Book 2009 Page 2567
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FILED
JUN 30 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

FILED
JUN 30 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

BOOK 2009 PAGE 2567

Final Plat of
'Oak Valley Subdivision'

A SUBDIVISION OF PARCEL 'J' BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. NW1/4–NW1/4) AND PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. SW1/4–NW1/4) OF SECTION 19, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE 5TH P.M.; AND A SUBDIVISION OF PARCEL 'D' BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4–NE1/4) OF SECTION 24, TOWNSHIP 89 NORTH, RANGE 6 WEST OF THE 5TH P.M.; ALL IN DELAWARE COUNTY, IOWA.

•• MOHN SURVEYING, INC. • ROGER MOHN • 1890 GREAT RIVER ROAD • LANSING, IOWA 52151 • 563-538-4067 ••

North 1/4 Cor. of Sec. 24–T89N–R6W, 5th P.M.–Found PK nail and 'X' cut in pavement.

NW Cor. of NE1/4–NE1/4

Parcel 'A' Bk.7, Pg.20

Deed 137–330

Deed 136–270

NE Cor. of Sec. 24–T89N–R6W, 5th P.M.–Found PK nail in pavement.

NW Cor. of Sec. 19–T89N–R5W, 5th P.M.–Found PK nail in pavement.

Point of Beginning

'Prairie Hill Estates' Bk.1999, Pg.1731

NE Cor. of Frl. NW1/4–NW1/4

190th Street

160th Ave.

Southerly Right–of–way line of 190th Street

Rieger Creek

Pond

Goodland Drive

162nd Ave.

66' ROW

86' ROW

25' wide storm water drainage easement

5' wide Utility Easement (Typ.)

20' wide storm water drainage easement

Building Setback (Typ.)

Getalong Lane

Lot 1 =1.82 Acres
Lot 2 =1.66 Acres
Lot 3 =1.28 Acres
Lot 4 =1.46 Acres
Lot 5 =1.50 Acres
Lot 6 =1.36 Acres
Lot 7 =1.42 Acres
Lot 8 =1.53 Acres
Lot 9 =1.64 Acres
Lot 10 =1.74 Acres
Lot 11 =1.79 Acres
Lot 12 =1.84 Acres
Lot 13 =1.68 Acres
Lot 14 =1.34 Acres
Lot 15 =1.76 Acres
Lot 16 =1.24 Acres
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Lot 27 =1.23 Acres
Lot 28 =1.29 Acres
Lot 29 =1.32 Acres
Lot 30 =1.78 Acres
Lot 31 =2.74 Acres
Lot 32 =1.67 Acres
Lot 33 =1.66 Acres
Lot 34 =2.05 Acres
Lot 35 (Well Lot) (See Sheet 2)
Lot 36 (Well Lot) (See Sheet 2)
Lot 37 (Well Lot) (See Sheet 2)
Lot 38 (Well Lot) (See Sheet 2)
Lot 39 (Well Lot) (See Sheet 2)
Lot 40 (Well Lot) (See Sheet 2)

See Detail (See Sheet 2)

Westerly Right–of–way line of 162nd Ave.

Legend
- Parcel Boundary Established
- Set 1/2"ø iron rod w/LS cap No. 10165.
- Found 1/2"ø iron rod w/LS cap No. 10165.
- Set Mag nail in pavement.
- Found PK nail and 'X' cut in pavement.

NE1/4–NE1/4

Frl. NW1/4–NW1/4

Frl. SW1/4–NW1/4

Sec. 24 / Sec. 19

Scale 1" = 180'

0 180 360

West 1/4 Cor. of Sec. 19–T89N–R5W, 5th P.M.
East 1/4 Cor. of Sec. 24–T89N–R6W, 5th P.M.
Found 1/2"ø iron rod w/LS cap No. 10165.

NOTE: The North line of the NE1/4 of Section 24, T89N, R6W is assumed to bear N 90°00'00" E.

Notes

1. Existing Zoning: Agriculture
2. Proposed Zoning: Residential
3. Building Setback: 50 feet
4. All wetland areas along Rieger Creek shall not be distributed or altered.
5. Intersection sight distances: Min. = 650 feet Max = 2000+ feet
6. 100 year flood Elev. for site: Elev. 945 feet.
7. Elevations are based on Delaware Co. GIS Monument No. 30–Elev. = 959.98 feet (NAVD_88)
8. See Sheet 3 of 4 for line and curve info.

Subdivider/Proprietor:
Daniel A. and Ann L. Schulte
1831 Honey Creek Road
Manchester, Iowa 52057
(563) 927–4401

Surveyor:
Mohn Surveying, Inc.
Roger R. Mohn
1890 Great River Road
Lansing, Iowa 52151
(563) 538–4067

Sheet No. 1 of 4
Surveyed: March, 2008 (229, 71–74)
May 06, 2009 Drawn by: ARL
Y:\Drawings\Subs\2008\Delaware\DSchulte\Schulte1.dwg

SEAL

LICENSED LAND SURVEYOR ★ IOWA ★ Roger R. Mohn 10165

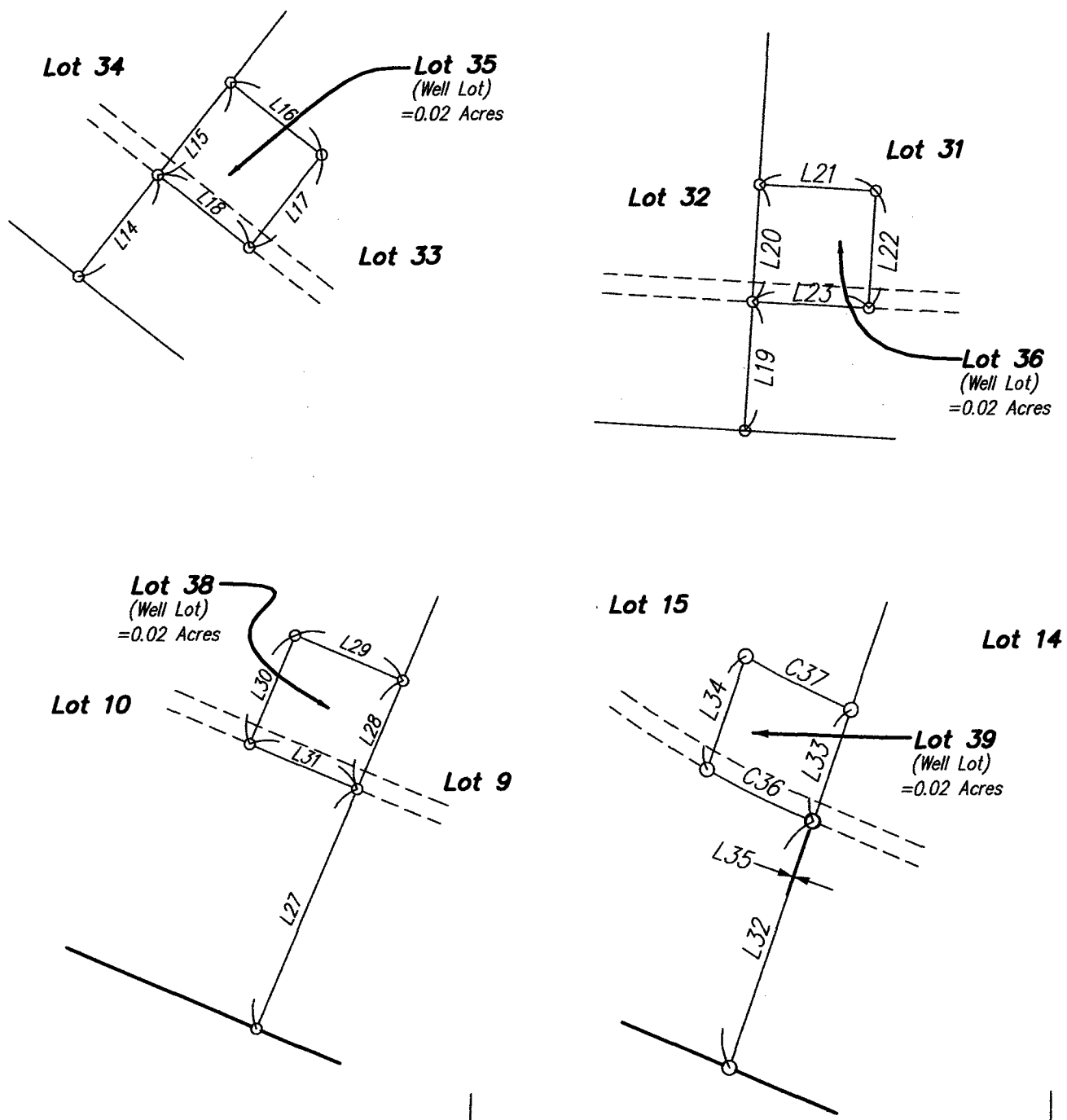
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Roger R. Mohn May 6, 2009
Roger R. Mohn Date
License Number 10165
My license renewal date is December 31, 2010
Pages or sheets covered by this seal: Sheet 1 of 4 through 4 of 4.

Final Plat of

'Oak Valley Subdivision'

A SUBDIVISION OF PARCEL 'J' BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. NW1/4–NW1/4) AND PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. SW1/4–NW1/4) OF SECTION 19, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE 5TH P.M.; AND A SUBDIVISION OF PARCEL 'D' BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4–NE1/4) OF SECTION 24, TOWNSHIP 89 NORTH, RANGE 6 WEST OF THE 5TH P.M.; ALL IN DELAWARE COUNTY, IOWA.



Detail
N.T.S

Notes
1. The North line of the NE1/4 of Section 24, T89N, R6W is assumed to bear N 90°00'00" E.
2. See Sheet 3 of 4 for line and curve information.

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.

Roger R. Mohn — May 6, 2009
Roger R. Mohn — Date
License Number 10165
My license renewal date is December 31, 2010
Pages or sheets covered by this seal: Sheet 1 of 4 through 4 of 4.

SEAL

LICENSED LAND SURVEYOR ★ Roger R. Mohn 10165 ★ IOWA

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Legend
- Parcel Boundary Established
- Set 1/2"ø iron rod w/LS cap No. 10165.
- Found 1/2"ø iron rod w/LS cap No. 10165.
- Set PK nail in pavement.
- Found PK nail and "x" cut in pavement.

Sheet No. 2 of 4
Surveyed: March, 2008 (229, 71–74)
May 06, 2009 Drawn by: ARL
Y:\Drawings\Subs\2008\Delaware\DSchulte\Schulte1.dwg

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Final Plat of

'Oak Valley Subdivision'

A SUBDIVISION OF PARCEL 'J' BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. NW1/4–NW1/4) AND PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. SW1/4–NW1/4) OF SECTION 19, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE 5TH P.M.; AND A SUBDIVISION OF PARCEL 'D' BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4–NE1/4) OF SECTION 24, TOWNSHIP 89 NORTH, RANGE 6 WEST OF THE 5TH P.M.; ALL IN DELAWARE COUNTY, IOWA.

Legal Description of 'Oak Valley Subdivision'

A SUBDIVISION OF PARCEL 'J' BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. NW1/4–NW1/4) AND PART OF THE FRACTIONAL SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (Frl. SW1/4–NW1/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHTY–NINE (89) NORTH, RANGE FIVE (5) WEST OF THE FIFTH PRINCIPAL MERIDIAN; AND A SUBDIVISION OF PARCEL 'D' BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4–NE1/4) OF SECTION TWENTY–FOUR (24), TOWNSHIP EIGHTY–NINE (89) NORTH, RANGE SIX (6) WEST OF THE FIFTH PRINCIPAL MERIDIAN; ALL IN DELAWARE COUNTY, IOWA, CONSISTING OF LOT 1 THROUGH LOT 40 CONTAINING A TOTAL OF 51.95 ACRES, MORE OR LESS. THE EXTERIOR BOUNDARY IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH 5TH P.M. WHICH IS THE POINT OF BEGINNING; THENCE S87°41'48"E, 1100.07 FEET ALONG THE NORTH LINE OF THE Frl. NW1/4–NW1/4 OF SAID SECTION 19; THENCE 394.78 FEET ALONG A 650.01 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY WITH A CENTRAL ANGLE OF 34°47'53" AND A LONG CHORD WHICH BEARS S46°54'56"E, 388.74 FEET; THENCE S00°33'37"W, 1070.33 FEET ALONG THE EAST LINE OF THE Frl. NW1/4–NW1/4 AND THE EAST LINE OF THE Frl. SW1/4–NW1/4 OF SAID SECTION 19; THENCE N88°53'08"W, 393.38 FEET; THENCE N67°01'18"W, 1948.58 FEET; THENCE N00°04'03"W, 611.69 FEET; THENCE N90°00'00"E, 815.37 FEET ALONG THE NORTH LINE OF THE NE1/4 OF SECTION 24, TOWNSHIP 89 NORTH, RANGE 6 WEST OF THE 5TH P.M, TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS A TOTAL OF 51.95 ACRES, MORE OR LESS. THE NORTH LINE OF THE NE1/4 OF SECTION 24, T89N, R6W IS ASSUMED TO BEAR N90°00'00"E.

Curve Info.

C1(Bdry)	C2(ROW)	C3(ROW)	C4(ROW)	C5(ROW)	C6(ROW)	C7(ROW)
Δ: 34°47'53"	Δ: 06°40'05"	Δ: 18°28'10"	Δ: 40°20'37"	Δ: 49°14'35"	Δ: 14°25'09"	Δ: 116°20'22"
R: 650.01'	R: 530.01'	R: 530.01'	R: 530.01'	R: 530.01'	R: 530.01'	R: 30.00'
L: 394.78'	L: 61.68'	L: 170.85'	L: 373.20'	L: 455.52'	L: 133.38'	L: 69.91'
CH: 388.74'	CH: 61.65'	CH: 170.11'	CH: 365.53'	CH: 441.63'	CH: 133.03'	CH: 50.98'
S46°54'56"E	S85°03'15"E	S72°29'07"E	S43°04'44"E	S38°37'45"E	S06°47'53"E	N35°15'46"E
C8(ROW)	C9(Bdry)	C10(ROW)	C11(ROW)	C12(ROW)	C13(ROW)	C14(ROW)
Δ: 80°54'30"	Δ: 90°42'10"	Δ: 03°35'30"	Δ: 14°56'23"	Δ: 66°57'15"	Δ: 90°07'14"	Δ: 82°48'25"
R: 50.00'	R: 30.00'	R: 517.74'	R: 517.74'	R: 267.00'	R: 30.00'	R: 30.00'
L: 70.61'	L: 47.49'	L: 32.46'	L: 135.00'	L: 312.01'	L: 47.19'	L: 43.36'
CH: 64.88'	CH: 42.69'	CH: 32.45'	CH: 134.62'	CH: 294.56'	CH: 42.47'	CH: 39.69'
S46°06'48"E	S45°45'47"W	N87°05'23"W	N74°29'30"W	N33°32'14"W	N44°59'34"E	S46°59'06"E
C15(ROW)	C16(ROW)	C17(ROW)	C18(ROW)	C19(Bdry)	C20(Bdry)	C21(Bdry)
Δ: 30°28'13"	Δ: 15°35'19"	Δ: 114°06'30"	Δ: 29°08'37"	Δ: 53°37'52"	Δ: 33°32'40"	Δ: 20°05'12"
R: 151.70'	R: 151.70'	R: 30.00'	R: 85.70'	R: 118.70'	R: 118.70'	R: 118.70'
L: 80.67'	L: 41.27'	L: 59.75'	L: 43.59'	L: 111.11'	L: 69.49'	L: 41.61'
CH: 79.73'	CH: 41.15'	CH: 50.35'	CH: 43.12'	CH: 107.10'	CH: 68.51'	CH: 41.40'
S20°49'00"E	S43°50'45"E	N34°33'27"E	N37°04'07"W	N24°49'29"W	S14°46'53"E	S41°35'49"E
C22(Bdry)	C23(ROW)	C24(Bdry)	C25(ROW)	C26(Bdry)	C27(ROW)	C28(Bdry)
Δ: 04°55'22"	Δ: 04°41'09"	Δ: 16°21'04"	Δ: 16°35'18"	Δ: 13°39'11"	Δ: 13°39'11"	Δ: 34°55'38"
R: 324.45'	R: 357.45'	R: 324.45'	R: 357.45'	R: 324.45'	R: 357.45'	R: 324.45'
L: 27.88'	L: 29.23'	L: 92.59'	L: 103.49'	L: 77.31'	L: 85.18'	L: 197.78'
CH: 27.87'	CH: 29.22'	CH: 92.28'	CH: 103.13'	CH: 77.13'	CH: 84.97'	CH: 194.73'
S54°06'06"W	S53°59'00"E	S64°44'20"E	S64°37'13"E	S79°44'27"E	S79°44'27"E	N69°06'14"W
C29(ROW)	C30(ROW)	C31(ROW)	C32(ROW)	C33(Bdry)	C34(Bdry)	C35(ROW)
Δ: 08°53'58"	Δ: 08°20'54"	Δ: 34°55'38"	Δ: 06°04'15"	Δ: 03°19'56"	Δ: 03°32'20"	Δ: 60°32'14"
R: 530.01'	R: 530.01'	R: 291.45'	R: 530.01'	R: 517.74'	R: 487.74'	R: 267.00'
L: 82.32'	L: 77.23'	L: 177.66'	L: 56.16'	L: 30.11'	L: 30.13'	L: 282.10'
CH: 82.24'	CH: 77.16'	CH: 174.93'	CH: 56.13'	CH: 30.11'	CH: 30.12'	CH: 269.16'
S18°27'26"E	S09°50'00"E	N69°06'14"W	S02°37'25"E	N83°37'39"W	S83°19'45"E	S30°20'10"E
C36(Bdry)	C37(Bdry)					
Δ: 06°25'01"	Δ: 07°19'48"					
R: 267.00'	R: 237.00'					
L: 29.90'	L: 30.32'					
CH: 29.89'	CH: 30.30'					
S63°48'48"E	N62°56'09"W					

Line Info.

L1: S87°41'48"E–52.06'	L15: N38°21'35"E–30.00'	L29: S67°01'18"E–30.00'
L2: S87°41'48"E–36.38'	L16: S51°38'25"E–30.00'	L30: N22°58'42"E–30.00'
L3: N67°01'18"W–150.00'	L17: S38°21'35"W–30.00'	L31: N67°01'18"W–30.00'
L4: S88°23'18"E–61.61'	L18: N51°38'25"W–30.00'	L32: N18°59'45"E–66.16'
L5: S88°23'18"E–67.81'	L19: S03°25'57"W–33.00'	L33: N18°59'45"E–30.08'
L6: S01°59'26"W–78.64'	L20: S03°25'57"W–30.00'	L34: N18°59'45"E–30.57'
L7: S01°59'26"W–72.18'	L21: N86°34'03"W–30.00'	L35: S67°01'18"E–0.35'
L8: S86°34'03"E–49.58'	L22: N03°25'57"E–30.00'	L36: N88°23'18"W–30.00'
L9: S09°14'11"E–101.50'	L23: S86°34'03"E–30.00'	L37: S01°59'26"W–76.09'
L10: S00°24'42"W–170.26'	L24: N01°32'19"E–67.02'	L38: N01°59'26"E–30.00'
L11: N03°25'57"E–69.51'	L25: S01°32'19"W–30.05'	L39: N88°23'18"W–30.00'
L12: N38°21'35"E–83.01'	L26: N01°32'19"E–30.21'	L40: N01°59'26"E–30.00'
L13: N51°38'25"W–77.55'	L27: N22°58'42"E–66.00'	L41: S87°41'48"E–53.51'
L14: N38°21'35"E–33.00'	L28: N22°58'42"E–30.00'	L42: S54°48'00"E–56.81'
		L43: N21°34'00"E–73.82'

Lot Area Info.

Lot No.	Total Area	Area w/o ROW
Lot 1	1.82 Acres	1.43 Acres
Lot 2	1.66 Acres	1.43 Acres
Lot 3	1.28 Acres	1.00 Acres
Lot 4	1.46 Acres	1.23 Acres
Lot 5	1.50 Acres	1.27 Acres
Lot 6	1.36 Acres	1.13 Acres
Lot 7	1.42 Acres	1.19 Acres
Lot 8	1.53 Acres	1.30 Acres
Lot 9	1.64 Acres	1.42 Acres
Lot 10	1.74 Acres	1.51 Acres
Lot 11	1.79 Acres	1.57 Acres
Lot 12	1.84 Acres	1.61 Acres
Lot 13	1.68 Acres	1.45 Acres
Lot 14	1.34 Acres	1.16 Acres
Lot 15	1.76 Acres	1.00 Acres
Lot 16	1.24 Acres	1.00 Acres
Lot 17	1.74 Acres	1.00 Acres
Lot 18	1.27 Acres	1.00 Acres
Lot 19	1.28 Acres	1.00 Acres
Lot 20	1.30 Acres	1.02 Acres
Lot 21	1.20 Acres	1.00 Acres
Lot 22	1.41 Acres	1.00 Acres
Lot 23	1.10 Acres	1.00 Acres
Lot 24	1.26 Acres	1.15 Acres
Lot 25	1.17 Acres	1.07 Acres
Lot 26	1.29 Acres	1.21 Acres
Lot 27	1.23 Acres	1.15 Acres
Lot 28	1.29 Acres	1.18 Acres
Lot 29	1.32 Acres	1.21 Acres
Lot 30	1.78 Acres	1.44 Acres
Lot 31	2.74 Acres	1.19 Acres
Lot 32	1.67 Acres	1.21 Acres
Lot 33	1.66 Acres	1.32 Acres
Lot 34	2.05 Acres	1.08 Acres
Lot 35	0.02 Acres	-----
Lot 36	0.02 Acres	-----
Lot 37	0.02 Acres	-----
Lot 38	0.02 Acres	-----
Lot 39	0.02 Acres	-----
Lot 40	0.02 Acres	-----

Area Break Downs

Lot 10: NE1/4–NE1/4 Sec. 24=0.19 Acres
Frl. NW1/4–NW1/4 Sec. 19=1.55 Acres
Lot 11: NE1/4–NE1/4 Sec. 24=0.54 Acres
Frl. NW1/4–NW1/4 Sec. 19=1.25 Acres
Lot 20: NE1/4–NE1/4 Sec. 24=0.88 Acres
Frl. Frl. NW1/–NW1/4 Sec. 19=0.42 Acres

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SEAL

LICENSED LAND SURVEYOR
Roger R. Mohn
10165
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.

Roger R. Mohn May 6, 2009

Roger R. Mohn Date

License Number 10165

My license renewal date is December 31, 2010

Pages or sheets covered by this seal: Sheet 1 of 4 through 4 of 4.

Surveyed: March, 2008 (229, 71–74)
May 06, 2009 Drawn by: ARL
Y:\Drawings\Subs\2008\Delaware\DSchulte\Schulte1.dwg

LEGAL DESCRIPTION OF **OAK VALLEY SUBDIVISION**:

A subdivision of Parcel 'J' being part of the Fractional Northwest Quarter of the Northwest Quarter (Frl. NW1/4-NW1/4) and part of the Fractional Southwest Quarter of the Northwest Quarter (Frl. SW1/4-NW1/4) of Section Nineteen (19), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian and a subdivision of Parcel 'D' being part of the Northeast Quarter of the Northeast Quarter (NE1/4-NE1/4) of Section Twenty-four (24), Township Eighty-nine (89) North, Range Six (6) West of the Fifth Principal Meridian, Delaware County, Iowa, consisting of Lot One (1) through Lot Forty (40) containing a total of 51.95 acres, more or less. The exterior boundary is more particularly described by metes and bounds as follows:

Commencing at the Northwest Corner of Section 19, Township 89 North, Range 5 West of the 5th P.M. which is the Point of Beginning; thence S 87°-41'-48" E, 1100.07 feet along the north line of the Frl. NW1/4-NW1/4 of said Section 19; thence 394.78 feet along a 650.01 foot radius curve concave southwesterly with a central angle of 34°-47'-53" and a long chord which bears S 46°-54'-56" E, 388.74 feet; thence S 00°-33'-37" W, 1070.33 feet along the east line of the Frl. NW1/4-NW1/4 and the east line of the Frl. SW1/4-NW1/4 of said Section 19; thence N 88°-53'-08" W, 393.38 feet; thence N 67°-01'-18" W, 1948.58 feet; thence N 00°-04'-03" W, 611.69 feet; thence N 90°-00'-00" E, 815.37 feet along the north line of the NE1/4 of Section 24. T89N, R6W of the 5th P.M. to the Point of Beginning. Said described parcel contains a total of 51.95 acres, more or less.

NOTE: The north line of the NE1/4 of Section 24, T89N, R6W is assumed to bear N 90°-00'-00" E.

LICENSED LAND SURVEYOR
ROGER R. MOHN
10165
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.

Roger R. Mohn May 6, 2009

Roger R. Mohn *Date*

License Number 10165

My license renewal date is December 31, 2010

Pages or sheets covered by this seal:

Sheet No. 1 of 4 through 4 of 4

The attached plat represents the final plat of OAK VALLEY SUBDIVISION being a subdivision of Parcel 'J' in Section 19, Township 89 North, Range 5 West of the Fifth Principal Meridian and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the Fifth Principal Meridian, Delaware County, Iowa.

I (We) Daniel A. Schulte and Ann L. Schulte **of** Delaware **County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent and in accordance with my (our) desire.**

Daniel A. Schulte

Ann L. Schulte

STATE OF IOWA, Delaware **County SS.**

On the 12th **day of** June **A.D. 20** 09 **before me, a Notary Public in and for said County, personally appeared** Daniel A. Schulte and Ann L. Schulte **of said County, to me personally known to be the identical person(s) whose name(s) is (are) affixed to the foregoing statement, and acknowledged the same to be** their **voluntary act and deed.**

Witness my hand and seal.

Laura K. Thomas

Notary Public in and for said County

NOTARIAL SEAL
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
6-26-11

Job#140A - 8/01 Woulon Standard

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against **Oak Valley Subdivision,** being a subdivision of Parcel 'J' in Section 19, Township 89 North, Range 5 West of the 5th P.M. and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

6-12-09 Carolyn A. Wilson
Carolyn A. Wilson, County Treasurer

DELAWARE COUNTY E-911 BOARD

The foregoing plat of **Oak Valley Subdivision**, being a subdivision of Parcel 'J' in Section 19, Township 89 North, Range 5 West of the 5th P.M. and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the 5th P.M., 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 12TH day of JUNE, 2009.

Norman Wellman
Norman Wellman – Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) SS:

On this 12th day of June, 2009, before me Julia L. Hackbarth, a Notary Public in and for the State of Iowa, personally appeared Norman Wellman, to me personally known, and, who, being me duly sworn, did say that he is the Coordinator of Delaware County E-911 Board.

Julia L. Hackbarth
Notary Public

JULIA L. HACKBARTH
Commission Number 169605
MY COMMISSION EXPIRES
MAY 24, 2011

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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 in **Oak Valley Subdivision,** being a subdivision of Parcel 'J' in Section 19, Township 89 North, Range 5 West of the 5th P.M. and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Roger R. Mohn, dated May 6, 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 16th day of June, A.D., 2009, 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 *.
Dated at Manchester, Iowa, in said County, this 24th day of June, 2009.

Attorney at Law
Thomas J. Hanson
401 East Main Street
Manchester, IA 52057-1717

*Daniel A. Schulte and Ann L. Schulte, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common

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 the subdivision name or title **Oak Valley Subdivision**, a subdivision in Delaware County, Iowa.

Carla K. Becker, Delaware County, Iowa

DELAWARE COUNTY IOWA OFFICIAL SEAL

STAT OF IOWA)
) SS.
DELAWARE COUNTY)

On this 30th day of June A.D., 2009, before me, _____, 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.

PAULA HARGRAFEN
Commission Number 757588
MY COMMISSION EXPIRES
MARCH 25, 2012

Notary Public in and for said State

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RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT

WHEREAS, the plat of **Oak Valley Subdivision,** being a subdivision of Parcel 'J' in Section 19, Township 89 North, Range 5 West of the 5th P.M. and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Roger R. Mohn, dated May 6, 2009, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, the subdividers, Daniel A. Schulte and Ann L. Schulte, have entered into an agreement and waiver regarding alternate systems for water, sewer and private drives with the City of Manchester which is attached hereto as Exhibit A; and

WHEREAS, Section 180.33 of Chapter 180 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 180.09) and drive standards (Section 180.17); and

WHEREAS, the final plat of **Oak Valley Subdivision**, Delaware County, Iowa, should be approved with the following declarations and conditions;

a. That plans and specifications shall be submitted to the City for approval for any private sewage disposal systems prior to development of any lot to be served by said system.

b. That Lot 18 and Lot 19 shall share a single driveway that shall be centered on the lot line between said Lot 18 and Lot 19.

c. That Lot 20 and Lot 21 shall share a single driveway that shall be centered on the lot line between said Lot 20 and Lot 21.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said **Oak Valley Subdivision**, Delaware County, Iowa, be, and the same 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 of Manchester, Delaware County, Iowa, and the Commission hereby recommends to the City Council the acceptance of the same and the Chairperson and 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 10th day of June, A.D. 2009.

CITY OF MANCHESTER IOWA SEAL

PLANNING AND 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 24th day of June, 2009, before me, Kathryn L. Corkery, 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 10th day of June, 2009, and that Becky Dolan and Laura Thomas acknowledged 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.

Kathryn L. Corkery
, Notary Public

NOTARIAL SEAL IOWA
KATHRYN L. CORKERY
Commission Number 738377
My Comm. Exp. 1-4-2012

R-094-2009

RESOLUTION APPROVING PRELIMINARY PLAT AND FINAL PLAT

WHEREAS, the plat of **Oak Valley Subdivision**, being a subdivision of Parcel 'J' in Section 19, Township 89 North, Range 5 West of the 5th P.M. and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, affecting the premises more specifically described in the Surveyor's Certificate of Roger R. Mohn, dated May 6, 2009, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa, and has been acknowledged and approved by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, who have recommended acceptance;

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;

WHEREAS, the subdividers, Daniel A. Schulte and Ann L. Schulte, have entered into an agreement and waiver regarding alternative systems for water, sewer and private drives with the City of Manchester which is attached hereto as Exhibit A; and

WHEREAS, Section 180.33 of Chapter 180 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 180.09) and drive standards (Section 180.17); and

WHEREAS, the City Council determines that the location of the subdivision makes it unlikely that it will become a part of the City of Manchester in the near future and therefore it would not be appropriate to require installation of certain improvements in conjunction with the approval of said subdivision; and

WHEREAS, the subdivision plat and its attachments conform to Section 354.6, 354.11 and 355.8 of the Iowa Code and therefore can be approved pursuant to 354.8 of the Iowa Code;

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the plat of **Oak Valley Subdivision**, Delaware County, Iowa as presented with the following declarations and conditions;

a. That plans and specifications shall be submitted to the City for approval for any private sewage disposal systems prior to development of any lot to be served by said system.

b. That Lot 18 and Lot 19 shall share a single driveway that shall be centered on the lot line between said Lot 18 and Lot 19.

c. That Lot 20 and Lot 21 shall share a single driveway that shall be centered on the lot line between said Lot 20 and Lot 21.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said **Oak Valley Subdivision**, Delaware County, Iowa, be, and the same is hereby acknowledged, approved 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 plat as by law provided.

Passed this 26th day of May, A.D., 2009.

Milt L. Kramer
Milt Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 25th day of June, 2009, before me, Laura K. Thomas, a Notary Public in and for the State of Iowa, personally appeared Milt Kramer and Erin Rempe, to me personally known, and, who, being by me duly sworn, did say 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-094-2009 adopted by the City Council of Manchester, Iowa on the 26th day of May, 2009, and that Milt Kramer and Erin Rempe acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-26-11

Laura K. Thomas
Laura K. Thomas, Notary Public

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EXHIBIT A

AGREEMENT AND WAIVER REGARDING ALTERNATE SYSTEMS FOR SEWER, WATER, ROADS/STREETS AND SIDEWALKS

OAK VALLEY SUBDIVISION, DELAWARE COUNTY, IOWA

DANIEL A. AND ANN L. SCHULTE
DEVELOPERS

CITY OF MANCHESTER, IOWA

Whereas, Developers have proposed to establish a subdivision located in Delaware County, Iowa, more specifically described as:

> *Oak Valley Subdivision, a subdivision of Parcel "J" in Section 19, Township 89 North, Range 5 West of the 5th P.M. and of Parcel 'D' in Section 24, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa.*

Whereas, said proposed subdivision is located outside the city limits of the City of Manchester, Iowa, but is within the two-mile radius of the city limits of the City of Manchester, Iowa; and therefore is subject to subdivision regulations for the City of Manchester, Iowa; and

Whereas, the City Council for the City of Manchester, Iowa, has reviewed the proposed subdivision, that alternate systems may be designed to protect the public health, safety, and welfare and meet the requirements of State, County, or other applicable health regulations; and

Whereas, the Developer and the City of Manchester, Iowa have executed this Agreement to provide notice to all current owners of the real estate that is subject to the proposed subdivision, and all persons or entities who may hereafter acquire an interest in said property as to the agreement set forth in this document; and

IT IS THEREFORE AGREED as follows:

1. Sidewalks shall not be required at this time. The owner or owners of record of the lots of OAK VALLEY SUBDIVISION may be required to construct sidewalks at a future date as directed by the City of Manchester, Iowa. The cost of said sidewalks shall be assessed to the owner or owners of record of the lots of OAK VALLEY SUBDIVISION.
2. Street improvements to Goodland Drive and Getalong Lane shall not be required at this time. At a future date as directed by the City of Manchester, Iowa, Goodland Drive and Getalong Lane may require improvements. The cost of said improvements shall be assessed to the owner or owners of record of OAK VALLEY SUBDIVISION.
3. The City of Manchester, Iowa, approves the use of alternate facilities for the distribution of water and collection and disposal of sanitary waste, however, such alternate facilities must be designed to fully protect the public health, safety, and welfare and shall meet all requirements of the State, County, or other applicable health regulations. Said alternate sanitary waste disposal facility must be located entirely upon the lot where the residential structure to be served is located. Developer specifically have granted to the City of Manchester, Iowa, and acknowledge its authority to review all plans for private sewer systems serving residential structures located upon lots in the above described property. Failure to obtain prior approval for the construction of alternate facilities for water distribution and private sewage systems may result in the City obtaining an injunction to prohibit the construction of structures upon the property and obtaining all other remedies allowed by law necessary to assure that the private sewage system complies with all state, county, and other applicable health regulations.
4. Approval of the subdivision by the City of Manchester, Iowa, does not constitute a finding by the City of Manchester, Iowa, that alternate water systems for collection and disposal of sanitary waste do in fact meet with the requirements of State, County, or other applicable health regulations. Plans and specifications for private sewage disposal facilities and private water systems shall be submitted to the City for approval prior to development of any lot to be served by such facilities. Plans shall include a location of building sewer and water service line at the building entry points, suitable for possible future connection to public sewer and public water main. Private disposal systems or water supply systems, and costs thereof, shall be the responsibility of the property owner developing such private facility, including costs incurred by the City to review and inspect such alternate system. In the event it is determined that a public sewer is necessary to serve the above described property, it is acknowledged and agreed by the developer that the City of Manchester, Iowa, may not be required to incur expense for the subsequent installation of a sewer serving the above premises. Failure to obtain prior approval for the construction of alternate facilities for water distribution and private sewage systems may result in the City obtaining an injunction to prohibit the construction of structures upon the property and obtaining all other remedies allowed by law necessary to assure that the private sewage system complies with all state, county, and other applicable health regulations.

5. The purchasers of real estate contained in the proposed subdivision are hereby put on notice that the City of Manchester, Iowa, shall not be required to install sewer and water facilities serving the land set forth in the proposed subdivision.
6. The Developers shall be solely responsible for developments and creation of alternate facilities for the distribution of water or collection and disposal of sanitary waste. The Developer shall further hold harmless the City of Manchester, Iowa, for any cost, liability, damage, or other injury of any kind resulting from the creation of said alternate facilities for the distribution of water or the collection and disposal of sanitary waste.
7. The City shall have the authority to prohibit the construction of any private street that does not comply with the standards for streets in the City of Manchester, Iowa, as modified by variances duly approved by the City. In addition, the final plat of Oak Valley Subdivision, is approved with the following declarations and conditions:
    a. That plans and specifications shall be submitted to the City for approval for any private sewage disposal systems prior to development of any lot to be served by said system.
    b. That Lot 18 and Lot 19 shall share a single driveway that shall be centered on the lot line between said Lot 18 and Lot 19.
    c. That Lot 20 and Lot 21 shall share a single driveway that shall be centered on the lot line between said Lot 20 and Lot 21.
8. The terms and conditions set forth in this Agreement shall be binding upon the Developers and other current owners of the property more specifically described in the proposed subdivision. Terms, conditions, and obligations set forth in this Agreement shall further be binding upon all heirs, assigns, devisees, or other persons acquiring land contained in the subdivision and the terms of the Agreement shall further run with the land.
9. Purchasers and owners of land described in the proposed subdivision have expressly, by the creation of this Agreement, waived any right to require the City to incur any expense for subsequent installation of streets, storm sewer, sidewalks or water facilities serving the land set forth in the proposed subdivision.
10. This Agreement is executed in compliance with Manchester Code of Ordinances, Section 180.12 and 180.17(15).

David A. Schulte
Daniel A. Schulte

Ann L. Schulte
Ann L. Schulte

Subscribed and sworn to before me by Daniel A. Schulte and Ann L. Schulte, this 26th day of June, 2009.

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-26-11

Laura K. Thomas
Notary Public in and for the State of Iowa

CITY OF MANCHESTER, IOWA

Milt L. Kramer
Milt L. Kramer, Mayor

Erin Rempe, City Clerk

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 26th day of June 2009, 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 094-2009, 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.

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-26-11

Laura K Thomas
Laura K. Thomas, Notary Public