FILED
JUN 01 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
JUN - 1 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2009 Page 2162

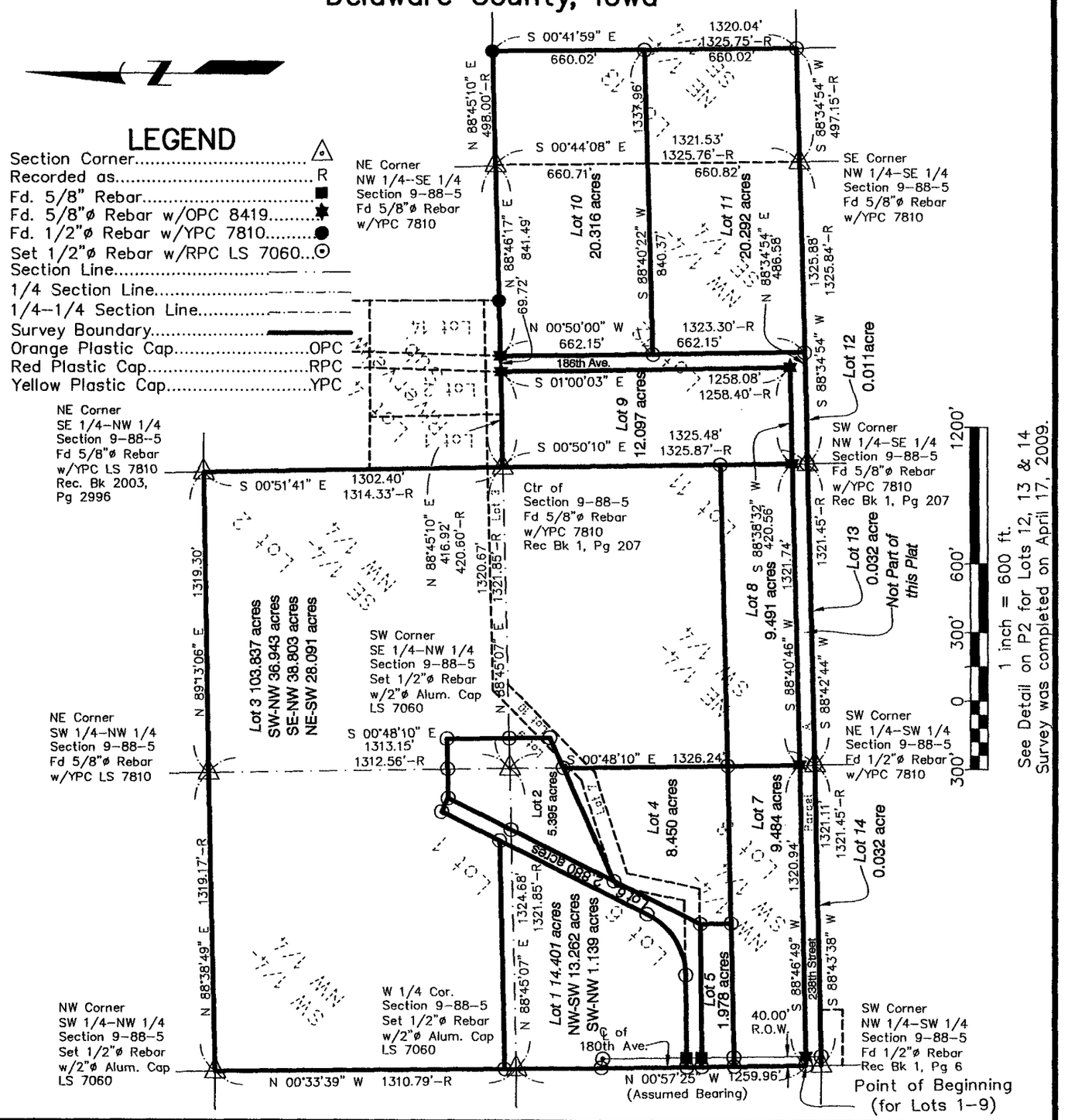
Document 2009 2162 Type 06.002 Pages 11
Date 6/01/2009 Time 12:28:12PM
Rec Amt $57.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

TEKIPPE ENGINEERING, P.C., 1919 – 210th Street, P.O. Box 357, Manchester, Iowa 52057 Ph. 563-927-2060

Final Plat

Tschiggfrie's Subdivision, a Replat of State's Subdivision, Lots 1–3 and Lots 6–9 Through Lots 10–13, Except Parcel A, all in Section 9 – T88N – R5W, Delaware County, Iowa



PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
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. The unadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.

5-21-09

Lyle G. TeKippe Date:
License number 7060
My license renewal date is December 31, 2010.
Sheets covered by this seal: Sheets P1 through P2

TEKIPPE ENGINEERING, P.C

West Union
563–422–5131
www.tekippe.com

Manchester 563–927–2060
Cedar Rapids 319–294–6909

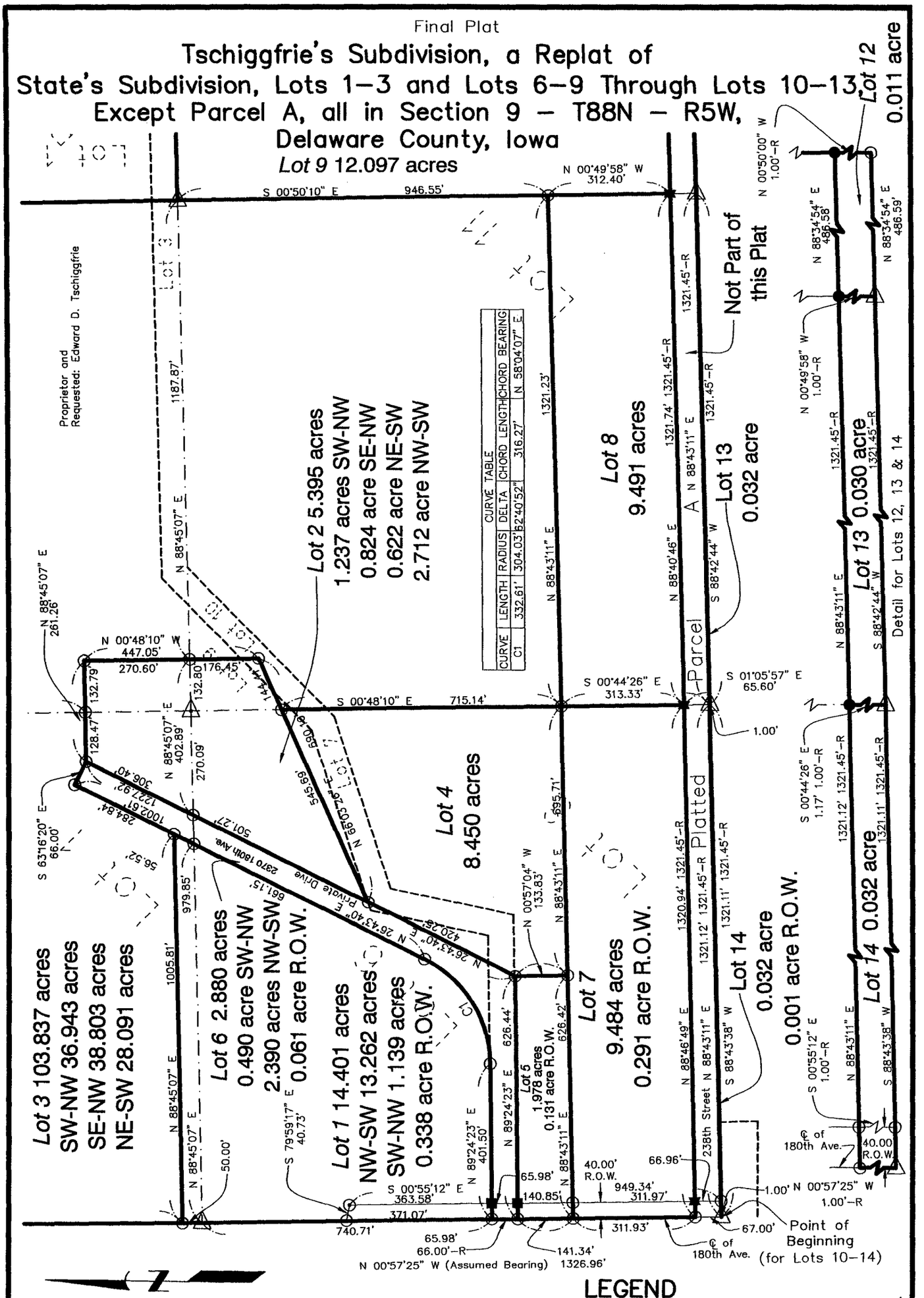
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Field Book: Manchester No.1 Pages: 70–72

Project No. 092024.LS Sheet P1

Final Plat

Tschiggfrie's Subdivision, a Replat of State's Subdivision, Lots 1–3 and Lots 6–9 Through Lots 10–13, Except Parcel A, all in Section 9 – T88N – R5W, Delaware County, Iowa



LEGEND

Section Line	Section Corner
1/4 Section Line	Recorded as
1/4–1/4 Section Line	Fd. 5/8" Rebar
Survey Boundary	Fd. 5/8"ø Rebar w/OPC 8419
Orange Plastic Cap ..... OPC	Fd. 1/2"ø Rebar w/YPC 7810
Red Plastic Cap ..... RPC	Set 1/2"ø Rebar w/RPC LS 7060
Yellow Plastic Cap ..... YPC	

150' 0 150' 300' 600'

1 inch = 300 ft.

Survey was completed on April 17, 2009.

TEKIPPE ENGINEERING, P.C | 1919 – 210th STREET, MANCHESTER, IOWA 52057

PH. (563) 927–2060 FAX (563) 927–3603

Prepared by: TeKIPPE ENGINEERING, P.C., 1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057, Ph. (563)927-2060

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
IOWA

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Lyle G. TeKippe — 5-21-09 Date
License Number 7060
My license renewal date is December 31, 2010.
Pages covered by this seal: BD-1 Through BD-3

State of Iowa)
ss.
County of Delaware)

Subscribed and sworn to before me by Lyle G. TeKippe this 21st day of May, 2009.

NOTARIAL SEAL IOWA
CHRISTINA RICHTER
Commission Number 723809
My Commission Expires
8-5-09

Christina Richter
Notary Public

SURVEY AND PLAT OF:

Boundary Description:

Tschiggfrie's Subdivision, a Replat of State's Subdivision, Lots 1-3 and Lots 6-9 Through Lots 10-13, except Parcel A, all in Section 9, Township 88 North, Range 5 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

LOTS 1-9 OF TSCHIGGFRIE'S

Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section;

Thence **North 00°-57'-25" West (Assumed Bearing), 67.00 feet** along the West Line of the Northwest Quarter of the Southwest Quarter of said Section and the West Line of State's Subdivision (recorded in Book 2, Page 228, on file at the Delaware County Recorder's office, Manchester, Iowa) to the Southwest Corner of new Lot 7 and the Point of Beginning;

Thence continuing **North 00°-57'-25" West, 1259.96 feet** along said West Section Line and West Subdivision Line to the West Quarter Corner of said Section;

Thence **North 00°-33'-39" West, 1310.79 feet** along the West Line of the Southwest Quarter of the Northwest Quarter of said Section and the West Line of existing Lot 1 of said State's Subdivision;

Thence **North 88°-38'-49" East, 1319.17 feet** along the North Line of the Southwest Quarter of the Northwest Quarter of said Section and the North Line of said existing Lot 1;

Thence **North 89°-13'-06" East, 1319.30 feet** along the North Line of the Southeast Quarter of the Northwest Quarter of said Section and the North Line of existing Lot 2 of said State's Subdivision;

Thence **South 00°-51'-41" East, 1302.40 feet** along the East Line of the Southeast Quarter of the Northwest Quarter of said Section;

Thence **North 88°-45'-10" East, 416.92 feet** along the North Line of the Northwest Quarter of the Southeast Quarter of said Section to the Northwest Corner of Parcel A (recorded in Book 7, Page 20, on file at the Delaware County Recorder's office, Manchester, Iowa);

Thence **South 01°-00'-03" East, 1258.08 feet** along the West Line of said Parcel A;

Thence **South 88°-38'-32" West, 420.56 feet** along the North Line of said Parcel A;

Thence **South 88°-40'-46" West, 1321.74 feet** continuing along the North Line of said Parcel A;

Thence **South 88°-46'-49" West, 1320.94 feet** continuing along said North Line of Parcel A to the Point of Beginning, containing **168.013 acres**, including 0.821 acre of 180th Avenue Right-of-Way, subject to easements of record.
(See plat attached to this original survey description.)

AND

LOTS 10-14 OF TSCHIGGFRIE'S

Beginning at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of said Section;

Thence **North 00°-57'-25" West (Assumed Bearing), 1.00 feet** along the West Line of said Section;

Thence **North 88°-43'-11" East, 1321.12 feet** along the South Line of Parcel A (recorded in Book 7, Page 20, on file at the Delaware County Recorder's office, Manchester, Iowa);

Thence continuing **North 88°-43'-11" East, 1321.45 feet** along said South Line;

Thence **North 88°-34'-54" East, 486.58 feet** along said South Line;

Thence **North 00°-50'-00" West, 1323.30 feet** along the East Line of said Parcel A to the North Line of the Northwest Quarter of the Southeast Quarter of said Section and to the North Line of existing Lot 12 of State's Subdivision (recorded in Book 2, Page 228, on file at the Delaware County Recorder's office, Manchester, Iowa);

Thence **North 88°-46'-17" East, 841.49 feet** along said North Lines to the Northwest Corner of existing Lot 13 of said State's Subdivision;

Thence **North 88°-45'-10" East, 498.00 feet** along the North Line of said existing Lot 13;

Thence **South 00°-41'-59" East, 1320.04 feet** along the East Line of said existing Lot 13 to the South Line of said existing Lot 13;

Thence **South 88°-34'-54" West, 497.15 feet** along said South Line to the Southwest Corner of said existing Lot 13;

Thence continuing **South 88°-34'-54" West, 1325.88 feet** along the South Line of said existing Lot 12 to the Southeast Corner of existing Lot 11 of said Subdivision;

Thence **South 88°-42'-44" West, 1321.45 feet** along the South Line of said existing Lot 11 to the Southeast Corner of Lot 8 of said Subdivision;

Thence **South 88°-43'-38" West, 1321.11 feet** along the South Line of said existing Lot 8 to the Point of Beginning, containing **40.683 acres**, including 0.001 acre of 180th Avenue Right-of-Way, subject to easements of record.
(See plat attached to this original survey description.)

OWNER'S ACKNOWLEDGMENT

I **Edward D. Tschiggfrie** of Dubuque Co.,
State of Iowa, do herby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Edward D. Tschiggfrie

State of Iowa)
) SS
Dubuque County)

On this 26 day of May, 2009, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared **Edward D. Tschiggfrie**, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Notary Public in and for the State of Iowa
My commission expires 4/14/12

EASEMENT ACKNOWLEDGEMENT

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 ***Tschiggfrie's Subdivision, Delaware County, Iowa,.*** Lot 6, as shown on the above plat, is hereby declared an ingress/egress and utility easement for the use of the owners of Lots 1 through 5 of said subdivision.

IN WITNESS WHEREOF, ~~we have~~ set our hands this 26 day of May 2009.

Edward D Tschiggfrie

Edward D. Tschiggfrie

State of Iowa)
) SS
Delaware County)

On this 26 day of May, 2009, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ed Tschiggfrie, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Notary Public in and for the State of Iowa

My commission expires 4/14/12

Parcel A, which is not a part of this subdivision, is a private road which provides access to Lots 7 through 14 of said subdivision. Existing easement for said access is recorded in book - page - on file at the Delaware County Recorder's office Manchester, Iowa. 132 - 100

ATTORNEY OPINION

I, Brian J. Kane, a practicing attorney at law in Delaware County, Iowa, have examined the abstract of title from root of title to the land included in ***Tschiggfrie's Subdivision, Delaware County, Iowa,*** on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated May 21, 2009.

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 19th date of May, A.D. 2009, 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 Edward D. Tschiggfrie, subject to a mortgage to American Trust & Savings Bank, as mortgagee, dated July 24, 2003 and recorded August 19, 2003 in Book 2003, Page 4004 in the records of the Delaware County Recorder. Also subject to real estate taxes for fiscal year 2008-2009 which are not yet paid but which are not delinquent.

Dated at Dubuque, Iowa, in said County, this 26th day of May, 2009.

Brian J. Kane

Attorney at Law

CONSENT OF MORTGAGE HOLDER

American Trust & Savings Bank, mortgagee, pursuant to that certain Real Estate Mortgage from Edward D. Tschiggfrie and Joan C. Tschiggfrie, filed August 19, 2003 in Book 2003, Page 4004 in the records of the Delaware County Recorder, hereby consents to the plat (and the filing thereof) of the land included in ***Tschiggfrie's Subdivision, Delaware County, Iowa,*** on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated May 21, 2009.

Dated this 26th day of May, 2009.

American Trust & Savings Bank

By: Paul A. Pfohl

Its Vice President

LAURA B. COOLEY
Commission Number 746051
My Comm. Exp. 3/26/10

STATE OF IOWA)
COUNTY OF DUBUQUE) ss:

On this 26th day of May, 2009, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul A Pfohl, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her voluntary act and deed.

Laura B. Cooley

Notary Public, State of 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 ***Tschiggfrie's Subdivision, Delaware County, Iowa,*** have been paid and said real estate is free and clear of all taxes as of this date.

Carolyn A. Wilson

Carolyn A. Wilson, Delaware County Treasurer

5-27-09

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 ***Tschiggfrie's Subdivision, Delaware County, Iowa,*** a subdivision in Delaware County, Iowa.

Carla K Becker

Carla K. Becker, Delaware County Auditor

5-26-09

Date

State of Iowa)
) SS
Delaware County)

On this 26TH day of MAY, 2009, before me David Meyer 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.

DAVID MEYER
Iowa Notarial Seal
Commission Number: 736541
My Commission Expires: 09-08-2011

Notary Public in and for the State of Iowa.
My commission expires 9/8/2011

DELAWARE COUNTY E-911 BOARD

The foregoing plat of ***Tschiggfrie's Subdivision, 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 6th day of August, 1996.

Norman Wellman

Norman Wellman, Coordinator Delaware County E-911 Board

5/28/09

Date

State of Iowa)
) SS
Delaware County)

On this 28th day of May, 2009, before me Christina Richter a Notary Public in and for the State of Iowa, personally appeared **Norman Wellman**, to me personally known, and, who, being duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

Christina Richter

Notary Public in and for the State of Iowa
My commission expires 8-5-09

CHRISTINA RICHTER
Commission Number 723809
My Commission Expires
8-5-09

BOOK 2009 PAGE 2162

PLANNING AND ZONING COMMISSION
RESOLUTION APPROVING PRELIMINARY PLAT and FINAL PLAT

WHEREAS, the final plat of ***Tschiggfrie's Subdivision, Delaware County, Iowa,***, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated , 2009 , has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, the Planning and Zoning Commission of the City of Manchester 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, no new well or septic system is necessary and therefore construction of said utilities is not being authorized by the approval of Preliminary Plat and final plat; and

WHEREAS, no new street or improvements at this time; 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

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said Preliminary Plat and Final Plat of ***Tschiggfrie's Subdivision, 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, 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 of May, A.D., 2009.

CITY OF MANCHESTER IOWA SEAL

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By Becky Dolan
Becky Dolan, Chairperson

By Laura K Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this day of 22nd , 2009, before me, 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, 2009, 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.

NOTARIAL SEAL IOWA
TIMOTHY J. VICK
Commission Number 713731
My Commission Expires
November 20, 2010

Timothy J. Vick
Timothy J. Vick Notary Public

R-093-2009
RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the final plat of ***Tschiggfrie's Subdivision, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated May 21, 2009, 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 cities or within a two mile radius of the City; and

WHEREAS, no new well or septic system is necessary and therefore construction of said utilities is not being authorized by the approval of final plat; and

WHEREAS, no new street or improvements to 215th Street is necessary at this time; 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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that Said ***Tschiggfrie's Subdivision, 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 26th day of May, A.D., 2009.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 28th day of May, 2009, 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-093-2009 adopted by the City Council on the 26th day of May, 2009, 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.

NOTARIAL SEAL IOWA
JULIE A. SCHMITZ
Commission Number 224151
My Commission Expires
8-23-2011