Delaware County
P. 11 of 11

FILED
SEP 15 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
SEP 15 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

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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 2nd ADDITION 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 O of the NW1/4 SE1/4, and Lot 1 of Southwest Commercial Park, both in Section 36, T89N, R3W of the 5th P.M.

NOTES
1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. PROPRIETOR OF AMENDED PARCEL O OF THE NW1/4 SE1/4, AND LOT 1 OF SOUTHWEST COMMERCIAL PARK, BOTH IN SECTION 36, T89N, R3W: DYERSVILLE INDUSTRIES INCORPORATED (CON). BGPD LAND HOLDINGS, LLC %GENE TRAEGER (DED).
3. SURVEYED REQUESTED BY: JACQUE RAHE. C/O DYERSVILLE ECONOMIC DEVELOPMENT CORP.
4. TOTAL AREA SURVEYED IS 52.288 ACRES.
5. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND NOT OF RECORD.

CURVE	CHORD BEARING	CHORD	RADIUS	ARC LENGTH	DELTA	TANGENT
C1	S 73°37'06" E	268.40'	477.00'	272.07'	32°40'48"	139.85'
C2	N 69°48'27" W	183.96'	267.00'	187.81'	40°18'07"	97.98'
C3	S 72°26'21" E	207.03'	543.00'	208.31'	21°58'49"	105.45'
C4	N 54°40'12" W	240.06'	215.00'	254.69'	67°52'26"	144.68'
C5	N 55°33'19" W	245.54'	215.00'	261.34'	69°38'41"	149.55'
C6	N 86°41'38" W	61.85'	543.00'	61.88'	06°31'45"	30.97'

0 100 200 400
1 INCH = 200 FEET

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
- SANITARY SEWER LINE
- EXISTING FENCE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE (AS NOTED)
- RIGHT OF WAY
- ( ) RECORDED DIMENSION W/AI WITH ANGLE IRON

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

DRAWN BY: NWL	CHECKED BY: TLK
SURVEY DATE: 1/11/09	PLOT DATE: 7/29/09
DWG. NO. 09098-04	SCALE: 1" = 200'

SHEET 1 OF 3

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
MY LICENSE NUMBER 15487
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2009

8/26/09 (DATE)

SHEETS COVERED BY THIS SEAL: SHEETS 1 & 2

Surveyors Certificate

Dubuque, Iowa

Aug. 26, 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 2ND ADDITION 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 O of the NW1/4 SE1/4, and Lot 1 of Southwest Commercial Park, both in Section 36, T89N, R3W of the 5th P.M. The perimeter of **SOUTHWEST COMMERCIAL PARK 2nd ADDITION** was surveyed by me and is more particularly described as follows:

SOUTHWEST COMMERCIAL PARK 2ND ADDITION

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 588.00 feet to the Northwest corner of Lot 2 of Southwest Commercial Park, per plat recorded in Book 2009, Page 3157, of said Section 36, 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 2067.08 feet to the Southwest corner of the SW1/4 NE1/4 of said section 36;

Thence North 89° 57' 50" East along the South line of the SW 1/4 of the NE 1/4 said Section 36, a distance of 1333.21 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 1329.29 feet to the NE corner of 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, a distance of 1188.76 feet to the NE corner of Lot 2 of Southwest Commercial Park, per plat recorded in Book 2009, Page 3157, of said Section 36;

Thence Northwesterly along the Northerly line of said Lot 2, on the arc of 215.00 foot radius curve to the right, a distance of 254.69 feet, said curve has a chord bearing of North 54° 40' 12" West, and a chord distance of 240.06 feet;

Thence North 20° 43' 59" West along the along the Northerly line of said Lot 2, a distance of 184.46 feet;

Thence Northwesterly along the Northerly line of said Lot 2, on the arc of 215.00 foot radius curve to the left, a distance of 261.34 feet, said curve has a chord bearing of North 55° 33' 19" West, and a chord distance of 245.54 feet;

Thence South 89° 37' 20" West along the along the Northerly line of said Lot 2, a distance of 125.81 feet to the Northwest corner of said Lot 2, the Point of Beginning;

The Total Area of **SOUTHWEST COMMERCIAL PARK** 2ND ADDITION is 52.288 acres, with a Right-Of-Way (ROW) area of 1.333 acres, and a Net Area of 50.955 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

8/26/09

TERRY L. KOELKER
LICENSED LAND SURVEYOR
REGISTRATION # 15487

DATE

REG. RENEWAL 12/31/09

Owner's Consent

Dyersville, Iowa — August 19, 2009

The foregoing Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK 2nd ADDITION 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 O of the NW1/4 SE1/4, and Lot 1 of Southwest Commercial Park both in 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
President

State of Iowa)
)
County of DUBUQUE) ss:

On this 19 day of AUGUST, 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~~ 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 5/7/14

City Planning & Zoning Commission

Dyersville, Iowa — Aug 10, 2009

The foregoing Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK 2nd ADDITION 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 — Aug. 17, 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. 42-09 the Dyersville City Council approved said plat.

CITY OF DYERSVILLE IOWA

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

Tricia L. Maiers
Tricia Maiers, Clerk for the City of Dyersville, Iowa

Delaware County E-911 Board

Delaware County, Iowa — _____, 2009

The foregoing Preliminary/Final Plat of: **SOUTHWEST COMMERCIAL PARK 2ND ADDITION 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 _____ day of _____, 2009.

Coordinator for Delaware County E-911 Board

State of Iowa)
)
County of Delaware) ss:

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

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

County Auditor's Certificate

Delaware, Iowa

September 15, 2009

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 **Southwest Commercial Park 2nd Addition**, in the City of Dyersville, Delaware County, Iowa a subdivision in Delaware County, Iowa.

Carla K. Becker

Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY OFFICIAL SEAL IOWA

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 15 day of September 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.

ANNE RAVE
Commission Number 757587
MY COMMISSION EXPIRES
MARCH 25, 2012

Anne Rave

Notary Public in and for said State

Attorney's Certificate

Dyersville, Iowa

September 10, 2009

TO WHOM IT MAY CONCERN:

This will certify that I have examined the abstract of title covering Amended Parcel O of the NW1/4 SE1/4, and Lot 1 of Southwest Commercial Park both in Section 36, T89N, R3W of the 5th P.M. in the City of Dyersville, Delaware County, Iowa according to plats thereof covering the period from government entry to August 28, 2009 certified on that date by Delaware County Abstract Company, Inc. and find that said abstract shows good and merchantable title to said real estate in Dyersville Industries, Incorporated * free and clear of all liens and encumbrances and shows taxes paid including taxes for the year 2007-2008, subject to Deed of Trust to American Trust & Savings Bank filed December 23, 2003, at Book 2003, Page 5822.

Attorney-at-Law Marc W. Casey

* as Purchasers under contract from BGPD Land Holdings, LLC, contract filed December 4, 2008, at Book 2008, Page 3678.

County Treasurer's Certificate

Delaware, Iowa

9-15, 2009

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes levied against Amended Parcel O of the NW1/4 SE1/4, and Lot 1 of Southwest Commercial Park both in Section 36, T89N, R3W of the 5th P.M. in the City of Dyersville, Delaware County, Iowa have been paid and said real estate is free from taxes as of this date.

DELAWARE COUNTY TREASURER SEAL IOWA

9-15-09

Carolyn A. Wilson

Carolyn A. Wilson Pam Klein, Deputy
Treasurer of Delaware County, Iowa

MORTGAGE HOLDERS ACKNOWLEDGMENT

The undersigned for American Trust & Savings Bank of Dyersville,
State of Iowa, do hereby certify that the attached plat of **Southwest Commercial Park 2nd Addition in the SE¼, Section 36, T89N, R3W, of the 5th P.M., int he City of Dyersville, Delaware County, Iowa,** is made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

Joyce Wessels, 2nd V.P.
Joyce Wessels, 2nd V.P.

Linus Kuboushek 2nd Sr V.P.
Linus Kuboushek, 2nd Sr. V.P.

State of Iowa)
) ss.
Dubuque County)

On this 10th day of September, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Joyce Wessels and Linus Kuboushek to me personally known, who being by me duly sworn, did say that they are the 2nd V.P., and 2nd Sr. V.P. respectively, of the corporation executing the within and foregoing instrument; ~~that the seal affixed thereto is the seal of the corporation~~; that the instrument was signed ~~and sealed~~ on behalf of the corporation by authority of its Board of Directors; and that Joyce Wessels and Linus Kuboushek as officers acknowledged the execution of the foregoing instrument to be the voluntarily act and deed of the corporation, by it and by them voluntarily executed.

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

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

STATE OF IOWA, COUNTY OF DUBUQUE, ss:

On this August 19, 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. 42-09
Recorder's Cover Sheet

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

Taxpayer Information:
Dyersville Industries, Incorporated
1100 16th Ave Ct SE
Dyersville, IA 52040

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

Grantors:
City of Dyersville, Iowa

Grantees:
Dyersville Industries, Incorporated

Legal Description:
See Page 2

Document or instrument number if applicable:

RESOLUTION NO. 42-09

RESOLUTION APPROVING PLAT OF SOUTHWEST COMMERCIAL PARK 2ND ADDITION 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 O of the NW¼ SE¼, and Lot 1 of Southwest Commercial Park, both in Section 36, T89N, R3W of the 5th P.M., are platted and now known as Lots 1 through 5 of Southwest Commercial Park 2nd Addition 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 Lots 1 through 5 of Southwest Commercial Park 2nd Addition 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, but the plat does reflect a 66' wide access and utility easement and future road right of way, which easement and future road right of way is hereby accepted by the City of Dyersville, Iowa.

Passed, adopted and approved this 17th day of August, 2009.

James A. Heavens, Mayor

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

CITY OF DYERSVILLE Iowa CITY SEAL