DELAWARE COUNTY IOWA
FILED
2004 JUN 30 AM 9:12
BOOK 2004 PAGE 2406
DEBORAH L. PEYTON
DELAWARE CO RECORDER
36.00

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR
JUN 30 2004

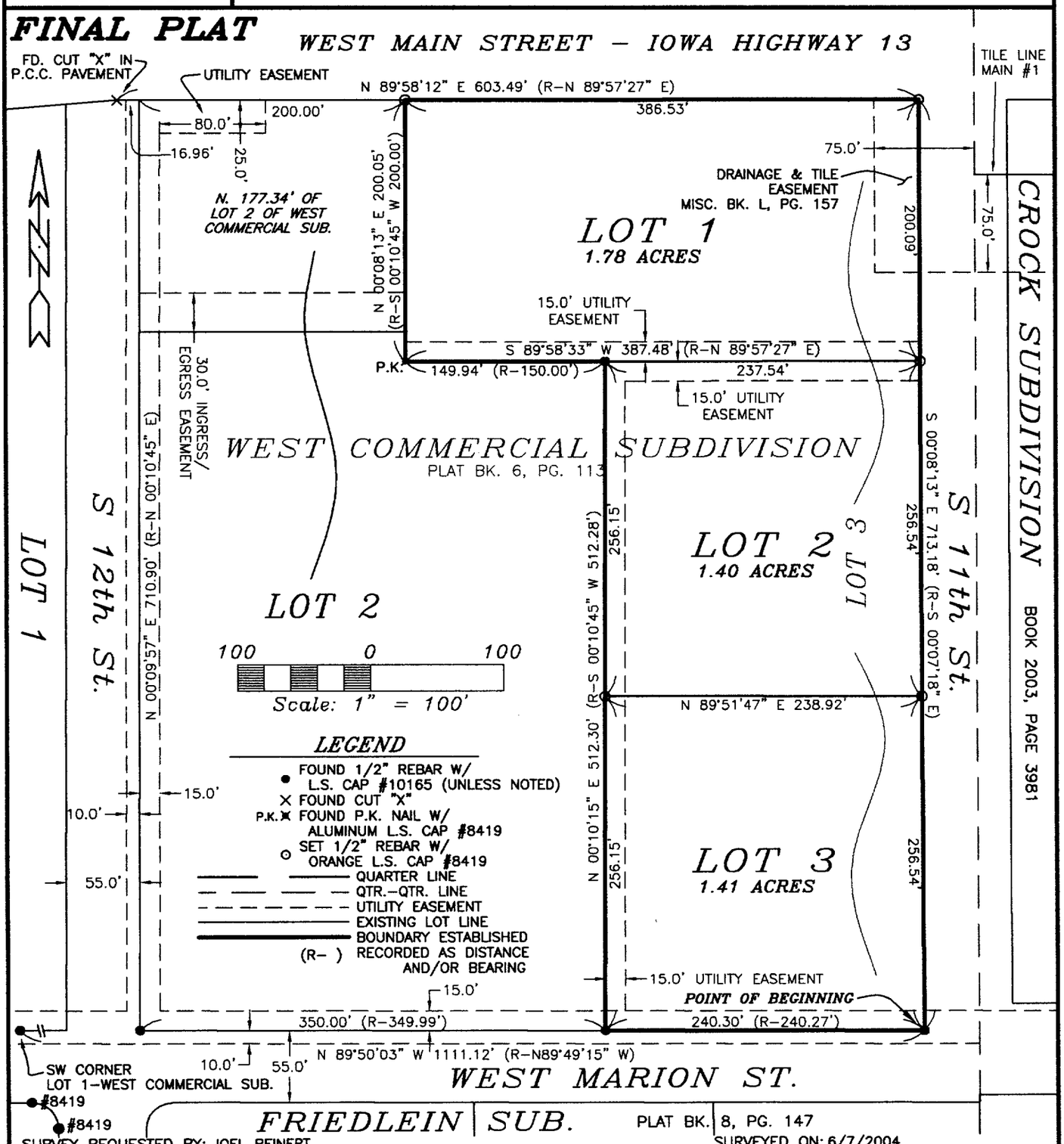
JUN 30 2004

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

PLAT OF SURVEY

REINERT SUBDIVISON; A SUBDIVISION OF LOT 3
WEST COMMERCIAL SUBDIVISION, CITY OF MANCHESTER
SEC. 31, T89N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

FINAL PLAT



PROPRIETORS: JOEL D. REINERT 1212 W. MAIN STREET MANCHESTER, IOWA 52057

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 6/25/04

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

PROJECT NO. 04–46
SCALE: 1"=100'
DATE: 6/14/2004
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 6

BOOK 2004 PAGE 2406

LEGAL DESCRIPTION:

***REINERT SUBDIVISION**; A SUBDIVISION OF LOT 3 OF WEST COMMERCIAL SUBDIVISION, CITY OF MANCHESTER, SECTION THIRTY-ONE (31), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 4.59 acres, divided into three (3) lots numbered Lot One (1) though Lot Three (3), subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the Southeast Corner of Lot 3 of West Commercial Subdivision, City of Manchester, Section Thirty-one (31), Township Eighty-Nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa as recorded in Book 6 of Plats, Page 113 in the Office of the Delaware County Recorder;

THENCE along the Southerly Line of said Lot 3, North 89° 50' 03" West, to the Southwest Corner of said Lot 3, 240.30 feet;

THENCE along the Westerly Line of said Lot 3, North 00° 10' 15" East, to a corner on the Westerly Line of said Lot 3, 512.30 feet;

THENCE continuing along the Westerly Line of said Lot 3, South 89° 58' 33" West, to a corner on the Westerly Line of said Lot 3, 149.94 feet;

THENCE continuing along the Westerly Line of said Lot 3, North 00° 08' 13" East, to the Northwest Corner of said Lot 3, being on the Southerly Line of Iowa State Highway 13, also being West Main Street, 200.05 feet;

THENCE along the Northerly Line of said Lot 3, being the Southerly Line of Iowa State Highway 13, also being West Main Street, North 89° 58' 12" East, to the Northeast Corner of said Lot 3, 386.53 feet;

THENCE along the Easterly Line of said Lot 3, South 00° 08' 13" East, 713.18 feet to the **POINT OF BEGINNING**;

Containing a total of 4.59 acres, divided into three (3) lots numbered Lot One (1) though Lot Three (3), and subject to easements of record.

The Easterly Line of Lot 3 of West Commercial Subdivision, City of Manchester, Section Thirty-one (31), Township Eighty-Nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa as recorded in Book 6 of Plats, Page 113 in the Office of the Delaware County Recorder is assumed to bear South 00° 08' 13" East.

The utility easement across the west side of Lot 3 is also provided for a private service sewer for Lot 2.

OWNER'S ACKNOWLEDGMENT

I Joel Reinert 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.

State of Iowa)
)
County of Delaware) ss:

On this 25th day of June A.D. 2004, before me a Notary Public in and for said State, personally appeared Joel Reinert 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.

Donna M. Kunde
Notary Public in and for said State

DONNA M. KUNDE
Commission Number 176997
My Commission Expires
8-16-06

MORTGAGE HOLDERS ACKNOWLEDGMENT

The Community Bank of Oelwein, 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 _____

By _____

STATE OF IOWA, Fayette County, Iowa, Ss:

On this 17th day of June, 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul D. Gray and Dan R. Crandall, to me personally known, who being duly sworn, did say that they are the President and Executive Vice President respectively of the Community Bank of Oelwein executing the within and foregoing instrument to which this is attached, that the seal affixed hereto is the seal of the Community Bank of Oelwein; that said instrument was signed (and sealed) on behalf of the Community Bank of Oelwein by authority of its Board of Directors; and that Paul D. Gray and Dan R. Crandall as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Community Bank of Oelwein, by it and by them voluntarily executed.

_____
Notary Public in and for said State

N K. BOWERS
n Number 716228
mission Expires
APRIL 26, 2005

SHARON K. BOWERS
Commission
My Comm
APRIL 26, 2005

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MORTGAGE HOLDERS ACKNOWLEDGMENT

The __Guaranty Bank and Trust Company__ , 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.

__Guaranty Bank & Trust Company__

By _____
Gary L. Williams, Vice President

By _____
Jamie R. Jonas, Vice President

STATE OF IOWA, __Linn_ County, Iowa, Ss:

On this __25_ day of __June_, 2004_ , before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared __Gary L. Williams__ and __Jamie R. Jonas__, to me personally known, who being duly sworn, did say that they are the _Vice President__ and __Vice President_ respectively, of the __Guaranty Bank & Trust Company__ 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)~~ __Guaranty Bank & Trust Company__ ; that said instrument was signed (and sealed) on behalf of the __Guaranty Bank & Trust Company__ by authority of its Board of Directors; and that __Gary L. Williams__ and __Jamie R. Jonas__ as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the __Guaranty Bank & Trust Company____, by it and by them voluntarily executed.

_____
Notary Public in and for said State

LISA DIERS
Commission Number 724345
My Commission Expires
Sept 8, 2005

ATTORNEY'S OPINION

I, Steven E. Carr, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***REINERT SUBDIVISION***, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated June 25, 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 18 day of June, 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 Joel Reinert subject to an open-end real estate mortgage to Guaranty Bank and Trust Company dated September 21, 1998 and filed for record September 23, 1998 in Book 50 T.L.M., Page 82 and further subject to an open-end real estate mortgage to Community Bank of Oelwein dated September 7, 1999 and filed for record September 8, 1999 in Book 1999, Page 3158.

Dated at Manchester, Iowa, in said County, this 25 day of June, 2004.

Steven E Carr

Attorney at Law Date

Steven E. Carr
Carr & Carr Attorneys
117 S. Franklin Street, PO Box 333
Manchester, Iowa 52057

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***REINERT 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.

Carolyn A. Wilson 6-30-04

Carolyn A. Wilson, County Treasurer Date

DELAWARE COUNTY TREASURER SEAL IOWA

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CITY MANAGER DETERMINATION

REINERT SUBDIVISION, *A SUBDIVISION OF LOT 3 OF WEST COMMERCIAL SUBDIVISION, CITY OF MANCHESTER, SECTION THIRTY-ONE (31), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, 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.

6/28/04
Date

David J. Heiar, City Manager

R-060-2004 RESOLUTION APPROVING FINAL PLAT

WHEREAS, the final plat of ***REINERT SUBDIVISION***, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated June 25th, 2004, 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 Manchester City Manager has recommended to the City Council that they accept the final plat of said ***Reinert Subdivision****; A Subdivision of Lot 3 of West Commercial Subdivision, City of Manchester, Section Thirty-one (31), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa* as presented with the following decelerations and conditions;

1) No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa
2) Sidewalk construction shall be deferred until the completion of site improvements. Within six months of the completion of improvements on an individual lot, the Owner shall have sidewalks constructed along the lot frontage in accordance with the Code of Ordinances of the City of Manchester. Should the Owner fail to construct sidewalks in the required time frame, the City may complete such improvements and place a claim against the Letter of Credit on file with the City Clerk.

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

said ***REINERT 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 28th day of June, A.D., 2004.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 29th day of June, 2004, before me, Laura K. Thomas, 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-060-2004 adopted by the City Council on the 28th day of June, 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.

LAURA K. THOMAS
Commission Number 716135
My Commission Expires
8-26-05

Laura K. Thomas, Notary Public.

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