COUNTY: DELAWARE
SECTION 3 , T 88 N, R 5W
ALIQUOT PART: SE 1/4 - SW 1/4
CITY:
SUBDIVISION: HOLTZ - BENNETT SUBDIVISION
BLOCK:
LOTS: 1 & 2
PROPRIETOR:
SARA W. BENNETT AS TRUSTEE OF THE BENNETT FAMILY TRUST
REQUESTED BY: Pat Dolan

FILED
Delaware Co. Assessor

FEB 07 2017

FILED
Delaware Co. Auditor

FEB 07 2017

Book 2017 Page 403

Document 2017 403 Type 06 002 Pages 7
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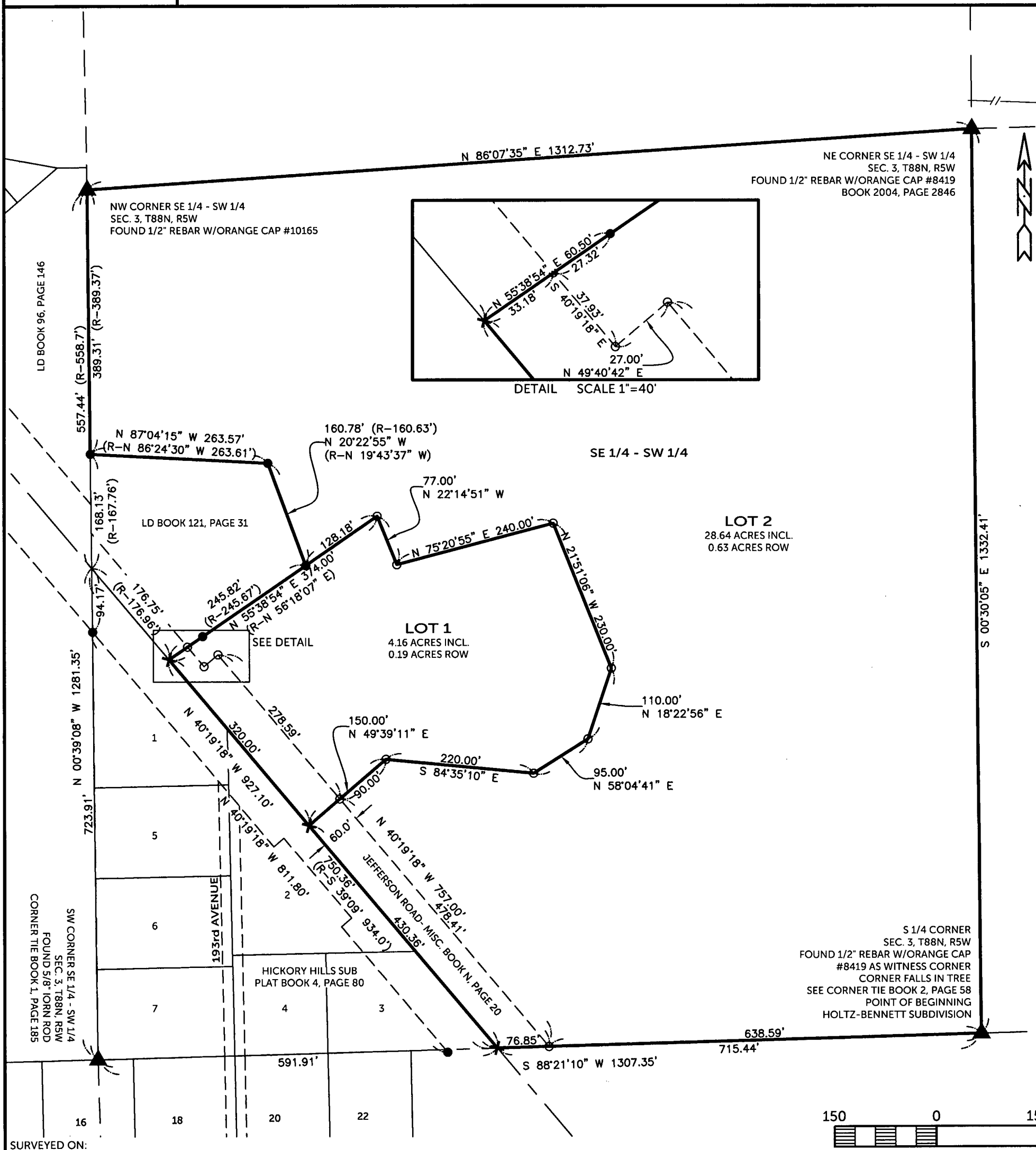
Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

SUBDIVISION PLAT

HOLTZ - BENNETT SUBDIVISION

A SUBDIVISION OF PART OF THE SE 1/4 - SW 1/4 OF SECTION 3, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



150 0 150

SCALE: 1" = 150'

SURVEYED ON:
SURVEY REQUESTED BY: Pat Dolan

Q:\Civil3D_Survey\GPS Box 37\GPS Box 37 2017.dwg

PROPRIETORS: SARA W. BENNETT AS TRUSTEE OF THE BENNETT FAMILY TRUST
PO BOX 456, MANCHESTER, IOWA 52057

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.

1/16/17

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

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

SHEETS COVERED BY THIS SEAL: 1-2

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

PROJECT NO. 16-165
SCALE: 1" = 150'
DATE: 1/16/2017
DRAWN BY: RLR
CHECKED BY: DDK/DM
GPS BOX: 37
SHEET 1 OF

LEGEND

- ▲ SECTION CORNER
- ● FOUND 1/2" REBAR
- ⊙ SET 1/2" REBAR w/ ORANGE CAP PLS 17939
- × SET CUT "X"
- SECTION LINE
- QUARTER LINE
- QTR.-QTR. LINE
- FENCE LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- LOT/PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- R RECORDED

LEGAL DESCRIPTION:

HOLTZ – BENNETT SUBDIVISION, A SUBDIVISON OF PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THREE (3), TOWNSHIP EIGHTY-EIGHT NORTH (T88N), RANGE FIVE WEST (R5W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, containing a total of 32.80 acres, including 0.82 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 South Quarter Corner of Section Three (3), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Southerly Line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3), South 88° 21' 10" West, 715.44 feet to the centerline of Jefferson Road;

THENCE along the centerline of said Jefferson Road, North 40° 19' 18" West, 750.36 feet, to the boundary of a parcel recorded in Land Deed Book 121, Page 31;

THENCE along the boundary of said Parcel, North 55° 38' 54" East, 245.82 feet;

THENCE continuing along the boundary of said Parcel, North 20° 22' 55" West, 160.78 feet;

THENCE continuing along the boundary of said Parcel, North 87° 04' 15" West, 263.57 feet to the West Line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3);

THENCE along said West Line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3), North 00° 39' 08" West, 389.30 feet to the Northwest Corner of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3);

THENCE along the North Line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3), North 86° 07' 35" East, 1312.73 feet, to the Northeast Corner of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3);

THENCE along the East Line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section Three (3), South 00° 30' 05" East, 1332.41 feet to the **POINT OF BEGINNING**;

Containing a total of 32.80 acres, including 0.82 acres of public road right of way.

The Southerly Line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section Three (3), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, is assumed to bear South 88° 21' 10" West

OWNER'S ACKNOWLEDGMENT

I Sara W. Bennett as Trustee of the Bennett Family Trust, of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with our desire.

Sara W. Bennett

Sara W. Bennett

State of Maricopa, Arizona

County of Maricopa) Ss:

On this 23rd day of January A.D. 2017, before me, the undersigned, a Notary Public in and for the State of Arizona, personally appeared Sara W. Bennett, Trustee of the Bennett Family Trust, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

April Franz

Notary Public

APRIL FRANZ
Notary Public - Arizona
Maricopa County
My Comm. Expires Nov 11, 2020

CERTIFICATE OF TREASURER

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

DELAWARE COUNTY TREASURER SEAL IOWA

Carolyn A. Wilson 2-7-17
Carolyn A. Wilson, County Treasurer Date

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 **HOLTZ – BENNETT SUBDIVISION**, a subdivision in Delaware County, Iowa.

Carla K. Becker by A Rae Dep Auditor
Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY BOARD OF SUPERVISORS SEAL IOWA

State of Iowa)
)
County of Delaware)

On this 7th day of February, 2017, before me Donna M. Kunde 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.

DONNA M. KUNDE Commission Number 175097 My Commission Expires 8-16-18

Donna M. Kunde
Notary Public

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of **HOLTZ – BENNETT SUBDIVISION**, 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

Michael Corkery – Coordinator
Delaware County E-911 Board

State of Iowa)
)
County of Delaware) Ss:

On this 7th day of February, 2017, before me Donna M. Kunde a Notary Public in and for the State of Iowa, personally appeared Michael Corkery, to me personally known, and, who, being me duly sworn, did say that he is the Coordinator for the Delaware County E-911 Board.

DONNA M. KUNDE Commission Number 175097 My Commission Expires 8-16-18

Donna M. Kunde
Notary Public

ATTORNEY'S OPINION

I, Thomas J. Hanson, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land in Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg dated JANUARY 16, 2017.

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 23rd day of January, 2017 at 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 Sara W. Bennett as Trustee of the Bennett Family Trust under the Bennett Revocable Trust dated 6/30/2006.

Dated at Manchester, Delaware County, Iowa, in said County, this 27th day of January, 2017.

Thomas J. Hanson
Hanson Law Office
Attorneys at Law
401 E Main Street
Manchester, Iowa 52057
(563) 927-5920

R-014-2017

RESOLUTION APPROVING PRELIMINARY PLAT OF HOLTZ-BENNETT SUBDIVISION

WHEREAS, the Preliminary Subdivision Plat of **HOLTZ – BENNETT SUBDIVISION,** City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated JANUARY 16, 2017, 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 Preliminary 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 Preliminary Subdivision Plat of **HOLTZ – BENNETT SUBDIVISION**, 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. 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")

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said **HOLTZ – BENNETT SUBDIVISION**, 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 Preliminary plat as by law provided.

Passed this 23rd day of January, A.D., 2017.

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

Milt L. Kramer, Mayor

ATTEST:

Erin Learn, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 24th day of January, 2017, 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-014-2017 adopted by the City Council on the 23rd day of January, 2017, 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, 2017

R-015-2017

RESOLUTION APPROVING FINAL SUBDIVISION PLAT OF HOLTZ-BENNETT SUBDIVISION

WHEREAS, the Final Subdivision Plat of **HOLTZ-BENNETT SUBDIVISION,** City of Manchester, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated JANUARY 16, 2017 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 Final 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 Subdivision Plat of **HOLTZ-BENNETT SUBDIVISION**, 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. 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")

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said **HOLTZ-BENNETT SUBDIVISION**, 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 23rd day of January, A.D., 2017.

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 January, 2017, 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-015-2017 adopted by the City Council on the 23rd day of January, 2017, 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, 2017