FILED
Date 3-20-02
County Assessor

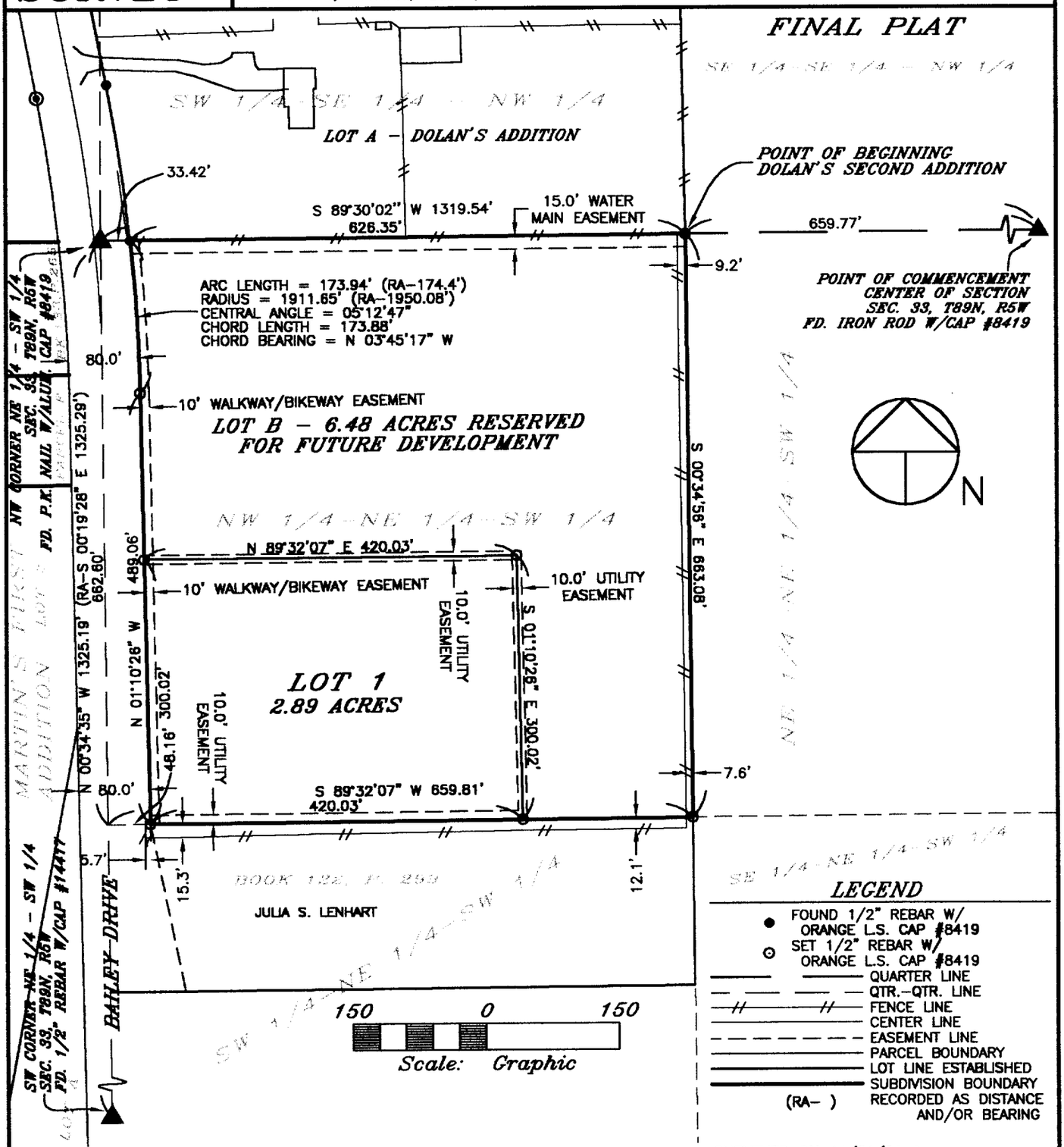
MAR 20 2002

DELAWARE COUNTY IOWA
FILED
2002 MAR 20 PM 3:15
BOOK 2002 PAGE 1033
DEBORAH L. FEYLON
DELAWARE CO. RECORDER
31.00

PREPARED BY: J. DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY

DOLAN'S SECOND ADDITION
A SUBDIVISION OF PART OF THE NW 1/4-NE 1/4-SW 1/4, SEC. 33, T89N, R5W, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: PAT DOLAN

SURVEYED ON: 11/21/01 &

PROPRIETORS: *PATRICK O. DOLAN & REBECCA A. DOLAN*
252 BAILEY DRIVE, MANCHESTER, IA 52057

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.

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE 2/8/02

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2002

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

GIBBS ENGINEERING & SURVEYING
105 WEST MAIN STREET
MANCHESTER, IA 52057

PROJECT NO. 01-88
SCALE: 1"=150'
DATE: 1/1/02
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 9

BOOK 2002 PAGE 1033

LEGAL DESCRIPTION:

DOLAN'S SECOND ADDITION, *A SUBDIVISION OF PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE 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, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA;* containing 9.37 acres, divided into Two (2) lots, numbered Lot One (1) and Lot B (reserved for future development), subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Center 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 Northerly Line of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-three (33), South 89° 30' 02" West, 659.77 feet to the **POINT OF BEGINNING**;

THENCE along the Easterly Line of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-three (33), South 00° 34' 56" East, to the Southerly Line of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-three (33), 663.08 feet;

THENCE along said Southerly Line, South 89° 32' 07" West, to the Easterly Line of Bailey Drive, 659.81 feet;

THENCE along the Easterly Line of Bailey Drive, North 01° 10' 26" West, 489.06 feet;

THENCE continuing along the Easterly Line of Bailey Drive along a circular curve concave Southwesterly for an arc length of 173.94 feet, said circular curve having a radius of 1911.65 feet, a central angle of 05° 12' 47", a chord length of 173.88 feet, and a chord bearing of North 03° 45' 17" West, to the Northerly Line of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-three (33);

THENCE along the Northerly Line of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-three (33), North 89° 30' 02" East, 626.35 feet to the **POINT OF BEGINNING**;

Containing a total of 9.37 acres, divided into Two (2) lots, numbered Lot One (1) and Lot B (reserved for future development), and subject to easements of record.

The Northerly Line of the Northeast Quarter (NE 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 is assumed to bear South 89° 30' 02" West.

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.

I hereby certify that a minimum of two (2) control monuments have been found or placed and that all monuments indicated will be placed within one (1) year of the recording of the plat.

J. David Gibbs 2/8/02

J. David Gibbs, L.S. #8419 DATE
My license will be renewed on December 31, 2002

OWNER'S ACKNOWLEDGMENT

I (we) Patrick O. Dolan and Rebecca A. Dolan 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.

Patrick O. Dolan

Patrick O. Dolan

Rebecca A. Dolan

Rebecca A. Dolan

State of Iowa)
)
County of Delaware) Ss:

On this 8 day of February A.D. 2002, before me a Notary Public in and for said County, personally appeared Patrick O. Dolan and Rebecca A. Dolan 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.

Donna M. Kunde

Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-03

DEDICATION

The undersigned owners of the land described in the foregoing surveyor's certificate have caused said tract to be surveyed and subdivided in the manner shown on the above plat, which shall hereafter be know as *Dolan's Second Addition, City of Manchester, Delaware County, Iowa.*

All easements for utilities or walkway/bikeway shown on the above plat are further hereby granted to the City of Manchester, Iowa, for the purpose of installing and maintaining public utilities or for the installation of a walkway/bikeway, in, under, or over said easements.

IN WITNESS WHEREOF, we have set our hands this 8 day of February 2002.

Patrick O. Dolan

Patrick O. Dolan

Rebecca A. Dolan

Rebecca A. Dolan

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 8 day of February, 2002, before me the undersigned, a Notary Public in and for said State, personally appeared Patrick O. Dolan and Rebecca A. Dolan, to me know to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-03

Donna M Kunde

Notary Public in and for said State.

Q:\Surveys\Dolan01-88\01-88 legal.doc

ATTORNEY'S OPINION

I, Thomas J. Hanson, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***Dolan's Second Addition,*** City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated February 8, 2002.

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 5th day of February, A.D., 2002, 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 Patrick O. Dolan and Rebecca A. Dolan.
Dated at Manchester, Iowa, in said County, this 8th day of February, 2002.

Attorney at Law
Thomas J. Hanson

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***Dolan's Second Addition, City of Manchester, Delaware County, Iowa***, have been paid and said real estate is free and clear of all taxes as of this date.

Carolyn A. Wilson, County Treasurer

Date: 2-7-02

MORTGAGE HOLDERS ACKNOWLEDGMENT

The First State Bank, State of Iowa, does hereby certify that the above survey, as shown by the attached Plat, is made with our free consent and in accordance with our desire as mortgage holder of a portion of the premises described herein.

First State Bank

By

By

STATE OF IOWA, Delaware County, Iowa, Ss:

On this 8th day of Feb, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joseph Wiewel and David R. Dudley, to me personally known, who being duly sworn, did say that they are the President and Exec V.P. respectively, of the First State Bank executing the within and foregoing instrument to which this is attached, that (~~no seal has been procured by the~~) (the seal affixed hereto is the seal of the) First State Bank ; that said instrument was signed (and sealed) on behalf of the First State Bank by authority of its Board of Directors ; and that Joseph Wiewel and David R Dudley as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the First State Bank, by it and by them voluntarily executed.

Danielle M. Goebel
Notary Public in and for said State

RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of ***Dolan's Second Addition, City of Manchester, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated February 8, 2002, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, Section 127.33 of Chapter 127 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 127.09), the City of Manchester has entered into a development agreement with the owner in lieu of complying with Section 127.09 stating, *"The owner and subdivider of the land being platted shall be responsible for the installation of sidewalks"*. Subject agreement is recorded in Book 8, Page 176 in the Office of the Delaware County Recorder; and

WHEREAS, the proposed developer of lot 1, The Church of Jesus Christ of Latter-Day Saints, has posted a performance bond in the amount of $32,000 to cover the cost of installing water and sewer mains to this subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Dolan's Second Addition, 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 the 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 13th day of March, A.D., 2002.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By Dan Stelken
Dan Stelken, Chairperson

By Laura Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

On this 15th day of March, 2002, before me, Julie A. Swanson, a Notary Public in and for the State of Iowa, personally appeared Dan Stelken and Laura Thomas, 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 13th day of March, 2002, and that Dan Stelken and Laura Thomas acknowledge 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.

Julie A. Swanson
Julie A. Swanson, Notary Public

NOTARIAL SEAL IOWA
JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-02

RESOLUTION R-052-2002

RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of ***Dolan's Second Addition, City of Manchester, Delaware County, Iowa*** Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated February 8, 2002, 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;

WHEREAS, the City Council has fully considered the same and found the same to be in accordance with the ordinances of the City of Manchester, Iowa, relating to plats and additions to the City;

WHEREAS, Section 127.33 of Chapter 127 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 127.09), the City of Manchester has entered into a development agreement with the owner in lieu of complying with Section 127.09 stating, *"The owner and subdivider of the land being platted shall be responsible for the installation of sidewalks".* Subject agreement is recorded in Book 8, Page 176 in the Office of the Delaware County Recorder.

WHEREAS, the proposed developer of Lot 1, The Church of Jesus Christ of Latter-Day Saints, has posted a performance bond in the amount of $32,000 to cover the cost of installing water and sewer mains to this subdivision,

WHEREAS, the subdivision plat and its attachments conform to Sections 354.6, 354.11 and 355.8 of the Iowa Code and therefore can be approved pursuant to 354.8 of the Iowa Code;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Dolan's Second Addition, 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 18th day of March, A.D., 2002.

Milt L. Kramer, Mayor

ATTEST:

Karen Cole, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 19th day of March, 2002, before me, Julie A. Swanson, 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 the authority of its City Council, as contained in Resolution Number R-052-2002 adopted by the City Council on the 18th day of March, 2002, and that Milt L. Kramer and Karen K. Cole acknowledge 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.

Julie A. Swanson, Notary Public #224151

JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-02

C:\My Documents\Dolans.doc