FILED

MAR 31 2014

CARLA K. BECKER
DELAWARE COUNTY AUDITOR

FILED

MAR 31 2014

ANDREA SCHMIDT
DELAWARE COUNTY ASSESSOR

Book 2014 Page 708

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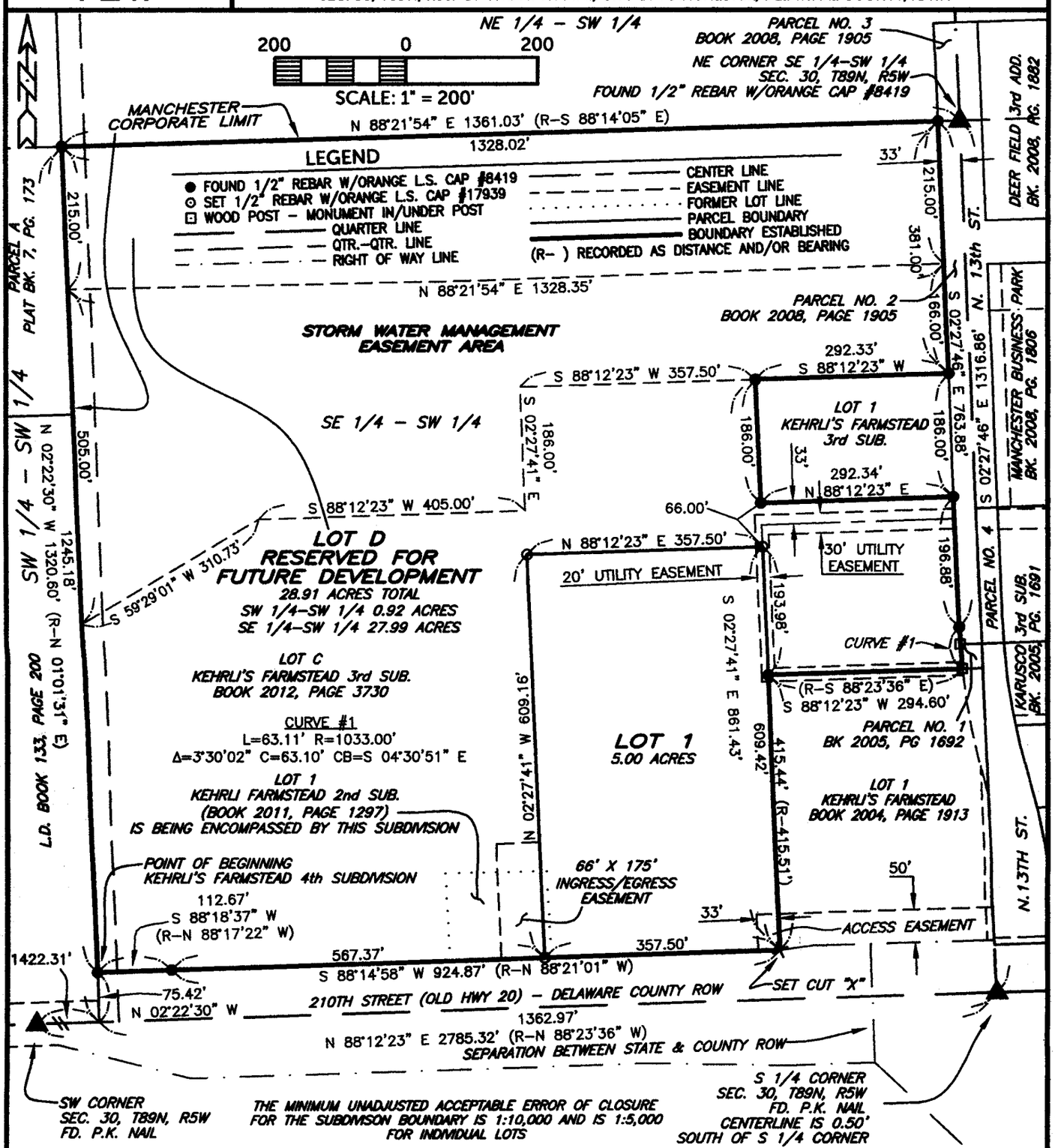
DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY/RETURN TO: RANDALL L. RATTENBORG 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434

# SUBDIVISION PLAT

## KEHRLI'S FARMSTEAD 4th SUBDIVISION - FINAL PLAT

A SUBDIVISION OF LOT 1 OF KEHRLI'S FARMSTEAD 2ND SUB. AND OF LOT C OF KEHRLI'S FARMSTEAD 3rd SUB. PART OF THE SE 1/4-SW 1/4 & PART OF THE SW 1/4-SW 1/4
SEC. 30, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA




SURVEY REQUESTED BY: WILBUR KEHRLI

SURVEYED ON: 3/19/2014

PROPRIETORS: EWLK, LLC 1637 210th STREET, MANCHESTER, IA 52057

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

SHEETS COVERED BY THIS SEAL: 1-2

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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

3/12/14

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

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2015

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

| | |
|---|---|
| PROJECT NO. 13-107 | |
| SCALE: 1"=200' | |
| DATE: 2/12/2014 | |
| DRAWN BY: RLR | |
| CHECKED BY: DDK/JAW | |
| GPS BOX: MANCHESTER | |
| SHEET 1 OF 7 | |

## LEGAL DESCRIPTION:

***KEHRLI'S FARMSTEAD 4th SUBDIVISION**; A SUBDIVISION OF LOT 1 OF KEHRLI'S FARMSTEAD 2ND SUBDIVISION AS RECORDED IN BOOK 2011, PAGE 1297 AND OF LOT C OF KEHRLI'S FARMSTEAD 3RD SUBDIVISION, AS RECORDED IN BOOK 2012, PAGE 3730, BEING PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼), AND PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼), SECTION THIRTY (30), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA,* containing 33.91 acres, divided into two lots numbered Lot 1 and Lot D, and subject to easements of record.

## Owner's Acknowledgement

The undersigned, Elma M. Schiel, Wilbur E. Kehrli and Larry J. Kehrli being all of the owners and managers of EWLK, LLC, an Iowa limited liability company do hereby certify that the above survey, as shown by the attached plat, is made with our free consent, and in accordance with our desire.

EWLK, LLC

By: Elma M Schiel
Elma M. Schiel

By: Wilbur E. Kehrli
Wilbur E. Kehrli

By: Larry J. Kehrli
Larry J. Kehrli

----------x

STATE OF IOWA

: ss:

STORY COUNTY

----------x

CHRISTINE THERESE ELSBERRY
COMMISSION NO. 750000
MY COMMISSION EXPIRES
10-2-2016

On this 27th day of March, 2014, before me, a Notary Public in and for the said State, personally appeared ELMA M. SCHIEL, to me personally known, who being by me duly sworn did state that person is a member and manager of EWLK, LLC, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the limited liability company by authority of its managers and the said ELMA M. SCHIEL acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Notary Public in and for said State

----------x

STATE OF IOWA

: ss:

DELAWARE COUNTY

----------x

On this 31st day of March, 2014, before me, a Notary Public in and for the said State, personally appeared WILBUR E. KEHRLI, to me personally known, who being by me duly sworn did state that person is a member and manager of EWLK, LLC, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the limited liability company by authority of its managers and the said WILBUR E. KEHRLI acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8/16/15

Notary Public in and for said State

----------x

STATE OF IOWA

: ss:

Delaware COUNTY

----------x

On this 31st day of March, 2014, before me, a Notary Public in and for the said State, personally appeared LARRY J. KEHRLI, to me personally known, who being by me duly sworn did state that person is a member and manager of EWLK, LLC, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the limited liability company by authority of its managers and the said LARRY J. KEHRLI acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
8/16/15

Notary Public in and for said State

## ATTORNEY'S OPINION

I, William A. Conzett, a practicing attorney at law in Dubuque, Dubuque County, Iowa, have examined the abstract of title to the land included in Kehrli's Farmstead 4th Subdivision, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated 2-12-14.

Said abstract has been prepared in its entirety by the Delaware County Abstract Company, Inc., and was last certified to by said company on the 20th day of FEBRUARY, A.D., 2014, at the hour of 9:00 o'clock A. M.

My examination of said abstract shows good and merchantable title on the date and hour of the certification to be in ELWK, LLC.

Dated at Dubuque, Iowa, in said County, this 24 day of MARCH, 2014.

William A. Conzett
Attorney at Law

## CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***KEHRLI'S FARMSTEAD 4th SUBDIVISION,*** City of Manchester, 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

3-27-14

## APPROVAL OF AUDITOR

I, Carla 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 ***KEHRLI'S FARMSTEAD 4th SUBDIVISION***, a subdivision in Delaware County, Iowa.

Carla Becker, Delaware County Auditor

State of Iowa )
)
County of Delaware )

On this 27th day of March, 2014, before me Donna M. Kunde a Notary Public in and for the State of Iowa, personally appeared Carla Becker, to me personally known, and, who, being duly sworn, did say that she is the Auditor of Delaware County, Iowa.

Notary Public

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8/14/15

# RESOLUTION APPROVING FINAL PLAT – PLANNING & ZONING

WHEREAS, the Final Plat of ***KEHRLI'S FARMSTEAD 4th SUBDIVISION, City of Manchester, Delaware County, Iowa*** Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, February 13, 2014, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa;

WHEREAS, the Planning and Zoning Commission 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;

WHEREAS, the construction of sidewalks is deferred according to Resolution No. R-006-2003, Resolution Regarding Procedures and Guidelines for Implementation of Sidewalk Construction Program, under Item No. 4 (a) ("streets developed as a rural cross section"); 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;

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the Final Plat of ***KEHRLI'S FARMSTEAD 4th SUBDIVISION, City of Manchester, Delaware County, Iowa***, as presented with the following variances, declarations and conditions;

a. No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
b. Construction of all sidewalks within the subdivision shall be constructed with other improvements at this time, unless deferred by the City Sidewalk Committee.
c. Financial assurance for storm water management construction shall be provided for by an irrevocable letter of credit on behalf of the developer.
d. This subdivision is currently served by North 13th Street and West Main Street/210th Street. No additional street improvements are required at this time. The final plat does illustrate an Ingress/Egress Easement on the west side of Lot 1 (driveway for house located at 1637 2010th Street). This easement shall serve as the entrance from 210th Street and should be considered for dedication for a future street. The final plat also illustrates a utility easement on the north side of Lot 1, extending east to North 13th Street. This easement should also be considered for dedication as a future street. The subdivision will be subject to street assessments should future street improvements be necessary as determined by the City.
e. City sewer and water are readily available to the proposed subdivision. An agreement to extend the City's water main across Lot 1 will need to be completed as part of the subdivision approval process.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said ***KEHRLI'S FARMSTEAD 4th SUBDIVISION, City of Manchester, Delaware County, Iowa***, be, and exhibits attached thereto, 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.

Adopted and passed this 18th day of March, A.D., 2014.

PLANNING & ZONING COMMISSION - CITY OF MANCHESTER, IOWA

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

By _____
David Smith, Vice Chairperson

By Laura Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA )
) ss:
COUNTY OF DELAWARE )

On this 18th day of March, 2014, before me, Julie A Schmitz, a Notary Public in and for the State of Iowa, personally appeared David Smith and Laura Thomas, to me personally known, and, who, being by me duly sworn, did say that they are the Vice 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 18th day of March, 2014, and that David Smith 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.

NOTARIAL SEAL IOWA
JULIE A. SCHMITZ
Commission Number 224151
My Commission Expires
September 14, 2014

_____
Notary Public

**R-034-2014**
**RESOLUTION APPROVING FINAL PLAT**

WHEREAS, the Final Plat of ***KEHRLI'S FARMSTEAD 4th SUBDIVISION, City of Manchester, Delaware County, Iowa*** Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, February 13, 2014, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa;

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;

WHEREAS, the construction of sidewalks is deferred according to Resolution No. R-006-2003, Resolution Regarding Procedures and Guidelines for Implementation of Sidewalk Construction Program, under Item No. 4 (a) ("streets developed as a rural cross section"); 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;

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the Council that they accept the Final Plat of ***KEHRLI'S FARMSTEAD 4th SUBDIVISION, City of Manchester, Delaware County, Iowa***, as presented with the following variances, declarations and conditions;

a. No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
b. Construction of all sidewalks within the subdivision shall be constructed with other improvements at this time, unless deferred by the City Sidewalk Committee.
c. Financial assurance for storm water management construction shall be provided for by an irrevocable letter of credit on behalf of the developer.
d. This subdivision is currently served by North 13th Street and West Main Street/210th Street. No additional street improvements are required at this time. The final plat does illustrate an Ingress/Egress Easement on the west side of Lot 1 (driveway for house located at 1637 2010th Street). This easement shall serve as the entrance from 210th Street and should be considered for dedication for a future street. The final plat also illustrates a utility easement on the north side of Lot 1, extending east to North 13th Street. This easement should also be considered for dedication as a future street. The subdivision will be subject to street assessments should future street improvements be necessary as determined by the City.
e. City sewer and water are readily available to the proposed subdivision. An agreement to extend the City's water main across Lot 1 will need to be completed as part of the subdivision approval process.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***KEHRLI'S FARMSTEAD 4th SUBDIVISION, City of Manchester, Delaware County, Iowa***, be, and exhibits attached thereto, 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 24th day of March, A.D., 2014.

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 24th day of March, 2014, 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-034-2014 adopted by the City Council on the 24th day of March, 2014, 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
Notary Public

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