Book 2009 Page 4478

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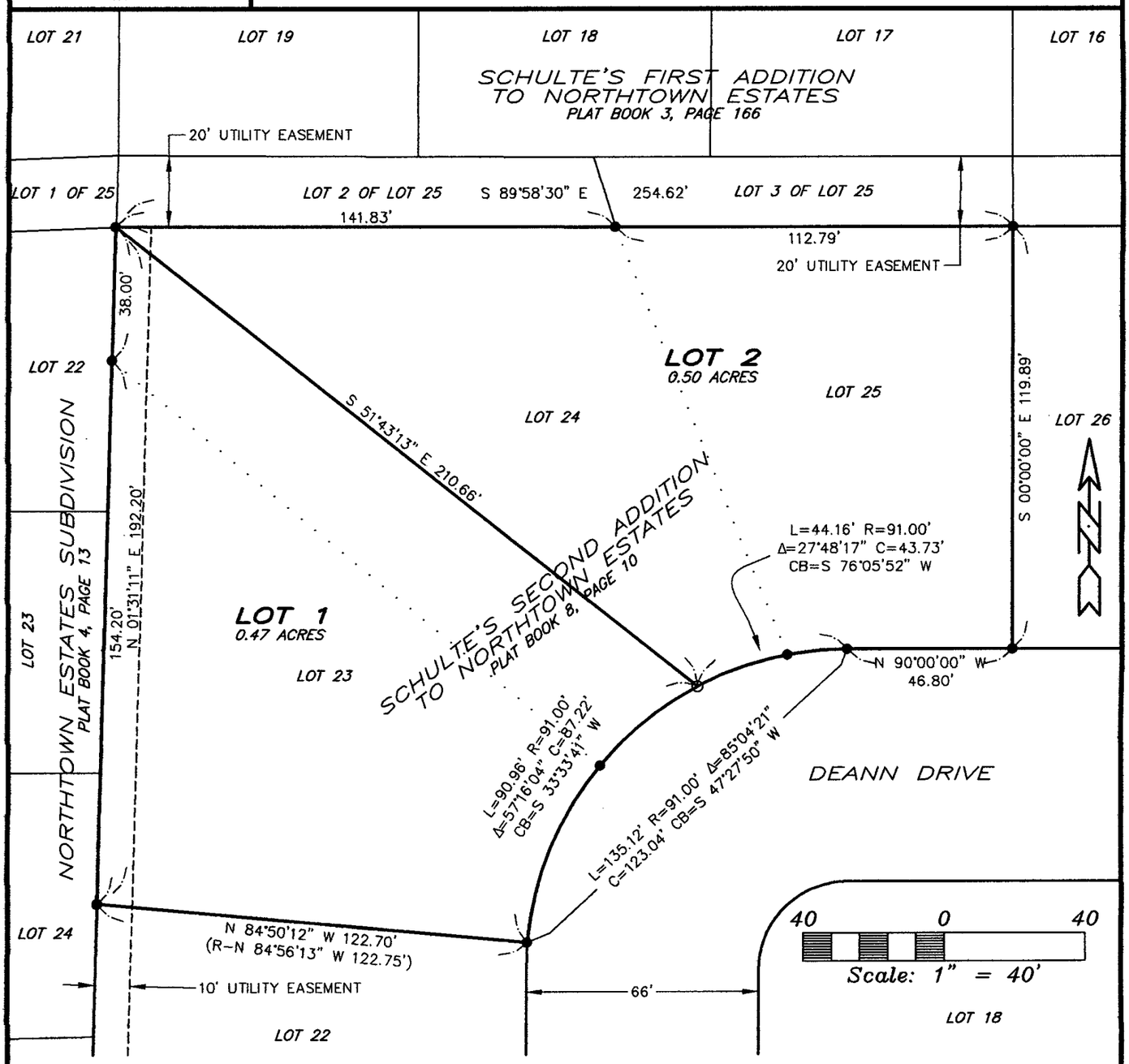
DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

# SUBDIVISION PLAT

## SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES

A SUBDIVISON OF LOTS 23. 24, & 25 OF SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES, SEC. 20, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY IOWA




## LEGEND

- ● FOUND 1/2" REBAR W/ORANGE L.S. CAP #8419
- ⊙ SET 1/2" REBAR W/ORANGE L.S. CAP #17939
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- (R- ) RECORDED AS DISTANCE AND/OR BEARING

PROPRIETORS:
Ruth F. Schulte, Trustee AND Ruth F. Schulte and Douglas R. Schulte Co-Trustees of Ruth F. Schulte Inter Vivos Trust AND Raymond P. Schulte Family Trust

SURVEY REQUESTED BY: DAVE SCHULTE

SURVEYED ON: 11/5/2009

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-2

PROPRIETORS: SEE ABOVE

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. 09-54 |
| SCALE: 1"=40' |
| DATE: 10/20/2009 |
| DRAWN BY: RLR |
| CHECKED BY: JDG |
| GPS: MANCHESTER |
| REVISED |
| SHEET 1 OF 8 |

## LEGAL DESCRIPTION:

***SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES***, A SUBDIVISION OF LOTS 23, 24, AND 25 OF SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES, SECTION TWENTY (20), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA containing 0.97 acres, divided into two lots numbered Lot 1 and Lot 2, and subject to easements of record.

## OWNER'S ACKNOWLEDGMENT

I (we) Ruth F. Schulte, Trustee, and Douglas R. Schulte, Trustee, 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.

Ruth F. Schulte

Douglas R. Schulte

State of Iowa )
)
County of Delaware ) ss:

On this 25th day of November A.D. 2009, before me a Notary Public in and for said County, personally appeared Ruth F. Schulte, Trustee, and Douglas R. Schulte, Trustee, 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

## 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 **SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES**, 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.

Notary Public

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

## CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against **SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES**, City of Manchester, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

DELAWARE COUNTY TREASURER SEAL IOWA

Carolyn A. Wilson 12-2-09
Carolyn A. Wilson, County Treasurer Date

## MORTGAGE HOLDERS ACKNOWLEDGMENT

The _____ , 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.

_____

By _____

By _____

STATE OF IOWA, _____ County, Iowa, Ss:

On this _____ day of _____, 20_, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who being duly sworn, did say that they are the _____ and _____ respectively, of the _____ 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) _____ ; that said instrument was signed (and sealed) on behalf of the _____ by authority of its Board of Directors; and that _____ and _____ as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the _____, by it and by them voluntarily executed.

_____

Notary Public in and for said State

**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 **Schulte's Third Addition to Northtown Estates**, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated October 23, 2009.

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 3rd day of November, 2009 at 8:00 o'clock a.m.

My examination of said abstract shows good and merchantable title on the date and hour of the certification to be in Ruth F, Schulte, Trustee of the Ruth F. Schulte Revocable Inter Vivos Trust, as to an undivided one-half interest; Douglas R. Schulte, David L. Schulte and Daniel A. Schulte, Co-Trustees of the Raymond P. Schulte Family Trust, as to an undivided one-half interest.

Dated at Manchester, Delaware County, Iowa, in said County, this 12th day of November, 2009.

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

**CITY MANAGER DETERMINATION**

***SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES***, A SUBDIVISION OF LOTS 23, 24, AND 25 OF SCHULTE'S SECOND ADDITION TO NORTHTOWN ESTATES, SECTION TWENTY (20), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY 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-160-2009**
**RESOLUTION APPROVING FINAL PLAT**

WHEREAS, the final plat of **SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES**, City of Manchester, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated October 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 Deann Drive is necessary at this time; and

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 **SCHULTE'S THIRD ADDITION TO NORTHTOWN ESTATES**, 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-160-2009 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.*

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

Notary Public

State of Iowa )
)
County of Delaware ) ss:

On this 23rd day of October A.D. 2009, before me a Notary Public in and for said State, personally appeared Timothy J. Vick 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.

Laura K. Thomas
Notary Public in and for said State

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