

RESOLUTION OF DISCLAIMER OF INTEREST IN AN EASEMENT
TRAVERSING THE OAK RIDGE ESTATES SUBDIVISION IN THE
CITY OF COUNCIL BLUFFS, IOWA

WHEREAS, during the construction of the Oak Ridge Estates Subdivision infrastructure an existing ten-inch water line was replaced thus negating the need for the easement for the existing main traversing Lots 6, 7, 8, 9, 10, 11, and 12 in the subdivision, said easement having been granted to the City of Council Bluffs, Iowa for the use and benefit of the Council Bluffs City Water works by The United States National Bank of Omaha on October 17, 1977 as recorded in Book 78, Page 8452 in the Office of the Pottawattamie County Recorder more fully described as follows:

A permanent easement twenty-five (25) feet in width over, across and through the following described real estate situated in the City of Council Bluffs, Pottawattamie County, Iowa to-wit: Commencing at the Southeast (SE) corner of the Southwest quarter (SW¼) of Section 24, T75N, R44W, of the 5th P.M., Pottawattamie County, Iowa, Thence West on the South line of said Southwest Quarter (SW¼) of Section 24 for 154.60 feet to the true point of beginning of the easement hereinafter described: Thence turning a deflection angle of 82° 48' 30" to the right and running Northwesterly for 241.61 feet. Thence turning a deflection angle of 45° 03' to the left and running Northwesterly for 100.0 feet. Thence turning a deflection angle of 49° 31' to the left and running Southwesterly for approximately 347 feet terminating at the East right of way line of Parkwild Drive.

NOW, THEREFORE, BE IT RESOLVED that the Board of Water Works Trustees of the Council Bluffs City Water Works disclaims any further or future need for said easement and agrees that the City of Council Bluffs, Iowa may vacate same.

ROLL CALL VOTE RECORDED

AYE: MITCHELL, HILL, JOHNSON, GARRITHERS AND HEINRICH

NAY: _____

ABSENT: _____

Adopted and approved this 20th day of February 2001.

[Signature]
CHAIRMAN

[Signature]

ATTEST:

[Signature]
SECRETARY

[Signature]

[Signature]

[Signature]
MEMBERS BOARD OF WATER WORKS TRUSTEES

Filed and recorded this 20th day of February 2001.

[Signature]
SECRETARY