DELAWARE COUNTY, IOWA
FILED
1999 JN -2 PM 2:38
BOOK 199 PAGE 197
DEBORAH L. TAYLOR
DELAWARE COUNTY RECORDER
N/C

(X) Prepared by: Sharon McCrabb, Auditor, 301 E. Main, Manchester, Ia. - Ph. 927 4701.

CERTIFICATION

Attached hereto is the supporting documentation for the withdrawal of a parcel of land under Chapter 352.9 of the 1999 Iowa Code, from an agricultural area created April 4, 1994 for Richard Bishop, Mary Kay Bishop, Robert Edwin Bishop, Helen M. Bishop, Denise Bishop and Doug R. Bishop. (Book 4, Page 220).

The attached are as follows:

1. Request for withdrawal of parcel "E" from ag area by Dick Bishop and Mary Kay Bishop.

2. Official Minutes of the Board of Supervisors, dated June 1, 1999, approving withdrawal of the parcel from the ag area.

I, Sharon McCrabb, County Auditor, do hereby certify that the attached are true copies of the above listed instruments.

Dated this 2 day of June, 1999.

Sharon McCrabb

Sharon McCrabb, Delaware County Auditor

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

Subscribed and sworn to me and in my presence by Sharon McCrabb, Delaware County Auditor this 2 day of June, 1999.

CAROLYN A. WILSON NOTARIAL SEAL IOWA

Carolyn A. Wilson

Carolyn A. Wilson, Notary Public in and for the State of Iowa.

My commission expires 12-17-01.

I am requesting the parcel of land (parcel "E") that is attached to be withdrawn from the agricultural area due to prospective sale of said parcel.

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

JUN 1 1999

Thank –you

Dick Bishop

Dick Bishop

Mary Kay Bishop

Mary Kay Bishop

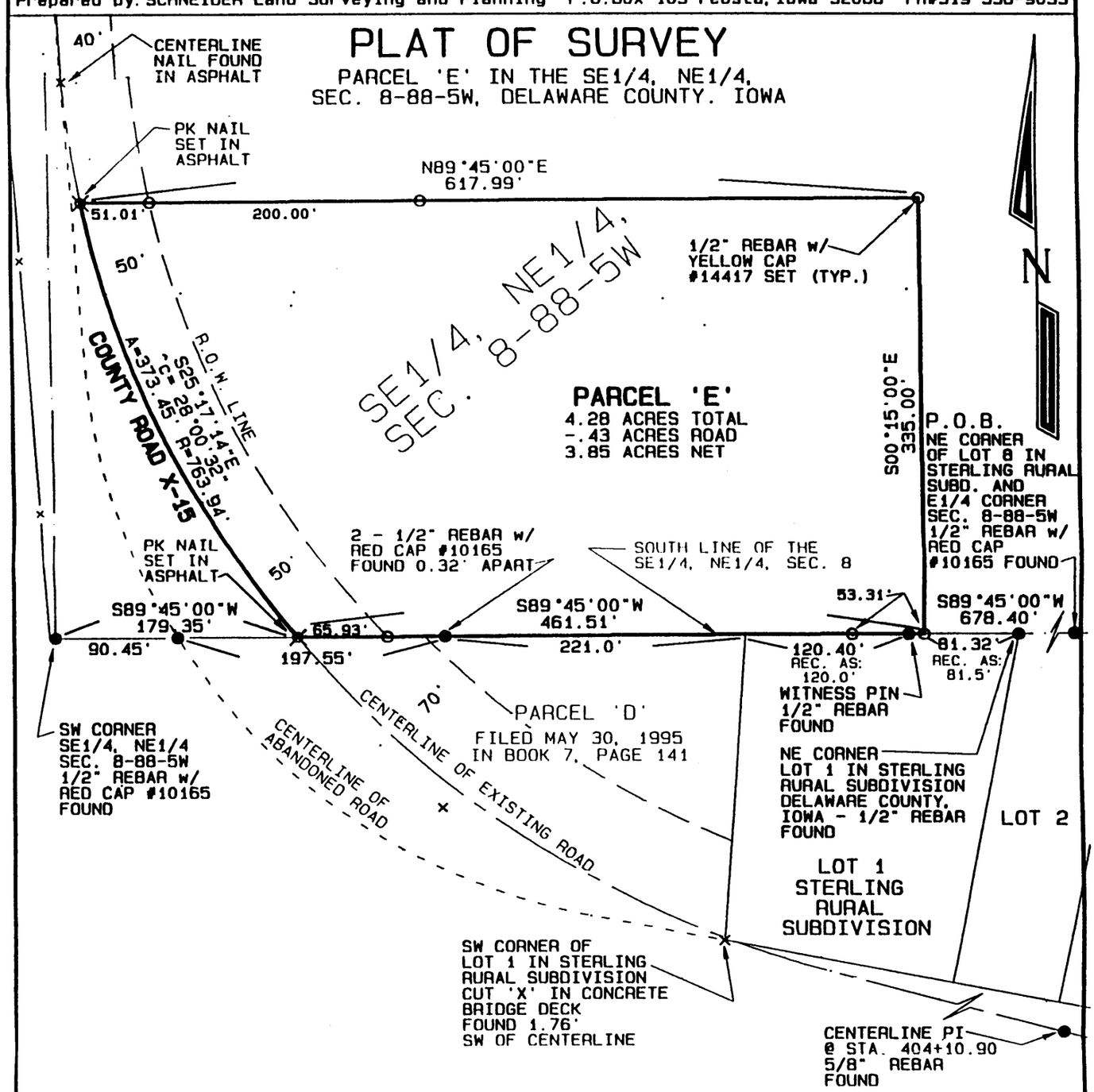
O.K. D. Elbon Koonce

DELAWARE COUNTY, IOWA
FILED
1999 MY -5 AM 9:10
BOOK 199 PAGE 1574
RECORDER'S NOTATION
DELAWARE COUNTY RECORDER
11.00

Prepared by: SCHNEIDER Land Surveying and Planning P.O.Box 105 Peosta, Iowa 52068 Ph#319-556-9055

PLAT OF SURVEY

PARCEL 'E' IN THE SE1/4, NE1/4,
SEC. 8-88-5W, DELAWARE COUNTY, IOWA



PROPRIETORS:
RICHARD D. BISHOP & MARY KAY BISHOP
SURVEY REQUESTED BY: BRUCE TRAPP

LEGAL DESCRIPTION: SEE SHEET 2 of 2

GRAPHIC SCALE 1"=100'

0 100 200 300

LICENSED LAND SURVEYOR
DAVID P. SCHNEIDER 14417
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.

David P. Schneider P.L.S. #14417 Date: 5/5/99
My license renewal date is December 31, 1999.

Pages or sheets covered by this seal: THIS SHEET ONLY

SCHNEIDER
Land Surveying
&
Planning
P.O. Box 105
Peosta, Iowa 52068
Ph# 319-556-9055
Fax 319-556-9054

Project: 99-0054
Date: 4/22/99
Sheet: 1 of 2

Proprietor:
Richard D. Bishop & Mary Kay Bishop

Survey requested by:
Bruce Trapp

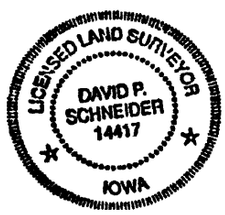
Survey Description-Parcel 'E':
Part of the Southeast Quarter of the Northeast Quarter of Section 8, Township 88 North, Range 5 West of the 5th P.M., Delaware County, Iowa, more particularly described as follows: Commencing at the East Quarter corner of said Section 8; thence S89°45'00"W, 678.40 feet along the south line of the Southeast Quarter of the Northeast Quarter of said Section 8 to the point of beginning; thence continuing S89°45'00"W, 461.51 feet to the centerline curve of County Road X15; thence northwesterly and northerly, 373.45 feet along said centerline curve having a radius of 763.94 feet, concave to the northeast, and a central angle of 28°00'32"; thence N89°45'00"E, 617.99 feet; thence S00°15'00"E, 335.00 feet to the point of beginning, containing 4.28 acres, which includes 0.43 acres of existing public road right of way.

(Subject to covenants, easements, reservations, restrictions and rights of way of record and not of record.)

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.

David P. Schneider 5/5/99

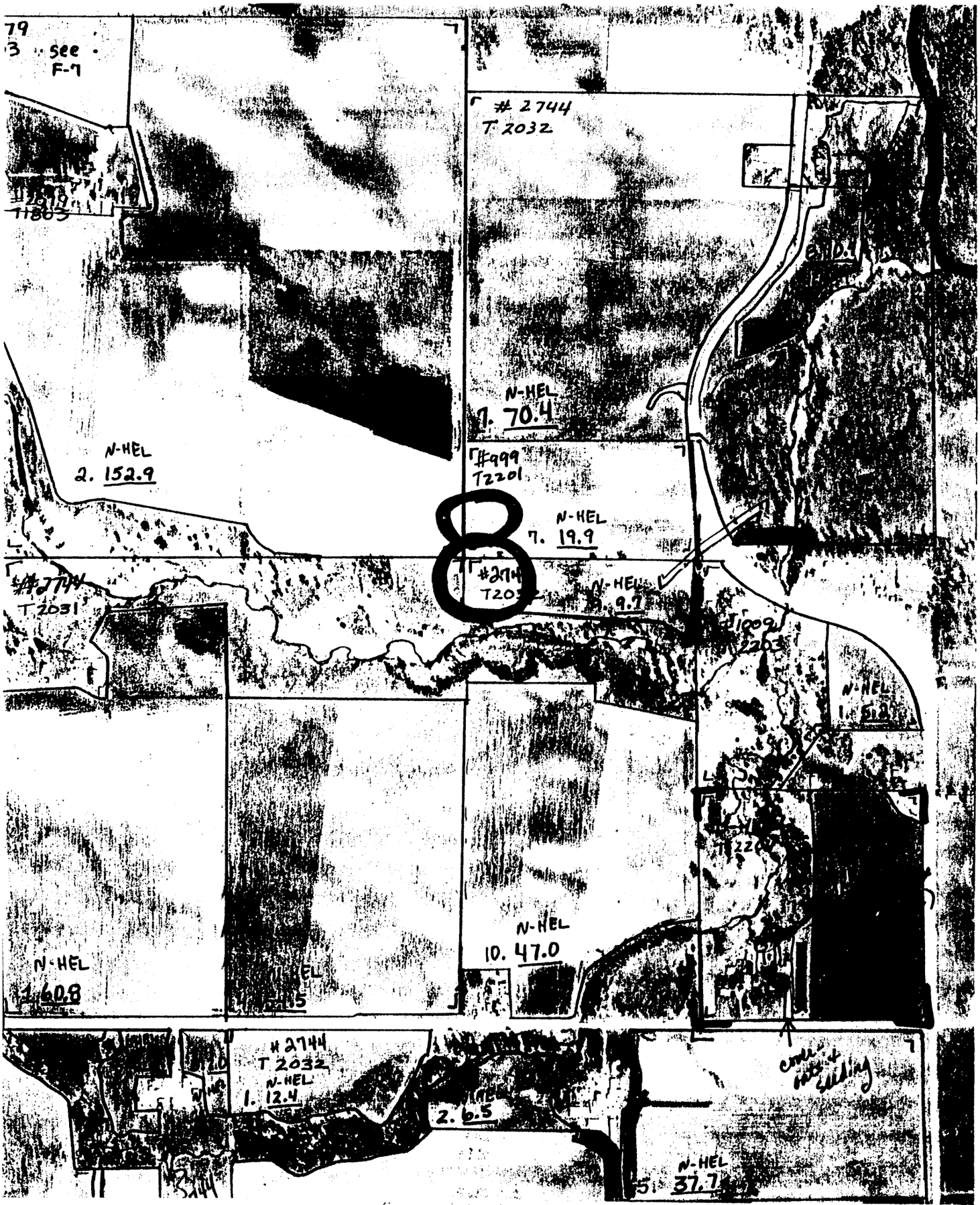
David P. Schneider P.L.S. #14417 Date:
My license renewal date is December 31, 1999.



Schneider Land Surveying & Planning
P.O. Box 105 Peosta, Iowa 52068
Phone: 319-556-9055 Fax: 319-556-9054
Email: schneiderlsp@mwci.net

Job No. 99-0054

Date: 4/27/99



NOT TO SCALE (1990 FLIGHT) DELAWARE COUNTY - CROP YEAR

F-8

at its creation, shall include at least three
red acres of farmland; however, a smaller area
be created if the farmland is adjacent to farm-
subject to an agricultural land preservation
ance pursuant to section 335.27 or adjacent to
located within an existing agricultural area.
proposal shall include a description of the pro-
area to be created or expanded, including its
daries. The territory shall be as compact and
nearly adjacent as feasible. Land shall not be in-
ded in an agricultural area without the consent
the owner. Agricultural areas shall not exist
hin the corporate limits of a city. The county
rd may consult with the department of natural
rces when creating or expanding an agricul-
area contiguous to a location which is under
irect supervision of the department, including
te park, state preserve, state recreation area,
overeign lake. Agricultural areas may be
ed in a county which has adopted zoning ordi-
ces. Except as provided in this section, the use
the land in agricultural areas is limited to farm
rations.

1. The following shall be permitted in an agri-
ltural area:

a. Residences constructed for occupation by a
erson engaged in farming or in a family farm op-
ration. Nonconforming preexisting residences
ay be continued in residential use.

b. Property of a telephone company, city utility
s defined in section 390.1, public utility as defined
n section 476.1, or pipeline company as defined in
ection 479.2.

2. The county board of supervisors may permit
use not listed in subsection 1 in an agricultural
only if it finds all of the following:

The use is not inconsistent with the pur-
t forth in section 352.1.

he use does not interfere seriously with
rations within the area.

he use does not materially alter the stabil-
verall land use pattern in the area.

ch 1245, §7]
A.6
6B.6
2.6
ch 146, §3

Duties of county board.

hin thirty days of receipt of a proposal to
pand an agricultural area which meets
ry requirements, the county board shall
ice of the proposal by publishing notice
aper of general circulation in the county.
ty-five days after receipt of the proposal,
board shall hold a public hearing on the

hin sixty days after receipt, the county
adopt the proposal or any modification
al it deems appropriate, unless to do so
would be inconsistent with the purposes of this chapter.

[82 Acts, ch 1245, §8]
C83, §93A.7
C87, §176B.7
C93, §352.7
93 Acts, ch 146, §4

352.8 Requirement that description of agricultural areas be filed with the county.

Upon the creation or expansion of an agricultural area, its description shall be filed by the county board with the county auditor and placed on record with the recording officer in the county.

[82 Acts, ch 1245, §9]
C83, §93A.8
C87, §176B.8
C93, §352.8
93 Acts, ch 146, §5

352.9 Withdrawal.

At any time after three years from the date of creation of an agricultural area, an owner may withdraw from an agricultural area by filing with the county board a request for withdrawal containing a legal description of the land to be withdrawn and a statement of the reasons for the withdrawal. The county board shall, within sixty days of receipt of the request, approve or deny the request for withdrawal. At any time after six years from the date of creation of an agricultural area, an owner may withdraw from an agricultural area by filing with the county board a notice of withdrawal containing a legal description of the land to be withdrawn.

The board shall cause the description of that agricultural area filed with the county auditor and recording officer in the county to be modified to reflect any withdrawal. Withdrawal shall be effective on the date of recording. The agricultural area from which the land is withdrawn shall continue in existence even if smaller than three hundred acres after withdrawal.

[82 Acts, ch 1245, §10]
C83, §93A.9
C87, §176B.9
C93, §352.9
93 Acts, ch 146, §6

352.10 Limitation on power of certain public agencies to impose public benefit assessments or special assessments.

A political subdivision or a benefited district providing public services such as sewer, water, or lights or for nonfarm drainage shall not impose benefit assessments or special assessments on land used primarily for agricultural production within an agricultural area on the basis of frontage, acreage, or value, unless the benefit assessments or special assessments were imposed prior to the formation of the agricultural area, or unless the

Supervisor's Minutes,

KOCH BROTHERS, DES MOINES C-089-X H-0192-1

June 1, 1999
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 11:00 a.m. in the Courthouse, Manchester, Iowa, with all members present. G. Eldon Koeneke, Chairman, called the meeting to order.

Motion made by Helmrichs, seconded by Skinner and carried that Brian Ridenour be allowed to attend an executive board meeting in Ames on June 2, 1999. All ayes.

Motion made by Skinner, seconded by Helmrichs and carried that the following claims be allowed for payment:

	GENERAL BASIC FUND	
Fillenworth Beach	hotel expense	$422.01
Mastercard	motel expense	425.80
AT & T	phone service	407.97
GTE Midwest	phone service	102.53
Blue Cross & Blue Shield of Iowa	insurance premium	1,192.05
	MENTAL HEALTH FUND	
AT & T	phone service	138.19
GTE Midwest	phone service	185.03
	SECONDARY ROAD FUND	
Alliant Energy	electric service	291.65
GTE Midwest	phone service	126.59
Hopkinton Municipal Utilities	electric service	84.50
Peoples Natural Gas	utility service	47.55
AT & T	phone service	53.43
Blue Cross & Blue Shield of Iowa	insurance premium	531.22

All ayes.

This being the date set by publication for two consecutive weeks in The Manchester Press on May 11, 1999 and May 18, 1999, for the sale of county property described as follows:

> The West 100' of that part of Lot 940 of the City of Manchester, Iowa, according to plat recorded in Book I L.D., Page 284 and of the East One-half of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section Thirty two (32), Township Eighty-nine (89) North, Range Five (5), West of the 5th P.M., described as beginning at a point 139.5 feet North and 68.13 feet East of the Southeast Corner of said Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), thence North 200.5 feet, thence West 150 feet, thence North 5 feet, thence West 150 feet, thence South 305.5 feet, more or less, to the North line of Grant Street, thence East 300 feet, thence North 100 feet to the point of beginning,

the Board opened the only bid submitted. Shirley K. Mangold bid $15,000.00.

Motion made by Helmrichs, seconded by Skinner and carried that the bid of Shirley K. Mangold in the amount of $15,000.00 be accepted for the above described county property. All ayes.

Motion made by Skinner, seconded by Helmrichs and carried that the Contract and Contractor's Bond of Taylor Construction, Inc. in the amount of $223,823.15 for bridge replacement project # L-1275 be approved. All ayes.

Motion made by Helmrichs, seconded by Skinner and carried that the Resolution for Compromising to Abate Real Estate Taxes and Mobile Home Taxes for the following taxpayers be approved: Clinton & Fay Steeley - Access Road, Steeley Subdivision for taxes in the amount of $44.00; Cemetery- c/o Dan Thier, 29588 E. Worthington Road, Worthington, Iowa 52078 - Lot 7, North Fork Farm Subdivision for taxes in the amount of $70.00. All ayes.

Motion made by Skinner, seconded by Helmrichs and carried that the following described real estate be withdrawn from the agricultural area created April 4, 1994 for Richard Bishop, Mary Kay Bishop, Robert Edwin Bishop, Helen M. Bishop, Denise Bishop and Doug R. Bishop: Part of the Southeast Quarter of the Northeast Quarter of Section 8, Township 88 North, Range 5 West of the 5th P.M., Delaware County, Iowa, more particularly described as follows: Commencing at the East Quarter corner of said Section 8; thence S 89° 45'00"W, 678.40 feet along the south line of the Southeast Quarter of the Northeast Quarter of said Section 8 to the point of beginning; thence continuing S89° 45'00"W, 461.51 feet to the centerline curve of County Road X15; thence northwesterly and northerly, 373.45 feet along said centerline curve having a radius of 763.94 feet, concave to the northeast, and a central angle of 28°00'32"; thence N89°45'00"E, 617.99 feet; thence S00° 15'00"E, 335.00 feet to the point of beginning, containing 4.28 acres, which includes 0.43 acres of existing public road right of way. All ayes.

There being no further business, this meeting adjourned. These minutes were read and approved.

G. Eldon Koeneke, Chairman

Sharon McCrabb, Auditor