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OCT 15 2007

CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

EAV.

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OCT 15 2007

CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Book 2007 Page 3372

Document 2007 3372 Type 06 002 Pages 9
Date 10/15/2007 Time 4:16:31PM
Rec Amt $47.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY BILL BURGER 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855 2028

SUBDIVISION PLAT	***INNOVATIVE AG. SERVICES ADDITION*** *A DIVISION OF LOT 2 OF SWISS VALLEY FARMS SUBDIVISION OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) IN SECTION TWENTY (20), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA*

LEGAL DESCRIPTION:

INNOVATIVE AG. SERVICES ADDITION – *A DIVISION OF LOT 2 OF SWISS VALLEY FARMS SUBDIVISION OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) IN SECTION TWENTY (20), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, as recorded in the Office of the Delaware County Recorder in Book 2004, Page 1563; containing a total of 1.95 acres, divided into Two (2) lots and numbered Lot 1 and Lot 2 as shown on the attached plat and 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 – *North 88°-39'-13" East 293.94 feet along the North line of the Southeast Quarter (SE1/4) OF Section Twenty (20) to the Northeast corner of Lot A of said Swiss Valley Farms Subdivision;*

THENCE – *in a Southerly direction along a circular curve concave Easterly for an arc length of 568.07 feet, said circular curve having a central angle of 17°-29'-54", a radius of 1860.06 feet, a chord bearing of South 08°-32'-51" West and a chord length of 565.87 feet along the Easterly line of said Lot A and the Easterly right of way line of North Second Street as platted and recorded in the Office of the Delaware County Recorder in Book 2007, Page 2352 to the* ***POINT OF BEGINNING;***

THENCE – *continuing along a circular curve concave Easterly for an arc length of 556.07 feet, said circular curve having a central angle of 17°-07'-43", a radius of 1860.06 feet, a chord bearing of South 08°-45'-56" East and a chord length of 554.00 feet to the Northeasterly corner of Lot 1 of Swiss Valley Farms Subdivision;*

THENCE – *South 87°-45'-05" West 84.83 feet along the North line of said Lot 1 to the Northwesterly corner of said Lot 1;*

THENCE – *South 05°-37'-43" East 177.95 feet along the Westerly line of said Lot 1 to the Northerly line of Lot B of Swiss Valley Farms Subdivision;*

THENCE – *South 87°-58'-15" West 98.57 feet along Northerly line of said Lot B to the Southeasterly corner of Lot 1 of Lot 48 of Nelson's Subdivision as recorded in the Office of the Delaware County Recorder Plat Bk 4,Pg 3*

THENCE – *North 00°-20'-03" East 231.47 feet along the East line of said Lot 1 of Lot 48 to a Northeasterly corner of said Lot 1 of Lot 48;*

THENCE – *South 88°-06'-35" West 65.00 feet along a Northerly line of said Lot 1 of Lot 48 to a Northerly corner of said Lot 1 of Lot 48;*

THENCE – *North 00°-23'-25" East 169.00 feet to a Southerly corner of Lot 45 of said Nelson's Subdivision;*

THENCE – *North 88°-06'-58" East 68.60 feet to a Southeasterly corner of said Lot 45;*

THENCE – *North 00°-03'-00" East 331.00 feet along the Easterly line of said Lot 45 to the Southwest corner of said North Second Street;*

THENCE – *South 89°-53'-28" East 75.00 feet along the South line of said North Second Street to the* ***POINT OF BEGINNING;*** *containing a total of 1.95 acres, divided into Two (2) lots and numbered Lot 1 and Lot 2 as shown on the attached plat and subject to easements of record;*

The North line of the Southeast Quarter (SE1/4) 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 North 88°-39'-13" East.

EASEMENT A – *A 32.0' long by 30.0' wide ingress / egress and utility easement along the north line of Lot 1 and 10' wide along the east line of Lot 1 as shown on the attached plat is created for the benefit of Lot 2 of this subdivision*

LICENSED LAND SURVEYOR
WILLIAM H. BURGER 12642
IOWA

3 SHEETS COVERED BY THIS SEAL
SHEETS 1 THROUGH 3

DATE OF SURVEY: 7/23/2007	REVISED: 9/19/2007	SHEET 1 OF 6
PROPRIETORS: INNOVATIVE AG. SERVICES CO.		SCALE: 1" = 100'

I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND RELATED SURVEY WORK WAS PREFORMED 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. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2008

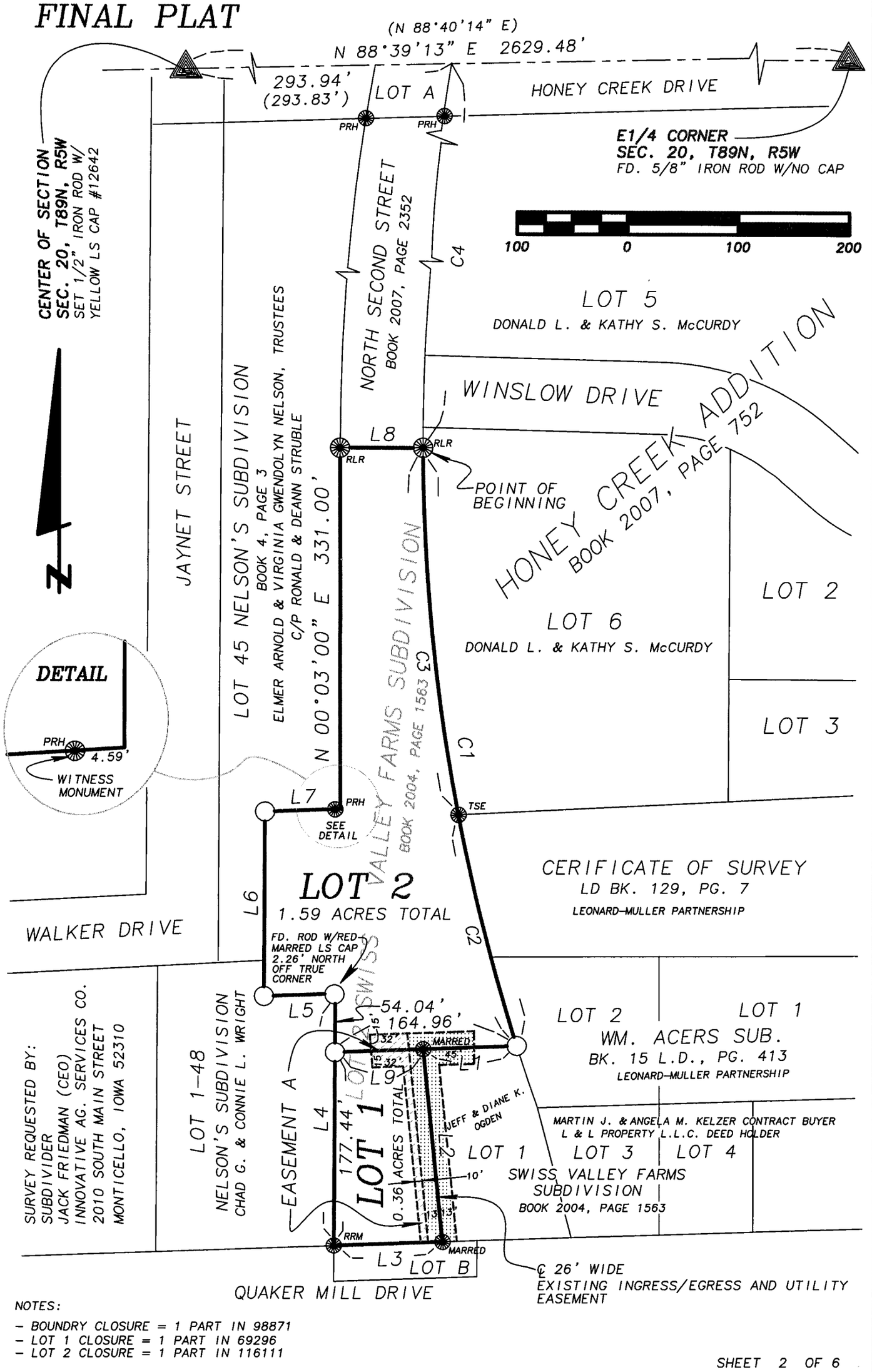
William H. Burger 9/19/07

WILLIAM H. BURGER #12642 DATE

Wm. Burger
LandSurveyor
510 3rd Street West Court
Worthington, Iowa 52078

BOOK 2007 PAGE 3372

INNOVATIVE AG. SERVICES ADDITION
FINAL PLAT



NOTES:

- BOUNDRY CLOSURE = 1 PART IN 98871
- LOT 1 CLOSURE = 1 PART IN 69296
- LOT 2 CLOSURE = 1 PART IN 116111

INNOVATIVE AG. SERVICES ADDITION

CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING
C1	556.07	17°07'43"	1860.06	554.00	S 08°45'56" E
C2	217.98	06°42'52"	1860.06	217.85	S 13°58'17" E
C3	338.10	10°24'52"	1860.06	337.63	S 05°24'30" E
C4	568.07	17°29'54"	1860.06	565.87	S 08°32'51" W

			(RECORDED AS)	
LINE	BEARING	DISTANCE	(BEARING)	(DISTANCE)
L1	S 87°45'05" W	84.83	N 88°07'42" E	92.47
L2	S 05°37'43" E	177.95	N 05°35'38" W	177.90
L3	S 87°58'15" W	98.57	S 88°07'42" W	98.66
L4	N 00°20'03" E	231.47	N 00°24'24" E	231.00
L5	S 88°06'35" W	65.00	S 88°07'42" W	
L6	N 00°23'25" E	169.00	N 00°24'24" E	
L7	N 88°06'58" E	68.60	N 88°07'42" E	
L8	S 89°53'28" E	75.00	N 87°52'51" W	
L9	S 87°45'05" W	80.13		

LEGEND

○	SET 1/2" IRON ROD W/YELLOW LS CAP #12642
◉	FOUND EXISTING MONUMENT
———	SUBDIVISION BOUNDARY SURVEYED
( )	RECORDED AS
PRH	FD. 1/2" IRON ROD W/RED LS CAP #15525
TSE	FD. 1/2" REBAR W/ALUM. CAP #5227
RRM	FD. 1/2" REBAR W/GREEN CAP #10165
RLR	FD. 1/2" REBAR W/RED LS CAP #17939
MARRED	FD. 1/2" REBAR W/MARRED RED LS CAP

OWNERS ACKNOWLEDGMENT

The foregoing plat of **INNOVATIVE AG. SERVICES ADDITION** is made with the free consent and in accordance with the desires of the undersigned owners and proprietors of said real estate.

Innovative Ag. Services Co.

Randy Blake

President

STATE OF Iowa)
) ss.
JONES COUNTY)

On this 27th day of August A. D. 2007 before me, a Notary Public in and for said County, personally appeared Randy Blake to me known to be the person or persons named in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her voluntary act and deed.

Ruth Mangold, Jones County

Notary Public in and for said County

RUTH MANGOLD NOTARIAL SEAL IOWA

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against **LOT 2 OF SWISS VALLEY FARMS 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..

SEAL IOWA TREASURER DELAWARE COUNTY

Carolyn A. Wilson

Carolyn A. Wilson, County Treasurer

9-4-07

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 INNOVATIVE AG. SERVICES ADDITION, a subdivision in Delaware County, Iowa.

Carla K Becker

Carla K. Becker, Delaware County Auditor

State of Iowa)
)
County of Delaware)

On this 4th day of September, 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

MORTGAGE HOLDERS ACKNOWLEDGMENT

The undersigned American Trust + Savings Bank. BANK of Dyersville CITY State of Iowa, do hereby certify that the attached Plat of Survey of **INNOVATIVE AG. SERVICES ADDITION**; is made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

American Trust + Savings BANK Dyersville CITY

By: EVP President By: Linus Kuboushek 2nd Sr. Vice President

STATE OF Iowa)
) ss.
Dubuque COUNTY)

NO CORPORATE SEAL

On this 28th day of August A. D. 20 07 before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel C. Willenbring and Linus Kuboushek, to me personally known, who being by me duly sworn, did say that they are the EV President and 2nd Sr. VP respectively, of the corporation executing the within and foregoing instrument; ~~that the seal affixed thereto is the seal of the~~ EVHB ~~corporation~~; ~~that the~~ instrument was signed ~~and sealed~~ on behalf of the corporation by authority of its Board of Directors; and that Daniel C. Willenbring and Linus Kuboushek as officers, acknowledged the execution of the foregoing instrument to be the voluntarily act and deed of the corporation, by it and by them voluntarily executed.

Julie Hermsen
Notary Public in and for said State

JULIE HERMSEN
Commission Number 718880
My Comm. Exp. 10-7-08

ATTORNEY'S OPINION

I, _____, a practicing attorney at law in _____, _____ County, Iowa have examined the abstract of title to the land included within Lot 2 of Swiss Valley Farms Subdivision, City of Manchester, Delaware County, Iowa; Said abstract has been prepared in its entirety by the _____ Abstract Company, and was last certified to by said company on the _____ day of _____, AD, 20____, at the hour of _____ o'clock ___. M.

My examination of said abstract shows good and merchantable title on the date and hour of certification to be in _____ and _____
Dated at _____, Iowa in said County, this _____ day of _____. 20____

See page 6

_____
Attorney at Law

MORTGAGE HOLDERS ACKNOWLEDGMENT

Now released

The undersigned _____ BANK of _____ CITY State of _____, do hereby certify that the attached Plat of Survey of **SWISS VALLEY FARMS 2ND SUBDIVISION;** is made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

_____ BANK _____ CITY

By:_____ President By:_____ Vice President

STATE OF _____)
) ss.
_____ COUNTY)

On this _____ day of _____ A. D. 20_____ before me, the undersigned, a Notary Public in and for said State, personally appeared _____ and _____, to me personally known, who being by me duly sworn, did say that they are the President and Vice President respectively, of the corporation executing the within and foregoing instrument; that the seal affixed thereto is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors; and that _____ and _____ as officers, acknowledged the execution of the foregoing instrument to be the voluntarily act and deed of the corporation, by it and by them voluntarily executed.

_____
Notary Public in and for said State

ATTORNEY'S OPINION

I, Thomas J. Hanson, a practicing attorney at law in Manchester, Delaware County, Iowa have examined the Abstract of Title to the land included within Lot Two (2) of Swiss Valley Farms Subdivision, City of Manchester, Delaware County, Iowa, according to plat recorded in Book 2004, Page 1563, except that part conveyed to City of Manchester, Iowa, by Quit Claim Deed recorded in Book 2007, Page 2353; 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 25th day of September, 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 certification to be in Innovative Ag Services Co., an Illinois Agricultural Cooperative subject to the following:

a) Deed of Trust in favor of American Trust & Savings Bank filed July 5, 2005 in Book 2005, Page 2321;
b) UCC Financing Statement in favor of American Trust & Savings Bank filed July 7, 2005 in Book 2005, Page 2357;
c) Real Estate Mortgage in favor of CoBANK, ACB filed February 7, 2007 in Book 2007, Page 386 of the records of the Delaware County Recorder.

Dated at Manchester, Iowa in said County, this 2nd day of October, 2007

Thomas J. Hanson – Attorney at Law

R-152-2007
RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the preliminary & final plat of ***Innovative Ag Services Addition***, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of William H. Burger dated August 22, 2007, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa; and

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; 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 said ***Innovative Ag Services Addition, City of Manchester, Delaware County, Iowa,*** as presented 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) A variance from the requirement in preliminary platting for contours.
3) Sewer services have previously been stubbed to Lot 1. The Developer has agreed to a voluntary special assessment for payment of the cost for installation for the service stubs. At time when connection to the public system is completed, the property owner shall be fully responsible for the cost of such connection and any applicable hook-up fees.
4) A variance from providing sanitary sewer service to Lot 2. Lot 2 is currently served by an onsite treatment system. System has been inspected and is operating in a satisfactory manner and is good condition and the Developer shall continue inspections every two years until system is no longer in use. Should future development provide access to a public sewer along the east line of Lot 2 within 150 feet of the existing septic tank; or should the existing system fail, or should the use of the property change in such a manner as to increase the waste generated; or should the property be sold, the owner will be required to connect at such a time, in accordance with the then current City Code of Ordinances. The Developer shall provide some form of financial assurance to assure the completion of this connection when required by any of the above actions. The financial assurance documentation shall be kept on file at City offices. In the event the septic system fails, and the utilization continues to be minimal (one month of each calendar year) the owner may replace the septic system with a holding tank if a written holding tank agreement is approved by the Council.
5) Existing water service to the property will remain to serve Lot 2. Any connections to Lot 1 from the existing service will be disconnected.
6) A deferment from constructing sidewalk along the south frontage of Lot 1 along Quaker Mill Drive based on the prior deferment for sidewalks along the north side of Quaker Mill Drive as part of the Quaker Mill Improvement project.
7) 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 ***Innovative Ag Services 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 final plat as by law provided.

Passed this 24th day of September, A.D., 2007.

CITY SEAL MANCHESTER IOWA

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 3rd day of October, 2007, before me, Julie A. Schmitz, 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-152-2007 adopted by the City Council on the 24th day of September, 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.

Notary Public

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

BOOK 2007 PAGE 3372

RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the Preliminary and Final plat of ***Innovative Ag Services Addition, City of Manchester, Delaware County, Iowa***, affecting premises more specifically described in the Surveyor's Certificate of William H. Burger dated August 22, 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, 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 said ***Innovative Ag Services Addition, City of Manchester, Delaware County, Iowa,*** as presented 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) A variance from the requirement in preliminary platting for contours.
3) Sewer services have previously been stubbed to Lot 1. The Developer has agreed to a voluntary special assessment for payment of the cost for installation for the service stubs. At time when connection to the public system is completed, the property owner shall be fully responsible for the cost of such connection and any applicable hook-up fees.
4) A variance from providing sanitary sewer service to Lot 2. Lot 2 is currently served by an onsite treatment system. System has been inspected and is operating in a satisfactory manner and is good condition and the Developer shall continue inspections every two years until system is no longer in use. Should future development provide access to a public sewer along the east line of Lot 2 within 150 feet of the existing septic tank; or should the existing system fail, or should the use of the property change in such a manner as to increase the waste generated; or should the property be sold, the owner will be required to connect at such a time, in accordance with the then current City Code of Ordinances. The Developer shall provide some form of financial assurance to assure the completion of this connection when required by any of the above actions. The financial assurance documentation shall be kept on file at City offices. In the event the septic system fails, and the utilization continues to be minimal (one month of each calendar year) the owner may replace the septic system with a holding tank if a written holding tank agreement is approved by the Council.
5) Existing water service to the property will remain to serve Lot 2. Any connections to Lot 1 from the existing service will be disconnected.
6) A deferment from constructing sidewalk along the south frontage of Lot 1 along Quaker Mill Drive based on the prior deferment for sidewalks along the north side of Quaker Mill Drive as part of the Quaker Mill Improvement project.
7) A variance from meeting the required set backs per zoning for existing structures.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***Innovative Ag Services 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 19th day of September, A.D., 2007.

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 19th day of September, 2007, 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 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 19th day of September, 2007, 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.

Julie A Schmitz
Notary Public

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