RESOLUTION NO. 19-235

A RESOLUTION AUTHORIZING THE RELEASE OF A PERPETUAL AND PERMANENT SANITARY SEWER EASEMENT ACROSS A PORTION OF PARCEL 'A' OF THE SOUTHEAST QUARTER OF SECTION 4-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, LYING WEST OF INTERSTATE 29, EAST OF RIVER ROAD, AND SOUTH OF NEBRASKA AVENUE.

WHEREAS, Resolution No. 19-203 adopted and approved on August 26, 2019, approved a final plat for a two-lot industrial subdivision known as River Road Subdivision as shown on Attachment 'A'; and

WHEREAS, a perpetual and permanent sanitary sewer easement was granted and reserved in the City of Council Bluffs for the maintenance of sewer lines; and

WHEREAS, the easement runs across a parcel of land legally described as a portion of Parcel 'A' in the SE ¼ of Section 4-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment 'B'; and

WHEREAS, Lots 1 and 2, River Road Subdivision are planned to be sold to private entities for new industrial development and the diagonal alignment of this sewer line easement creates a challenge for placing buildings on said lots; and

WHEREAS, after study and consideration, it is the opinion of this City Council that the release of the perpetual and permanent sanitary sewer easement be released; and

WHEREAS, any cost to remove the existing sanitary sewer line within said vacated easement shall be the responsibility of the developer, and not the City of Council Bluffs.

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

That this City Council does hereby release the perpetual and permanent sanitary sewer easement on the above-described property.

ADOPTED
AND October 7, 2019.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk