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Attachment D

RESOLUTION
NO. 01-02-22

RELEASE OF A PERMANENT AND PERPETUAL EASEMENT GRANTED FOR UTILITY PURPOSES ACROSS THE PREVIOUSLY VACATED EAST/WEST ALLEY ABUTTING THE SOUTH PROPERTY LINE OF BLOCK 1, STREET'S ADDITION AND THE NORTH PROPERTY LINE OF BLOCK 3, COCHRAN'S ADDITION, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, the east/west alley abutting the south property line of Block 1, Street's Addition and the north property line of Block 3, Cochran's Addition were vacated by the City Council of the City of Council Bluffs by Ordinance No. 3723 on August 16, 1965; and

WHEREAS, a permanent and perpetual easement was retained over said alley at the time of the right-of-way vacation for utility purposes; and

WHEREAS, the Board has determined that there is no need for future use of the aforementioned easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Water Works Trustees does hereby disclaim any right of interest in and to the portion of easement to be released as described above.

ROLL CALL VOTE RECORDED

AYE: Trustee Brooks, Trustee Kruse, Trustee Wallner, Trustee Beresford, Trustee Jones

NAY: -none-

ABSTENTION: -none-

ABSENT: -none-

Adopted and approved this 18th day of January 2022.

Caitlin A. Beresford, Chairperson

Keith R. Jones, Vice Chairperson

ATTEST:

Douglas P. Drummey, Secretary

Martin L. Brooks, Trustee

DocuSigned by:
Maureen R. Kruse
D73FF7079EE840D...
Maureen R. Kruse, Trustee

Michael J. Wallner, Trustee

Filed and recorded this 18th day of January 2022.

Douglas P. Drummey, Secretary