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COUNTY ASSESSOR

Book 2006 Page 138

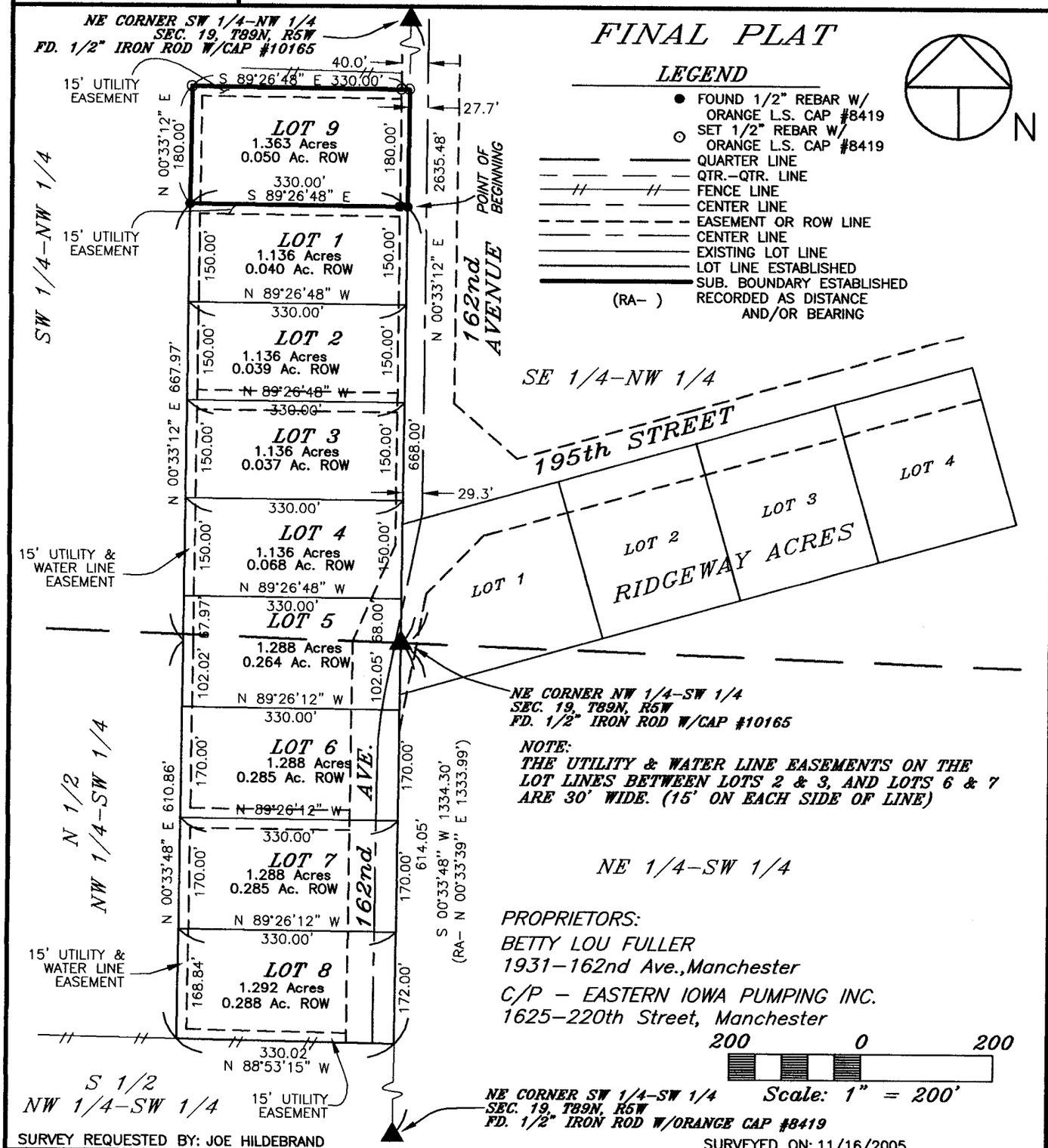
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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

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

PLAT OF SURVEY

QUAKER MILL RIDGE 2nd ADDITION – A SUBDIVISION OF PART OF THE SW 1/4–NW 1/4 OF SECTION 19, T89N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: JOE HILDEBRAND

SURVEYED ON: 11/16/2005

PROPRIETORS: SEE ABOVE

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.

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

J. DAVID GIBBS, P.E., L.S. LIC. #8419 — 1/12/06 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

PAGES OR SHEETS COVERED BY THIS SEAL: 1–2

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

PROJECT NO. 05–79
SCALE: 1"=200'
DATE: 11/9/2005
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 7

LEGAL DESCRIPTION:

QUAKER MILL RIDGE 2nd ADDITION, *A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION NINETEEN (19), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 1.363 acres, including 0.050 acres of public road right of way, divided into one (1) lot numbered Lot 9, subject to easements of record, and more specifically described by metes and bounds as follows;

COMMENCING at the Northeast Corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Easterly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Nineteen (19), North 00° 33' 12" East, to the North East Corner of Quaker Mill Ridge Addition, as recorded in Book 2001, Page 570 in the Office of the Delaware County Recorder, 668.00 feet, the **POINT OF BEGINNING**;

THENCE along the Northerly Line of said Quaker Mill Ridge Addition, North 89° 26' 48" West, to the North West corner of said Quaker Mill Ridge Addition, 330.00 feet;

THENCE along a Northerly Extension of the Westerly Line of said Quaker Mill Ridge Addition, North 00° 33' 12" East, 180.00 feet;

THENCE South 89° 26' 48" East, to the Easterly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Nineteen (19), 330.00 feet;

THENCE along the Easterly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Nineteen (19), South 00° 33' 12" West, 180.00 feet to the **POINT OF BEGINNING**;

Containing a total of 1.363 acres, including 0.050 acres of public road right of way, divided into one (1) lot numbered Lot 9, subject to easements of record.

The Easterly Line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 00° 33' 48" West.

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, L.S. #8419 DATE 1/12/06
My license will be renewed on December 31, 2006



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OWNER'S ACKNOWLEDGMENT

I (we) Betty Lou Fuller 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.

Betty Lou Fuller
Betty Lou Fuller

State of Iowa)
)
County of Delaware) Ss:

On this 21st day of November A.D. 2005, before me a Notary Public in and for said County, personally appeared Betty Lou Fuller 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.

Peggy A. Hildebrand
Notary Public in and for said County

PEGGY A. HILDEBRAND
Commission Number 707484
My Commission Expires
12-26-06

OWNER'S ACKNOWLEDGMENT

I Joe Hildebrand, President of Eastern Iowa Pumping Inc. 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.

Joe Hildebrand President
Joe Hildebrand, President

State of Iowa)
)
County of Delaware) Ss:

On this 21st day of November A.D. 2005, before me a Notary Public in and for the State of Iowa, personally appeared Joe Hildebrand to me personally known who being by me duly sworn, did say he/she is the President of the corporation executing the within and foregoing instrument, that no seal has been procured by the corporation; that said instrument was signed on behalf of the by the authority of its Board of Directors; and that Joe Hildebrand as such officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntary executed.

Peggy A. Hildebrand
Notary Public in and for said County

PEGGY A. HILDEBRAND
Commission Number 707484
My Commission Expires
12-26-06

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DEDICATION OF EASEMENTS

Betty Lou Fuller and Eastern Iowa Pumping Inc., as owners and developers of ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa***, see attached Plat, hereby dedicates to the owner(s) of Lot 9 in said ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa,*** their successors and assigns, perpetual use of the 15 foot utility easement along the Westerly and Northerly Side of Lot 9 as shown in the attached plat. Said utility easement shall be subject to the Declaration of Covenants, Conditions, Restrictions, Reservations and Grants of ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa.*** Said utility easement is hereby retained and dedicated to the City in the event of future annexation of **Quaker Mill Ridge 2nd Addition**, Delaware County, Iowa.

Dated this 21st day of November, 2005.

Betty Lou Fuller

Betty Lou Fuller

Eastern Iowa Pumping Inc.
By Joe Hildebrand, President
by Joe Hildebrand

State of Iowa)
)
County of Delaware) Ss:

On this 21st day of November A.D. 2005, before me a Notary Public in and for said County, personally appeared Betty Lou Fuller 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 County

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

State of Iowa)
)
County of Delaware) Ss:

On this 21st day of November A.D. 2005, before me a Notary Public in and for the State of Iowa, personally appeared Joe Hildebrand to me personally known who being by me duly sworn, did say he/she is the President of the corporation executing the within and foregoing instrument, that no seal has been procured by the corporation; that said instrument was signed on behalf of the by the authority of its Board of Directors; and that Joe Hildebrand as such officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntary executed.

Peggy A. Hildebrand
Notary Public in and for said County

PEGGY A. HILDEBRAND
Commission Number 707484
My Commission Expires
12-21-06

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 ***Quaker Mill Ridge 2nd Addition,*** Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated 1/12, 2006.

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 December, A.D., 2005, 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 Betty Lou Fuller.

Dated at Manchester, Iowa, in said County, this 19th day of December, 2005.

Steven E. Carr

Attorney ~~at Law~~ Steven E. Carr

CERTIFICATE OF TREASURER

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

IOWA DELAWARE COUNTY TREASURER SEAL

Carolyn A. Wilson

Carolyn A. Wilson, County Treasurer

1-17-06

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of ***Quaker Mill Ridge 2nd Addition***, has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Uniform Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 6th day of August, 1996.

Norman Wellman

Norman Wellman - Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) Ss:

On this 20th day of December, 2005, before me Donna Kunde, a Notary Public in and for the State of Iowa, personally appeared Norman Wellman, to me personally known, and, who, being me duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

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

Donna M. Kunde

Notary Public

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RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated November 9, 2005, 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 final plat of ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa***, should be approved with the following variances, declarations and conditions;

a. In the event this subdivision is annexed into the City of Manchester, the recommendation on zoning status would be residential.
b. No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
c. Sidewalks shall not be required at this time. The Owner or Owners of record of the numbered lots may be required to construct sidewalks at a future date as required by the City. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots.
d. Improvements to the existing public roads are not required.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa , that said ***Quaker Mill Ridge 2nd Addition, 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 16th day of November, A.D., 2005.

CITY OF MANCHESTER IOWA SEAL

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 1st day of December, 2005, before me, Julie A Swanson, 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 16th day of November, 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.

Notary Public.

NOTARIAL SEAL
JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-08

R-172-2005
RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated January 12, 2006, 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; 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 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 Planning and Zoning Commission has recommended to the Council that they accept the plat of ***Quaker Mill Ridge 2nd Addition, Delaware County, Iowa***, as presented with the following variances, declarations and conditions;

a. In the event this subdivision is annexed into the City of Manchester, the recommendation on zoning status would be residential.
b. No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
c. Sidewalks shall not be required at this time. The Owner or Owners of record of the numbered lots may be required to construct sidewalks at a future date as required by the City. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots.
d. Improvements to the existing public roads are not required.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Quaker Mill Ridge 2nd Addition, 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 plat as by law provided.

Passed this 28th day of November, A.D., 2005.

CITY OF MANCHESTER IOWA SEAL

Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:
Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 29th day of November, 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-172-2005 adopted by the City Council on the 28th day of November, 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
Laura K. Thomas, Notary Public

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-26-08