Book 2012 Page 1852

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JUN 05 2012
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED
JUN 05 2012
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

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

PLAT OF SURVEY

PARCEL R PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHTEEN (18), AND PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINETEEN (19), ALL IN TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

PARCEL S PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHTEEN (18), AND PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINETEEN (19), ALL IN TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

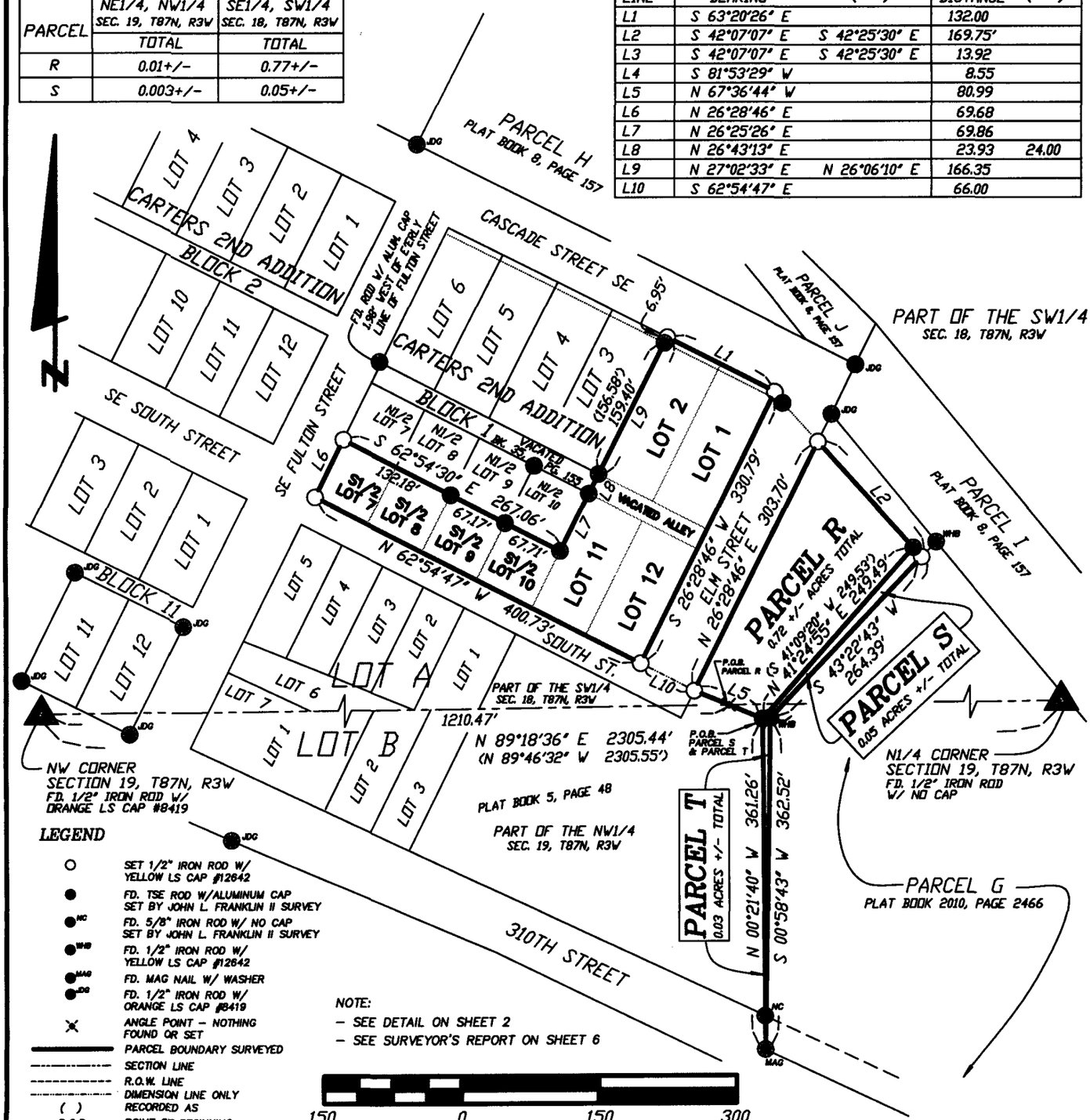
PARCEL T PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINETEEN (19), TOWNSHIP EIGHTY-SEVN NORTH (T87N), RANGE THREE WEST (R3W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

RETRACEMENT SURVEY LOT 1, LOT 2, THE SOUTH HALF (S1/2) OF LOT 7, THE SOUTH HALF (S1/2) OF LOT 8, THE SOUTH HALF (S1/2) OF LOT 9, THE SOUTH HALF (S1/2) OF LOT 10, LOT 11, LOT 12, AND THE VACATED ALLEY ABUTTING LOTS 1, 2, 11, AND 12, ALL IN BLOCK 1 OF CARTERS SECOND ADDITION IN THE TOWN OF HOPKINTON, DELAWARE COUNTY, IOWA

ACREAGE SUMMARY

PARCEL	NE1/4, NW1/4 SEC. 19, T87N, R3W	SE1/4, SW1/4 SEC. 18, T87N, R3W
	TOTAL	TOTAL
R	0.01+/-	0.77+/-
S	0.003+/-	0.05+/-

LINE	BEARING	( )	DISTANCE	( )
L1	S 63°20'26" E		132.00	
L2	S 42°07'07" E	S 42°25'30" E	169.75'	
L3	S 42°07'07" E	S 42°25'30" E	13.92	
L4	S 81°53'29" W		8.55	
L5	N 67°36'44" W		80.99	
L6	N 26°28'46" E		69.68	
L7	N 26°25'26" E		69.86	
L8	N 26°43'13" E		23.93	24.00
L9	N 27°02'33" E	N 26°06'10" E	166.35	
L10	S 62°54'47" E		66.00	



LEGEND

- SET 1/2" IRON ROD W/ YELLOW LS CAP #12642
- FD. TSE ROD W/ALUMINUM CAP SET BY JOHN L. FRANKLIN II SURVEY
- FD. 5/8" IRON ROD W/ NO CAP SET BY JOHN L. FRANKLIN II SURVEY
- FD. 1/2" IRON ROD W/ YELLOW LS CAP #12642
- FD. MAG NAIL W/ WASHER
- FD. 1/2" IRON ROD W/ ORANGE LS CAP #8419
- ANGLE POINT – NOTHING FOUND OR SET
- PARCEL BOUNDARY SURVEYED
- SECTION LINE
- R.O.W. LINE
- DIMENSION LINE ONLY
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING

NOTE:
- SEE DETAIL ON SHEET 2
- SEE SURVEYOR'S REPORT ON SHEET 6

LICENSED LAND SURVEYOR
WILLIAM H. BURGER
12642
IOWA

NO. OF SHEETS COVERED BY THIS SEAL
SHEETS 1, 2 & 6

DATE OF SURVEY: 12/2/2010 | SCALE: 1" = 150' | SHEET 1 OF 6

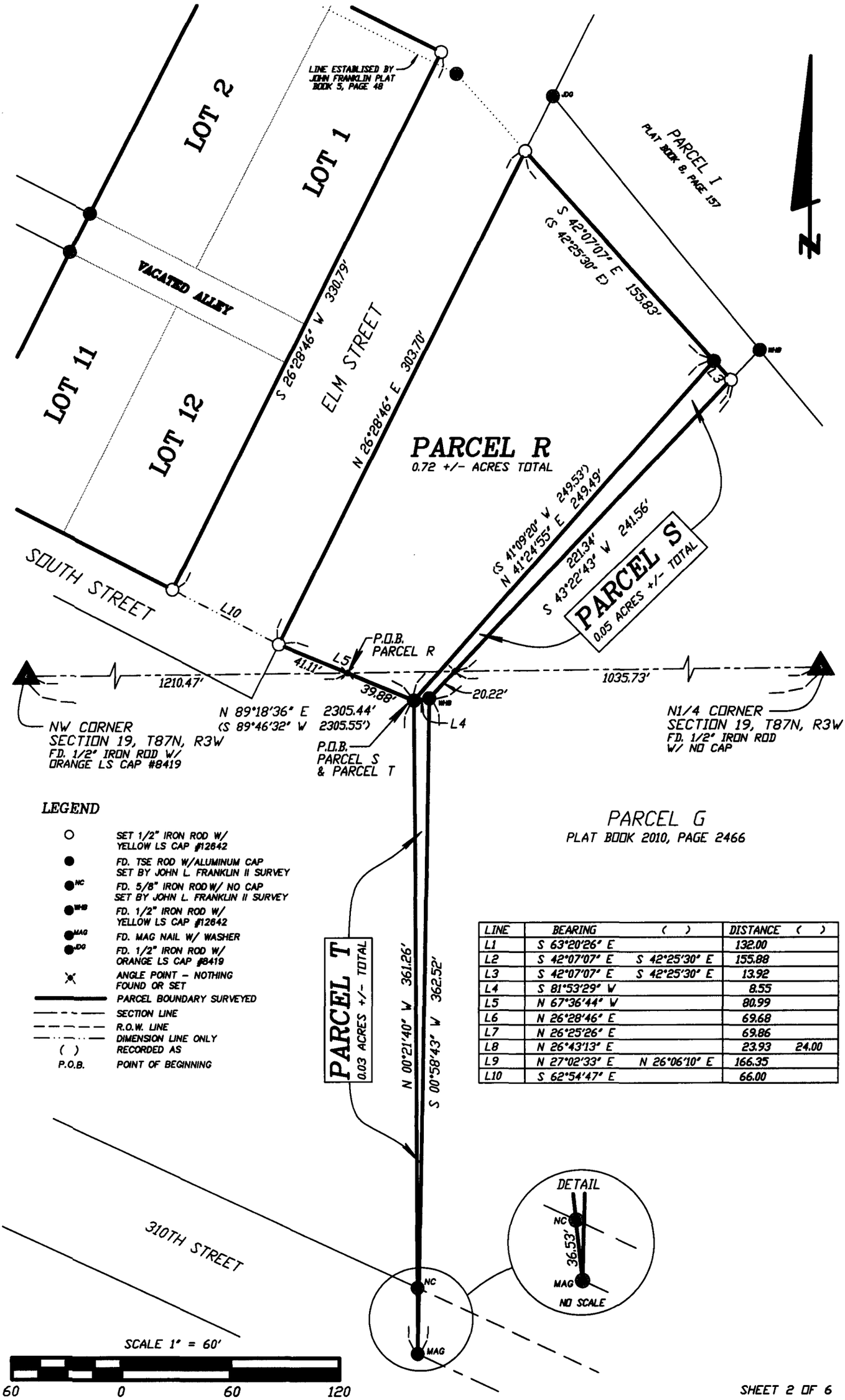
PROPRIETORS: PARCEL R & LOTS 1, 2, 11, 12, SOUTH 1/2 OF LOTS 7, 8, 9, 10 – STEVEN L. DIRCKS
PROPRIETORS: PARCEL S & T – CITY OF HOPKINTON

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 6/4/12
WILLIAM H. BURGER #12642 DATE

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

DETAIL – SHEET 2



LEGEND

- SET 1/2" IRON ROD W/ YELLOW LS CAP #12642
- FD. TSE ROD W/ALUMINUM CAP SET BY JOHN L. FRANKLIN II SURVEY
- NC FD. 5/8" IRON ROD W/ NO CAP SET BY JOHN L. FRANKLIN II SURVEY
- WHD FD. 1/2" IRON ROD W/ YELLOW LS CAP #12642
- MAG FD. MAG NAIL W/ WASHER
- IDG FD. 1/2" IRON ROD W/ ORANGE LS CAP #8419
- ANGLE POINT – NOTHING FOUND OR SET
- PARCEL BOUNDARY SURVEYED
- SECTION LINE
- R.O.W. LINE
- DIMENSION LINE ONLY
- ( ) RECORDED AS
- P.O.B. POINT OF BEGINNING

PARCEL G
PLAT BOOK 2010, PAGE 2466

LINE	BEARING	( )	DISTANCE	( )
L1	S 63°20'26" E		132.00	
L2	S 42°07'07" E	S 42°25'30" E	155.88	
L3	S 42°07'07" E	S 42°25'30" E	13.92	
L4	S 81°53'29" W		8.55	
L5	N 67°36'44" W		80.99	
L6	N 26°28'46" E		69.68	
L7	N 26°25'26" E		69.86	
L8	N 26°43'13" E		23.93	24.00
L9	N 27°02'33" E	N 26°06'10" E	166.35	
L10	S 62°54'47" E		66.00	

LEGAL DESCRIPTION

PARCEL R – Part of the Southwest Quarter (SW1/4) of Section Eighteen (18) and part of the Northwest Quarter (NW1/4) of Section Nineteen (19) all in Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 0.72 acres more or less, and **subject to easements, restrictions, and rights-of-way of record and not of record** and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest corner of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence North 89°-18'-36" East 1210.47 feet along the North line of the Northwest Quarter (NW1/4) of said Section Nineteen (19) to the **POINT OF BEGINNING**;

Thence North 67°-36'-44" West 41.11 feet to the East right of way line of Elm Street;

Thence North 26°-28'-46" East 303.70 feet along said East right of way line of Elm Street;

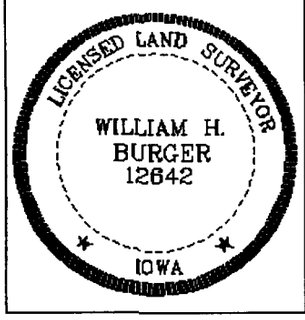
Thence South 42°-07'-07" East 155.83 feet;

Thence South 41°-24'-55" West 249.49 feet;

Thence South 81°-53'-29" West 8.55 feet;

Thence North 67°-36'-44" West 39.88 feet to the **POINT OF BEGINNING** containing a total of 0.72 acres more or less and **subject to all easements, restrictions, and rights-of-way of record and not of record;**

The North line of the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; is assumed to bear North 89°-18'-36" 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 6/4/12

William H. Burger Date Reg. No. 12642

Sheet No. 3 covered by this seal

LEGAL DESCRIPTION

PARCEL S – Part of the Southwest Quarter (SW1/4) of Section Eighteen (18) and part of the Northwest Quarter (NW1/4) of Section Nineteen (19) all in Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 0.05 acres more or less, and **subject to easements, restrictions, and rights-of-way of record and not of record** and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest corner of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence North 89°-18'-36" East 1210.47 feet along the North line of the Northwest Quarter (NW1/4) of said Section Nineteen (19);

Thence South 67°-36'-44" East 39.88 feet to the **POINT OF BEGINNING**;

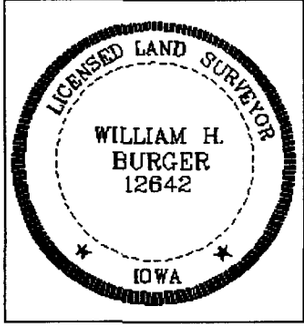
Thence North 41°-24'-55" East 249.49 feet;

Thence South 42°-07'-07" East 13.92 feet to a Westerly line of Parcel G as recorded in the Office of the Delaware County Recorder in Plat Book 2010, Page 2466;

Thence South 43°-22'-43" West 241.56 feet along a Westerly line and to a Westerly corner of said Parcel G;

Thence South 81°-53'-29" West 8.55 feet to the **POINT OF BEGINNING** containing a total of 0.05 acres more or less and **subject to all easements, restrictions, and rights-of-way of record and not of record;**

The North line of the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; is assumed to bear North 89°-18'-36" 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 6/4/12

William H. Burger Date Reg. No. 12642

Sheet No. 4 covered by this seal

LEGAL DESCRIPTION

PARCEL T – Part of the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 0.03 acres more or less, and **subject to easements, restrictions, and rights-of-way of record and not of record** and more particularly described by metes and bounds as follows;

COMMENCING at the Northwest corner of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence North 89°-18'-36" East 1210.47 feet along the North line of the Northwest Quarter (NW1/4) of said Section Nineteen (19);

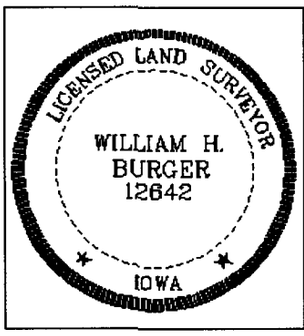
Thence South 67°-36'-44" East 39.88 feet to the **POINT OF BEGINNING**;

Thence North 81°-53'-29" East 8.55 feet to a westerly corner of Parcel G as recorded in the Office of the Delaware County Recorder in Plat Book 2010, Page 2466;

Thence South 00°-58'-43" West 362.52 feet along a Westerly line and to the Southwest corner of said Parcel G;

Thence North 00°-21'-40" West 361.26 feet to the **POINT OF BEGINNING** containing a total of 0.03 acres more or less and **subject to all easements, restrictions, and rights-of-way of record and not of record;**

The North line of the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Eighty-seven North (T87N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa; is assumed to bear North 89°-18'-36" 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 6/14/12

William H. Burger Date Reg. No. 12642

Sheet No. 5 covered by this seal

SURVEYOR'S REPORT

This Surveyor's Report is prepared in order to clarify the facts pertaining to this survey.

The record descriptions used in this survey were provided by research at the office of the Delaware County, Iowa Auditor's and Recorder's Office. The purpose of this survey is to divide a portion of the land owned by Steven L. Dircks as described in Deed Book 44, Page 381 in the Office of the Delaware County Recorder.

John L. Franklin II surveyed said land described in Deed Book 44, Page 381 in 1983 (recorded in Plat Book 5, Page 48 in the office of the Delaware County Recorder). I found problems with the Franklin survey, one being the North line of the Franklin survey stop short of the South right of way line of said Cascade Street. I also found that the two most Easterly lines of the Franklin Survey (South 41°-09'-20" West 249.53' and South 1°-48'-40" East 320.16') did not coincide with a Westerly lines of a D.P. Stachour survey as recorded in 1969 (Plat Book 2, Page 179). I believe these lines were intended to coincide however a small gap was created.

In 1956, Emma M. Smith owned by Deed Book 78, Page 473 the property east of what was surveyed by John L. Franklin II as recorded in Plat Book 5, Page 48. Emma M Smith sold this property to St. Luke's Catholic Church of Hopkinton, Iowa in 1958 (Deed Book 23, Page 619). St. Lukes Catholic Church of Hopkinton, Iowa then sold a part of this property to William E. Lux in 1969 (Deed Book 89, Page 24). This deed is shown by survey and plat done by D.P. Stachour in 1969 (Plat Book 2, Page 179). The Westerly lines of this Deed and Plat (South 37°-45' West 277.2' and South 04°-30' East 362.3') does not coincide with the Westerly lines deeded to St. Luke's Catholic Church of Hopkinton, Iowa (South 37°-45' West 250' and South 04°-30" East 326' to a point on the Hopkinton-Monticello, Road). Because both legal have the same bearings I believe they were intended to coincide. I feel the reason they do not coincide is because they commence at different locations. The deed from Emma M. Smith to St. Luke's Catholic Church of Hopkinton, Iowa commences on the South side of Cascade Street and East side of East Street Carter's 2nd Add at intersection with Chicago Milwaukee & St. Paul Railway right of way and goes Easterly. The Deed from St. Luke's Catholic Church of Hopkinton, Iowa to William E Lux commences at the N1/4 corner of Sec. 19, T87N, R3W and goes South and Westerly. Since the two lines did not coincide, there was a small gap that was not conveyed to William E. Lux that St. Luke's Catholic Church of Hopkinton, Iowa still owned. In 1977, St. Luke's Catholic Church of Hopkinton, Iowa conveyed to the City of Hopkinton, Iowa (Deed Book 38, Page 166) that same legal description it received from Emma M. Smith EXCEPTING what the church conveyed to William E Lux. In conclusion, I believe there is a small gap that is still owned by the City of Hopkinton as shown on this Survey as Parcel S and Parcel T. This gap is just east of the John L. Franklin II survey and just West of the D.P. Stachour survey.