Del. Recorder

FILED
AUG 12 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
AUG 12 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

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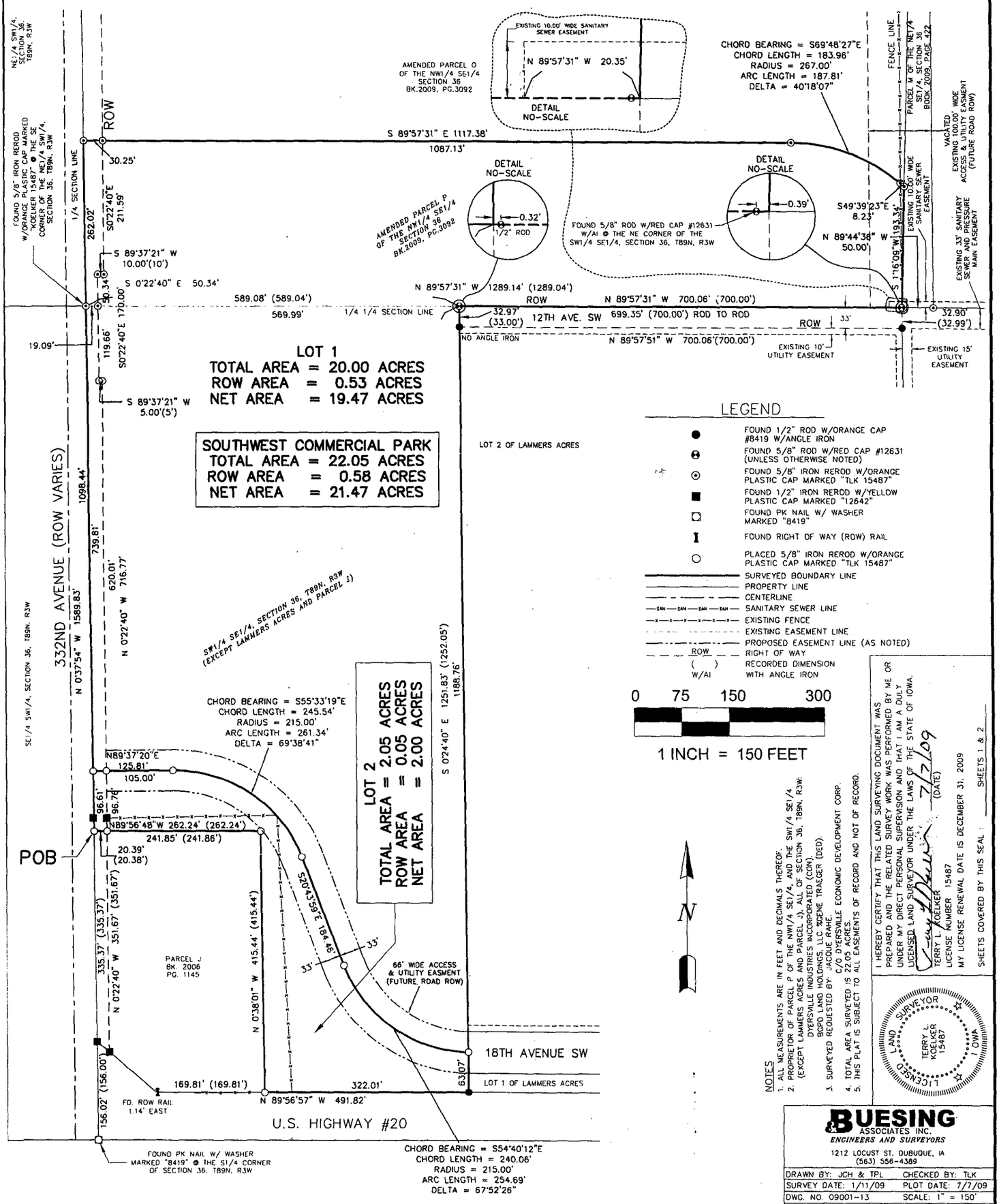
B-78

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

Preliminary/Final Plat of: SOUTHWEST COMMERCIAL PARK
in the SE1/4, Section 36, T89N, R3W, of the 5th P.M.,
in the City of Dyersville, Delaware County, Iowa

Comprised of: Amended Parcel P of the NW1/4 SE1/4, and the SW1/4 SE1/4, (except Lammers Acres and Parcel J), all of 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"
- FOUND 1/2" IRON REROD W/YELLOW PLASTIC CAP MARKED "12642"
- FOUND PK NAIL W/ WASHER MARKED "8419"
- FOUND RIGHT OF WAY (ROW) RAIL
- PLACED 5/8" IRON REROD W/ORANGE PLASTIC CAP MARKED "TLK 15487"
- SURVEYED BOUNDARY LINE
- PROPERTY LINE
- CENTERLINE
- SAN — SAN — SAN — SAN — SANITARY SEWER LINE
- EXISTING FENCE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE (AS NOTED)
- ROW — RIGHT OF WAY
- ( ) RECORDED DIMENSION
- W/AI WITH ANGLE IRON

0 75 150 300

1 INCH = 150 FEET

N

NOTES
1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. PROPRIETOR OF PARCEL P OF THE NW1/4 SE1/4, AND THE SW1/4 SE1/4 (EXCEPT LAMMERS ACRES AND PARCEL J), ALL OF SECTION 36, T89N, R3W: DYERSVILLE INDUSTRIES INCORPORATED (CON). BOPO LAND HOLDINGS, LLC 3SCENE TRAEGER (DED).
3. SURVEYED REQUESTED BY: JACQUE RAHE, C/O DYERSVILLE ECONOMIC DEVELOPMENT CORP.
4. TOTAL AREA SURVEYED IS 22.05 ACRES.
5. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND NOT 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
LICENSE NUMBER 15487
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2009

7/7/09
(DATE)

SHEETS COVERED BY THIS SEAL: _____ SHEETS 1 & 2

LAND SURVEYOR TERRY L KOELKER 15487 LICENSED IOWA

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

DRAWN BY: JCH & TPL	CHECKED BY: TLK
SURVEY DATE: 1/11/09	PLOT DATE: 7/7/09
DWG. NO. 09001-13	SCALE: 1" = 150'

SHEET 1 OF 3

Surveyors Certificate

Dubuque, Iowa July 7, 2009

I hereby certify that the plat shown on SHEET 1 OF 3 hereof, is a true and correct Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK IN THE SE1/4, SECTION 36, T89N, R3W OF THE 5TH P.M.,** in the City of Dyersville, Delaware County, Iowa. This survey is comprised of Amended Parcel P of the NW1/4 SE1/4, and the SW1/4 SE1/4, (except Lammers Acres and Parcel J), all of Section 36, T89N, R3W of the 5th P.M. The perimeter of **SOUTHWEST COMMERCIAL PARK** was surveyed by me and is more particularly described as follows:

SOUTHWEST COMMERCIAL PARK

Commencing at the South 1/4 Corner of Section 36, T89N, R3W of the 5th P.M.;

Thence North 0° 37' 54" West (this is an assumed bearing for the purposes of this survey only) along the East line of the SE1/4 SW1/4, of said Section 36, a distance of 491.39 feet to the Northwest corner of Parcel J, per plat recorded in Book 2006, Page 1145, the Point Of Beginning;

Thence North 0° 37' 54" West along the East line of said SE1/4 SW1/4, and the NE1/4 SW1/4, of said Section 36, a distance of 1098.44 feet to the Southwest corner of Amended Parcel O of the NW1/4 SE1/4, per plat recorded in Book 2009, Page 3092, of said Section 36;

Thence South 89° 57' 31" East along the Southerly line of said Amended Parcel O, a distance of 1117.38 feet;

Thence Southeasterly along the Southerly line of said Amended Parcel O, on the arc of 267.00 foot radius curve to the right, a distance of 187.81 feet, said curve has a chord bearing of South 69° 48' 27" East, and a chord distance of 183.96 feet;

Thence South 49° 39' 23" East along the Southerly line of said Amended Parcel O, a distance of 8.23 feet to the West line of Parcel M of the NE1/4 SE1/4, per plat recorded in Book 2009, Page 422, of said Section 36;

Thence South 1° 16' 09" West along the West line of said Parcel M, a distance of 193.34 feet to the NE corner of the Lot 2 of Lammers Acres;

Thence North 89° 57' 31" West along the North line of said Lot 2, a distance of 700.06 feet to the NW corner of said Lot 2;

Thence South 0° 24' 40" East along the West line of said Lot 2, and Lot 1 of said Lammers Acres, a distance of 1251.83 feet to the Northerly Right of Way (ROW) of U.S. Highway #20

Thence North 89° 56' 57" West along the Northerly ROW of said U.S. Highway #20, a distance of 322.01 feet to the SE corner of said Parcel J;

Thence North 0° 38' 01" West along the East line of said Parcel J, a distance of 415.44 feet to the NE corner of said Parcel J;

Thence North 89° 56' 48" West along the North line of said Parcel J, a distance of 262.24 feet to the NW corner of said Parcel J, the Point of Beginning;

The Total Area of **SOUTHWEST COMMERCIAL PARK** is 22.05 acres, with a Right-Of-Way (ROW) area of 0.58 acres, and a Net Area of 21.47 acres.

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 — 7/7/09

TERRY L. KOELKER — DATE
LICENSED LAND SURVEYOR
REGISTRATION # 15487 — REG. RENEWAL 12/31/09

Owner's Consent

Dyersville, Iowa — July 28, 2009

The foregoing Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK IN THE 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 Amended Parcel P of the NW1/4 SE1/4, and the SW1/4 SE1/4, (except Lammers Acres and Parcel J), all of Section 36, T89N, R3W of the 5th P.M.

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

By: Gene Traeger MGR

By: David J Schroeder Pres

State of Iowa)
)
County of Dubuque) ss:

On this 28th day of July, AD 2009, before me, the undersigned, A Notary Public in and for the State of Iowa, personally appeared David J Schroeder ~~and~~ _____, to me personally known, who, being duly sworn did say that ~~they are the~~ he is the ~~and~~ president ~~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 President ~~and~~ _____ 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.

MARC W. CASEY
Iowa Notarial Seal
Commission Number: 11508
My Commission Expires: 05/07/11

Notary Public in and for the State of Iowa
My Commission Expires on 5/7/11

City Planning & Zoning Commission

Dyersville, Iowa — July 13, 2009

The foregoing Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK IN THE 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 — JULY 20, 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. 35-09 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

Delaware County E-911 Board

Delaware County, Iowa — 8/4/09, 2009

The foregoing Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK IN THE 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 4TH day of AUGUST, 2009.

Coordinator for Delaware County E-911 Board

State of Iowa)
)
County of Delaware) ss:

On this 4 day of August, 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.

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

Notary Public in and for the State of Iowa
My Commission Expires on _____

STATE OF IOWA, COUNTY OF DUBUQUE, ss:

On this July 24, 2009, before me, a Notary Public in and for the said State, personally appeared Gene Traeger, to me personally known, who being by me duly sworn did say that that person is Manager of said limited liability company, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said Gene Traeger acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Notary Public in and for said State.

MARC W. CASEY
Iowa Notarial Seal
Commission Number: 11508
My Commission Expires: 05/07/11

RESOLUTION NO. 35-09
Recorder's Cover Sheet

Preparer Information:
Marc W. Casey, 129 1st Avenue E, Dyersville, IA 52040
(563) 875-7171

Taxpayer Information:
City of Dyersville
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:
City of Dyersville, Iowa

Legal Description:
See Page 2

Document or instrument number if applicable:

RESOLUTION NO. 35-09

RESOLUTION APPROVING PLAT OF SOUTHWEST COMMERCIAL PARK IN THE 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 Amended Parcel P of the NW¼ SE¼, and the SW¼ SE¼, (except Lammers Acres and Parcel J) all of Section 36, T89N, R3W of the 5th P.M., is platted and now known as Lot 1 and Lot 2 of Southwest Commercial Park in the SE¼, Section 36, T89N, R3W of the 5th P.M., in the City of Dyersville, Delaware County, Iowa.

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 plat of survey of Lot 1 and Lot 2 of Southwest Commercial Park in the 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 the City Clerk are hereby authorized and directed to endorse the approval of the City of Dyersville, Iowa, on said plat.

SECTION 2: That there are no dedications of public streets or alleys accompanying the plat.

Passed, adopted and approved this 20th day of July, 2009.

CITY OF DYERSVILLE Iowa CITY SEAL

James A. Heavens, Mayor

ATTEST: Tricia L. Maiers
Tricia L. Maiers, City Clerk