DELAWARE COUNTY IOWA
FILED

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BOOK 2004 PAGE 666
DEBORAH [illegible]
DELAWARE COUNTY RECORDER
46.00

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

FEB
MAR 3 2004

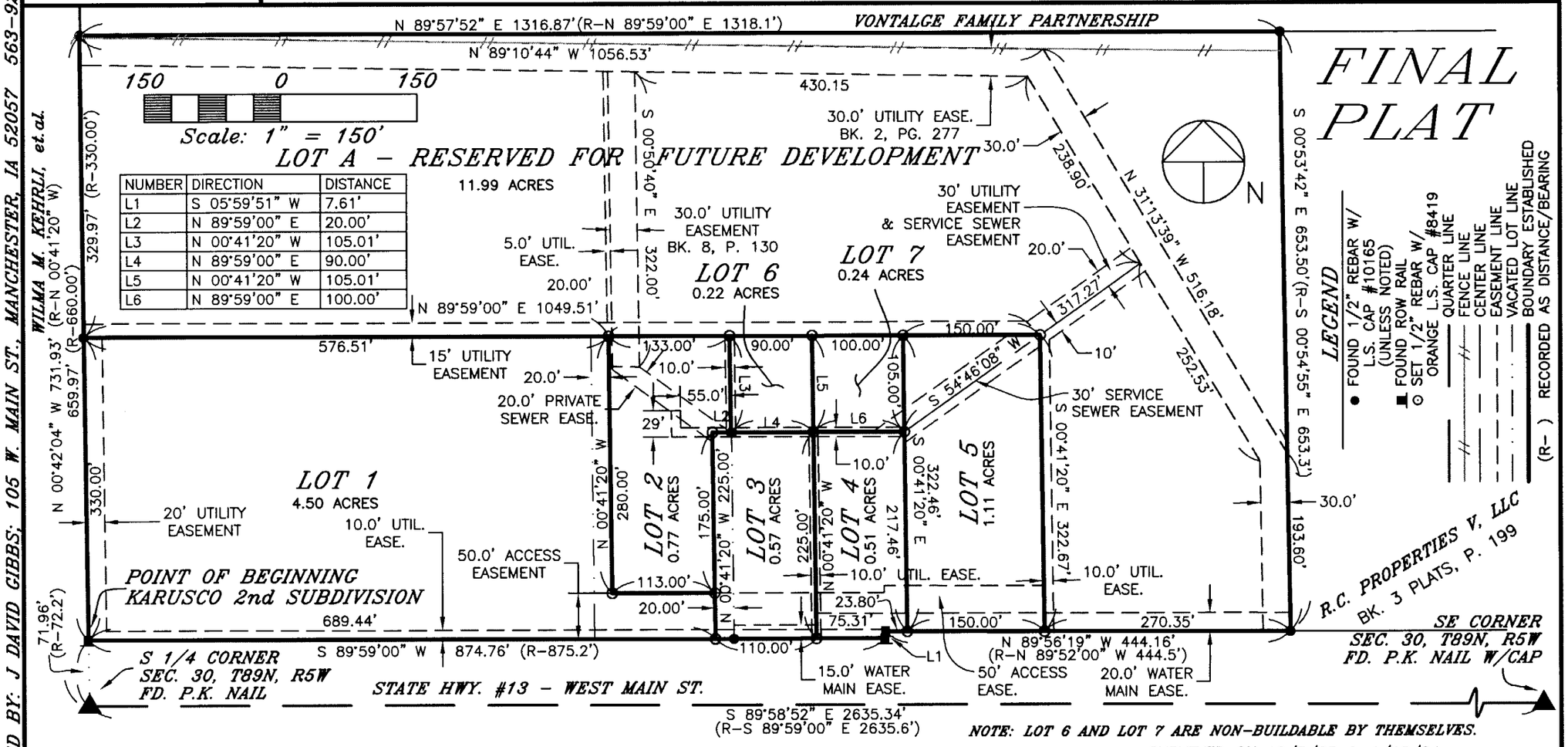
FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

FEB
MAR 3 2004

PLAT OF SURVEY

KARUSCO 2nd SUBDIVISION, A RESUBDIVISION OF KARUSCO SUBDIVISION
SEC. 30, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

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



NUMBER	DIRECTION	DISTANCE
L1	S 05°59'51" W	7.61'
L2	N 89°59'00" E	20.00'
L3	N 00°41'20" W	105.01'
L4	N 89°59'00" E	90.00'
L5	N 00°41'20" W	105.01'
L6	N 89°59'00" E	100.00'

FINAL PLAT

LEGEND

- ● FOUND 1/2" REBAR W/ L.S. CAP #10165 (UNLESS NOTED)
- ■ FOUND ROW RAIL
- ⊙ SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- QUARTER LINE
- FENCE LINE
- CENTER LINE
- EASEMENT LINE
- VACATED LOT LINE
- BOUNDARY ESTABLISHED
- (R–) RECORDED AS DISTANCE/BEARING

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SURVEY REQUESTED BY: DICK JONES
SURVEYED ON: 12/5/03 & 1/12/04

SCALE: 1"=150'	
DATE: 12/26/2003	
DRAWN BY: RLR	
CHECKED BY: JDG	
FIELD BK: D.L.	
REVISED	
SHEET 1 OF 8	

PROPRIETORS: KARUSCO INC. (Lot 1, 2, 3, 5 & A), 1221 W. Main, Manchester
MILLBUN, INC. (Lot 4)

PROJECT NO. 03-83

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. LICENSE #8419 DATE 1/21/04
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

LICENSED PROFESSIONAL ENGINEER
J. DAVID GIBBS 8419
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1–2

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

LEGAL DESCRIPTION:

***KARUSCO 2nd SUBDIVISION**; A RESUBDIVISION OF KARUSCO SUBDIVISION, SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA,* containing 19.91 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the South Quarter Corner of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE North 00° 42' 04" West, to the Southwest Corner of Karusco Subdivision, as recorded in Book 6 of Plats, Page 116 in the Office of the Delaware County Recorder, 71.96 feet, the **POINT OF BEGINNING**;

THENCE along the Westerly Line of said Karusco Subdivision, North 00° 42' 04" West, to the Northerly Line of said Karusco Subdivision, 659.97 feet;

THENCE along the Northerly Line of said Karusco Subdivision, North 89° 57' 52" East, to the Northeast Corner of said Karusco Subdivision, 1316.87 feet;

THENCE along the Easterly Line of said Karusco Subdivision, South 00° 53' 42" East, to the Southeast Corner of said Karusco Subdivision, 653.50 feet;

THENCE along the Southerly Line of said Karusco Subdivision, North 89° 56' 19" West, 444.16 feet;

THENCE continuing along the Southerly Line of said Karusco Subdivision, South 05° 59' 51" West, 7.61 feet;

THENCE continuing along the Southerly Line of said Karusco Subdivision, South 89° 59' 00" West, 874.76 feet to the **POINT OF BEGINNING**;

Containing a total of 19.91 acres and subject to easements of record.

The Southerly Line of the Southeast Quarter (SE ¼) of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 89° 58' 52" East.

SURVEYOR'S CERTIFICATE

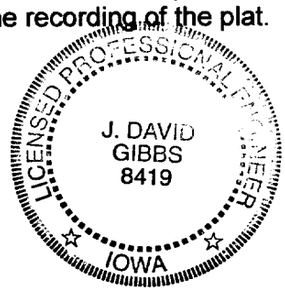
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

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 1/21/04

J. David Gibbs L.S. #8419 Date

My license will be renewed on December 31, 2004



OWNER'S ACKNOWLEDGMENT

I RICHARD M. JONES, _____, and JO ANN K JONES, _____ of KARUSCO INC., State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with the free consent, and in accordance with our desires of the board of directors of said corporation.

Karusco Inc.

Richard M Jones
By: president, secretary, treasurer

JoAnn K. Jones
By: Secretary, Director

State of Florida)
)
County of Pasco) Ss:

On this 26 day of January, 2004, before me, the undersigned, a Notary Public in and for the State of Florida, personally appeared RICHARD M JONES and JO ANN K JONES to me personally known, who being duly sworn, did say that they are the president, secretary, TREASURER and DIRECTOR respectively, of the KARUSCO INC 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) KARUSCO, INC; that said instrument was signed (and sealed) on behalf of the KARUSCO INC by authority of its Board of Directors; and that RICHARD M JONES and JO ANN K JONES as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the KARUSCO INC, by it and by them voluntarily executed.

Gaynel M L D
Notary Public in and for said County

Gaynel McLendon
My Commission CC950596
Expires June 28, 2004

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 *Karusco 2nd Subdivision, City of Manchester, Delaware County, Iowa.* All easements for utilities or other public easements 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 other facilities, in, under, or over said easements.

IN WITNESS WHEREOF, we have set our hands this 26 day of Jan., 2004.

Richard M. Jones

JoAnn K. Jones

State of Florida)
)
County of Pasco) Ss:

On this 26 day of January, 2004 before me, the undersigned, a Notary Public in and for the State of Florida, personally appeared RICHARD M JONES and JO ANN K JONES to me personally known, who being duly sworn, did say that they are the president, secretary, TREASURER and DIRECTOR respectively, of the KARUSCO INC 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) KARUSCO INC; that said instrument was signed (and sealed) on behalf of the KARUSCO INC. by authority of its Board of Directors; and that RICHARD M JONES and JO ANN K JONES as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the KARUSCO INC, by it and by them voluntarily executed.

Gaynel M L D
Notary Public in and for said County

Gaynel McLendon
My Commission CC950596
Expires June 28, 2004

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OWNER'S ACKNOWLEDGMENT

I Pierre, Otto, and Melissa, Otto of Millbun Inc, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with the free consent, and in accordance with our desires of the board of directors of said corporation.

Millbun, Inc.

By: Pierre Otto

Melissa Otto

By: _____

State of Iowa)
)
County of Dubuque Ss:

On this 18 day of February, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Pierre Otto and Melissa Otto to me personally known, who being duly sworn, did say that they are the Treasurer and President respectively, of the Millbun, Inc 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)~~ corporation; that said instrument was signed (and sealed) on behalf of the Corporation by authority of its Board of Directors; and that Pierre Otto and Melissa Otto as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Janet M. Schwers
Notary Public in and for said County

JANET M. SCHWERS
Commission Number 176072
My Commission Expires
9-20-2006

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 *Karusco 2nd Subdivision, City of Manchester, Delaware County, Iowa.* All easements for utilities or other public easements 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 other facilities, in, under, or over said easements.

IN WITNESS WHEREOF, we have set our hands this 3rd day of March 2004.

Pierre Otto

Melissa Otto

State of Iowa)
)
County of Dubuque Ss:

On this 3rd day of March, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Pierre Otto and Melissa Otto to me personally known, who being duly sworn, did say that they are the Treasurer and President respectively, of the Millbun, Inc 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)~~ Corporation; that said instrument was signed ~~(and sealed)~~ on behalf of the Corporation by authority of its Board of Directors; and that Pierre Otto and Melissa Otto as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Corporation, by it and by them voluntarily executed.

Helen Wegmann
Notary Public in and for said County

HELEN WEGMANN
Commission Number 138438
My Commission Expires
1-27-07

MORTGAGE HOLDERS ACKNOWLEDGMENT

The Farmers & Merchants 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.

Farmers & Merchants Savings Bank, Manchester, IA

Eric C. Anderson EVP

By: Eric C. Anderson, Exec. Vice President

Diane C. Hammell

By: Diane C. Hammell, Cashier

State of Iowa)
)
County of Delaware) Ss:

On this 9th day of February, 2004 before me, the undersigned, a Notary Public in and for the State of IA, personally appeared Eric C. Anderson and Diane C. Hammell to me personally known, who being duly sworn, did say that they are the Exec. Vice President and Cashier respectively, of the Farmers & Merchants 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) Farmers & Merchants Savings Bank, ~~Manchester~~; that said instrument was signed (and sealed) on behalf of the Farmers & Merchants Savings Bank by authority of its Board of Directors; and that Eric. Anderson and Diane C. Hammell as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Farmers & Merchants Savings Bank, by it and by them voluntarily executed.

Rosemary Drees
Notary Public in and for said County

Rosemary Drees
COMMISSION NUMBER 144070
My Commission Expires
9/30/05

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: Joseph Wiewel, President

By: David Dudley, Executive Vice President

State of Iowa)
)
County of Delaware) Ss:

On this 9th day of February 2004 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joseph Wiewel and David Dudley to me personally known, who being duly sworn, did say that they are the President and Exec. Vice President 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 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.

Barbara Topping
Notary Public in and for said County

BARBARA TOPPING
NOTARIAL SEAL
IOWA
My Comm. Exp. 9-24-06

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CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson , Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***Karusco 2nd Subdivision***, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

Date: 3-3-04

Carolyn A. Wilson

Carolyn A. Wilson, County Treasurer

ATTORNEY'S OPINION

I, William D. Werger, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined two abstracts of title to the land included in Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated January 21, 2004. Said abstracts were prepared in their entirety by the Delaware County Abstract Company, Inc.

The Abstract prepared for the following described real estate: Lots One (1), Two (2), Three (3) and Four (4) of Karusco Subdivision, A Subdivision Of Part Of The Southwest Quarter (SW¼) Of The Southeast Quarter (SE¼) Of Section Thirty (30) Township Eighty-Nine North (T89N), Range Five West (R5W) Of The Fifth Principal Meridian, City Of Manchester, Delaware County, Iowa, according to plat recorded in Book 6 Plats, Page 116, except the East seventy five and two-tenths (75.2) feet of the West eight hundred seventy five and two-tenths (875.2) feet of the South two hundred twenty five (225) feet of said Lot Four (4) and except the East twenty four and eight-tenths (24.8) feet of the West nine hundred (900) feet of the South two hundred seventeen and one-tenth (217.1) feet of said Lot Four (4); was last certified by said company to the 12th day of January, 2004 at 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 Karusco, Inc., subject to a real estate mortgage given by Karusco, Inc. to Farmers & Merchants Savings Bank dated September 15, 1990 and filed September 27, 1990 in Book 111, L.M., Page 235 of the Delaware County records.

The Abstract prepared for the following described real estate: The East seventy five and two-tenths (75.2) feet of the West eight hundred seventy five and two-tenths (875.2) feet of the south two hundred twenty five (225) feet of Lot Four (4) and the East twenty four and eight-tenths (24.8) feet of the West nine hundred (900) feet of the South two hundred seventeen and one-tenth (217.1) feet of Lot Four (4) of Karusco Subdivision, A Subdivision Of Part Of The Southwest Quarter (SW¼) Of The Southeast Quarter (SE¼) Of Section Thirty (30) Township Eighty-Nine North (T89N), Range Five West (R5W) Of The Fifth Principal Meridian, City Of Manchester, Delaware County, Iowa, according to plat recorded in Book 6 Plats, Page 116; was last certified by said company on the 3rd day of February, 2004 at 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 Millbun, Inc., an Iowa Corporation, subject to a mortgage given by Milbun, Inc to First State Bank dated February 7, 2003 and filed February 10, 2003 in Book 2003, Page 630 of the Delaware County records.

Dated at Manchester, Iowa, in said County, this 6th day of February, 2004.

William D. Werger, Attorney at Law

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Karusco 2nd Subdivison, City of Manchester, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated 12-26-03 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) and street standards (Section 127.17); and

WHEREAS, the preliminary and final plat of ***Karusco 2nd Subdivision, City of Manchester, Delaware County, Iowa,*** should be approved with the following variances, declarations and conditions;

a. No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.

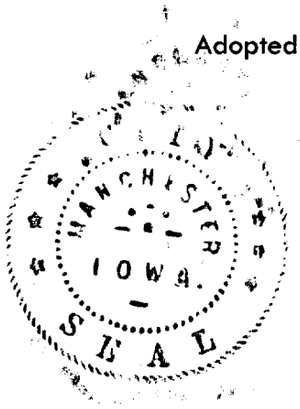
b. Construction of all sidewalks within the subdivision shall be deferred at this time, based upon the following criteria taken from the City's Sidewalk Construction Policy.
   - (a) "When sidewalks are to be located along streets developed as a rural cross section, which are those streets that have gravel shoulders, open ditches parallel to the driving surface, and the right-of-way grades which do not allow for construction of sidewalks without extensive grading."

   However, the Planning & Zoning Commission shall review the need for sidewalks when Lot A is developed.

c. The frontage road located in the access easement on along the south line is not required to comply with private road standards regarding right of way width.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Karusco 2nd Subdivision, City of Manchester, Delaware County, Iowa,*** be, and exhibits attached thereto, 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 21st day of January, A.D., 2004.



PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By _____
Jim Fisher, Chairperson

By _____
Laura Thomas, Recording Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 28th day of January, 2004, before me, Jennifer L Kritz, a Notary Public in and for the State of Iowa, personally appeared Jim Fisher 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 Planning and Zoning Commission, as contained in Resolution adopted by the Planning and Zoning Commission on the 21st day of January, 2004, and that Jim Fisher 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.

Jennifer L. Kritz
Notary Public

NOTARIAL SEAL IOWA
JENNIFER L. KRITZ
COMMISSION # 195487
MY COMMISSION EXPIRES:
3-25-04

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R-006-2004
RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Karusco 2nd 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 12-26-03, 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 cities or within a two mile radius of 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) and street standards (Section 127.17); 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;

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the preliminary and final plat of ***Karusco 2nd Subdivision, City of Manchester, Delaware County, Iowa,*** as presented with the following variances, declarations and conditions;

a. No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
b. Construction of all sidewalks within the subdivision shall be deferred at this time, based upon the following criteria taken from the City's Sidewalk Construction Policy.
   - (a) "When sidewalks are to be located along streets developed as a rural cross section, which are those streets that have gravel shoulders, open ditches parallel to the driving surface, and the right-of-way grades which do not allow for construction of sidewalks without extensive grading."

   However, the Planning & Zoning Commission will be given the option to review the need for sidewalks when Lot A is developed.
c. The frontage road located in the access easement on along the south line is not required to comply with private road standards regarding right of way width.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Karusco 2nd Subdivision, City of Manchester, Delaware County, Iowa,*** be, and exhibits attached thereto, 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 Preliminary plat as by law provided.
Passed this 26th day of January, A.D., 2004.

CITY OF MANCHESTER IOWA SEAL

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 29th day of January, 2004, 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-006-2004 adopted by the City Council on the 26th day of January, 2004, 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.

NOTARIAL SEAL IOWA
JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-05

Julie A. Swanson, Notary Public.