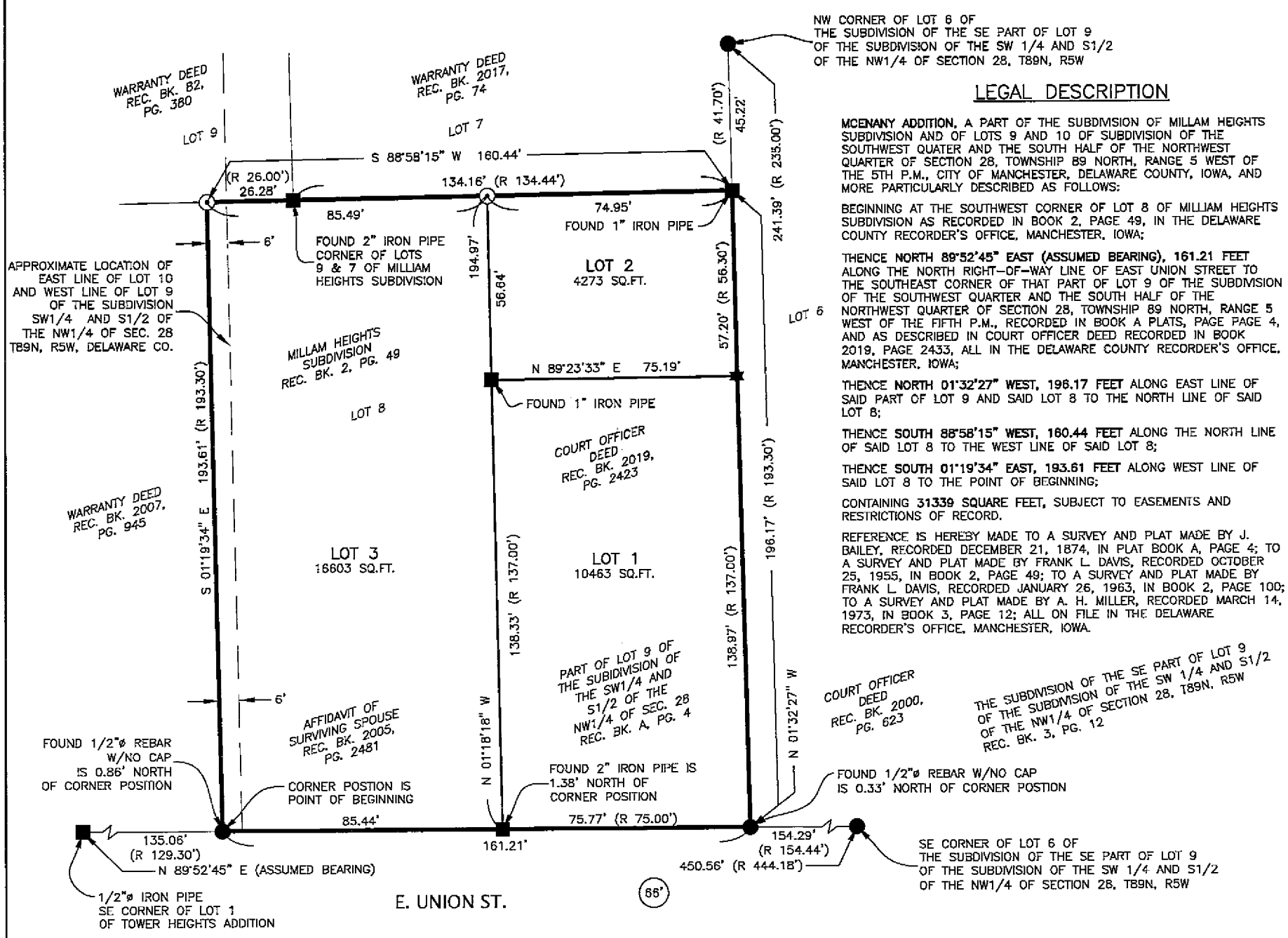
**Recorded: 4/9/2021 at 10:14:06.0 AM**
**County Recording Fee: $42.00**
**Iowa E-Filing Fee: $3.78**
**Combined Fee: $45.78**
**Revenue Tax:**
**Delaware County, Iowa**
**Daneen Schindler RECORDER**
**BK: 2021 PG: 1269**

| RECORDER'S INDEX | |
|---|---|
| COUNTY: DELAWARE | |
| SECTION: 28–T89N–R5W | |
| QUARTER SECTION: NW1/4–SW1/4 | |
| CITY: MANCHESTER | |
| SUBDIVISION: MCENANY ADDITION, MILLAM HEIGHTS SUBDIVISION, SUBDIVISION OF THE SW1/4 AND THE S1/2 OF NW1/4 OF SECTION 28, T89N, R5W | |
| BLOCK: N/A | LOT(S): 1–3 |
| PROPRIETORS: SEAN & PAM MCENANY<br>DIANNE S. WILLIAMS | |
| REQUESTED BY: SEAN MCENANY | |

Filed Delaware County Assessor 4/9/2021
Filed Delaware County Auditor 4/9/2021

PREPARED BY/RETURN TO: FEHR GRAHAM, 221 E. MAIN ST., SUITE 301, MANCHESTER, IA 52057 – PH: (563)927–2060

# FINAL PLAT
# MCENANY ADDITION,
# A SUBDIVISION OF MILLAM HEIGHTS SUBDIVISION AND OF LOTS 9 AND 10 OF SUBDIVISION OF THE SW1/4 AND THE SOUTH HALF OF THE NW1/4 OF SECTION 28–T89N–R5W
# CITY OF MANCHESTER, DELAWARE COUNTY, IOWA




## LEGAL DESCRIPTION

**MCENANY ADDITION**, A PART OF THE SUBDIVISION OF MILLAM HEIGHTS SUBDIVISION AND OF LOTS 9 AND 10 OF SUBDIVISION OF THE SOUTHWEST QUATER AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE 5TH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 OF MILLIAM HEIGHTS SUBDIVISION AS RECORDED IN BOOK 2, PAGE 49, IN THE DELAWARE COUNTY RECORDER'S OFFICE, MANCHESTER, IOWA;

THENCE **NORTH 89°52'45" EAST (ASSUMED BEARING), 161.21 FEET** ALONG THE NORTH RIGHT–OF–WAY LINE OF EAST UNION STREET TO THE SOUTHEAST CORNER OF THAT PART OF LOT 9 OF THE SUBDIVISION OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 89 NORTH, RANGE 5 WEST OF THE FIFTH P.M., RECORDED IN BOOK A PLATS, PAGE PAGE 4, AND AS DESCRIBED IN COURT OFFICER DEED RECORDED IN BOOK 2019, PAGE 2433, ALL IN THE DELAWARE COUNTY RECORDER'S OFFICE, MANCHESTER, IOWA;

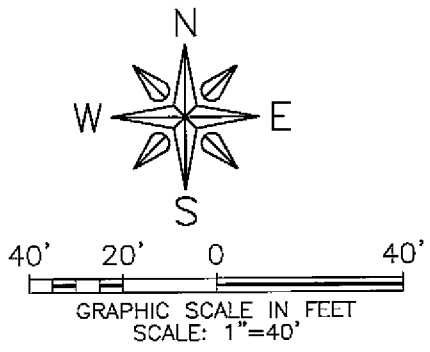
THENCE **NORTH 01°32'27" WEST, 196.17 FEET** ALONG EAST LINE OF SAID PART OF LOT 9 AND SAID LOT 8 TO THE NORTH LINE OF SAID LOT 8;

THENCE **SOUTH 88°58'15" WEST, 160.44 FEET** ALONG THE NORTH LINE OF SAID LOT 8 TO THE WEST LINE OF SAID LOT 8;

THENCE **SOUTH 01°19'34" EAST, 193.61 FEET** ALONG WEST LINE OF SAID LOT 8 TO THE POINT OF BEGINNING;

CONTAINING **31339 SQUARE FEET**, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

REFERENCE IS HEREBY MADE TO A SURVEY AND PLAT MADE BY J. BAILEY, RECORDED DECEMBER 21, 1874, IN PLAT BOOK A, PAGE 4; TO A SURVEY AND PLAT MADE BY FRANK L. DAVIS, RECORDED OCTOBER 25, 1955, IN BOOK 2, PAGE 49; TO A SURVEY AND PLAT MADE BY FRANK L. DAVIS, RECORDED JANUARY 26, 1963, IN BOOK 2, PAGE 100; TO A SURVEY AND PLAT MADE BY A. H. MILLER, RECORDED MARCH 14, 1973, IN BOOK 3, PAGE 12; ALL ON FILE IN THE DELAWARE RECORDER'S OFFICE, MANCHESTER, IOWA.




## LEGEND

- FOUND 1/2"ø REBAR NO CAP
- FOUND IRON PIPE AS DESCRIBED
- FOUND 1" IRON ROD
- SET 1/2"ø REBAR W/RPC #24627
- SURVEY BOUNDARY
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- (66') RIGHT–OF–WAY WIDTH
- (R) PREVIOUSLY RECORDED AS
- RPC RED PLASTIC CAP

PROFESSIONAL LAND SURVEYOR
ADAM J. RECKER
24627
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.

Adam J. Recker, P.L.S. — 3-3-2021 Date
License Number: 24627
My license renewal date is December 31, 2021.
Sheets covered by this seal: THIS SHEET ONLY

**FEHR GRAHAM**
ENGINEERING & ENVIRONMENTAL
© 2021 FEHR GRAHAM
ILLINOIS
IOWA
WISCONSIN

G:\C3D\21\21–166\21–166 LEGAL.dwg

FLD BK: DEL. CO. DELAWARE TWP 1
PG: 66–67

SURVEY WAS COMPLETED ON:
MARCH 3, 2021

JOB NUMBER: 21–166

SHEET NUMBER: 1 of 1

PLOT DATE: 3/24/21

## OWNER'S ACKNOWLEDGEMENT

We, Sean McEnany and Pam McEnany, do hereby certify that the above Description, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

Sean McEnany

Pam McEnany

State of Iowa )
) SS
Delaware County )

On this 10th day of March 2021, 2021 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Sean McEnany and Pam McEnany, 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 2-19-2023

NOTARIAL SEAL IOWA
Terese J. Greve
COMMISSION # 142426
My Commission Expires
02-19-2023

## OWNER'S ACKNOWLEDGEMENT

I, Dianne S. Williams, do hereby certify that the above survey, as shown by the attached Plat, is made with my free consent, and in accordance with my desire.

Dianne S. Williams

Dianne S. Williams

State of Iowa )
) SS
Delaware County )

On this 9th day of March, 2021 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dianne S. Williams, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the instrument as her voluntary act and deed.

Teresa J. Greve

Notary Public in and for the State of Iowa
My commission expires Feb 19, 2023

NOTARIAL SEAL IOWA
Teresa J. Greve
COMMISSION # 142426
My Commission Expires
02-19-2023

**R-026-2021**
**RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT**
**McEnany Addition**

**WHEREAS,** the Preliminary and Final plat of ***McEnany Addition, City of Manchester, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Adam J. Recker, dated March 3, 2021, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa, and has been acknowledged and approved by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, who have recommended acceptance; and

**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; and

**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 street standards (Section 170.17); 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; and

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Manchester, Delaware County, Iowa, that said ***McEnany Addition, City of Manchester, 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 22nd day of March, 2021.**

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, 2021, 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 026-2021 adopted by the City Council on the 22nd day of March, 2021, 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, 2023

CITY MANAGER DETERMINATION

**I, Timothy J. Vick,** City Manager of Manchester, Iowa, have reviewed plat of **McEnany Addition, *City of Manchester, Delaware County, Iowa,*** affecting premises more specifically described in the Surveyor's Certificate of Adam J. Recker dated March 3, 2021, 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

03/22/2021

Date

State of Iowa )
) SS
Delaware County )

On this 22 day of March, 2021, 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 executed the instrument as his voluntary act and deed.

Laura K Thomas

Notary Public in and for the State of Iowa

My commission expires 8-26-23

LAURA K THOMAS
Commission Number 718135
My Commission Expires
August 26, 2023

## CERTIFICATE OF TREASURER

I, the undersigned, Pam Klein, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***McEnany Addition, City of Manchester, Delaware County, Iowa,*** have been paid and said real estate is free and clear of all taxes as of this date.

Pam Klein

**Pam Klein, Delaware County Treasurer**

March 29, 2021

Date

State of Iowa )
) SS
Delaware County )

On this 29 day of MARCH, 2021 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Pam Klein, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the instrument as her voluntary act and deed.

Adam J. Recker

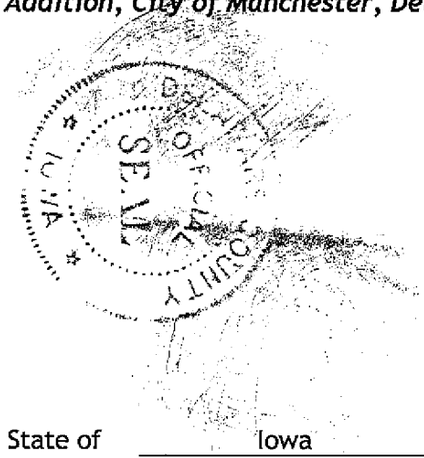
Notary Public in and for the State of Iowa

My commission expires 3-3-2024

NOTARIAL SEAL IOWA
ADAM JOHN RECKER
Commission Number 788821
My Commission Expires
March 3, 2024

## 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 ***McEnany Addition, City of Manchester, Delaware County, Iowa,*** a subdivision in Delaware County, Iowa.



Carla Becker, Delaware County Auditor

3-24-2021
Date

State of Iowa )
) SS
Delaware County )

On this 24th day of March, 2021 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Carla Becker, to me known, to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the instrument as her voluntary act and deed.




Staci M Hahesy
Notary Public in and for the State of Iowa
My commission expires 12-24-2023

## 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 McEnany Addition, City of Manchester, Delaware County, Iowa, on premises more specifically described in the Surveyor's Certificate of Adam J. Recker, dated March 3, 2021.

Portion owned by Dianne S. Williams:
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 18th day of March, A.D., 2021, at the hour of eight o'clock A.M.

My examination of said abstract and affidavit shows good and merchantable title on the date and hour of the certification to be in the name of Dianne S. Williams subject to the following:

A Mortgage in favor of First State Bank dated August 28, 2007, filed September 4, 2007 in Book 2007, Page 2889.

Portion owned by Sean McEnany and Pam McEnany:
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 25th day of March, A.D., 2021, at the hour of eight o'clock A.M

My examination of said abstract and affidavit shows good and merchantable title on the date and hour of the certification to be in the name of Sean McEnany and Pam McEnany, husband and wife, as joint tenants with full rights of survivorship and not as tenants in common subject to the following:

None.

Dated at Manchester, Iowa in said County, this 7th day of April, 2021.

Steven E. Carr
Attorney at Law