FILED

DEC 18 2013

CARLA K. BECKER

DELAWARE COUNTY AUDITOR

FILED

DEC 18 2013

ANDREA SCHMIDT
DELAWARE COUNTY ASSESSOR

Book 2013 Page 3879

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

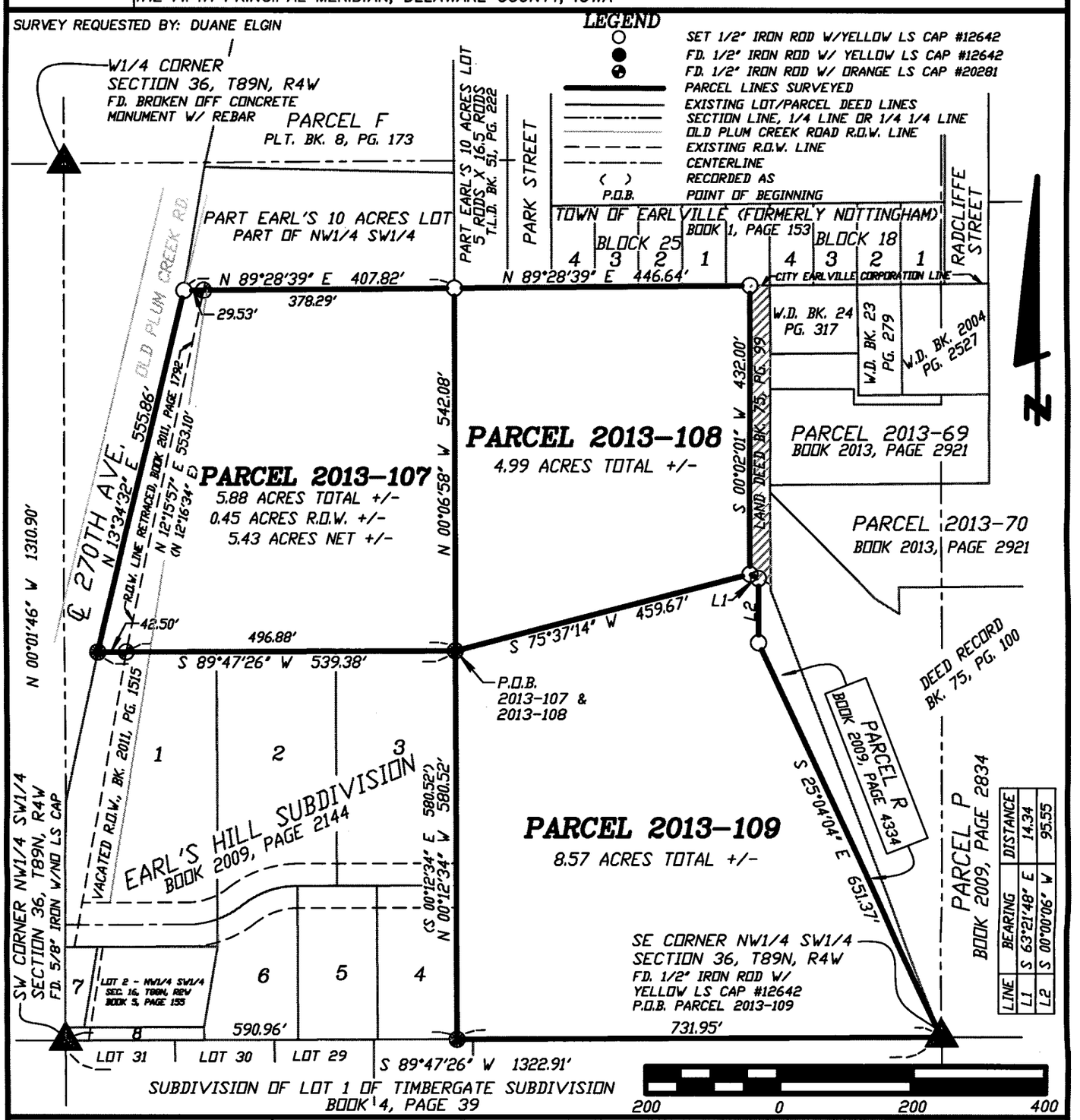
PLAT OF SURVEY

PARCEL 2013–107 PART OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION THIRTY–SIX (36), TOWNSHIP EIGHTY–NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

PARCEL 2013–108 PART OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION THIRTY–SIX (36), TOWNSHIP EIGHTY–NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

PARCEL 2013–109 PART OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), SECTION THIRTY–SIX (36), TOWNSHIP EIGHTY–NINE NORTH (T89N), RANGE FOUR WEST (R4W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA

SURVEY REQUESTED BY: DUANE ELGIN



LICENSED LAND SURVEYOR
WILLIAM H. BURGER 12642
IOWA

NO. OF SHEETS COVERED BY THIS SEAL 1

DATE OF SURVEY: 11/19/2013 SHEET 1

PROPRIETORS: DEED HOLDER: CAROL ANN SELLNER
CONTRACT BUYER: DUANE A. & TINA M. ELGIN

SCALE: 1" = 200'

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, 2014

William H. Burger 11/22/13

WILLIAM H. BURGER #12642 DATE

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

LEGAL DESCRIPTION

PARCEL 2013-107 – Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W), of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 5.88 acres more or less including 0.45 acres more or less of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows;

COMMENCING at the Southeast corner of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 89°-47'-26" West 731.95 feet along the South line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the Southeast corner of Lot 4 of Earl's Hill Subdivision as recorded in the Office of the Delaware County Recorder in Book 2009, Page 2144;

Thence North 00°-12'-34" West 580.52 feet along the East line of Lot 4 and Lot 3 of said Earl's Hill Subdivision to the **POINT OF BEGINNING**;

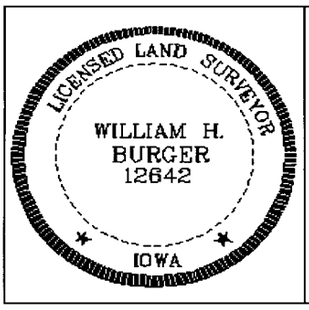
Thence South 89°-47'-26' West 539.38 feet along the North line of Lot 3, Lot 2 and Lot 1 of said Earl's Hill Subdivision and to the Northwest corner of Lot 1 of said Earl's Hill Subdivision ;

Thence North 13°-34'-32" East 555.86 feet to the Southwest corner of part of Earl's 10 Acres Lot in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), said line also being the City of Earlville Corporate Limits line;

Thence North 89°-28'-39" East 407.82 feet along the South line and to the Southeast corner of said Earl's 10 Acres Lot in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4);

Thence South 00°-06'-58" East 542.08 feet to the **POINT OF BEGINNING**; containing a total of 5.88 acres more or less including 0.45 acres more or less of public road right of way, **subject to easements, reservations, restrictions, and rights of way of record and not of record;**

The South line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear South 89°-47'-26" West.



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, 2014

William H Burger 11/22/13

William H. Burger Date Reg. No. 12642

Sheet No. 2 covered by this seal

LEGAL DESCRIPTION

PARCEL 2013-108 – Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W), of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 4.99 acres more or less, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows;

COMMENCING at the Southeast corner of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 89°-47'-26" West 731.95 feet along the South line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the Southeast corner of Lot 4 of Earl's Hill Subdivision as recorded in the Office of the Delaware County Recorder in Book 2009, Page 2144;

Thence North 00°-12'-34" West 580.52 feet along the East line of Lot 4 and Lot 3 of said Earl's Hill Subdivision to the **POINT OF BEGINNING**;

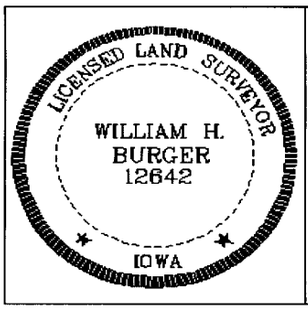
Thence North 00°-06'-58" West 542.08 feet to the Southeast corner of Earl's 10 Acres Lot in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), said corner also being on the City of Earlville Corporate Limits line;

Thence North 89°-28'-39' East 446.64 feet along the City of Earlville Corporate limits line to the Northwest corner of a parcel of land described in Land Deed Book 75, Page 99 located in the Office of the Delaware County Recorder;

Thence South 00°-02'-01" West 432.00 feet along the West line and to the Southwest corner of said parcel of land described in Land Deed Book 75, Page 99;

Thence South 75°-37'-14" West 459.67 feet to the **POINT OF BEGINNING**; containing a total of 4.99 acres more or less, **subject to easements, reservations, restrictions, and rights of way of record and not of record;**

The South line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear South 89°-47'-26" West.



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, 2014

William H. Burger 11/27/13

William H. Burger Date Reg. No. 12642

Sheet No. 3 covered by this seal

LEGAL DESCRIPTION

PARCEL 2013-109 – Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W), of the Fifth Principal Meridian, Delaware County, Iowa; containing a total of 8.57 acres more or less, **subject to easements, reservations, restrictions, and rights of way of record and not of record** and more particularly described by metes and bounds as follows;

BEGINNING at the Southeast corner of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa;

Thence South 89°-47'-26" West 731.95 feet along the South line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) to the Southeast corner of Lot 4 of Earl's Hill Subdivision as recorded in the Office of the Delaware County Recorder in Book 2009, Page 2144;

Thence North 00°-12'-34" West 580.52 feet along the East line of Lot 4 and Lot 3 of said Earl's Hill Subdivision;

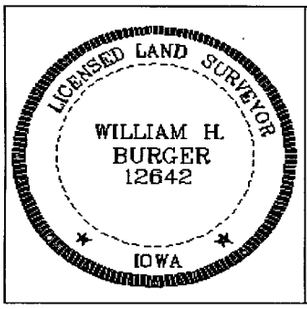
Thence North 75°-37'-14" East 459.67 feet to the Southwest corner of a parcel of land described in Land Deed Book 75, Page 99 located in the Office of the Delaware County Recorder;

Thence South 63°-21'-48' East 14.34 feet along the South line of said parcel of land described in Land Deed Book 75, Page 99 to the Northwest corner of Parcel R as recorded in the Office of the Delaware County Recorder in Book 2009, Page 4334;

Thence South 00°-00'-06' West 95.55 feet along a Westerly line and to a Westerly corner of said Parcel R;

Thence South 25°-04'-04" East 651.37 feet along a Westerly line of said Parcel R to the **POINT OF BEGINNING**; containing a total of 8.57 acres more or less, **subject to easements, reservations, restrictions, and rights of way of record and not of record;**

The South line of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian of Delaware County, Iowa is assumed to bear South 89°-47'-26" West.



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, 2014

William H Burger 11/27/13

William H. Burger Date Reg. No. 12642

Sheet No. 4 covered by this seal

RESOLUTION #2013-20

RESOLUTION WAIVING REVIEW OF PLAT OF SURVEY OF PARCEL 2013-107, PARCEL 2013-108 AND PARCEL 2013-109, DELAWARE COUNTY, IOWA

WHEREAS, there has been filed with the City Clerk a plat of survey of Parcel 2013-107, Parcel 2013-108, Parcel 2013-109, Delaware County, IA, being described as: **PARCEL 2013-107**, Part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼), Section Thirty-Six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa: **PARCEL 2013-108**, Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa: **PARCEL 2013-109**, Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-Six (36), Township Eighty-nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa, as shown on the plat as submitted, all parcels are subject to easements of record and not of record and more particularly described by metes and bounds; and,

WHEREAS, THE PERIMETER BOUNDARIES OF THE City of Earlville, Iowa are located less than two miles from the above referred to parceled property; and

WHEREAS, pursuant to Section 354.9 of the Code of Iowa, the City may, by resolution, waive its right to review the subdivision and waive any requirements with regard thereto.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Earlville, Iowa, that the City does hereby waive any review authority and does also waive the requirement of any of its standards with regard to the parcels known as Parcel 2013-107, Parcel 2013-108, Parcel 2013-109, all being Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Section Thirty-six (36), Township Eighty-Nine North (T89N), Range Four West (R4W) of the Fifth Principal Meridian, Delaware County, Iowa.

PASSED, APPROVED AND ADOPTED THIS 16th day of December, 2013.

Dan Wheeler, Mayor

Attest: Linda Gaul, City Clerk

Record of Vote:

A M. Salow

A E. Gibbs

A B. Peters

A S. Richardson

A D. Lewin