Recorded: 9/26/2025 at 1:52:26.0 PM

County Recording Fee: \$17.00

Iowa E-Filing Fee: \$3.00 Combined Fee: \$20.00 Revenue Tax: \$0.00 Delaware County, Iowa

Daneen Schindler RECORDER

BK: 2025 PG: 2586

Prepared by & Return to: Erin Learn, City Clerk, City of Manchester, Iowa, 208 East Main Street, Manchester, Iowa 52057, Phone: (563) 927-3636

## R-040-2024

## RESOLUTION ASSENTING TO THE ANNEXATION OF CERTAIN REAL ESTATE TO THE CITY OF MANCHESTER, IOWA

WHEREAS, the City of Manchester, State of Iowa, is a duly organized municipal corporation; and,

WHEREAS, there has been presented to the City Council of said City an Application for Annexation, as required by Section 368.7 of the Code of Iowa, executed by Kammiller Tree Service LLC, party to the real estate to be annexed, said real estate lying adjacent to the existing City Limits of the City as shown on the accompanying plat in Exhibit "A" attached hereto; and,

WHEREAS, the City of Manchester, lowa, desires to annex said territory upon the application heretofore presented.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Manchester, Iowa, as follows:

1. That the Application for Annexation be approved for the real estate described as:

Parcel 2022-129, Part of the NW ¼ - NE ¼, Part of the SW ¼ - NE ¼, and Part of Lot 5 of Fink's Subdivision all in Section 6, T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2022, Page 3167

- That on the passage of this Resolution, this territory shall thereafter be and become a part of the City of Manchester, lowa, and shall be zoned I-2 General industrial District.
- That the Clerk shall forthwith cause this Resolution and the attached exhibit to be filed with the Secretary of State, Delaware County Board of Supervisors, each affected public utility, and the State Department of Transportation as required by Section 368.7 of the Code of Iowa.

PASSED AND APPROVED by the City Council of the City of Manchester, Iowa, the 25th day of March, 2024.

Connie Behnken, Mayor

ATTEST:

Erin Learn, City Clerk

STATE OF IOWA

) SS.

COUNTY OF DELAWARE

CITY SEAL &

On this 26<sup>th</sup> day of March, 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 R-040-2024 adopted by the City Council on the 25<sup>th</sup> day of March, 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.

Jaure K. Surmas

Laura K. Thomas, Notary Public

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2026

COUNTY: DELAWARE SECTION 6 , T 88 N, R 5 W ALIQUOT PART: NW 1/4 - NE 1/4 Book 2022 Page 3167 FILED Document 2022 3167 Type 06 002 Pages 3 Date 10/21/2022 Time 2:12:26PM Rec Amt \$17.00 SURVEY: PARCEL 2022-129 & PARCEL 2022-130 OCT 2 1 2022 LOTS PROPRIETOR: 1/2 INTEREST: DA GUDENKAUF FAMILY TRUST 1/2 INTEREST: JUDITH A. GUDENKAUF Daneen Schindler, RECORDER/REGISTRAR DELAWARE COUNTY 10WA FILED ANDEN REQUESTED BY: ROB GUDENKAUF SURVEYOR: RANDALL L. RATTENBORG COMPANY: BURRINGTON, GROUP, INC. 105 W. MAIN STREET, MANCHESTER IA 52057 INFO@BURRINGTONGROUP.COM 563-927-2434 OCT 2 1 2022 PARCEL 2022-129, PART OF THE NW 1/4 - NE 1/4, PART OF THE SW 1/4 - NE 1/4, & PART OF LOT 5 OF FINK'S SUBDIVISION PARCEL 2022-130, PART OF LOT 5 OF FINK'S SUBDIVISION ALL IN SECTION 6, T88N, RSW OF THE FIFTH P.M., DELAWARE COUNTY, IOWA PLAT OF **SURVEY** SW INDUSTRIAL PARK 5th SUBDIVISION BOOK 2017, PAGE 3010 LOT 2 LOT 3 LOT 1 FOUND MONUMENT 0.29' SOUTH OF SECTION LINE SW CORNER NE CORNER NW 1/4 - NE 1/4 SEC. 32, T89N, R5W FOUND CUT 'X N 1/4 CORNER SEC. 6, T88N, RSW FOUND 1/2" REBAR SEC. 6, T88N, R5W FOUND CUT 'X BOOK 2015, PAGE 2638 W/ORANGE CAP #8419 BOOK 2006, PAGE 4049 **BOOK 2016, PAGE 359 BURRINGTON ROAD** 220th STREET -5 89'34'52" M-894.0 N 89'33'46" E 440.25" \$ 89'34'52" W 425.22' (R-417.6') 89"34"52" F 468.05 N 89'33'46" E 395.98" FOUND MONUMENT 0.25' SOUTH OF 30' PUBLIC UTILITY EASEMENT - BOOK 2017, PAGE 20 POINT OF BEGINNING PARCEL 2022-129 POINT OF BEGINNING PARCEL 2022-130 NW CORNER - LOT 5 FINK'S SUBDIVISION FOUND MONUMENT 7.94' SOUTH OF CORNER SECTION UN 1 02'36'27" W 719.89') CHOW FACHTHES EASEMENT E. 2797 ίστ 1 LOT 5 £ FINK'S SUBDIVISION PLAT BOOK 3, PAGE 2 PLAT BOOK 5, PAGE 122 ADDITION PAGE 2885 **PARCEL 2022-130** PARCEL H 2008, PAGE 1 19.40 ACRES INCL. **PARCEL 2022-129** NW 1/4-NE 1/4: 14.55 ACRES SW 1/4-NE 1/4: 4.85 ACRES 8.53 ACRES INCL 0.92 ACRES ROW NW 1/4-NE 1/4: 7.63 ACRES 0.89 ACRES ROW SW 1/4-NE 1/4: 0.90 ACRES 0.03 ACRES ROW ERICKSON'S A BOOK 2006. P LEGEND LEGEND

A SECTION CORNER

FOUND 1/2\* P REBAR #/
OFFANCE CAP (\$9419 A)

FOUND 1/2\* P REBAR #/
OFFANCE CAP (\$9419 A)

LUMBER CAP (\$9419 A)

SECTION LIME

OUNTER LIME

OTHER CAP (\$1217930

SECTION LIME

OUNTER LIME

CONTER LIME

CONTER LIME

EASSEND'S LIME

PARCEL / LOT BOUNDARY

BOUNDARY ENDOLTED

R RECORDED 2.8 921. DETAIL SCALE: 1" = 30" \* -33.0:--0.25.01 LOT 2 è 253' (R-39.18') R-N 2'21'00" EN N 00'52'01" E 167th AVENUE NW 1/4-NE 1/4 SEE DETA 7657 X εŌ SW 1/4-NE 1/4 34.00 PARCEL I BOOK 2008. PAGE 1893 S 7637'32' W 1292.44' (R-N 77'23'00' E) U.S. HIGHWAY #20 1287. 150 D MONUMENT 0.07 EAST SOUTH OF CORNER SCALE: 1" = 150 BASIS OF BEARINGS 18 % IOWA REGIONAL COORDINATE SYSTEM NAD 83(2011) EPOCH 2010.00 ZONE 3: ELKADER SURVEYED ON: 10/3/02022 Q:\CMI3D\_Sur ster IaRCS 2022.dw SURVEY REQUESTED BY: ROB GUDENKAU PROPRIETORS: 1/2 INTEREST: DA GUDENKAUF FAMILY TRUST 1/2 INTEREST: JUDITH A. GUDENKAUF SIONA LHERERY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND PROJECT NO. 22-126 THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR DIRECT THE DRIWS OF THE STATE OF IOWA. SCALE: 1" = 150" SE CORNER SW 1/4 - NE 1/4 RANDALL L. RATTENBORG SEC. 6, T88N, R5W FOUND 1/2" REBAR 10/21/2022 DATE 17939 RANDALL RANDALL BATTABORET . S. LIC. #1793 MY NCENSE RENEWAL DATES DECEMBER 31, 2023 W/YELLOW CAP #12642 CORNER TIE BOOK 2, PAGE 76 CHECKED BY: DM/DDK BURRINGTON GROUP, INC. GPS BOX: MANCHESTER ,,,, IOW A Civil Engineering | Land Surveying 105 W. Main Street Manchester, lowa 52057 burringtongroup.co MEETS COVERED BY THIS SEAL: SHEET 1 6

EXHIBITA

PARCEL 2022-129, PART OF THE NW 1/4 - NE 1/4, PART OF THE SW 1/4 - NE 1/4, & PART OF LOT 5 OF FINK'S SUBDIVISION
PARCEL 2022-130, PART OF LOT 5 OF FINK'S SUBDIVISION
ALL IN SECTION 6, T88N, R5W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA

## **LEGAL DESCRIPTION:**

PARCEL 2022-129, Part of the NW 1/4 of the NE 1/4, part of the SW 1/4 of the NE 1/4, and part of Lot 5 of Fink's Subdivision, Section 6, T88N, R5W of the 5th Principal Meridian, Delaware County, Iowa, containing 8.53 acres, including 0.92 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 northeast corner of the NW 1/4 of the NE 1/4 of Section 6, T88N, R5W of the 5th Principal Meridian. Delaware County, Iowa;

THENCE along the east line of the NE 1/4 of said Section 6, South 00° 52′ 01" West, 625.89 feet, to the northerly right of way line of U.S. Hwy #20;

THENCE along the northerly right of way line of U.S. Hwy #20, South 76° 57' 32" West, 437.95 feet, to the southerly extension of the westerly line of a parcel recorded in Plat Book 3, Page 2, also being a southerly extension of the easterly line of Lot 5 of Fink's Subdivision, as recorded in Plat Book 5, Page 122;

THENCE along said line, North 00° 52' 01" East, 921.62 feet, to the northerly line of the NW 1/4 of the NE 1/4 of said Section 6;

THENCE along the northerly line of the NW 1/4 of the NE 1/4 of said Section 6, North 89° 34' 52° East, 425.22 feet to the POINT OF BEGINNING;

The easterly line of the NE 1/4 of Section 6, T88N, R5W of the 5th Principal Meridian, Delaware County, lowa is assumed to bear South 00° 52' 01" West.

## **LEGAL DESCRIPTION:**

PARCEL 2022-130, Part of Lot 5 of Fink's Subdivision, Section 6, T88N, R5W of the 5th Principal Meridian, Delaware County, Iowa, containing 19.40 acres, subject to easements of record, and more particularly described by metes and bounds as follows;

BEGINNING at the northwest corner of Lot 5 of Fink's Subdivision as recorded in Plat Book 5, Page 122;

THENCE along the northerly line of said Lot 5 also being the southerly right of way line of 220th St (a/k/a Burrington Road), North 89° 33' 46" East, 395.98 feet;

THENCE continuing along the northerly line of said Lot 5 also being the southerly right of way line of 220th St (a/Wa Burrington Road), North 89° 34' 52" East, 468.05 feet, to the easterty line of said Lot 5;

THENCE along the easterly line of said Lot 5, South 00° 52' 01" West, 888.61 feet, to the northerly right of way line of U.S. Hwy #20;

THENCE along the northerly right of way line of U.S. Hwy #20, South 76" 57' 32" West, 854.49 feet to the westerly line of said Lot 5, also being the easterly line of Parcel I, as recorded in Book 2008, Page 1893;

THENCE along the westerly line of said Lot 5 and easterly line of said Parcel I, North 04\* 34' 27" West, 356 24 feet.

THENCE continuing along the westerly line of said Lot 5 and easterly line of said Parcel I, North 00° 49' 14" East, 719.86 feet to the POINT OF BEGINNING;

The easterly line of the NE 1/4 of Section 6, T88N, R5W of the 5th Principal Meridian, Delaware County, Iowa is assumed to bear South 00\* 52\* 01" West.