Rel. Co. Recorder

OCT 17 2003

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

OCT 7 2003

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

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BOOK 2003 PAGE 4876
DELAWARE COUNTY IOWA
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DELAWARE COUNTY IOWA
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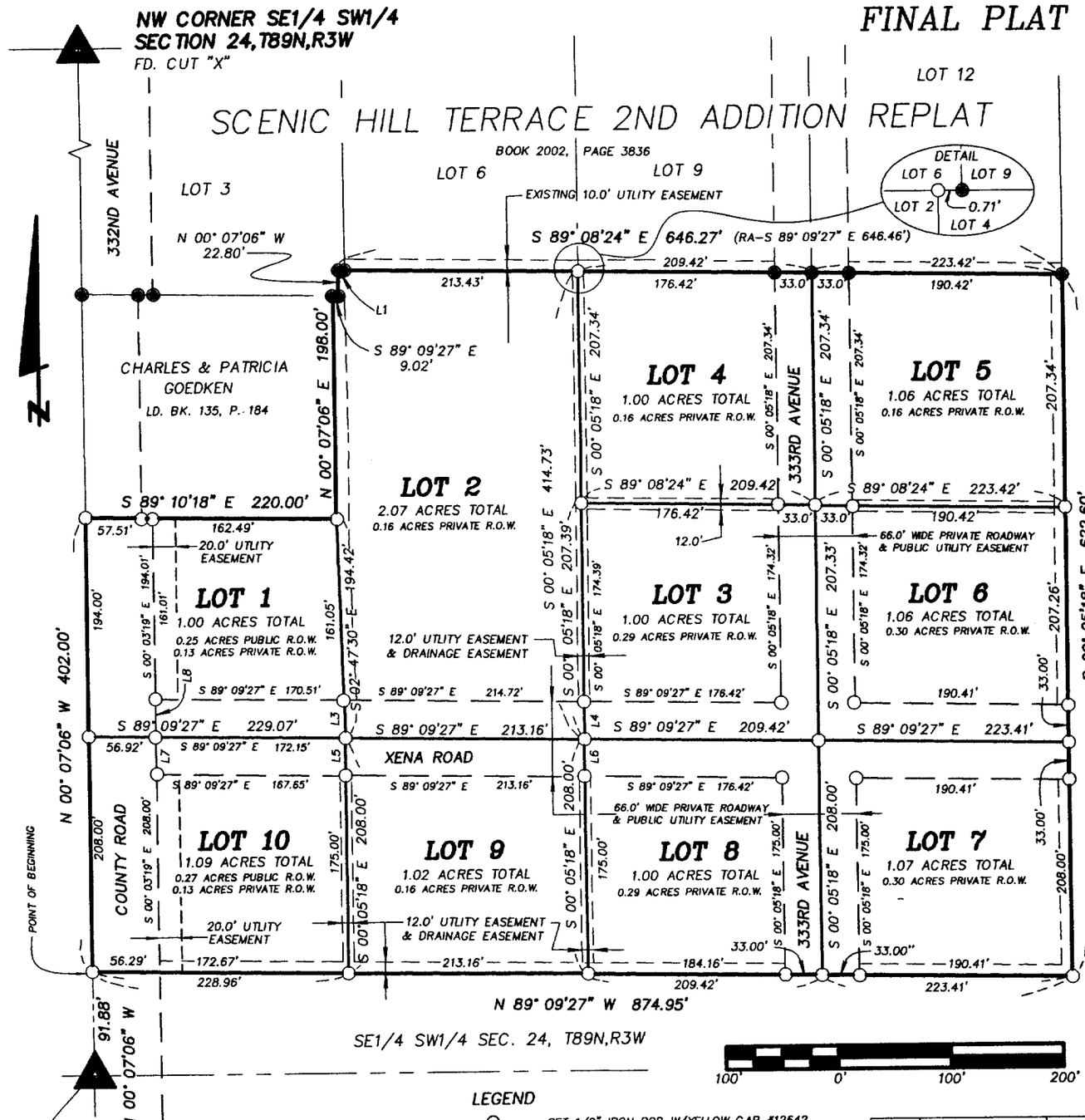
PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855-2028

PLAT OF SURVEY

SCENIC HILL TERRACE 3RD ADDITION

IN THE SE1/4 OF THE SW1/4, SECTION TWENTY-FOUR (24), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA.

FINAL PLAT



LEGEND

- ○ SET 1/2" IRON ROD W/YELLOW CAP #12642
- ● FOUND EXISTING MONUMENT IRON ROD W/ YELLOW CAP #12642
- BOUNDARY SURVEYED
- LOT LINE
- UTLITY EASEMENT LINE (EASEMENTS ARE CENTERED ON LOT LINES ULESS NOTED OTHERWISE)
- ( ) RECORDED AS
- WHB IRON ROD W/ YELLOW CAP #12642

LINE	BEARING	DISTANCE
L1	S 89° 08'27" E	5.62
L2	S 89° 10'18" E	4.59
L3	N 02° 47'30" W	33.06
L4	N 00° 05'18" W	33.00
L5	S 00° 05'18" E	33.00
L6	N 00° 05'18" W	33.00
L7	N 00° 03'19" E	33.00
L8	S 00° 07'06" E	33.00

NOTE: ALL RODS TO BE SET WITHIN 90 DAYS OF RECORDING

SCALE: 1" = 100.0'

DATE OF SURVEY: 6/25/03

SHEET 1 OF 5

PROPRIETORS: ERNEST J. OFFERMANN & DORIS A. OFFERMANN

LICENSED LAND SURVEYOR
WILLIAM H. BURGER
12642
IOWA

I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND 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. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

William H. Burger 9/25/03

WILLIAM H. BURGER #12642 DATE

NO. OF SHEETS COVERED BY THIS SEAL 1

Wm. Burger
LandSurveyor
510 3rd Street West Court
Worthington, Iowa 52078

BOOK 2003 PAGE 4876

LEGAL DESCRIPTION

SCENIC HILL TERRACE 3RD ADDITION in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4), Section Twenty-four (24), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 11.37 acres including 0.52 acres of public road right of way and including 2.08 acres of private road right of way; **subject to easements of record** and more particularly described by metes and bounds as follows:

COMMENCING at the Southwest corner of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4), Section Twenty-four (24), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence North 00°-07'-06" West 91.88 feet along the West line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) to the **POINT OF BEGINNING**;

Thence North 00°-07'-06" West 402.00 feet along the West line of said Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) to the Southwest corner of Parcel of land as described and recorded in the office of the Delaware County Recorder in Book 135, Page 184;

Thence South 89°-10'-18" East 220.00 feet along the South line and to the Southeast corner of said Parcel;

Thence North 00°-07'-06" East 198.00 feet along the East line and to the Northeast corner of said Parcel;

Thence South 89°-09'-27" East 9.02 feet along the South line of Lot Three (3) of Scenic Hill Terrace 2nd Addition Replat as recorded in the office of the Delaware County Recorder in Book 2002, Page 3836 to the Southeast corner of said Lot Three (3);

Thence North 00°-07'-06" West 22.80 feet along a Easterly line of said Lot Three (3);

Thence South 89°-08'-24" East 646.27 feet along a Southerly line of said Scenic Hill Terrace 2nd Addition to the Southeast corner of Lot Twelve (12) of said Scenic Hill Terrace 2nd Addition;

Thence South 00°-05'-18" East 622.60 feet;

Thence North 89°-09'-27" West 874.95 feet to the **POINT OF BEGINNING**; **subject to easements of record** and containing a total of 11.37 acres including 0.52 acres of public road right of way and including 2.08 acres of private road right of way; divided into Ten lots and numbered Lot One (1) through Lot Ten (10) as shown on the attached plat;

The West line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4), Section Twenty-four (24), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; is assumed to bear North 00°-07'-06" West.

A 66.0' wide easement for public access and utilities, named XENA ROAD and 333rd Avenue by the Delaware County E-911 Board is created for the benefit of Lots One (1) through Lot Ten (10). All other utility easements are as shown on the attached Plat;

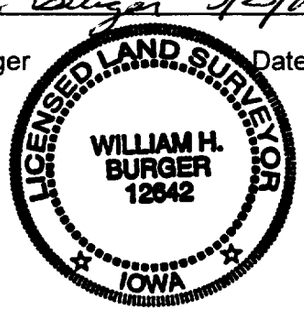
SURVEYORS CERTIFICATE :

I hereby certify that this land survey document was prepared and 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

My license renewal date is December 31, 2004

William H. Burger 9/25/03

William H. Burger Date Reg. No. 12642



OWNERS ACKNOWLEDGMENT

I (We) Ernest J. Offermann & Doris A. Offermann 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.

Ernest J. Offermann

Doris A. Offermann

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 25th day of July A. D. 2003 before me, Marvin R. Gas smann a Notary Public in and for said County, personally appeared Ernest J. Offermann and Doris A. Offermann, to me known to be the person or persons named in 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

MARVIN R. GASSMANN
Iowa Notarial Seal
Commission Number: 223855
My Commission Expires:08/03/05

DELAWARE COUNTY TREASURER

Delaware , Iowa 11-7, 2003

I the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa do hereby certify that all taxes and special assessments levied against Ernest J. Offermann and Doris A. Offermann as proprietors of the **SE1/4 SW1/4 , Section 24, T89N R3W** have been paid and said real estate is free and clear of all taxes as of this date.

County Treasurer Delaware County, Iowa

DELAWARE COUNTY TREASURER STATE OF IOWA

ATTORNEY'S OPINION

I, Tom Jenk, a practicing attorney at law in Delaware and Dubuque County, Iowa have examined the abstract of title to the land included within of **SE1/4 SW1/4, Section 24, T89N, R3W** Said abstract has been prepared in its entirety by the Delaware County Abstract Company, and was last certified to by said company on the 18th day of July, AD, 2003, 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 certification to be in Ernest J. Offermann and Doris A. Offermann, husband and wife, as joint ~~tenants and not as~~ tenants in common, with the full right of the survivor to take the whole title and right of property of both in fee simple and absolutely * Dated at Dyersville, Iowa in said County, this 30th day of July. 2003

*Subject to fiscal year 2002-2003 taxes payable in 2003-2004 remain unpaid and due, although not yet available.

Tom Jenk Attorney at Law
225-1st Avenue East, P.O. Box 304
Dyersville, Iowa 52040-0304
(563) 875-9112

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa OCTOBER 7, 2003

The foregoing plat of **SCENIC HILL TERRACE 3RD ADDITION**, Delaware County, Iowa has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 8th day of June, 1996

Norman Wellman - Coordinator
Delaware County E-911 Board

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 7th day of October A. D. 2003 before me, a Notary Public in and for said County, 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.

Debra Meyers
Notary Public in and for said County

DEBRA MEYERS
Clerk of District Court-Designee
Delaware County

DYERSVILLE PLANNING AND ZONING COMMISSION

Dyersville, Iowa July 14, 20 03

The foregoing plat of **SCENIC HILL TERRACE 3RD ADDITION** in the SE1/4 of the SW1/4 of Section 24, T89N, R3W of the 5th P.M. being within two miles of the corporate limits of the City of Dyersville is hereby approved by the Dyersville Planning and Zoning Commission and approval of said plat by the City Council of the City of Dyersville, Dubuque County , Iowa is here by recommended

Dyersville Planning & Zoning Commission

By Paul Tuschman
Acting - Chairperson

CITY COUNCIL APPROVING FINAL PLAT

Dyersville , Iowa July 21, 20 03

The undersigned, Alan T. Gibbs, Mayor, and Susan L. Ertl, Clerk of the City of Dyersville, Dubuque County , Iowa do hereby certify that the foregoing Final Plat of **SCENIC HILL TERRACE 3RD ADDITION** in the SE1/4 of the SW1/4 of Section 24, T89N, R3W of the 5th P.M. as appears heretofore has been filed in the Office of the City Clerk of Dyersville , Iowa and that the City Council of the City of Dyersville , Iowa approves said plat.

CITY OF DYERSVILLE IOWA SEAL

Alan T. Gibbs , Mayor

Susan L. Ertl ,City Clerk

STATE OF IOWA)
) ss.
DUBUQUE COUNTY)

On this 21st day of July, 20 03 , before me, _____, a Notary Public in and for the State of Iowa, personally appeared Alan T. Gibbs and Susan L. Ertl , 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 Dyersville , 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 Resolution Number 25-03 adopted by the City Council on the 21st day of July, 20 03, and that Alan T. Gibbs and Susan L. Ertl acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

TRICIA L. MAIERS
Notary Public;

TRICIA L. MAIERS
Commission Number 193119
My Commission Expires
OCT. 21, '03

Preparer Information:	Marc W. Casey Individual's Name	129 1st Avenue E Street Address	Dyersville City	(563) 875-7178 Phone

RESOLUTION NO. 25-03

RESOLUTION APPROVING PLAT OF SCENIC HILL TERRACE 3RD ADDITION, DELAWARE COUNTY, IOWA

WHEREAS, there has been filed with the City Clerk, a plat which part of the SE¼ of the SW¼, Section 24, T89N, R3 W of the 5th P.M., Delaware County, Iowa, is platted and now known as Lots 1 through Lot 10 of Scenic Hill Terrace 3rd Addition.

WHEREAS, said plat has been found by the City Council to conform to the statutes and ordinances relating thereto;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYERSVILLE, IOWA:

SECTION 1: That the plat of survey of Scenic Hill Terrace 3rd Addition, is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to endorse the approval of the City of Dyersville, Iowa, on said plat.

SECTION 2: That there are no dedications of public streets or alleys accompanying the plat.

SECTION 3: That the approval of the plat is not contingent on the construction or completion of improvements, the installation of water mains, sanitary sewer mains or streets.

Passed, adopted and approved this 21st day of July, 2003.

CITY OF DYERSVILLE Iowa CITY SEAL

ATTEST: Susan L. Ertl

Susan L. Ertl, City Clerk

Alan T. Gibbs, Mayor