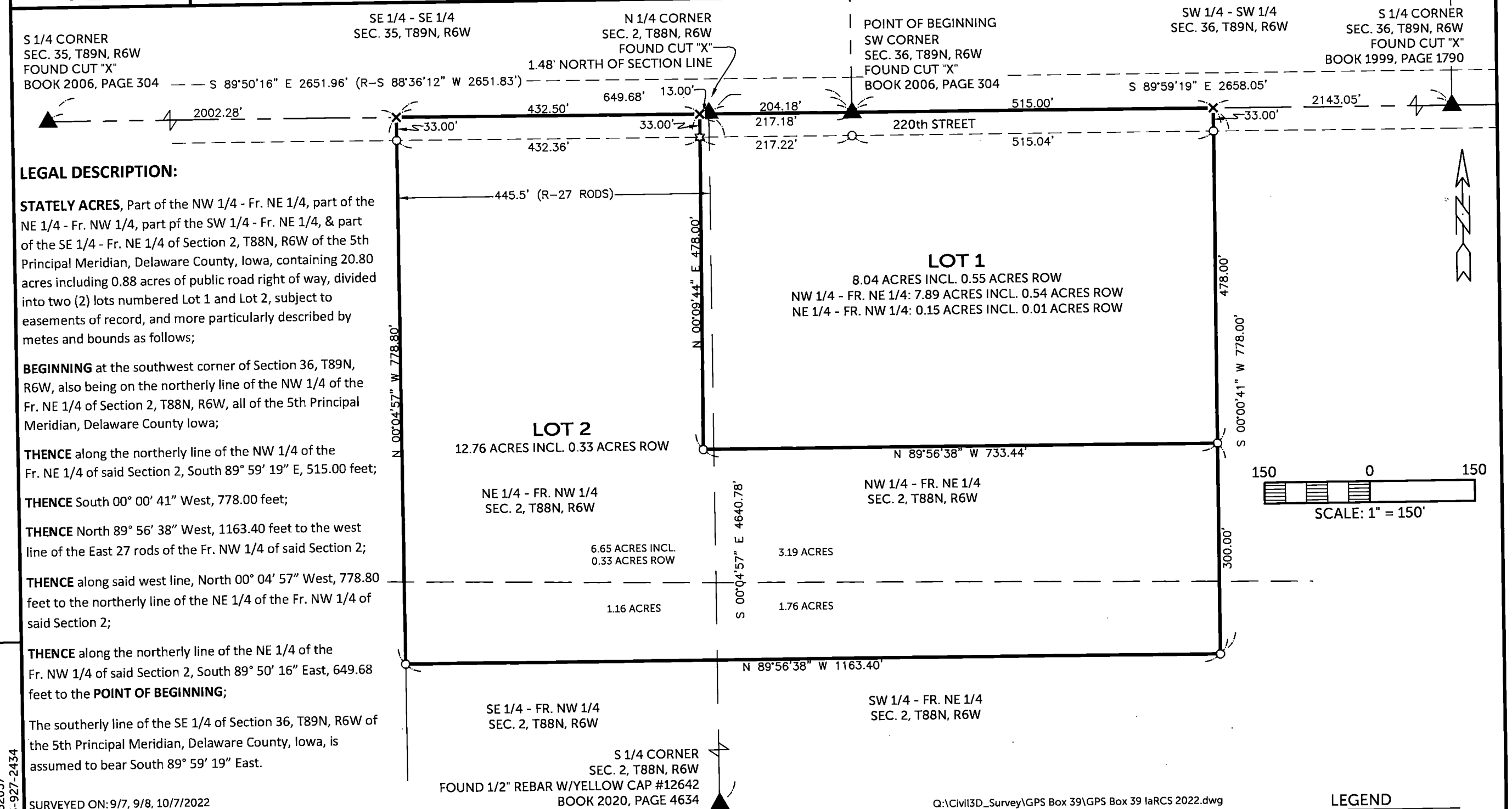
Book 2023 Page 82
Document 2023 82 Type 06 002 Pages 6
Date 1/10/2023 Time 2:56:16PM
Rec Amt $32.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

SUBDIVISION PLAT

STATELY ACRES

PART OF THE NW 1/4 - FR. NE 1/4, PART OF THE NE 1/4 - FR. NW 1/4, PART OF THE SW 1/4 - FR. NE 1/4, & PART OF THE SE 1/4 - FR. NW 1/4
SEC. 2, T88N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



LEGAL DESCRIPTION:

STATELY ACRES, Part of the NW 1/4 - Fr. NE 1/4, part of the NE 1/4 - Fr. NW 1/4, part pf the SW 1/4 - Fr. NE 1/4, & part of the SE 1/4 - Fr. NE 1/4 of Section 2, T88N, R6W of the 5th Principal Meridian, Delaware County, Iowa, containing 20.80 acres including 0.88 acres of public road right of way, divided into two (2) lots numbered Lot 1 and Lot 2, subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the southwest corner of Section 36, T89N, R6W, also being on the northerly line of the NW 1/4 of the Fr. NE 1/4 of Section 2, T88N, R6W, all of the 5th Principal Meridian, Delaware County Iowa;

THENCE along the northerly line of the NW 1/4 of the Fr. NE 1/4 of said Section 2, South 89° 59' 19" E, 515.00 feet;

THENCE South 00° 00' 41" West, 778.00 feet;

THENCE North 89° 56' 38" West, 1163.40 feet to the west line of the East 27 rods of the Fr. NW 1/4 of said Section 2;

THENCE along said west line, North 00° 04' 57" West, 778.80 feet to the northerly line of the NE 1/4 of the Fr. NW 1/4 of said Section 2;

THENCE along the northerly line of the NE 1/4 of the Fr. NW 1/4 of said Section 2, South 89° 50' 16" East, 649.68 feet to the **POINT OF BEGINNING**;

The southerly line of the SE 1/4 of Section 36, T89N, R6W of the 5th Principal Meridian, Delaware County, Iowa, is assumed to bear South 89° 59' 19" East.

SURVEYED ON: 9/7, 9/8, 10/7/2022
SURVEY REQUESTED BY: ROB GUDENKAUF - JEFF STATE

Q:\Civil3D_Survey\GPS Box 39\GPS Box 39 IaRCS 2022.dwg

FILED
Delaware Co. Assessor
JAN 10 2023

FILED
Delaware Co. Auditor
JAN 10 2023

COUNTY: DELAWARE
SECTION 2, T 88 N, R 6 W
ALIQUOT PART: NW 1/4 - FR. NE 1/4, NE 1/4 - FR. NW 1/4
SW 1/4 - FR. NE 1/4, SE 1/4 - FR. NW 1/4
CITY:
SURVEY: STATELY ACRES
BLOCK: LOTS: 1 & 2
PROPRIETOR: 1/2 INTEREST: DA GUDENKAUF FAMILY TRUST
1/2 INTEREST: JUDITH A. GUDENKAUF
REQUESTED BY: ROB GUDENKAUF - JEFF STATE
SURVEYOR: RANDALL L. RATTENBORG
COMPANY: BURRINGTON, GROUP, INC.
105 W. MAIN STREET, MANCHESTER, IA 52057
INFO@BURRINGTONGROUP.COM 563-927-2434

LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

SHEETS COVERED BY THIS SEAL: THIS SHEET

PROPRIETORS: **1/2 INTEREST: DA GUDENKAUF FAMILY TRUST**
1/2 INTEREST: JUDITH A. GUDENKAUF

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.

RANDALL L. RATTENBORG P.L.S. LIC. #17939 DATE 11/29/2022

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. 22-125
SCALE: 1" = 150'
DATE: 11/29/2022
DRAWN BY: RLR
CHECKED BY: DDK
GPS BOX: 39
SHEET 1 OF

LEGEND

- ▲ SECTION CORNER
- ● FOUND 1/2"ø REBAR w/ ORANGE CAP #8419
- ⊠ FD. CUT 'X'
- ○ SET 1/2" REBAR w/ ORANGE CAP PLS 17939
- ✡ SET MAGNAIL
- × SET CUT 'X'
- SECTION LINE
- QUARTER LINE
- QTR.–QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- PARCEL BOUNDARY
- BOUNDARY ESTABLISHED
- R RECORDED

OWNER'S ACKNOWLEDGMENT

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

Robt J Gudenkauf Trustee

Robert J. Gudenkauf, Trustee of the
DA Gudenkauf Family Trust

State of Iowa)
)
County of Delaware) ss:

On this 18th day of October A.D. 2022, before me a Notary Public in and for said County, personally appeared Robert J. Gudenkauf, Trustee of the DA Gudenkauf 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.

Donna M. Kunde

Notary Public in and for said County

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8/16/2024

OWNER'S ACKNOWLEDGMENT

I Robert J. Gudenkauf, Executor of Estate of Judith A. Gudenkauf of Delaware County, State of Iowa, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

Robt J Gudenkauf Executor

Robert J. Gudenkauf

State of Iowa)
)
County of Delaware) ss:

On this 18th day of October A.D. 2022, before me a Notary Public in and for said State, personally appeared Robert J. Gudenkauf, Executor of Estate of Judith A. Gudenkauf 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.

Donna M. Kunde

Notary Public in and for said State

DONNA M. KUNDE
Commission Number 176597
My Commission Expires
8/16/2024

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 **STATELY ACRES**, Delaware County, Iowa on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated NOVEMBER 29, 2022

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 21st day of November, A.D., 2022, 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 ½ in the name of Judith A. Gudenkauf and ½ in the name of DA Gudenkauf Family Trust, subject to the following:

1. Estate proceedings in the Matter of the Estate of Judith A. Gudenkauf in the District Court of Delaware County, Iowa Probate Case No. ESPR006687

Dated at Manchester, Iowa in said County, this 6th day of December, 2022.

Steven E. Carr
Attorney at Law

CERTIFICATE OF TREASURER

I, the undersigned, Pam Klein, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against ***STATELY ACRES***, 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

Pam Klein Jan 10, 2023

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 ***STATELY ACRES***, a subdivision in Delaware County, Iowa.

DELAWARE COUNTY OFFICIAL SEAL IOWA

Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY E-911 BOARD

Delaware County, Iowa

The foregoing plat of ***STATELY ACRES***, 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

PLANNING AND ZONING COMMISSION
RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the Preliminary & Final Plat of ***STATELY ACRES***, Delaware County, Iowa, affecting premises more specifically described in the Surveyor's Certificate of Randy Rattenborg, dated November 29, 2022, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; and

WHEREAS, Section 165.33 of Chapter 165 Subdivision Regulations of the City of Manchester allows variances with regard to minimum improvements (Section 165.09); and

WHEREAS, the Preliminary & Final Plat of ***STATELY ACRES,*** should be approved 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.

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 ***STATELY ACRES,*** 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 15th day of December, 2022.

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 15th day of December, 2022, 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 15th day of December, 2022, 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

JULIE A SCHMITZ
Commission Number 224151
My Commission Expires
October 12, 2023

R-004-2023
RESOLUTION APPROVING PRELIMINARY & FINAL PLAT

WHEREAS, the PRELIMINARY & FINAL plat of ***STATELY ACRES***, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated November 29, 2022, 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; 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

WHEREAS, the subdivision plat of ***STATELY ACRES***, City of Manchester, Delaware County, Iowa, is presented with the following variances, declarations and conditions;

a. No new street or improvements are necessary at this time.
b. No new well or septic system is necessary and therefore construction of said utilities is not being authorized by the approval of PRELIMINARY & FINAL plat.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said ***STATELY ACRES***, 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 PRELIMINARY & FINAL plat as by law provided.

Passed this 9th day of January, 2023.

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

Connie Behnken

Connie Behnken, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 10th day of January, 2023, before me, Laura K. Thomas, a Notary Public in and for the State of Iowa, personally appeared Connie Behnken 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-004-2023 adopted by the City Council on the 9th day of January, 2023, and that Connie Behnken 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