will pick up

FILED
JUN - 9 2010
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

FILED
JUN 9 2010
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Book 2010 Page 1751
Document 2010 1751 Type 06 002 Pages 12
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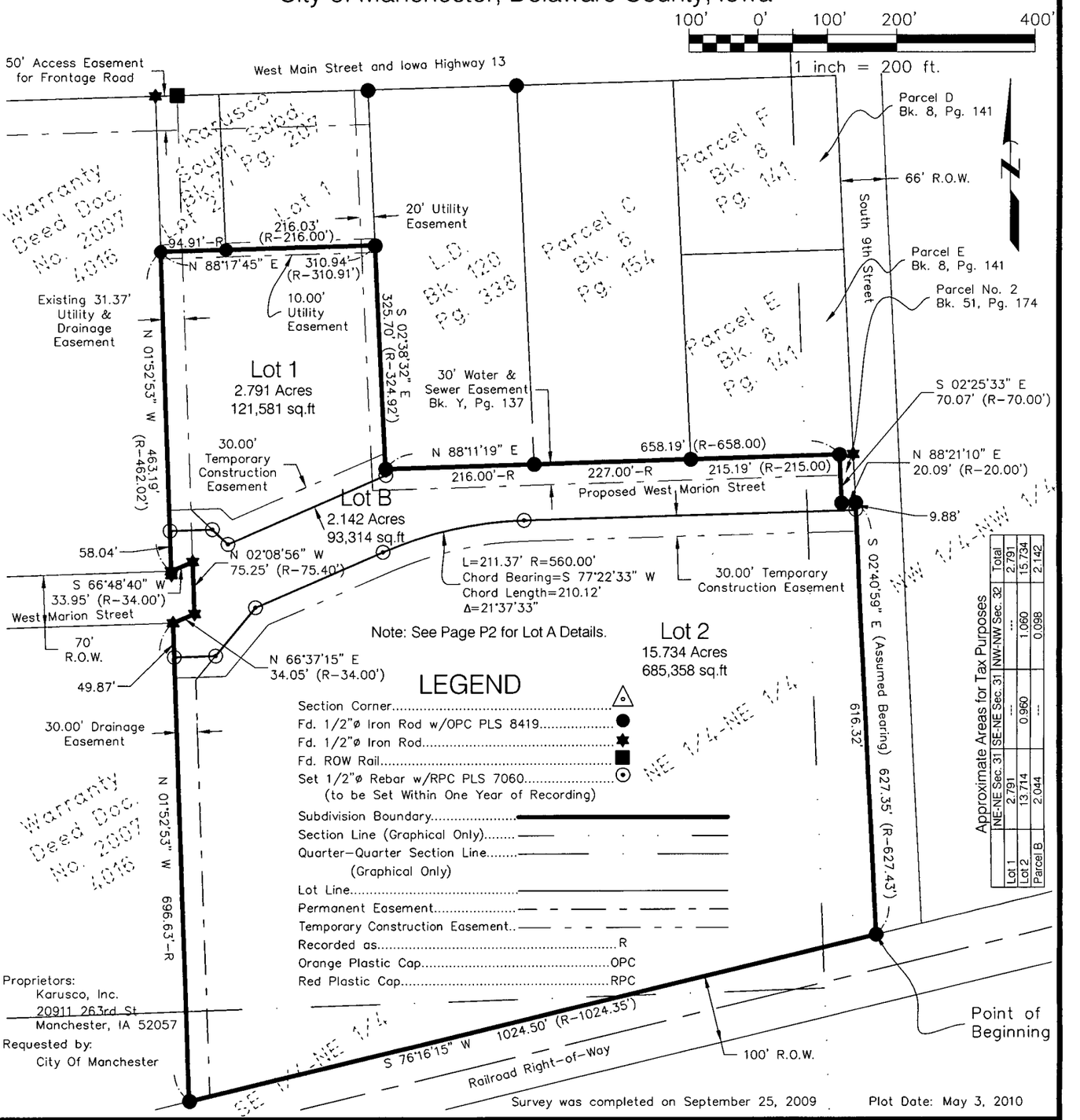
DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by: TeKippe Engineering, P.C., 1919-210th Street, P.O. Box 357, Manchester, Iowa 52057 Ph. (563)927-2060

Final Plat

Karusco South 2nd Subdivision

Subdivision of Lot A of Karusco South Subdivision of Part of the E 1/2 NE 1/4 of Section 31 and Part of the NW 1/4 of Section 32, all in T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa



LEGEND

- Section Corner
- Fd. 1/2"ø Iron Rod w/OPC PLS 8419
- Fd. 1/2"ø Iron Rod
- Fd. ROW Rail
- Set 1/2"ø Rebar w/RPC PLS 7060 (to be Set Within One Year of Recording)
- Subdivision Boundary
- Section Line (Graphical Only)
- Quarter-Quarter Section Line (Graphical Only)
- Lot Line
- Permanent Easement
- Temporary Construction Easement
- Recorded as ... R
- Orange Plastic Cap ... OPC
- Red Plastic Cap ... RPC

Approximate Areas for Tax Purposes

	NE-NE Sec. 31	SE-NE Sec. 31	NW-NW Sec. 32	Total
Lot 1	2.791	---	---	2.791
Lot 2	13.714	0.960	1.060	15.734
Parcel B	2.044	---	0.098	2.142

Proprietors:
Karusco, Inc.
20911 263rd St
Manchester, IA 52057

Requested by:
City Of Manchester

Survey was completed on September 25, 2009 Plot Date: May 3, 2010

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
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. The undadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.

Lyle G. TeKippe, P.E., P.L.S. — 5-3-10 Date
License Number 7060
My license renewal date is December 31, 2010.
Pages or sheets covered by this seal: P1-P2

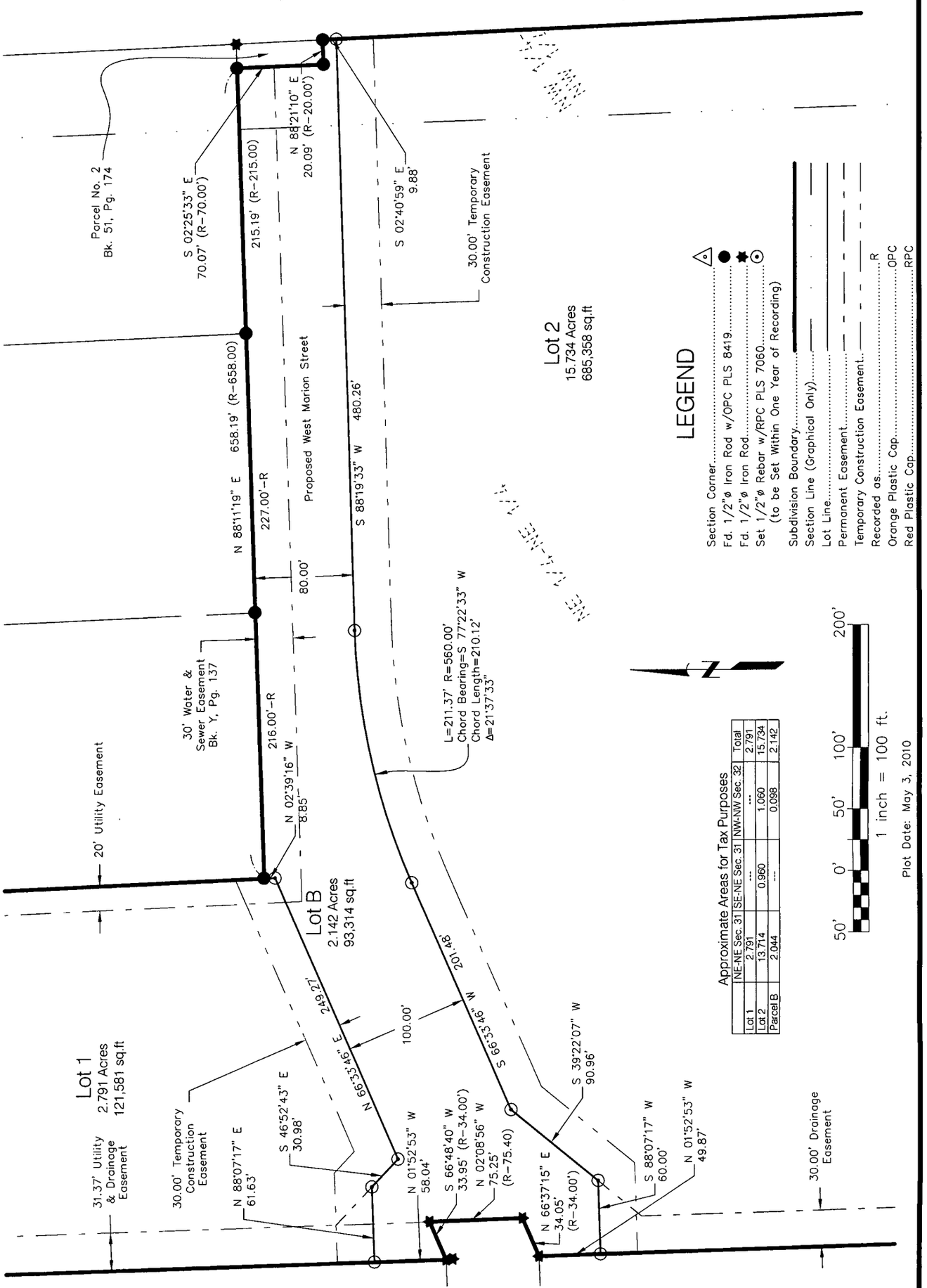
TeKippe Engineering, P.C.
West Union
563-422-5131
Manchester 563-927-2060
Cedar Rapids 319-294-6909
www.tekippe.com

M:\Projects\2009\092068LS\dwg\092068LS-C3D.dwg
Field Book: Manchester No. 1 Pages: 73-74
Project No. 092068.LS Sheet P1

Final Plat

Karusco South 2nd Subdivision

Subdivision of Lot A of Karusco South Subdivision of Part of the E 1/2 NE 1/4 of Section 31 and Part of the NW 1/4 of Section 32, all in T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa



TEKIPPE ENGINEERING, P.C.	1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057	
M:\Projects\2009\092068LS\dwg\092068LS-C3D.dwg	Project No. 092068.LS	FB: Manchester No. 1 Pg: 73-74 Sheet P2

Prepared by: TeKIPPE ENGINEERING, P.C., 1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057, Ph. (563)927-2060

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
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. The unadjusted error of closure does not exceed 1:10,000 for the subdivision boundary and does not exceed 1:5,000 for any individual lot.

Lyle G. TeKippe — 5-3-10 Date
License Number 7060
My license renewal date is December 31, 2010.
Pages covered by this seal: BD-1 Through BD-3

State of Iowa)
ss.
County of Delaware)

Subscribed and sworn to before me by Lyle G. TeKippe this 3RD. day of MAY, 2010.

David Meyer
Iowa Notarial Seal
Commission Number: 736541
My Commission Expires: 09-08-2011

Notary Public

SURVEY AND PLAT OF:

Boundary Description:

Karusco South 2nd Subdivision, a subdivision of Lot A of Karusco South Subdivision of Part of the E 1/2 NE 1/4 of Section 31 and Part of the NW 1/4 of Section 32, all in T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa, and more particularly described as follows:

Beginning at the Southeast Corner of Lot A of Karusco South Subdivision (Book 7, Page 207);

Thence **South 76°-16'-15" West, 1,024.50 feet** along the South Line of said Lot A to the West Line of said Lot A;

Thence **North 01°-52'-53" West, 696.63 feet;**

Thence **North 66°-37'-15" East, 34.05 feet;**

Thence **North 02°-08'-56" West, 75.25 feet;**

Thence **South 66°-48'-40" West, 33.95 feet;**

Thence **North 01°-52'-53" West, 463.19 feet,** all along the West Line of said Lot A, to the North Line of said Lot A;

Thence **North 88°-17'-45" East, 310.94 feet** along said North Line of Lot A to the West Line of a parcel as described in Land Deed Book 120, Page 338, on file in the Delaware County Recorder's office, Manchester, Iowa;

Thence **South 02°-38'-32" East, 325.70 feet** along said West Line to the Southwest Corner of said parcel and the Northerly Line of said Lot A;

Thence **North 88°-11'-19" East, 658.19 feet** along said Northerly Line to the West Line of Parcel No. 2 as recorded in Book 51, Page 174 in said Recorder's office;

Thence **South 02°-25'-33" East, 70.07 feet** along said West Line to the South Line of said Parcel No. 2;

Thence **North 88°-21'-10" East, 20.09 feet** along said South Line to the East Line of said Lot A;

Thence **South 02°-40'-59" East (Assumed Bearing), 627.35 feet** along said East Line of Lot A to the Point of Beginning, containing **20.667 Acres**, subject to easements of record. (See plat attached to this original survey description.)

OWNER'S ACKNOWLEDGMENT

I, Richard M. Jones, President and Secretary, of Karusco, Incorporated, State of Iowa, hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Richard M Jones president and secretary

Richard M. Jones, President and Secretary
Karusco, Incorporated

State of Florida)
) SS
Pasco County)

On this 11 day of May, 2010, before me, the undersigned, a Notary Public in and for the State of Florida, personally appeared **Richard M. Jones**, to me personally known, who, being by me duly sworn, did say that he is the President and Secretary, respectively, of said corporation; that said instrument was signed on behalf of said corporation by authority of its Board Directors; and that the said Richard M. Jones as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

ELEANORE M. WALKER
Notary Public - State of Florida
My Commission Expires Apr 7, 2011
Commission # DD 652910
Bonded Through National Notary Assn.

Eleanore M. Walker

Notary public in and for the State of Florida
My commission expires _____

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***Karusco South 2nd 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.

Carolyn A. Wilson

Carolyn A. Wilson, Delaware County Treasurer

6-9-2010

Date

State of Iowa)
) SS
Delaware County)

On this 9 day of June, 2010, before me Carolyn A. Wilson a Notary Public in and for the State of Iowa, personally appeared **Carolyn A. Wilson**, to me personally known, and, who, being duly sworn, did say that she is the ~~XXXXXX~~ TREASURER of Delaware County, Iowa.

MICHELE R. AFRICA
Commission Number 742822
My Commission Expires
9-14-12

Michele R. Africa

Notary Public in and for the State of Iowa

My commission expires 9-14-12

Michele R. Africa

APPROVAL OF AUDITOR

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 ***Karusco South 2nd Subdivision, City of Manchester, Delaware County, Iowa,*** a subdivision in Delaware County, Iowa.

Carla K. Becker

Carla K. Becker, Delaware County Auditor

6/9/10

Date

State of Iowa)
) SS
Delaware County)

On this 9 day of June, 2010, before me Anne Rave 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 the State of Iowa

My commission expires 3/25/2012

Anne Rave

PETERS LAW OFFICES

309 First Street East
P.O. Box 774
Independence, IA 50644
(319) 334-9992
Fax (319) 334-9993

James T. Peters
jtplawoffice@yahoo.com

Vinton Office:
415 A Avenue
Vinton, IA 52349
(319) 472-3867

June 8, 2010

OPINION OF TITLE

To: City of Manchester
208 East Main
Manchester, IA 52057

This is to certify that I have examined an abstract of title in one (1) part which show title to real estate located within and included in the following-described property:

Karusco South 2nd Subdivision, a Subdivision of:
Lot A of Karusco South Subdivision, Part of the E ½ NE 1/4 of Section 31 and part of the NW 1/4 of Section 32, all of T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa, according to plat recorded in Book 7 Plats, Page 207 on premises more specifically described in the Surveyor's Certificate of Lyle G. Tekippe dated May 3, 2010.

Said abstract was prepared by the Delaware County Abstract Company pursuant to the Iowa Marketable Title Standards Act and is continued down to May 4, 2010, at 8:00 a.m., bearing entries 1 through 30, inclusive, and final caption no. 59888.

According to my examination, good and merchantable title as of the date of last certification is in the name of:

KARUSCO, INC., aka JAY DEVELOPMENT CORPORATION,

subject to the following, to which your attention is directed:

1. Entry 6 of the abstract of title reports a Drainage and Tile Easement Agreement. The easement was recorded in the Office of the Delaware County Recorder on June 6, 1968, in Book L., Misc., Page 157. Your attention is directed to this easement to determine how it may affect your intended use of the above-described property.

2. Entry 16 of the abstract of title reports an Easement for Sewer and Water Lines in favor of the City of Manchester, Iowa, filed in the Office of the Delaware County Recorder on February 5, 1987, in Book Y, Misc., Page 137. Your attention to this easement to determine how it may affect your intended use of the above-described property.

3. Entry 17 of the abstract of title reports a Right of Way Agreement in favor of Iowa Electric Light and Power Company filed in the Office of the Delaware County Recorder on April 1, 1987, in Book Y, Misc., Page 161. Your attention is directed to this document as it may affect your intended use of the above-described property.

4. Entry 18 of the abstract of title reports an Easement for Utilities in favor of the City of Manchester filed in the Office of the Delaware County Recorder on October 25, 1989, in Book I., Misc., Page 121. Your attention is directed to this instrument to determine how it may affect your intended use of the above-described property.

5. Entry 19 of the abstract of title reports an Easement for Utilities in favor of the City of Manchester, Iowa, filed in the Office of the Delaware County Recorder on September 21, 1990, in Book 2, Misc., Page 78. Your attention is directed to this instrument to determine how it may affect your intended use of the above-described property.

6. Entry 22 of the abstract of title reports a Right of Way Easement in favor of Peoples Natural Gas Company, filed in the Office of the Delaware County Recorder on April 12, 1994, in Book 4, Misc., Page 219. Your attention is directed to this instrument to determine how it may affect your intended use of the above-described property.

7. Entry 24 of the abstract of title reports an Agreement for Future Street Dedication and Construction. This agreement was entered into between Karusco, Incorporated, and the City of Manchester, Iowa, and was filed in the Office of the Delaware County Recorder on July 16, 1996, in Book 6, Misc., Page 151. Your attention is directed to this instrument as it may affect your intended use of the above-described property.

8. Entry 25 of the abstract of title reports the above-described property is subject to Urban Renewal Ordinances adopted by the City of Manchester, Iowa. Your attention is directed to these ordinances to determine how they may affect your intended use of the above-described property.

9. Entry 26 of the abstract of title reports the City of Manchester, Iowa, has adopted zoning ordinances which have an effect upon the rights and obligations with regard to the above-described property. Your attention is directed to these ordinances to determine how they may affect your intended use of the above-described property.

10. Entry 27 of the abstract of title reports all real estate taxes are shown as paid with taxes for fiscal year 2008-09 payable 2009-10 in the amount of $370.

This opinion is limited to matters shown upon the abstract and does not make any reported guarantee as to the following matters:

a. Accuracy of abstracting or plats;
b. Location of boundary lines or markers;
c. Possible claims of parties in possession;
d. Claims for unrecorded mechanic's liens for labor or improvements placed upon the property within the last ninety (90) days of the date of the last certification by the abstracter;
e. Pendency of any action under the Iowa Dissolution of Marriage Laws, which files are sealed by law;
f. Special assessments and improvements authorized by a Resolution of Necessity but which have not been certified to the County Auditor;
g. Financing statements or security instruments under the Iowa Uniform Commercial Code;
h. Easements by prescription;
i. Child support liens which may be of record in the Office of the Collections Services Center, P.O. Box 9125, Des Moines, IA 50306-2125;
j. Any flood plain regulations, encroachment limits or flood plain zoning as established by the Iowa Natural Resources Council;
k. Zoning regulations for the County of Delaware, Iowa;
l. This opinion is expressly made subject to the presence of solid waste, radioactive waste, hazardous waste or hazardous substances, underground petroleum or chemical storage tanks including those substances defined to be hazardous in Chapter 42, United States Code Section 9601(14) and Chapter 455B of the 1991 Code of Iowa;
m. You should determine whether any solid wastes, hazardous substances, pollutants, above or below ground storage tanks, drainage wells, water wells, landfill sites or other environmentally regulated conditions exist on the property. Such conditions are not ordinarily shows in the abstract, but they may result in injunctions, fines, required cleanup, or other remedial actions under federal, state or local laws. These laws may impose liens against the property and personal liability against the owner, even though the owner did nothing to create the condition, and acquired the property without knowing about it.
n. The abstract notes that lien searches, judgment reports, and related data have been abstracted through the lien indexes and the ICIS system as provided by the Delaware County Clerk of Court. Various proceedings filed regarding zoning, TIF government regulations and ordinances, may affect the real estate herein abstracted. The abstract requests that you contact the various offices for further particulars. No such contact has been made by the undersigned unless specifically referred to herein.

This Opinion includes all such matters of record which have not become void or unenforceable under applicable statutes of limitation and the Iowa Title Standards, including but not limited to contracts, mortgages, assignments, liens, leases, assignments of rent, building setback lines, easements, restrictive covenants, leases and encumbrances, unpaid real estate taxes or assessments and all amendments to such documents up to and including the time of the last

abstract certification by the participating abstractor.

This abstract is being retained at this time by the Office of James T. Peters.

Dated this 8th day of June, 2010, at Independence, Iowa.

Respectfully submitted,

BY: _____
James T. Peters
Attorney Participation #3158

JTP:jtp

RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of **Karusco South 2nd Subdivision,** being a subdivision of the Subdivision of Lot A of Karusco South Subdivision of Part of the E ½ NE ¼ of Section 31 and Part of the NW ¼ of Section 32, all in T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of TeKippe Engineering, dated May 5, 2010, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, no new public water or sanitary sewer systems are necessary and therefore construction of said utilities is not being authorized by the approval of final plat; and

WHEREAS, Section 180.33 of Chapter 180 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 180.09) and drive standards (Section 180.17); 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

WHEREAS, the final plat of **Karusco South 2nd Subdivision**, Delaware County, Iowa, should be approved with the following declarations and conditions;

1) The area within this subdivision is currently zoned B3 and M2 . No modification to zoning is made by this subdivision.
2) The construction of sidewalks along the subdivision is deferred at this time. The City retains the right to require sidewalks to be constructed at any time in the future. The cost of sidewalk construction shall be as required by the City Code at the time of construction.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said **Karusco South 2nd Subdivision**, Delaware County, Iowa, be, and the same acknowledged, approved, and accepted on the part of the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, and the Commission hereby recommends to the City of Manchester, Delaware County, Iowa, and the Commission hereby recommends to the City Council the acceptance of the same and the Chairperson and Secretary are hereby authorized and directed to certify this resolution of approval and affix the same to said plat as provided by law.

Adopted and passed this 19th day of May, A.D. 2010.

PLANNING AND ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By: _____
Gary Reeder, Vice Chairperson

By: _____
Laura Thomas, Recording Secretary

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 19th day of May 2010, before me, Julie A Schmitz, a Notary Public in and for the State of Iowa, personally appeared Gary Reeder and Laura Thomas, to me personally known, and, who, being by me duly sworn, did say that they are the Vice Chairperson and Recording Secretary, respectively, of the Planning and Zoning Commission 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 Planning and Zoning Commission, as contained in Resolution adopted by the Planning and Zoning Commission on the 19th day of May, 2010,and that Gary Reeder and Laura Thomas acknowledged 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.

_____
Julie A. Schmitz , Notary Public

NOTARIAL SEAL IOWA
JULIE A. SCHMITZ
Commission Number 224151
My Commission Expires
8-23-2011

R-059-2010
RESOLUTION APPROVING FINAL PLAT

WHEREAS, the plat of **Karusco South 2nd Subdivision**, being a subdivision of the Subdivision of Lot A of Karusco South Subdivision of Part of the E ½ NE ¼ of Section 31 and Part of the NW ¼ of Section 32, all in T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of TeKippe Engineering, dated May 5, 2010, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa, and has been acknowledged and approved by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, who have recommended acceptance;

WHEREAS, no new public water or sanitary sewer systems are necessary and therefore construction of said utilities is not being authorized by the approval of final plat; and

WHEREAS, Section 180.33 of Chapter 180 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 180.09) and drive standards (Section 180.17); 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

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the plat of **Karusco South 2nd Subdivision,** Delaware County, Iowa as presented with the following declarations and conditions;

1) The area within this subdivision is currently zoned B3 and M2. No modification to zoning is made by this subdivision.

2) The construction of sidewalks along the subdivision is deferred at this time. The City retains the right to require sidewalks to be constructed at any time in the future. The cost of sidewalk construction shall be as required by the City Code at the time of construction.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said **Karusco South 2nd Subdivision,** Delaware County, Iowa, be, and the same is hereby acknowledged, approved 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 plat as by law provided.

Passed this 24th day of May, A.D., 2010.

MANCHESTER CITY SEAL IOWA

Milt Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 2nd day of June, 2010, before me, Laura K. Thomas, a Notary Public in and for the State of Iowa, personally appeared Milt Kramer and Erin Rempe, to me personally known, and, who, being by me duly sworn, did say 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-059-2010 adopted by the City Council of Manchester, Iowa on the 24th day of May, 2010, and that Milt 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