Book 2008 Page 1806

Document 2008 1806 Type 06 002 Pages 8
Date 6/05/2008 Time 9:32:03AM
Rec Amt $42.00

FILED
JUN - 5 2008
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

FILED ✓
JUN - 5 2008
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

(X) CHG

*PREPARED BY/RETURN TO: J DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434*

**SUBDIVISION PLAT**

# MANCHESTER BUSINESS PARK

*A SUBDIVISION OF LOT 1 OF DEER FIELD SECOND ADDITION SEC. 30, T89N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA*

## FINAL PLAT

## LEGAL DESCRIPTION:

**MANCHESTER BUSINESS PARK**; A SUBDIVISION OF LOT 1 OF DEER FIELD SECOND ADDITION IN SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 14.42 acres, including 2.02 acres of dedicated public road right of way, divided into Seven (7) Lots, numbered Lot 1 through Lot 7 and including dedicated N. 13th Street, N. 11th Street, and W. Howard Street, subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the Southwest Corner of Lot 1 of Deer Field Second Addition, as recorded in Book 2005, Page 4461, said POINT OF BEGINNING being on the Easterly Line of Kehrli's Farmstead, as recorded in Book 2004, Page 1913, also being the Northwest Corner of Lot B of Karusco 3rd Subdivision, as recorded in Book 2005, Page 1691, and also being on the Westerly Line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of Lot 1 of said Deer Field Second Addition, being the Easterly Line of said Kehrli's Farmstead, and the Westerly Line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section Thirty (30), North 00° 56'20" East, 400.00 feet;

THENCE along the Northerly Line of Lot 1 of said Deer Field Second Addition, South 88° 26' 38" East, to the Northeast Corner of Lot 1 of said Deer Field Second Addition, being a corner on the Westerly Line of Lot B of said Deer Field Second Addition, 1559.13 feet;

THENCE along the Easterly Line of Lot 1 of said Deer Field Second Addition and along a portion of the Westerly Line of Lot B of said Deer Field Second Addition, also along the Westerly Line, and extension thereof, of a 15.49 acre parcel, as recorded in Plat Book 2, Page 189, South 01° 35' 12" West, to the Southeast Corner of Lot 1 of said Deer Field Second Addition, also being the Northeast Corner of a 3.36 acre parcel, as recorded in Plat Book 3, Page 198, 426.27 feet;

THENCE along the Southerly Line of Lot 1 of said Deer Field Second Addition and along the Northerly Line of said 3.36 acre parcel, North 87° 09' 25" West, to the Northwest Corner of said 3.36 acre parcel, also being on the Easterly Line of Lot B of said Karusco 3rd Subdivision, 237.37 feet;

THENCE continuing along the Southerly Line of Lot 1 of said Deer Field Second Addition and along the Easterly Line of Lot B of said Karusco 3rd Subdivision, North 00° 41' 50" East, to a corner on the Southerly Line of Lot 1 of said Deer Field Second Addition, being the Northeast Corner of Lot B of said Karusco 3rd Subdivision, 20.96 feet;

THENCE along the Southerly Line of Lot 1 of said Deer Field Second Addition and the Northerly Line of Lot B of said Karusco 3rd Subdivision, North 88° 26' 38" West, 1316.96 feet to the POINT OF BEGINNING;

Containing a total of 14.42 acres, including 2.02 acres of dedicated public road right of way, divided into Seven (7) Lots, numbered Lot 1 through Lot 7 and including dedicated 13th Street, 11th Street, and Howard Street, subject to easements of record.

The Southerly Line of the Southeast Quarter (SE ¼) of Section Thirty (30), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 88° 23' 22" East.

SURVEY REQUESTED BY: R.C. HUMMEL

SURVEYED ON:

PROPRIETORS: *R. C. PROPERTIES V, LLC*
*PO BOX 336580, GREELEY CO. 80633*

PROJECT NO. 07-72

LICENSED LAND SURVEYOR
J. DAVID GIBBS 8419
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.

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE 5/21/08

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2008

SCALE: 1"=250'

DATE: 2/6/2008

DRAWN BY: RLR

CHECKED BY: JDG

GPS: MANCHESTER

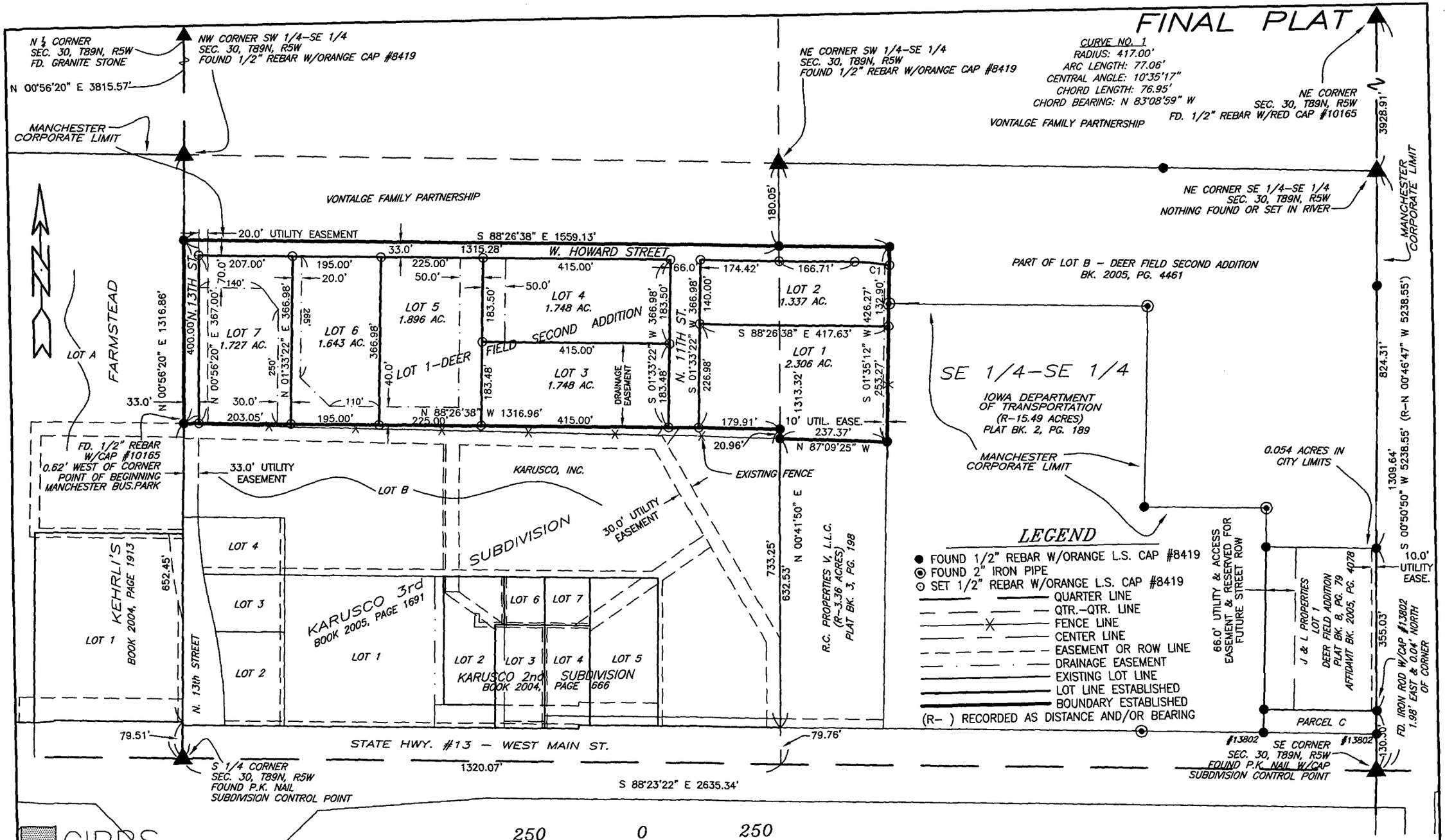
REVISED

SHEET 1 OF 8

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

PAGES OR SHEETS COVERED BY THIS SEAL: 1-

# FINAL PLAT




GIBBS ENGINEERING & SURVEYING

THE MINIMUM UNADJUSTED ACCEPTABLE ERROR OF CLOSURE FOR ALL BOUNDARIES IS LESS THAN 1:10000 AND 1:500 FOR INDIVIDUAL LOTS

## MANCHESTER BUSINESS PARK

APRIL 2008

SHEET 2

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

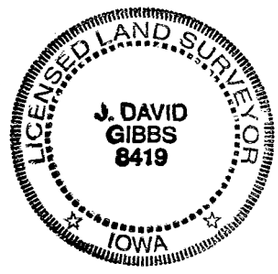
## SURVEYOR'S CERTIFICATE

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.

5/21/08

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



## OWNER'S ACKNOWLEDGMENT AND DEDICATION

I R. C. Hummel, do hereby certify that the above survey, as shown by the attached Plat, is made with the free consent, and in accordance with the desires of said company.

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 **MANCHESTER BUSINESS PARK**; A SUBDIVISION OF LOT 1 OF DEER FIELD SECOND ADDITION IN SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY. North 13th Street, West Howard Street, and North 11th Street as shown upon the subdivision plat are hereby dedicated to public use forever for street purposes.

All easements for utilities, drainage 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 8th day of May, 2008.

R. C. Properties V, LLC

Robert C Hummel

By: R.C. Hummel, Manager

State of Iowa )
County of Delaware ) Ss:

On this 8th day of May, 2008, before me, a Notary Public in and for the said State, personally appeared R.C. Hummel, to me personally known, who being by me duly sworn did say that that person is a Manager of said limited liability company, that (the seal affixed to said instrument is the seal of said) (no seal has been procured by the said) limited liability company and that said instrument was signed (and sealed) on behalf of the said limited liability company by authority of its managers and the said R.C. Hummel acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Kristine A. Zebuhr
Notary Public in and for said State

NOTARIAL SEAL IOWA
KRISTINE A. ZEBUHR
Commission Number 746708
My Comm. Exp. KZ 5/10

## ATTORNEY'S OPINION

I, Steven E. Carr, a practicing attorney at law in Manchester., Delaware County, Iowa, have examined the abstract of title to the land included in ***MANCHESTER BUSINESS PARK***, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated May 21, 2008..

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 28th day of January, A.D., 2008., 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 R.C. Properties V, LLC

Dated at Manchester., Iowa, in said County, this 23rd day of May, 2008..

Steven E Carr 5/23/08
Attorney at Law Date

## CERTIFICATE OF TREASURER

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

DELAWARE COUNTY IOWA TREASURER'S SEAL

Carolyn A. Wilson 5-23-08

Carolyn A. Wilson, County Treasurer Date

## 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 ***MANCHESTER BUSINESS PARK***, a subdivision in the City of Manchester, Delaware County, Iowa.

DELAWARE COUNTY IOWA OFFICIAL SEAL

Carla Becker

Carla Becker, Delaware County Auditor

State of Iowa )
)
County of Delaware )

On this 23rd day of May, 2008, before me Andrea Schmidt 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.

ANDREA SCHMIDT
Commission Number 744617
My Commission Expires
December 14, 2009

Andrea Schmidt

Notary Public

## PLANNING AND ZONING COMMISSION
## RESOLUTION APPROVING FINAL PLAT

WHEREAS, the Final Plat of **MANCHESTER BUSINESS PARK**, A SUBDIVISION OF LOT 1 OF DEER FIELD SECOND ADDITION IN SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated May 21, 2008, 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

WHEREAS, the Final Plat of **MANCHESTER BUSINESS PARK**, 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.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said Final Plat of **MANCHESTER BUSINESS PARK,** 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 exhibits attached thereto, subject to all conditions as presented and representations referred to above, and the Commission hereby recommends to the City Council the acceptance of the same and the Chairperson and the Recording Secretary are hereby authorized and directed to certify this resolution of approval and affix the same to said plat and all attachments referred to herein as provided by law.

Adopted and passed this 21ST day of May, A.D., 2008.

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 3 day of June, 2008, before me, Timothy J. Vick, 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 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 21st day of May, 2008, 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.

Timothy J Vick
Notary Public

TIMOTHY J. VICK
Commission No. 713731
My Commission Expires 11/20/10

TIMOTHY J. [illegible]
Commission No. [illegible]
My Commission Expires [illegible]

**R-092-2008**
**RESOLUTION APPROVING FINAL PLAT**

WHEREAS, the Final Plat of **MANCHESTER BUSINESS PARK**, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of J. David Gibbs, dated May 21, 2008, has been filed with the City Clerk of the City of Manchester, 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 Manchester, 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; and

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the City Council that they accept the Final Plat of said **MANCHESTER BUSINESS PARK**; A SUBDIVISION OF LOT 1 OF DEER FIELD SECOND ADDITION IN SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA as presented with the following 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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said **MANCHESTER BUSINESS PARK**, 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 27th day of May, A.D., 2008

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA )
) SS.
COUNTY OF DELAWARE )

On this 3rd day of June, 2008, 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-092-2008 adopted by the City Council on the 27th day of May, 2008, 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.