James Clifton
c/o Trees forever
P.O. Box 306
Earlville, IA 52041

FILED
Date 11-26-01
Cheryl Stauffbeer
County Assessor

FILED
SHARON K. GRABB

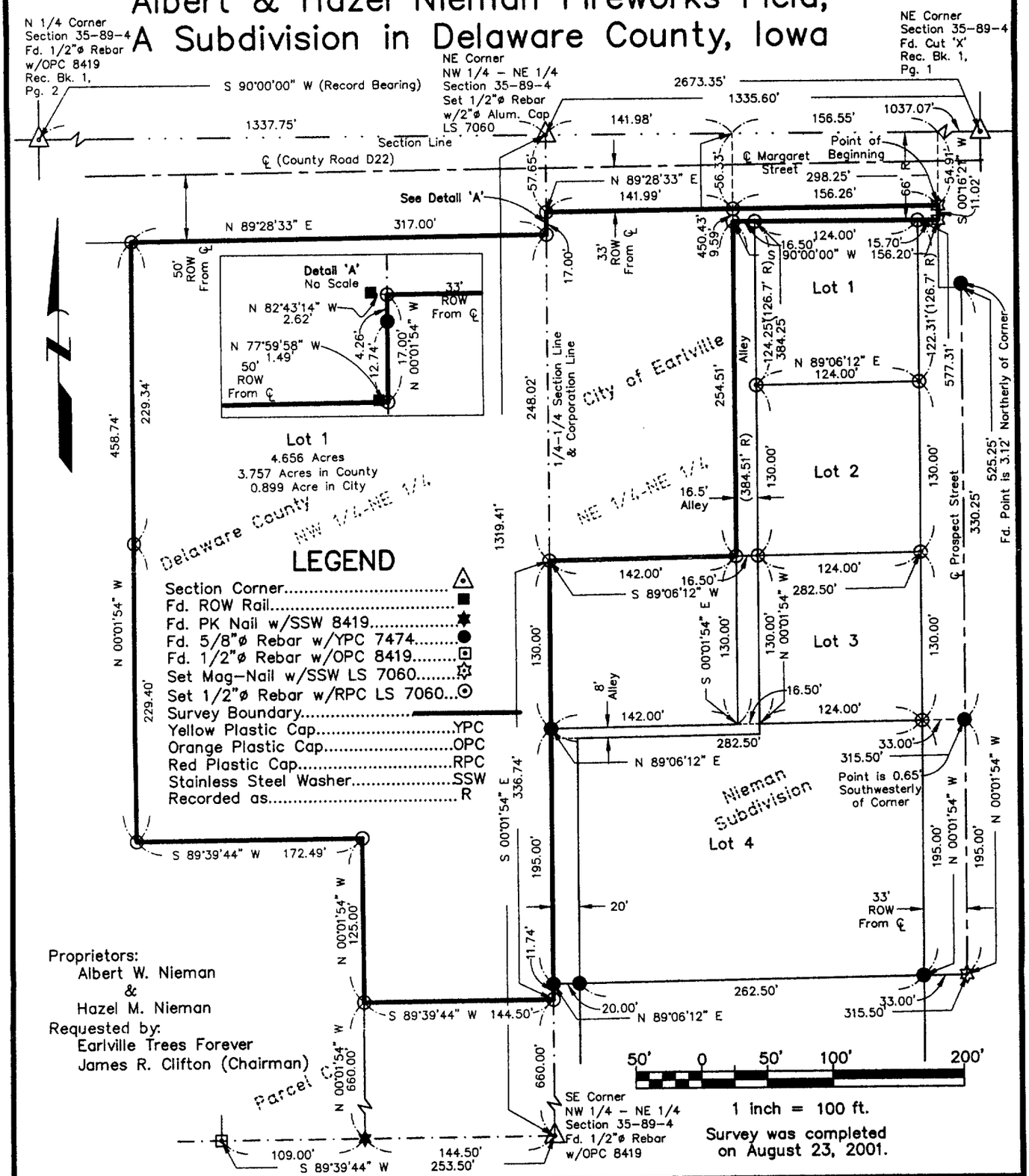
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DELAWARE COUNTY IOWA
FILED
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BOOK 2001 PAGE 4211
RECORDED AND FEE COLLECTED
RECORDER

TeKIPPE ENGINEERING, P.C., 128 South Vine Street, West Union, Iowa 52175 Phone #563/422-5131

Final Plat

Albert & Hazel Nieman Fireworks Field,
A Subdivision in Delaware County, Iowa



LEGEND

Section Corner	
Fd. ROW Rail	■
Fd. PK Nail w/SSW 8419	★
Fd. 5/8"ø Rebar w/YPC 7474	●
Fd. 1/2"ø Rebar w/OPC 8419	▣
Set Mag-Nail w/SSW LS 7060	☆
Set 1/2"ø Rebar w/RPC LS 7060	⊙
Survey Boundary	
Yellow Plastic Cap	YPC
Orange Plastic Cap	OPC
Red Plastic Cap	RPC
Stainless Steel Washer	SSW
Recorded as	R

Proprietors:
Albert W. Nieman
&
Hazel M. Nieman

Requested by:
Earlville Trees Forever
James R. Clifton (Chairman)

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE
7060
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.

Lyle G. TeKippe 9-13-01
Lyle G. TeKippe Date:
License number 7060
My license renewal date is December 31, 2002.
Sheets covered by this seal: P1

TeKIPPE ENGINEERING, P.C.
128 SOUTH VINE STREET
WEST UNION, IOWA
PH. (563) 422-5131
FAX (563) 422-5884

Field Book 16E Pages 11-12 & 52-54
Project No. 00249.LS Sheet P1

BOOK 2001 PAGE 4211

TeKIPPE ENGINEERING, P.C., 128 South Vine Street, West Union, Iowa 52175 Phone #319/422-5131

Project No. 00249.LS

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.

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE
7060
IOWA

Lyle G. TeKippe — 9-13-01
Lyle G. TeKippe — Date
License number 7060
My license renewal date is December 31, 2002.
Pages covered by this seal: SD-1 through SD-2

State of Iowa)
ss.
County of Fayette)

Subscribed and sworn to before me by Lyle G. TeKippe this 13th day of September, 2001.

SANDRA J KLOSTERMAN
MY COMMISSION EXPIRES
11-9-2003

Sandra J Klosterman
Notary Public

SURVEY AND PLAT OF:

Survey Descriptions:

Boundary Description of Albert & Hazel Nieman Fireworks Field, a Subdivision in the Northeast Quarter of Section 35, Township 89 North, Range 4 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Commencing at the Northeast Corner of said Section;

thence South 90°-00'-00" West (Record Bearing) 1,037.07 feet along the North Line of said Section to the Northerly extension of an East Line of Nieman Subdivision in the City of Earlville, Delaware County, Iowa;

thence South 00°-16'-21" West 54.91 feet along said extension to the South Right-of-Way Line of Margaret Street (County Road D22) and the Point of Beginning;

thence continuing South 00°-16'-21" West 11.02 feet along said extension to the North Line of said Nieman Subdivision;

thence South 90°-00'-00" West 156.20 feet;

thence South 00°-01'-54" East 254.51 feet, both along said Subdivision;

thence South 89°-06'-12" West 142.00 feet to the Northerly

extension of the West Line of said Subdivision;

thence South 00°-01'-54" East 336.74 feet along said West Line and extensions thereof;

thence South 89°-39'-44" West 144.50 feet;

thence North 00°-01'-54" West 125.00 feet;

thence South 89°-39'-44" West 172.49 feet;

thence North 00°-01'-54" West 458.74 feet to said South Right-of-Way Line of Margaret Street (County Road D22);

thence North 89°-28'-33" East 317.00 feet;

thence North 00°-01'-54" West 17.00 feet;

thence North 89°-28'-33" East 298.25 feet, all along said South Right-of-Way Line to the Point of Beginning, containing 4.656 acres, subject to easements of record. (See plat attached to this original survey description.)

Reference is hereby made to a Warranty Deed, recorded August 28, 1962, in Book 82, page 479; to a Survey and Plat made by John R. Crawford, recorded December 27, 1983, in Book 5, page 62; to a Survey and Plat made by J. David Gibbs, recorded July 7, 1998, in Book 8, page 137, all on file in the Delaware County Recorder's office, Manchester, Iowa.

City of Earlville
P.O. Box 188
Earlville, IA 52041

Prepared by: Attorney William G. Blum, 700 Locust St., Suite 196, Dubuque, Iowa 52001, 563-557-1310.

RESOLUTION NO. 2001-15

RESOLUTION APPROVING THE SUBDIVISION AND PLAT OF THE ALBERT & HAZEL NIEMAN FIREWORKS FIELD, A SUBDIVISION IN DELAWARE COUNTY, IOWA.

WHEREAS, Albert W. Nieman and Hazel M. Nieman have submitted a subdivision plat for the Albert & Hazel Nieman Fireworks Field Subdivision; and

WHEREAS, the Planning and Zoning Commission has recommended approval of said subdivision and plat; and

WHEREAS, the City Council of the City of Earlville, Iowa, has conducted a public hearing on the 11th day of June, 2001.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Earlville, Iowa, as follows:

Section 1. The Albert & Hazel Nieman Fireworks Field Subdivision is approved, subject to the following:

a. No sidewalks or utilities are required to be installed by the owners of the property as long as it is used as a public park, soccer field, or similar usage.

b. In the event that the property is used for residential purposes, utilities and sidewalks must be installed pursuant to the City of Earlville Subdivision Regulations.

Section 2. The approval of Albert & Hazel Nieman Fireworks Field Subdivision is conditioned on the property owners consenting to the requirements of installing utilities and sidewalks in the event the property is ever utilized for residential purposes.

Section 3. The Mayor and City Clerk are directed to execute the necessary documents for the recording of the Albert & Hazel Nieman Fireworks Field Subdivision plat.

Approved this 10 day of September, 2001.

Dan Wheeler
Mayor

ATTEST:

Linda Gaul
LINDA GAUL, City Clerk

CONSENT TO CONDITIONS

We, Albert W. Nieman and Hazel M. Nieman, on behalf of ourselves and our successors and assigns, consent to the conditions of installing sidewalks and utilities in the event any part of the Subdivision is used for residential purposes.

Dated this 24TH day of September, 2001.

Albert W. Nieman
Albert W. Nieman

Hazel M. Nieman
Hazel M. Nieman

STATE OF IOWA)
) ss:
DELAWARE COUNTY

Subscribed and sworn to before me by Albert W. Nieman and Hazel M. Nieman this 24TH day of September, 2001.

Linda Gaul
Notary Public, In and For the State of Iowa.
By virtue of the office of
City Clerk, City of Earlville, IA
Pursuant to IA Code Section 63A.2
Linda Gaul, City Clerk

BOOK 200, PAGE 421

On this 1 day of October, 2001, before me, Janel Ries, a Notary Public in and for the State of Iowa, personally appeared Dan Wheeler, and Linda Gaul to me personally known, and, who, being sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Earlville, Iowa, that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and the instrument was signed and sealed on behalf of the corporation, by the authority of its City Council, as contained in ~~Ordinance number _____, adopted by the City Council on the~~ 10 ~~day of~~ September, ~~20____, or~~ Resolution number 2001-15, adopted by the City Council on the 10 day of September, 2001, ~~or by roll call vote on the _____ day of _____, 20____~~, and that Dan Wheeler and Linda Gaul acknowledge the execution of the instument to be thier voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Dan Wheeler

Linda Gaul

Janel Ries
Notary Public

(Seal)

JANEL M. RIES
MY COMMISSION EXPIRES
1-24-03

TeKIPPE ENGINEERING, P.C., 128 South Vine Street, West Union, Iowa 52175 Phone #563/422-5131

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of Albert & Hazel Nieman Fireworks Field, A Subdivision in Section 35, Township 89 North, Range 4 West of the 5th P.M., 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 6TH day of AUGUST, ~~20~~ 1996.

Norman Wellman

Norman Wellman - Coordinator
Delware County E-911 Board

State of Iowa)
ss.
County of Delaware)

On this 26TH day of November, 2001 before me, Sharon McCrabb, a Notary Public in and for the State of Iowa, personally appeared Norman Wellman, to me personally known, and, who, being by me duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

SHARON McCRABB
Commission Number 002578
My Comm. Exp. 6-14-02

Sharon McCrabb

Notary Public Sharon McCrabb

ATTORNEY'S OPINION

I, John M. Carr, a practicing attorney at law in the City of Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in *Albert & Hazel Nieman Fireworks Field, a Subdivision in Section 35, Township 89 North, Range 4 West of the 5th P.M., Delaware County, Iowa,* on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated September 13, 2001.

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 9 day of Oct., A.D. 2001, at the hour of 8:00 o'clock A .M.

My examination of said abstract shows good and merchantable title on the date and hour of the certification to be in the names of Albert W. Nieman and Hazel M. Nieman, husband and wife as joint tenants and not as tenants in common

Dated at Manchester, Iowa, in said County, this 26 day of November, 20 01.

Attorney at Law John M. Carr

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against *Albert & Hazel Nieman Fireworks Field, a Subdivision in Section 35, Township 89 North, Range 4 West of the 5th P.M., Delaware County, Iowa,* have been paid and said real estate is free and clear of all taxes as of this date.

DELAWARE COUNTY TREASURER SEAL IOWA

Carolyn A. Wilson

Carolyn A. Wilson, County Treasurer
11-26-01

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