Book 2007 Page 3381
Document 2007 3381 Type 06 002 Pages 7
Date 10/16/2007 Time 12:05:24PM
Rec Amt $37.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: RANDALL L. RATTENBORG; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

FILED
OCT 16 2007
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

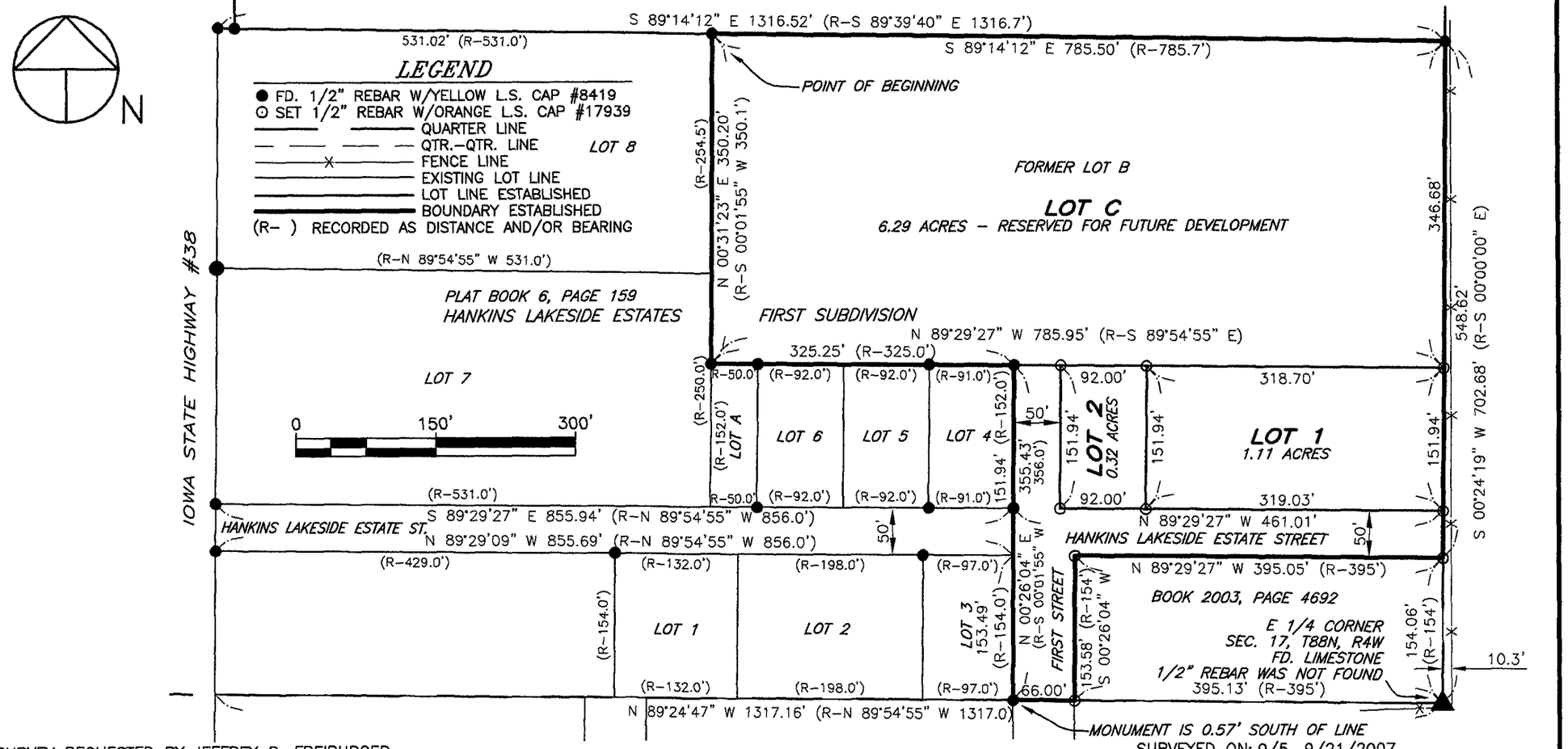
FILED
OCT 16 2007
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

PLAT OF SURVEY

FREIBURGER'S SUBDIVISION

A SUBDIVISION OF PART OF LOT B OF HANKINS LAKESIDE ESTATES FIRST SUBDIVISION
SECTION 17, T88N, R4W OF THE FIFTH P.M., CITY OF DELHI, DELAWARE COUNTY, IOWA

BOOK 2007 PAGE 3381



SURVEY REQUESTED BY: JEFFREY P. FREIBURGER
SURVEYED ON: 9/5, 9/21/2007

SCALE: 1"=150'	
DATE: 9/26/2007	
DRAWN BY: RLR	
CHECKED BY: JDG	
GPS: DELHI/260	
REVISED	
SHEET 1 OF 7	

PROPRIETORS:
JEFFREY P. FREIBURGER & ANGIE L. FREIBURGER

PROJECT NO. 07-59

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.

RANDALL L. RATTENBORG, L.S. — LICENSE #17939 — DATE 10/9/07
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2007

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

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

LEGAL DESCRIPTION:

FREIBURGER'S SUBDIVISION; *A SUBDIVISION OF PART OF LOT B OF HANKINS LAKESIDE ESTATES FIRST SUBDIVISION, SECTION SEVENTEEN (17), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DELHI, DELAWARE COUNTY, IOWA,* containing a total of 8.66 acres, including 0.94 acres of dedicated road right of way, divided into three lots, Lot 1, Lot 2 and Lot C (reserved for future development), subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the Northwest Corner of Lot B of Hankins Lakeside Estates First Subdivision, as recorded in Plat Book 6, Page 159 in the Office of the Delaware County Recorder, also being the Northeast Corner of Lot 8 of said Hankins Lakeside Estates First Subdivision;

THENCE along the North Line of said Lot B, South 89° 14' 12" East, to the Northeast Corner of said Lot B, said corner being on the Easterly Line of the Northeast Quarter (NE ¼) of Section Seventeen (17), Township Eighty-eight North (T88N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa, 785.50 feet;

THENCE along the Easterly Line of said Lot B and the Easterly Line of the Northeast Quarter (NE ¼) of said Section Seventeen (17), South 00° 24' 19" West, to the Northerly Line of a 154 foot by 395 foot parcel as recorded in Book 2003, Page 4692 in the Office of the Delaware County Recorder, 548.62 feet;

THENCE along the Northerly Line of said 154 foot by 395 foot parcel, North 89° 29' 27" West, to the Northwest Corner of 154 foot by 395 foot parcel, 395.05 feet;

THENCE along the Westerly Line of said 154 foot by 395 foot parcel, South 00° 26' 04" West, to the Southerly Line of said Lot B, being the Southerly Line of the Northeast Quarter (NE ¼) of said Section Seventeen (17), 153.58 feet;

THENCE along the Southerly Line of said Lot B, being the Southerly Line of the Northeast Quarter (NE ¼) of said Section Seventeen (17), North 89° 24' 47" West, to the Westerly Line of said Lot B, being the Southeast Corner of Lot 3 of said Hankins Lakeside Estates First Subdivision, 66.00 feet;

THENCE along the Westerly Line of said Lot B, and the Easterly Line of Lots 3 and 4 of said Hankins Lakeside Estates First Subdivision, North 00° 26' 04" East, to the Northeast Corner of Lot 4 of said Hankins Lakeside Estates First Subdivision, 355.43 feet;

THENCE continuing along the Westerly Line of said Lot B, North 89° 29' 27" West, to the Northwest Corner of Lot A of said Hankins Lakeside Estates First Subdivision, 325.25 feet;

THENCE continuing along the Westerly Line of said Lot B, North 00° 31' 23" East, 350.20 feet to the **POINT OF BEGINNING**;

Containing a total of 8.66 acres, including 0.94 acres of dedicated road right of way, divided into three lots, Lot 1, Lot 2 and Lot C (reserved for future development), and subject to easements of record.

The Easterly Line of Hankins Lakeside Estates First Subdivision, as recorded in Plat Book 6, Page 159 in the Office of the Delaware County Recorder is assumed to bear South 00° 24' 19" West.

OWNER'S ACKNOWLEDGMENT

I Jeffrey P. Freiburger & Angie L. Freiburger 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.

Jeffrey P. Freiburger

Angie L. Freiburger

State of Iowa)
)
County of Delaware) ss:

On this 10th day of October, 2007, before me a Notary Public in and for said State, personally appeared Jeffrey P. Freiburger & Angie L. Freiburger 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.

Notary Public in and for said State

BRIAN C. LUBBEN
COMMISSION NUMBER 701137
MY COMMISSION EXPIRES
1-10-2009

DEDICATION OF STREET AND EASEMENTS

We Jeffrey P. Freiburger & Angie L. Freiburger as owners and developers of ***Freiburger's Subdivision, City of Delhi, Delaware County, Iowa***, do hereby dedicate to the public *Hankins Lakeside Estate Street and First Street* as shown on the attached plat.

Dated this 10th day of October, 2007.

Jeffrey P. Freiburger

Angie L. Freiburger

State of Iowa)
)
County of Delaware) ss:

On this 10th day of October, 2007, before me a Notary Public in and for said County, personally appeared Jeffrey P. Freiburger & Angie L. Freiburger , 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.

Notary Public in and for said County

BRIAN C. LUBBEN
COMMISSION NUMBER 701137
MY COMMISSION EXPIRES
1-10-2009

APPROVAL OF AUDITOR

I, **Carla 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 ***Freiburger's Subdivision***, a subdivision in the City of Delhi, Delaware County, Iowa.

Carla Becker

Carla Becker, Delaware County Auditor

State of Iowa)
)
County of Delaware)

On this 12th day of October, 2007, before me Julia L. Hackbarth a Notary Public in and for the State of Iowa, personally appeared **Carla Becker**, to me personally known, and, who, being duly sworn, did say that she is the Auditor of Delaware County, Iowa.

NOTARIAL SEAL IOWA
JULIA L. HACKBARTH
Commission Number 169605
My Commission Expires
May 24, 2008

Julia L. Hackbarth

Notary Public

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***Freiburger's Subdivision,*** City of Delhi, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

Carolyn A. Wilson 10-12-07

Carolyn A. Wilson, County Treasurer Date

IOWA DELAWARE COUNTY TREASURER SEAL

ATTORNEY'S OPINION

I, Stephanie C. Rattenborg, a practicing attorney at law in Delaware, County, Iowa, have examined the abstract of title to the land included in ***Freiburger's Subdivision,*** City of Delhi, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated October 9, 2007.

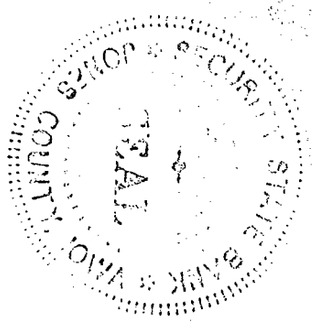
Said abstract has been prepared in its entirety by the Delaware County Abstract Company, Inc., and was last certified to by said company on the 7th day of September, 2007, at the hour of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantable title on the date and hour of the certification to be in Jeffrey P. Freiburger and Angie L. Freiburger, husband and wife as Joint Tenants with Full Rights of Survivorship and not as Tenants in Common.
Dated at Manchester, Iowa, in said County, this 9th day of October, 2007.

Stephanie C. Rattenborg 10/9/07
Attorney at Law Date

MORTGAGE HOLDERS ACKNOWLEDGMENT

Security State Bank 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 James K. Burdick
James K. Burdick, President / CEO

By _____
Brian C. Lubben, Vice President

STATE OF IOWA, **JONES** County, Iowa, Ss:

On this **10th** day of **October**, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared **James K. Burdick** and **Brian C. Lubben**, to me personally known, who being duly sworn, did say that they are the **President / CEO** and **Vice President** respectively, of **Security State Bank** executing the within and foregoing instrument to which this is attached, that (the seal affixed hereto is the seal of) **Security State Bank**; that said instrument was signed (and sealed) on behalf of **Security State Bank** by authority of its Board of Directors; and that **James K. Burdick** and **Brian C. Lubben** as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of **Security State Bank** by it and by them voluntarily executed.

Carolyn J Turnis
Notary Public in and for said State



RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of ***Freiburger's Subdivision***, City of Delhi, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated October 9, 2007 has been filed with the City Clerk of the City of Delhi, Delaware County, Iowa;

WHEREAS, the City Council has fully considered the same and found the same to be in accordance with the ordinances of the City of Delhi, Iowa, relating to plats and additions to cities or within a two mile radius of 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;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Delhi, Delaware County, Iowa, that

1. That the dedication of *First Street*, together with easements for public utilities all as the same appears upon said plat, be and the same are hereby accepted and that said streets be and is herein established as public streets in the City of Delhi, Iowa;
2. *Hankins Lakeside Estate Street* will be accepted by the City of Delhi and dedicated as a public street upon completion by the subdivider to bring the street into compliance with the City of Delhi Codes and Ordinances;
3. That the plat of said ***Freiburger's Subdivision***, City of Delhi, Delaware County, Iowa, be, and the same is hereby acknowledged, approved and accepted on the part of the City of Delhi, Delaware County, Iowa, and the Mayor and City Clerk are hereby authorized and directed to endorse the approval of the City of Delhi on said plat;

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 10th day of October, 2007.

CITY OF DELHI INCORPORATED 1852 DELAWARE IOWA

Duane Gibbs, Mayor

ATTEST:

Angie Billings, City Clerk

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 10th day of October, 2007, before me, ~~Angie Billings~~ RANDY RATTENBORG, a Notary Public in and for the State of Iowa, personally appeared Duane Gibbs and Angie Billings, 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 Delhi, 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 17-2007 adopted by the City Council on the 10th day of October, 2007, and that Duane Gibbs and Angie Billings 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.

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2008

; Notary Public.