FILED
JUN 30 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

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CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2009 Page 2568

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

SUBDIVISION PLAT	G. WALL FARMS SUBDIVISION – AMENDED A SUBDIVISION OF PARCEL C IN SEC. 34, T89N, R5W OF THE FIFTH P.M. CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

G. WALL FARMS SUBDIVISION – AMENDED; A SUBDIVISION OF PARCEL C IN SECTION THIRTY–FOUR (34), TOWNSHIP EIGHTY–NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, containing a total of 128.63 acres, including 3.41 acres of public road right of way, divided into Two (2) lots numbered Lot 1 and Lot 2, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the North Quarter Corner of Section Thirty–four (34), Township Eighty–nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, being on the Northerly Line of Parcel C as recorded in Book 2007, Page 721 in the Office of the Delaware County Recorder;

THENCE along the Northerly Line of the Northeast Quarter (NE ¼) of said Section Thirty–four (34), being the Northerly Line of said Parcel C, South 88° 09' 03' East, to the Northeast Corner of said Section Thirty–Four (34), being the Northeast Corner of said Parcel C, 2663.73 feet;

THENCE along the Easterly Line of the Northeast Quarter (NE ¼) of said Section Thirty–Four (34), being the Easterly Line of said Parcel C, South 01° 26' 02" West, to the Northerly right of way Line of the Chicago Central and Pacific Railroad Company, being the Southerly Line of said Parcel C, 1183.70 feet;

THENCE along the Northerly right of way Line of the Chicago Central and Pacific Railroad Company, being the Southerly Line of said Parcel C, South 86° 45' 50" West, 1385.78 feet;

THENCE continuing along the Northerly right of way Line of the Chicago Central and Pacific Railroad Company, being the Southerly Line of said Parcel C, along a circular curve concave Northerly having an arc length of 1515.36 feet, a radius of 7271.15 feet, a central angle of 11° 56' 27", a chord distance of 1512.62 feet, and a chord bearing of North 87° 15' 57" West;

THENCE continuing along the Northerly right of way Line of the Chicago Central and Pacific Railroad Company, being the Southerly Line of said Parcel C, North 81° 17' 43" West, to the Easterly Line of Wilson's Manchester Commercial Park, as recorded in Plat Book 4, Page 158 in the Office of the Delaware County Recorder, being the Westerly Line of said Parcel C, 1616.14 feet;

THENCE along the Easterly Line of said Wilson's Manchester Commercial Park, being the Westerly Line of said Parcel C, North 01° 15' 43" East, to the Northerly Line of the Northwest Quarter (NW ¼) of said Section Thirty–four (34), being the Northerly Line of said Parcel C, 1070.08 feet;

THENCE along the Northerly Line of the Northwest Quarter (NW ¼) of said Section Thirty–four (34), being the Northerly Line of said Parcel C, South 88° 46' 51" East, 1836.12 feet to the POINT OF BEGINNING;

Containing a total of 128.63 acres, including 3.41 acres of public road right of way, divided into Two (2) lots numbered Lot 1 and Lot 2, and subject to easements of record.

The Northerly Line of the Northeast Quarter (NE ¼) of Section Thirty–four (34), Township Eighty–nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, is assumed to bear South 88° 09' 03' East.

THIS PLAT AMENDS AND SUPERCEDES G. WALL FARMS SUBDIVISION RECORDED IN BOOK 2009, PAGE 1685 ON APRIL 28, 2009

THE MINIMUM ERROR OF CLOSURE IS GREATER THAN 1:10,000

SURVEY REQUESTED BY: JIM WILSON, WALL ENTERPRISES L.L.C. SURVEYED ON: 12/8/2008

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1–2

PROPRIETORS: G. WALL FARMS L.L.C.
107 W. MAIN STREET, MANCHESTER, IA 52057

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.

6/4/09

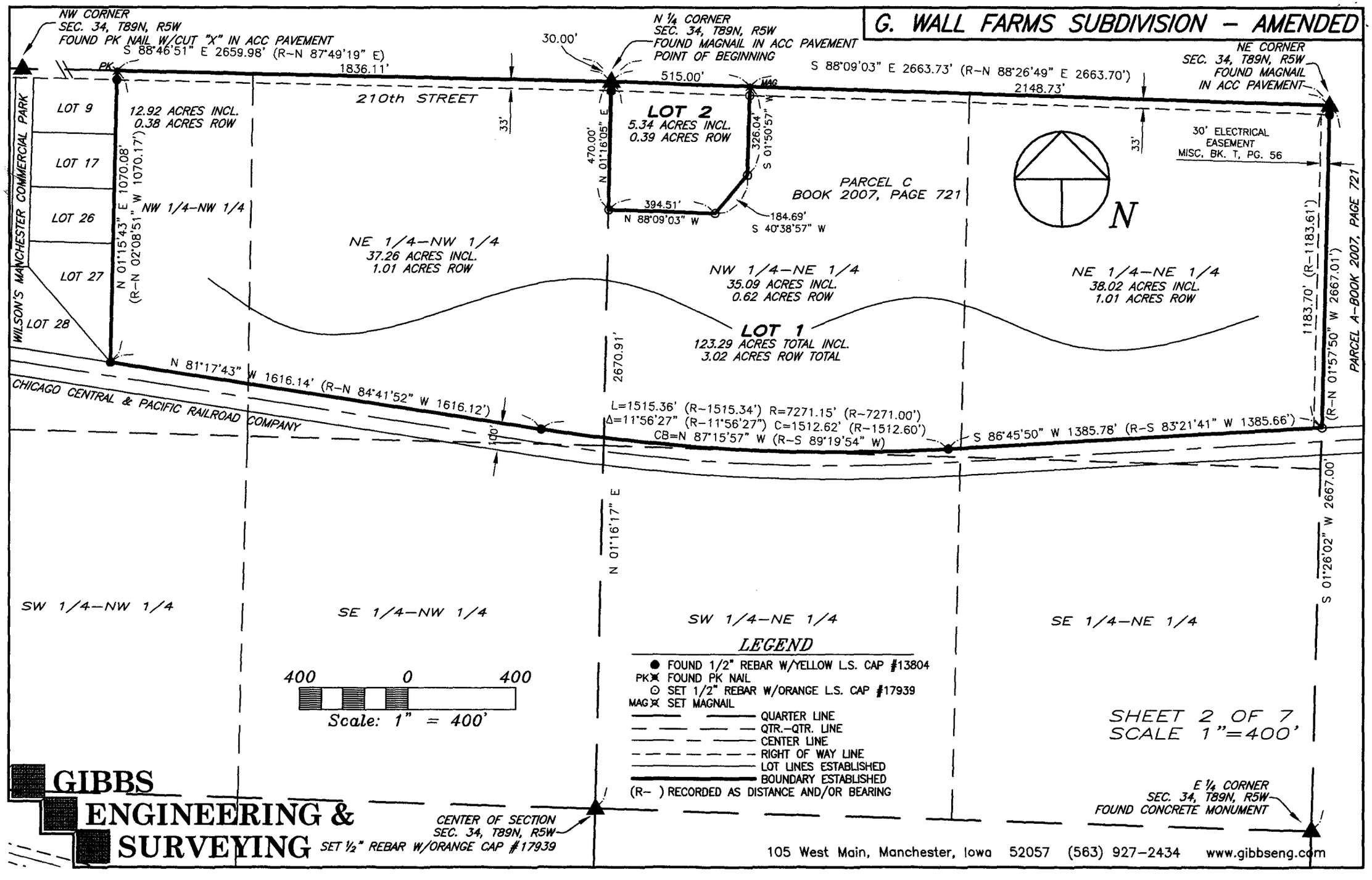
RANDALL L. RATTENBORG L.S. LIC. #17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2009

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

PROJECT NO. 08–94
SCALE: 1"=400'
DATE: 12/17/2008
DRAWN BY: RLR
CHECKED BY: JDG
GPS: MANCHESTER
REVISED 5/29/2009
SHEET 1 OF 7

G. WALL FARMS SUBDIVISION – AMENDED



GIBBS ENGINEERING & SURVEYING

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

OWNER'S ACKNOWLEDGMENT

I George Wall 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.

George Wall
President, G. Wall Farms L.L.C.

State of Iowa)
)
County of Delaware) Ss:

On this 8th day of June A.D. 2009, before me a Notary Public in and for said State, personally appeared George Wall, to me personally known, who being by me duly sworn, did say that that person is President of G. Wall Farms L.L.C. and that said instrument was signed on behalf of G. Wall Farms L.L.C. by the authority of its board of directors (or trustees); and the said acknowledged the execution of said instrument to be the voluntary act and deed of G. Wall Farms L.L.C. by it voluntarily executed.

Notary Public in and for said State

NOTARIAL SEAL IOWA
JAMES G WILSON
Commission Number 756211
My Commission Expires
December 12, 2011

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of ***G. Wall Farms Subdivision - Amended*** 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

State of Iowa)
)
County of Delaware) ss:

On this 15th day of June, 2009, before me Donna M. Kunde, 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 for the Delaware County E-911 Board.

DONNA M. KUNDE
Commission Number [illegible]
My Commission Expires
8-16-09

Donna M. Kunde
Notary Public

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 ***G. Wall Farms Subdivision - Amended***, a subdivision in the City of Manchester, Delaware County, Iowa.

Carla Becker
Carla Becker, Delaware County Auditor

State of Iowa)
)
County of Delaware)

On this 15 day of June, 2009, before me Anne Rave 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.

ANNE RAVE
Commission Number 757567
MY COMMISSION EXPIRES
MARCH 25, 2012

Anne Rave
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 ***G. Wall Farms Subdivision - Amended,*** City of Manchester, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

SEAL
IOWA
DELAWARE COUNTY TREASURER

Carolyn A. Wilson 6-15-09
Carolyn A. Wilson, County Treasurer Date

SHUTTLEWORTH & INGERSOLL, P.L.C.

ATTORNEYS AT LAW ESTABLISHED 1854

V.C. SHUTTLEWORTH 1900-1965
T.M. INGERSOLL 1902-1972

CONSTANCE M. ALT
BRIAN D. BERGSTROM
JOHN M. BICKEL
JACE T. BISGARD
KEVIN J. CASTER
THERESA C. DAVIS
LAURIE L. DAWLEY
JOHN H. EHRHART
DEAN R. EINCK
RICHARD S. FRY
RICHARD C. GARBERSON
WILLIAM S. HOCHSTETLER
PATRICIA HOFFMAN-SIMANEK
ROBERT D. HOUGHTON
MARK P.A. HUDSON
WESLEY B. HUISINGA
DONALD L. JOHNSON
SAM E. JONES
LINDA M. KIRSCH
TIMOTHY J. KLIMA
DIANE KUTZKO
MICHAEL O. MCDERMOTT
DENNIS J. MCMENIMEN
JAMES C. NEMMERS
DOUGLAS R. OELSCHLAEGER
STEVEN J. PACE
BRETT D. PAPENDICK
THOMAS P. PEFFER
NANCY J. PENNER
WILLIAM P. PROWELL
JENNIFER E. RINDEN
MARTY L. ROWLET
GARY J. STREIT
JASON R. SYTSMA
MARK L. ZAIGER

REGISTERED PATENT LAWYERS
TIMOTHY J. KLIMA
JAMES C. NEMMERS
BRETT D. PAPENDICK
JASON R. SYTSMA
COUNSEL
SARAH W. ANDERSON
OF COUNSEL
GILDA L. BOYER
THOMAS M. COLLINS
WILLIAM R. SHUTTLEWORTH

June 29, 2009

G. Wall Farms, LLC
Attn: Jim Wilson
107 West Main Street
Manchester, IA 52057

Re: Plat Opinion: **G. WALL FARMS SUBDIVISION – AMENDED; A SUBDIVISION OF PARCEL C IN SEC. 34, T89N, R5W OF THE FIFTH P.M. CITY OF MANCHESTER, DELAWARE COUNTY, IOWA**

Dear Mr. Wilson:

We have examined the abstracts of title that include the real estate described on Exhibit "A" attached hereto and which real estate is included in the plat of **G. WALL FARMS SUBDIVISION – AMENDED; A SUBDIVISION OF PARCEL C IN SEC. 34, T89N, R5W OF THE FIFTH P.M. CITY OF MANCHESTER, DELAWARE COUNTY, IOWA**.

The abstracts are in two parts. One part which is the most recent extension covering Lot One (1) of the existing subdivision consists of Entries 1 to 55 inclusive, and was last certified following Entry 55 to June 12, 2009 at 8 a.m. by Delaware County Abstract Company, Inc. The second part of the abstract which covers Lot Two (2) of the existing subdivision consists of Entries 1 to 26, inclusive, and was last certified following Entry 26 to May 1, 2009 at 8:00 a.m. by Delaware County Abstract Company, Inc. The abstracts were prepared in accordance with Iowa Code Sections 614.29 – 614.38.

As so shown we find title to the real estate described on Exhibit "A" and to be platted as **G. WALL FARMS SUBDIVISION – AMENDED; A SUBDIVISION OF PARCEL C IN SEC. 34, T89N, R5W OF THE FIFTH P.M. CITY OF MANCHESTER, DELAWARE COUNTY, IOWA** to be in:

G. Wall Farms, LLC a/k/a G. Wall Farms, L.L.C.

free and clear of liens and encumbrances.

WILLIAM P. PROWELL
Shuttleworth & Ingersoll, P.L.C.
Iowa Title Guaranty Member #1774

Exhibit A

Lot One (1) of G. Wall Farms Subdivision A Subdivision Of Parcel C In Sec. 34, T89N, R5W Of The Fifth P.M. City Of Manchester, Delaware County, Iowa, according to plat recorded in Book 2009, Page 1685.

and

Lot Two (2) of G. Wall Farms Subdivision A Subdivision Of Parcel C In Sec. 34, T89N, R5W Of The Fifth P.M. City Of Manchester, Delaware County, Iowa, according to plat recorded in Book 2009, Page 1685.

CITY MANAGER DETERMINATION

***G. WALL FARMS SUBDIVISION - AMENDED**; A SUBDIVISION OF PARCEL C IN SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA* qualifies as a Minor Subdivision as specified in Section 127.22 of the Manchester Code of Ordinances. Minor Subdivisions do not require review or approval by the Planning and Zoning Commission.

June 5th, 2009
Date

Timothy J. Vick, City Manager

R-106-2009
RESOLUTION APPROVING FINAL PLAT

WHEREAS, the final plat of ***G. WALL FARMS SUBDIVISION - AMENDED***, City of Manchester, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated JUNE 4, 2009, 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, 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 210th Street is necessary at this time;

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 ***G. WALL FARMS SUBDIVISION-AMENDED***, City of Manchester, 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 8th day of June, 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 12th 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 R-106-2009 adopted by the City Council on the 8th day of June, 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

Notary Public.