Attachment D

RELEASE OF A PERMANENT AND PERPETUAL EASEMENT GRANTED FOR UTILTIY 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, Black Hills Energy, 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.

Dated this 16th, day of June 2022.

Gary Hogan
Signature

Sr. Gas Operations Manager
Title

Black Hills Energy - Black Hills Iowa Gas
Organization