

RECORDER'S INDEX

LOCATION: THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER AND PART OF
THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER, LYING WEST
OF COUNTY ROAD, ALL IN SECTION 5,
TOWNSHIP 90 NORTH, RANGE 1 WEST OF
THE 5th P.M., DUBUQUE COUNTY, IOWA

PROPRIETOR: THOMAS J. BUDDE REVOCABLE FAMILY
TRUST DATED DECEMBER 23, 1999,

REQUESTOR: THOMAS J. BUDDE, TRUSTEE

SURVEYOR: DAVID P. SCHNEIDER

SURVEYOR
COMPANY: SCHNEIDER LAND SURVEYING
AND PLANNING, INC.

RETURN TO: DAVID P. SCHNEIDER
P.O. BOX 128 FARLEY, IOWA
Ph#563-744-3631 daves@yousq.net



Doc ID: 010941270007 Type: GEN
Kind: SUBDIVISION PLAT
Recorded: 04/12/2022 at 09:46:29 AM
Fee Amt: \$37.00 Page 1 of 7
Dubuque County Iowa
John Murphy Recorder

File **2022-00004776**

FINAL PLAT**BUDDE FARM SUBDIVISION, DUBUQUE COUNTY, IOWA**

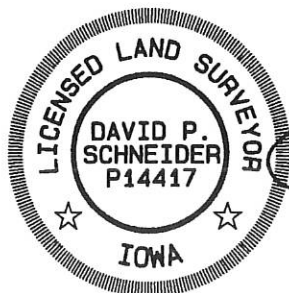
THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND
PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
LYING WEST OF COUNTY ROAD, ALL IN SECTION 5, TOWNSHIP 90
NORTH, RANGE 1 WEST OF THE 5th P.M., DUBUQUE COUNTY, IOWA

TOTAL AREA

70.60 ACRES TOTAL
-1.94 ACRES ROAD
68.66 ACRES NET

SURVEY DESCRIPTION -**BUDDE FARM SUBDIVISION, DUBUQUE COUNTY, IOWA:**

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST
QUARTER OF THE SOUTHEAST QUARTER, LYING WEST OF COUNTY ROAD, ALL IN SECTION
5, TOWNSHIP 90 NORTH, RANGE 1 WEST OF THE 5th P.M., DUBUQUE COUNTY, IOWA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID
SECTION 5; THENCE S88°49'52"E, 2650.90 FEET ALONG THE NORTH LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 5 TO THE CENTERLINE OF TOLLGATE ROAD;
THENCE S22°29'02"W, 549.07 FEET ALONG SAID CENTERLINE TO THE BEGINNING OF A
CENTERLINE CURVE TANGENT TO SAID LINE; THENCE SOUTHERLY AND SOUTHWESTERLY,
513.95 FEET ALONG SAID CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF
1763.05 FEET AND A CENTRAL ANGLE OF 16°42'09"; THENCE S39°11'11"W TANGENT TO
SAID CURVE, 447.32 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST
QUARTER OF SAID SECTION 5; THENCE N88°54'30"W, 1924.22 FEET TO THE SOUTHWEST
CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5;
THENCE N01°15'04"E, 1311.51 FEET TO THE POINT OF BEGINNING, CONTAINING 70.60
ACRES, WHICH INCLUDES 1.94 ACRES OF EXISTING PUBLIC ROAD RIGHT OF WAY.



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 Land Surveyor under the laws of
the State of Iowa.

David P. Schneider P.L.S. #14417

Date:

My license renewal date is December 31, 2023.

Pages or sheets covered by this seal: SHEETS 1 AND 2

SCHNEIDER
Land Surveying
&
Planning, Inc.
P.O. Box 128
Farley, Iowa 52046
Ph# 563-744-3631
daves@yousq.net

Project: 2618FP

Survey Date: 2/22/2022

Sheet: 1 of 6

37°00' @ Dave Schneider

OWNER'S CONSENT

Dubuque, Iowa

MARCH 2, 2022

The foregoing plat of **Budde Farm Subdivision, Dubuque County, Iowa**, is made with the free consent and in accordance with the desires of the undersigned owner and proprietor of said real estate.

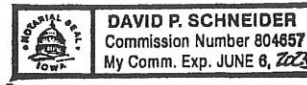
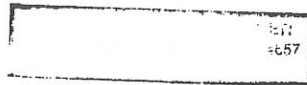
Thomas J. Budde Revocable Family Trust
Dated December 23, 1999

Thomas J. Budde
Thomas J. Budde, Trustee

State of Iowa)
) ss:
Dubuque County)

On this 2 day of MARCH, 2022, before me, a Notary Public in and for said State, personally appeared Thomas J. Budde, Trustee of the Thomas J. Budde Revocable Family Trust Dated December 23, 1999, to me personally known, who being by me duly affirmed did say that he, said Thomas J. Budde, Trustee, acknowledged the execution of said instrument to be his voluntary act and deed voluntarily executed.

David P. Schneider
Notary Public in the State of Iowa
My Commission Expires JUNE 6 2023



MORTGAGE HOLDERS ACKNOWLEDGMENT

The undersigned for _____ of _____, State of Iowa, do hereby certify that the attached plat of **Budde Farm Subdivision, Dubuque County, Iowa**, is made with our free consent and in accordance with our desire as lien holder and mortgager of the premises described herein.

Bank _____

President _____

City _____

V.P. _____

State of Iowa)
) ss:
County of Dubuque)

N/A

On this _____ day of _____, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ and _____ to me personally known, who being by me duly sworn, did say that they are the _____, and _____ respectively, of the corporation executing the within and foregoing instrument; that the seal affixed thereto is the seal of the corporation; that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors; and that _____ and _____ as officers acknowledged the execution of the foregoing instrument to be the voluntarily act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in the State of Iowa
My Commission Expires _____

ATTORNEY'S OPINION

I, Werner Hellmer, a practicing attorney at law in (city) Dyersville,
Dubuque County, Iowa have examined the abstract of title to the land included within **Budde Farm Subdivision,**
Dubuque County, Iowa, said abstract has been prepared in its entirety by the Dubuque County Abstract
and Title Company, and was last certified to by said company on the 6th day of MARCH, 2022 at the hour
of 8:00 o'clock A.M.

My examination of said abstract shows good and merchantable title on the date and hour of certification to be in
Thomas J. Budde, Trustee of the Thomas J. Budde Revocable Family Trust Dated December 23, 1999. Dated at
Dyersville, Iowa in said County, this 14th day of MARCH, 2022.

Werner Hellmer
Signature Attorney at Law

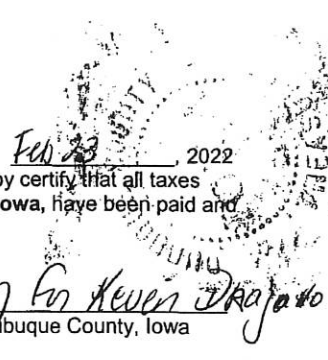
Name (printed) Werner Hellmer
Address 137 1st Ave. E
P.O. Box 712, Dyersville, IA 52040
Phone number 563-875-9733

DUBUQUE COUNTY TREASURER

Dubuque, Iowa

I, the undersigned, Kevin Dragano, Treasurer of Dubuque County, Iowa do hereby certify that all taxes
and special assessments levied against **Budde Farm Subdivision, Dubuque County, Iowa**, have been paid and
said real estate is free and clear of all taxes as of this date.

Kevin Dragano
County Treasurer of Dubuque County, Iowa



DUBUQUE COUNTY ASSESSOR

Dubuque, Iowa

The forgoing plat was reviewed in the office of the Dubuque County Assessor this 14 day of March, 2022.

Billie Selby

County Assessor of Dubuque County, Iowa
By Karpel.

DUBUQUE COUNTY BOARD OF HEALTH

Dubuque, Iowa

4/2/2022, 2022

The forgoing plat of **Budde Farm Subdivision, Dubuque County, Iowa**, is hereby approved by the Dubuque County Board of Health and approval of said plat by the Dubuque County Board of Supervisors is hereby recommended.

Sanathea Karpel
Dubuque County Board of Health - Chairperson

COUNTY PLATS OFFICER

Dubuque, Iowa

3/15, 2022

I, Tammy Henry, the Dubuque County Plats Officer, have received and examined the foregoing plat **Budde Farm Subdivision, Dubuque County, Iowa**, for compliance with the Dubuque County Platting and Subdivision regulations and have found said plat to be acceptable.

Tammy Henry
County Plats Officer of Dubuque County, Iowa

COUNTY ENGINEER

Dubuque, Iowa

2/23, 2022

I, Anthony Boudreau, the Dubuque County Engineer, have received and examined the foregoing plat of **Budde Farm Subdivision, Dubuque County, Iowa**, for compliance with the Dubuque County Engineering regulations and have found said plat to be acceptable.

Anthony Boudreau
County Engineer of Dubuque County, Iowa

DUBUQUE COUNTY PLANNING AND ZONING

Dubuque, Iowa

3/15, 2022

The forgoing plat of **Budde Farm Subdivision, Dubuque County, Iowa**, is hereby approved by the Dubuque County Planning and Zoning Commission and approval of said plat by the County Board of Supervisors is hereby recommended.

Dubuque County Planning & Zoning Commission

[Signature]
Chairperson

DUBUQUE COUNTY BOARD OF SUPERVISORS

Dubuque, Iowa

April 11, 2022

The Dubuque County Board of Supervisors of the County of Dubuque, Iowa, do hereby certify that the foregoing plat of **Budde Farm Subdivision, Dubuque County, Iowa**, has been filed in the office of the County Board of Supervisors and that by Resolution No. 22-12 the Dubuque County Board of Supervisors have reviewed and approved said plat.

[Signature]
Chairperson

Attest [Signature]
Dubuque County Auditor

COUNTY AUDITOR

Dubuque, Iowa

The forgoing plat was entered of record in the office of the Dubuque County Auditor on this 11th day of April, 2022. We approve of the subdivision name or title to be recorded.

[Signature]
County Auditor of Dubuque County, Iowa

COUNTY RECORDER

Dubuque, Iowa

The forgoing plat has been received by the Dubuque County Recorder this 12th day of April, 2022.



John Murphy
County Recorder of Dubuque County, Iowa
by Karl Kandy

RESOLUTION - 22-112

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **Budde Farm Subdivision**, comprised of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, lying west of County Road, all in Section 5, T90N, R1 W, of the 5th PM, Concord Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create three (3) lots, namely Lot 1 through Lot 3 of Budde Farm Subdivision Section 5, Concord Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined by the Dubuque County Planning and Zoning Commission, Dubuque County Board of Health, Dubuque County Engineer, Dubuque County Treasurer and the Dubuque County Plats Officer and has their approval endorsed thereon; and

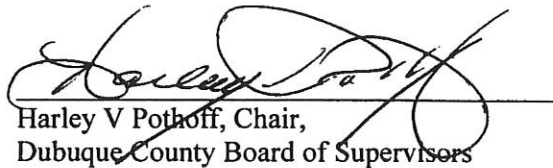
WHEREAS, said final plat has been examined by the Board of Supervisors of Dubuque County, Iowa, and they find the same conforms to the statutes and other regulatory ordinances and resolutions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dubuque County, Iowa:

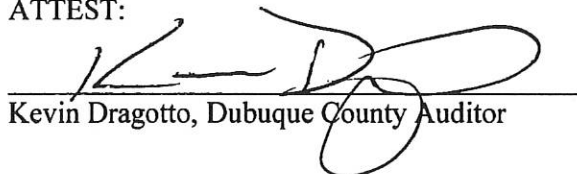
Section 1. That the above described property is within the A-1, Agricultural and A-2, Agricultural Residential districts, thus subject to all the requirements of those districts.

Section 2. That the above described final plat be and is hereby approved and the Chairperson of the Board of Supervisors is authorized and directed to endorse the approval of Dubuque County, Iowa upon said final plat.

PASSED, APPROVED AND ADOPTED by the Dubuque County Board of Supervisors on this 11th day of April, 2022.


Harley V Pothoff, Chair,
Dubuque County Board of Supervisors

ATTEST:


Kevin Dragotto, Dubuque County Auditor

Prepared by & Return to: Tammy Henry, Zoning Administrator Address: 1225 Seippel Road,
Dubuque, IA 52002 Telephone: (563) 589-7827

CONDITIONAL REZONING AGREEMENT

CASE: ZC#03-10-22

DATE APPROVED: April 11, 2022

OWNERS: Thomas J. Budde Rev. Family Trust
7258 Olde Davenport Road
LaMotte IA 52054

ACRES: 15.83+/-

REZONED FROM:

"A-1" AGRICULTURAL TO:

"A-2" AGRICULTURAL RESIDENTIAL - CONDITIONAL

We hereby accept and agree to the following conditions placed on our property located 1.97 miles north of the City of Holy Cross along Tollgate Road and is legally described as the NW of the SE and the NE of the SE lying west of County Road, all in Section 5, T90N, R1W, Concord Township, Dubuque County, Iowa.

1. That 15.83 acres more or less be rezoned around an existing home and buildings to A-2, Agricultural/Residential for one home only and the remainder will stay A-1, Agricultural.
2. That the balance of the parcel is not allowed to have another dwelling unless the property is rezoned for that use.

Date: 3/21/2022

Tammy Henry
TAMMY HENRY, Zoning Administrator

Date: 3/23/2022

Thomas J. Budde
THOMAS J. BUDDE REV. FAMILY TRUST

State of Iowa/^{SS}
County of Dubuque/^{SS}

On this 22 day of March, A.D., 2022, before me Tammy Henry a Notary Public in and for Dubuque County, Iowa, personally appeared, **THOMAS J. BUDDE**, to me known to be the identical person (s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their voluntary act and deed.

Notary Seal

Tammy Henry
Notary Public in and for Dubuque County

