FILED

JUL 26 2011

CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

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JUL 26 2011

CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Book 2011 Page 2371

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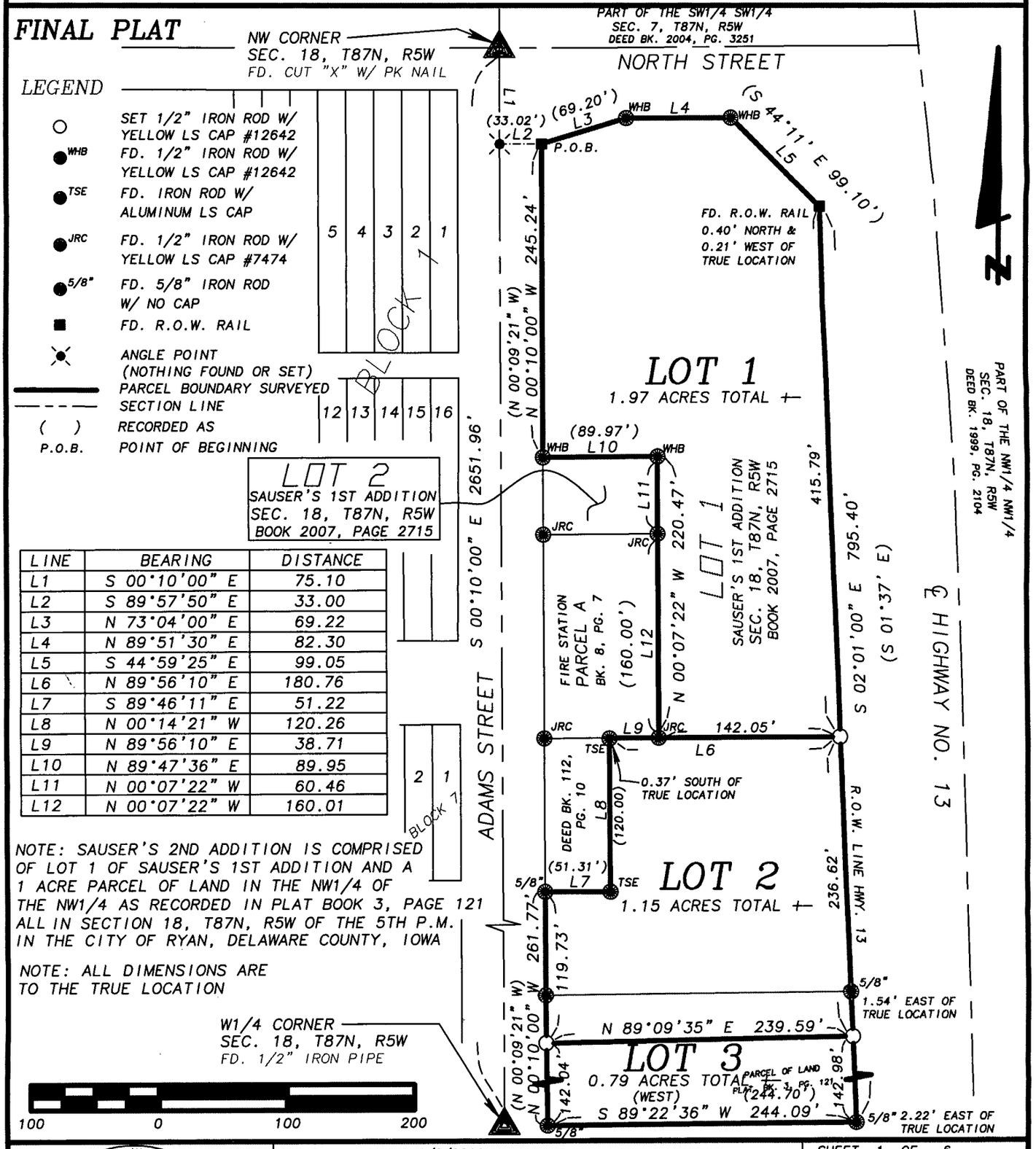
DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY BILL BURGER OF WM. BURGER LANDSURVEYOR 510 3RD STREET WEST COURT, WORTHINGTON, IOWA 52078 (563) 855 2028

SAUSER'S 2ND ADDITION IN THE CITY OF RYAN,

SECTION 18, T87N, R5W OF THE 5TH P.M. DELAWARE COUNTY, IOWA

FINAL PLAT



LINE	BEARING	DISTANCE
L1	S 00°10'00" E	75.10
L2	S 89°57'50" E	33.00
L3	N 73°04'00" E	69.22
L4	N 89°51'30" E	82.30
L5	S 44°59'25" E	99.05
L6	N 89°56'10" E	180.76
L7	S 89°46'11" E	51.22
L8	N 00°14'21" W	120.26
L9	N 89°56'10" E	38.71
L10	N 89°47'36" E	89.95
L11	N 00°07'22" W	60.46
L12	N 00°07'22" W	160.01

NOTE: SAUSER'S 2ND ADDITION IS COMPRISED OF LOT 1 OF SAUSER'S 1ST ADDITION AND A 1 ACRE PARCEL OF LAND IN THE NW1/4 OF THE NW1/4 AS RECORDED IN PLAT BOOK 3, PAGE 121 ALL IN SECTION 18, T87N, R5W OF THE 5TH P.M. IN THE CITY OF RYAN, DELAWARE COUNTY, IOWA

NOTE: ALL DIMENSIONS ARE TO THE TRUE LOCATION

LICENSED LAND SURVEYOR
WILLIAM H. BURGER
12642
IOWA

NO. OF SHEETS COVERED BY THIS SEAL 1

DATE OF SURVEY: 6/2/2011

SHEET 1 OF 6

PROPRIETORS: TERRY L. SAUSER

SCALE: 1" = 100'

I HEREBY CERTIFY THAT THIS LANDSURVEYING DOCUMENT WAS PREPARED AND 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. MY LICENSE RENEWAL DATE IS DECEMBER 31, 2012

William H Burger 7/26/11

WILLIAM H. BURGER #12642 DATE

Wm. Burger LandSurveyor
510 3rd Street West Court
Worthington, Iowa 52078

LEGAL DESCRIPTION

SAUSER'S 2ND ADDITION IN THE CITY OF RYAN, SECTION 18, T87N, R5W OF THE 5TH P.M. DELAWARE COUNTY, IOWA

Comprised of Lot 1 of Sauser's 1st Addition and a 1 acre parcel of land in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) as surveyed and platted in plat Book 3, Page 121 all in Section Eighteen (18), Township Eighty-seven North (T87N), Range Five West (R5W), of the Fifth Principal Meridian, in the City of Ryan, Delaware County, Iowa; containing a total of 3.91 acres more or less, divided into Three (3) lots and numbered Lot 1, Lot 2 and Lot 3 as shown on the attached plat and **subject to easements of record** and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest corner of Section Eighteen (18), Township Eighty-seven North (T87N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 00°-10'-00" East 75.10 feet along the West line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section Eighteen (18);

Thence South 89°-57'-50" East 33.00 feet to the **POINT OF BEGINNING**;

Thence North 73°-04'-00" East 69.22 feet along the South right of way line of North Street;

Thence continuing along said right of way line North 89°-51'-30" East 82.30 feet;

Thence continuing along said right of way line also being a Westerly right of way line of Highway No. 13 South 44°-59'-25" East 99.05 feet;

Thence South 02°-01'-00" East 795.40 feet along said Westerly right of way line of Highway No. 13 to the Southeast corner of a 1 acre Parcel of land in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section Eighteen (18) as platted and recorded in the Office of the Delaware County Recorder, Plat Book 3, Page 121;

Thence South 89°-22'-36" West 244.09 feet along the South line of said 1 acre Parcel to the Southwest corner of said 1 acre Parcel, point also being on the East right of way line of Adams Street;

Thence North 00°-10'-00" West 261.77 feet along the East right of way line of said Adams Street to the Southwest corner of a Parcel of land in the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section Eighteen (18) as described and recorded in the Office of the Delaware County Recorder, Deed Book 112, Page 10;

Thence South 89°-46'-11" East 51.22 feet along the South line of said Parcel to the Southeast corner of said Parcel;

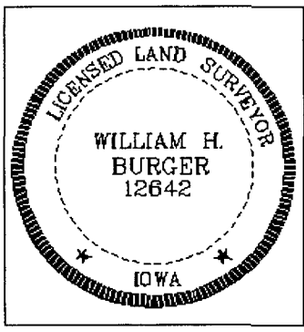
Thence North 00°-14'-21" West 120.26 feet along the East line of said Parcel of land to the South line of Parcel A of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section Eighteen (18) as recorded in the office of the Delaware County Recorder Book 8, Page 7;

Thence North 89°-56'-10" East 38.71 feet along the South line of said Parcel A to the Southeast corner of said Parcel A;

Thence North 00°-07'-22" West 220.47 feet along the East line of said Parcel A and along the East line of Lot 2 of Sauser's 1st Addition as recorded in the Office of the Delaware County Recorder in Book 2007, Page 2715 to the Northeast corner of said Lot 2;

Thence South 89°-47'-36" West 89.95 feet along the North line and to the Northwest corner of said Lot 2, point also being on the East right of way line of Adams Street;

Thence North 00°-10'-00" West 245.24 feet along the East right of way line of Adams Street to the **POINT OF BEGINNING;** containing a total of 3.91 acres, divided into Three (3) lots and numbered Lot 1, Lot 2 and Lot 3 as shown on the attached plat and **subject to easements of record;**
The West line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Eighty-seven North (T87N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 00°-10'-00" East.



SURVEYORS CERTIFICATE

I hereby certify that this land survey document was prepared and 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;

My license renewal date is December 31, 2012

William H Burger 7/26/11

William H. Burger Date Reg. No. 12642

Sheet No. 2 covered by this seal

OWNERS ACKNOWLEDGEMENT

I Bryan Sauser as Executor of Terry L. Sauser Estate of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Bryan Sauser Executor
Bryan Sauser as Executor of Terry L. Sauser Estate

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on July 21st, 2011 by Bryan Sauser as Executor of Terry L. Sauser Estate.

Marvin W. Waterhouse
Notary Public in and for said County

MARVIN W WATERHOUSE
Notarial Seal - Iowa
Commission # 406854
My Commission Expires 5-12-12

MORTGAGE HOLDERS ACKNOWLEDGMENT

The undersigned Citizens State Bank (bank) of Monticello city State of Iowa, do hereby certify that the attached Plat of Survey of **SAUSER'S 2ND ADDITION IN THE CITY OF RYAN, DELAWARE COUNTY, IOWA**; has made with our free consent and in accordance with our desire as lien holder and mortgagee of the premises described herein.

Citizens State Bank BANK Monticello CITY

By: Audrey G. Savage
President AUDREY G. SAVAGE

By: Sheila D Smith
Vice President
SHEILA D. SMITH

CITIZENS STATE BANK MONTICELLO IOWA CORPORATE SEAL

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 25th day of July A. D. 2011 before me, the undersigned, a Notary Public in and for said State, personally appeared Audrey G. Savage and Sheila D Smith to me personally known, who being by me duly sworn, did say that they are the President and Vice President respectively, of the corporation executing the within and foregoing instrument; that the seal affixed thereto is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors; and that Audrey G. Savage and Sheila D. Smith as officers, acknowledged the execution of the foregoing instrument to be the voluntarily act and deed of the corporation, by it and by them voluntarily executed.

Phillip C Larabee
Notary Public in and for said State

PHILLIP C. LARABEE
Commission Number 161637
My Commission Expires
8-5-2012

ATTORNEY'S OPINION

I, Steven E. Carr, a practicing attorney at law in Manchester, Delaware County, Iowa have examined the abstract of title to the land included within **Lot 1 of Sauser's 1st Addition and a parcel of land in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) as described in Deed Book 102, Page 269 as shown on plat in Book 3, Page 121 all in Section Eighteen (18), Township Eighty-seven North (T87N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;** Said abstract has been prepared in its entirety by the Delaware County Abstract Company, and was last certified to by said company on the 11th day of July, AD, 2011, at the hour of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantable title on the date and hour of certification to be in Estate of Terry L. Sauser subject to a Deed of Trust in favor of Citizens State Bank dated February 2, 2009, filed February 4, 2009 in Book 2009, Page 459 and further subject to tax sales of the two parcel described above. The two tax sale certificate numbers are 2011-00085 and 2011-00086. This examiner has knowledge that the tax sale certificates will be redeemed. The required documentation from the Delaware County Treasurer that will be filed herewith shall be verification that this has been done.

Steven E Carr

Attorney at Law **STEVEN E. CARR**

DELAWARE COUNTY TREASURER

Delaware, Iowa 7-21 ,20 11

I the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa do hereby certify that all taxes and special assessments levied against **Lot 1 of Sauser's 1st Addition and a parcel of land in the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) as described in Deed Book 102, Page 269 as shown on plat in Book 3, Page 121 all in Section Eighteen (18), Township Eighty-seven North (T87N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;** have been paid and said real estate is free and clear of all taxes as of this date.

Carolyn A. Wilson

County Treasurer Delaware County, Iowa
CAROLYN A. WILSON

DELAWARE COUNTY TREASURER SEAL IOWA

RESOLUTION APPROVING FINAL PLAT

RESOLUTION # 7-1-2011

WHEREAS, the plat of **SAUSER'S 2ND ADDITION**; being within the corporate limits of the City of Ryan has been filed with the City Clerk of the City of Ryan, Delaware, County, Iowa; and

WHEREAS, said final plat has been examined by the City Council and they find that the same conforms to the statutes and ordinances relating thereto;

NOW THEREFORE, BE IT RESOLVED, by the City of Ryan, Delaware County, Iowa

Section 1: That the plat of **SAUSER'S 2ND ADDITION**; be, and the same is hereby acknowledged, approved and accepted on the part of the City of Ryan, 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 5th day of July, A.D., 2011.

Mike Corcoran Mike Corcoran
MIKE CORCORAN 7-15-11 Mayor

ATTEST:

Natalie Tucker Natalie Tucker
City Clerk NATALIE TUCKER

CITY OF RYAN SEAL IOWA

STATE OF IOWA)
)
COUNTY OF DELAWARE)

On this 5 day of July, 2011, before me, Laura A Fuller, a Notary Public in and for the State of Iowa, personally appeared Mike Corcoran and Natalie Tucker, 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 Ryan, Delaware County 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 authority of its City Council , as contained in Resolution Number 7-1-2011 adopted by the City Council on the 5th day of July, 2011, and that Mike Corcoran and Natalie Tucker acknowledged the execution of the instrument to be their voluntary act and deed of the corporation, by it voluntarily executed.

NOTARIAL SEAL IOWA
LAURA A. FULLER
Commission Number 729115
My Commission Expires
6-23-13

Laura A. Fuller
Notary Public

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 Sauser's 2nd Addition a subdivision in Delaware County, Iowa.

Carla K Becker

Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY OFFICIAL SEAL IOWA

State of Iowa)
)
County of Delaware)

On this 26 day of July, 2011, 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.

NOTARIAL SEAL IOWA
ANNE RAVE
Commission Number 757587
MY COMMISSION EXPIRES
MARCH 25, 2012

Anne Rave

Notary Public