MAR 10 2005

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JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

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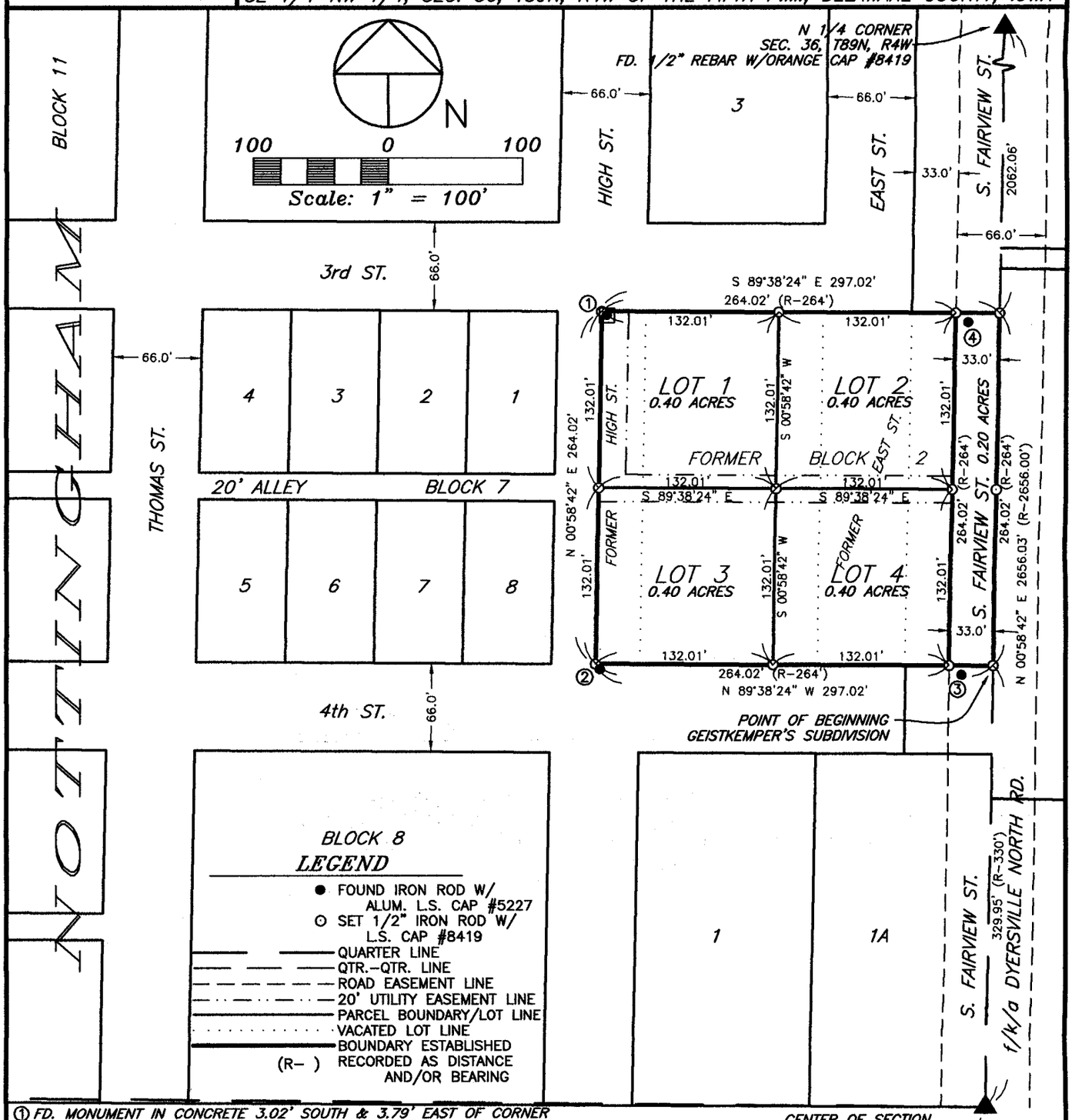
DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

PLAT OF SURVEY

GEISTKEMPER'S SUBDIVISION — FINAL PLAT

A SUBDIVISON OF BLOCK 2, PART OF FORMER EAST STREET, & PART OF FORMER HIGH STREET IN THE ORIGINAL TOWN OF EARLVILLE (NOTTINGHAM), AND PART OF THE SE 1/4-NW 1/4, SEC. 36, T89N, R4W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



LEGEND

- ● FOUND IRON ROD W/ ALUM. L.S. CAP #5227
- ⊙ SET 1/2" IRON ROD W/ L.S. CAP #8419
- QUARTER LINE
- QTR.-QTR. LINE
- ROAD EASEMENT LINE
- 20' UTILITY EASEMENT LINE
- PARCEL BOUNDARY/LOT LINE
- VACATED LOT LINE
- BOUNDARY ESTABLISHED
- (R-) RECORDED AS DISTANCE AND/OR BEARING

① FD. MONUMENT IN CONCRETE 3.02' SOUTH & 3.79' EAST OF CORNER
② FD. MONUMENT 4.13' SOUTH & 3.46' EAST OF CORNER
③ FD. MONUMENT 7.33' SOUTH & 9.46' EAST OF CORNER
④ FD. MONUMENT 7.22' SOUTH & 9.58' EAST OF CORNER

SURVEY REQUESTED BY: JOHN GEISTKEMPER

SURVEYED ON: 8/25 & 9/23/2004

PROPRIETORS: JOHN GEISTKEMPER & CARLA GEISTKEMPER
2872 190th STREET, EARLVILLE, IA 52041

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 12/13/04

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.	04-66
SCALE:	1"=100'
DATE:	9/8/2004
DRAWN BY:	RLR
CHECKED BY:	JDG
FIELD BK:	D.L.
REVISED	
SHEET	1 OF 5

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LEGAL DESCRIPTION:

***GEISTKEMPER'S SUBDIVISION**; A SUBDIVISION OF BLOCK TWO (2), PART OF FORMER EAST STREET, AND PART OF FORMER HIGH STREET IN THE ORIGINAL TOWN OF EARLVILLE (NOTTINGHAM), AND PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼), ALL IN SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF EARLVILLE, DELAWARE COUNTY, IOWA,* containing a total of 1.80 acres, including 0.20 acres of public road right of way, divided into four (4) lots, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Center of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, City of Earlville, Delaware County, Iowa;

THENCE along the Easterly Line of the Northwest Quarter (NW ¼) of said Section Thirty-six (36), North 00°58' 42" East, to the Easterly extension of the Southerly Line of Block Two (2) of the Original Town of Earlville (Nottingham), 329.95 feet, the **POINT OF BEGINNING**;

THENCE along the Southerly Line of said Block Two (2) and Easterly extension thereof, North 89° 38' 24" West, to the former centerline of High Street, 297.02 feet;

THENCE along the former centerline of High Street, North 00° 58' 42" East, to the Westerly extension of the Northerly Line of said Block 2, 264.02 feet;

THENCE along the Northerly Line of said Block Two (2) and Easterly and Westerly extension thereof, South 89° 38' 24" East, to the Easterly Line of the Northwest Quarter (NW ¼) of said Section Thirty-six (36), 297.02 feet;

THENCE along the Easterly Line of the Northwest Quarter (NW ¼) of said Section Thirty-six (36), South 00° 58' 42" West, 264.02 feet to the **POINT OF BEGINNING**;

Containing a total of 1.80 acres, including 0.20 acres of public road right of way, divided into four (4) lots, subject to easements of record.

The Easterly Line of the Northwest Quarter (NW ¼) of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, City of Earlville, Delaware County, Iowa is assumed to bear North 00°58' 42" East.

OWNER'S ACKNOWLEDGMENT

I John Geistkemper and Carla Geistkemper 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.

John Geistkemper

Carla Geistkemper

State of Iowa)
)
County of Delaware) ss:

On this 9th day of JANUARY A.D. 2005, before me a Notary Public in and for said State, personally appeared John Geistkemper and Carla Geistkemper 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

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2005

DEDICATION OF STREET AND EASEMENTS

We John Geistkemper and Carla Geistkemper as owners and developers of ***Geistkemper's Subdivision, City of Earlville, Delaware County, Iowa***, do hereby dedicate to the public, South Fairview Street and the utility easements as shown on the attached plat.

Dated this 19th day of JANUARY, 2005

John Geistkemper

Carla Geistkemper

State of Iowa)
)
County of Delaware) Ss:

On this 19th day of JANUARY A.D. 2005 before me a Notary Public in and for said County, personally appeared John Geistkemper and Carla Geistkemper, 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

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2005

ATTORNEY'S OPINION

I, Marc W. Casey, a practicing attorney at law in Dubuque, County, Iowa, have examined the abstract of title to the land included in ***GEISTKEMPER'S SUBDIVISION,*** Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated December 13, 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 9th day of Nov., 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 John Geistkemper and Carla Geistkemper, husband and wife, subject to Mortgage to Community Savings Bank filed Sept. 25, 2001, at Book 2001, Page 3408. Second half of fiscal 2003-2004 property taxes are unpaid.

Dated at Dyersville, Iowa, in said County, this 10th day of January, 2005.

MOSS & CASEY

BY: _____

Attorney at Law Marc W. Casey Date

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***GEISTKEMPER'S SUBDIVISION,*** City of Earlville, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

DELAWARE COUNTY IOWA

_____ 3-10-05

Carolyn A. Wilson, County Treasurer Date

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 _____

By _____

STATE OF IOWA, Delaware County, Iowa, Ss:

On this 11th day of February, 2005 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brian L Pralle and Jeffry M Larson, to me personally known, who being duly sworn, did say that they are the Vice President and Loan Officer respectively, of Community Savings Bank executing the within and foregoing instrument to which this is attached, that (no seal has been procured by) (~~the seal affixed hereto is the seal of~~) Community Savings Bank; that said instrument was signed (~~and sealed~~) on behalf of Community Savings Bank by authority of its Board of Directors; and that Brian L Pralle and Jeffry M Larson as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of Community Savings Bank, by it and by them voluntarily executed.

_____

Notary Public in and for said State

RACHEL L. LEYTEM
Commission Number 196499
My Commission Expires
5-18-2007

RESOLUTION APPROVING FINAL PLAT # 2005-01

WHEREAS, the plat of ***Geistkemper's Subdivision, City of Earlville, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated, December 13, 2004 has been filed with the City Clerk of the City of Earlville, Delaware County, Iowa, and has been acknowledged and approved by the Planning and Zoning Commission of the City of Earlville, 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 Earlville, 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;

WHEREAS, the Earlville Planning and Zoning Commission has recommended to the Council that they accept the plat of ***Geistkemper's Subdivision, City of Earlville, Delaware County, Iowa***, as presented;

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

1. That the dedication of South Fairview Street together with easements for public utilities all as the same appears upon said plat, be and the same are hereby accepted and that said street be and is herein established as a public street in the City of Earlville, Iowa,
2. That the plat of said ***Geistkemper's Subdivision, City of Earlville, Delaware County, Iowa***, be, and the same is hereby acknowledged, approved and accepted on the part of the City of Earlville, Delaware County, Iowa, and the Mayor and City Clerk are hereby authorized and directed to endorse the approval of the City of Earlville on said plat,

The Mayor and City Clerk are hereby directed to certify this approval and affix the same to said plat as by law provided.

Passed this 14 day of February, A.D., 2005.

, Mayor

ATTEST:

Linda Gaul, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 2 day of March, 2005, before me, Elaine Mary Diersen a Notary Public in and for the State of Iowa, personally appeared Dan Wheeler and Linda Gaul, 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 Earlville, 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 _____ adopted by the City Council on the _____ day of _____, 2005, and that Dan Wheeler and Linda Gaul 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.

Elaine Mary Diersen
; Notary Public

ELAINE MARY DIERSEN
Commission Number
My Commission Exp.
1-9-2007

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