as follows:

Commencing at the East 1/4 Corner of Section 20, Township 89 North, Range 5 West of the 5th P.M. which is the Point of Beginning; thence S 90°-00'-00" W, 1423.00 feet along the south line of the NE1/4 of said Section 20; thence N 01°-47'-02" W, 192.00 feet; thence S 90°-00'-00" W, 181.78 feet; thence S 02°-01'-00" E, 192.03 feet; thence S 90°-00'-00" W, 264.38 feet along the south line of said NE1/4; thence N 01°-49'-50" E, 536.23 ~~feet~~ along the centerline of Honey Creek Road (formerly Lindsay Creek Road); thence 841.13 feet along the centerline of said Honey Creek ~~Road~~ (formerly Lindsay Creek Road) which is along a 1,432.39 foot radius curve concave southeasterly with a central angle of 33°-38'-43" and a long chord which bears N 18°-39'-12" E, 829.10 feet; thence N 89°-35'-10" E, 1573.98 feet along the north line of the ~~South One~~ half of the NE1/4 of said Section 20; thence S 00°-31'-18" E, 1332.98 feet along the east line of ~~said~~ NE1/4 to ~~the Point of~~ Beginning. Said described parcel contains a total of 53.88 acres, more or less. The south line of the NE1/4 of Section 20, ~~T89N, R5W~~ is assumed to bear S 90°-00'-00" W.

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 November 30, 1998

Roger R. Mohn *Date*

License Number 10165

My license renewal date is December 31, 1998

Pages or sheets covered by this seal:

This sheet only.

OWNER'S CONSENT:

The attached plat represents a survey of NORTH OAK SUBDIVISION being a subdivision of the Southeast Quarter of the Northeast Quarter (SE¼-NE¼) and part of the Southwest Quarter of the Northeast Quarter (SW¼-NE¼) of Section 20, Township 89 North, Range 5 West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa.

I (We) Gary W. Jackson and Charles L. Ankrom of Delaware 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.

Gary W. Jackson

Charles L. Ankrom

STATE OF IOWA, Delaware County SS.

On the 21st day of December A.D. 19 98 before me, a Notary Public in and for said County personally appeared Gary W. Jackson and Charles L. Ankrom 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.

12-21-98

Notary Public in and for said County

Bruce A. Trapp

BRUCE A. TRAPP
NOTARIAL SEAL
IOWA

ATTORNEY'S OPINION

I, Mary Lou Tracey, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in NORTH OAK SUBDIVISION, Delaware County, Iowa, on premises more specifically described on Sheet No. 2 of 6.

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 24th day of December, 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 Gary W. Jackson and Charles L. Ankrom.
Dated at Manchester, Iowa, in said County, this 5th day of January, 1999.

Mary Lou Tracey
Attorney at Law Mary Lou Tracey

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against NORTH OAK SUBDIVISION, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.
Dated this 5th day of January, 1999.

Carolyn A. Wilson
Carolyn A. Wilson, County Treasurer

DELAWARE COUNTY E-911 BOARD

The foregoing plat of NORTH OAK SUBDIVISION, ***Delaware County, Iowa***, has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Uniform Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 8th day of July, 1996

Norman Wellman
Norman Wellman - Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) Ss:

On this 5TH day of January, 1999, before me Mary Lou Tracey, a Notary Public in and for the State of Iowa, personally appeared Norman Wellman to me personally known, and, who, being me duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

Mary Lou Tracey
Notary Public Mary Lou Tracey

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of *NORTH OAK SUBDIVISION,* Delaware County, Iowa, affecting premises more specifically described in the LEGAL DESCRIPTION OF NORTH OAK SUBDIVISION on Sheet 2 of 10 and Surveyor's Certificate of Roger R. Mohn, dated Nov. 30, 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 found that a Development Agreement is required to be attached to the final plat.

It is found that lots 6 – 10 of the *NORTH OAK SUBDIVISION* shall be annexed into the City of Manchester and zoned residential R-1 One Family Dwelling.

It is found that within the *NORTH OAK SUBDIVISION*, lots 1 and 2 should be zoned agriculturally and lots 3, 4, and 5 should be zoned commercially.

It is found that in the event Developer sells, conveys, transfers or assigns any portion of its interest in lots 1 through 6 or takes any action for construction of any structure on lots 1 through 6, water, sanitary sewer and storm sewer improvements serving said lots shall be constructed in a manner to be approved by the City at the sole expense of Developer or subsequent owners of said lots.

It is found that the developers agree that lots 1 through 6 shall not be divided without prior consent of the Manchester City Council.

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 lots 7 – 10 shall construct sidewalks as required in the attached development agreement. The owner or owners of record of lots 1 – 6 of *NORTH OAK 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 *NORTH OAK SUBDIVISION.*

2. Street improvements to Honey Creek Drive and County Road D13 – Lindsay Creek Road shall not be required at this time. At a future date as determined by the City of Manchester, Honey Creek Drive and/or County Road D13 – Lindsay Creek Road may require improvements. The cost of said improvements shall be assessed to the owner or owners of record of *NORTH OAK SUBDIVISION.*

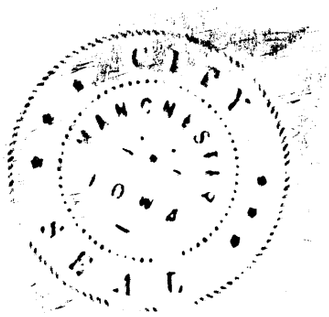
3. That no storm sewer or other drainage improvements shall be required to be performed by Developer at this time. However, at the sole discretion of the City, Developer, it's heirs and assigns, shall be responsible for payment of all costs for construction of adequate storm sewer and/or drainage improvements serving the above-described property.

4. The sanitary sewer main shown on the preliminary plat as being located on East Honey Creek Drive shall be constructed by the City at its cost. A water main already is located on the south side of East Honey Creek Drive. As Lots 6 through 10 are developed, a connection fee shall be charged by the City for obtaining water and sewer service to said lots. It is further specifically agreed that the modular home located on lot 6 as of the date of this agreement shall not be required to connect to the City sewer system until such time as additional construction of a residential structure occurs on said lot.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said *NORTH OAK SUBDIVISION*, 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 9th day of December, AD, 1998.



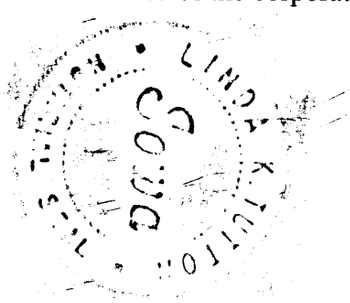
PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By: _____
Lori Cole, Vice Chairperson

By: _____
Helen M. Knutson, Secretary

STATE OF IOWA)
) SS
COUNTY OF DELAWARE)

On this 14th day of December, 1998, before me, Linda K. Tutton, a Notary Public in and for State of Iowa, personally appeared Lori Cole and Helen M. Knutson, to me personally known, and, who, being by me duly sworn, did say that they are the Vice 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 9th day of December, 1998, and that Lori Cole 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

RESOLUTION NO. R-278-98

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of *NORTH OAK SUBDIVISION,* Delaware County, Iowa, affecting premises more specifically described in the LEGAL DESCRIPTION OF NORTH OAK SUBDIVISION on Sheet 2 of 10 and Surveyor's Certificate of Roger R. Mohn, dated Nov. 30, 1998, has been filed with THE City Clerk of Manchester, Delaware County, Iowa, and has been acknowledged and approved by the Planning and Zoning Commission of the City of Manchester, 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 found that a Development Agreement is required to be attached to the final plat.

It is found that lots 6 – 10 of the *NORTH OAK SUBDIVISION* shall be annexed into the City of Manchester and zoned residential R-1 One Family Dwelling.

It is found that within the *NORTH OAK SUBDIVISION*, lots 1 and 2 should be zoned agriculturally and lots 3, 4, and 5 should be zoned commercially.

It is found that in the event Developer sells, conveys, transfers or assigns any portion of its interest in lots 1 through 6 or takes any action for construction of any structure on lots 1 through 6, water, sanitary sewer and storm sewer improvements serving said lots shall be constructed in a manner to be approved by the City at the sole expense of Developer or subsequent owners of said lots.

It is found that the developers agree that lots 1 through 6 shall not be divided without prior consent of the Manchester City Council.

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 lots 7 – 10 shall construct sidewalks as required in the attached development agreement. The owner or owners of record of lots 1 – 6 of *NORTH OAK 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 *NORTH OAK SUBDIVISION.*

2. Street improvements to Honey Creek Drive and Honey Creek Road, formerly known as County Road D13 – Lindsay Creek Road shall not be required at this time. At a future date as determined by the City of Manchester, Honey Creek Drive and/or County Road D13 – Lindsay Creek Road may require improvements. The cost of said improvements shall be assessed to the owner or owners of record of all Lots within *NORTH OAK SUBDIVISION.*

3. That no storm sewer or other drainage improvements shall be required to be performed by Developer at this time. However, at the sole discretion of the City, Developer, it's heirs and assigns, shall be responsible for payment of all costs for construction of adequate storm sewer and/or drainage improvements serving the above-described property.

4. The sanitary sewer main shown on the preliminary plat as being located on East Honey Creek Drive shall be constructed by the City at its cost. A water main already is located on the south side of East Honey Creek Drive. As Lots 6 through 10 are developed, a connection fee shall be charged by the City for obtaining water and sewer service to said lots. It is further specifically agreed that the modular home located on lot 6 as of the date of this agreement shall not be required to connect to the City sewer system until such time as additional construction of a residential structure occurs on said lot.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said *NORTH OAK SUBDIVISION*, Delaware County, Iowa, including Agreement for Future Street Dedication and/or Construction and Other Development

Costs, be, and the same is hereby acknowledged, approved and accepted on the part of the City of Manchester, Delaware County, Iowa.

Passed and adopted this 21st day of December, 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 23rd day of December, 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-278-98 passed by the City Council of the City of Manchester, Iowa on the 21st day of December, 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

Linda K. Tutton, Notary Public
My commission expires 8-29-99