Book 2011 Page 1611

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FILED

MAY 16 2011

CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED

MAY 16 2011

CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

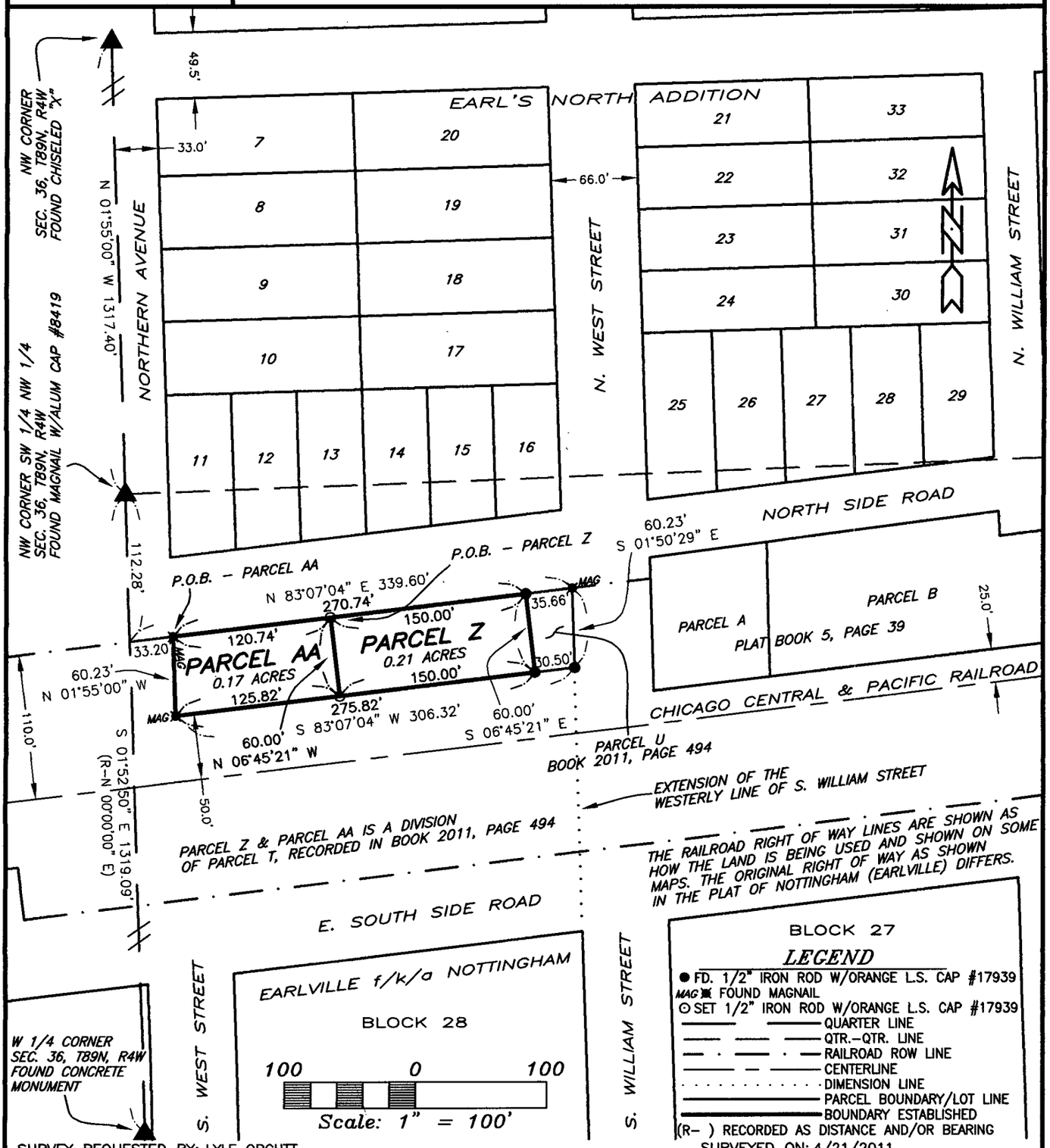
DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

(X) CHG

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

PLAT OF SURVEY

PARCEL Z, PART OF SW 1/4-NW 1/4; **PARCEL AA**, PART OF SW 1/4-NW 1/4, SEC. 36, T89N, R4W OF THE 5th P.M., CITY OF EARLVILLE, DELAWARE COUNTY, IOWA



LEGEND

- ● FD. 1/2" IRON ROD W/ORANGE L.S. CAP #17939
- MAG ▣ FOUND MAGNAIL
- ⊙ SET 1/2" IRON ROD W/ORANGE L.S. CAP #17939
- QUARTER LINE
- QTR.-QTR. LINE
- RAILROAD ROW LINE
- CENTERLINE
- DIMENSION LINE
- PARCEL BOUNDARY/LOT LINE
- BOUNDARY ESTABLISHED
- (R-) RECORDED AS DISTANCE AND/OR BEARING

SURVEY REQUESTED BY: LYLE ORCUTT

SURVEYED ON: 4/21/2011

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1-3

PROPRIETORS: LYLE E. ORCUTT

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.

4/20/2011

RANDALL L. RATTENBORG L.S. LIC. #17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2011

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

PROJECT NO. 10-71
SCALE: 1"=100'
DATE: 4/20/2011
DRAWN BY: RLR
CHECKED BY: JDG
GPS: 30
REVISED
SHEET 1 OF 5

LEGAL DESCRIPTION:

***PARCEL Z**, PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF EARLVILLE, DELAWARE COUNTY, IOWA*, containing a total of 0.21 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest Corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Thirty-six (36), South 01° 52' 50" East, to a line one hundred ten feet (110) normally distant from the centerline of the Chicago Central and Pacific Railroad, 112.28 feet;

THENCE along said line that is one hundred ten feet (110) normally distant from the centerline of the Chicago Central and Pacific Railroad, North 83° 07' 04" East, to the Northwest Corner of Parcel T, as recorded in Book 2011, Page 494, 33.20 feet;

THENCE along the Northerly Line of said Parcel T, North 83° 07' 04" East, 120.74 feet, the **POINT OF BEGINNING**;

THENCE continuing along the Northerly Line of said Parcel T, North 83° 07' 04" East, to the Northeast Corner of said Parcel T, being the Northwest Corner of Parcel U, as recorded in Book 2011, Page 494 150.00 feet;

THENCE along the Easterly Line of said Parcel T and Westerly Line of said Parcel U, South 06° 45' 21" East, to the Southeast Corner of said Parcel T and the Southwest Corner of Parcel U, being on a line that is fifty feet (50) normally distant from the centerline of the Chicago Central and Pacific Railroad, 60.00 feet;

THENCE along Southerly Line of said Parcel T, being a line that is fifty feet (50) normally distant from the centerline of the Chicago Central and Pacific Railroad, South 83° 07' 04" West, 150.00 feet;

THENCE North 06° 45' 21" West, 60.00 feet to the **POINT OF BEGINNING**;

Containing a total of 0.21 acres and subject to easements of record.

The Westerly Line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 01° 55' 00" West.

LEGAL DESCRIPTION:

***PARCEL AA**, PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF EARLVILLE, DELAWARE COUNTY, IOWA*, containing a total of 0.17 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest Corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Thirty-six (36), South 01° 52' 50" East, to a line one hundred ten feet (110) normally distant from the centerline of the Chicago Central and Pacific Railroad, 112.28 feet;

THENCE along said line that is one hundred ten feet (110) normally distant from the centerline of the Chicago Central and Pacific Railroad, North 83° 07' 04" East, to the Northwest Corner of Parcel T, as recorded in 2011, Page 494, 33.20 feet, the **POINT OF BEGINNING**;

THENCE continuing along the Northerly Line of said Parcel T, North 83° 07' 04" East, 120.74 feet;

THENCE South 06° 45' 21" East, to the Southerly Line of said Parcel T, being a line that is fifty feet (50) normally distant from the centerline of the Chicago Central and Pacific Railroad, 60.00 feet

THENCE along Southerly Line of said Parcel T, being a line that is fifty feet (50) normally distant from the centerline of the Chicago Central and Pacific Railroad, South 83° 07' 04" West, to the Southwest Corner of said Parcel T, 125.82 feet;

THENCE along the Westerly Line of said Parcel T, North 01° 55' 00" West, 60.23 feet to the **POINT OF BEGINNING**;

Containing a total of 0.17 acres and subject to easements of record.

The Westerly Line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 01° 55' 00" West.

OWNER'S ACKNOWLEDGMENT

I Lyle E. Orcutt 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.

Lyle E. Orcutt

Lyle E. Orcutt

State of Iowa)
)
County of Delaware) ss:

On this 28th day of APRIL A.D. 2011, before me a Notary Public in and for said State, personally appeared Lyle E. Orcutt 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

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-2011

RESOLUTION WAIVING RIGHT TO REVIEW PLAT

2011-10

WHEREAS, the Plat of ***PARCEL Z AND PARCEL AA, CITY OF EARVILLE, DELAWARE COUNTY, IOWA***, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated 20th day of April, A.D., 2011, has been filed with the City Clerk of the City of Earlville, 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 Earlville, Iowa, relating to plats and additions to cities or within a two mile radius of the City; and

WHEREAS, no new well, septic system, or street is necessary and therefore construction of said utilities is not being authorized by the approval of plat;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Earlville, Iowa hereby waives it's right to review the Plat of ***PARCEL Z AND PARCEL AA, CITY OF EARVILLE, DELAWARE COUNTY, IOWA***, and that the Mayor and City Clerk are hereby authorized and directed to certify this resolution and affix the same to said plat as provided by law.

PASSED AND APPROVED this 9th day of May, 2011

CITY OF EARLVILLE, IOWA

Dan Wheeler, Mayor

ATTEST:

Linda Gaul, City Clerk

CITY OF EARLVILLE IOWA SEAL

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 11 day of May, 2011, before me Liz Rude, a Notary Public in and for the State of Iowa, personally appeared Dan Wheeler and Linda Gaul, 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 Earlville, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that he instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in resolution R-2011-10 passed by the City Council of the City of Earlville, Iowa on the 9th day of May, 2011, and that Dan Wheeler and Linda Gaul 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.

LIZ RUDE
Commission Number 754103
My Commission Expires
8-8-2014

Notary Public