Attachment D

RELEASE OF PERMANENT AND PERPETUAL EASEMENTS GRANTED FOR UTILTIY PURPOSES ACROSS PREVIOUSLY VACATED SECTIONS OFAVENUE H, AVENUE I, AND TWO EAST/WEST ALLEYS, LEGALLY DESCRIBED AS BEING PORTIONS OF LEGACY FAMILY CAMPUS SUBDIVISION PHASE 1 AND LEGACY FAMILY CAMPUS SUBDIVISION PHASE 2, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, the east/west alley between Avenue I and Avenue J in Block 9, Potter and Cobb's Addition and Block C, Potter and Cobb's Second Addition was vacated by Resolution No. 07-245 on June 11, 2007, and retained a permanent and perpetual easement for utility purposes; and

WHEREAS, the east/west alley between Avenue H and Avenue I in Block 10, Potter and Cobb's Addition and Block D, Potter and Cobb's Second Addition was vacated by Resolution No. 07-245 on June 11, 2007, and retained a permanent and perpetual easement for utility purposes; and

WHEREAS, that portion of Avenue I right-of-way between North 14th Street and North 15th Street was vacated by Resolution No. 07-245 on June 11, 2007, and retained a permanent and perpetual easement for utility purposes; and

WHEREAS, that portion of Avenue H right-of-way between North 14th Street and North 15th Street was vacated by Resolution No. 07-245 on June 11, 2007, and retained a permanent and perpetual easement for utility purposes; and

WHEREAS, that portion of Avenue H right-of-way between North 15th Street and North 16th Street was vacated by Ordinance No. 4076 on September 3, 1974, and retained a permanent and perpetual easement for utility purposes; and

WHEREAS, Black Hills Iowa Gas LLC dba 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 18th, day of January 2023.

Gary Hogan

Signature

Sr. Gas Operations Manager

Title

Black Hills Energy - Black Hills Iowa Gas

Organization