FILED
NOV 13 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
NOV 13 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2009 Page 4255

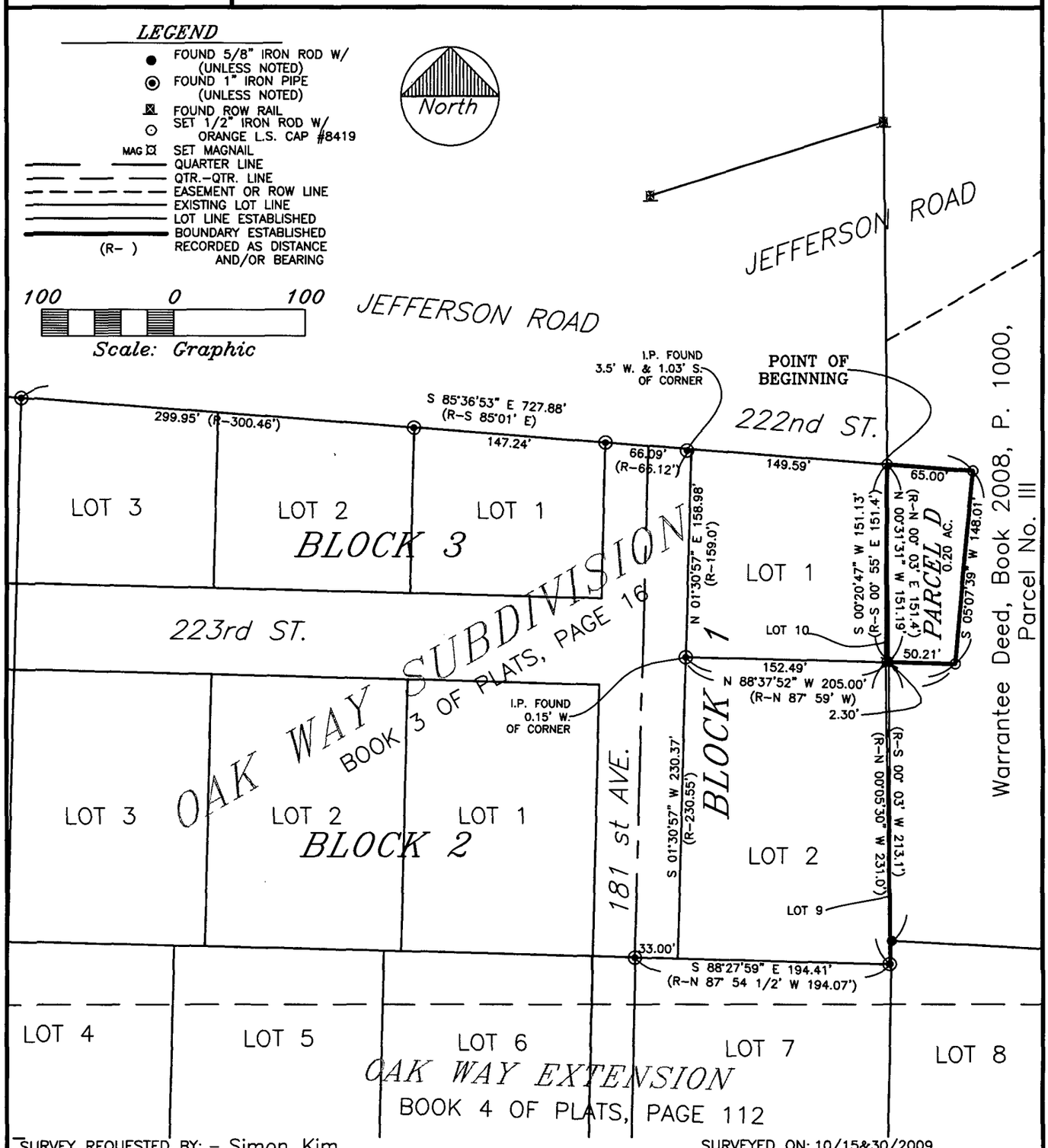
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: J DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

PLAT OF SURVEY

PARCEL D, ALL OF LOT 10 OF OAK WAY EXTENSION AND PART OF THE NW FR 1/4 OF SEC. 4, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: - Simon Kim

SURVEYED ON: 10/15&30/2009

PROPRIETORS: *YBB ENTERPRISES, L.L.C., (Bk. 2008, P. 1000)*
RICHARD N. SMITH (Lot 10)

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.

J. David Gibbs 11/4/09

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2010

LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

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

PROJECT NO. 09-51
SCALE: 1"=100'
DATE: 10/19/2009
DRAWN BY: JDG
CHECKED BY: RLR
FIELD BK: D.L.
REVISED -
SHEET 1 OF 4

LEGAL DESCRIPTION

PARCEL D, ALL OF LOT 10 OF OAK WAY EXTENSION AND PART OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL. ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 0.20 acres, subject to easements of record, and more specifically described by metes and bounds as follows:

BEGINNING at the Northerly most corner of Lot 10 of Oak Way Extension as recorded in Book 4 of Plats, Page 112 in the Office of the Delaware County Recorder, also being the Northeast Corner of Lot 1, Block 1, of Oak Way Subdivision as recorded in Book 3 of Plats, Page 16 in the Office of the Delaware County Recorder;

THENCE South 85° 36' 53'' East along the Easterly extension of the Northerly Line of said Oak Way Subdivision, 65.00 feet;

THENCE South 05° 07' 39'' West, to the Easterly extension of the Southerly Line of said Lot 10, 148.01 feet;

THENCE along the Easterly extension of the Southerly Line of said Lot 10, North 88° 37' 52'' West, to the Southeast corner of said Lot 10, 50.21 feet;

THENCE along the Southerly Line of said Lot 10, North 88° 37' 52'' West, to the Southwesterly corner of said Lot 10, 2.30 feet;

THENCE along the Westerly Line of said Lot 10, also being the Easterly Line of said Lot 1, North 00° 20' 47'' West, 151.13 feet to the POINT OF BEGINNING;

Containing a total of 0.20 acres and subject to easements of record.

The Northerly Line of Oak Way Subdivision is assumed to bear South 85° 36' 53'' East.

OWNER'S ACKNOWLEDGMENT

I Gyeong R. Kim 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.

State of Iowa)
)
County of Delaware) Ss:

On this 10th day of November, 2009, before me, a Notary Public (Title) in and for said County, personally appeared Gyeong R. Kim, to me personally known, who being by me duly sworn or affirmed, did say that that person is (Title) President of said YBB Enterprises, L.L.C. and that said instrument was signed on behalf of said YBB Enterprises, L.L.C. by authority of its managers and the said President (Title) acknowledged the execution of said instrument to be the voluntary act and deed of said YBB Enterprises, L.L.C. by it voluntarily executed.

Donna M. Kunde
Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-2012

OWNER'S ACKNOWLEDGMENT

I Richard N. Smith 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.

State of Iowa)
)
County of Delaware) ss:

On this 10th day of November A.D. 20 09, before me a Notary Public in and for said County, personally appeared Richard N. Smith 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.

Donna M. Kunde
Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8-16-2012

RESOLUTION R-170-2009

RESOLUTION APPROVING FINAL PLAT

WHEREAS, a final plat of **PARCEL D, LOT 10 OF OAK WAY EXTENSION AND PART OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL. ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA**, has been filed with the City of Manchester, Delaware County, Iowa;

WHEREAS, **PARCEL D , LOT 10 OF OAK WAY EXTENSION AND PART OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL. ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA** falls under Section 180.23 of Chapter 180 Subdivision Regulations of the City of Manchester PLATS REQUIRED AND EXEMPTIONS ALLOWED, and

WHEREAS, the City Manager and City Council have fully considered the same and found the same to be exempt 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;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA: that the final plat for **PARCEL D , LOT 10 OF OAK WAY EXTENSION AND PART OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL. ¼) OF SECTION FOUR (4), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA** is hereby formally exempted by the City of Manchester, Delaware County, Iowa, in accordance with the City of Manchester Code of Ordinances.

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 9th day of November, 2009.

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
DELAWARE COUNTY)

On this 10th 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 authority of its City Council, as contained in Resolution Number R-170-2009 adopted by the City Council on the 9th day of November, 2009, and that Milt L. Kramer and Erin Rempe acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

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

Laura K. Thomas, Notary Public