Book 2015 Page 3462

Document 2015 3462 Type 06 002 Pages 12
Date 12/28/2015 Time 8:23:16AM
Rec Amt $62.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

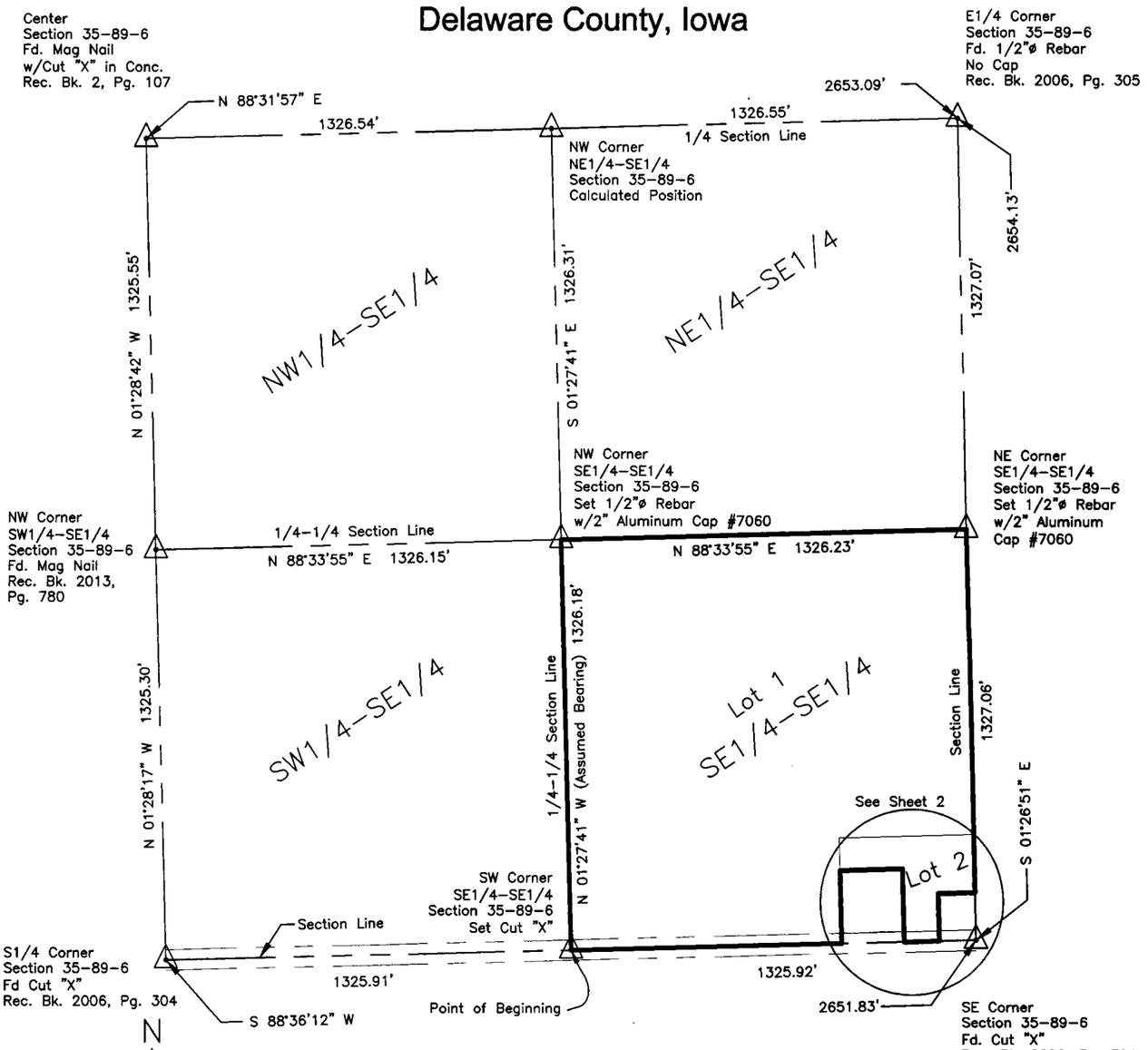
FILED
DEC 28 2015
DELAWARE COUNTY ASSESSOR

FILED
DEC 28 2015
DELAWARE COUNTY AUDITOR

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

Final Plat

Bennett's First Subdivision in the SE1/4-SE1/4 of Section 35-T89N-R6W Delaware County, Iowa



PROPRIETORS:
Undivided 95% Interest Donald G. & Generose M. Bennett Revocable Trust Agreement, Donald G. & Generose M. Bennett, Trustees and Undivided 5% Interest Walter H. Monaghan Trust, Generose Monaghan Bennett Trustee
REQUESTED BY:
Matt Bennett

LEGEND

- SECTION CORNER
- SURVEY BOUNDARY
- SECTION LINE
- EXISTING RIGHT–OF–WAY

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. — 12-8-15 Date
License Number: 7060
My license renewal date is December 31, 2016.
Sheets covered by this seal: Sheet 1 and Sheet 2

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
2015 FEHR GRAHAM
ILLINOIS
IOWA
WISCONSIN

G:\C3D\15\15-840\15-840 Legal (1).dwg

FLD BK: DEL. CO. COFFIN Grove Township 1 Page 18–19

SURVEY WAS COMPLETED ON: November 6, 2015

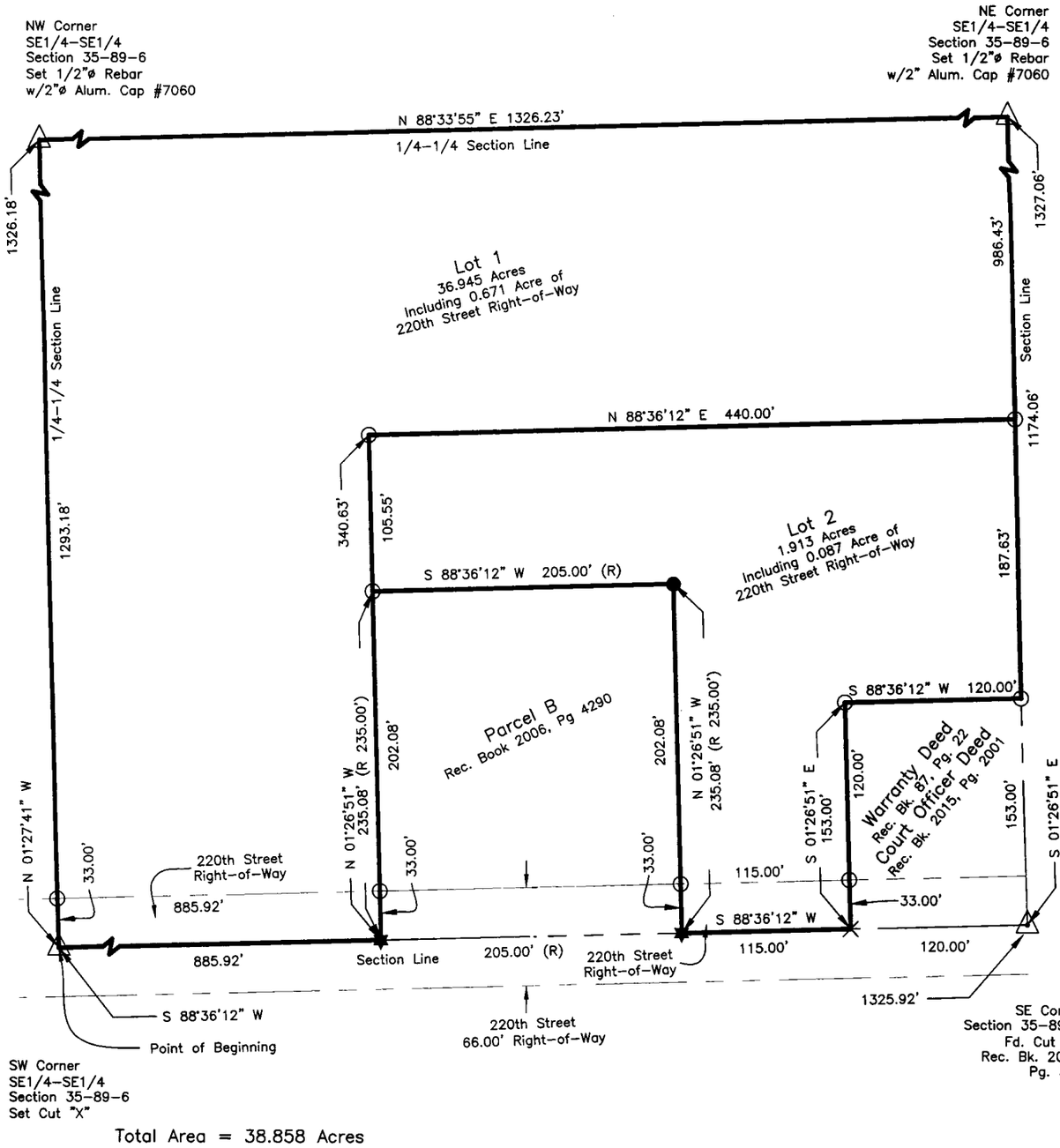
JOB NUMBER: 15-840

SHEET NUMBER: 1 of 2

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

Final Plat

Bennett's First Subdivision in the SE1/4-SE1/4 of Section 35-T89N-R6W Delaware County, Iowa



Total Area = 38.858 Acres

LEGEND

△	SECTION CORNER
●	FD. 1/2" REBAR OPC #8419
★	FD. PK/MAG NAIL
⊙	SET 1/2"ø REBAR W/RPC #7060
×	SET CUT X
———	SURVEY BOUNDARY
— — — —	SECTION LINE
— — — —	EXISTING RIGHT–OF–WAY
OPC	ORANGE PLASTIC CAP
RPC	RED PLASTIC CAP
(R)	RECORDED AS

N
W E
S

PROPRIETORS:
Undivided 95% Interest Donald G. & Generose M. Bennett Revocable Trust Agreement, Donald G. & Generose M. Bennett, Trustees and Undivided 5% Interest Walter H. Monaghan Trust, Generose Monaghan Bennett Trustee
REQUESTED BY:
Matt Bennett

100' 50' 0 100'
GRAPHIC SCALE IN FEET
SCALE: 1"=100'

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
ILLINOIS
IOWA
WISCONSIN

JOB NUMBER: 15–840

SHEET NUMBER: 2 of 2

Prepared by: FEHR GRAHAM, 1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057, Ph. (563)927-2060

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. — 12-8-15 Date
License Number 7060
My license renewal date is December 31, 2016.
Pages covered by this seal: BD-1 through BD-2

State of Iowa)
ss.
County of Delaware)

Subscribed and sworn to before me by Lyle G. TeKippe this 8th day of DECEMBER, 2015.

ADAM RECKER
Commission Number 788821
MY COMMISSION EXPIRES
March 3, 2018

Adam J. Recker
Notary Public

SURVEY AND PLAT OF:

Boundary Description:

Bennett's First Subdivision in the Southeast Quarter of the Southeast Quarter of Section 35, Township 89 North, Range 6 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Beginning at the Southwest Corner of said Quarter-Quarter Section;

Thence **North 01°27'41" West (Assumed Bearing), 1326.18 feet** along the West Line of said Quarter-Quarter Section to the Northwest Corner of said Quarter-Quarter Section;

Thence **North 88°33'55" East, 1326.23 feet** along the North Line of said Quarter-Quarter Section to the Northeast Corner of said Quarter-Quarter Section;

Thence **South 01°26'51" East, 1174.06 feet** along the East Line of said Section to the North Line of a Warranty Deed recorded in Book 87, Page 22, on file in the Delaware County Recorder's Office, Manchester, Iowa;

Thence **South 88°36'12" West, 120.00 feet** along said North Line to the West Line of said Deed;

Thence **South 01°26'51" East, 153.00 feet** along said West Line to the South Line of said Section Line;

Thence **South 88°36'12" West, 115.00 feet** along said South Line to the East Line of Parcel B recorded in Book 2006, Page 4290, on file in the Delaware County Recorder's Office, Manchester, Iowa;

Thence **North 01°26'51" West, 235.08 feet** along said East Line to the North Line of said Parcel B;

Thence **South 88°36'12" West, 205.00 feet** along said North Line to the West Line of said Parcel B;

Thence **South 01°26'51" East, 235.08 feet** along said West Line to said South Section Line;

Thence **South 88°36'12" West, 885.92 feet** along said South Line to the Point of Beginning;

Containing **38.858 Acres**, consisting of **36.945 Acres** in Lot 1, including 0.671 Acre of 220th Street Right-of-Way, and **1.913 Acres** in Lot 2, including 0.087 Acre of 220th Street Right-of-Way, subject to easements of record.
(See plat attached to this original survey description.)

References are herby made to a Survey of Plat made by J. David Gibbs, recorded December 7, 2006, in Book 2006, Page 4290; and a Deed recorded in Book 87, Page 22; both on file in the Delaware County Recorder's Office, Manchester, Iowa.

R-140-2015
RESOLUTION APPROVING FINAL PLAT

WHEREAS, the final plat of ***Bennett's First Subdivision, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated December 8th, 2015, 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 the City or within a two mile radius of the City; 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; as presented with the following decelerations and conditions;

1) No determination has been made as to compliance with this subdivision and platting requirements which are set forth in the Code of Iowa.
2) Sidewalks and utility extensions shall not be required at this time, but City shall maintain ability to require such improvements if the property is annexed into the City of Manchester.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***Bennett's Subdivision, 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.

Adopted and passed this 23rd day of November, A.D., 2015.

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

CITY OF MANCHESTER, IOWA

By Milt L. Kramer
Milt L. Kramer, Mayor

ATTEST:
By Erin Learn
Erin Learn, City Clerk

State of Iowa)
) SS
Delaware County)

On this 8th day of December, 2015, 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-140-2015 adopted by the City Council on the 23rd day of November, 2015, 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 in and for the State of Iowa

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

CITY MANAGER DETERMINATION

I, **Timothy J. Vick,**, City Manger of Manchester, Iowa, have reviewed plat of ***Bennett's First Subdivision, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated December 8th, 2015, and have determined said survey qualifies as a Minor Subdivision as specified in Section 127.22 of the Manchester Code of Ordinances. Minor Subdivisions do not require review or approval of the Planning and Zoning Commission.

Timothy J Vick
Timothy J. Vick, City Manager

12/8/2015
Date

State of Iowa)
) SS
Delaware County)

On this 8 day of December, 2015 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Timothy J. Vick, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Laura K Thomas
Notary Public in and for the State of **Iowa**

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

OWNER'S ACKNOWLEDGMENT

We Donald G. & Generose M. Bennett Trust of _____ County, State of _____, do herby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent, and in accordance with my (our) desire.

_____ NAME

_____ NAME

State of _____)
) SS
_____ County)

On this _____ day of _____, , 2015 before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

_____
Notary Public in and for the State of _____
My commission expires _____

We Walter H. Monaghan Trust of Grundy County, State of Iowa, do herby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent, and in accordance with my (our) desire.

NAME JASON KIRKPATRICK MTO

_____ NAME

State of Iowa)
) SS
GRUNDY County)

On this 7th day of DECEMBER, , 2015 before me, the undersigned, a Notary Public in and for the State of IOWA, personally appeared JASON KIRKPATRICK, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Crystal Huisman
Notary Public in and for the State of Iowa
My commission expires 3-31-17

NOTARIAL SEAL IOWA
CRYSTAL HUISMAN
Commission No. 752045
My Commission Expires
3-31-17

OWNER'S ACKNOWLEDGMENT

We Donald G. & Generose M. Bennett Trust of Delaware County, State of Iowa do herby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent, and in accordance with my (our) desire.

Donald G. Bennett
NAME DONALD G. BENNETT

NAME

CHANEL M SCHMIDT
NOTARY PUBLIC
STATE OF WISCONSIN

State of Wisconsin)
) SS
Ozaukee County)

On this 24th day of November, , 2015 before me, the undersigned, a Notary Public in and for the State of Wisconsin, personally appeared Donald G Bennett AS TRUSTEE, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Notary Public in and for the State of Wisconsin
My commission expires 4/20/2018

We Walter H. Monaghan Trust of Grundy County, State of Iowa, do herby certify that the above survey, as shown by the attached Plat, is made with my (our) free consent, and in accordance with my (our) desire.

NAME

NAME

State of Iowa)
) SS
_____ County)

On this _____ day of _____, , 2015 before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Notary Public in and for the State of Iowa
My commission expires _____

ATTORNEY OPINION

I, Tom Hanson, a practicing attorney at law in the City of Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in ***Bennett's First Subdivision, City of Manchester, Delaware County, Iowa***, on premises more specifically described in the Surveyor's Certificate of Lyle G. TeKippe, dated December 8, 2015

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 1st day of December, 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

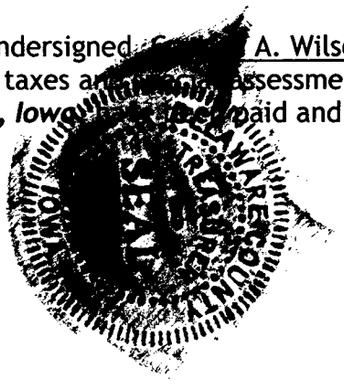
Donald G. Bennett as Trustee of the Revocable Trust Agreement of Donald G. Bennet and Generose M. Bennett dated February 28, 2013 as to an undivided 95% interest therein; Walter H. Monaghan Trust as to an undivided 5% therein.

Dated at Manchester, Iowa, this 18th day of December 2015.

NAME Thomas J. Hanson
Attorney at Law
Hanson Law Office
401 E Main Street
Manchester, Iowa 52057

CERTIFICATE OF TREASURER

I, the undersigned, Carolyn A. Wilson, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***Bennett's First Subdivision, Delaware County, Iowa*** have been paid and said real estate is free and clear of all taxes as of this date.



Carolyn A. Wilson, Delaware County Treasurer

12-8-15
Date

State of Iowa)
) SS
Delaware County)

On this 8 day of December, , 2015 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Carolyn Wilson, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Notary Public in and for the State of **Iowa**
My commission expires 5-14-18



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 ***Bennett's First Subdivision, City of Manchester, Delaware County, Iowa***, a subdivision in Delaware County, Iowa.

Carla K. Becker

Carla K. Becker, Delaware County Auditor

12-1-2015

Date

DELAWARE COUNTY OFFICIAL SEAL IOWA

State of Iowa)
) SS
Delaware County)

On this 1st day of December, , 2015 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Carla K. Becker, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Peggy A. Hildebrand

Notary Public in and for the State of **Iowa**

My commission expires 12-26-2018

NOTARIAL SEAL IOWA
PEGGY A. HILDEBRAND
Commission Number 707482
My Commission Expires
12-26-2018

DELAWARE COUNTY E-911 BOARD

The foregoing plat of ***Bennett's First Subdivision, Delaware County, Iowa*** ,has been examined and approved as to being in full compliance with Delaware County Ordinance #12, The Uniform Rural Address System, as passed and adopted by the Delaware County Board of Supervisors on the 6th day of August, 1996.

Mike Corkery,
Coordinator Delaware County E-911 Board

12-2-2015
Date

State of Iowa)
) SS
Delaware County)

On this 2nd day of December, 2015 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mike Corkery, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the instrument as his/her voluntary act and deed.

Peggy A. Hildebrand
Notary Public in and for the State of Iowa
My commission expires 12-26-2018

PEGGY A. HILDEBRAND
Commission Number 707482
My Commission Expires
12-26-2018