FILED

NOV - 9 2009

CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED

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CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2009 Page 4218

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

CHG

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

SUBDIVISION PLAT

DOLAN'S 3rd STREET SUBDIVISION

PART OF LOT 2 OF THE SUBDIVISION OF LOT 5 OF THE EAST 3/4 OF THE SOUTH 1/2 OF SEC. 32, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

LEGAL DESCRIPTION:

DOLAN'S 3rd STREET SUBDIVISION; A SUBDIVISION OF PART OF LOT 2 OF THE SUBDIVISION OF LOT 5 OF THE EAST THREE QUARTERS (3/4) OF THE SOUTH ONE-HALF (S ½) OF SECTION THIRTY-TWO (32), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, containing a total of 1.15 acres, divided into two lots numbered Lot 1 and Lot A, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Westerly most corner of Lot 2 of the Subdivision of Lot 5 of the East Three-Quarters (3/4) of the South One-half (S ½) of Section Thirty-two (32), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, as recorded in Plat Book A, Page 68 in the Office of the Delaware County Recorder, being on the Southerly Line of Lot 6 of the Subdivision of Lot 5 of the East Three-Quarters (3/4) of the South One-half (S ½) of said Section Thirty-two (32), as recorded in Plat Book A, Page 5 and Plat Book A, Page 41 in the Office of the Delaware County Recorder;

THENCE along the Northerly Line of said Lot 2 of the Subdivision of Lot 5, being on the Southerly Line of said Lot 6, South 87° 56' 28" East, 241.48 feet;

THENCE South 40° 27' 22" East, 217.00 feet;

THENCE South 69° 07' 07" West, 60.67 feet;

THENCE South 49° 32' 38" West, to the Westerly Line of said Lot 2 of the Subdivision of Lot 5, being the centerline of South 3rd Street, 120.83 feet;

THENCE along the Westerly Line of said Lot 2 of the Subdivision of Lot 5, being the centerline of South 3rd Street, North 40° 27' 22" West, 359.87 feet to the POINT OF BEGINNING;

Containing a total of 1.15 acres, divided into two lots numbered Lot 1 and Lot A, and subject to easements of record.

The Westerly Line of Lot 2 of the Subdivision of Lot 5 of the East Three-Quarters (3/4) of the South One-half (S ½) of Section Thirty-two (32), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa, as recorded in Plat Book A, Page 68 in the Office of the Delaware County Recorder, being the centerline of South 3rd Street is assumed to bear South 40° 27' 22" East.

PATRICK A. DOLAN & MINDY M. DOLAN – 2343 180TH STREET MANCHESTER, IA 52057
STEPHEN P. DOLAN & KATHRYN S. DOLAN – 1660 240TH STREET MANCHESTER, IA 52057

SURVEY REQUESTED BY: PAT DOLAN

SURVEYED ON: 10/8/2009

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-3

PROPRIETORS: 1/2 – PATRICK A. DOLAN & MINDY M. DOLAN
1/2 – STEPHEN P. DOLAN & KATHRYN S. DOLAN

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.

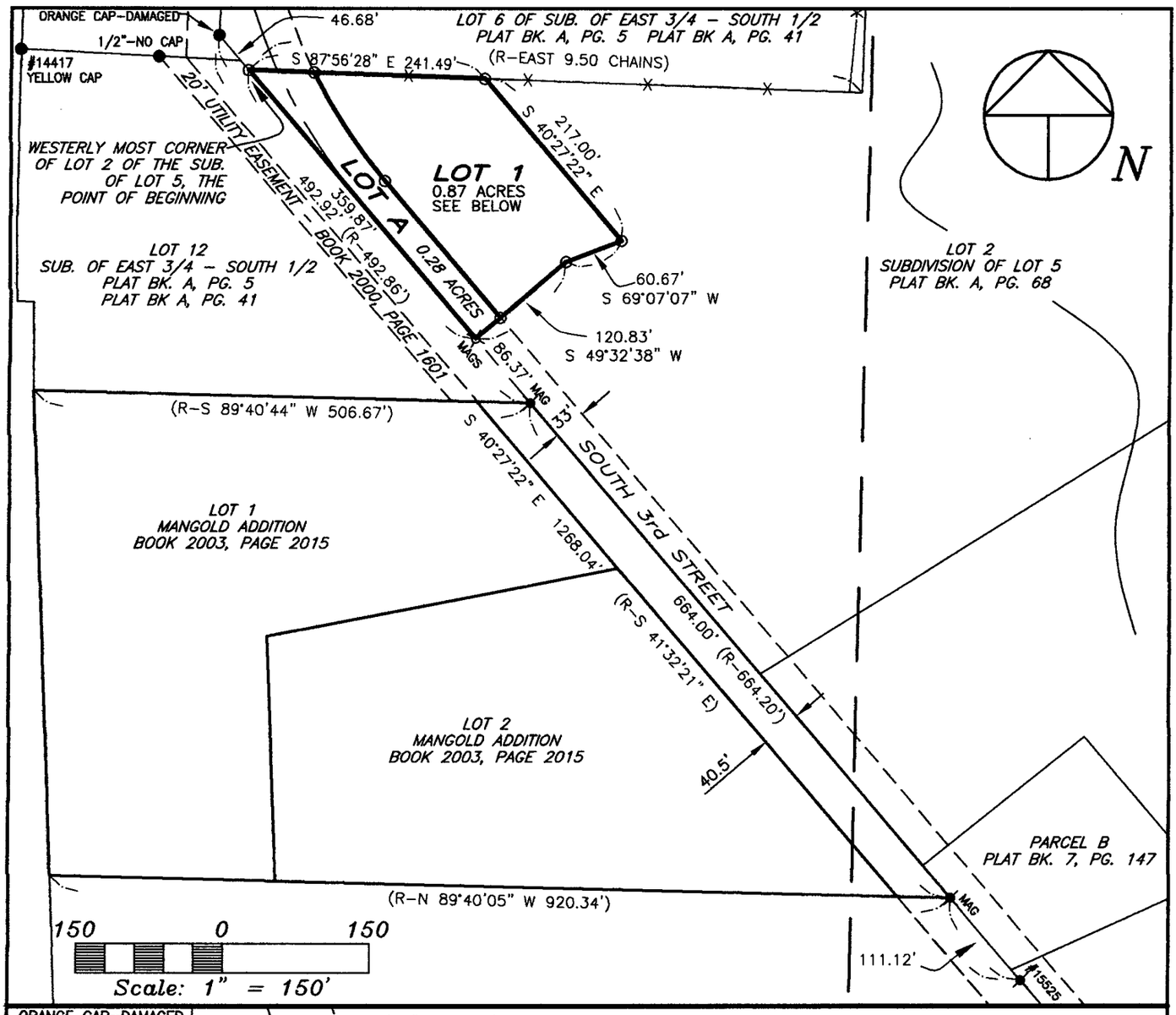
10/23/09

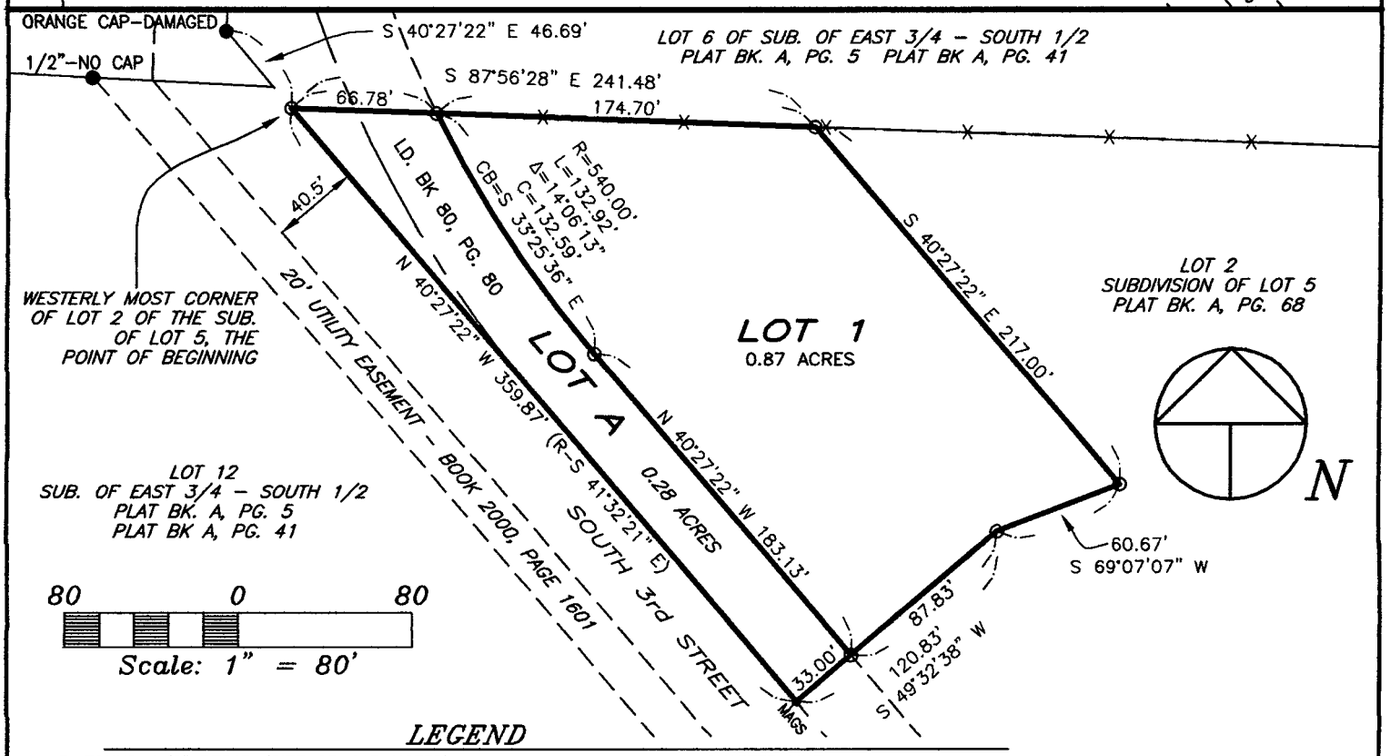
RANDALL L. RATTENBORG L.S. LIC. #17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2009

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

PROJECT NO. 08-34
SCALE: SEE SHEET 2
DATE: 10/8/2009
DRAWN BY: RLR
CHECKED BY: JDG
GPS: MANCHESTER
REVISED
SHEET 1 OF 8





LEGEND

- ● FOUND 1/2" REBAR (SIZE OR CAP NOTED)
- MAG ✖ FOUND MAGNAIL
- MAGS ✖ SET MAGNAIL
- ⊙ SET 1/2" REBAR W/ORANGE L.S. CAP #17939
- (R-) RECORDED AS DISTANCE AND/OR BEARING

- QUARTER LINE
- QTR.-QTR. LINE
- FENCE LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY/LOT LINES
- BOUNDARY ESTABLISHED

SHEET 2
10/8/2009

GIBBS ENGINEERING & SURVEYING

DOLAN'S 3rd STREET SUBDIVISION

PART OF LOT 2 OF THE SUBDIVISION OF LOT 5 OF THE EAST 3/4 OF THE SOUTH 1/2 OF SEC. 32, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

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

OWNER'S ACKNOWLEDGMENT

I (we) Patrick A. Dolan & Mindy M. Dolan 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.

Patrick A. Dolan

Mindy M. Dolan

State of Iowa)
)
County of Delaware) ss:

On this 5th day of NOVEMBER A.D. 2009, before me a Notary Public in and for said State, personally appeared Patrick A. Dolan & Mindy M. Dolan to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said State

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2011

DEDICATION

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 **DOLAN'S 3rd STREET SUBDIVISION**, City of Manchester, Delaware County, Iowa. Lot A shall be known as South 3rd Street as shown upon the plat and survey are hereby dedicated to public use forever for street purposes.

IN WITNESS WHEREOF, we have set our hands this 5th day of NOVEMBER, 2009.

Patrick A. Dolan

Mindy M. Dolan

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 5th day of NOVEMBER, 2009, before me the undersigned, a Notary Public in and for said State, personally appeared Patrick A. Dolan & Mindy M. Dolan, to me know to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2011

Notary Public in and for said State.

OWNER'S ACKNOWLEDGMENT

I (we) Stephen P. Dolan & Kathryn S. Dolan 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.

Stephen P. Dolan

Kathryn S. Dolan

State of Iowa)
)
County of Delaware) ss:

On this 5th day of NOVEMBER A.D. 2009, before me a Notary Public in and for said State, personally appeared Stephen P. Dolan & Kathryn S. Dolan to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said State

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2011

DEDICATION

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 **DOLAN'S 3rd STREET SUBDIVISION**, City of Manchester, Delaware County, Iowa. Lot A shall be known as South 3rd Street as shown upon the plat and survey are hereby dedicated to public use forever for street purposes.

IN WITNESS WHEREOF, we have set our hands this 5th day of NOV., 2009.

Stephen P. Dolan

Kathryn S. Dolan

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 5th day of NOVEMBER, 2009, before me the undersigned, a Notary Public in and for said State, personally appeared Stephen P. Dolan & Kathryn S. Dolan, to me know to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2011

Notary Public in and for said State.

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 **DOLAN'S 3rd STREET SUBDIVISION**, a subdivision in the City of Manchester, Delaware County, Iowa.

Carla Becker, Delaware County Auditor

State of Iowa)
)
County of Delaware)

On this 3rd day of November, 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 757587
MY COMMISSION EXPIRES
MARCH 25, 2012

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 **DOLAN'S 3rd STREET SUBDIVISION**, City of Manchester, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

Pam Klein, Dep 11/9/09
Carolyn A. Wilson, County Treasurer Date

MORTGAGE HOLDERS ACKNOWLEDGMENT

The Community Savings Bank, State of Iowa, does hereby certify that the above survey, as shown by the attached Plat, is made with our free consent and in accordance with our desire as mortgage holder of a portion of the premises described herein.

Community Savings Bank

By ~~Steven A. Brady, President & CEO~~

By Brett W. Nagel, VP/SCL/CCL

STATE OF IOWA, Delaware County, Iowa, Ss:

On this 5th day of November, 2009 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven A. Brady and Brett W. Nagel, to me personally known, who being duly sworn, did say that they are the President & CEO and VP, SCL,CCL respectively, of the Community Savings Bank executing the within and foregoing instrument to which this is attached, that ~~no seal has been procured by the~~ (the seal affixed hereto is the seal of the) Community Savings Bank that said instrument was signed (and sealed) on behalf of the Community Savings Bank by authority of its Board of Directors; and that Steven A. Brady and Brett W. Nagel as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Community Savings Bank, by it and by them voluntarily executed.

Notary Public in and for said State

REGINA R. SELOOVER
Commission Number 196498
My Commission Expires
05/18/10

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 Dolan's 3rd Street Subdivision, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated 10/23/09.

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 20th day of October, 2009 at 8:00 o'clock A.M.

My examination of said abstract shows good and merchantable title on the date and hour of certification to be in Patrick A. Dolan and Mindy M. Dolan, husband and wife, as to an undivided one-half interest; and Stephen P. Dolan and Kathryn S. Dolan, husband and wife, as to an undivided one-half interest, subject to the following Mortgages:

a) Purchase Money Mortgage in favor of Community Savings Bank filed April 23, 2007 in Book 2007, Page 1213 of the records of the Delaware County Recorder;

b) Mortgage in favor of Community Savings Bank filed December 29, 2008 in Book 2008, Page 3950 of the records of the Delaware County Recorder.

Dated at Manchester, Delaware County, Iowa, in said County, this 26th day of October, 2009.

Thomas J. Hanson
Attorney at Law
401 E Main Street
Manchester, Iowa 52057
(563) 927-5920

CITY MANAGER DETERMINATION

DOLAN'S 3rd STREET SUBDIVISION; PART OF LOT 2 OF THE SUBDIVISION OF LOT 5 OF THE EAST 3/4 OF THE SOUTH 1/2 OF SEC. 32, T89N, R5W OF THE FIFTH P.M., 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.

10-23-2009
Date

Timothy J. Vick, City Manager

R-158-2009
RESOLUTION APPROVING FINAL PLAT

WHEREAS, the final plat of **DOLAN'S 3rd STREET SUBDIVISION**, City of Manchester, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated OCT. 23, 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 public water or sanitary sewer systems 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 South 3rd Street is necessary at this time; and

WHEREAS, Lot A shall be known as South 3rd Street as shown upon the plat and are hereby accepted for public use forever for street purposes;

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 **DOLAN'S 3rd STREET SUBDIVISION**, 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 26th day of October, A.D., 2009.

CITY OF MANCHESTER IOWA SEAL

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 3rd day of November, 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-158-2009 adopted by the City Council on the 26th day of October, 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
Number 718135
Expires
8-26-11
IOWA

Notary Public