Book 2012 Page 1769
Document 2012 1769 Type 06 002 Pages 9
Date 5/30/2012 Time 11:41:04AM
Rec Amt $47.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

FILED
MAY 30 2012
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

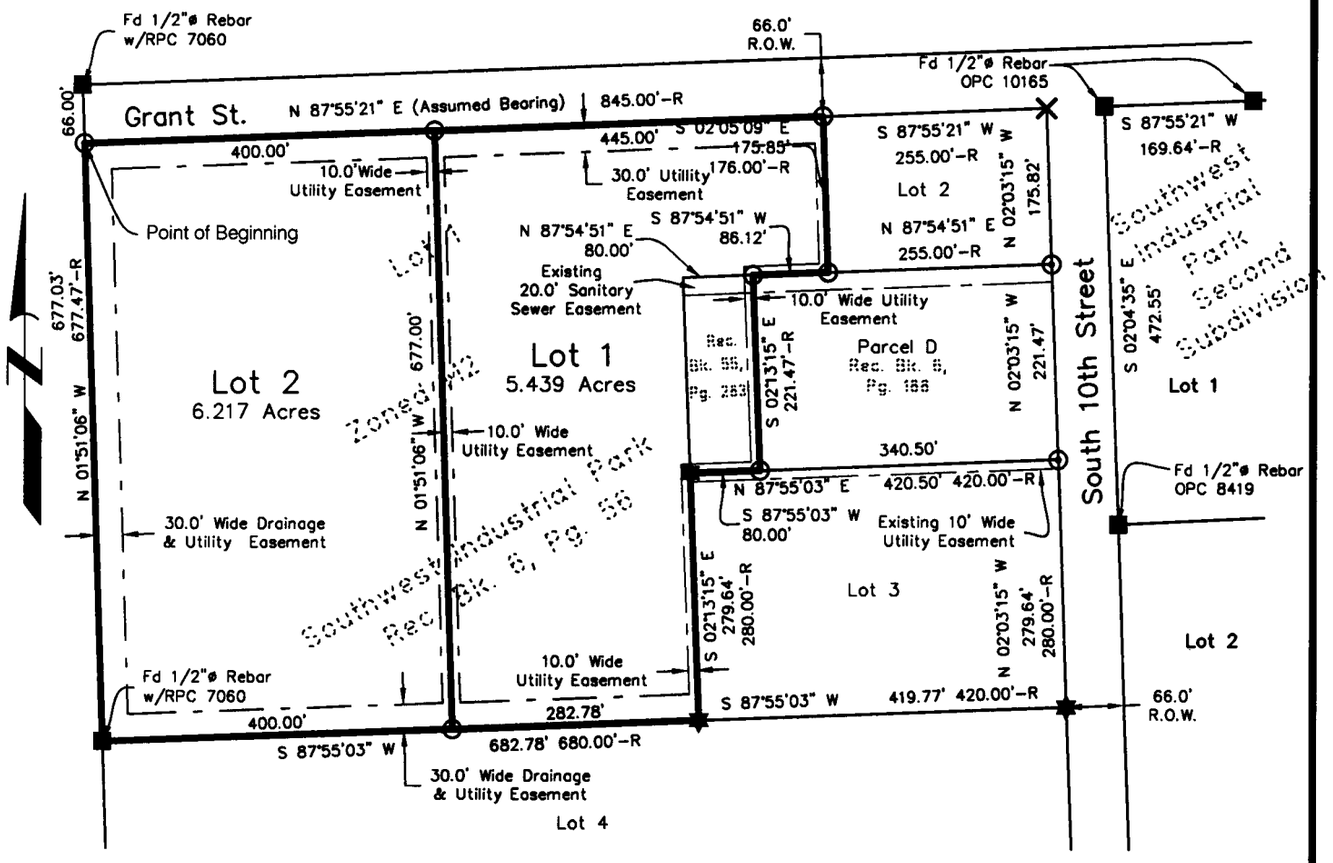
FILED
MAY 30 2012
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Prepared by/Return to: TeKippe Engineering, P.C., PO Box 357, Manchester, Iowa 52057 Ph. (563)927-2060

Final Plat

# Southwest Industrial Park Third Subdivision,

## A Subdivision of Part of Lot 1 in the Amended Plat of Southwest Industrial Park and Part of Parcel D in the NE 1/4–SE 1/4 of Section 31 – T89N – R5W, City of Manchester, Delaware County, Iowa




**Total Surveyed Area:**
**11.656 Acres**

## LEGEND

| | |
|---|---|
| Recorded as | R |
| Fd. 1/2"ø Iron Rod AC PLS 5227 | ★ |
| Fd. Survey Marker as Labeled | ■ |
| Fd. Cut 'X' | X |
| Set 1/2"ø Rebar w/RPC PLS 7060 | ⊙ |
| Survey Boundary | ——— |
| Easement Boundary | —— - —— |
| Orange Plastic Cap | OPC |
| Red Plastic Cap | RPC |
| Aluminum Cap | AC |

100' 0' 100' 200' 400'

1 inch = 200 ft.

Survey was completed on May 7, 2012.

**Proprietors & Requested by:**
Manchester Enterprises, Inc.
PO Box 374
Manchester, IA 52057

PROF. ENGINEER & 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, P.E. & P.L.S. — 5-11-12 Date
License Number 7060
My license renewal date is December 31, 2012.
Sheets covered by this seal:

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

M:\Projects\2012\122040LS\Dwg\122040LS.dwg
Field Book: Manchester No. 38 Pages: 46–47
Project No. 122040LS Sheet P1

PROF. ENGINEER & 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, P.E. & L.S. 5-11-12
License Number 7060 Date
My license renewal date is December 31, 2012.
Pages covered by this seal: BD-1 Through BD-2

State of Iowa )
ss.
County of Delaware )

Subscribed and sworn to before me by Lyle G. TeKippe this 11th day of MAY, 2012.

David Meyer
Iowa Notarial Seal
Commission Number: 736541
My Commission Expires: 09-08-2014

Notary Public

## SURVEY AND PLAT OF:

Boundary Description:

**Southwest Industrial Park Third Subdivision**, a Subdivision of Part of Lot 1 in the Amended Plat of Southwest Industrial Park and Part of Parcel D in the Northeast Quarter of the Southeast Quarter of Section 31, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, and more particularly described as follows:

Beginning at the Northwest Corner of Lot 1 of said Amended Plat of Southwest Industrial Park Subdivision recorded in Book 6, Page 56, on file in the Delaware County Recorder's office, Manchester, Iowa;

Thence **North 87°-55'-21" East (Assumed Bearing), 845.00 feet** along the North Line of Lot 1 and the South Right-of-Way Line of Grant Street to the Northwest Corner of Lot 2 in said Subdivision;

Thence **South 02°-05'-09" East, 175.85 feet** along the West Line of said Lot 2 to the Southwest Corner of said Lot and the North Line of Parcel D recorded in Book 6, Page 188, on file in the Delaware County Recorder's office, Manchester, Iowa;

Thence **South 87°-54'-51" West, 86.12 feet** along the North Line of said Parcel D;

Thence **South 02°-13'-15" East, 221.47 feet;**

Thence **South 87°-55'-03" West, 80.00 feet** along the North Line of Lot 3 in said Subdivision to the Northwest Corner of said Lot;

Thence **South 02°-13'-15" East, 279.64 feet** along the West Line of said Lot 3 to the Southwest Corner said Lot 3;

Thence **South 87°-55'-03" West, 682.78 feet** along the South Line of said Lot 1 to the Southwest Corner of said Lot;

Thence North **01°-51'-06" West, 677.03 feet** along the West Line of said Lot 1 to the Point of Beginning;

Containing **11.656 Acres,** subject to easements of record
(See plat attached to this original survey description.)

**OWNER'S ACKNOWLEDGMENT**

I, Leo K. Monaghan, President of Manchester Enterprises, Inc. of Delaware County, State of Iowa, hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

Manchester Enterprises, Inc.

Leo K. Monaghan pres
Leo K. Monaghan, President

State of Iowa )
) SS
Delaware County )

On this 29th day of May, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Leo K. Monaghan, to me personally known, who, being by me duly sworn, did say that he is the President of said corporation; that said instrument was signed on behalf of said corporation by authority of its Board Directors; and that the said Leo K. Monaghan, acknowledge the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

RYAN M. WICKS
Iowa Notarial Seal
Commission Number: 723753
My Commission Expires: 08-04-2012

Ryan M Wicks
Notary Public in and for said State

**DEDICATION**

The undersigned owners of the land described in the foregoing surveyor's certificate have caused said tract to be surveyed and subdivided in the manner shown on the above plat, which shall hereafter be known as **Southwest Industrial Park Third Subdivision**, City of Manchester, Delaware County, Iowa. All public easements shown on the above plat are hereby granted to the City of Manchester, Iowa for the purpose of installing and maintaining public utilities or other facilities, in, under or over said easements.

IN WITNESS WHEREOF, we have set our hands this 29th day of May, 2012.

Manchester Enterprises, Inc.

Leo K. Monaghan pres
Leo K. Monaghan, President

State of Iowa )
) SS
Delaware County )

On this 29th day of May, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Leo K. Monaghan, to me personally known, who, being by me duly sworn, did say that he is the President of said corporation; that said instrument was signed on behalf of said corporation by authority of its Board Directors; and that the said Leo K. Monaghan, acknowledge the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

Ryan M Wicks
Notary Public in and for said State

RYAN M. WICKS
Iowa Notarial Seal
Commission Number: 723753
My Commission Expires: 08-04-2012

**MORTGAGE HOLDERS ACKNOWLEDGMENT**

The City of Manchester, 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.

City of Manchester

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

State of Iowa )
) SS
Delaware County )

On this _____ day of May, 2012, 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-082-2012 adopted by the City Council on the 29th day of May, 2012, 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.

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2014

## 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 **Southwest Industrial Park Third Subdivision**, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated May 11, 2012.

Said abstract has been prepared in its entirety by Delaware County Abstract Company, Inc., and was last certified to by said company on the 9th day of May, A.D., 2012, 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 certification to be in the name of Manchester Enterprises, Inc. an Iowa Nonprofit Corporation subject to a Mortgage in favor of City of Manchester, an Iowa Municipality dated October 16, 1996, filed October 23, 1996 in Book 42, T.L.M., Page 144.

Dated at Manchester, Iowa in said County, this 22nd day of May, 2012.

Steven E. Carr
Attorney At Law

**CERTIFICATE OF TREASURER**

I, the undersigned, Pam Klein, Deputy Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against **Southwest Industrial Park Third Subdivision**, City of [illegible] County, Iowa, have been paid and said real estate is free and clear of all [illegible] of this date.

Pam Klein Dep C. Treas

Pam Klein, Delaware County Deputy Treasurer

May 22, 2012

Date

State of Iowa )
) SS
Delaware County )

On this 22 day of May, 2012, before me a Notary Public in and for the State of Iowa, personally appeared **Pam Klein**, to me personally known, and, who, being duly sworn, did say that she is the Deputy Treasurer of Delaware County, Iowa.

CHRISTINA RICHTER
Commission Number 723809
My Commission Expires
8-5-12

Christina Richter

Notary Public in and for said State

**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 **Southwest Industrial Park Third Subdivision**, City of Manchester, Delaware County, Iowa, a subdivision in Delaware County, Iowa.

Carla K. Becker

Carla K. Becker, Delaware County Auditor

5-22-12

Date

State of Iowa )
) SS
Delaware County )

On this 22nd day of May, 2012, before me 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 757667
MY COMMISSION EXPIRES
MARCH 25, 2015

Anne Rave

Notary Public in and for said State

## RESOLUTION R-088-2012 APPROVING FINAL PLAT

WHEREAS, the final plat of **Southwest Industrial Park Third Subdivision**, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated May 11, 2012, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, Section 127.33 of Chapter 127 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 127.09); and street standards (Section 127.17); and

WHEREAS, the final plat of **Southwest Industrial Park Third Subdivision**, City of Manchester, Delaware County, Iowa, should be approved with the following variances, declaration and conditions;

a) The current zoning for this subdivision is M-2 and will continue to be M-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 extended by the lot owner when future development occurs.
d) Storm water management requirements as set out in the City Code shall be met by the owner of each lot as future development occurs.
e) Installation of sidewalks will not be required at this time, but shall be installed by the lot owner at the point when deemed necessary by the City of Manchester.

NOW, THEREFORE, BE IT RESOLVED, by this Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said final plat of **Southwest Industrial Park Third 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 as provided by law.

Adopted and passed this 16th day of May, A.D., 2012.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By _____
Becky Dolan, Chairperson

By _____
Laura Thomas, Recording Secretary

State of Iowa )
) SS
Delaware County )

On this 16th day of May, 2012, before me, Julie A. Schmitz, a Notary Public in and for the State of Iowa, personally appeared Beck 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 16th day of May, 2012, 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.

_____
Julie A. Schmitz, Notary Public.

JULIE A. SCHMITZ
Commission Number 224151
My Commission Expires
9-14-14

**R-082-2012**
**RESOLUTION APPROVING FINAL PLAT**

WHEREAS, the final plat of **Southwest Industrial Park Third Subdivision**, City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated May 11, 2012, 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; and

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the final plat of **Southwest Industrial Park Third 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 and will continue to be M-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 extended by the lot owner when future development occurs.
d) Storm water management requirements as set out in the City Code shall be met by the owner of each lot as future development occurs.
e) Installation of sidewalks will not be required at this time, but shall be installed by the lot owner at the point when deemed necessary by the City of Manchester.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that Said final plat of **Southwest Industrial Park Third 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 final plat as by law provided.

Passed this 29th day of May, A.D., 2012.

CITY OF MANCHESTER, IOWA

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Rempe, City Clerk

State of Iowa )
) SS
Delaware County )

On this 30th day of May, 2012, 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-082-2012 adopted by the City Council on the 29th day of May, 2012 ,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

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2014