

COMPARED

File 450

RESOLUTION NO. 77-190

696

WHEREAS, the Great Day Development Corporation has requested that the City of Council Bluffs, grant unto it an easement, for the purpose of the construction and maintenance of a roadway and utility right-of-way over and through a portion of relocated Madison Avenue right-of-way, described as:

A road way and utility easement over and through that part of relocated Madison Avenue right-of-way described as follows: Beginning at the most Northerly corner of lot 3, Auditor's Sbudivision of part of the SW1/4 of the NE1/4, Lot 2 and 4, an Auditor's subdivision of the SE1/4 of the NE1/4, Lot 11, Auditor's Subdivision of the NW1/4 of the NE1/4 and part of Lot 3, Auditor's Subdivision of the NE1/4 of the NE1/4 of Section 6-T74N-R43W of the 5th P.M., Pottawattamie County, Iowa; thence N 50° 18' 19" E (assumed bearing) on the Northeasterly extension of the Northwesterly line of said Lot 3, 53.00 feet; thence S 10° 51' 34" W, 39.34 feet; thence S 38° 48' 44" E on a line 23.00 feet Northeasterly of and parallel to the Northeasterly line of said Lot 3, 297.37 feet to a point of curve; thence Southeasterly on a curve to the right (Radius 192.63 feet, chord bearing S 20° 38' 11" E, chord distance 120.18 feet), an arc distance of 122.22 feet to a point on the Northeasterly line of Lot 4 of said Auditor's Subdivision; thence N 30° 36' 41" W on the Northeasterly line of Lots 4 and 3 of said Auditor's Subdivision, 101.52 feet; thence N 38° 48' 44" W on the Northeasterly line of said Lot 3, 335.72 feet to the point of beginning;

WHEREAS, it is deemed to be in the best interests of the City of Council Bluffs, to grant such easement for the purpose of improving public access and right-of-way to improve the vehicular traffic pattern flows in said vicinities:

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

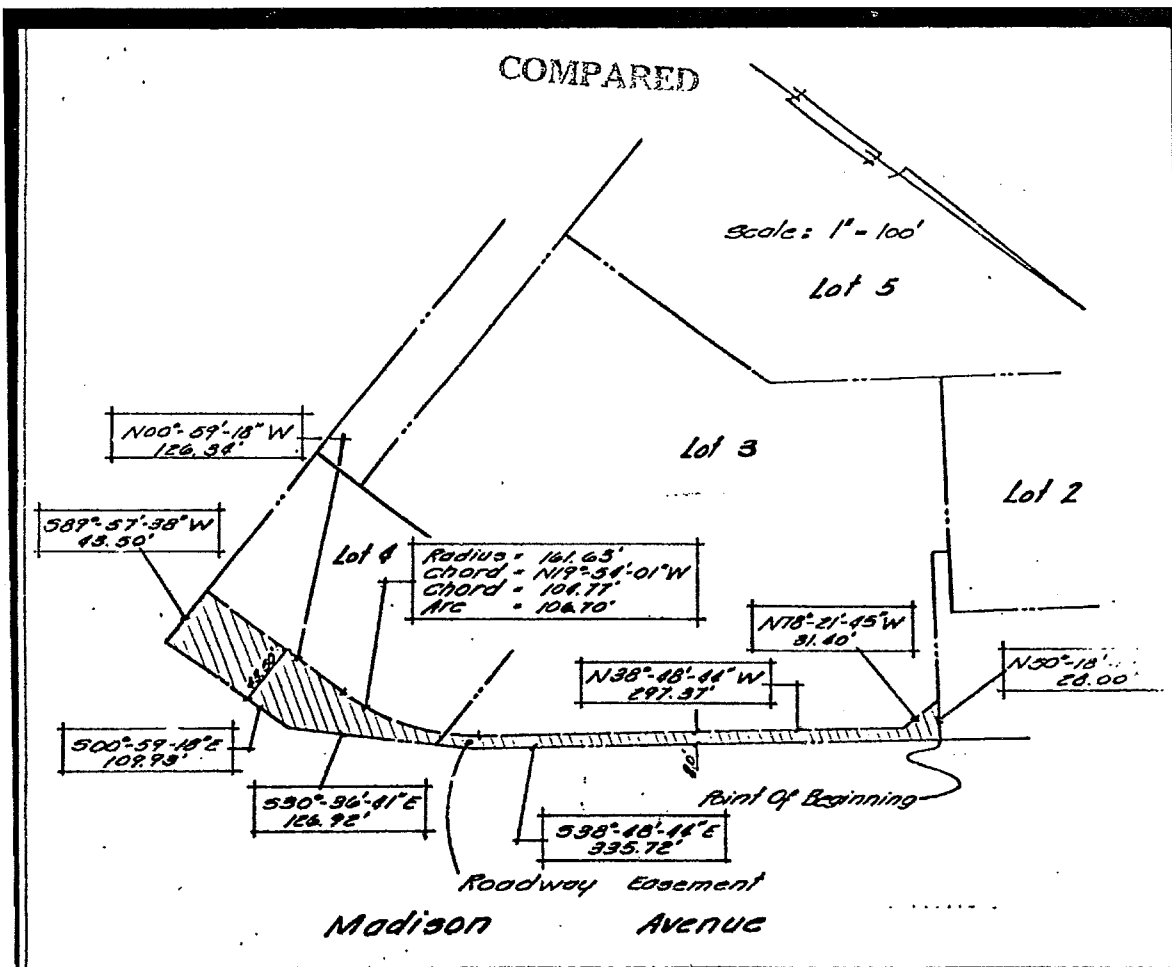
That the Mayor and City Clerk are hereby authorized, empowered and directed to execute on behalf of the City of Council Bluffs, an indenture of easement granting to Great Day Development Corporation, successors and assigns, an easement as above described for the purpose of construction and maintenance of utilities and the road way across and upon the captioned premises.

STATE OF IOWA, Pottawattamie County  
Filed for records the 18 day of July  
1977, at 11:15 o'clock P.M. and recorded  
in book 28-1097  
Dorothy Letner  
Recorder  
By William Larson  
Deputy

ADOPTED  
AND June 13, 1977.  
APPROVED

Daniel E. Lewis  
DANIEL E. LEWIS Mayor

Olga Jullans  
City Clerk



LEGAL DESCRIPTION

✓ A roadway easement over that part of Lots 3 and 4, Auditor's Subdivision of part of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Lot 2 and 4, a Auditor's subdivision of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  Lot 11, Auditor's subdivision of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  and part of Lot 3 Auditor's subdivision of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 6-T74N-R43W of the 5th P.M., Pottawattamia County, Iowa, described as follows: Beginning at the most northerly corner of said Lot 3; thence S 38° 48' 44" E (assumed bearing) on the northeasterly line of said Lot 3, 335.72 feet; thence S 30° 36' 41" E on the northeasterly line of said Lots 3 and 4, 126.92 feet; thence S 00° 59' 18" E on the east line of said Lot 4, 109.93 feet; thence S 89° 57' 38" W on the south line of said Lot 4, 43.50 feet; thence N 00° 59' 18" W on a line 43.50 feet west of and parallel to the east line of said Lot 4, 126.34 feet to a point of curve; thence northwesterly on a curve to the left (radius 161.63 feet, chord bearing N 19° 54' 01" W, chord distance 104.77 feet), an arc distance of 106.70 feet to a point of tangency; thence N 38° 48' 44" W on a line 8.00 feet southwesterly of and parallel to the northeasterly line of said Lot 3, 297.37 feet; thence N 78° 21' 45" W, 31.40 feet to a point on the northwesterly line of said Lot 3; thence N 50° 18' 19" E on the northwesterly line of said Lot 3, 28.00 feet to the point of beginning.

H. Lee Gendler  
4-18-77