Book 2013 Page 778

Document 2013 778 Type 06 002 Pages 4
Date 2/28/2013 Time 8:55:16AM
Rec Amt $22.00

**FILED**
FEB 28 2013
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

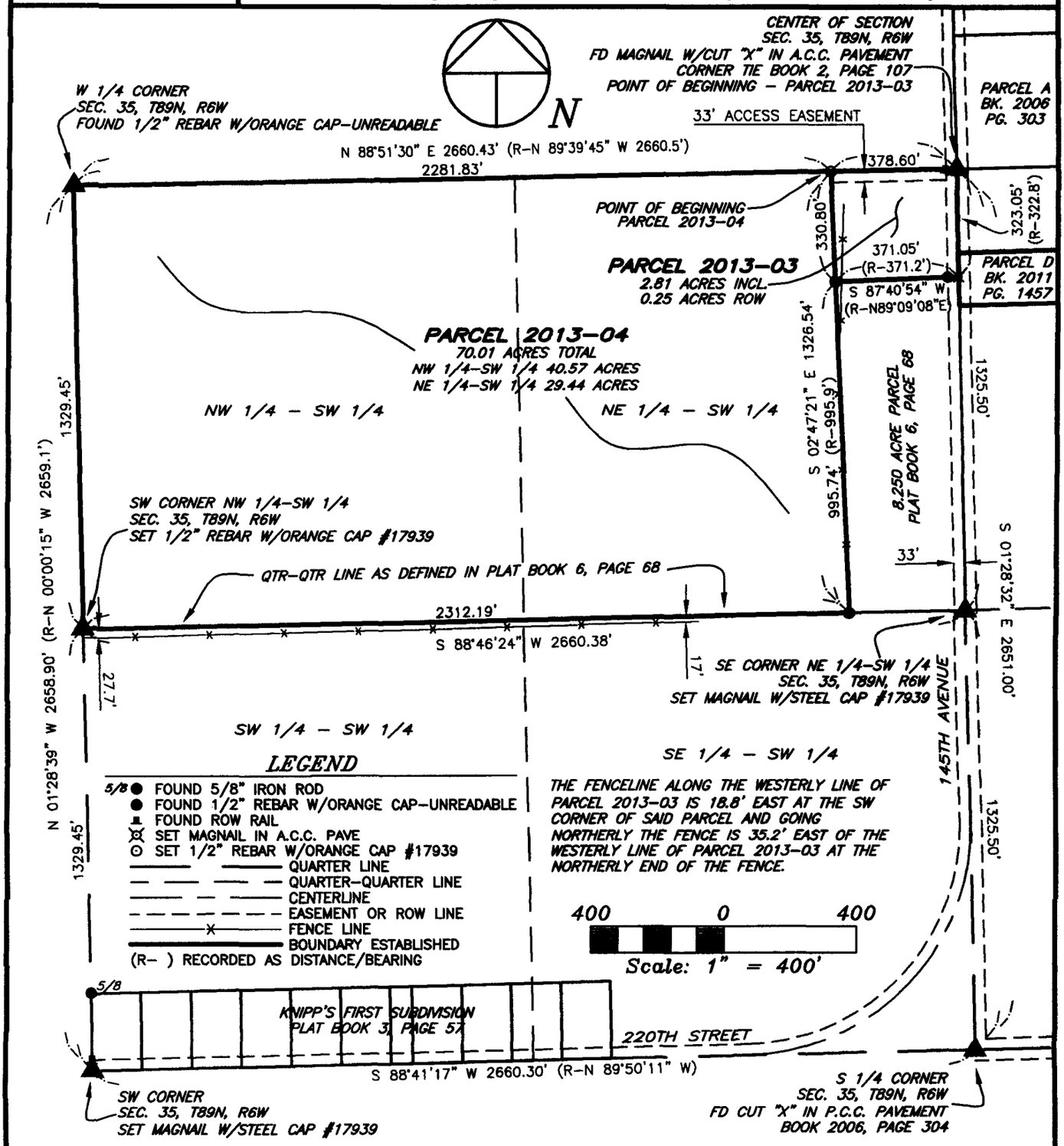
**FILED**
FEB 28 2013
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

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

# PLAT OF SURVEY

## PARCEL 2013-03, PART OF THE NE 1/4-SW 1/4
## PARCEL 2013-04, PART OF THE NE 1/4-SW 1/4 AND THE NW 1/4-SW 1/4, ALL IN SEC. 35, T89N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA




SURVEY REQUESTED BY: SHELIA SMITH, CITIZENS STATE BANK

SURVEYED ON: 2/4 & 2/11/2013

PROPRIETORS: **DAVID C. KEHRLI**

LICENSED LAND SURVEYOR
RANDALL L. RATTENBORG
17939
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.

2/28/13

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

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2013

PAGES OR SHEETS COVERED BY THIS SEAL: 1-3

**BURRINGTON GROUP, INC.**
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057 burringtongroup.com

| |
|---|
| PROJECT NO. 13-06 |
| SCALE: 1"=400' |
| DATE: 2/15/2013 |
| DRAWN BY: RLR |
| CHECKED BY: DDK |
| GPS BOX: 26 |
| SHEET 1 OF 3 |

## LEGAL DESCRIPTION:

***PARCEL 2013-03**, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 2.81 acres, including 0.25 acres of public road right of way, subject to easements of record, and more particularly described by metes and bounds as follows;

**BEGINNING** at the Center of Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

**THENCE** along the Easterly Line of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), South 01° 28' 32" East, to the Northerly Line of an 8.250 acre parcel, as recorded in Plat Book 6, Page 68, 323.05 feet;

**THENCE** along the Northerly Line of said 8.250 acre parcel, South 87° 40' 54" West, to the Northwest Corner of said 8.250 acre parcel, 371.05 feet;

**THENCE** North 02° 47' 21" West, to the Northerly Line of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), 330.80 feet;

**THENCE** along the Northerly Line of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), North 88° 51' 30" East, 378.60 feet to the **POINT OF BEGINNING**;

Containing a total of 2.81 acres, including 0.25 acres of public road right of way, and subject to easements of record.

The Easterly Line of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 01° 28' 32" East.

## LEGAL DESCRIPTION:

***PARCEL 2013-04**, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) AND THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA,* containing a total of 70.01 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

**COMMENCING** at the Center of Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

**THENCE** along the Northerly Line of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), South 88° 51' 30" West, 378.60 feet to the **POINT OF BEGINNING;**

**THENCE** South 02° 47' 21" East, along the Westerly Line of an 8.250 acre parcel, as recorded in Plat Book 6, Page 68 to the Southwest Corner of said 8.250 acre parcel, being on the Southerly Line of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), 1326.54 feet;

**THENCE** along the Southerly Line of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) and the Southerly Line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), South 88° 46' 24" West, to the Southwest Corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), 2312.19 feet;

**THENCE** along the Westerly Line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), North 01° 28' 39" West, to the Northwest Corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), 1329.45 feet;

**THENCE** along the Northerly Line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) and the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), North 88° 51' 30" East, 2281.83 feet to the **POINT OF BEGINNING;**

Containing a total of 70.01 acres and subject to easements of record.

The Easterly Line of the Southwest Quarter (SW ¼) of said Section Thirty-five (35), Township Eighty-nine North (T89N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa is assumed to bear South 01° 28' 32" East.

**R-024-2013**
**RESOLUTION WAIVING RIGHT TO REVIEW PLAT**

WHEREAS, A PLAT OF PARCEL 2013-03 AND PARCEL 2013-04 IN DELAWARE COUNTY, IOWA, located on the premises described as follows:

> ***PARCEL 2013-03****, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA*
>
> ***PARCEL 2013-04****, PART OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) AND THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA*

WHEREAS, said Parcel 2013-03 and Parcel 2013-04 is located on the fringes of the two mile radius of the current city limits, and outside the Urban Growth Area and;

WHEREAS, it is unlikely that the city limits will extend to include this parcel;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Iowa that the City Council hereby waives it's right to review the Plat of Parcel 2013-03 and Parcel 2013-04 as described above, all located in 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 25th day of February, 2013.

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

STATE OF IOWA )
) SS
COUNTY OF DELAWARE )

On this 25th day of February, 2013, before me, Laura K. Thomas, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Erin Learn, 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-024-2013 adopted by the City Council on the 25th day of February, 2013, and that Milt L. Kramer and Erin Learn 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

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