

COUNTY: DELAWARE
SECTION 31, T 89 N, R 5 W SEC. 32, T89N, R5W
ALIQOT PART: SEC. 31; NE 1/4 - NE 1/4, SE 1/4 - NE 1/4
SEC. 32; NW 1/4 - NW 1/4, SW 1/4 - NW 1/4
CITY: MANCHESTER
SURVEY: WEST BROOK ADDITION - PHASE 2
BLOCK: LOTS: LOT 3 & LOT A
PROPRIETOR: WESLEY D. SCHULTE & JAMIE K. SCHULTE

REQUESTED BY: WESLEY D. SCHULTE
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

MAR 06 2024

FILED
Delaware Co. Auditor

MAR 06 2024

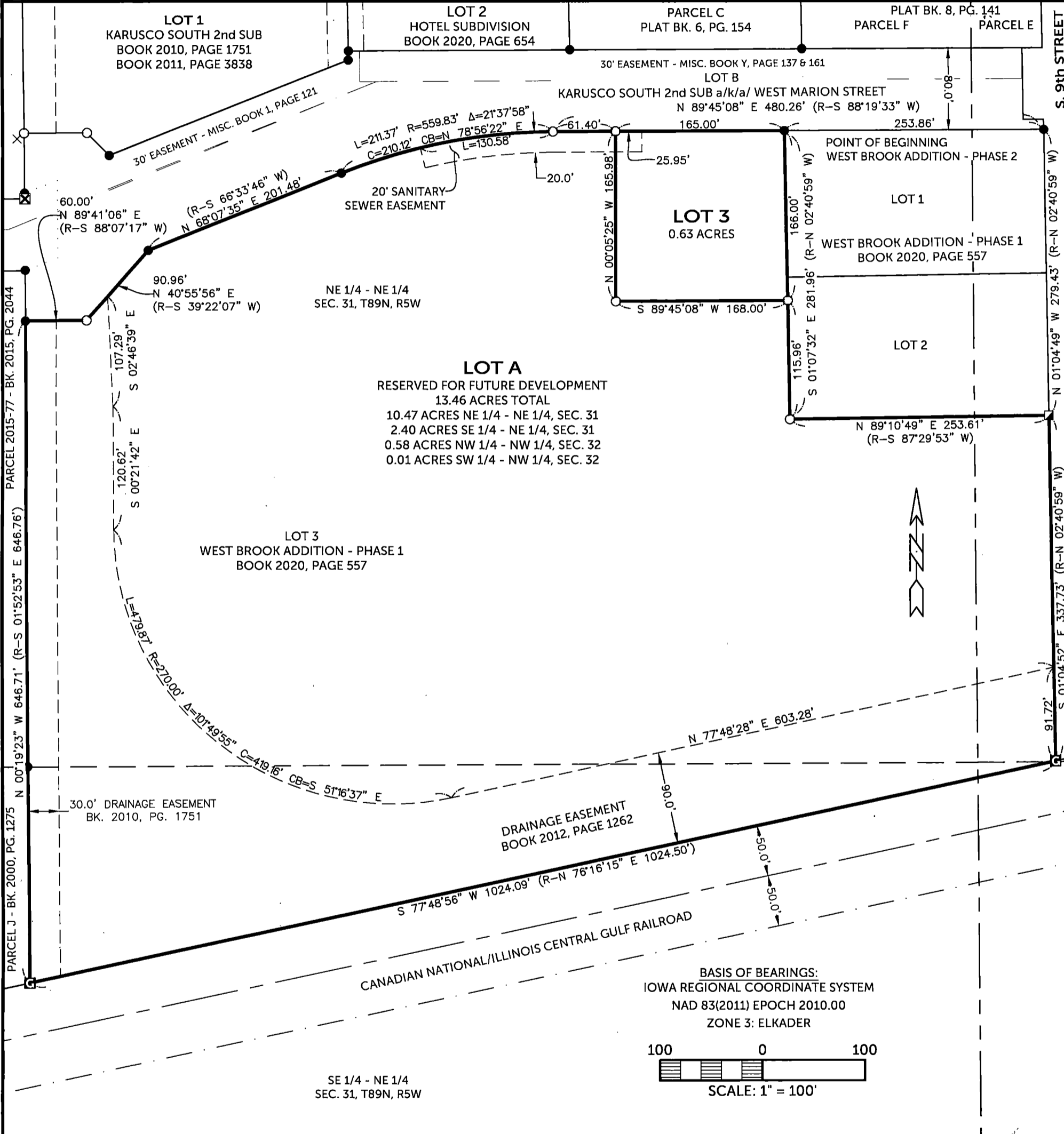


Book 2024 Page 527

Document 2024 527 Type 06 002 Pages 8
Date 3/06/2024 Time 1:07:29PM
Rec Amt \$42.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

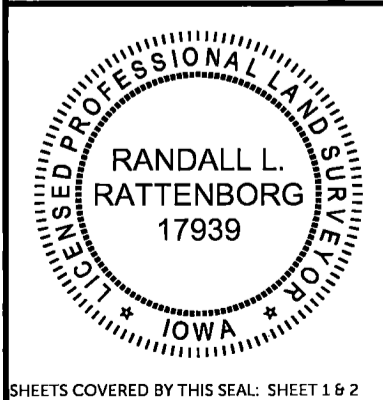
FINAL PLAT **WEST BROOK ADDITION - PHASE 2**
A SUBDIVISION OF LOT 3 OF WEST BROOK ADDITION - PHASE 1
SEC. 31 & 32, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



SURVEYED ON: 1/4/2024

SURVEY REQUESTED BY: WESLEY D. SCHULTE

Q:\Civil3D_Survey\Manchester\Manchester IaRCS 2022.dwg



PROPRIETORS: WESLEY D. SCHULTE & JAMIE K. SCHULTE
100 1/2 E. MAIN STREET, MANCHESTER, IA 52057

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 1/24/2024
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025

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

PROJECT NO. 22-037
SCALE: 1" = 100'
DATE: 1/4/2024
DRAWN BY: RLR
CHECKED BY: DDK
GPS BOX: MANCHESTER
SHEET 1 OF

LEGEND

- FOUND 1/2" REBAR W/RED CAP #7060
- ⊠ FOUND 1/2" REBAR W/ORANGE CAP #8419
- ⊡ FOUND 1/2" REBAR W/ALUM CAP #10165
- SET 1/2" REBAR w/ORANGE CAP PLS 17939
- ✕ SET CUT "X"
- SECTION LINE
- QTR-QTR LINE
- - - EASEMENT LINE
- · · FORMER LOT LINE
- · - FORMER EASEMENT LINE
- - - RAILROAD ROW LINE
- CENTER LINE OF ROW
- LOT LINE
- BOUNDARY ESTABLISHED
- R RECORDED

LEGAL DESCRIPTION:

WEST BROOK ADDITION – PHASE 2, A subdivision of Lot 3 of West Brook Addition – Phase 1 in Sections 31 and 32, T89N, R5W of the Fifth P.M., Delaware County, Iowa, containing a total of 14.09 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the Northeasterly most corner of Lot 3 of West Brook Addition, Phase 1, being the northwest corner of Lot 1 of West Brook Addition, Phase 1, as recorded in Book 2020, Page 557;

THENCE along the Easterly Line of said Lot 3, South 01° 07' 32" East, 281.96 feet, to the southerly line of Lot 2 of said West Brook Addition – Phase 1;

THENCE continuing along the easterly line of said Lot 3 and southerly line of said Lot 2, North 89° 10' 49" East, 253.61 feet, to the westerly line of South 9th Street;

THENCE continuing along the easterly line of said Lot 3 and westerly line of said South 9th Street, South 01° 04' 52" East, 337.73 feet, to the southerly line of said Lot 3 and the northerly line of the Canadian National/ Illinois Central Gulf Railroad;

THENCE along the south line of said Lot 3 and northerly line of said railroad, South 77° 48' 56" West, 1024.09 feet to the westerly line of said Lot 3 and easterly line of Parcel J, as recorded in Book 2000, Page 1275;

THENCE along the westerly line of said Lot 3 and easterly line of said Parcel J and of Parcel 2015-77, as recorded in Book 2015, Page 2044, North 00° 19' 23" West, 646.71 feet, to the northerly line of said Lot 3 and the southerly line of West Marion Street;

THENCE along the northerly line of said Lot 3 and the southerly line of West Marion Street North 89° 41' 06" East, 60.00 feet;

THENCE continuing along the northerly line of said Lot 3 and the southerly line of West Marion Street, North 40° 55' 56" East, 90.96 feet;

THENCE continuing along the northerly line of said Lot 3 and the southerly line of West Marion Street, North 68° 07' 35" East, 201.48 feet;

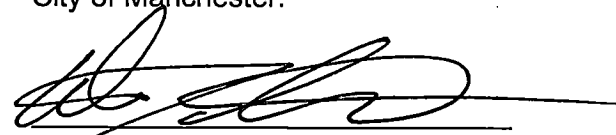
THENCE continuing along the northerly line of said Lot 3 and the southerly line of West Marion Street along a circular curve concave southerly and having an arc length of 211.37 feet, a radius of 559.83 feet, a central angle of 21° 37' 58", a chord length of 210.12 feet, and a chord bearing of North 78° 56' 22" East;

THENCE continuing along the northerly line of said Lot 3 and the southerly line of West Marion Street, North 89° 45' 08" East, 226.40 feet to the **POINT OF BEGINNING**.

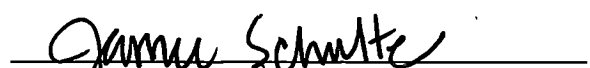
The easterly line of Lot 3 of West Brook Addition – Phase 1 and westerly line of said South 9th Street is assumed to bear South 01° 04' 52" East.

OWNER'S ACKNOWLEDGMENT / DEDICATION

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, is made with my free consent, and in accordance with my desire. I (we) also dedicate the 20-foot Sanitary Sewer Easement to the City of Manchester.



Wesley D. Schulte



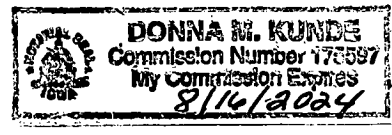
Jamie K. Schulte

State of Iowa)
)
County of Delaware) ss:

On this 7th day of March, A.D. 2024, before me a Notary Public in and for said State, personally appeared Wesley D. Schulte and Jamie K. Schulte 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.

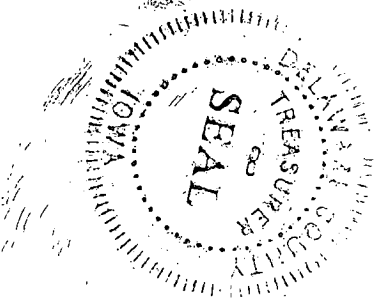


Notary Public in and for said State



CERTIFICATE OF TREASURER

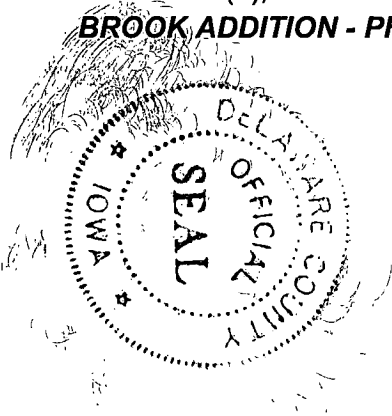
I, the undersigned, Pam Klein, Treasurer of Delaware County, Iowa, do hereby certify that all taxes and special assessments against **WEST BROOK ADDITION - PHASE 2**, Delaware County, Iowa, have been paid and said real estate is free and clear of all taxes as of this date.



Jenny Eichen - Deputy 3-6-24
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 **WEST BROOK ADDITION - PHASE 2**, a subdivision in Delaware County, Iowa.



Carla K. Becker
Carla K. Becker, Delaware County Auditor

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.

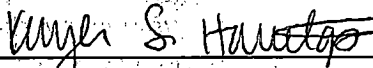

By: TIRZAH WEDEWER, CFO & EXEC. VP

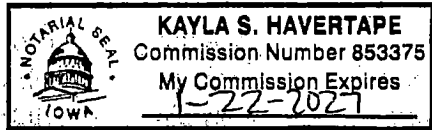

By: CODY NABER, ASSISTANT VP

State of IOWA)

County of DELAWARE) Ss:

On this 6TH day of MARCH, 2024, before me, the undersigned, a Notary Public in and for the State of IOWA, personally appeared TIRZAH WEDEWER and CODY NABER to me personally known, who being duly sworn, did say that they are the EXEC. VP & CFO and ASSISTANT VP 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 BANK by authority of its Board of Directors; and that TIRZAH WEDEWER 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 County



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 **WEST BROOK ADDITION – PHASE 2**, Delaware County, Iowa on premises more specifically described in the Surveyor's Certificate of Randall L. Rattenborg, dated JANUARY 24, 2024.

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 22nd day of January, A.D., 2024, 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 name 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.

Dated at Manchester, Iowa in said County, this 26th day of January, 2024.



Steven E. Carr
Attorney at Law

Resolution Approving Preliminary & Final Plat for West Brook Addition – Phase 2

WHEREAS, the Preliminary & Final Plat of **WEST BROOK ADDITION - PHASE 2**, Delaware County, Iowa affecting premises more specifically described in the Surveyor’s Certificate of Randall L. Rattenborg, dated January 4, 2024, has been filed with the City Clerk of the City of Manchester, Delaware County, Iowa; 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 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 **WEST BROOK ADDITION - PHASE 2**, City of Manchester, Delaware County, Iowa, is presented with the following variances, declarations and conditions;

- a. The Manchester Planning and Zoning Commission has recommended to the City Council that they accept the 20-foot Sanitary Sewer Easement.
- b. The subdivider shall, at his or her expense, install and construct all sidewalk improvements for West Brook Addition – Phase 1, and West Brook Addition – Phase 2, as required by Chapter 170.07 of the Manchester City Code of Ordinances. All required improvements shall be installed and constructed in accordance with the design standards established for such improvements by the City, and as shown on the approved preliminary plat. Sidewalks must be installed by December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manchester, Delaware County, Iowa, that Said **WEST BROOK ADDITION - PHASE 2**, 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 12th day of February, 2024.

Connie Behnken
Connie Behnken, Mayor



ATTEST:
Erin Learn
Erin Learn, City Clerk

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

On this 12th day of February, 2024, 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 022-2024 adopted by the City Council on the 12th day of February, 2024, 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

