FILED
MAR 14 2007
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
MAR 14 2007
DELAWARE COUNTY ASSESSOR

Book 2007 Page 745

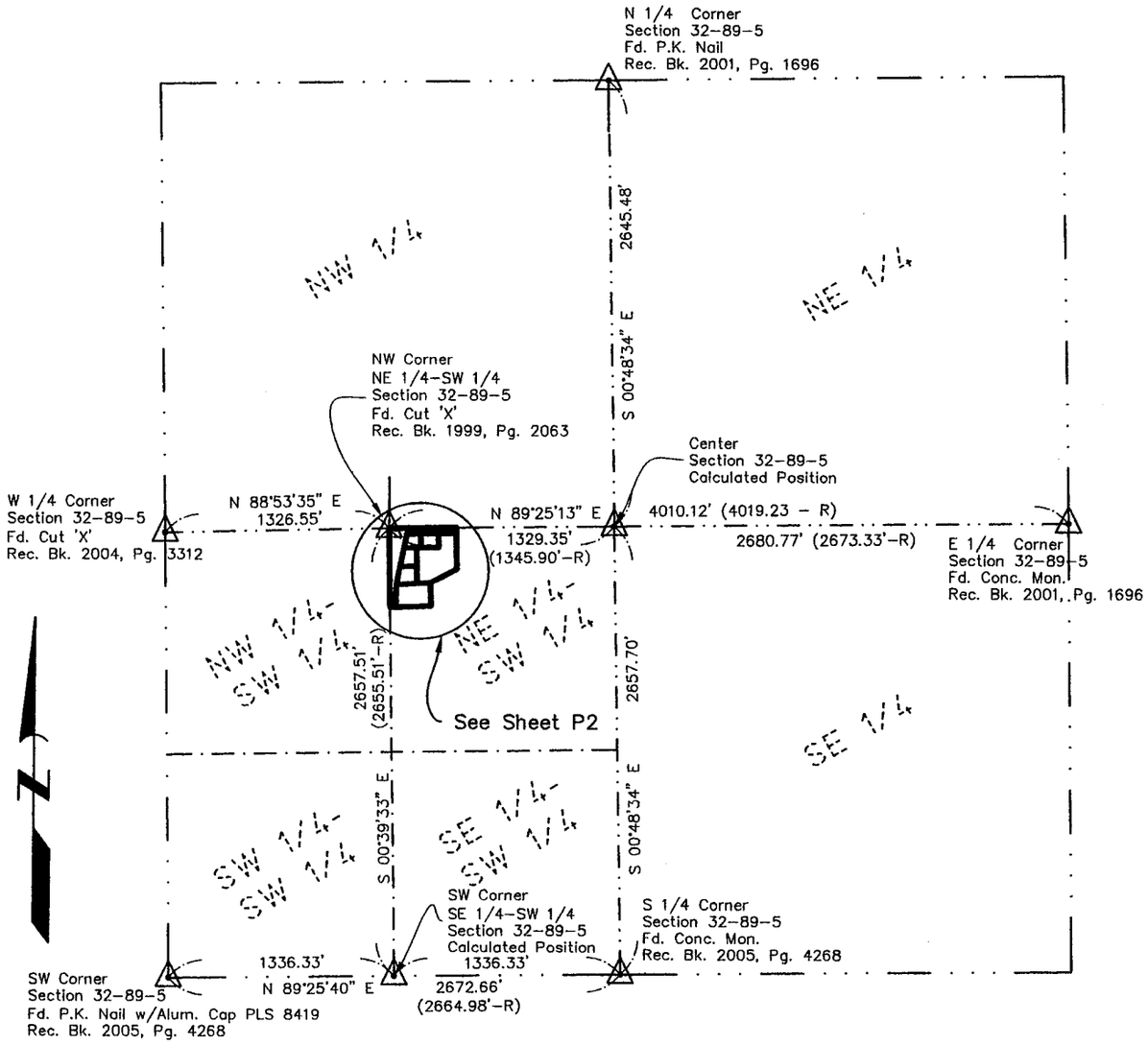
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Date 3/14/2007 Time 2:27:16PM
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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

TeKIPPE ENGINEERING, P.C., 1919–210th St., P.O. Box 357, Manchester, Iowa 52057 Phone #563/927–2060

Final Plat

Hart Subdivision
in the NE 1/4 of the SW 1/4
Section 32, T89N, R5W
in the City of Manchester,
Delaware County, Iowa



Proprietor &
Requested by:
Richard R. Hart
904 S 5th Street
Manchester, Iowa 52057

500' 0 500' 1000' 2000'

1 inch = 1000 ft.

Survey was completed on February 15, 2007

LEGEND

Section Corner.....
Recorded as.....R
Section Line.....
1/4 Section Line.....
1/4–1/4 Section Line.....

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE
7060
IOWA

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. The unadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.

Lyle G. TeKippe 3-12-07
Lyle G. TeKippe Date:
License number 7060
My license renewal date is December 31, 2008.
Sheets covered by this seal: Sheets P1 through P3

TeKIPPE ENGINEERING, P.C.

128 South Vine Street
West Union, IA 52175
www.tekippe.com
PH. (563) 422–5131
FAX (563) 422–5884

1919 210th Street
P.O. Box 357
Manchester, IA 52057
PH. (563) 927–2060
FAX (563) 927–3603

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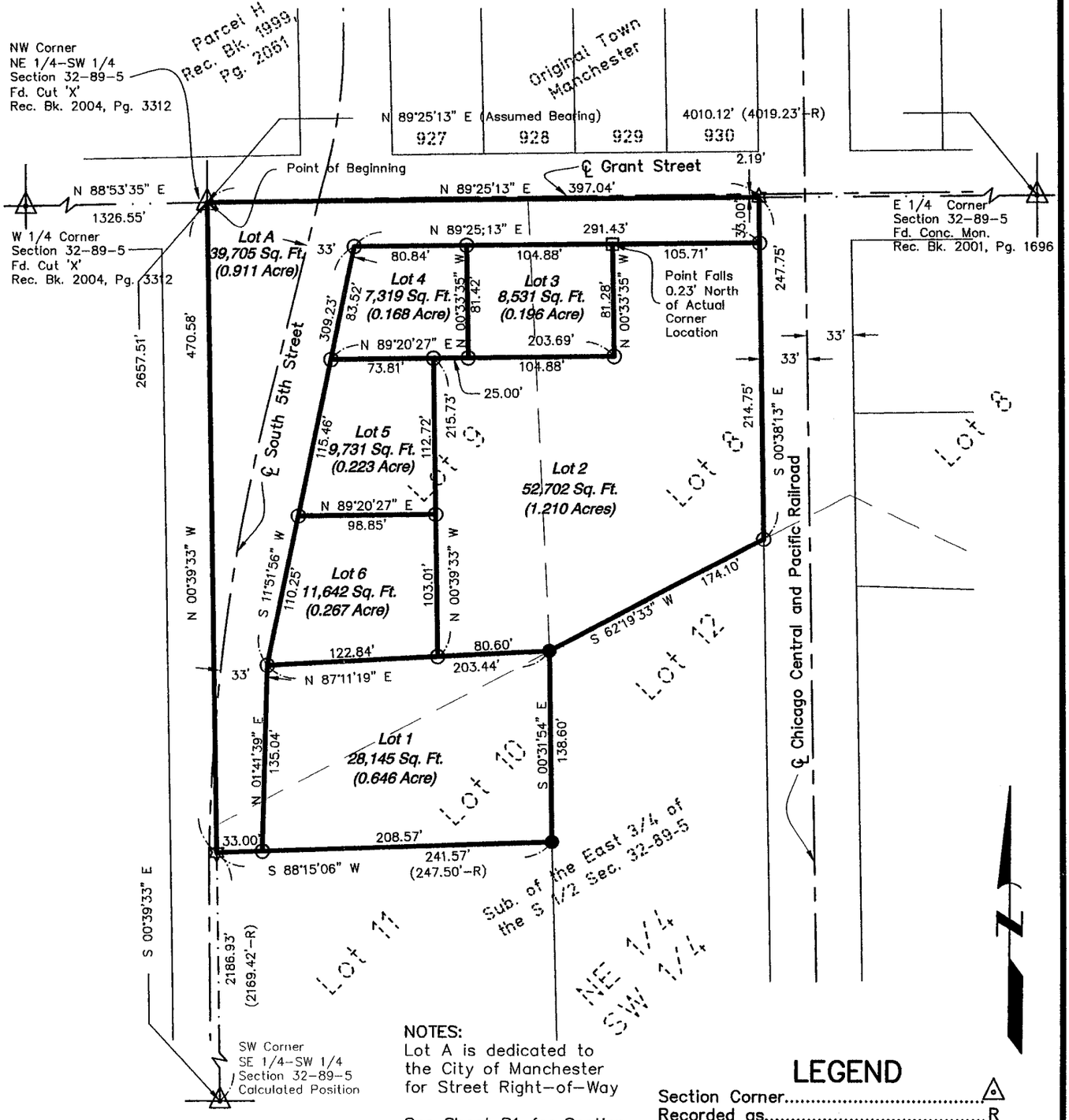
Field Book: Manchester No. 1 Pages: 55–56

Project No. 07605.LS Sheet P1

BOOK 2007 PAGE 745

Final Plat

Hart Subdivision
in the NE 1/4 of the SW 1/4
Section 32, T89N, R5W
in the City of Manchester,
Delaware County, Iowa



NOTES:
Lot A is dedicated to the City of Manchester for Street Right-of-Way

See Sheet P1 for Section Control

See Sheet P3 for Easements

Proprietor &
Requested by:
Richard R. Hart
904 S 5th Street
Manchester, Iowa 52057

LEGEND

Section Corner	△
Recorded as	R
Fd. 5/8"ø Iron Rod	⊡
Fd. 1"ø Pinched Iron Pipe	●
Set 1/2"ø Rebar w/RPC PLS 7060	⊙
Set Mag Nail w/SSW PLS 7060	✡
Survey Boundary	———
Orange Plastic Cap	OPC
Red Plastic Cap	RPC
Stainless Steel Washer	SSW
1/4 Section Line	— · — · —
1/4-1/4 Section Line	— · — · —
Existing Lot Line	— — —

Total Subdivision Area
157,775 Sq.Ft.
(3.622 Acres)

50' 0 50' 100' 200'

1 inch = 100 ft.

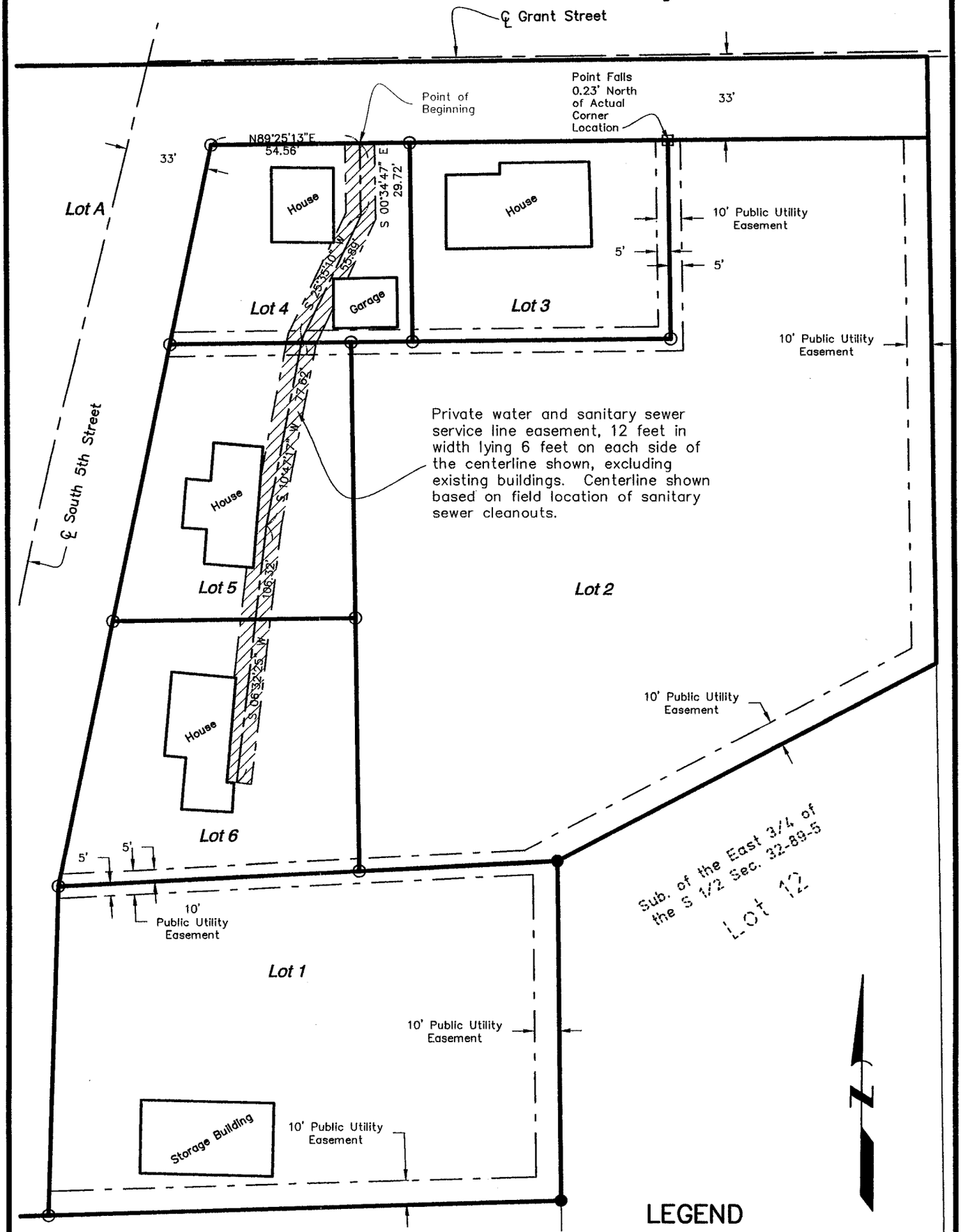
Survey was completed on February 15, 2007

TeKIPPE ENGINEERING, P.C. | 1919 - 210th STREET, MANCHESTER, IOWA 52057
PH. (563) 927-2060 FAX (563) 927-3603

Project No. 07605.LS | Field Book: Manc. No.1 Pg: 55-56 | Sheet P2

Final Plat

Private Water and Sanitary Sewer Service Line Easement in Hart Subdivision in the City of Manchester, Delaware County, Iowa



25' 0 25' 50' 100'

1 inch = 50 ft.

Survey was completed on February 15, 2007

Proprietor & Requested by:
Richard R. Hart
904 S 5th Street
Manchester, Iowa 52057

LEGEND

Fd. 5/8"ø Iron Rod.....⊡
Fd. 1"ø Pinched Iron Pipe.....●
Set 1/2"ø Rebar w/RPC PLS 7060....⊙
Red Plastic Cap.....RPC
Public Utility Easement...— — — —

TeKIPPE ENGINEERING, P.C. | 1919 – 210th STREET, MANCHESTER, IOWA 52057
PH. (563) 927–2060 FAX (563) 927–3603

Project No. 07605.LS | Field Book: Manc. No.1 Pg: 55–56 | Sheet P3

BOOK 2007 PAGE 745

TeKIPPE ENGINEERING, PC, PO Box 357, Manchester IA 52057, Ph 563/927-2060

PROF. ENGR. & LAND SURVEYOR — LYLE G. TeKIPPE 7060 — IOWA

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. The unadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.

Lyle G. TeKippe — 3-12-07 Date

License Number 7060

My license renewal date is December 31, 2008.

Pages covered by this seal: BD-1 and BD-2

State of Iowa)
) SS
Delaware County)

Subscribed and sworn to before me by Lyle G. TeKippe this 12th day of March 2007.

CHRISTINA RICHTER Commission Number 723809 My Commission Expires 8-5-09 — NOTARIAL SEAL IOWA

Christina Richter
Notary Public

SURVEY AND PLAT OF:

Boundary Description:

Hart Subdivision in the Northeast Quarter of the Southwest Quarter of Section 32, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Beginning at the Northwest Corner of the Northeast Quarter of the Southwest Quarter of said Section;

Thence **North 89°-25'-13" East (Assumed Bearing), 397.04 feet** along the North Line of said Quarter-Quarter Section to the West Right-of-Way Line of the Chicago Central and Pacific Railroad;

Thence **South 00°-38'-13" East, 247.75 feet** along said Line to the North Line of Lot 12 of the Subdivision of the East Three Quarters of the South Half of said Section (Recorded Book A, Page 5 and Book A, Page 118);

Thence **South 62°-19'-33" West, 174.10 feet** along said Line to the East Line of Lot 10 of said Subdivision;

Thence **South 00°-31'-54" East, 138.60 feet** along said Line to the North Line of Lot 11 of said Subdivision;

Thence **South 88°-15'-06" West, 241.57 feet** along said Line to the West Quarter-Quarter Section Line of said Section;

Thence **North 00°-39'-33" West, 470.58 feet** along said Quarter-Quarter Section line to the Point of Beginning;
Containing **3.622 Acres (157,775 Square Feet);**

Subject to easements of record.
(See plat attached to this original boundary description.)

Private Easement Description:

Private Water and Sanitary Sewer Service Line Easement in Hart Subdivision, City of Manchester, Delaware County, Iowa, 12 feet in width lying 6 feet on each side of the following Centerline and more particularly described as follows:

Commencing at the Northwest Corner of Lot 4, Hart Subdivision, City of Manchester, Delaware County, Iowa;

Thence **North 89°-25'-13" East, 54.56 feet** along the South Right-of-Way Line of Grant Street to the Point of Beginning, with the north line of said easement being coincident with south line of said right-of-way;

Thence **South 00°-34'-47" East, 29.72 feet;**

Thence **South 25°-35'-10" West, 55.89 feet;**

Thence **South 10°-47'-17" West, 77.62 feet;**

Thence **South 06°-32'-25" West, 106.32 feet** to the terminus of said easement with the south line of said easement being perpendicular to said Centerline;
Containing **0.074 Acre (3,223 Square Feet)**

NOTE: The boundaries of said Private Service Line Easement are being extended or shortened to meet at angle points and existing buildings are to be excluded from easement area.

Quarter Section line is assumed to bear **North 89°-25'-13" East.**

Subject to other easements of record.
(See plat attached to this original easement description.)

OWNER'S ACKNOWLEDGMENT

We Richard R. Hart and Kay Hart of Delaware Co., State of Iowa, do herby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

Richard R. Hart

Kay Hart

State of Iowa)
) SS
Delaware County)

On this 13th day of March, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard R. and Kay Hart, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

RYAN M. WICKS
Iowa Notarial Seal
Commission Number: 723753
My Commission Expires: 08-04-2009

Notary Public in and for the State of **Iowa**
My commission expires 8/4/2009

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 ***Hart Subdivision, City of Manchester, Delaware County, Iowa.*** The road right-of-way along Grant Street and South 5th Street, Lot A as shown on the above plat and survey are hereby dedicated to public use forever for street purposes. All 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 13th day of March, 2007.

Richard R. Hart

Kay Hart

State of Iowa)
) SS
Delaware County)

On this 13th day of March, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard R. and Kay Hart, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

RYAN M. WICKS
Iowa Notarial Seal
Commission Number: 723753
My Commission Expires: 08-04-2009

Notary Public in and for the State of **Iowa**
My commission expires 8/4/2009

CERTIFICATE OF TREASURER

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

Carolyn A. Wilson, Delaware County Treasurer

3-14-07

Date

APPROVAL OF AUDITOR

I, **Carla K. Becker**, Auditor of Delaware County, Iowa, pursuant to Iowa Code Sections 354.6(2) and 354.11(6), have reviewed and do hereby approve of the subdivision name or title of ***Hart Subdivision, City of Manchester, Delaware County, Iowa,*** a subdivision in Delaware County, Iowa.

Carla K. Becker

Carla K. Becker, Delaware County Auditor

3-13-2007

Date

State of Iowa)
) SS
Delaware County)

On this 13th day of March, 2007, before me Andrea Schmidt a Notary Public in and for the State of Iowa, personally appeared **Carla K. Becker**, to me personally known, and, who, being duly sworn, did say that she is the Auditor of Delaware County, Iowa.

ANDREA SCHMIDT
Commission Number 744417
My Commission Expires
December 14, 2009

Andrea Schmidt

Notary Public in and for the State of **Iowa**
My commission expires 12/14/09

ATTORNEY OPINION

I, William D. Werger, a practicing attorney at law in the City of Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***Hart Subdivision, City of Manchester, Delaware County, Iowa,*** on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated March 12, 2007.

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 26th day of February, A.D. 2007, 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 Richard R. Hart

Dated at Manchester, Iowa, in said County, this 12th day of March 2007.

William D Werger

Attorney at Law

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Hart Subdivision, City of Manchester, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Lyle G. Tekippe, dated March 12, 2007, 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, preliminary and final plat of ***Hart Subdivision, City of Manchester, Delaware County, Iowa,*** should be approved with the following variances, declaration 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) The area within this subdivision is currently zoned R-1 and B-2. The B-2 zoning shall be expanded to include all of Lot 1. Lots 2-6 shall maintain an R-1 zoning.
3) A variance from the requirement in preliminary platting for contours.
4) A variance from providing sanitary sewer service to Lot 1. Lot 1 currently is not served by a sanitary sewer disposal system. At such time that the Owner of Lot 1 determines there is a need for sanitary sewer facilities, a connection shall be made to an existing City sanitary sewer main. The Owner of Lot 1 shall be responsible for all cost associated with service line including frontage hook-up fees and installation costs of said private service line. The City will allow the installation of the private service line within the public right-of-way.
5) A variance from providing water service to Lot 1. Lot 1 currently is not served with water. At such time that the Owner of Lot 1 determines there is a need for water, a connection shall be made to the existing main along South 5th Street. The Owner of Lot 1 shall be responsible for all cost associated with the water service line including frontage hook-up fees and installation costs.
6) A variance from providing individual water and sanitary sewer line service connections to Lot 4, Lot 5, and Lot 6. These lots are currently serviced with shared lines which shall be maintained. An easement is provided indicating the apparent location of the services lines and providing access to said lines.
7) The installation of water and sanitary sewer service lines to Lot 2 is deferred at this time. At such a time that services are required for Lot 2 the Owner shall connect to the existing public mains along Grant Street. The Owner of Lot 2 shall be responsible for all cost associated with the service lines including frontage hook-up fees and installation costs.
8) The construction of sidewalk along the west frontage of Lot 4, Lot 5, Lot 6, and Lot 1 along South 5th Street is deferred at this time.
9) The construction of sidewalk along the north frontage of Lot 2, Lot 3, and Lot 4 along Grant Street is deferred at this time.
10) The City retains the right to require sidewalks to be constructed at any time in the future. The cost of sidewalk construction shall be as required by the City Code at the time of construction.
11) A variance from meeting the required set backs per zoning for existing structures.

NOW, THEREFORE, BE IT RESOLVED, by this Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Hart Subdivision, City of Manchester, 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 7th day of March, A.D., 2007.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By Gary Reeder
Gary Reeder, Vice Chairperson

By Laura Thomas
Laura Thomas, Recording Secretary

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 13 day of March, 2007, before me, Mary E Kleinschrodt a Notary Public in and for the State of Iowa, personally appeared Gary Reeder and Laura Thomas, to me personally known, and, who, being by me duly sworn, did say that they are the Vice Chairperson and 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 7th day of March, 2007, and that Gary Reeder 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
Commission Number 148950
My Comm. Exp. 10-13-09

Mary E Kleinschrodt
Notary Public

R-037-2007 RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the preliminary and final plat of ***Hart Subdivision, City of Manchester, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Lyle G. Tekippe, dated March 12, 2007, 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 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; and

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the City Council that they accept the preliminary and final plat of ***Hart Subdivision, City of Manchester, 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) The area within this subdivision is currently zoned R-1 and B-2. The B-2 zoning shall be expanded to include all of Lot 1. Lots 2-6 shall maintain an R-1 zoning.
3) A variance from the requirement in preliminary platting for contours.
4) A variance from providing sanitary sewer service to Lot 1. Lot 1 currently is not served by a sanitary sewer disposal system. At such time that the Owner of Lot 1 determines there is a need for sanitary sewer facilities, a connection shall be made to an existing City sanitary sewer main. The Owner of Lot 1 shall be responsible for all cost associated with service line including frontage hook-up fees and installation costs of said private service line. The City will allow the installation of the private service line within the public right-of-way.
5) A variance from providing water service to Lot 1. Lot 1 currently is not served with water. At such time that the Owner of Lot 1 determines there is a need for water, a connection shall be made to the existing main along South 5th Street. The Owner of Lot 1 shall be responsible for all cost associated with the water service line including frontage hook-up fees and installation costs.
6) A variance from providing individual water and sanitary sewer line service connections to Lot 4, Lot 5, and Lot 6. These lots are currently serviced with shared lines which shall be maintained. An easement is provided indicating the apparent location of the services lines and providing access to said lines.
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9) The construction of sidewalk along the north frontage of Lot 2, Lot 3, and Lot 4 along Grant Street is deferred at this time.
10) The City retains the right to require sidewalks to be constructed at any time in the future. The cost of sidewalk construction shall be as required by the City Code at the time of construction.
11) A variance from meeting the required set backs per zoning for existing structures.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Hart 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 12th day of March, A.D., 2007.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

State of Iowa)
) SS
Delaware County)

On this 13th day of March, 2007, 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-037-2007 adopted by the City Council on the 12th day of March, 2007, 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 718135
My Commission Expires

Notary Public in and for the State of Iowa
My commission expires 8-26-08