Mail to Recorder

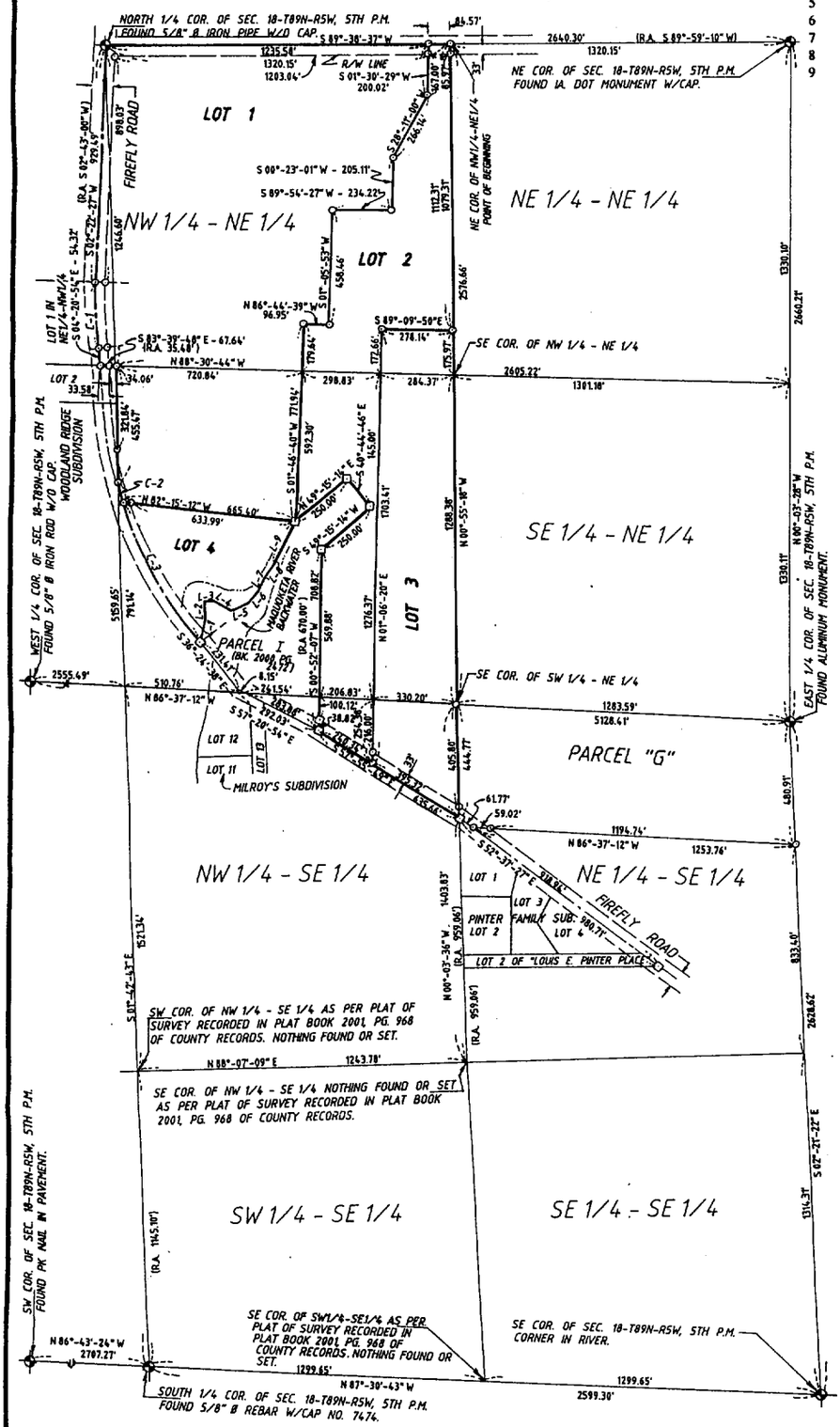
FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR
JUN 21 2002

FILED
Date 6-21-02
John R. Klausberger
County Assessor

MOHN SURVEYING • ROGER MOHN • 1888 GREAT RIVER ROAD • LANSING, IOWA 52151 • (563)538-4067

FINAL PLAT OF BLOSCH SUBDIVISION

A SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4-NE1/4), PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4-NW1/4), PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4-NE1/4), AND PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4-SE1/4) OF SECTION 18, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA.



CURVE TABLE

CURVE NO.	DELTA ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
1	6°-43'-21"	2181.08'	255.91'	S 00°-59'-13" E	255.76'
2	2°-56'-16"	1602.36'	82.16'	S 19°-48'-22" E	82.15'
3	22°-04'-37"	1602.36'	617.41'	S 31°-17'-12" E	615.85'

LINE TABLE

LINE NO.	BEARING	DISTANCE	RECORDED BEARING
1	N 12°59'-50" E	78.47'	N 13°-21'-08" E
2	N 06°-16'-00" W	67.84'	N 05°-54'-42" W
3	N 79°-02'-42" E	27.54'	N 79°-24'-00" E
4	S 61°-24'-58" E	82.53'	S 61°-03'-40" E
5	N 62°-59'-05 E	54.87'	N 63°-20'-23" E
6	N 38°-55'-35" E	66.27'	N 39°-16'-53" E
7	N 27°-56'-29" E	50.19'	N 28°-17'-47" E
8	N 33°-05'-59" E	59.34'	N 33°-27'-17" E
9	N 25°-33'-28" E	178.93'	N 25°-54'-46" E

LEGEND:

- PARCEL BOUNDARY ESTABLISHED.
- FOUND ½" Φ IRON ROD W/CAP NO. 10165.
- FOUND ½"Φ REBAR W/CAP NO. 8419.
- SET ½"Φ IRON ROD W/CAP.
- (R.A.) RECORDED AS

SURVEY REQUESTED BY: KEYSTONE REAL ESTATE
MONONA, IOWA

PROPRIETOR: JACQUELINE J. BLOSCH
1822 FIREFLY ROAD
MANCHESTER, IOWA 52057

NOTE: 1. THE NORTH-SOUTH ¼ SECTION LINE OF SECTION 18, T89N, R5W IS ASSUMED TO BEAR S 01°-42'-43" E.

2. SEE PLAT OF SURVEY OF PARCEL 1 IN PLAT BOOK 2000, PAGE 2472 OF COUNTY RECORDS FOR ORIGINAL BEARINGS AND DISTANCES OF THE EXTERIOR BOUNDARY OF SAID PARCEL 1.

LOT AREAS:

LOT 1
NW1/4-NE1/4 = 28.47 ACRES (1.1 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
NE1/4-NW1/4 = 1.21 ACRES (0.8 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
SW1/4-NE1/4 = 9.04 ACRES (0.1 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
TOTAL = 38.72 ACRES

LOT 2
NW1/4-NE1/4 = 8.55 ACRES (0.1 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
SW1/4-NE1/4 = 6.84 ACRES (0.5 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
NW1/4-SE1/4 = 0.93 ACRES (0.2 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
TOTAL = 16.32 ACRES

LOT 3
NW1/4-NE1/4 = 1.12 ACRES
SW1/4-NE1/4 = 9.04 ACRES
NW1/4-SE1/4 = 2.67 ACRES (0.3 AC. IN PUBLIC ROAD RIGHT-OF-WAY)
TOTAL = 12.83 ACRES

LOT 4
SW1/4-NE1/4 = 4.00 ACRES (0.5 AC. IN PUBLIC ROAD RIGHT-OF-WAY)

SCALE: 1" = 500'
0 100' 300' 500' 750' 1000'

LICENSED LAND SURVEYOR
ROGER R. MOHN
10165
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was preformed 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 May 23, 2002
Roger R. Mohn *Date*
License Number 10165
My license renewal date is December 31, 2002.
Pages or sheets covered by this seal:
SHEET NO. 1 OF 2 AND 2 OF 2

• SHEET NO. 1 OF 2 • SURVEYED: NOV., 2001 - MAY, 2002 (161, 55)

BOOK 2002 PAGE 2309

LEGAL DESCRIPTION OF BLOSCH SUBDIVISION:

A subdivision of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4), part of the Northeast Quarter of the Northwest Quarter (NE1/4-NW1/4), part of the Southwest Quarter of the Northeast Quarter (SW1/4-NE1/4), and part of the Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4) of Section Eighteen (18), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian, Delaware County, Iowa, consisting of Lot One (1) through Lot Four (4) containing 38.72 acres, 16.32 acres, 12.83 acres, and 4.00 acres, respectively, more or less. The exterior boundary of said subdivision is more particularly described by metes and bounds as follows:

Commencing at the Northeast Corner of Section 18, Township 89 North, Range 5 West of the 5th P.M.; thence S 89°-38'-37" W, 1320.15 feet along the north line of the NE1/4 of said Section 18 to the Point of Beginning; thence S 89°-38'-37" W, 1320.15 feet along the north line of said NE1/4 to the North ¼ Corner of said Section 18; thence S 02°-22'-27" W, 929.49 feet along the approximate centerline of Firefly Road; thence 255.91 feet along said centerline which is along a 2181.08 foot radius curve concave easterly with a central angle of 6°-43'-21" and a long chord which bears S 00°-59'-13" E, 255.76 feet; thence S 04°-20'-54" E, 54.32 feet along said centerline; thence S 83°-39'-48" E, 67.64 feet along the south line of the NE1/4-NW1/4 of said Section 18; thence S 01°-42'-43" E, 455.47 feet along the west line of the SW1/4-NE1/4 of said Section 18; thence 82.16 feet along the approximate centerline of said Firefly Road which is along a 1602.36 foot radius curve concave northeasterly with a central angle of 2°-56'-16" and a long chord which bears S 19°-48'-22" E, 82.15 feet; thence 617.41 feet along said centerline which is along a 1602.36 foot radius curve concave northeasterly with a central angle of 22°-04'-37" and a long chord which bears S 31°-17'-12" E, 615.85 feet; thence N 12°-59'-50" E, 78.47 feet; thence N 06°-16'-00" W, 67.84 feet; thence N 79°-02'-42" E, 27.54 feet; thence S 61°-24'-58" E, 82.53 feet; thence N 62°-59'-05" E, 54.87 feet; thence N 38°-55'-35" E, 66.27 feet; thence N 27°-56'-29" E, 50.19 feet; thence N 33°-05'-59" E, 59.34 feet; thence N 25°-33'-28" E, 178.93 feet; thence N 49°-15'-14" E, 250.00 feet; thence S 40°-44'-46" E, 145.00 feet; thence S 49°-15'-14" W, 250.00 feet; thence S 00°-52'-07" W, 708.82 feet; thence S 57°-55'-49" E, 635.66 feet along the approximate centerline of said Firefly Road; thence N 00°-03'-36" W, 444.77 feet along the east line of the NW1/4-SE1/4 of said Section 18; thence N 00°-55'-18" W, 2576.66 feet along the east line of the SW1/4-NE1/4 and of the NW1/4-NE1/4 to the Point of Beginning. Said described parcel contains a total of 71.87 acres, more or less. The north-south ¼ section line of Section 18, T89N, R5W is assumed to bear S 01°-42'-43" E.

ATTORNEY'S OPINION

I, E. Michael Carr, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in BLOSCH SUBDIVISION, Delaware County, Iowa, on premises more specifically described on Sheet No. 2 of the final Plat of Blosch Subdivision.

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 17 day of June, 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 JACQUELINE J. BLOSCH.

Dated at Manchester, Iowa, in said County, this 20 day, of June, 2002.

E. Michael Carr
,Attorney at Law

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against BLOSCH SUBDIVISION, Delaware County, Iowa, have been paid as of the 14th day of June, 2002, and said real estate is free and clear of all taxes as of the afore stated date.

Carolyn A. Wilson
, County Treasurer

DELAWARE COUNTY E-911 BOARD

The foregoing plat of BLOSCH 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 6 day of AUGUST, 1996.

Norman Wellman
, Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) Ss:

On this 14th day of June, 2002, before me Carolyn A. Wilson 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 of the Delaware County E-911 Board.

NOTARIAL SEAL IOWA CAROLYN A. WILSON Commission Number 167742 My Comm. Exp. 12-17-04

Carolyn A. Wilson
Notary Public

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of **BLOSCH SUBDIVISION**, Delaware County, Iowa, affecting premises more specifically described in the LEGAL DESCRIPTION OF BLOSCH SUBDIVISION on Sheet No. 2 of 2 and Surveyor's Certificate of Roger R. Mohn, dated May 23, 2002, 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 an Agreement and Waiver Regarding Alternate Systems For Sewer, Water, Roads/Street and Sidewalks (also shown as Exhibit A) and a Notice of Agreement for Alternative Systems for Sewer and Water are required to be attached to the final plat.

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 record of the lots of the proposed subdivision may be required to construct sidewalks at a future date as directed by the City of Manchester, Iowa. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots of BLOSCH SUBDIVISION.

2. Street improvements to Firefly Road shall not be required at this time. Existing roadway right-of-way width for all existing public roads is sixty-six (66) feet. At a future date as determined by the City of Manchester, Iowa, street improvements may be required. The cost of said street improvements shall be assessed to the owner of owners of record of BLOSCH 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. That alternate facilities for the distribution of water and collection and disposal of sanitary waste are approved, however, such alternate facilities must be designed to fully protect the public health, safety, and welfare and meet all requirements of State, County, and other applicable health regulations.

5. That percolation test or professional soils analysis data shall be submitted to the City of Manchester at the time that a parcel is being developed.

6. That parcel topography be submitted to the City of Manchester at the time of parcel development. Existing topography as well as proposed topography shall be submitted as per request.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said **BLOSCH SUBDIVISION**, Delaware County, Iowa, be, and the same is hereby acknowledged 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 12th day of June, AD, 2002.

PLANNING AND 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 14th day of June, 2002, before me, Julie A. Swanson, a Notary Public in and for 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 Recording 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 Commission on the 14th day of June, 2002, and that Dan Stelken and Laura Thomas acknowledged the execution of the instrument to be their voluntary act and deed and voluntary act and deed of the corporation, by it voluntarily executed.

Julie A. Swanson, Notary Public #224151

NOTARIAL SEAL IOWA
JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8/15/02

R-103-2002

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

Whereas, **BLOSCH SUBDIVISION** being a subdivision of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4), part of the Northeast Quarter of the Northwest Quarter (NE1/4-NW1/4), part of the Southwest Quarter of the Northeast Quarter (SW1/4-NE1/4), and part of the Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4) of Section 18, Township 89 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa, affecting premises more specifically described in the surveyor's certificate of Roger R. Mohn, Ia. L.S. No. 10165, dated May 23, 2002, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa, and has been acknowledged by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, who have recommended acceptance of the same to the City Council, and after consideration of said subdivision plat, it has been 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 land subdivision;

It is found that an Agreement and Waiver Regarding Alternate Systems For Sewer, Water, Roads/Street and Sidewalks (also shown as Exhibit A) and a Notice of Agreement for Alternative Systems for Sewer and Water are required to be attached to the final plat.

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 record of the lots of the proposed subdivision may be required to construct sidewalks at a future date as directed by the City of Manchester, Iowa. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots of BLOSCH SUBDIVISION.

2. Street improvements to Firefly Road shall not be required at this time. Existing roadway right-of-way width for all existing public roads is sixty-six (66) feet. At a future date as determined by the City of Manchester, Iowa, street improvements may be required. The cost of said street improvements shall be assessed to the owner of owners of record of BLOSCH 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. That alternate facilities for the distribution of water and collection and disposal of sanitary waste are approved, however, such alternate facilities must be designed to fully protect the public health, safety, and welfare and meet all requirements of State, County, and other applicable health regulations.

5. That percolation test or professional soils analysis data shall be submitted to the City of Manchester at the time that a parcel is being developed.

6. That parcel topography be submitted to the City of Manchester at the time of parcel development. Existing topography as well as proposed topography shall be submitted as per request.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Manchester, Delaware County, Iowa, that said BLOSCH SUBDIVISION including Exhibit "A" and Notice of Agreement for Alternative Systems for Sewer and Water, be and the same are hereby acknowledged, approved, and accepted on the part of the City of Manchester, Delaware County, Iowa.

The Mayor and the City Clerk are hereby directed to certify this approval and affix the same to said subdivision plat as by law provided.

Passed this 17th day of June, 2002.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST

Karen K. Cole

Karen K. Cole, City Clerk

BOOK 2002 PAGE 3309

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 19th day of June, 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-103-2002 adopted by the City Council on the 17th day of June, 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 #22151

NOTARIAL SEAL IOWA
JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-03

Preparer: James T. Peters, PO Box 774, Independence, IA 50644; (319) 334-9992

NOTICE OF AGREEMENT FOR ALTERNATIVE SYSTEMS FOR SEWER AND WATER

BLOSCH SUBDIVISION
DELAWARE COUNTY, IOWA

THE UNDERSIGNED, Jacqueline J. Blosch, as Developer of Blosch Subdivision, Delaware County, Iowa, more specifically described as:

> BLOSCH SUBDIVISION, a subdivision of the Northwest Quarter of the Northeast Quarter (NW ¼ -NE ¼), part of the Northeast Quarter of the Northwest Quarter (NE ¼-NW ¼), part of the Southwest Quarter of the Northeast Quarter (SW ¼-NE ¼), and part of the Northwest Quarter of the Southeast Quarter (NW ¼ - SE ¼) of Section 18, Township 89 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa,

record this notice to serve as formal notice to all purchasers of property of lots located within the above-property of the following:

1. That as Developer, he has agreed to be bound by the terms of Exhibit A, a copy of which is attached hereto, and he further agrees that obligations created by the agreement shown on Exhibit A shall run with the land, being binding upon all subsequent owners.

2. That the Developer has agreed as set forth in Exhibit A that no residence or other structure designed for human habitation shall be constructed upon any lot within the subdivision without construction of a private disposal facility located entirely upon the lot where the residential structure is located. Said private sewage system must comply with all state, county and other applicable health regulations.

3. Developer specifically has granted to the City of Manchester, Iowa and, acknowledges, its authority to review all plans for private sewer systems serving residential structures located upon lots in the above-described property.

4. Developer further acknowledges and provides notice that private sewer systems constructed on the above-described property must receive prior approval by the City of Manchester, Iowa, and failure to obtain prior approval for the construction of a private sewage system may result in the City obtaining an injunction to prohibit construction of structures upon the property and obtaining all other remedies allowed by law necessary to assure that the private sewage system complies with all state, county, another applicable health regulations.

5. That no residence or other structure designed for human habitation shall be constructed upon any lot within the subdivision without obtaining prior approval from the City of Manchester, Iowa, of the private water system serving the lot. All private water systems serving the lot shall comply with the state, federal, county, and other applicable health regulations. Failure to obtain prior approval by the City of Manchester, Iowa, of the private water system shall authorize the City of Manchester, Iowa, to obtain injunctive relief prohibiting any further construction of facilities located on the lot and any other relief provided by law.

6. All property located within the subdivision shall be subject to each and every term and condition set forth on Exhibit A which is attached hereto.

7. The City of Manchester, Iowa, shall be authorized to review all plans for construction of a private street located within the subdivision prior to construction of the street and consistent with the terms of the agreement shown on Exhibit A.

8. The City of Manchester, Iowa, shall have authority to enforce all of the terms and conditions set forth on Exhibit A by injunctive relief, damages, or any other remedy allowed by law, which shall include the right to be reimbursed for reasonable attorney fees incurred by the City in enforcing a violation of the terms of the attached agreement and this notice.

9. Developers shall have no liability and shall not be responsible for actions taken by subsequent landowners in violation of the agreement referred to herein.

Jacqueline J. Blosch

Jacqueline J. Blosch

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 14 day of June, 2002, before me, the undersigned, A Notary Public in and for the State, personally appeared Jacqueline J. Blosch, to me known to be the person named in and who executed the forgoing instrument, and acknowledges that they executed the same as their voluntary act and deed.

E. Michael Carr

Notary Public in and for said State

NOTARIAL SEAL IOWA

E. MICHAEL CARR
COMMISSION NO. 222
MY COMMISSION EXPIRES
DECEMBER 10, 2004

EXHIBIT A
AGREEMENT AND WAIVER REGARDING ALTERNATE SYSTEMS FOR SEWER, WATER, ROADS/STREETS AND SIDEWALKS

BLOSCH SUBDIVISION, DELAWARE COUNTY, IOWA

JACQUELINE J. BLOSCH
DEVELOPERS

CITY OF MANCHESTER, IOWA

Whereas, Developers have proposed to establish a subdivision located in Delaware County, Iowa, more specifically described as:

BLOSCH SUBDIVISION, a subdivision of the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4), part of the Northeast Quarter of the Northwest Quarter (NE1/4-NW1/4), part of the Southwest Quarter of the Northeast Quarter (SW1/4-NE1/4), and part of the Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4) of Section 18, Township 89 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa.

Whereas, said proposed subdivision is located outside the city limits of the City of Manchester, Iowa, but is within the two-mile radius of the city limits of the City of Manchester, Iowa; and therefore is subject to subdivision regulations for the City of Manchester, Iowa; and

Whereas, the City Council for the City of Manchester, Iowa, has reviewed the proposed subdivision, that alternate systems may be designed to protect the public health, safety, and welfare and meet the requirements of State, County, or other applicable health regulations; and

Whereas, the Developer and the City of Manchester, Iowa have executed this Agreement to provide notice to all current owners of the real estate that is subject to the proposed subdivision, and all persons or entities who may hereafter acquire an interest in said property as to the agreement set forth in this document; and

Whereas, The City of Manchester, Iowa, has waived the requirements of a topographical map of the proposed subdivision be provided.

IT IS THEREFORE AGREED as follows:

1. Sidewalks shall not be required at this time. The owner or owners of record of the lots of BLOSCH SUBDIVISION may be required to construct sidewalks at a future date as directed by the City of Manchester, Iowa. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots of BLOSCH SUBDIVISION.

2. Street improvements to Firefly Road shall not be required at this time. At a future date as directed by the City of Manchester, Iowa, Firefly Road may require improvements. The cost of said improvements shall be assessed to the owner or owners of record of BLOSCH SUBDIVISION.

3. The City of Manchester, Iowa, approves the use of alternate facilities for the distribution of water and collection and disposal of sanitary waste, however, such alternate facilities must be designed to fully protect the public health, safety, and welfare and shall meet all requirements of the State, County, or other applicable health regulations.

4. Approval of the subdivision by the City of Manchester, Iowa, does not constitute a finding by the City of Manchester, Iowa, that alternate water systems for collection and disposal of sanitary waste do in fact meet with the requirements of State, County, or other applicable health regulations. Plans and specifications for private sewage disposal facilities and private water systems shall be submitted to the City for approval prior to development of any lot to be served by such facilities. Plans shall include a location of building sewer and water service line at the building entry points, suitable for possible future connection to public sewer and public water main. Private disposal systems or water supply systems, and costs thereof, shall be the responsibility of the property owner developing such private facility, including costs incurred by the City to review and inspect such alternate system. In the event it is determined that a public sewer is necessary to serve the above described property, it is acknowledged and agreed by the developer that the City of Manchester, Iowa, may not be required to incur expense for the subsequent installation of a sewer serving the above premises.

5. The purchasers of real estate contained in the proposed subdivision are hereby put on notice that the City of Manchester, Iowa, shall not be required to install sewer and water facilities serving the land set forth in the proposed subdivision.

6. The Developers shall be solely responsible for developments and creation of alternate facilities for the distribution of water or collection and disposal of sanitary waste. The Developer shall further hold harmless the City of Manchester, Iowa, for any cost, liability, damage, or other injury of any kind resulting from the creation of said alternate facilities for the distribution of water or the collection and disposal of sanitary waste.

7. The City shall have the authority to prohibit the construction of any private street that does not comply with the standards for streets in the City of Manchester, Iowa, as modified by variances duly approved by the City.

8. The terms and conditions set forth in this Agreement shall be binding upon the Developers and other current owners of the property more specifically described in the proposed subdivision. Terms, conditions, and obligations set forth in this Agreement shall further be binding upon all heirs, assigns, devisees, or other persons acquiring land contained in the subdivision and the terms of the Agreement shall further run with the land.

9. Purchasers and owners of land described in the proposed subdivision have expressly, by the creation of this Agreement, waived any right to require the City to incur any expense for subsequent installation of streets, storm sewer, sidewalks or water facilities serving the land set forth in the proposed subdivision.

10. This Agreement is executed in compliance with Manchester Code of Ordinances 1997, Section 127.12 and 127.17(15).

Jacqueline J. Blosch

Jacqueline J. Blosch

Subscribed and sworn to before me by Jacqueline J. Blosch, this 28 day of May, 2002.

Notary Public in and for the State of Iowa

E. MICHAEL CARR
COMMISSION NO. 222
MY COMMISSION EXPIRES
DECEMBER 10, 2004

CITY OF MANCHESTER, IOWA.

Milt L. Kramer, Mayor

Karen K. Cole, City Clerk

STATE OF IOWA,
COUNTY OF DELAWARE SS.

On this 20th day of June, 2002 before me, the undersigned, 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 the 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 R-103-2002 passed by the City Council on the 17th day of June, 2002,
and that Milt L. Kramer and Karen K. Cole acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

Julie A. Swanson #224151
Notary Public in and for the
State of Iowa

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

OWNER'S CONSENT:

The attached plat represents a survey of BLOSCH SUBDIVISION being a subdivision of the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}$-$NE\frac{1}{4}$), part of the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}$-$NW\frac{1}{4}$), part of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}$-$NE\frac{1}{4}$), and part of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$-$SE\frac{1}{4}$) of Section 18, Township 89 North, Range 5 West of the Fifth Principal Meridian, Delaware County, Iowa.

I (We) Jacqueline J. Blosch 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.

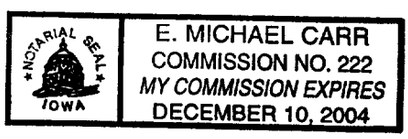
Jacqueline J Blosch
Jacqueline J. Blosch

STATE OF IOWA, Delaware County SS.

On the 28 day of May A.D. 20 02 before me, a Notary Public in and for said County, personally appeared Jacqueline J. Blosch 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 her voluntary act and deed.

Witness my hand and seal.

E. Michael Carr
Notary Public in and for said County



Job#140A - 6/01 Wadson Standard