FILED
MAR 14 2007
DELAWARE COUNTY ASSESSOR

FILED
MAR 14 2007
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Book 2007 Page 752
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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

SUBDIVISION PLAT

FINAL PLAT — HONEY CREEK ADDITION

PART OF THE NW 1/4 — SE 1/4
SEC. 20, T89N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

HONEY CREEK ADDITION, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY (20), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, containing a total of 9.65 acres, divided into six lots numbered Lot 1 through Lot 6, Honey Creek Drive, North Franklin Street, and Winslow Drive, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Center of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Northerly Line of the Southeast Quarter (SE ¼) of said Section Twenty (20), South 89° 20' 01" East, to the Northeast Corner of Lot A of Swiss Valley Farms Subdivision, as recorded in Book 2004, Page 1563 in the Office of the Delaware County Recorder, 293.83 feet, the POINT OF BEGINNING;

THENCE continuing along the Northerly Line of the Southeast Quarter (SE ¼) of said Section Twenty (20), South 89° 20' 01" East, to the centerline of Iowa State Highway #13, 246.27 feet;

THENCE along the centerline of said Iowa State Highway #13 along a circular curve concave Southwesterly and having an arc length of 723.62 feet, a radius of 1145.92 feet, a central angle of 36° 10' 50", chord length of 711.65 feet, and a chord bearing of South 15° 40' 44" East;

THENCE continuing along the centerline of Iowa State Highway #13, South 02° 24' 41" West, to the Northerly Line of a parcel as deeded in L.D. Book 129, Page 7 in the Office of the Delaware County Recorder, 198.68 feet;

THENCE along the Northerly Line of said deeded parcel, South 89° 14' 40" West, to the Easterly Line of Lot 2 of said Swiss Valley Farms Subdivision, 513.96 feet;

THENCE along the Easterly Line of said Lot 2 along a circular curve concave Easterly and having an arc length of 906.18 feet, a radius of 1860.07 feet, a central angle of 27° 54' 47", a chord length of 897.24 feet, and a chord bearing of North 05° 21' 11" East to the POINT OF BEGINNING;

Containing a total of 9.65 acres, divided into six lots numbered Lot 1 through Lot 6, Honey Creek Drive, North Franklin Street, and Winslow Drive, and subject to easements of record.

The Northerly Line of the Southeast Quarter (SE ¼) of Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 89° 20' 01" East.

CURVE TABLE					
CURVE	LENGTH	RADIUS	CENTRAL ANGLE	CHORD	CHORD BEARING
C1	723.62	1145.92'	36°10'50"	711.65'	S 15°40'44" E
C2	906.18	1860.07'	27°54'47"	897.24'	N 05°21'11" E
C3	44.05	1145.92'	2°12'09"	44.05'	S 32°40'05" E
C4	679.56	1145.92'	33°58'41"	669.65'	S 14°34'40" E
C5	357.11	1860.07'	11°00'00"	356.56'	N 03°06'12" W
C6	66.00	1860.07'	2°01'59"	66.00'	N 03°24'48" E
C7	175.41	1860.07'	5°24'11"	175.35'	N 07°07'53" E
C8	266.88	1860.07'	8°13'14"	266.65'	N 13°56'36" E
C9	40.78	1860.07'	1°15'22"	40.77'	N 18°40'54" E
C10	102.09	142.00'	41°11'39"	99.91'	N 66°55'18" W
C11	163.03	233.00'	40°05'24"	159.73'	N 66°22'10" W
C12	149.55	208.00'	41°11'39"	146.35'	N 66°55'18" W
C13	116.85	167.00'	40°05'24"	114.48'	N 66°22'10" W
C14	53.56	167.00'	18°22'29"	53.33'	N 55°30'43" W
C15	63.29	167.00'	21°42'54"	62.91'	N 75°33'25" W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 46°19'29" W	35.63'
L2	N 46°19'29" W	35.63'
L3	N 87°31'07" W	26.17'
L4	N 87°31'07" W	26.09'
L5	S 02°24'41" W	10.07'
L6	N 87°30'27" W	50.00'
L7	N 02°24'41" E	50.00'

SURVEY REQUESTED BY: DON McCURDY

SURVEYED ON: 1/8, 1/11 & 1/29/2007

PROPRIETORS: *DONALD L. McCURDY & KATHY S. McCURDY*
P.O. BOX 104, COGGON, IA 52218

PROJECT NO. 06-118

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 3/7/07

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2008

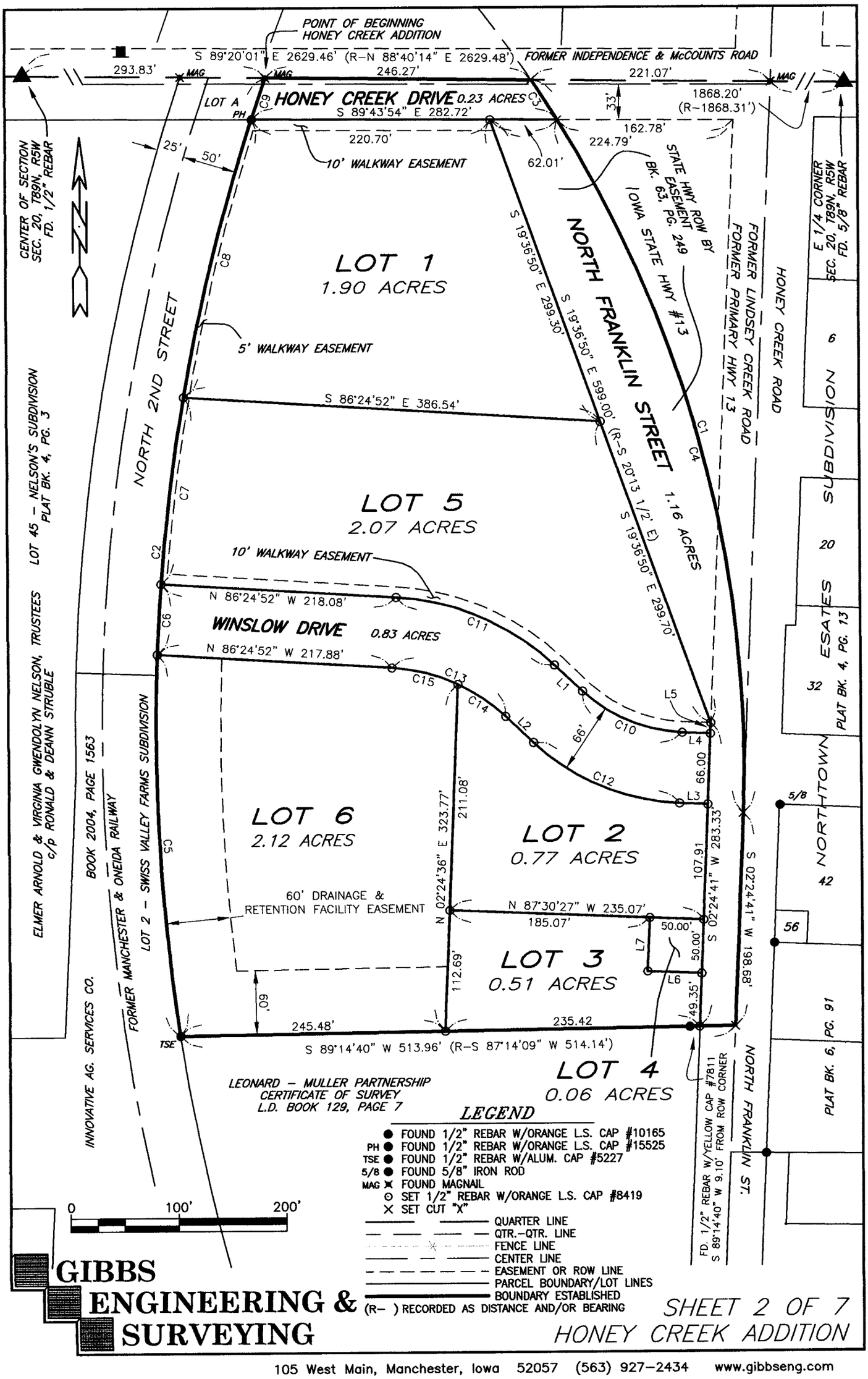
GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

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

SCALE: 1"=100'
DATE: 2/13/2007
DRAWN BY: RLR
CHECKED BY: JDG
FIELD BK: D.L.
REVISED
SHEET 1 OF 7

BOOK 2007 PAGE 752



GIBBS ENGINEERING & SURVEYING

SHEET 2 OF 7
HONEY CREEK ADDITION

105 West Main, Manchester, Iowa 52057 (563) 927-2434 www.gibbseng.com

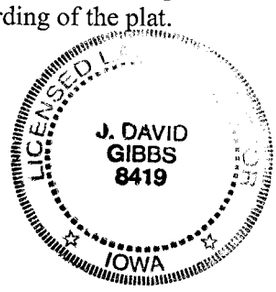
SURVEYOR'S CERTIFICATE

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 3/7/07

J. David Gibbs L.S. #8419 Date
My license will be renewed on December 31, 2008



OWNER'S ACKNOWLEDGMENT

I Donald L McCurdy & Kathy S McCurdy 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.

Donald L. McCurdy Kathy S McCurdy

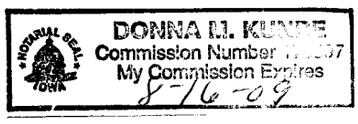
Donald L. McCurdy Kathy S. McCurdy

State of Iowa)
)
County of Delaware) ss:

On this 7th day of March A.D. 2007, before me a Notary Public in and for said County, personally appeared Donald L. McCurdy and Kathy S. McCurdy 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 State



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 *Honey Creek Addition, City of Manchester, Delaware County, Iowa.* All streets shown upon the plat and survey are hereby dedicated to public use forever for street purposes including Honey Creek Drive, North Franklin Street, and West Winslow Drive. Lot 4 shown upon the plat and survey is hereby dedicated to public use forever for wastewater pump station. 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.

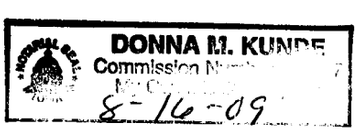
IN WITNESS WHEREOF, we have set our hands this 7th day of March, 2007.

Donald L. McCurdy Kathy S. McCurdy

Donald L. McCurdy Kathy S. McCurdy

State of Iowa)
)
County of Delaware) ss:

On this 7th day of March A.D. 2007, before me a Notary Public in and for said County, personally appeared Donald L. McCurdy and Kathy S. McCurdy 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 State

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 _____
Steven A Brady, President

By _____
Jacqueline A Johnson, Executive Vice President

STATE OF IOWA, Delaware County, Iowa, Ss:

On this 26th day of February, 2007 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven A Brady and Jacqueline A Johnson to me personally known, who being duly sworn, did say that they are the President and Executive Vice President respectively, of the Community Savings Bank executing the within and foregoing instrument to which this is attached, that [redacted] (the seal affixed hereto is the seal of the) _____; that said instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that Steven A Brady and Jacqueline A Johnson as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation _____, by it and by them voluntarily executed.

_____
Notary Public in and for said State

REGINA R. SELOOVER
Commission Number 196498
My Commission Expires
05/18/07

ATTORNEY'S OPINION

I, Daniel H. Swift, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***Honey Creek Addition,*** City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated 3/07/07.

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 14th day of Feb., A.D., 2007, at the hour of 8 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 Donald L. McCurdy and Kathy S. McCurdy, husband and wife, as joint tenants with full rights of survivorship, and not as tenatns in common.

Dated at Manchester, Iowa, in said County, this 22nd day of February, 2007.

Attorney at Law Daniel H. Swift

CERTIFICATE OF TREASURER

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

Pam Klein dep treasurer 3/14/07

Carolyn A. Wilson, County Treasurer 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 Honey Creek Addition a subdivision in Delaware County, Iowa.

Carla K. Becker, Delaware County Auditor

State of Iowa)
)
County of Delaware)

On this 14th 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 744617
My Commission Expires
December 14, 2008

Andrea Schmidt
Notary Public

RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the Preliminary and Final plat of ***Honey Creek Addition, City of Manchester, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated March 7, 2007, 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 ***Honey Creek Addition, 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. The City will not charge a front foot connection fee to Lots 1 and 5 for connection to water and sewer mains. Maximum assessment on Lot 6 for water and sewer connection will be based on 70 feet of width.
c. Lot 2 is currently served by a private well and shall be required to connect to the City water system within ten (10) years of the date of approval of the subdivision or upon failure of the existing well, which ever occurs first, at the cost of the owner at that time. Lot 2 is currently served by a private wastewater disposal system and shall be required to connect to the City sewer system within ten (10) years of the date of approval of the subdivision or upon failure of the existing system, which ever occurs first, at the cost of the owner at that time. Lot 2 will be assessed for water and for sewer when connected based on a width of 107.91 feet. At such time that the City constructs a new wastewater pump station on Lot 4, the City shall install a service sewer stub from the City sewer system to the lot line of Lot 2.
d. Lot 3 is not presently developed, and shall be required to connect to the City water and sewer system within one (1) year of the date of issuance of a building permit at the cost of the owner at that time.
e. Sidewalks along the south side of Honey Creek Drive and west side N. Franklin Street are deferred based on the existing rural cross section of the roadways.
f. Sidewalks will be constructed along the east side of N. Second Street and the north side of W. Winslow Drive concurrent with the development of Lot 5. Financial assurance for sidewalk construction shall be provided for by an irrevocable letter of credit on behalf of the developer or other suitable manner.
g. Storm water management facilities will be constructed at the time of development of each lot or area in accordance with the approved Storm Water Management Plan for the subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Honey Creek Addition, 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.

CITY OF MANCHESTER IOWA SEAL

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By: Gary Reeder
Gary Reeder, Vice Chairperson

By: Laura Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 13 day of March, 07, 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.

NOTARIAL SEAL IOWA — MARY E. KLEINSCHRODT Commission Number 148950 My Comm. Exp. 3-13-09

Mary E Kleinschrodt
Notary Public.

R-035-2007 RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, Preliminary and Final plat of ***Honey Creek Addition, City of Manchester, Delaware County, Iowa*** Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated March 7, 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 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 plat of ***Honey Creek Addition, 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. The City will not charge a front foot connection fee to Lots 1 and 5 for connection to water and sewer mains. Maximum assessment on Lot 6 for water and sewer connection will be based on 70 feet of width.
c. Lot 2 is currently served by a private well and shall be required to connect to the City water system within ten (10) years of the date of approval of the subdivision or upon failure of the existing well, which ever occurs first, at the cost of the owner at that time. Lot 2 is currently served by a private wastewater disposal system and shall be required to connect to the City sewer system within ten (10) years of the date of approval of the subdivision or upon failure of the existing system, which ever occurs first, at the cost of the owner at that time. Lot 2 will be assessed for water and for sewer when connected based on a width of 107.91 feet. At such time that the City constructs a new wastewater pump station on Lot 4, the City shall install a service sewer stub from the City sewer system to the lot line of Lot 2.
d. Lot 3 is not presently developed, and shall be required to connect to the City water and sewer system within one (1) year of the date of issuance of a building permit at the cost of the owner at that time.
e. Sidewalks along the south side of Honey Creek Drive and west side N. Franklin Street are deferred based on the existing rural cross section of the roadways.
f. Sidewalks will be constructed along the east side of N. Second Street and the north side of W. Winslow Drive concurrent with the development of Lot 5. Financial assurance for sidewalk construction shall be provided for by an irrevocable letter of credit on behalf of the developer or other suitable manner.
g. Storm water management facilities will be constructed at the time of development of each lot or area in accordance with the approved Storm Water Management Plan for the subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Honey Creek Addition, 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.

CITY SEAL MANCHESTER IOWA

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

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-034-2007 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.

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8/6/08

Laura K. Thomas

Notary Public