Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 – Phone: (712) 890-5261
Prepared by: Legal Dept., 209 Pearl Street, Council Bluffs, IA 51503 – Phone: (712) 890-5317

RESOLUTION NO. 22-64

A RESOLUTION DISPOSING OF AN INTEREST IN PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT WITH GREAT PLAINS COMMUNICATIONS ON PROPERTY DESCRIBED AS A TRACT OF LAND LOCATED IN LOTS 1 AND 2, BLOCK 14, RAILROAD ADDITION, A PLATTED AND RECORDED ADDITION IN SECTION 2, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS, Great Plains Communications is requesting the City dispose of their interest in property to allow them to construct and maintain a telecommunications building generally located in the unimproved right-of-way of 24th Street and north of 23rd Avenue and legally described in Exhibit "A" attached hereto; and

WHEREAS, A public hearing has been held in this matter on February 14, 2022 at 7:00 p.m.; and

WHEREAS, Following public hearing and having given careful study to the proposal, the City Council determines that this is in the City's best interest to dispose of this property and grant the easement to Great Plains Communications.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

The City of Council Bluffs is hereby authorized to dispose of their interest in property legally described in Exhibit "A" attached hereto; and

BE IT FURTHER RESOLVED

The Mayor is hereby authorized, empowered and directed to execute the Easement and all necessary documents conveying the City's interest to Great Plains Communications on the above-described property; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code Section 354.23.

ADOPTED
AND
APPROVED: February 28, 2022.

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF) ss
POTTAWATTAMIE)

On this _____ day of _____, 2022, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

_____
Notary Public in and for said State