Del. Co. Recorder

FILED
APR 22 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

FILED
APR 22 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Book 2009 Page 1601

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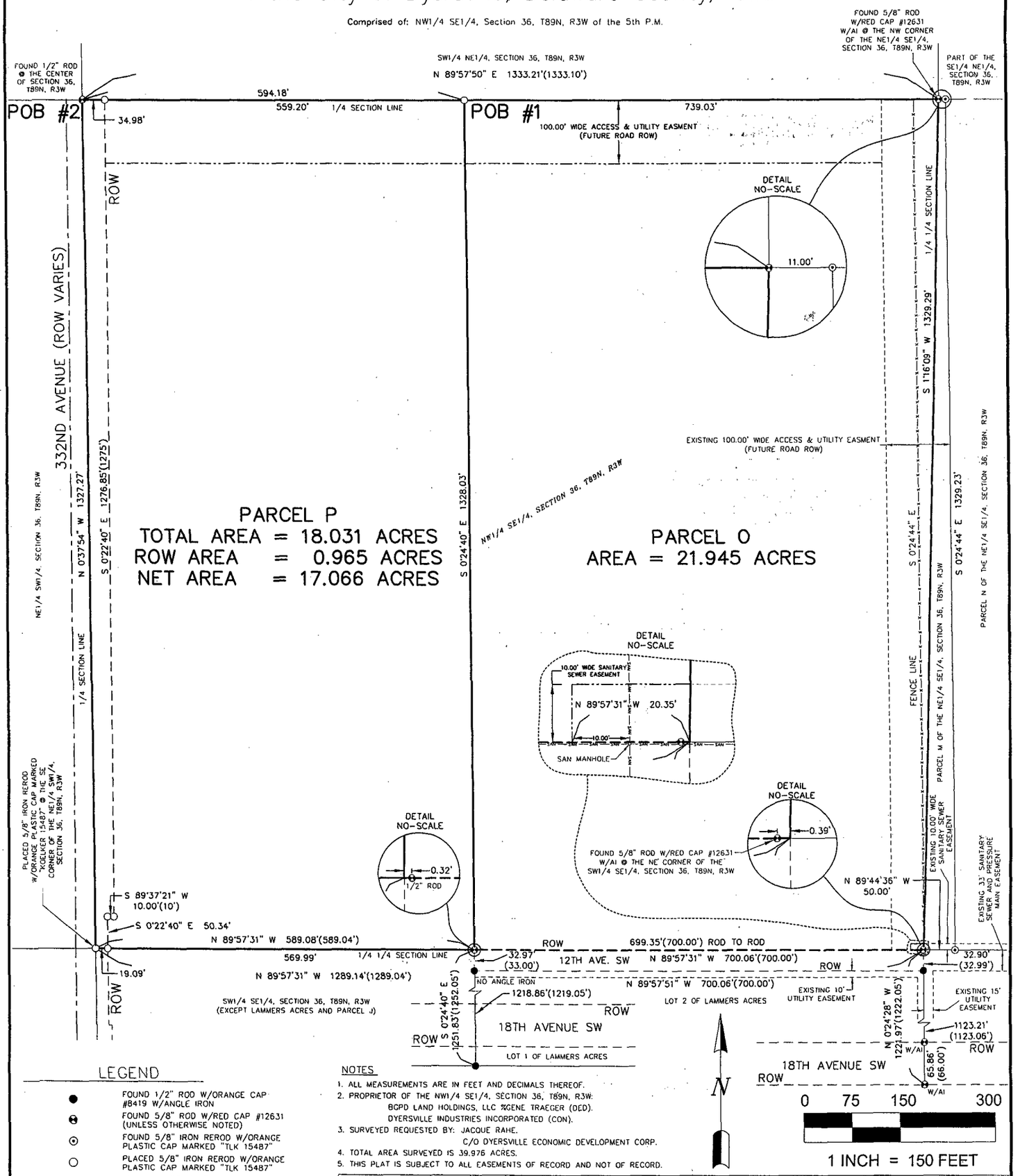
B-76

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: BUESING & ASSOCIATES ADDRESS: 1212 LOCUST STREET, DUBUQUE, IOWA PHONE: (563) 556-4389

Plat of Survey of: Parcel O & Parcel P of the NW1/4 SE1/4, Section 36, T89N, R3W, of the 5th P.M., in the City of Dyersville, Delaware County, Iowa

Comprised of: NW1/4 SE1/4, Section 36, T89N, R3W of the 5th P.M.



LEGEND

- FOUND 1/2" ROD W/ORANGE CAP #8419 W/ANGLE IRON
- FOUND 5/8" ROD W/RED CAP #12631 (UNLESS OTHERWISE NOTED)
- FOUND 5/8" IRON REROD W/ORANGE PLASTIC CAP MARKED "TLK 15487"
- PLACED 5/8" IRON REROD W/ORANGE PLASTIC CAP MARKED "TLK 15487"
- SURVEYED BOUNDARY LINE
- PROPERTY LINE
- CENTERLINE
- SANITARY SEWER LINE
- EXISTING FENCE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE (AS NOTED)
- ROW RIGHT OF WAY
- ( ) RECORDED DIMENSION
- W/AI WITH ANGLE IRON

NOTES

1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. PROPRIETOR OF THE NW1/4 SE1/4, SECTION 36, T89N, R3W: BGPD LAND HOLDINGS, LLC %GENE TRAEGER (DED). DYERSVILLE INDUSTRIES INCORPORATED (CON).
3. SURVEYED REQUESTED BY: JACQUE RAHE, C/O DYERSVILLE ECONOMIC DEVELOPMENT CORP.
4. TOTAL AREA SURVEYED IS 39.976 ACRES.
5. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND NOT OF RECORD.

LICENSED LAND SURVEYOR
TERRY L. KOELKER
15487
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.

Terry L Koelker 4/21/09

TERRY L. KOELKER (DATE)

LICENSE NUMBER 15487

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2009

SHEETS COVERED BY THIS SEAL : SHEETS 1 & 2

BUESING & ASSOCIATES INC.
ENGINEERS AND SURVEYORS
1212 LOCUST ST, DUBUQUE, IA
(563) 556-4389

DRAWN BY: JCH	CHECKED BY: TLK
SURVEY DATE: 1/11/09	PLOT DATE: 2/19/09
DWG. NO. 09001-03	SCALE: 1" = 150'

SHEET 1 OF 3

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Surveyors Certificate

Dubuque, Iowa April 21, 2009

I hereby certify that the plat shown on SHEET 1 OF 3 hereof, is a true and correct Plat of Survey of: **PARCEL O & PARCEL P OF THE NW1/4 SE1/4, SECTION 36, T89N, R3W OF THE 5TH P.M.,** in the City of Dyersville, Delaware County, Iowa. This survey is comprised of the NW1/4 SE1/4, Section 36, T89N, R3W of the 5th P.M. The perimeter of **PARCEL O & PARCEL P** was surveyed by me and is more particularly described as follows:

POB #1 (PARCEL O)

Commencing at the Center of Section 36, T89N, R3W of the 5th P.M.;

Thence North 89° 57' 50" East along the South line of the SW1/4 NE1/4, a distance of 594.18 feet to the Point Of Beginning;

Thence North 89° 57' 50" East (this is an assumed bearing for the purposes of this survey only) along the South line of the SW1/4 NE1/4, a distance of 739.03 feet to the NW corner of the NE1/4 SE1/4, Section 36, T89N, R3W of the 5th P.M.;

Thence South 1° 16' 09" West along the West line of said NE1/4 SE1/4, a distance of 1329.29 feet to the Northeast corner of the SW1/4 SE1/4, Section 36, T89N, R3W of the 5th P.M.;

Thence North 89° 57' 31" West along the North line of said SW1/4 SE1/4, a distance of 700.06 feet;

Thence North 0° 24' 40" West a distance of 1328.03 feet to the Point of Beginning #1;

POB #2 (PARCEL P)

Commencing at the Center of Section 36, T89N, R3W of the 5th P.M., the Point Of Beginning;

Thence North 89° 57' 50" East (this is an assumed bearing for the purposes of this survey only) along the South line of the SW1/4 NE1/4, a distance of 594.18 feet;

Thence South 0° 24' 40" East a distance of 1328.03 feet to the North line of the SW1/4 SE1/4, Section 36, T89N, R3W of the 5th P.M.;

Thence North 89° 57' 31" West along the North line of said SW1/4 SE1/4, a distance of 589.08 feet to the SE corner of the NE1/4 SW1/4, Section 36, T89N, R3W of the 5th P.M.;

Thence North 0° 37' 54" West along the East line of said NE1/4 SW1/4, a distance of 1327.27 feet to the Point of Beginning #2;

The area of **PARCEL O** is 21.945 acres. The total area of **PARCEL P** is 18.031 acres, with the Right-Of-Way (ROW) area being 0.965 acres. The total area of **PARCEL O & PARCEL P** is 39.976 acres and is subject to all easements of record.

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.

Terry L Koelker 4/21/09

TERRY L. KOELKER
LICENSED LAND SURVEYOR
REGISTRATION # 15487

DATE

REG. RENEWAL 12/31/09

Owner's Consent

Dyersville, Iowa — March 13, 2009

The foregoing Plat of Survey of: **PARCEL O & PARCEL P OF THE NW1/4 SE1/4, SECTION 36, T89N, R3W OF THE 5TH P.M.,** in the City of Dyersville, Delaware County, Iowa is made with the free consent and in accordance with the desires of the undersigned owner and proprietor of the NW1/4 SE1/4, Section 36, T89N, R3W of the 5th P.M.

BGPD LAND HOLDINGS, LLC %GENE TRAEGER (DED)
DYERSVILLE INDUSTRIES INCORPORATED (CON)

By: Gene Traeger MGR BGPD LAND HOLDINGS, LLC

By: DCWillenbring TRW. DII

State of Iowa)
)
County of Delaware) ss:

On this 13 day of March, AD 2009, before me, the undersigned, A Notary Public in and for the State of Iowa, personally appeared GENE Traeger and DAN Willenbring, to me personally known, who, being duly sworn did say that they are the MANAGER and Treasurer respectively, of said corporation executing the within and foregoing instrument; that the instrument was signed on behalf of said corporation by authority of its Board of Directors; and the said MANAGER and Treasurer DII acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Witness my hand and Notarial Seal on the date above written.

NOTARIAL SEAL IOWA — STEVEN J. WILLENBRING Commission Number 197598 My Comm. Exp. 7-28-10

Notary Public in and for the State of Iowa
My Commission Expires on 7-28-10

City Planning & Zoning Commission

Dyersville, Iowa — Feb 26, 2009

The foregoing Plat of Survey of: **PARCEL O & PARCEL P OF THE NW1/4 SE1/4, SECTION 36, T89N, R3W OF THE 5TH P.M.,** in the City of Dyersville, Delaware County, Iowa is hereby approved by the City of Dyersville Planning & Zoning Commission and approval of said plat by the City Council of the City of Dyersville, Iowa is hereby recommended.

Chairman, Dyersville Planning & Zoning Commission

City Council

Dyersville, Iowa — Feb 23, 2009

The undersigned, Mayor and Clerk of the City of Dyersville, Iowa do hereby certify that the foregoing plat in the City of Dyersville, Iowa has been filed in the office of the Clerk of the City of Dyersville and that by resolution No. 07-09 Amended the Dyersville City Council approved said plat.

CITY OF DYERSVILLE Iowa CITY SEAL

James A. Heavens, Mayor for the City of Dyersville, Iowa

~~Tricia Maiers~~, Clerk for the City of Dyersville, Iowa
Lori Panton Deputy

Delaware County E-911 Board

Delaware County, Iowa — April 14, 2009

The foregoing Plat of Survey of: **PARCEL O & PARCEL P OF THE NW1/4 SE1/4, SECTION 36, T89N, R3W OF THE 5TH P.M.,** in the City of Dyersville, Delaware County, Iowa has been examined and approved as to being in full compliance with Delaware County Ordinance #12. The Uniform Rural Address System as passed and adopted by the Delaware County Board of Supervisors on the 14th day of April, 2009.

Coordinator for Delaware County E-911 Board

State of Iowa)
)
County of Delaware) ss:

On this 14th day of April, AD 2009, before me, the undersigned, A Notary Public in and for the State of Iowa, personally appeared Norman Wellman, to me personally known, who, being duly sworn did say that Norman Wellman is the Coordinator for the Delaware County E-911 Board.

NOTARIAL SEAL IOWA — JULIA L. HACKBARTH Commission Number 169805 MY COMMISSION EXPIRES MAY 24, 2011

Notary Public in and for the State of Iowa
My Commission Expires on 5-24-11

RESOLUTION NO. 07-09 (AMENDED)
Recorder's Cover Sheet

Preparer Information:
Mick J. Michel, 340 1st Avenue East, Dyersville, IA 52040
(563) 875-7724

Taxpayer Information:
City of Dyersville, Iowa
340 1st Avenue East
Dyersville, IA 52040

Return Address:
City of Dyersville, Iowa
340 1st Avenue East
Dyersville, IA 52040

Grantors:
City of Dyersville, Iowa

Grantees:
Dyersville Industries, Inc.

Legal Description:
See Page 2

Document or instrument number if applicable:

RESOLUTION NO. 07-09 (AMENDED)

RESOLUTION APPROVING THE PLAT OF SURVEY
OF PARCEL O AND PARCEL P OF THE NW¼ SE¼,
SECTION 36, T89N, R3W, OF THE 5TH P.M.,
IN THE CITY OF DYERSVILLE, DELAWARE COUNTY, IOWA

WHEREAS, there has been filed with the City Clerk a plat in which the NW¼ SE¼, Section 36, T89N, R3W, of the 5th P.M., in the City of Dyersville, Delaware County, Iowa, has been platted into Parcel O and Parcel P of the NW¼ SE¼, Section 36, T89N, R3W, of the 5th P.M., in the City of Dyersville, Delaware County, Iowa.

WHEREAS, said plat has been examined by the City Planning and Zoning Commission and approved by said body, and;

WHEREAS, upon said plat appears easements for access and utilities which are represented on the plat, all of which the owners have dedicated to the public forever, and;

WHEREAS, the original Resolution No. 07-09, approved by the City Council on February 16, 2009, for the Plat of Survey of Parcel 3 and Parcel 4 of the NW ¼ SE ¼, Section 36, T89N, R3W, of the 5th P.M., in the City of Dyersville, Delaware County, Iowa did not conform to Delaware County Ordinances and had to be revised, and;

WHEREAS, said plat has been found by the City Council to conform to the statutes and ordinances relating thereto.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Dyersville, Iowa:

SECTION 1. That the dedication of easements for access and public utilities, all as the same appear on said plat, be and the same are hereby accepted and are herein established as access and public utility easements in the City of Dyersville, Iowa.

SECTION 2. That the plat of survey of Parcel O and Parcel P of the NW¼ SE¼, Section 36, T89N, R3W, of the 5th P.M., in the City of Dyersville, Delaware County, Iowa, is hereby approved and the Mayor and City Clerk are hereby authorized and directed to endorse the approval of the City of Dyersville of said plat in substantially the form and content in which the Plat has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advise of legal counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of filing the said plat.

SECTION 3. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed, adopted and approved this 23rd day of February, 2009.

James A. Heavens, Mayor

Attest: Lori Panton
Lori Panton, Deputy Clerk

(SEAL)

