Book 2015 Page 339

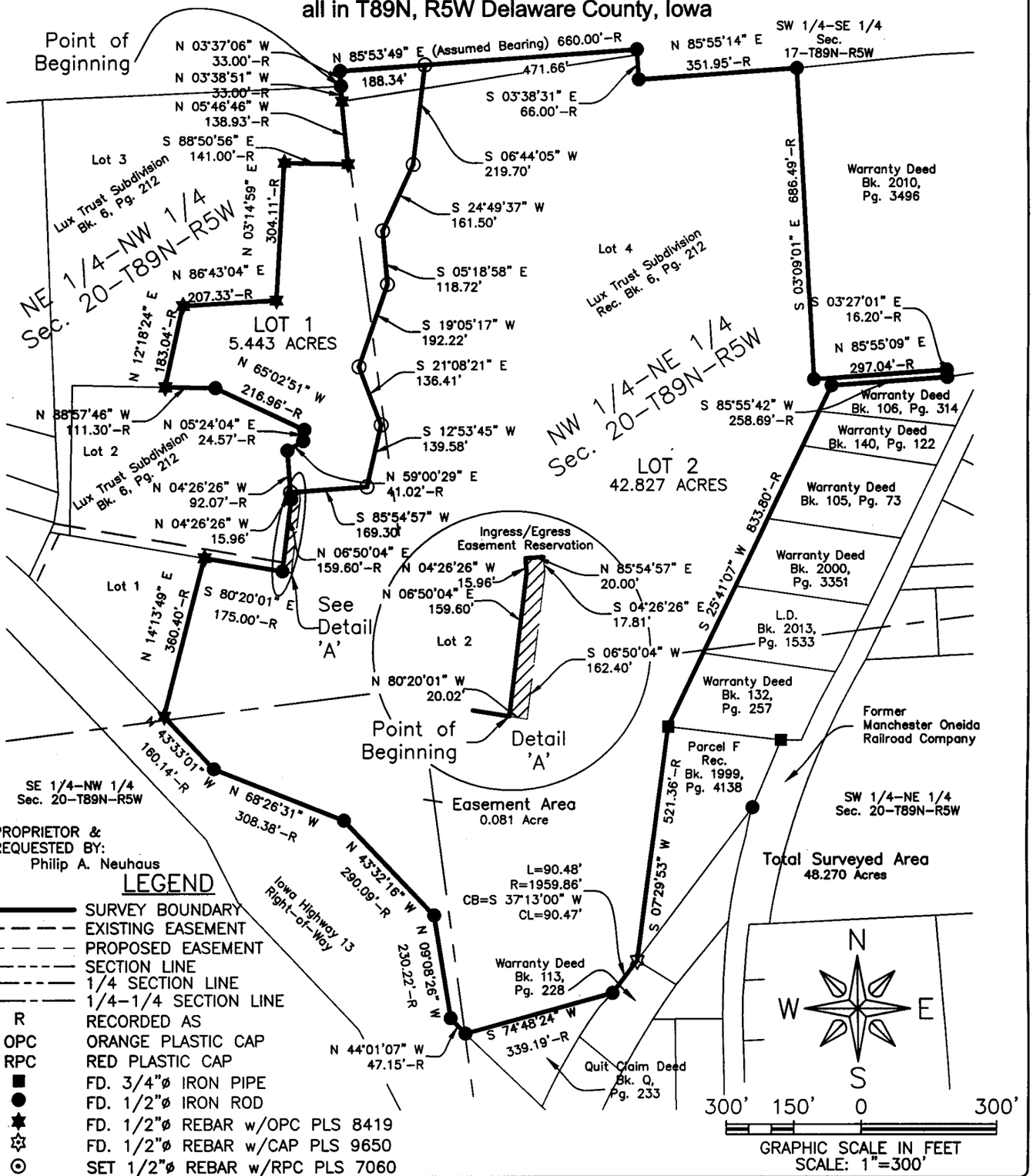
Document 2015 339 Type 06 002 Pages 8
Date 2/06/2015 Time 2:06:36PM
Rec Amt $42.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by/Return to: FEHR GRAHAM, 1919 210th Street, Manchester IA 52057 – Ph: (563)927-2060

Final Plat

Neuhaus Subdivision, Part of Lot 4 of Lux Trust Subdivision, Part of the NE1/4-NW1/4, NW1/4-NE1/4, SE1/4-NW1/4 and SW1/4-NE1/4 of Section 20, and Part of the SW1/4-SE1/4 of Section 17, all in T89N, R5W Delaware County, Iowa



PROPRIETOR & REQUESTED BY:
Philip A. Neuhaus

LEGEND

- SURVEY BOUNDARY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- SECTION LINE
- 1/4 SECTION LINE
- 1/4-1/4 SECTION LINE
- R RECORDED AS
- OPC ORANGE PLASTIC CAP
- RPC RED PLASTIC CAP
- ■ FD. 3/4"ø IRON PIPE
- ● FD. 1/2"ø IRON ROD
- ★ FD. 1/2"ø REBAR w/OPC PLS 8419
- ✡ FD. 1/2"ø REBAR w/CAP PLS 9650
- ⊙ SET 1/2"ø REBAR w/RPC PLS 7060

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.

11-7-14

Lyle G. TeKippe, P.E. & P.L.S. Date
License Number: 7060
My license renewal date is December 31, 2014.
Sheets covered by this seal: Sheet 1

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
2014 FEHR GRAHAM

ILLINOIS
IOWA
WISCONSIN

G:\C3D\14\14-036\14-036s.dwg

FLD BK: Manchester PG: 34-35

SURVEY WAS COMPLETED ON: October 16, 2014

JOB NUMBER: 14-036

SHEET NUMBER: 1 of 1

Prepared by/Return To: FEHR GRAHAM, 1919 210th Street, Manchester, Iowa 52057, Ph. (563)927-2060

Project No. 14-036 Page BD-1

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. 11-7-14
License Number 7060 Date
My license renewal date is December 31, 2014.
Pages covered by this seal: BD-1 Through BD-3

State of Iowa)
ss.
County of Delaware)

Subscribed and sworn to before me by Lyle G. TeKippe this 7TH. day of NOVEMBER, 2014.

NOTARIAL SEAL IOWA
DAVID MEYER
Commission #736541
My Comm. Exp. 9/11/17

Notary Public

SURVEY AND PLAT OF:

Boundary Description:

Neuhaus Subdivision, Part of Lot 4 of Lux Trust Subdivision located in Part of the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northwest Quarter and Southwest Quarter of the Northeast Quarter of Section 20 and Part of the Southwest Quarter of the Southeast Quarter of Section 17, all in Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Beginning at the Northeast Corner of Lot 3 of the Lux Trust Subdivision recorded in Book 6, Page 212, on file in the Delaware County Recorder's office, Manchester, Iowa;

Thence **North 03°37'06" West, 33.00 feet** along the East Line of said Lot 3 extended to the North Line of Lot 4 of said Subdivision;

Thence **North 85°53'49" East (Assumed Bearing), 660.00 feet;**

Thence **South 03°38'31" East, 66.00 feet;**

Thence **North 85°55'14" East, 351.95 feet** to the West Line of a Parcel described in Warranty Deed recorded in Book 2010, Page 3496, on file in said Recorder's office;

Thence **South 03°09'01" East, 686.49 feet** along said Line;

Thence **North 85°55'09" East, 297.04 feet;**

Thence **South 03°27'01" East, 16.20 feet** to the North Line of a Parcel described in Warranty Deed recorded in Book 106, Page 314, on file in said Recorder's office;

Thence **South 85°55'42" West, 258.69 feet** along said North Line;

Thence **South 25°41'07" West, 833.80 feet** to the Northwest Corner of Parcel F recorded in Book 1999, Page 4138, on file in said Recorder's office;

Thence **South 07°29'53" West, 521.36 feet** along the West Line of said Parcel F to the former Northwest Right-of-Way Line of the Manchester Oneida Railroad Company;

Thence **Southwesterly 90.48 feet** along a **1,959.86 foot** radius curve concave **Southeasterly** (said curve having a Long Chord of **South 37°13'00" West, 90.47 feet**) along said West Line;

Thence **South 74°48'24" West, 339.19 feet** along the North Line of a Quit Claim Deed recorded in Book Q, Page 233 on file in said Recorder's office to the North Right-of-Way Line of Iowa Highway 13;

Thence **North 44°01'07" West, 47.15 feet;**

Thence **North 09°08'26" West, 230.22 feet;**

Thence **North 43°32'16" West, 290.09 feet;**

Thence **North 68°26'31" West, 308.38 feet;**

Thence **North 43°33'01" West, 160.14 feet,** all along said North Right-of-Way Line to the East Line of Lot 1 of said Lux Trust Subdivision;

Thence **North 14°13'49" East, 360.40 feet** along said East Line to the South Line of Lot 2 of said Subdivision;

Thence **South 80°20'01" East, 175.00 feet;**

Thence **North 06°50'04" East, 159.60 feet;**

Thence **North 04°26'26" West, 15.96 feet;**

Thence continuing **North 04°26'26" West, 92.07 feet;**

Thence **North 59°00'29" East, 41.02 feet;**

Thence **North 05°24'04" East, 24.57 feet;**

Thence **North 65°02'51" West, 216.96 feet;**

Thence **North 88°57'46" West, 111.30 feet** to an Easterly Line of Lot 3;

Thence **North 12°18'24" East, 183.04 feet;**

Thence **North 86°43'04" East, 207.33 feet;**

Thence **North 03°14'59" East, 304.11 feet;**

Thence **South 88°50'56" East, 141.00 feet;**

Thence **North 05°46'46" West, 138.93 feet;**

Thence **North 03°38'51" West, 33.00 feet,** all along an Easterly Line of said Lot 3 to the Point of Beginning;

Containing **48.270 Acres,** subject to easements of record. (See plat attached to this original survey description.)

AND

Ingress/Egress Easement Reservation in Lot 2 of Neuhaus Subdivision located in Section 20, Township 89 North, Range 5 West of the 5th P.M., Part of the Northeast Quarter of the Northwest Quarter of Section 20 in Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Beginning at the Southeast Corner of Lot 2 of the Lux Trust Subdivision recorded in Book 6, Page 212 on file in the Delaware County Recorder's office, Manchester, Iowa;

Thence **North 06°50'04" East, 159.60 feet** along the East Line of said Lot 2;

Thence **North 04°26'26" West, 15.96 feet** to the South Line of Lot 1 of Neuhaus Subdivision;

Thence **North 85°54'57" East, 20.00 feet** along said South Line;

Thence **South 04°26'26" East, 17.81 feet;**

Thence **South 06°50'04" West, 162.40 feet** to the South Line of said Lot 2 of said Subdivision extended;

Thence **North 80°20'01" West, 20.02 feet** along said South Line extended to the Point of Beginning;

Containing **0.081 Acre,** subject to other easements of record. (See plat attached to this original Easement description.)

Note: The North Line of said Lot 2 of said Subdivision is assumed to bear **North 85°53'49" East.**

OWNER'S ACKNOWLEDGMENT

Owner Acknowledgement

I, Philip A. Neuhaus, do hereby acknowledge that the Survey and Plat as above described was made in accordance with my request, and I hereby approve the above Description and attached Plat.

Philip A. Neuhaus

State of Iowa)
SS
County of Delaware)

On this 16th day of December, 2014. before me, the undersigned, a Notary Public in and for said County and State personally appeared Philip A. Neuhaus to me known to be the person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

Christina Richter
Notary Public in and for said County and State

CHRISTINA RICHTER
Commission Number 723809
My Commission Expires
8-5-15

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***Neuhaus Subdivision, Part of the NE ¼ -NW ¼, NW ¼ - NE ¼, SE ¼ - NW ¼ and SW ¼ - NE ¼ of Section 20 and Part of the SW ¼ - SE ¼ of Section 17, all in T89N, R5W Delaware County, Iowa,*** have been paid and said real estate is free from tax liens and taxes as of this date.

Carolyn A. Wilson

Carolyn A. Wilson, Delaware County Treasurer

12-11-14

Date

State of Iowa)
) SS
Delaware County)

On this 11th day of December, 2014, before me Christina Richter a Notary Public in and for the State of Iowa, personally appeared **Carolyn A. Wilson**, to me personally known, and, who, being duly sworn, did say that she is the Auditor of Delaware County, Iowa.

CHRISTINA RICHTER
Commission Number 723809
My Commission Expires
8-5-15

Christina Richter

Notary Public in and for the State of Iowa

My commission expires 8-5-15

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 ***Neuhaus Subdivision, Part of the NE ¼ -NW ¼, NW ¼ - NE ¼, SE ¼ - NW ¼ and SW ¼ - NE ¼ of Section 20 and Part of the SW ¼ - SE ¼ of Section 17, all in T89N, R5W Delaware County, Iowa,*** a subdivision in Delaware County, Iowa.

Carla K. Becker

Carla K. Becker, Delaware County Auditor

12-16-14

Date

State of Iowa)
) SS
Delaware County)

On this 16th day of December, 2014, before me Anne Rave 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 757587
MY COMMISSION EXPIRES
MARCH 25, 2015

Anne Rave

Notary Public in and for the State of Iowa

My commission expires 3/25/2015

R-139-2014
RESOLUTION APPROVING FINAL PLAT

WHEREAS, the final plat of *Neuhaus Subdivision, Part of the NE ¼ -NW ¼, NW ¼ - NE ¼, SE ¼ - NW ¼ and SW ¼ - NE ¼ of Section 20 and Part of the SW ¼ - SE ¼ of Section 17, all in T89N, R5W Delaware County, Iowa,* affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated November 7, 2014, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa;

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said *Neuhaus Subdivision, Part of the NE ¼ -NW ¼, NW ¼ - NE ¼, SE ¼ - NW ¼ and SW ¼ - NE ¼ of Section 20 and Part of the SW ¼ - SE ¼ of Section 17, all in T89N, R5W Delaware County, Iowa,* 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 24th day of November, A.D., 2014.

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 9th day of December, 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-139-2014 adopted by the City Council on the 24th day of November, 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

Laura K. Thomas, Notary Public

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2017

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 ***Neuhaus Subdivision, Part of the NE ¼ - NW ¼, NW ¼ - NE ¼, SE ¼ - NW ¼ and SW ¼ - NE ¼ of Section 20 and Part of the SW ¼ - SE ¼ Section 17, all in T89N, R5W Delaware County, Iowa,*** on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe dated November 7, 2014..

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 15th day of January, A.D., 2015, at the hour of 8:00 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 the name of Philip A. Neuhaus subject to the following:

1. A mortgage in favor of Farmers & Merchants Savings Bank filed December 28, 2012 in Book 2012, Page 4612.

2. A mortgage in favor of Farmers & Merchants Savings Bank filed October 14, 2014 in Book 2014, Page 2592.

3. Ongoing child support and equalization payments in favor of Olivia M. Neuhaus pursuant to Decree entered November 21, 2011 in Dissolution of Marriage Case No.CDDM007244.

Dated at Manchester, Iowa, in said County, this 23rd day of January, 2015.

Steven E Carr

Attorney at Law