FILED
JUL 5 2011
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
JUL 5 2011
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

Book 2011 Page 2139

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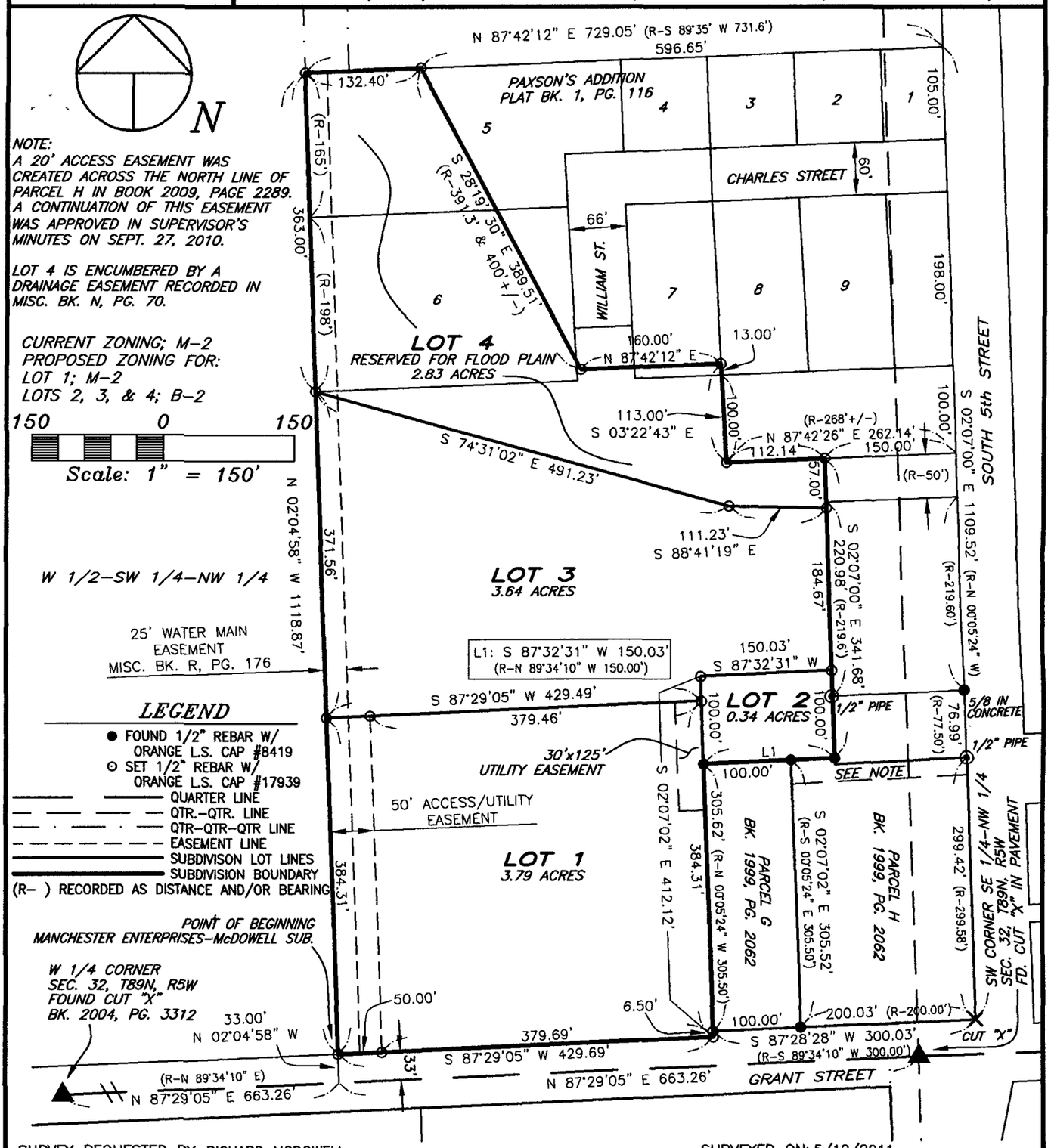
DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

SUBDIVISION FINAL PLAT

MANCHESTER ENTERPRISES–McDOWELL SUBDIVISION

A SUBDIVISION OF PART OF THE E 1/2 OF THE SW 1/4–NW 1/4, AND PART OF LOTS 5, 6, & 7 OF PAXSON'S ADDITION, ALL IN SEC. 32, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



NOTE:
A 20' ACCESS EASEMENT WAS CREATED ACROSS THE NORTH LINE OF PARCEL H IN BOOK 2009, PAGE 2289. A CONTINUATION OF THIS EASEMENT WAS APPROVED IN SUPERVISOR'S MINUTES ON SEPT. 27, 2010.

LOT 4 IS ENCUMBERED BY A DRAINAGE EASEMENT RECORDED IN MISC. BK. N, PG. 70.

CURRENT ZONING; M–2
PROPOSED ZONING FOR:
LOT 1; M–2
LOTS 2, 3, & 4; B–2

150 0 150
Scale: 1" = 150'

LEGEND
- ● FOUND 1/2" REBAR W/ ORANGE L.S. CAP #8419
- ⊙ SET 1/2" REBAR W/ ORANGE L.S. CAP #17939
- QUARTER LINE
- QTR.–QTR. LINE
- QTR–QTR–QTR LINE
- EASEMENT LINE
- SUBDIVISON LOT LINES
- SUBDIVISION BOUNDARY
- (R-) RECORDED AS DISTANCE AND/OR BEARING

SURVEY REQUESTED BY: RICHARD MCDOWELL
SURVEYED ON: 5/12/2011

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1–2

PROPRIETORS: MANCHESTER ENTERPRISES, INC
PO BOX 374, MANCHESTER, IA 52057

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.

7/5/11

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.	11–41
SCALE:	1"=200'
DATE:	6/2/2011
DRAWN BY:	RLR
CHECKED BY:	JDG
GPS:	MANCHESTER
REVISED	
SHEET	1 OF 7

LEGAL DESCRIPTION:

MANCHESTER ENTERPRISES-MCDOWELL SUBDIVISION; *A subdivision of part of the East One-half (E ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), and part of Lots 5, 6 and 7 of Paxson's Addition, all in Section Thirty-two (32), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, City of Manchester, Delaware County, Iowa,* containing a total of 10.59 acres, divided into four (4) lots, numbered Lot 1 through Lot 4, subject to easements of record, and more particularly described by metes and bounds as follows;

COMMENCING at the West Quarter Corner of Section Thirty-two (32), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa,

THENCE along the Southerly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), of said Section Thirty-two (32), North 87° 29' 05" East, to the Westerly Line of the East One-half (E ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Thirty-two (32), 663.26 feet;

THENCE along the Westerly Line of the East One-half (E ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Thirty-two (32), North 02° 04' 58" West, to the Northerly Line of Grant Street, 33.00 feet, the **POINT OF BEGINNING**;

THENCE continuing along the Westerly Line of the East One-half (E ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section Thirty-two (32), being along the Westerly Line of Paxson's Addition, as recorded in Plat Book 1, Page 116, North 02° 04' 58" West, to the Northwest Corner of Lot 5 of said Paxson's Addition, 1118.87 feet;

THENCE along the Northerly Line of Lot 5 of said Paxson's Addition, North 87° 42' 12" East, 132.40 feet;

THENCE South 28° 19' 30" East, to a point that is 160 feet Westerly of and 13 feet Northerly of the Southeast Corner of Lot 7 of said Paxson's Addition, 389.51 feet;

THENCE North 87° 42' 12" East, to a point 13 feet Northerly of the Southeast Corner of Lot 7 of said Paxson's Addition, 160.00 feet;

THENCE along the Easterly Line of Lot 7 of said Paxson's Addition, and Southerly extension thereof, South 03° 22' 43" East, to a line 100 feet South of and parallel to the Southerly Line of said Paxson's Addition, 113.00 feet;

THENCE along said line 100 feet South of and parallel to the Southerly Line of said Paxson's Addition, North 87° 42' 26" East, to a line that is 150 feet Westerly of and parallel to the Westerly Line of South Fifth Street, 112.14 feet;

THENCE along said line that is 150 feet Westerly of and parallel to the Westerly Line of South Fifth Street, South 02° 07' 00" East, to the Northerly Line of Parcel H, as recorded in Book 1999, Page 2062, 341.68 feet;

THENCE along the Northerly Line of said Parcel H and Parcel G, as recorded in Book 1999, Page 2062, South 87° 32' 31" West, to the Northwest Corner of said Parcel G, 150.03 feet;

THENCE along the Westerly Line of said Parcel G, South 02° 07' 02" East, to the Southwest Corner of said Parcel G, being on the Northerly right of way line of Grant Street, 305.62 feet;

THENCE along the Northerly right of way line of Grant Street, South 02° 07' 02" East, 6.50 feet;

THENCE continuing along the Northerly right of way line of Grant Street, South 87° 29' 05" West, 429.69 feet to the **POINT OF BEGINNING**;

Containing a total of 10.59 acres, divided into four (4) lots, numbered Lot 1 through Lot 4, and subject to easements of record.

The Southerly Line of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), of said Section Thirty-two (32), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear North 87° 29' 05" East.

OWNER'S ACKNOWLEDGMENT

I Leo K. Monaghan, President of Manchester Enterprises, Inc. 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.

Leo K. Monaghan

State of Iowa)
)
County of Delaware) Ss:

On this 16th day of JUNE A.D. 2011, before me a Notary Public in and for said State, personally appeared LEO K. MONAHAN, to me personally known, who being by me duly sworn, did say that that person is PRESIDENT (Insert title of executing officer) of Manchester Enterprises, Inc. and that said instrument was signed on behalf of Manchester Enterprises, Inc. by the authority of its board of directors; and the said MANCHESTER ENTERPRISES acknowledged the execution of said instrument to be the voluntary act and deed of Manchester Enterprises, Inc. by it voluntarily executed.

Notary Public in and for said State

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-11

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 ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, a subdivision in Delaware County, Iowa.

Carla K. Becker, Delaware County Auditor

State of Iowa)
)
County of Delaware)

On this 15th day of June, 2011, before me Randy Rattenborg 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.

RANDY RATTENBORG
Commission Number 224055
My Commission Expires
8-17-11

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 ***Manchester Enterprises-McDowell 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 6-17-11

Carolyn A. Wilson, County Treasurer Date

ATTORNEY'S OPINION

I, Steven E. Carr, a practicing attorney at law in Delaware County, Iowa, have examined the abstract of title to the land included in
Manchester Enterprises-McDowell Subdivision, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated June 2, 2011.

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 21st day of June, A.D., 2011, 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 Manchester Enterprises, Inc., an Iowa nonprofit corporation.

Dated at Manchester, Iowa, in said County, this 30th day of June, 2011.

Steven E. Carr, Attorney at Law

RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the Preliminary and Final Plat of ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated June 2, 2011, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, the Preliminary and Final Plat of ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, Delaware County, Iowa, should be approved with the following variances, declarations and conditions;

a. The current zoning for this subdivision is M-2. Zoning for Lot 1 will continue to be M-2. Lots 2, 3, and 4 of this subdivision are proposed to be B-2
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. Municipal water and sanitary sewer are available and will be utilized when the need arises.
d. Lot 4 is being created to separate the buildable land from land located within Zone A of the Special Flood Hazard Area (SFHA) as determined by FEMA in the FIRM Map Panel 190550C0227E, effective August 3, 2009. This complies with the City of Manchester's Subdivision Ordinance in Chapter 180.14(1).

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said Preliminary and Final Plat of ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, 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 Chairperson and the 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 8th day of June, A.D., 2011.

CITY OF MANCHESTER IOWA SEAL

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By Gary Reeder
Gary Reeder, Vice Chairperson

By Laura Thomas
Laura Thomas, Secretary

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 8th day of June, 2011, 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 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 8th day of June, 2011, and that Gary Reeder 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.

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

R-075-2011
RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the Preliminary and Final Plat of ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, June 2, 2011, 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, 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;

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the Preliminary and Final Plat of ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, Delaware County, Iowa, as presented with the following variances, declarations, and conditions;

a. The current zoning for this subdivision is M-2. Zoning for Lot 1 will continue to be M-2. Lots 2, 3, and 4 of this subdivision are proposed to be B-2
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. Municipal water and sanitary sewer are available and will be utilized when the need arises.
d. Lot 4 is being created to separate the buildable land from land located within Zone A of the Special Flood Hazard Area (SFHA) as determined by FEMA in the FIRM Map Panel 190550C0227E, effective August 3, 2009. This complies with the City of Manchester's Subdivision Ordinance in Chapter 180.14(1).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said Final Plat of ***Manchester Enterprises-McDowell Subdivision,*** City of Manchester, Delaware County, Iowa and exhibits attached thereto, subject to all conditions and representations and referred to above, 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 plat as and all attachments referred to herein by law provided.

Passed this 13th day of June, A.D., 2011.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

CITY OF MANCHESTER IOWA SEAL

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 17th day of June, 2011, 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-075-2011 adopted by the City Council on the 13th day of June, 2011, and that Milt L. Kramer and Erin Rempe 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.

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-26-2011

Laura K. Thomas

Laura K. Thomas, Notary Public