

COMPARED

SEE THE LEGAL EFFECT OF THE USE OF THIS FORM, COMPLETE YOUR INSTRUMENT

QUIT CLAIM DEED

12170

6 31 / 1976

Know All Men by These Presents: That

The CITY OF COUNCIL BLUFFS, IOWA, A Municipal Corporation, Grantor

in consideration of the sum of Twenty Four and 20/100ths Dollars (\$24.20) in hand paid do hereby Quit Claim unto SUNDEL PLAZA, INC., An Iowa Corporation

all our right, title, interest, estate, claim and demand in the following described real estate situated in POTTAWATTAMIE County, Iowa, to-wit:

That portion of the North 1/2 of the vacated, platted East-West public alley in Block 1, Street's Addition to the City of Council Bluffs, Iowa, which abuts the South property lines common to the South 40' of Lots 6 and 7 in said Block 1, Street's Addition.

Said vacation and conveyance shall be subject always to a permanent and perpetual easement of way being granted to and reserved in said Grantor City, its licensees and/or franchise grantees, for the maintenance of any and all public utilities equipment presently in place, and for such reconstruction, re-emplacment and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper.

This Deed is made and executed under and pursuant to authority set forth in City Ordinance Number 3723, Passed and Approved August 16, 1965 by the City Council of the City of Council Bluffs, Iowa, and by Council Resolution Adopted and Approved on the 11 day of June, 1976, by the City Council of the City of Council Bluffs, Iowa.

STATE OF IOWA, Pottawattamie County Filed for record the 16 day of June 1976 at 3:30 p.m. and recorded in the 76-20343

Donald Letner Recorder Janet Cooper Deputy

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the above described premises.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Signed this 11th day of June, 1976.

The City of Council Bluffs, Iowa, A Municipal Corporation

By: Dennis C. Anderson Mayor

STATE OF IOWA,

COUNTY OF

Attest: Elmer F. Westphal City Clerk

On this day of A. D. 19 before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared

to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said County

76 20343

STATE OF _____ COUNTY, ss:

On this _____ day of _____, A. D. 19____, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared _____

to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

_____, Notary Public in and for said County

STATE OF IOWA, }
COUNTY OF _____ } ss:

On this _____ day of _____, A. D. 19____, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared _____ and _____, to me personally known, who, being by me duly sworn, did say that they are the _____ and _____ respectively, of said corporation; that (no seal has been procured by the said) corporation; that said instrument was signed (and sealed) on behalf (the seal affixed thereto is the seal of said) of said corporation by authority of its Board of Directors; and that the said _____ and _____ as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

_____, Notary Public in and for said County.

COMPARED

Quit Claim Deed

TO

Entered upon transfer books and for taxation
JUN 13 1976
this _____ day of _____, 19____

By *Olga Arellano* Deputy

Filed for record, indexed and delivered to
County Auditor this _____ day

of _____, 19____

at _____ o'clock _____ M., and recorded in

Book _____ of _____ on page _____

of _____ County Records.

Recorder's and Auditor's fee \$ _____ PAID.

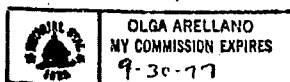
Recorder _____

Deputy _____

WHEN RECORDED RETURN TO

STATE OF IOWA)
COUNTY OF _____) SS.
POITAWATTAMIE)

On the 11th day of June, A.D. 1976, before me the undersigned, a Notary Public in and for said County and State, personally appeared DENNIS C. ANDERSON and ELMER F. WESTPHAL, to me personally known and who, being by me first duly sworn on oath, did state that they are the Mayor and City Clerk, respectively, of the corporate City of Council Bluffs, Iowa, that the seal affixed to said instrument is the seal of said municipal corporation, and that said instrument was signed and sealed on behalf of said municipal corporation by authority of the City Council of the City of Council Bluffs, Iowa; and the said DENNIS C. ANDERSON and ELMER F. WESTPHAL, as such officers, acknowledged the execution of said instrument to be the free act and deed of said municipal corporation, by it and by them voluntarily executed.



Olga Arellano
Olga Arellano Notary Public

COMPARED

RESOLUTION

- WHEREAS, City Ordinance No. 3723, Passed and Approved August 16, 1965 by the City Council of the City of Council Bluffs, Iowa, vacated the East-West public alley situated between the South Property Line of Block 1, Street's Addition and the North Property Line of Block 3, Cochran's Addition, in the City of Council Bluffs, Iowa, pursuant to the terms and provisions therein contained; and
- WHEREAS, Section 2 of said Ordinance authorized conveyance thereof to the owners of properties abutting thereon, upon payment of a sum not less than the appraised valuation of said vacated property, to be determined by appraisal; and
- WHEREAS, it has been determined that a fair appraisal of the property so vacated should be based upon 05¢ per square foot as the sale price of the property; and
- WHEREAS, the owner of Lots 6 and 7 in Block 1, Street's Addition to the City of Council Bluffs, Pottawattamie County, Iowa, has requested conveyance to it of that portion of the North 1/2 of the vacated, platted East-West public alley in Block 1, Street's Addition, upon which its property abuts, and it has been determined that the appraisal price therefor should be in the amount of \$24.20, said strip containing 484 square feet; and
- WHEREAS, this City Council has determined that it will be in the best interests of the City of Council Bluffs, Iowa, that said request be granted and that said strip be conveyed, under the terms and conditions prescribed in said Ordinance:

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

That the above request be and the same is hereby granted, and the Mayor and City Clerk be and they are hereby authorized, empowered and directed to execute and deliver to the owner of said abutting Lots 6 and 7 a Quit Claim Deed conveying that portion of the North 1/2 of the vacated, platted East-West public alley in Block 1, Street's Addition upon which its property abuts, said conveyance to be made under and pursuant to the provisions of City Ordinance Number 3723 and this Resolution as adopted and approved this date.

Adopted
and
Approved June 11 1976

Dennis C. Anderson
Dennis C. Anderson Mayor

Attest: Elmer F. Westphal
Elmer F. Westphal City Clerk

6-A