COUNTY: DELAWARE
SECTION 11 , T 88 N, R 5 W
ALIQUOT PART: NW 1/4 - SE 1/4, SW 1/4 - SE 1/4, SE 1/4 -SE 1/4

CITY:
SURVEY: PHILIP & PAULINE SANDS SUBDIVISION
BLOCK: LOTS:
PROPRIETOR: GARY LEE SANDS & PENNY KAYE SANDS

REQUESTED BY: GARY SANDS
SURVEYOR: RANDALL L. RATTENBORG
COMPANY: BURRINGTON, GROUP, INC.
105 W. MAIN STREET, MANCHESTER, IA 52057
INFO@BURRINGTONGROUP.COM 563-927-2434

FILED
Delaware Co. Assessor
DEC 20 2022

FILED
Delaware Co. Auditor
DEC 20 2022

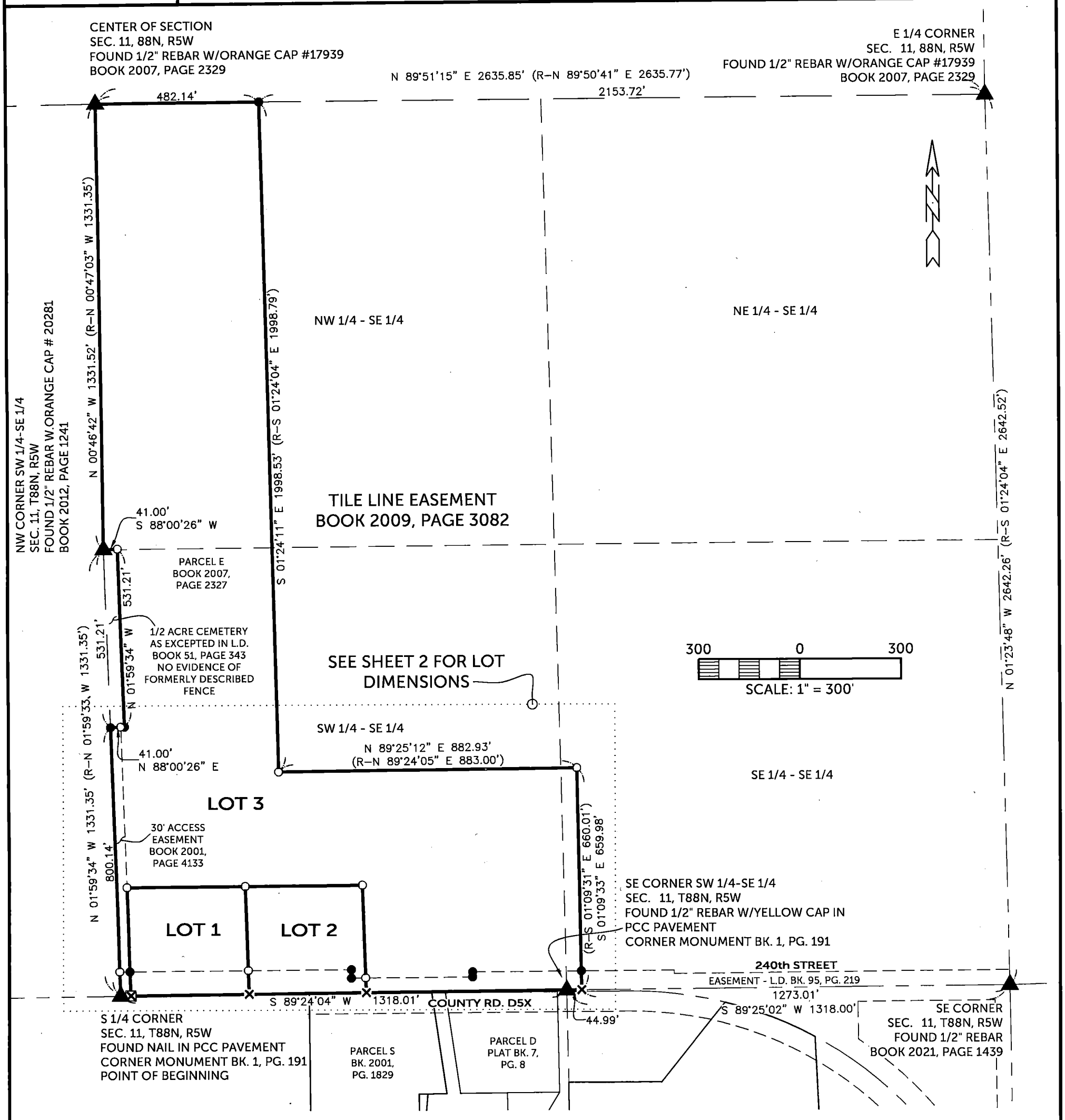
Book 2022 Page 3715
Document 2022 3715 Type 06 002 Pages 9
Date 12/20/2022 Time 9:14:34AM
Rec Amt $47.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

# PLAT OF SURVEY

## PHILIP & PAULINE SANDS SUBDIVISION

PART OF THE NW 1/4 - SE 1/4, PART OF THE SW 1/4 - SE 1/4 , AND PART OF THE SE 1/4 - SE 1/4
SEC. 11, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA




SURVEYED ON:
SURVEY REQUESTED BY: GARY SANDS

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

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

SHEETS COVERED BY THIS SEAL:

PROPRIETORS: **GARY LEE SANDS & PENNY KAYE SANDS**

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.

10/20/2022

RANDALL L. RATTENBORG P.L.S. LIC. #17939 DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023

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

PROJECT NO. 22-113
SCALE: 1" = 100' & 300'
DATE: 10/20/2022
DRAWN BY: RLR
CHECKED BY: DDK
GPS BOX: 37
SHEET 1 OF

LEGEND

- ▲ SECTION CORNER
- ● FOUND 1/2"ø REBAR w/ ORANGE CAP PLS 17939
- ⊠ FD. CUT 'X'
- ○ SET 1/2" REBAR w/ ORANGE CAP PLS 17939
- × SET CUT 'X'
- SECTION LINE
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- R RECORDED

# PHILIP & PAULINE SANDS SUBDIVISION

PART OF THE NW 1/4 - SE 1/4, PART OF THE SW 1/4 - SE 1/4 , AND PART OF THE SE 1/4 - SE 1/4
SEC. 11, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

41.00'
N 88°00'26" E
11.00'
30.00'

PARCEL E
BOOK 2007, PAGE 2327

SW 1/4 - SE 1/4

SE 1/4 - SE 1/4

N 89°25'12" E 882.93'

100 0 100
SCALE: 1" = 100'

N

## LOT 3

37.66 ACRES INCL. 0.79 ACRES ROW
NW 1/4 - SE 1/4: 14.95 ACRES
SW 1/4 - SE 1/4: 22.01 ACRES INCL. 0.73 ACRES ROW
SE 1/4 - SE 1/4: 0.70 ACRES INCL. 0.06 ACRES ROW

N 01°59'34" W 800.14'
728.12'

30' ACCESS EASEMENT BOOK 2001, PAGE 4133

N 89°38'33" E 348.50'

N 89°38'33" E 345.00'

## LOT 1

2.57 ACRES INCL. 0.57 ACRES ROW

## LOT 2

2.53 ACRES INCL. 0.53 ACRES ROW

250.00'
N 01°59'34" W 321.90'

N 01°59'34" W 320.43'
250.00'

275.01'
S 01°59'34" E 318.97'

603.71'
S 01°09'33" E 659.98'

42.12'

N 89°38'33" E
348.50'
682.00'
303.49'

N 89°38'33" E 359.00'
316.88'

S 89°38'33" W
323.22'

30.01'
72.02'
71.90'

25.00'
S 00°35'27" E

15.00'
N 00°35'27" W

56.27'

30.00'
348.46'
70.43'
344.96'
43.96'
594.59'

S 89°24'04" W 1318.01'

44.99'
N 89°25'02" E

S 1/4 CORNER
SEC. 11, T88N, R5W
FOUND NAIL IN PCC PAVEMENT
CORNER MONUMENT BK. 1, PG. 191

COUNTY RD. D5X

240th STREET

SE CORNER SW 1/4-SE 1/4
SEC. 11, T88N, R5W
FOUND 1/2" REBAR W/YELLOW CAP IN
PCC PAVEMENT
CORNER MONUMENT BK. 1, PG. 191

## LEGEND

- ▲ SECTION CORNER
- ● FOUND 1/2"ø REBAR w/ORANGE CAP #17939
- ⊠ FD. CUT 'X'
- ○ SET 1/2" REBAR w/ORANGE CAP #17939
- × SET CUT 'X'
- SECTION LINE
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- R RECORDED


BURRINGTON GROUP, INC.
Civil Engineering I Land Surveying
105 W. Main Street Manchester, Iowa 52057 Phone 563-927-2434 burringtongroup.com

## LEGAL DESCRIPTION:

**PHILIP AND PAULINE SANDS SUBDIVISION**, Part of the NW 1/4 of the SE 1/4, part of the SW 1/4 of the SE 1/4, and part of the SE 1/4 of the SE 1/4, being a subdivision of Parcel E, as recorded in Book 2007, Page 2327, in Section 11, T88N, R5W of the 5th Principal Meridian, Delaware County, Iowa, divided into 3 lots numbered Lot 1 through Lot 3, containing a total of 42.76 acres, including 1.89 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 11, T88N, R5W of the 5th Principal Meridian, Delaware County, Iowa;

**THENCE** along the westerly line of the SW 1/4 of the SE 1/4 of Section 11 and the westerly line of said Parcel E, North 01° 59' 34" West, 800.14 feet;

**THENCE** continuing along the westerly line of said Parcel E, North 88° 00' 26" East, 41.00 feet;

**THENCE** continuing along the westerly line of said Parcel E, North 01° 59' 34" West, 531.21 feet;

**THENCE** continuing along the westerly line of said Parcel E, South 88° 00' 26" West, 41.00 feet to the westerly line of the NW 1/4 of the SE 1/4 of said Section 11;

**THENCE** along the westerly line of the NW 1/4 of the SE 1/4 and westerly line of said Parcel E, North 00° 46' 42" West, 1331.52 feet to the northerly line of the NW 1/4 of the SE 1/4 and northerly line of said Parcel E;

**THENCE** along with northerly line of the NW 1/4 of the SE 1/4 and northerly line of said Parcel E, North 89° 51' 15" East, 482.14 feet to the easterly line of said Parcel E;

**THENCE** along the easterly line of said Parcel E, South 01° 24' 11" East, 1998.53 feet;

**THENCE** continuing along the easterly line of set Parcel E, North 89° 25' 12" East, 882.93 feet;

**THENCE** continuing along the easterly line of said Parcel E, South 01° 09' 33" East, 659.98 feet, to the southerly line of the SE 1/4 of the SE 1/4 of said Section 11 also being the southerly line of said Parcel E;

**THENCE** along the southerly line of the SE 1/4 of the SE 1/4 and southerly line of said Parcel E, South 89° 25' 02" West, 44.99 feet, to the southerly line of the said SW 1/4 of the SE 1/4;

**THENCE** along the southerly line of the said SW 1/4 of the SE 1/4 and southerly line of said Parcel E, South 89° 24' 04" West, 1318.01 feet to the **POINT OF BEGINNING**;

The southerly line of the SW 1/4 of the SE 1/4 of Section 11, T88N, R5W of the 5th Principal Meridian, Delaware County, Iowa, is assumed to bear South 89° 24' 04" West.

## OWNER'S ACKNOWLEDGMENT

I Gary Sands 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 my desire.

Gary L. Sands

State of Iowa )
)
County of Delaware ) ss:

On this 18th day of October, 2022, before me a Notary Public in and for said County, personally appeared Gary L. Sands to me known to be the person named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Donna M. Kunde
Notary Public in and for said State

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8/16/24

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8/16/24

## OWNER'S ACKNOWLEDGMENT

I Penny K Sands 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 my desire.

Penny K. Sands

State of Iowa )
)
County of Delaware ) ss:

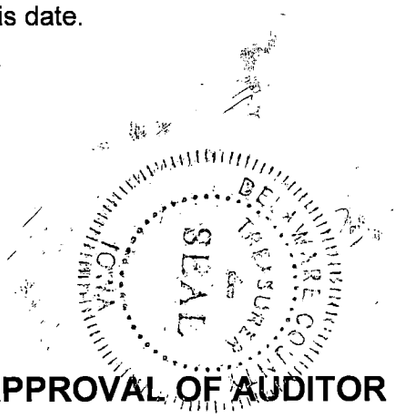
On this 21st day of October, 2022, before me a Notary Public in and for said County, personally appeared Penny K Sands to me known to be the person named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Donna M. Kunde
Notary Public in and for said State

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8/16/24

## CERTIFICATE OF TREASURER

I, the undersigned, Pam Klein, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***PHILIP & PAULINE SANDS SUBDIVISION***, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.

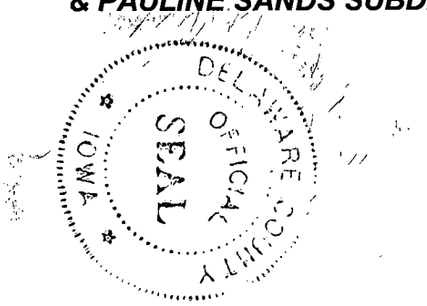



Pam Klein 12/20/2022

Pam Klein, 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 ***PHILIP & PAULINE SANDS SUBDIVISION***, a subdivision in Delaware County, Iowa.




Carla K. Becker

Carla K. Becker, Delaware County Auditor

## DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of ***PHILIP & PAULINE SANDS 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

**ATTORNEY'S OPINION**

DUBUQUE, IOWA December 13, 2022

I, Carolyn Davis, Locher & Davis, PLC, a practicing attorney at law in the City of Dyersville, County of Dubuque, Iowa, have examined the abstract of title to the land included within **Parcel E Part Of The SE 1/4, Sec. 11, T88N, R5W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2007, Page 2327,** covering the period from root of title to December 2, 2022, at 8:00 a.m. certified on that date by the Delaware County Abstract Company, Inc. and find that said abstract shows good and merchantable title on the date and hour of certification to be in **Gary Lee Sands and Penny K. Sands, husband and wife as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common,** subject to:

1) Open-End Real Estate Mortgage – Gary L. Sands and Penny K. Sands, Husband and Wife to First State Bank dated July 15, 2005 and filed for record on July 18, 2005, in Book 2005, Page 2467, remains unsatisfied of record.

2) Open-End Real Estate Mortgage – Gary L. Sands and Penny K. Sands, Husband and Wife to First State Bank dated May 18, 2006 and filed for record on May 19, 2006, in Book 2006, Page 1844, remains unsatisfied of record.

3) Open-End Real Estate Mortgage – Gary L. Sands and Penny K. Sands, Husband and Wife to Farmers & Merchants Savings Bank dated December 31, 2019 and filed for record on December 31, 2019, in Book 2019, Page 3731, remains unsatisfied of record.

4) Real estate taxes for first half of fiscal year 2021-2022 and prior years are paid; second half are unpaid. The real estate taxes for the fiscal year 2021-2022 are accruing but are not yet due or delinquent.

5) Easements, rights of way, restrictions, covenants and agreements of record.

The purpose of this Attorney's Opinion is strictly for platting of the subject real estate, and is given pursuant to Chapter 354.11(c) of the Code of Iowa.

Carolyn Davis, Attorney at Law
Locher & Davis, PLC
225 First Avenue East
Dyersville, Iowa 52040
Iowa Title Guaranty No. 11006
(563) 875-9112

## MORTGAGE HOLDERS ACKNOWLEDGMENT

The Farmers & Merchants Savings Bank State of Iowa, does hereby certify that the above survey, as shown by the attached Plat, is made with our free consent and in accordance with our desire as mortgage holder of a portion of the premises described herein.

By _____
Keith A. Kramer – Executive Vice President

By _____
Cody Naber – Business & Ag Banker

State of Iowa )
) Ss:
County of Delaware )

On this 16th day of December, 2022 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Keith A. Kramer and Cody Naber, to me personally known, who being duly sworn, did say that they are the Executive Vice President and Business & Ag Banker respectively, of the Farmers & Merchants Savings Bank executing the within and foregoing instrument to which this is attached, that (~~no seal has been procured by the~~) (the seal affixed hereto is the seal of the) Farmers & Merchants Savings Bank; that said instrument was signed (and sealed) on behalf of the Farmers & Merchants Savings Ban by authority of its Board of Directors; and that Keith A. Kramer and Cody Naber as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Farmers & Merchants Savings Bank by it and by them voluntarily executed.

_____
Notary Public in and for said State

SARAH R. ODELL
Commission Number 762480
My Commission Expires
4/16/2025

Book 2022 Page 3674

Document 2022 3674 Type 05 003 Pages 1
Date 12/16/2022 Time 3:34:33PM
Rec Amt $7.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

(Preparer) J Ross First State Bank n/k/a GNB Bank P.O. Box 439 Manchester, IA 52057 (563) 927-3814
(Return to) J Ross GNB Bank P.O. Box 439 Manchester, IA 52057

C14 - SATISFACTION OF MORTGAGE - Real Estate or Chattel

By Corporation or Individual

## Know all Men by these Presents;

That First State Bank n/k/a GNB Bank of Delaware County of Manchester, Iowa, does hereby certify that a certain Real Estate Mortgage bearing date the 18th day of May, 2006 made and executed by Gary L. Sands and Penny K. Sands,Husband and wife and recorded in the office of the Recorder of the County of Delaware, Iowa, on the 19th day of May, 2006, in Book 2006, Page 1844, of Real Estate Mortgages, has been redeemed, fully paid, satisfied and discharged; and the said Recorder is hereby authorized to satisfy the same of record.

Signed and executed this 16th day of December, 2022.

First State Bank n/k/a GNB Bank
Manchester, Iowa

David Smith, Regional Manager/Market President

Sarah Maurer, Mortgage Loan Officer

## ACKNOWLEDGEMENT FOR SATISFACTION - BY CORPORATION

STATE OF IOWA Delaware County, ss.

On this 16th day of December, 2022, before me, Carolyn Klein, a Notary Public in and for Delaware County, Iowa appeared David Smith and Sarah Maurer, to me personally known, who being by me duly sworn, did say that David Smith is the Regional Manager/Market President, and that Sarah Maurer, is the Mortgage Loan Officer of First State Bank n/k/a GNB Bank, a corporation located at Manchester, Iowa, and that the seal affixed to the said instrument is the corporate seal of the said corporation, and that said instrument was by them signed and sealed in behalf of the said corporation, by authority of its Board of Directors, and said David Smith and Sarah Maurer, acknowledged the execution of this instrument to be voluntary act and deed of the said corporation, by them voluntarily executed.

WITNESS my hand and notarial seal, the day and year last above written.

NOTARIAL SEAL IOWA
CAROLYN KLEIN
Commission Number 790809
My Commission Expires
07-01-2024

Carolyn Klein
Notary Public in and for Delaware County,Iowa

Book 2022 Page 3675

Document 2022 3675 Type 05 003 Pages 1
Date 12/16/2022 Time 3:34:45PM
Rec Amt $7.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

(Preparer) J Ross First State Bank n/k/a GNB Bank P.O. Box 439 Manchester, IA 52057 (563) 927-3814
(Return to) J Ross GNB Bank P.O. Box 439 Manchester, IA 52057

C14 - SATISFACTION OF MORTGAGE - Real Estate or Chattel

By Corporation or Individual

## Know all Men by these Presents;

That First State Bank n/k/a GNB Bank of Delaware County of Manchester, Iowa, does hereby certify that a certain Real Estate Mortgage bearing date the 15th day of July, 2005 made and executed by Gary L. Sands and Penny K. Sands,Husband and wife and recorded in the office of the Recorder of the County of Delaware, Iowa, on the 18th day of July, 2005, in Book 2005, Page 2467, of Real Estate Mortgages, has been redeemed, fully paid, satisfied and discharged; and the said Recorder is hereby authorized to satisfy the same of record.

Signed and executed this 16th day of December, 2022.

First State Bank n/k/a GNB Bank
Manchester, Iowa

David Smith, Regional Manager/Market President

Sarah Maurer, Mortgage Loan Officer

## ACKNOWLEDGEMENT FOR SATISFACTION - BY CORPORATION

STATE OF IOWA Delaware County, ss.

On this 16th day of December, 2022, before me, Carolyn Klein, a Notary Public in and for Delaware County, Iowa appeared David Smith and Sarah Maurer, to me personally known, who being by me duly sworn, did say that David Smith is the Regional Manager/Market President, and that Sarah Maurer, is the Mortgage Loan Officer of First State Bank n/k/a GNB Bank, a corporation located at Manchester, Iowa, and that the seal affixed to the said instrument is the corporate seal of the said corporation, and that said instrument was by them signed and sealed in behalf of the said corporation, by authority of its Board of Directors, and said David Smith and Sarah Maurer, acknowledged the execution of this instrument to be voluntary act and deed of the said corporation, by them voluntarily executed.

WITNESS my hand and notarial seal, the day and year last above written.

NOTARIAL SEAL IOWA
CAROLYN KLEIN
Commission Number 780809
My Commission Expires
07-01-2024

Carolyn Klein
Notary Public in and for Delaware County,Iowa