FILED
DEC 7 2006
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

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CHERI BOEDING-ORCUTT
DELAWARE COUNTY ASSESSOR

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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

PARCEL B
PART OF THE SE 1/4–SE 1/4
SEC. 35, T89N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

N

E 1/4 CORNER
SEC. 35, T89N, R6W
FD. 1/2" REBAR W/ORANGE CAP #8419

LEGAL DESCRIPTION:

PARCEL B, PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY–FIVE (35), TOWNSHIP EIGHTY–NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 1.11 acres, including 0.16 acres of public road right of way, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Southeast Corner of Section Thirty–five (35), Township Eighty–nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Southerly Line of the Southeast Quarter (SE 1/4) of said Section Thirty–five (35), South 88° 32' 55" West, 235.00 feet to the POINT OF BEGINNING;

THENCE continuing along the Southerly Line of the Southeast Quarter (SE 1/4) of said Section Thirty–five (35), South 88° 32' 55" West, 205.00 feet;

THENCE North 01° 29' 58" West, 235.00 feet;

THENCE North 88° 32' 55" East, 205.00 feet;

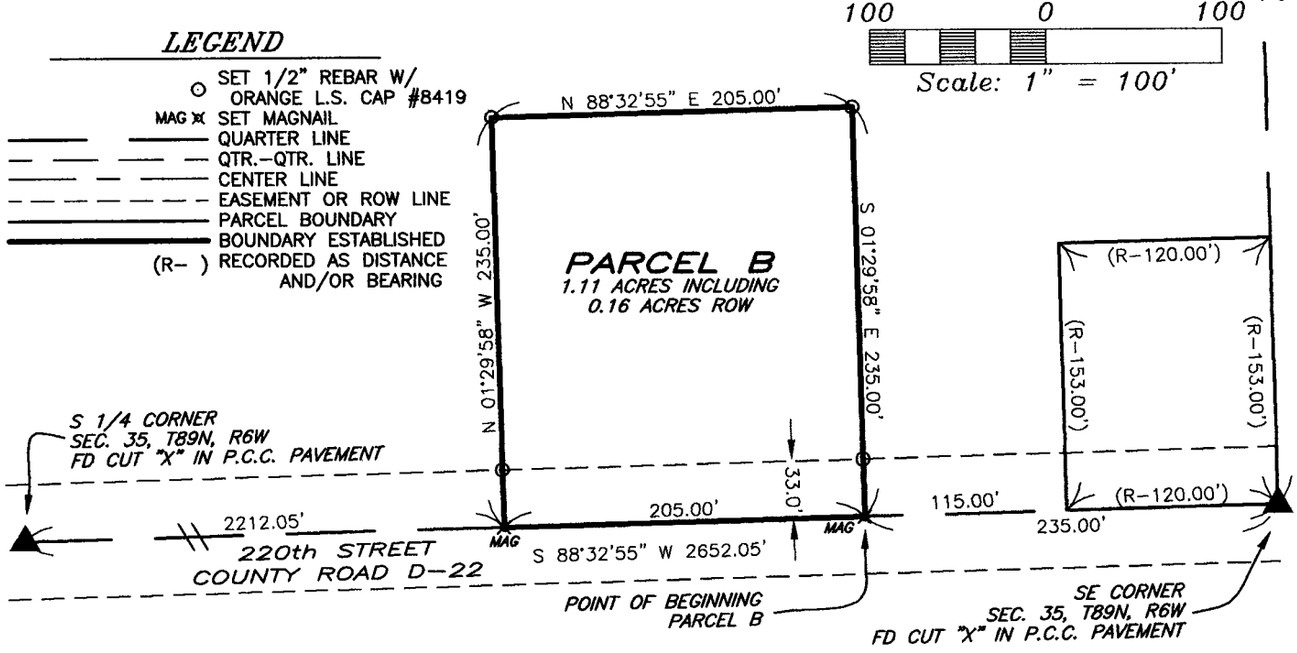
THENCE South 01° 29' 58" East, to the Southerly Line of the Southeast Quarter (SE 1/4) of said Section Thirty–five (35), 235.00 feet to the POINT OF BEGINNING

Containing a total of 1.11 acres, including 0.16 acres of public road right of way, and subject to easements of record.

S 01°29'58" E 2654.35'

100 0 100
Scale: 1" = 100'

LEGEND
- ○ SET 1/2" REBAR W/ ORANGE L.S. CAP #8419
- MAG ⊠ SET MAGNAIL
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (R–) RECORDED AS DISTANCE AND/OR BEARING



PROPRIETORS:
1/2 INTEREST – GENEROSE MONAGHAN BENNETT
1/2 INTEREST – 90% GENEROSE MONAGHAN BENNETT
10% WALTER H. MONAGHAN TRUST – GENEROSE MONAGHAN BENNETT, TRUSTEE

SURVEY REQUESTED BY: GENEROSE BENNETT
SURVEYED ON: 10/25/2006

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.

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE 12/7/06
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006

J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1

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

PROJECT NO. 06–110/04–13
SCALE: 1"=100'
DATE: 10/25/2006
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 3

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RESOLUTION WAIVING RIGHT TO REVIEW PLAT

WHEREAS, a Final Plat is located on the premises described as:

> Parcel B, Part of the SE ¼ - SE ¼, Section 35, T89N, R6W of the Fifth P.M., Delaware County, Iowa

WHEREAS, said plat is located on the fringes of the two mile radius of the current city limits, and

WHEREAS, it is unlikely that the city limits will extend to include this parcel, and

WHEREAS, the owner of the property, Generose Monaghan Bennett and Generose Monaghan Bennett as Trustee of the Walter H. Monaghan Trust, has requested the City waive their right to review this property division, and

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Manchester, Iowa that the Planning and Zoning Commission of the City of Manchester, Iowa hereby waives it's right to review the plat of Parcel B, Part of the SE ¼ - SE ¼, Section 35, T89N, R6W of the Fifth P.M., Delaware County, Iowa, and that the Mayor and City Clerk are hereby authorized and directed to certify this resolution and affix the same to said plat as provided by law.

PASSED AND APPROVED this 16th day of November, 2006.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

Becky Dolan

Becky Dolan, Chairperson

Laura Thomas

Laura Thomas, Recording Secretary

On this 21st day of November, 2006, before me Julie A. Schmitz, 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 he instrument was signed and sealed on behalf of the corporation, by authority of its Planning and Zoning Commission, as contained in Resolution adopted by the Planning and Zoning Commission on the 16th day of November, 2006, and that Becky Dolan and Laura Thomas acknowledged 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. Schmitz

Notary Public

NOTARIAL SEAL IOWA
JULIE A. SCHMITZ
Commission Number 224151
My Commission Expires
8-23-08

R-158-2006
RESOLUTION WAIVING RIGHT TO REVIEW PLAT

WHEREAS, a Final Plat is located on the premises described as:

Parcel B, Part of the SE ¼ - SE ¼, Section 35, T89N, R6W of the Fifth P.M., Delaware County, Iowa

WHEREAS, said plat is located on the fringes of the two mile radius of the current city limits, and

WHEREAS, it is unlikely that the city limits will extend to include this parcel, and

WHEREAS, the owner of the property, Generose Monaghan Bennett and Generose Monaghan Bennett as Trustee of the Walter H. Monaghan Trust, has requested the City waive their right to review this property division, and

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the City Council that the City waive it's right to review the Plat;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Manchester, Iowa that the City Council hereby waives it's right to review the plat of Parcel B, part of the SE ¼ - SE ¼, Section 35, T89N, R6W of the Fifth P.M. Delaware County, Iowa, and that the Mayor and City Clerk are hereby authorized and directed to certify this resolution and affix the same to said plat as provided by law.

PASSED AND APPROVED this 27th day of November, 2006

CITY OF MANCHESTER

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

On this 28th day of November, 2006, 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 he instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in resolution R-158-2006 passed by the City Council of the City of Manchester, Iowa on the 27th day of November, 2006, and that Milt L. Kramer and Erin Rempe acknowledged 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

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

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