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

RESOLUTION NO. 21-201

A RESOLUTION TO DISPOSE OF AN INTEREST IN PROPERTY BY RELEASING AN EASEMENT INITIALLY GRANTED TO THE CITY OF COUNCIL BLUFFS BY CHARLES B. EVEREST AND MARJORY P. EVEREST ON MAY 17, 1948, TO THE EXTENT THAT IT ENCROACHES ON THE NEWLY CREATED PARCEL KNOWN AS LOT 1 IN RIVER ROAD SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines their interest in this property is of no benefit to the public and should be released.

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 this property by releasing the easement initially granted to the City of Council Bluffs by Charles B. Everest and Marjory P. Everest on May 17, 1948, to the extent that it encroaches on the newly created parcel known as Lot 1 in River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That the easement across the newly created parcel known as Lot 1 in River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, is hereby released; and

BE IT FURTHER RESOLVED

That the Mayor is authorized to execute the Release of Property from Easement; 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: June 28, 2021.

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF) ss
POTTAWATTAMIE)

On this _____ day of _____, 2021, 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