

COUNTY: DELAWARE
SECTION 31, T 89 N, R 5 W
ALIQUOT PART: NE 1/4 - SW 1/4, SE 1/4 - SW 1/4
CITY: MANCHESTER
SURVEY: WESTSIDE ESTATES
BLOCK: LOTS: 9, 10, LOT A, LOT B, LOT C
PROPRIETOR: EASTERN IOWA PUMPING, INC.
REQUESTED BY: JOE HILDEBRAND
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
NOV 09 2023

Book 2023 Page 2834
Document 2023 2834 Type 06 002 Pages 9
Date 11/09/2023 Time 10:01:46AM
Rec Amt \$47.00

FILED
Delaware Co. Auditor
NOV 09 2023

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

**SUBDIVISION
PLAT**

WESTSIDE ESTATES

A SUBDIVISION OF THE WEST 15' OF LOT 2 AND LOT 4, 5, 6, & 7 OF HOULIHAN AG SUBDIVISION, LOT 8 OF HOULIHAN AG SUBDIVISION #2 IN THE NE 1/4- SW 1/4 AND SE 1/4 - SW 1/4, SEC. 31, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

FINAL PLAT

LEGAL DESCRIPTION:

WESTSIDE ESTATES, A subdivision of the West 15 feet of Lot 2 and Lots 4, 5, 6, and 7 of Houlihan Ag Subdivision and Lot 8 of Houlihan Ag Subdivision #2 in the NE 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of Section 31, T89N, R5W of the 5th Principal Meridian, City of Manchester, Delaware County, Iowa, containing 20.30 acres, subject to easements of record, divided into five Lots numbered Lot 9, Lot 10, Lot A, Lot B, and Lot C, and more particularly described by metes and bounds as follows;

COMMENCING at the southwest corner of the SE 1/4 of the SW 1/4 of Section 31, T89N, R5W of the 5th Principal Meridian, Delaware County, Iowa;

THENCE North 00° 11' 09" East (assumed bearing), 751.77 feet along the west line of said SE 1/4 of the SW 1/4 of said Section 31, and west line of Houlihan Ag Subdivision, as recorded in Book 2019, Page 348, to the southwest corner of Lot 7 of said Houlihan Ag Subdivision, the **POINT OF BEGINNING**;

THENCE continuing along the West Line of said SE 1/4 of the SW 1/4 and West line of Lot 7 of said Houlihan Ag Subdivision, North 00° 11' 09" East, 577.87 feet, to the southwest corner of the NE 1/4 of the SW 1/4 of said Section 31 also being the southwest corner of Lot 8 of Houlihan Ag Subdivision #2, as recorded in Book 2023, Page 2514;

THENCE continuing along the West Line of said NE 1/4 of the SW 1/4 and West line of Lot 8 of said Houlihan Ag Subdivision #2, North 00° 11' 09" East, 180.00 feet, to the north line of said Lot 8;

THENCE along the northerly line of said Lot 8, North 76° 47' 36" East, 410.00 feet;

THENCE continuing along the northerly line of said Lot 8, South 87° 06' 17" East, 272.00 feet;

THENCE continuing along the northerly line of said Lot 8, South 85° 44' 05" East, 460.00 feet, to the easterly line of said Lot 8, also being the westerly line of Iowa State Hwy. #13;

THENCE along the easterly line of said Lot 8 and Lot 6 of said Houlihan Ag Subdivision, also being the westerly line of Iowa State highway #13, South 08° 02' 42" West, 742.98 feet, to the southerly line of Lot 4 of said Houlihan Ag Subdivision;

THENCE along the southerly line of said Lot 4, North 87° 44' 00" West, 656.24 feet, to the easterly line of the West 15 feet of said Lot 2 of said Houlihan Ag Subdivision;

THENCE along the easterly line of the West 15 feet of said Lot 2, South 00° 25' 28" East, 767.77 feet to the southerly line of said Lot 2, being the northerly line of 220th St.;

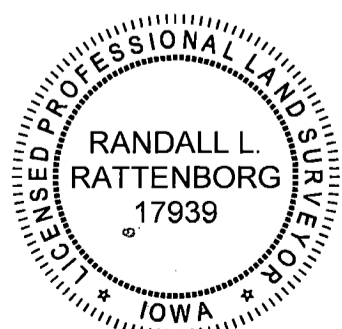
THENCE along the southerly line of said Lot 2 and said Lot 4, South 89° 35' 05" West, 81.00 feet to the westerly line of said Lot 4;

THENCE along the westerly line of said Lot 4, North 00° 25' 28" West, 673.68 feet to the southerly line of said Lot 7;

THENCE along the southerly line of said Lot 7, North 89° 50' 25" West, 291.98 feet to the **POINT OF BEGINNING**.

SURVEYED ON: 7/25/2023
SURVEY REQUESTED BY: JOE HILDEBRAND

Q:\Civil3D_Projects\Manchester\23-059 Hildebrand Hwy 13 Condo\Hildebrand Hwy 13 Condo.dwg

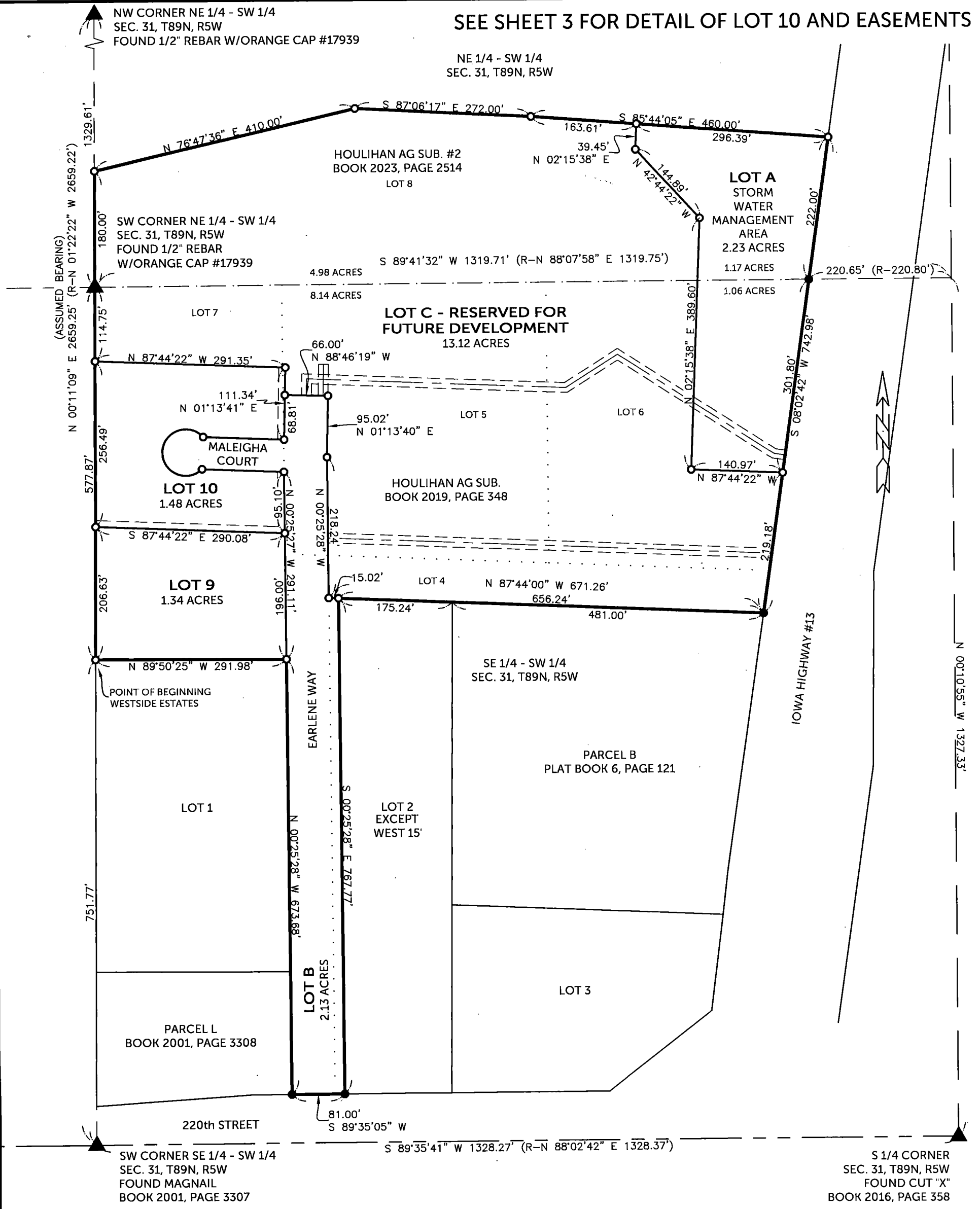


PROPRIETORS: EASTERN IOWA PUMPING, INC.	
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.	PROJECT NO. 23-059
 RANDALL L. RATTENBORG P.L.S. LIC. #17939 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023	SCALE: 1" = 150', 80', 40'
	DATE: 8/23/2023
 BURRINGTON GROUP, INC. Civil Engineering Land Surveying 105 W. Main Street Manchester, Iowa 52057 burringtongroup.com	DRAWN BY: RLR
	CHECKED BY: DM
	GPS BOX: MANCHESTER
	SHEET 1 OF 8

WESTSIDE ESTATES

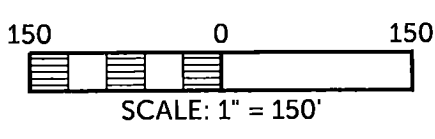
A SUBDIVISION OF THE WEST 15' OF LOT 2 AND LOT 4, 5, 6, & 7 OF HOULIHAN AG SUBDIVISION, LOT 8 OF HOULIHAN AG SUBDIVISION #2 IN THE NE 1/4 - SW 1/4 AND SE 1/4 - SW 1/4, SEC. 31, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

SEE SHEET 3 FOR DETAIL OF LOT 10 AND EASEMENTS



LEGEND

- ▲ SECTION CORNER
- FOUND 1/2" Ø REBAR w/ORANGE CAP #17939
- SET 1/2" REBAR w/ORANGE CAP #17939
- SECTION LINE
- QUARTER LINE
- - - QTR.-QTR. LINE
- CENTER LINE
- - - EASEMENT OR ROW LINE
- ... FORMER LOT LINE
- LOT LINE
- BOUNDARY ESTABLISHED
- R RECORDED



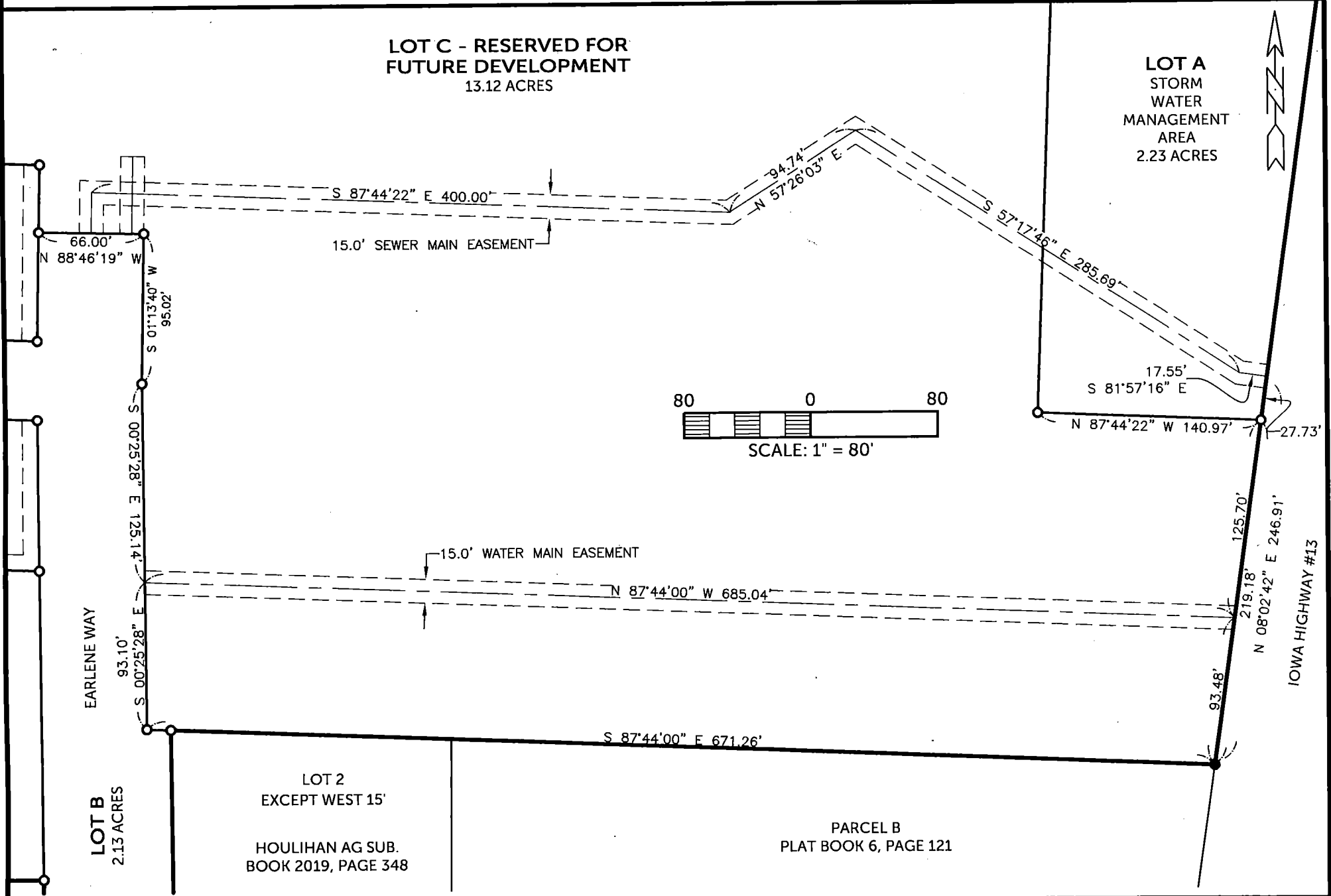
BASIS OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM
NAD 83(2011) EPOCH 2010.00
ZONE 3: ELKADER

WESTSIDE ESTATES

A SUBDIVISION OF THE WEST 15' OF LOT 2 AND LOT 4, 5, 6, & 7 OF HOULIHAN AG SUBDIVISION, LOT 8 OF HOULIHAN AG SUBDIVISION #2 IN THE NE 1/4- SW 1/4 AND SE 1/4 - SW 1/4, SEC. 31, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

LOT C - RESERVED FOR FUTURE DEVELOPMENT
13.12 ACRES

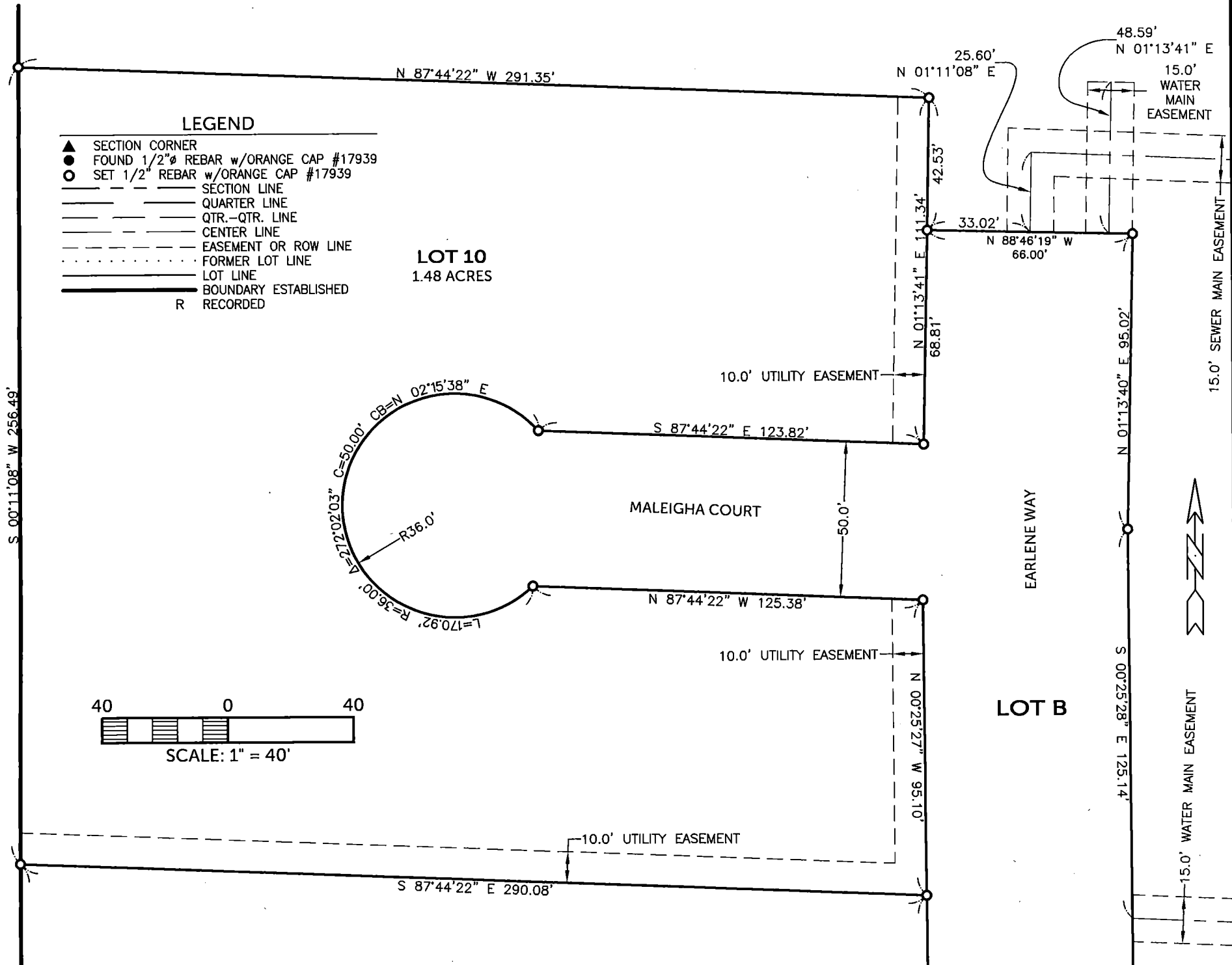
LOT A STORM WATER MANAGEMENT AREA
2.23 ACRES



LEGEND

- ▲ SECTION CORNER
- FOUND 1/2" Ø REBAR w/ORANGE CAP #17939
- SET 1/2" REBAR w/ORANGE CAP #17939
- SECTION LINE
- QUARTER LINE
- QTR.-QTR. LINE
- CENTER LINE
- EASEMENT OR ROW LINE
- FORMER LOT LINE
- LOT LINE
- BOUNDARY ESTABLISHED
- R RECORDED

LOT 10
1.48 ACRES



RESOLUTION NO R-083-2023

RESOLUTION APPROVING PRELIMINARY & FINAL PLAT FOR WESTSIDE ESTATES SUBDIVISION

WHEREAS, the preliminary and final plat of WESTSIDE ESTATES, A subdivision of the West 15 feet of Lot 2 and Lots 4, 5, 6, and 7 of Houlihan Ag Subdivision and Lot 8 of Houlihan Ag Subdivision #2 in the NE 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of Section 31, T89N, R5W of the 5th Principal Meridian, Delaware County, Iowa, affecting premises more specifically described in the proposed preliminary final plat, 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,

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 Planning and Zoning Commission has recommended to the City Council that they accept the preliminary and final plat of WESTSIDE ESTATES, Delaware County, Iowa, as presented with the following declarations and conditions:

1. The Planning and Zoning Commission has recommended to the City Council that they accept the dedication of road right of way for the following streets shown on the plat: Lot B (Earlene Way and Maleigha Court) along with all public easements as shown on the plat.
2. The Planning and Zoning Commission has recommended to the City Council that they accept public infrastructure improvements.
3. The access easement along the North Line of Lots 5 & 6 of Houlihan Ag Subdivision is vacated as there is no permitted access off Iowa State Highway #13.
4. Sidewalks will be installed in the future at a time determined by the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that said WESTSIDE ESTATES, 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 25th day of September, 2023.



Connie Behnken

Connie Behnken, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 23rd day of October, 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-083-2023 adopted by the City Council on the 25th day of September, 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

**PLANNING AND ZONING COMMISSION RESOLUTION APPROVING PRELIMINARY & FINAL PLAT
WESTSIDE ESTATES**

WHEREAS, the Preliminary & Final Subdivision Plat of **WESTSIDE ESTATES**, A subdivision of the West 15 feet of Lot 2 and Lots 4, 5, 6, and 7 of Houlihan Ag Subdivision and Lot 8 of Houlihan Ag Subdivision #2 in the NE 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of Section 31, T89N, R5W of the 5th Principal Meridian, Delaware County, Iowa affecting premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated 8/23/23, has been filed with the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa; 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

WHEREAS, the Preliminary & Final Subdivision Plat of **WESTSIDE ESTATES**, should be approved with the following variances, declarations and conditions;

1. The Manchester Planning and Zoning Commission has recommended to the City Council that they accept the dedication of road right of way for the following streets shown on the plat: Lot B (Earlene Way and Maleigha Court) along with all public easements as shown on the plat.
2. The Manchester Planning and Zoning Commission has recommended to the City Council that they accept public infrastructure improvements.
3. The access easement along the North Line of Lots 5 & 6 of Houlihan Ag Subdivision is vacated as there is no permitted access off Iowa State Highway #13.
4. Sidewalks will be installed in the future at a time determined by the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Manchester, Delaware County, Iowa, that said Preliminary & Final Subdivision Plat of **WESTSIDE ESTATES**, 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 14th day of September, 2023.



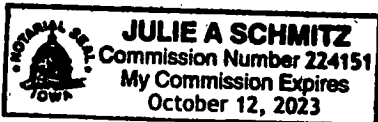
PLANNING & ZONING COMMISSION
CITY OF MANCHESTER, IOWA

By [Signature]
David Smith, Chairperson
By [Signature]
Laura Thomas, Recording Secretary

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 14th day of September, 2023, before me, Julie 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 14th day of September, 2023, 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.

[Signature]
Notary Public



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 **WESTSIDE ESTATES**, Delaware County, Iowa on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated 8/23/23.

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 September A.D., 2023 at the hour of eight o'clock A.M. as to the following portion:

Lots Four (4), Five (5) and Seven (7) and the West fifteen feet of Lot Two (2) of Houlihan Ag Subdivision in the Southeast Quarter of the Southwest Quarter Section 31, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2019, Page 348.


and was last certified to by said company on the 3rd day of November A.D., at the hour of eight o'clock A.M. as to the following portion:

Lot Six (6) of Houlihan Ag Subdivision in the Southeast Quarter of the Southwest Quarter Section 31, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2019, Page 348; also Lot Eight (8) of Houlihan Ag Subdivision #2 A Subdivision In The NE 1/4-SW 1/4, Sec. 31 T89N, R5W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2023, Page 2514.

My examination of said abstract shows good and merchantable title on the date and hour of the certification to be in the name of Eastern Iowa Pumping, Inc. aka Eastern Iowa Pumping Inc. subject to the following:

A mortgage in favor of Farmers Savings Bank filed January 10, 2022 in Book 2022, Page 93.

Dated at Manchester, Iowa in said County, this 8th day of November, 2023.



Steven E. Carr
Attorney at Law

MORTGAGE HOLDERS ACKNOWLEDGMENT

The Farmers Savings Bank, Colesburg, 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.

Farmers Savings Bank, Colesburg, Iowa

Mark E. White, Pres.
By: Mark E. White, President

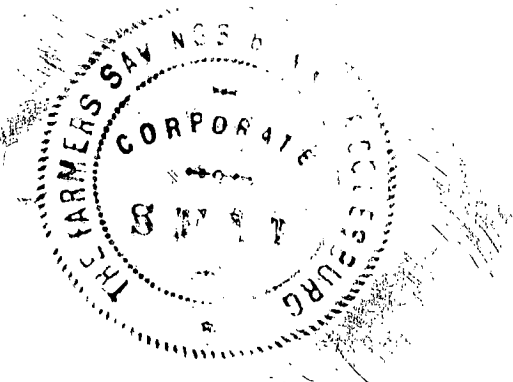
Jeanette K. Thein, Cashier
By: Jeanette Thein, Cashier

State of Iowa)

)
County of Delaware) Ss:

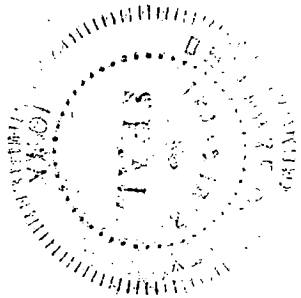
On this 14th day of September, 2023, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mark E. White and Jeanette K. Thein to me personally known, who being duly sworn, did say that they are the President and Cashier respectively, of the Farmers Savings Bank, Colesburg executing the within and foregoing instrument to which this is attached, that ~~(no seal has been produced by me)~~ (the seal affixed hereto is the seal of the) Farmers Savings Bank, Colesburg that said instrument was signed (and sealed) on behalf of the Farmers Savings Bank, Colesburg by authority of its Board of Directors; and that Mark E. White and Jeanette K. Thein as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Farmers Savings Bank, Colesburg and by them voluntarily executed.

Billie Jo Thein
Notary Public in and for said County



CERTIFICATE OF TREASURER

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



Pam Klein 11/9/2023
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 **WESTSIDE ESTATES**, a subdivision in Delaware County, Iowa.

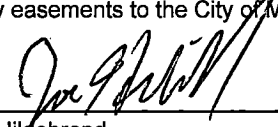


Carla K. Becker 11/9/23
Carla K. Becker, Delaware County Auditor

OWNER'S ACKNOWLEDGMENT & DEDICATION

I Joe Hildebrand, President of Eastern Iowa Pumping, Inc. 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.

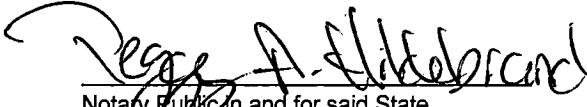
I also dedicate Lot B (Earlene Way and Maleigha Court) for right of way purposes, and all public utility easements to the City of Manchester.



Joe Hildebrand

State of Iowa)
)
County of Delaware) Ss:

On this 12th day of September A.D. 2023, before me a Notary Public in and for the State of Iowa, personally appeared Joe Hildebrand to me personally known who being by me duly sworn, did say he is the President of the corporation executing the within and foregoing instrument, that no seal has been procured by the corporation; that said instrument was signed on behalf by the authority of its Board of Directors; and that Joe Hildebrand as such officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him/her voluntarily executed.



Notary Public in and for said State

