Recorder's Index
County: Delaware
Section: Section 28, T89N, R5W, 5th P.M.
Aliquot Part: Subdivision of part of the W1/2 of the SE1/4-SE1/4
City: City of Manchester
Subdivision: Meadow Brook Trail Addition
Lot & Block: Lot 1 – Lot 4 of Block 1, Lot 1 – Lot 10 of Block 2, Lot 1 – Lot 16 of Block 3, Lot A, Lot B, and Lot C
Proprietor(s): Wesley D. & Jamie K. Schulte
Requested by: Wesley D. Schulte
Surveyor and Return To: Roger R. Mohn, Iowa P.E. & P.L.S. No. 10165 Mohn Surveying, Inc. 1890 Great River Road, Lansing, Iowa 52151
Telephone No.: (563) 538-4067 Email: mohnsurveying@gmail.com

FILED
Delaware Co. Assessor
MAY 04 2020

FILED
Delaware Co. Auditor
MAY 04 2020

Book 2020 Page 1311

Document 2020 1311 Type 06 002 Pages 6
Date 5/04/2020 Time 3:41:43PM
Rec Amt $32.00

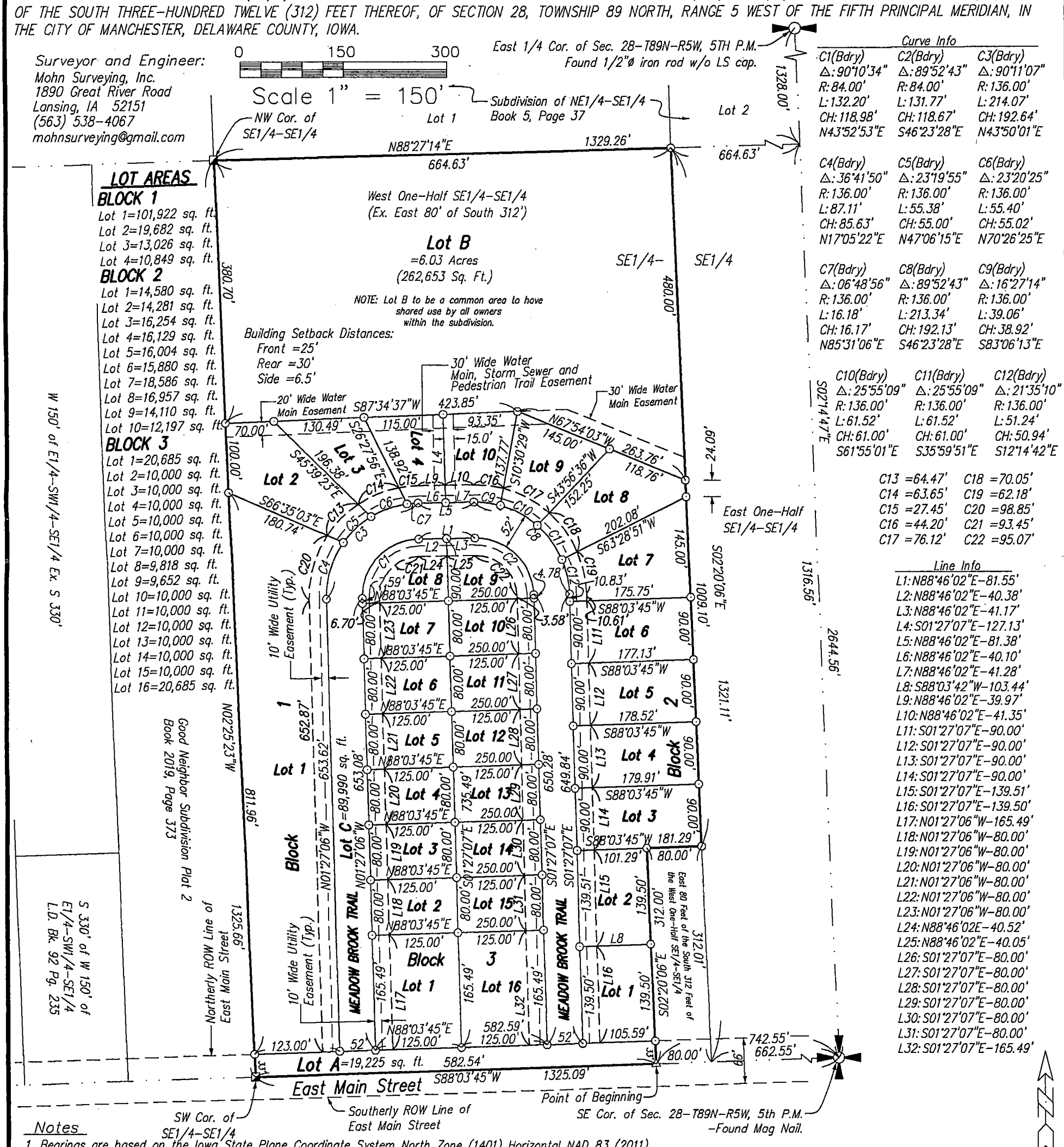
Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

• • MOHN SURVEYING, INC. • ROGER R. MOHN • 1890 GREAT RIVER ROAD • LANSING, IOWA 52151 • 563-538-4067 • •

FINAL PLAT
of
MEADOW BROOK TRAIL ADDITION

A SUBDIVISION OF THE WEST HALF (W1/2) OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4-SE1/4), EXCEPT THE EAST EIGHTY (80) FEET OF THE SOUTH THREE-HUNDRED TWELVE (312) FEET THEREOF, OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.

Surveyor and Engineer:
Mohn Surveying, Inc.
1890 Great River Road
Lansing, IA 52151
(563) 538-4067
mohnsurveying@gmail.com



LOT AREAS

BLOCK 1
Lot 1=101,922 sq. ft.
Lot 2=19,682 sq. ft.
Lot 3=13,026 sq. ft.
Lot 4=10,849 sq. ft.

BLOCK 2
Lot 1=14,580 sq. ft.
Lot 2=14,281 sq. ft.
Lot 3=16,254 sq. ft.
Lot 4=16,129 sq. ft.
Lot 5=16,004 sq. ft.
Lot 6=15,880 sq. ft.
Lot 7=18,586 sq. ft.
Lot 8=16,957 sq. ft.
Lot 9=14,110 sq. ft.
Lot 10=12,197 sq. ft.

BLOCK 3
Lot 1=20,685 sq. ft.
Lot 2=10,000 sq. ft.
Lot 3=10,000 sq. ft.
Lot 4=10,000 sq. ft.
Lot 5=10,000 sq. ft.
Lot 6=10,000 sq. ft.
Lot 7=10,000 sq. ft.
Lot 8=9,818 sq. ft.
Lot 9=9,652 sq. ft.
Lot 10=10,000 sq. ft.
Lot 11=10,000 sq. ft.
Lot 12=10,000 sq. ft.
Lot 13=10,000 sq. ft.
Lot 14=10,000 sq. ft.
Lot 15=10,000 sq. ft.
Lot 16=20,685 sq. ft.

Curve Info

C1(Bdry)	C2(Bdry)	C3(Bdry)
Δ: 90°10'34"	Δ: 89°52'43"	Δ: 90°11'07"
R: 84.00'	R: 84.00'	R: 136.00'
L: 132.20'	L: 131.77'	L: 214.07'
CH: 118.98'	CH: 118.67'	CH: 192.64'
N43°52'53"E	S46°23'28"E	N43°50'01"E
C4(Bdry)	C5(Bdry)	C6(Bdry)
Δ: 36°41'50"	Δ: 23°19'55"	Δ: 23°20'25"
R: 136.00'	R: 136.00'	R: 136.00'
L: 87.11'	L: 55.38'	L: 55.40'
CH: 85.63'	CH: 55.00'	CH: 55.02'
N17°05'22"E	N47°06'15"E	N70°26'25"E
C7(Bdry)	C8(Bdry)	C9(Bdry)
Δ: 06°48'56"	Δ: 89°52'43"	Δ: 16°27'14"
R: 136.00'	R: 136.00'	R: 136.00'
L: 16.18'	L: 213.34'	L: 39.06'
CH: 16.17'	CH: 192.13'	CH: 38.92'
N85°31'06"E	S46°23'28"E	S83°06'13"E
C10(Bdry)	C11(Bdry)	C12(Bdry)
Δ: 25°55'09"	Δ: 25°55'09"	Δ: 21°35'10"
R: 136.00'	R: 136.00'	R: 136.00'
L: 61.52'	L: 61.52'	L: 51.24'
CH: 61.00'	CH: 61.00'	CH: 50.94'
S61°55'01"E	S35°59'51"E	S12°14'42"E

C13 =64.47' C18 =70.05'
C14 =63.65' C19 =62.18'
C15 =27.45' C20 =98.85'
C16 =44.20' C21 =93.45'
C17 =76.12' C22 =95.07'

Line Info

L1: N88°46'02"E-81.55'
L2: N88°46'02"E-40.38'
L3: N88°46'02"E-41.17'
L4: S01°27'07"E-127.13'
L5: N88°46'02"E-81.38'
L6: N88°46'02"E-40.10'
L7: N88°46'02"E-41.28'
L8: S88°03'42"W-103.44'
L9: N88°46'02"E-39.97'
L10: N88°46'02"E-41.35'
L11: S01°27'07"E-90.00'
L12: S01°27'07"E-90.00'
L13: S01°27'07"E-90.00'
L14: S01°27'07"E-90.00'
L15: S01°27'07"E-139.51'
L16: S01°27'07"E-139.50'
L17: N01°27'06"W-165.49'
L18: N01°27'06"W-80.00'
L19: N01°27'06"W-80.00'
L20: N01°27'06"W-80.00'
L21: N01°27'06"W-80.00'
L22: N01°27'06"W-80.00'
L23: N01°27'06"W-80.00'
L24: N88°46'02E-40.52'
L25: N88°46'02"E-40.05'
L26: S01°27'07"E-80.00'
L27: S01°27'07"E-80.00'
L28: S01°27'07"E-80.00'
L29: S01°27'07"E-80.00'
L30: S01°27'07"E-80.00'
L31: S01°27'07"E-80.00'
L32: S01°27'07"E-165.49'

Notes

1. Bearings are based on the Iowa State Plane Coordinate System North Zone (1401) Horizontal NAD 83 (2011).
2. Utility Easement includes telephone, electricity, cable TV, and fiber optic lines.

SEAL

LICENSED LAND SURVEYOR
Roger R. Mohn
10165
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 Professional Land Surveyor under the laws of the State of Iowa.

Roger R. Mohn April 17, 2020
Roger R. Mohn Date

License Number 10165
My license renewal date is December 31, 2020
Pages or sheets covered by this seal: Sheet 1 of 2 through 2 of 2.

Proprietor(s) and Subdivider(s):
Wesley D. & Jamie K. Schulte
100 1/2 E. Main St.
Suite B
Manchester, IA 52057

Survey requested by:
Wesley D. Schulte

Sheet No. 1 of 2
Surveyed: Aug. 2014-Oct. 2019 (297, 73-78)
April 17, 2020 Drawn By: JJM RRM
S:\Drawings\Surveys\2014\Delaware\WSchulte\WSchulte.dwg

Legend
- Parcel Boundary Established
- Set 1/2"ø iron rod w/LS cap No. 10165.
- Found 1/2"ø iron rod w/o LS cap.
- Found 1/2"ø iron rod w/LS cap No. 8419.
- Set Mag Nail w/washer No. 10165.
- Section Line, 1/4 Section Line, or 1/4-1/4 Section Line.
- (R.A.) Recorded As

LEGAL DESCRIPTION OF **MEADOW BROOK TRAIL ADDITION**:

Meadow Brook Trail Addition being a subdivision of the West One-half (W1/2) of the Southeast Quarter of the Southeast Quarter (SE1/4-SE1/4), except the East Eighty (80) feet of the South Three Hundred and twelve (312) feet thereof, in Section Twenty-eight (28), Township Eighty-nine (89) North, Range Five (5) West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa consisting of Lot One (1) through Lot Four (4) of Block One (1), Lot One (1) through Lot Ten (10) of Block Two (2), Lot One (1) through Lot Sixteen (16) of Block Three (3), Lot A, Lot B, and Lot C containing a total of 17.52 acres, more or less. The exterior boundary of said Meadow Brook Trail Addition is more particularly described by metes and bounds as follows:

Commencing at the Southeast Corner of Section 28, Township 89 North, Range 5 West of the 5th P.M.; thence S 88°-03'-45" W, 742.55 feet along the south line of the SE1/4-SE1/4 of said Section 28 to the Point of Beginning; thence S 88°-03'-45" W, 582.54 feet along the south line of said SE1/4-SE1/4; thence N 02°-25'-23" W, 1325.66 feet along the west line of said SE1/4-SE1/4; thence N 88°-27'-14" E, 664.63 feet along the north line of said SE1/4-SE1/4; thence S 02°-20'-06" E, 1009.10 feet; thence S 88°-03'-45" W, 80.00 feet; thence S 02°-20'-06" E, 312.00 feet to the Point of Beginning. Said described parcel contains a total of 17.52 acres, more or less. Bearings are based on the Iowa State Plane Coordinate System North Zone (1401) Horizontal NAD 83 (2011).

LICENSED PROFESSIONAL LAND SURVEYOR
ROGER R. MOHN 10165
IOWA

I hereby certify that this land surveying 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.

Roger R. Mohn April 17, 2020

Roger R. Mohn *Date*
License Number 10165
My license renewal date is December 31, 2020.
Pages or sheets covered by this seal:
Sheet No. 1 of 2 through 2 of 2.

OWNER'S CONSENT:

The attached subdivision plat represents the final plat of **Meadow Brook Trail Addition** being a subdivision of the West One (1/2) of the Southeast Quarter of the Southeast Quarter (SE1/4-SE1/4), except the East Eighty (80) feet of the South Three Hundred and Twelve (312) feet thereof, in Section 28, Township 89 North, Range 5 West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa.

I (We), Wesley D. Schulte and Jamie K. Schulte, of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat of Survey, is made with my (our) free consent and in accordance with my (our) desire.

Wesley D. Schulte Jamie K. Schulte

STATE OF IOWA, Delaware County SS.
On this 4th day of May A.D., 2020 before me, a Notary Public in and for said County, personally appeared Wesley D. Schulte and Jamie K. Schulte of said County, to me personally known to be the identical person(s) whose name(s) is (are) affixed to the foregoing statement, and acknowledge the same to be their voluntary act and deed.

Witness my hand and seal.

Peggy A. Hildebrand
Notary Public in and for said County

NOTARIAL SEAL IOWA
PEGGY A. HILDEBRAND
Commission Number 707482
My Commission Expires
December 26, 2021

CERTIFICATE OF TREASURER

I, the undersigned, Pam Klein, state that I am the Delaware County Treasurer and have examined the records in our office for the lands legally described as follows:

The West One (1/2) of the Southeast Quarter of the Southeast Quarter (SE1/4-SE1/4), except the East Eighty (80) feet of the South Three Hundred and Twelve (312) feet thereof, in Section 28, Township 89 North, Range 5 West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa.

and pursuant to Iowa Code section 354.11, the property is free from delinquent taxes and certified special assessments.

Dated: May 4, 2020

Pam Klein
Delaware County Treasurer

STATE OF IOWA, Delaware County SS.
On this 4 day of May A.D., 2020 before me, a Notary Public in and for said County, personally appeared Pam Klein of said County, to me personally known to be the identical person(s) whose name is affixed to the foregoing statement and did say that she is the Treasurer of Delaware County, Iowa, and acknowledge the same to be her voluntary act and deed.

Witness my hand and seal.

JENNIFER F. ESCHEN
Commission Number 792727
My Commission Expires
10-14-21

Jennifer F Eschen
Notary Public in and for said County

APPROVAL OF AUDITOR

I, the undersigned, 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 Meadow Brook Trail Addition, in the City of Manchester, Delaware County, Iowa, a subdivision of:

Meadow Brook Trail Addition being a subdivision of the West One (1/2) of the Southeast Quarter of the Southeast Quarter (SE1/4-SE1/4), except the East Eighty (80) feet of the South Three Hundred and Twelve (312) feet thereof, in Section 28, Township 89 North, Range 5 West of the Fifth Principal Meridian, in the City of Manchester, Delaware County, Iowa.

Date: 5-4-2020

Carla K. Becker

STATE OF IOWA, Delaware County SS.
On this 4th day of May A.D., 2020 before me, a Notary Public in and for said County, personally appeared Carla K. Becker of said County, to me personally known to be the identical person(s) whose name is affixed to the foregoing statement and did say that she is the Auditor of Delaware County, Iowa, and acknowledge the same to be her voluntary act and deed.

Witness my hand and seal.

Peggy A. Hildebrand
Notary Public in and for said County

PEGGY A. HILDEBRAND
Commission Number 707482
My Commission Expires
December 26, 2021

Resolution R-071-2020

RESOLUTION APPROVING PRELIMINARY & FINAL PLAT of MEADOW BROOK TRAIL ADDITION

WHEREAS, the Preliminary & Final plat of **Meadow Brook Trail Addition,** City of Manchester, Delaware County, Iowa, affecting premises described as:

> *A subdivision of the West half (W ½) of the Southeast Quarter of the Southeast Quarter (SE ¼-SE ¼), except the East eighty (80) feet of the South three-hundred twelve (312) feet thereof, of Section 28, Township 89 North, Range 5 West of the Fifth Principal Meridian, in 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;

WHEREAS, the Manchester Planning and Zoning Commission has recommended to the City Council that they accept the Subdivision Plat of **Meadow Brook Trail Addition,** as presented with the following variances, declarations and conditions:

A. The preliminary plat conforms to the City's Comprehensive Plan.
B. The developer has requested zoning for the property as R3, Townhome Residential Moderate Density District.
C. The subdivider shall, at his expense, install and construct all improvements required by City Code of Ordinances Chapter 170. All require improvements shall be installed and constructed in accordance with the design standards established for such improvements by the City.
D. A Waiver and Petition for infrastructure improvements must be signed by the developers.
E. Developer shall be allowed a variance from the technical standards for new street construction as adopted in Resolution R-077-2013, "a Resolution Establishing Fees and Technical Standards for Subdivisions. The developer has requested these requirements be reduced to a 52-foot right of way, a 28-foot back to back, and a 10-foot utility easement on both sides of the right of way as illustrated on the Preliminary Plat.
F. The approval of the preliminary plat by the Council shall be valid for a period of two years from the date of such approval, after which, such approval shall be void and the subdivider shall take no action requiring the precedent approval of a preliminary plat except upon application for and approval of an extension of such period of validity by the Council.
G. The approval shall not constitute acceptance of the subdivision but shall authorize the installation of improvements as required by Chapter 170 and as shown on the preliminary plat, provided, however, that no such improvement shall be constructed or installed until and unless the plan, profiles, cross sections and specifications for the construction of such improvement has been submitted to and approved in writing by the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said **Meadow Brook Trail Addition,** 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 Preliminary & Final plat as by law provided.

Passed this 27th day of April, 2020.

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 May 4, 2020, 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 071-2020 adopted by the City Council on the April 27, 2020 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 the State of Iowa

NOTARIAL SEAL IOWA

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2020

PLANNING AND ZONING COMMISSION RESOLUTION APPROVING
PRELIMINARY & FINAL PLAT MEADOW BROOK TRAIL ADDITION

WHEREAS, the Preliminary & Final plat of **Meadow Brook Trail Addition,** City of Manchester, Delaware County, Iowa, affecting premises described as

A subdivision of the West half (W ½) of the Southeast Quarter of the Southeast Quarter (SE ¼-SE ¼), except the East eighty (80) feet of the South three-hundred twelve (312) feet thereof, of Section 28, Township 89 North, Range 5 West of the Fifth Principal Meridian, in 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;

WHEREAS, Section 170.33 of Chapter 170 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 170.09); and

WHEREAS, the Preliminary & Final Plat of ***Meadow Brook Trail Addition, City of Manchester, Delaware County, Iowa*** should be approved with the following variances, declarations and conditions;

A. The preliminary plat conforms to the City's Comprehensive Plan.
B. The developer has requested zoning for the property as R3, Townhome Residential Moderate Density District.
C. The subdivider shall, at his expense, install and construct all improvements required by City Code of Ordinances Chapter 170. All require improvements shall be installed and constructed in accordance with the design standards established for such improvements by the City.
D. A Waiver and Petition for infrastructure improvements must be signed by the developers.
E. Developer shall be allowed a variance from the technical standards for new street construction as adopted in Resolution R-077-2013, "a Resolution Establishing Fees and Technical Standards for Subdivisions. The developer has requested these requirements be reduced to a 52-foot right of way, a 28-foot back to back, and a 10-foot utility easement on both sides of the right of way as illustrated on the Preliminary Plat.
F. The approval of the preliminary plat by the Council shall be valid for a period of two years from the date of such approval, after which, such approval shall be void and the subdivider shall take no action requiring the precedent approval of a preliminary plat except upon application for and approval of an extension of such period of validity by the Council.
G. The approval shall not constitute acceptance of the subdivision but shall authorize the installation of improvements as required by Chapter 170 and as shown on the preliminary plat, provided, however, that no such improvement shall be constructed or installed until and unless the plan, profiles, cross sections and specifications for the construction of such improvement has been submitted to and approved in writing by the City.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said Preliminary & Final Plat of ***Meadow Brook Trail Addition,*** be, and the same is hereby acknowledged, approved and accepted on the part of the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, and exhibits attached thereto, subject to all conditions as presented and representations referred to above, and the Commission hereby recommends to the City Council the acceptance of the same and the Chairperson and the Recording Secretary are hereby authorized and directed to certify this resolution of approval and affix the same to said plat and all attachments referred to herein as provided by law.

Adopted and passed this April 22 2020.

PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

By _____
David Smith, Chairperson

By Laura Thomas
Laura Thomas, Recording Secretary

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 24th April, 2020, 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 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 24th April 2020, 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.

_____
Julie A. Schmitz Notary Public

NOTARIAL SEAL IOWA
JULIE A. SCHMITZ
Commission Number 224151
My Comm. Exp. OCT 12, 2020

ATTORNEY'S OPINION

I, Steven E. Carr, a practicing attorney at law in Manchester, Delaware County, Iowa, have examined the abstract of title to the land included in Meadow Brook Trail Addition of Manchester, Delaware County, Iowa on premises more specifically described in the Surveyor's Certificate of Roger R. Mohn, dated April 17, 2020.

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 9th day of April, A.D., 2020, at the hour of eight 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 names of Wesley D. Schulte and Jamie K. Schulte, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common subject to the following:

Real Estate Mortgage, Assignment of Rents and Fixture Filing in favor of Farm Credit Services of America, FLCA dated January 2, 2018, filed January 2, 2018 in Book 2018, Page 25.

Dated at Manchester, Iowa in said County, this 24th day of April, 2020.

S. E. Carr

Steven E. Carr
Attorney at Law