DELAWARE COUNTY IOWA
FILED

2004 MAY 28 PM 2:32

BOOK 2004 PAGE 1912
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
36.00

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

MAY 28 2004

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

MAY 28 2004

PLAT OF SURVEY

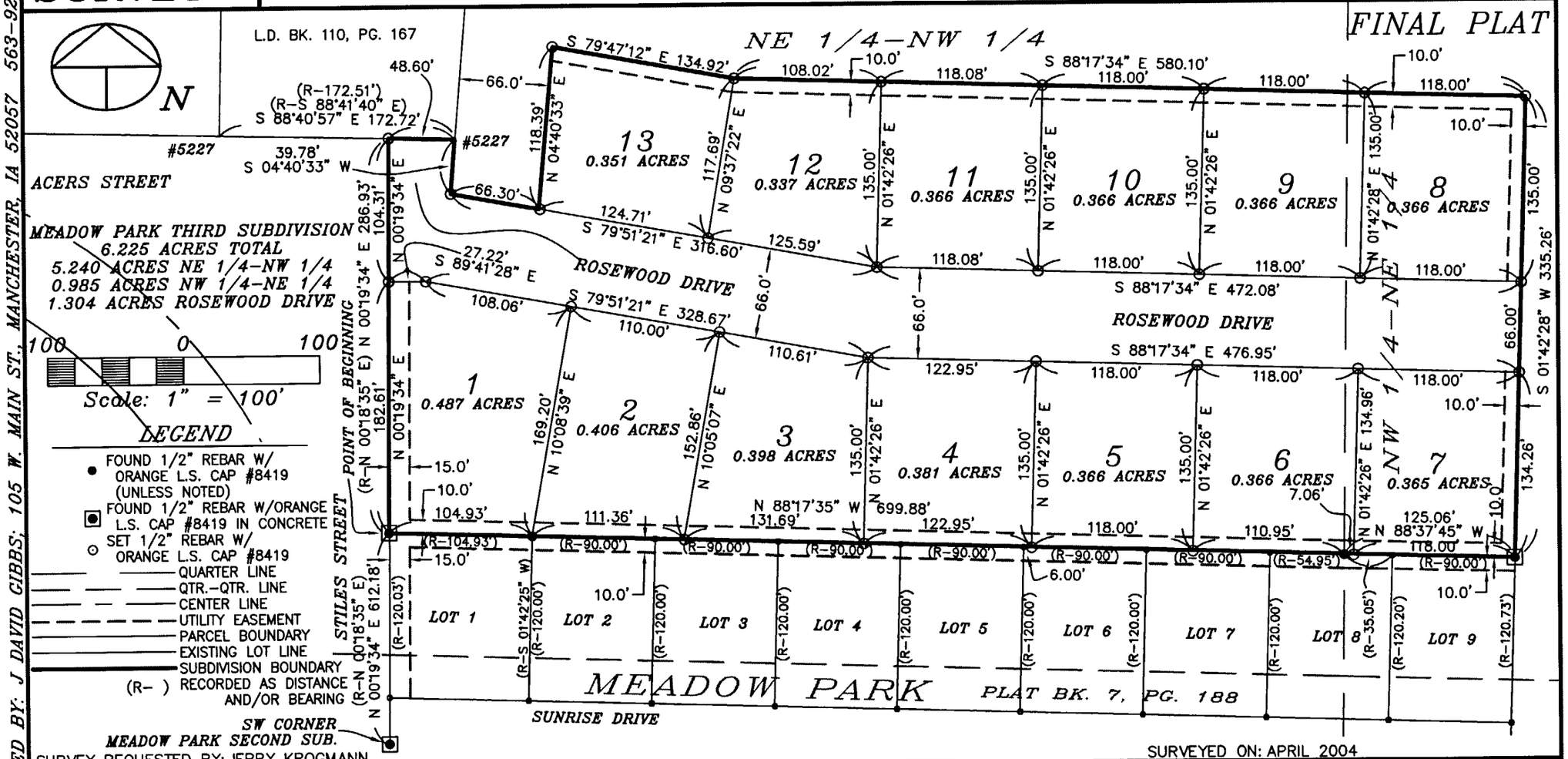
MEADOW PARK THIRD SUBDIVISION

A SUBDIVISION OF PART OF THE NE 1/4–NW 1/4 AND PART OF THE NW 1/4–NE 1/4
SEC. 28, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

FINAL PLAT

BOOK 2004 PAGE 1912

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



SURVEY REQUESTED BY: JERRY KROGMANN

SURVEYED ON: APRIL 2004

SCALE: 1"=100'	PROPRIETORS: JEROME A. KROGMANN & ROSE ANN KROGMANN	801 STILES STREET MANCHESTER, IOWA 52057	PROJECT NO. 04–10
DATE: 4/28/2004			
DRAWN BY: RLR			
CHECKED BY: JDG			
FIELD BK: D.L.			
REVISED 5/10/2004			
SHEET 1 OF 6			

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 5/10/04

J. DAVID GIBBS, P.E., L.S. LICENSE #8419 DATE
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

LEGAL DESCRIPTION:

MEADOW PARK THIRD SUBDIVISION, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼), AND PART OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼), 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 6.225 acres, including 1.304 acres of dedicated street right of way, divided into thirteen (13) lots numbered Lot 1 through Lot 13, subject to easements of record, and more specifically described by metes and bounds as follows;

BEGINNING at the Northwesterly Corner of Meadow Park, as recorded in Book 7 of Plats, Page 188 in the Office of the Delaware County Recorder, City of Manchester, Delaware County, Iowa, also being on the Easterly Line of Stiles Street;

THENCE along the Easterly Line of Stiles Street, North 00° 19' 34"East, to the Northerly Line of Acers Street, also being the Southerly Line of a 1.14 acre parcel, as recorded in L.D. Book 110, Page 167 in the Office of the Delaware County Recorder, 286.93 feet;

THENCE along the Southerly Line of said 1.14 acre parcel, South 88° 40' 57" East, to the Southeast Corner of said 1.14 acre parcel, 48.60 feet;

THENCE along a Southerly extension of the Easterly Line of said 1.14 acre parcel, South 04° 40' 33" West, 39.78 feet;

THENCE South 79° 51' 21" East, 66.30 feet;

THENCE North 04° 40' 33" East, 118.39 feet;

THENCE South 79° 47' 12" East, 134.92 feet;

THENCE South 88° 17' 34" East, to a Northerly Extension of the Easterly Line of said Meadow Park, 580.10 feet;

THENCE along the Northerly Extension of the Easterly Line of said Meadow Park, South 01° 42' 28" West, to the Northeast Corner of said Meadow Park, 335.26 feet;

THENCE along the Northerly Line of said Meadow Park, North 88° 37' 45" West, 125.06 feet;

THENCE continuing along the Northerly Line of said Meadow Park, North 88° 17' 35" West, 699.88 feet to the **POINT OF BEGINNING**;

Containing a total of 6.225 acres, including 1.304 acres of dedicated street right of way, divided into thirteen (13) lots numbered Lot 1 through Lot 13, subject to easements of record.

The Easterly Line of the Stiles Street right of way is assumed to bear North 00° 19' 34" 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.

5/10/04

J. David Gibbs, L.S. #8419 DATE

My license will be renewed on December 31, 2004



OWNER'S ACKNOWLEDGMENT

I (we) Jerome A. Krogmann and Rose Ann Krogmann 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.

Jerome A. Krogmann

Rose Ann Krogmann

State of Iowa)
)
County of Delaware) Ss:

On this 21st day of May A.D. 2004, before me a Notary Public in and for said County, personally appeared Jerome A. Krogmann and Rose Ann Krogmann 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

J. DAVID GIBBS
Commission Number 224054
My Commission Expires
8/17/05

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 *Meadow Park Third Subdivision, City of Manchester, Delaware County, Iowa.* All streets and alleys shown upon the plat and survey are hereby dedicated to public use forever for street purposes. 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 21st day of May, 2004.

Jerome A. Krogmann

Rose Ann Krogmann

State of Iowa)
)
County of Delaware) ss:

On this 21st day of May A.D. 2004, before me a Notary Public in and for said State, personally appeared Jerome A. Krogmann and Rose Ann Krogmann 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 State

J. DAVID GIBBS
Commission Number 224054
My Commission Expires
8/17/05

MORTGAGE HOLDERS ACKNOWLEDGEMENT

The undersigned for Farm Credit Services of America, FLCA of Omaha, Nebraska, does hereby certify that the attached Final Plat of Meadow Park Third Subdivision, a division of part of NE¼ NW¼ & part of NW¼ NE¼, Sec. 28, T89N, R5W is made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

(seal)

Farm Credit Services of America, FLCA

by Mark H. Engelbrecht
Mark H. Engelbrecht
Assistant Corporate Secretary

State of Iowa)
) ss:
County of Delaware)

On this 27th day of May, 2004, before me, a Notary Public, personally appeared Mark H. Engelbrecht, being by me personally known and duly sworn, did say that he is Assistant Corporate Secretary of the corporation, a corporation organized and existing under the laws of the United States; that the seal affixed to the instrument is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its board of directors; and acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

DOROTHY A. PALMER
Commission Number 158773
My Commission Expires
12-06-05

Dorothy A. Palmer
Dorothy A. Palmer
Notary Public

My commission expires 12/06/05

ATTORNEY'S OPINION

I, William D. Werger, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***Meadow Park Third Subdivision,*** City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated 5/10, 2004.

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 11th day of May, A.D., 2004 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 the certification to be in Jerome A. Krogmann and Rose Ann Krogmann, husband and wife, as Tenants in Common subject to Mortgage given to Farm Credit Services of America, FLCA recorded in Book 2002, Page 408, Delaware County Records.

Dated at Manchester, Iowa, in said County, this 19th day of May, 2004.

Attorney at Law William D. Werger

CERTIFICATE OF TREASURER

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

SEAL
IOWA

Carolyn A. Wilson
Carolyn A. Wilson, County Treasurer Date 5-28-04

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Meadow Park Third Subdivision, City of Manchester, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated May 10, 2004 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, preliminary and final plat of ***Meadow Park Third 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. Sidewalks will be constructed along the frontage of all lots upon the construction of a home on each lot and on the west side of Lot 1. Construction of all sidewalks within the subdivision shall be required when 75% of the subdivision has sidewalks. Financial assurance for sidewalk construction shall be provided for by an irrevocable letter of credit on behalf of the developer.
c. The proposed street contains a temporary dead end that will be connected in future development stages.
d. A Waiver and Petition for infrastructure improvements must be signed by the developer.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Meadow Park Third Subdivision, 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 12th day of May, A.D., 2004.

CITY OF MANCHESTER IOWA SEAL

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By _____
Jim Fisher, Chairperson

By Laura Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 21st day of May, 2004, before me, Julie A Swanson, 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 12th day of May, 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.

Julie A Swanson
Notary Public

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

R-045-2004 RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, preliminary and final plat of ***Meadow Park Third 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 May 10, 2004, 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 plat of ***Meadow Park Third 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. Sidewalks will be constructed along the frontage of all lots upon the construction of a home on each lot and on the west side of Lot 1. Construction of all sidewalks within the subdivision shall be required when 75% of the subdivision has sidewalks. Financial assurance for sidewalk construction shall be provided for by an irrevocable letter of credit on behalf of the developer.
c. The proposed street contains a temporary dead end that will be connected in future development stages.
d. A Waiver and Petition for infrastructure improvements must be signed by the developer.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Meadow Park Third 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 24th day of May, A.D., 2004.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

CITY OF MANCHESTER IOWA

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 25th day of May, 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-045-2004 adopted by the City Council on the 24th day of May, 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.

Julie A. Swanson, Notary Public

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