Book 2010 Page 2177
Document 2010 2177 Type 06 002 Pages 8
Date 7/15/2010 Time 3:21:41PM
Rec Amt $44.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FILED
JUL 15 2010
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

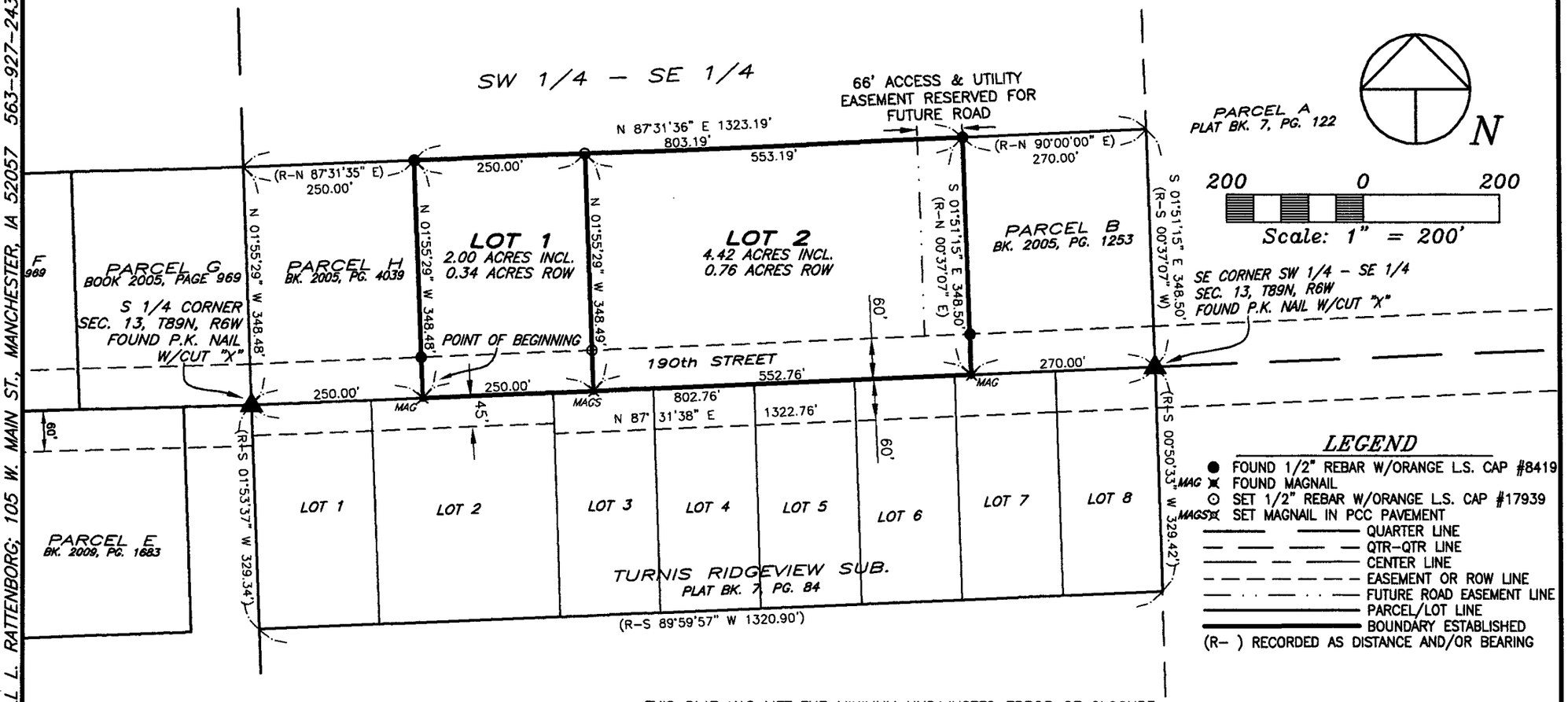
FILED
JUL 15 2010
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

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

PLAT OF SURVEY

FINAL PLAT – VONTALGE'S SUBDIVISION

PART OF THE SW 1/4–SE 1/4, SEC. 13, T89N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



LEGEND

- FOUND 1/2" REBAR W/ORANGE L.S. CAP #8419
- MAG FOUND MAGNAIL
- SET 1/2" REBAR W/ORANGE L.S. CAP #17939
- MAGS SET MAGNAIL IN PCC PAVEMENT
- QUARTER LINE
- QTR-QTR LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- FUTURE ROAD EASEMENT LINE
- PARCEL/LOT LINE
- BOUNDARY ESTABLISHED
- (R-) RECORDED AS DISTANCE AND/OR BEARING

THIS PLAT HAS MET THE MINIMUM UNDAJUSTED ERROR OF CLOSURE AS PER CHAPTER 180.30 (14) OF THE MANCHESTER CITY CODE.

SURVEY REQUESTED BY: GARY VONTALGE

SURVEYED ON: 3/26/2010

SCALE: 1"=200'	
DATE: 3/30/2010	
DRAWN BY: RLR	
CHECKED BY: JDG	
GPS: 26	
REVISED	
SHEET 1 OF 8	

PROPRIETORS: GARY D. VONTALGE & DONA L. VONTALGE
2117 210th STREET MANCHESTER, IA 52057

PROJECT NO. 10-22

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.

RANDALL L. RATTENBORG, L.S. LICENSE #17939 DATE 6/23/10
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2011

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1–2

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

LEGAL DESCRIPTION:

VONTALGE'S SUBDIVISION; PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION THIRTEEN (13), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 6.42 acres, including 1.10 acres of public road right of way, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the South Quarter Corner of Section Thirteen (13), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa, being the Southwest Corner of Parcel H, as recorded in Book 2005, Page 4039 in the Office of the Delaware County Recorder;

THENCE along the Southerly Line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section Thirteen (13), and Southerly Line of said Parcel H, North 87° 31' 38" East, to the Southeast Corner of said Parcel H, 250.00 feet, the **POINT OF BEGINNING**;

THENCE along the Easterly Line of said Parcel H, North 01° 55' 29" West, to the Northeast Corner of said Parcel H, 348.48 feet;

THENCE North 87° 31' 36" East, to the Northwest Corner of Parcel B, as recorded in Book 2005, Page 1253 in the Office of the Delaware County Recorder, 803.19 feet;

THENCE along the Westerly Line of said Parcel B, South 01° 51' 15" East, to the Southwest Corner of said Parcel B, being on the Southerly Line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section Thirteen (13), 348.50 feet;

THENCE along the Southerly Line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section Thirteen (13), South 87° 31' 38" West, 802.76 feet to the **POINT OF BEGINNING**;

Containing a total of 6.42 acres, including 1.10 acres of public road right of way, and subject to easements of record.

The Southerly Line of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Thirteen (13), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 87° 31' 38" East.

OWNER'S ACKNOWLEDGMENT

I Gary D. Vontalge and Dona L. Vontalge 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.

Gary D. Vontalge

Dona L. Vontalge

State of Iowa)
)
County of Delaware) ss:

On this 15th day of July A.D. 2010, before me a Notary Public in and for said State, personally appeared Gary D. Vontalge & Dona L. Vontalge 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

NOTARIAL SEAL IOWA
DONNA M. KUNDE
Commission Number 175597
My Commission Expires
9/16/2012

DELAWARE COUNTY E-911 BOARD

The foregoing plat of *VONTALGE'S SUBDIVISION* has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Uniform Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 6th day of August, 1996.

Norman Wellman
Norman Wellman – Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) ss:

On this 7th day of July, 2010, before me Donna M. Kunde a Notary Public in and for the State of Iowa, personally appeared Norman Wellman, to me personally known, and, who, being me duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

Donna M. Kunde
Notary Public

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
6-14-2012

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 *VONTALGE'S SUBDIVISION*, a subdivision in Delaware County, Iowa.

Carla Becker
Carla Becker, Delaware County Auditor

DELAWARE COUNTY IOWA OFFICIAL SEAL

State of Iowa)
)
County of Delaware)

On this 7th day of July, 2010, before me Julia L. Hackbarth 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.

JULIA L. HACKBARTH
Commission Number 169605
MY COMMISSION EXPIRES
MAY 24, 2011

Julia L. Hackbarth
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 *VONTALGE'S SUBDIVISION,* Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

DELAWARE COUNTY IOWA TREASURER SEAL

Carolyn A. Wilson
Carolyn A. Wilson, County Treasurer Date
7-7-10

ATTORNEY'S OPINION

I, Mary Lou Tracey, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in *VONTALGE'S SUBDIVISION,* Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated June 23, 2010.

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 28th day of June, 2010, at the hour of 8 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 Gary D. Vontalge & Dona L. Vontalge. * See Below

Dated at Manchester, Delaware County, Iowa, in said County, this 15th day of July 2010.

Mary Lou Tracey July 15, 2010

Attorney at Law Date

* husband and wife, as Joint Tenants, subject to 2 mortgages to First State Bank #1, 1996, Book 128/Page 102, #2, 2006, Book 2006, Page 1249

MORTGAGE HOLDERS ACKNOWLEDGMENT

The First State 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.

By _____

By _____

STATE OF IOWA, Delaware County, Iowa, Ss:

On this 9 day of ~~June~~ July 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joseph Wiewel and David Dudley, to me personally known, who being duly sworn, did say that they are the President and Exe. Vice President respectively, of the First State 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) First State Bank ; that said instrument was signed (and sealed) on behalf of the First State Bank by authority of its Board of Directors; and that Joseph Wiewel and David Dudley as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the First State Bank , by it and by them voluntarily executed.

Ann M Sperfslage

Notary Public in and for said State

ANN M SPERFSLAGE
Notarial Seal - Iowa
Commission # 724857
My Commission Expires 10/03/12

RESOLUTION 075-2010
APPROVING PRELIMINARY & FINAL PLAT VONTALGE SUBDIVISION

WHEREAS, the preliminary & final plat of *Vontalge's Subdivision, Delaware County, Iowa*, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated June 23, 2010, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, Section 180.33 of Chapter 180 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements; and

WHEREAS, the preliminary & final plat of *Vontalge's Subdivision, Delaware County, Iowa*, should be approved with the following variances, declarations and conditions;

a) In the event this subdivision is annexed into the City of Manchester, the recommendation on zoning status would be residential.
b) No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
c) City water and sanitary sewer service are not currently serving this proposed subdivision. Lot 1 and Lot 2 will have a private septic system and private water supply. Construction of water main and sanitary sewer improvements shall not be required at this time. If the need for these services arises, the installation of these services will be dealt with at that time. The City shall retain sole discretion to determine if such improvements shall ever be made available to this subdivision. That plans and specifications shall be submitted to the City for approval for any private sewage disposal systems and private water systems prior to development of any lot to be served by said system. Developers consent and agree that the City of Manchester, Iowa shall have authority to prohibit construction of any private sewage disposal system that does not comply with Chapter 98 of the Manchester City Code.
d) A 66' access and utility easement reserved for a future road is located along the Easterly Line of Lot 2.
e) Improvements to 190th Street, a public road right of way, are not required at this time.
f) Sidewalks shall not be required at this time. The Owner or Owners of record of Lot 1 and Lot 2, if annexed to the City, may be required to construct sidewalks at a future date as required by the City of Manchester.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said preliminary & final plat of *Vontalge's Subdivision, Delaware County, Iowa,* be, and the same is hereby acknowledged, approved and accepted on the part of the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, and exhibits attached thereto, subject to all conditions as presented and representations referred to above, and the Commission hereby recommends to the City Council the acceptance of the same and the Vice Chairperson and the Recording Secretary are hereby authorized and directed to certify this resolution of approval and affix the same to said plat and all attachments referred to herein as provided by law.
Adopted and passed this 23rd day of June, A.D., 2010.

PLANNING & ZONING COMMISSION - CITY OF MANCHESTER, IOWA

By Becky Dolan
Becky Dolan, Chairperson

By Laura K. Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 8th day of July, 2010, before me, Julie Schmitz, a Notary Public in and for the State of Iowa, personally appeared Becky Dolan and Laura Thomas, to me personally known, and, who, being by me duly sworn, did say that they are the 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 23rd day of June, 2010, and that Becky Dolan and Laura Thomas 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.

Notary Public Julie A. Schmitz

JULIE A. SCHMITZ
Commission Number 224151
My Commission Expires
8-23-2010

RESOLUTION R-074-2010
RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the final plat of *Vontalge's Subdivision*, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated June 23, 2010, 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, 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 City Manager has recommended to the City Council they accept the final plat of said *Vontalge's Subdivision,* as presented with the following variances, declarations, and conditions;

a) In the event this subdivision is annexed into the City of Manchester, the recommendation on zoning status would be residential.
b) No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
c) City water and sanitary sewer service are not currently serving this proposed subdivision. Lot 1 and Lot 2 will have a private septic system and private water supply. Construction of water main and sanitary sewer improvements shall not be required at this time. If the need for these services arises, the installation of these services will be dealt with at that time. The City shall retain sole discretion to determine if such improvements shall ever be made available to this subdivision. That plans and specifications shall be submitted to the City for approval for any private sewage disposal systems and private water systems prior to development of any lot to be served by said system. Developers consent and agree that the City of Manchester, Iowa shall have authority to prohibit construction of any private sewage disposal system that does not comply with Chapter 98 of the Manchester City Code.
d) A 66' access and utility easement reserved for a future road is located along the Easterly Line of Lot 2.
e) Improvements to 190th Street, a public road right of way, are not required at this time.
f) Sidewalks shall not be required at this time. The Owner or Owners of record of Lot 1 and Lot 2, if annexed to the City, may be required to construct sidewalks at a future date as required by the City of Manchester.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said *Vontalge's Subdivision, 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 28th day of June, A.D., 2010.

MANCHESTER CITY IOWA SEAL

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

STATE OF IOWA)
)ss.
COUNTY OF DELAWARE)

On this 8th day of July, 2010, 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-074-2010 adopted by the City Council on the 28th day of June, 2010, 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

Laura K. Thomas, Notary Public

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-24-11