Book 2005 Page 1691
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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FILED
JOHN R. KLAUS
DELAWARE COUNTY ASSESSOR

MAY 16 2005

FILED
SHARON McCRABB
DELAWARE COUNTY RECORDER

MAY 16 2005

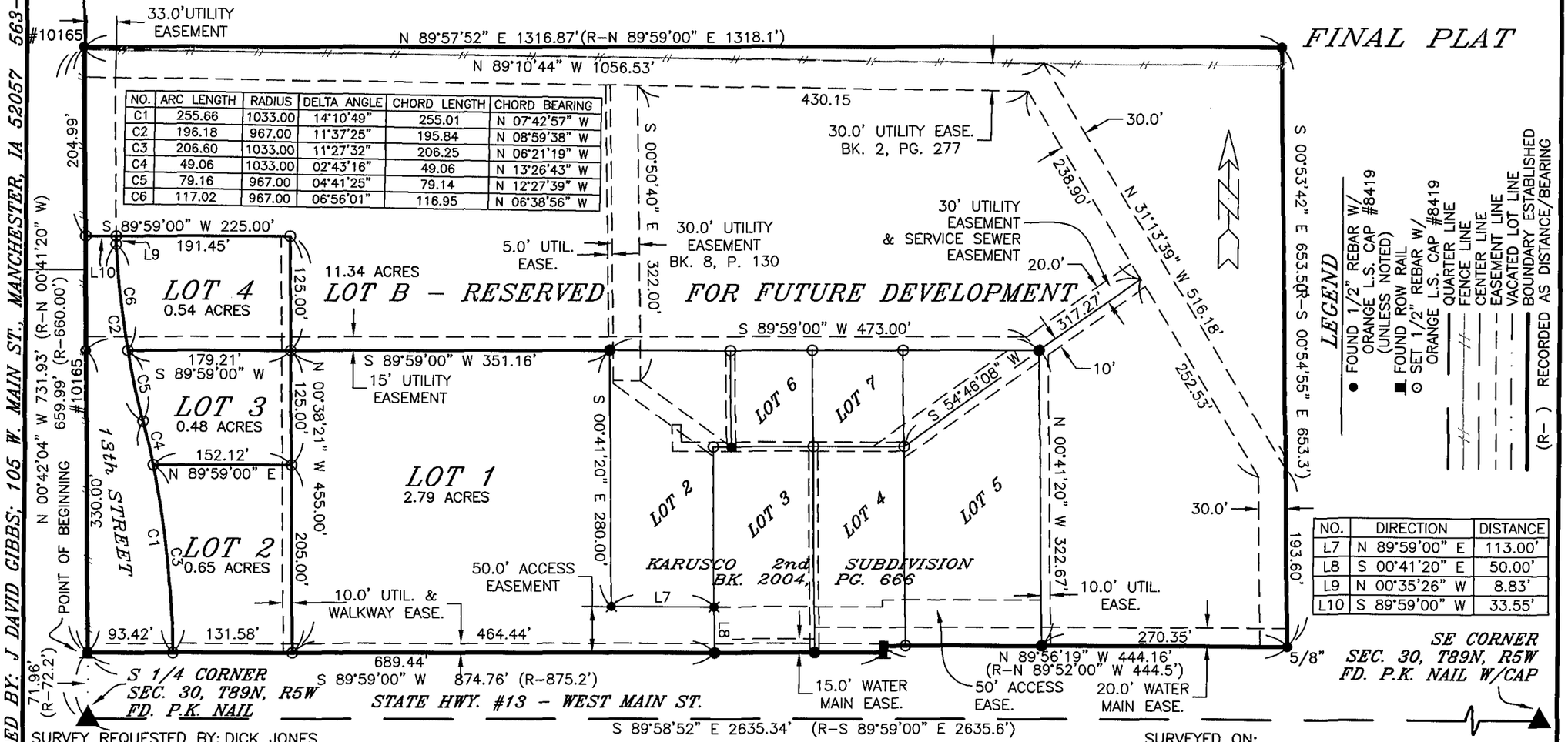
PREPARED BY: J. DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY

KARUSCO 3rd SUBDIVISION
A RESUBDIVISION OF LOT 1 AND LOT A OF KARUSCO 2nd SUBDIVISION
SEC. 30, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

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FINAL PLAT



NO.	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	255.66	1033.00	14°10'49"	255.01	N 07°42'57" W
C2	196.18	967.00	11°37'25"	195.84	N 08°59'38" W
C3	206.60	1033.00	11°27'32"	206.25	N 06°21'19" W
C4	49.06	1033.00	02°43'16"	49.06	N 13°26'43" W
C5	79.16	967.00	04°41'25"	79.14	N 12°27'39" W
C6	117.02	967.00	06°56'01"	116.95	N 06°38'56" W

NO.	DIRECTION	DISTANCE
L7	N 89°59'00" E	113.00'
L8	S 00°41'20" E	50.00'
L9	N 00°35'26" W	8.83'
L10	S 89°59'00" W	33.55'

LEGEND
- ● FOUND 1/2" REBAR W/ ORANGE L.S. CAP #8419 (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

SURVEY REQUESTED BY: DICK JONES

SURVEYED ON:

SCALE: 1"=150'	
DATE: 10/5/2004	
DRAWN BY: RLR	
CHECKED BY: JDG	
FIELD BK: D.L.	
REVISED	
SHEET 1 OF 6	

PROPRIETORS: KARUSCO, INC. 1221 W. Main St. Manchester, IA 52057

PROJECT NO. 04–58

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 3/2/05
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2004

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1

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

LEGAL DESCRIPTION:

KARUSCO 3rd SUBDIVISION*; A SUBDIVISION OF LOT 1 AND LOT A OF KARUSCO 2nd 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 16.48 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 2nd Subdivision, as recorded in Book 2004, Page 666 in the Office of the Delaware County Recorder, 71.96 feet, the **POINT OF BEGINNING**;

THENCE along the Westerly Line of said Karusco 2nd Subdivision, North 00° 42' 04" West, to the Northerly Line of said Karusco 2nd Subdivision, 659.99 feet;

THENCE along the Northerly Line of said Karusco 2nd Subdivision, North 89° 57' 52" East, to the Northeast Corner of said Karusco 2nd Subdivision, 1316.87 feet;

THENCE along the Easterly Line of said Karusco 2nd Subdivision, South 00° 53' 42" East, to the Southeast Corner of said Karusco 2nd Subdivision, 653.50 feet;

THENCE along the Southerly Line of said Karusco 2nd Subdivision, North 89° 56' 19" West, to the Easterly Line of Lot 5 of said Karusco 2nd Subdivision, 270.35 feet;

THENCE along the Easterly Line of Lot 5 of said Karusco 2nd Subdivision, North 00° 41' 20" West, to the Northeast Corner of said Lot 5, 322.67 feet;

THENCE along the Northerly Line of Lot 5, Lot 6, Lot 7, and Lot 2 of said Karusco 2nd Subdivision, South 89° 59' 00" West, to the Northwest Corner of Lot 2 of said Karusco 2nd Subdivision, 473.00 feet;

THENCE along the Westerly Line of said Lot 2, South 00° 41' 20" East, to the Southwest Corner of said Lot 2, 280.00 feet;

THENCE along the Southerly Line of said Lot 2, North 89° 59' 00" East, to the Westerly Line of Lot 3 of said Karusco 2nd Subdivision, 113.00 feet;

THENCE along the Westerly Line of Lot 3 of said Karusco 2nd Subdivision, South 00° 41' 20" East, to the Southerly Line of said Karusco 2nd Subdivision, 50.00 feet;

THENCE along the Southerly Line of said Karusco 2nd Subdivision, South 89° 59' 00" West, 689.44 feet to the **POINT OF BEGINNING**;

Containing a total of 16.48 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

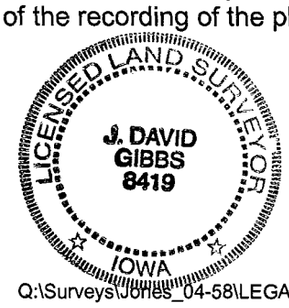
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

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.

3/2/05

J. David Gibbs L.S. #8419 Date

My license will be renewed on December 31, 2005



OWNER'S ACKNOWLEDGMENT

I Richard M. Jones, and JoAnn 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: Richard M. Jones President

JoAnn K. Jones
By: JoAnn K. Jones Secretary

State of Iowa)
)
County of Delaware Ss:

On this 14th day of February, 2005, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard M. Jones and JoAnn K. Jones to me personally known, who being duly sworn, did say that they are the President and Secretary 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 JoAnn 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.

Donna M Kunde
Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-06

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 3rd 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 14th day of Febr., 2005.

Richard Jones

JoAnn K Jones

State of Iowa)
)
County of Delaware Ss:

On this 14th day of February, 2005 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard M. Jones and JoAnn K. Jones to me personally known, who being duly sworn, did say that they are the President and Secretary 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 JoAnn 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.

Donna M. Kunde
Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-06

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MORTGAGE HOLDERS ACKNOWLEDGMENT

The _____, 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 _____)
)
County of _____) Ss:

On this _____day of _____, _____, before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____ and _____ to me personally known, who being duly sworn, did say that they are the _____ and _____ respectively, of the _____ 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) _____; that said instrument was signed (and sealed) on behalf of the _____ by authority of its Board of Directors; and that _____ and_____ as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the _____, by it and by them voluntarily executed.

_____
Notary Public in and for said County

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 3rd Subdivision,*** Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

Carolyn A. Wilson Pam Klein, dep
Carolyn A. Wilson, County Treasurer 5-13-05

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 Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated March 2, 2005

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 3rd day of March, A.D., 2005 at the hour of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantible title on the date and hour of the certification to be in Karusco, Inc., subject to easements of record and subject to mortgage given to Farmers and Merchants Savings Bank dated September 15, 1990 and filed September 27, 1990 in Book 111 L.M., Page 235, Delaware County records.

Dated at Manchester, Iowa, in said County, this 9th day of March 2005.

William D Werger
Attorney at Law

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Karusco 3rd Subdivision, City of Manchester, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated 3-2-05 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 3rd 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 west side of Lots 2 through 4 and on the south side of Lot 2 at such time as a principal structure is constructed on these lots. The sidewalk on the south side of Lot 1 will need to be constructed, or clearly marked on existing asphalt surface when the sidewalk on the south side of Lot 2 is constructed. This sidewalk can be marked on the asphalt surface located on the easement on the south edge of Lot 2, or it can be constructed on the edge of the West Main Street right-of-way.
c. North 13th Street is a temporary dead end that will be connected in future development stages.
d. The existing building on Lot 3 is not required to comply with setback due to the location of the proposed road and location of existing buildings. Any new construction on this lot will be required to meet the City's set back requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Karusco 3rd 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 9th day of March, A.D., 2005.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By Becky Dolan
Becky Dolan, Chairperson

By Laura Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 14 day of March, 2005, before me, Mary E Kleinschrodt, a Notary Public in and for the State of Iowa, personally appeared Becky Dolan 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 9th day of March 2005, and that Becky Dolan 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.

Mary E Kleinschrodt
Notary Public

MARY E. KLEINSCHRODT
Commission Number 148[illegible]
My Comm. Exp. 10-13-06

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R-031-2005
RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Karusco 3rd 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 3-2-2005, 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 3rd 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 west side of Lots 2 through 4 and on the south side of Lot 2 at such time as a principal structure is constructed on these lots. The sidewalk on the south side of Lot 1 will need to be constructed, or clearly marked on existing asphalt surface when the sidewalk on the south side of Lot 2 is constructed. This sidewalk can be marked on the asphalt surface located on the easement on the south edge of Lot 2, or it can be constructed on the edge of the West Main Street right-of-way.
c. North 13th Street is a temporary dead end that will be connected in future development stages.
d. The existing building on Lot 3 is not required to comply with setback due to the location of the proposed road and location of existing buildings. Any new construction on this lot will be required to meet the City's set back requirements.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Karusco 3rd 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 14th day of March, A.D., 2005.

CITY OF MANCHESTER IOWA SEAL

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) SS
COUNTY OF DELAWARE)

On this 13th day of May, 2005, 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-031-2005 adopted by the City Council on the 13th day of May, 2005, 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, Notary Public

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
9-26-05