Attachment C

CONDITIONED RELEASE OF A PERMANENT AND PERPETUAL EASEMENT GRANTED FOR UTILTY PURPOSES ACROSS THE PREVIOUSLY 12TH AVENUE RIGHT-OF-WAY LYING BETWEEN SOUTH 34TH AND SOUTH 35TH STREETS AND ABUTTING PROPERTY LEGALLY DESCRIBED AS LOTS 16 THROUGH 30, BLOCK 19, BROWN'S SUBDIVISION AND LOTS 1 THROUGH 15, BLOCK 18, BROWN'S SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, 12th Avenue right-of-way between South 34th and South 35th Streets and abutting property legally described as Lots 16 through 30, Block 19, Brown's Subdivision and Lots 1 through 15, Block 18, Brown's Subdivision, was vacated by the City Council of the City of Council Bluffs by Resolution No. 22-22 on January 24, 2022; 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, Cox Communications, is a Utility this easement was reserved for; and

WHEREAS, I am an authorized representative of said Utility and by placing my signature below I do hereby support the grant of the release of said easement described above with the exception of the southerly 33 feet of the west 308 of the vacated 12th Avenue right of way, which is being specifically retained for the continuing occupancy of cable and television facilities.

Dated this 8, day of June 2022.

Ryan D. Freburg
Signature

Land use and compliance agent
Title

Cox Communications
Organization