Book 2009 Page 4741

Document 2009 4741 Type 06 010 Pages 4
Date 12/23/2009 Time 8:57:55AM
Rec Amt $33.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 23 day
of December A.D., 2009
Cara Becker, Auditor
By Margraten, Deputy
Parcel # 031.32.30.032.00
140.32.00.003.00
89-175

AFFIDAVIT

Recorder's Cover Sheet

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

Taxpayer Information:
James A. Boge
1701 195th Street
Manchester, Iowa 52057

Return Address
Thomas J. Hanson
Attorney at Law
401 East Main Street
Manchester, Iowa 52057

Grantors:
Sandi's Pond, L.L.C., an Iowa Limited Liability Company

Grantees:
James A. Boge

Legal Description: Pages 3 & 4

AFFIDAVIT

IN RE: See Attached Legal Description

State of Iowa)
)ss:
County of Delaware)

I, Timothy Vick, City Manager for the City of Manchester, Iowa being first duly sworn on oath depose and state that I have reviewed the records of the City of Manchester, Iowa with regard to a temporary construction easement given to the City of Manchester, Iowa pursuant to a Quit Claim Deed from Manchester Enterprises, Inc. filed on December 22, 1989 in Book 125 L.D., Page 243 of the records of the Delaware County Recorder and a similar temporary construction easement referred in a Quit Claim Deed from the City of Manchester, Iowa to Delaware County, Iowa pursuant to Quit Claim Deed filed December 23, 1992 in Book 130 L.D., Page 300 of the records of the Delaware County Recorder. That said temporary construction easements were obtained in order to complete the construction of Burrington Road in Manchester, Iowa. That said construction has been completed for more than ten (10) years and said temporary construction easement as referred to in said Quit Claim Deeds is no longer valid or enforceable as construction on the said Burrington Road has been completed.

Dated this 15 day of December, 2009

CITY OF MANCHESTER IOWA SEAL

City of Manchester, Iowa

Timothy Vick

By: Timothy Vick – City Manager

Subscribed and sworn to before me this 15th day of December, 2009 by Timothy Vick, City Manager for the City of Manchester, Iowa.

Laura K. Thomas

Notary Public in and for the State of Iowa

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

Legal Description

That part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth Principal Meridian described as commencing at the Southeast corner of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) and running thence West four hundred thirty nine and five-tenths (439.5) feet to the East right-of-way line of the county road, thence North two hundred twenty one and five-tenths (221.5) feet to a point sixty (60.0) feet radially distant Southeasterly from the centerline of Primary Road No. 13, as relocated in 1930, thence Northeasterly along a one thousand two hundred six (1206.0) feet radius curve, concave Northwesterly, a distance of approximately eight hundred forty (840.0) feet to a point on the East line of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), said point being sixty (60.0) feet radially distant Southeasterly from the centerline of Primary Road No. 13, thence South 0° 03' East eight hundred eighty seven (887.0) feet to the point of beginning, except that part lying Southerly of the following described line: commencing at the Southeast corner of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), thence Northerly along the East line of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32) eighty (80) feet to the point of beginning, thence West along a line parallel to the South line of said Section Thirty Two (32) sixty and twenty six hundredths (60.26) feet to a tangent point, thence Northwesterly along a circular curve concave Northeasterly with a radius of three hundred three and seventy seven hundredths (303.77) feet for an arc length of two hundred sixty five and nine hundredths (265.09) feet, thence North 32° 03' 30" West seventy two and twenty six hundredths (72.26) feet to a point sixty (60) feet radially distant Southeasterly from the centerline of former Primary Road No. 13, as relocated in 1930; also that part of Lots Twelve (12) and Thirteen (13) of the Subdivision of the East three-fourths (E 3/4) of the South one-half (S½) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth Principal Meridian, according to plat recorded in Book A Plats, Page 5, described as commencing at the Southwest corner of said Lot Thirteen (13), which is the Southwest corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), thence running North along the West line of said Lot Thirteen (13) and Lot Twelve (12) to a point on the West line of said Lot Twelve (12) which is two hundred (200.0) feet South of the Southwest corner of Lot Eleven (11) of said Subdivision, thence running East on a line parallel with the South line of said Lot Eleven (11) to the West line of the right-of-way of the Cedar Rapids Branch of the Illinois Central Railroad Company, thence South along the West line of said right-of-way to the South line of said Lot

Thirteen (13), thence West along the South line of Lot Thirteen (13) to the point of beginning, except that part of Lot Twelve (12) described as commencing at a point eight hundred forty three and sixty five one-hundredths (843.65) feet North and thirty three (33.0) feet East from the Southwest corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), and running thence North seventy five (75.0) feet, thence East one hundred twenty five (125.0) feet, thence South seventy five (75.0) feet, thence West one hundred twenty five (125.0) feet to the point of beginning, and also except that part of Lot Twelve (12) described as commencing at the Southwest corner of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section Thirty Two (32), thence East thirty three (33.0) feet, thence North nine hundred forty eight (948.0) feet to a point on the North line of the railroad spur easement, said point being the point of beginning, thence North three hundred twenty five (325.0) feet, thence East three hundred seventy four (374.0) feet, thence Southwesterly five hundred thirty six and six-tenths (536.6) feet along the Northerly line of the railroad spur easement, concave Northwesterly, with a radius of three hundred ninety and three-tenths (390.3) feet to the point of beginning, except that part conveyed to the City of Manchester, Iowa, by Quit Claim Deed recorded in Book 125 L.D., Page 153