APR 29 2003

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

APR 29 2003

SHARON K. GRABE
DELAWARE COU AUDITOR

BOOK 3 PAGE 2014
DEBORAH L. PEYTON
DELAWARE CO RECORDER
26.00

2003 AP 29 AM 9:4

DELAWARE COUNTY IOWA
FILED

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

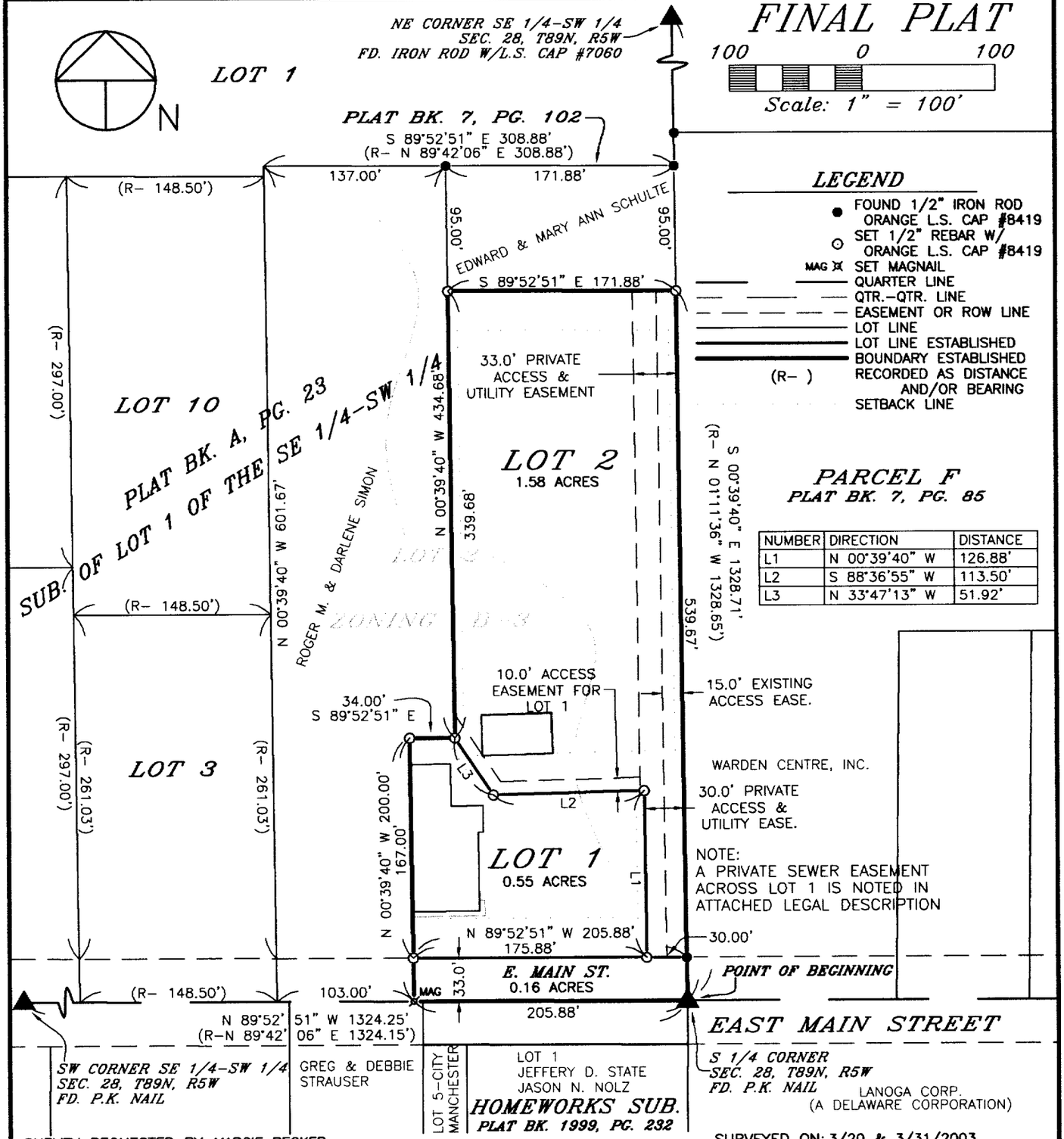
PLAT OF SURVEY

RECKER'S SUBDIVISION, A SUBDIVISION OF PART OF LOT 2 OF THE SUB. OF LOT 1 OF THE SE ¼ OF THE SW ¼ OF SECTION 28, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

FINAL PLAT

100 0 100

Scale: 1" = 100'



LEGEND

- FOUND 1/2" IRON ROD ORANGE L.S. CAP #8419
- SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- MAG SET MAGNAIL
- QUARTER LINE
- QTR.-QTR. LINE
- EASEMENT OR ROW LINE
- LOT LINE
- LOT LINE ESTABLISHED
- BOUNDARY ESTABLISHED
- (R-) RECORDED AS DISTANCE AND/OR BEARING
- SETBACK LINE

PARCEL F
PLAT BK. 7, PG. 85

NUMBER	DIRECTION	DISTANCE
L1	N 00°39'40" W	126.88'
L2	S 88°36'55" W	113.50'
L3	N 33°47'13" W	51.92'

SURVEY REQUESTED BY: MARGIE RECKER

SURVEYED ON: 3/20 & 3/31/2003

PROPRIETORS: 956 E. MAIN ST. MANCHESTER, IA
DANIEL JOSEPH RECKER & MARGIE ANN RECKER

PROJECT NO. 03-23

SCALE: 1"=100'

DATE: 4/3/2003

DRAWN BY: RLR

CHECKED BY: JDG

FIELD BK: D.L.

REVISED

SHEET 1 OF 5

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.

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE 4/16/03

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

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

BOOK 2003 PAGE 2014

LEGAL DESCRIPTION:

***RECKER'S SUBDIVISION**, A SUBDIVISION OF PART OF LOT 2 OF THE SUBDIVISION OF LOT 1 OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA,* containing a total of 2.29 acres, including 0.16 acres of public road right of way, divided into two lots numbered Lot 1 and Lot 2, subject to easements of record, and more specifically described by metes and bounds as follows;

BEGINNING at the Southeast Corner of Lot 2 of the Subdivision of Lot 1 of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, recorded in Book A of Plats, Page 23 in the Office of the Delaware County Recorder;

THENCE along the Southerly Line of said Lot 2, North 89° 52' 51" West, 205.88 feet;

THENCE North 00° 39' 40" West, 200.00 feet;

THENCE South 89° 52' 51" East, 34.00 feet;

THENCE North 00° 39' 40" West, 339.68 feet;

THENCE South 89° 52' 51" East, to the Easterly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section Twenty-eight (28), also being the Easterly Line of said Lot 2, 171.88 feet;

THENCE along the Easterly Line of said Lot 2, South 00° 39' 40" East, to the Southeast Corner of Lot 2, also being the South Quarter Corner of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, 539.67 feet to the **POINT OF BEGINNING**;

Containing a total of 2.29 acres, including 0.16 acres of public road right of way, divided into two lots numbered Lot 1 and Lot 2, and subject to easements of record.

The Easterly Line of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 39' 40" East.

Lot 1 includes a 15 foot wide private sewer easement centered on the existing sewer service with said centerline located approximately 70 feet west of the east line of Lot 1 for the benefit of Lot 2.

OWNER'S ACKNOWLEDGMENT

I Daniel Joseph Recker & Margie Ann Recker 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.

Daniel Joseph Recker

Margie Ann Recker

State of Iowa)
)
County of Delaware) Ss:

On this 21st day of April A.D. 2003, before me a Notary Public in and for said County, personally appeared Daniel Joseph Recker & Margie Ann Recker 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.

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 ***RECKER'S SUBDIVISION***, *City of Manchester, Delaware County, Iowa*. The South 33 feet of Lot 2 of the Subdivision of Lot 1 of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Twenty-eight (28), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, recorded in Book A of Plats, Page 23 in the Office of the Delaware County Recorder, except the West 103 feet, is hereby dedicated to public use forever for street purposes.

IN WITNESS WHEREOF, we have set our hands this 21st day of April, 2003.

Daniel Joseph Recker

Margie Ann Recker

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 21st day of April, 2003, before me the undersigned, a Notary Public in and for said State, personally appeared Daniel Joseph Recker & Margie Ann Recker, 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

Notary Public in and for said State.

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***RECKER'S SUBDIVISION***, 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 4-22-03

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MORTGAGE HOLDERS ACKNOWLEDGMENT

The COMMUNITY SAVINGS 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.

By: Steven A. Brady, President & CEO

By: Arlyn D. Maifeld, Senior Vice President

State of Iowa)
)
County of Delaware) Ss:

On this 16th day of April, 2003, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven A. Brady and Arlyn D. Maifeld to me personally known, who being duly sworn, did say that they are the President & CEO and Senior Vice President respectively, of the Community Savings 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) Community Savings Bank; that said instrument was signed (and sealed) on behalf of the Community Savings Bank by authority of its Board of Directors; and that Steven A. Brady and Arlyn D. Maifeld as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Community Savings Bank, by it and by them voluntarily executed.

Notary Public in and for said County

REGINA R. SELOOVER
Commission Number 196498
My Commission Expires

ATTORNEY'S OPINION

I, Daniel H. Swift, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***RECKER'S SUBDIVISION,*** City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated _____, 2003.

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 2 day of April, A.D., 2003, at the hour of 8 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 Daniel Joseph Recker, aka Daniel J. Recker, and Margie Ann Recker, aka Margie A. Recker, husband and wife,

Dated at Manchester, Iowa, in said County, this 14 day of April, 2003.

Attorney at Law — 4/14/03 Date
Daniel H. Swift

CITY MANAGER DETERMINATION

RECKER'S SUBDIVISION, *A SUBDIVISION OF PART OF LOT 2 OF THE SUBDIVISION OF LOT 1 OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA* qualifies as a Minor Subdivision as specified in Section 127.22 of the Manchester Code of Ordinances. Minor Subdivisions do not require review or approval by the Planning and Zoning Commission.

4-14-03
Date

David J. Heiar, City Manager

R-033-2003
RESOLUTION APPROVING FINAL PLAT

WHEREAS, the final plat of ***RECKER'S SUBDIVISION, City of Manchester, Delaware County, Iowa*** Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated April 16th, 2003, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa;

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 cities or within a two mile radius of the City; and

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; and

WHEREAS, the dedicated streets shown upon the plat are hereby accepted for public use forever for street purposes;

WHEREAS, final plat of ***RECKER'S SUBDIVISION, City of Manchester, Delaware County, Iowa***, should be approved with the following declarations and conditions;

a. Sidewalks will be installed on the 33 feet adjacent to Lot 1 and Lot 2 within one year of the date of recording of the subdivision plat. Security for the cost of construction of said sidewalk shall be provided for with an Irrevocable Standby Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that

> Said ***RECKER'S SUBDIVISION, 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 final plat as by law provided.
Passed this 21st day of April, A.D., 2003.

CITY OF MANCHESTER IOWA

Milt L. Kramer, Mayor
ATTEST:
Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 22nd day of April, 2003, before me, Julie A. Swanson, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Erin Rempe, 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-033-2003 adopted by the City Council on the 21st day of April, 2003, and that Milt L. Kramer and Erin Rempe 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

NOTARIAL SEAL IOWA
JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-13-05

\\City3\c\My Documents\Erin\Recker, P&Z Resolution.doc

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