

COMPARED July 4 1970

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 Sbddivision 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 record this 14th day of July
1970 at 11:15 a.m. in Book 1709
In Book 1709 Page 1709

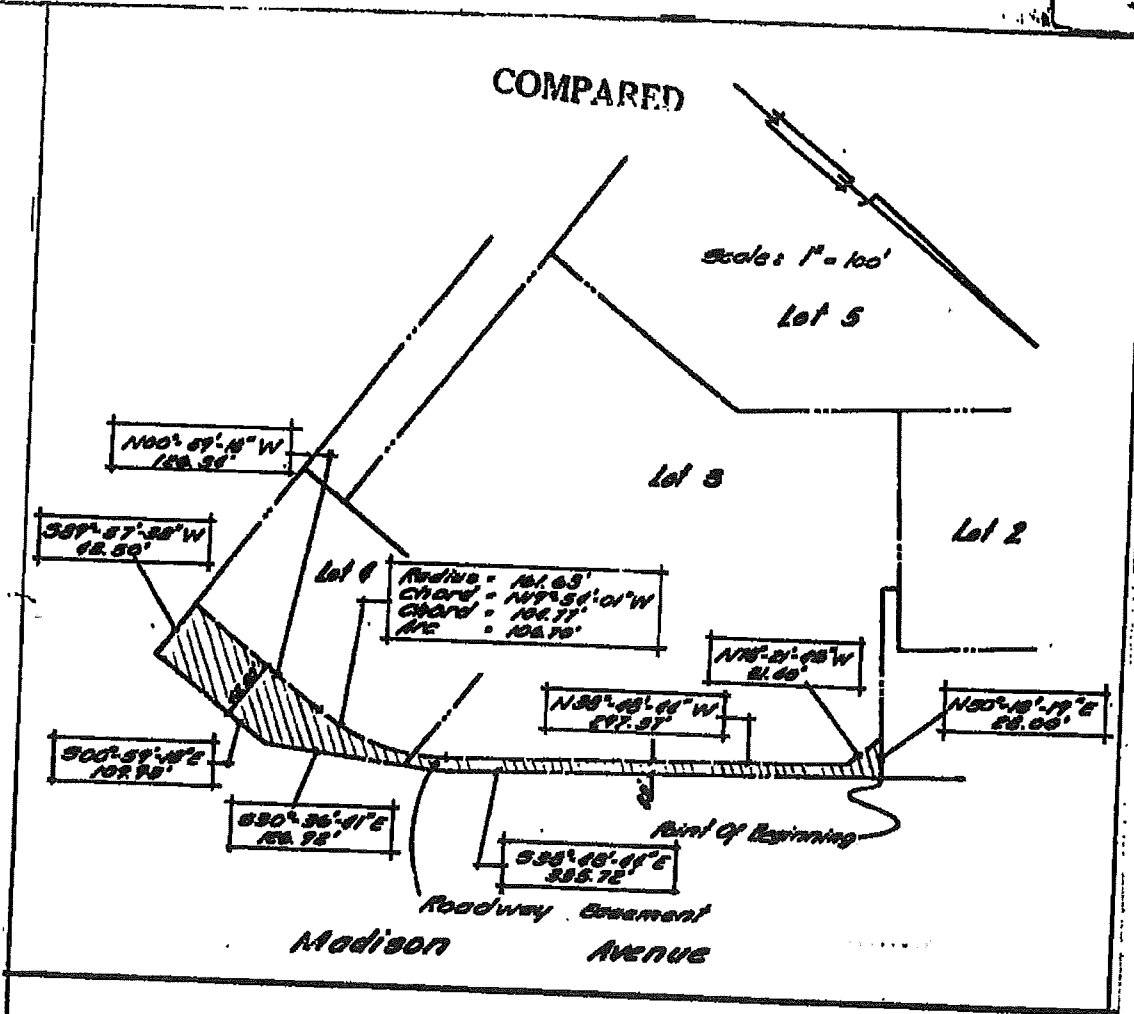
Donna L. Lewis
City Clerk

ADOPTED AND June 13, 1970

APPROVED

Daniel E. Lewis
DANIEL E. LEWIS Mayor

Olga Jullens
City Clerk



LEGAL DESCRIPTION

A roadway easement over that part of Lots 3 and 4, Auditor's Subdivision of part of the SE $\frac{1}{4}$ 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 6-7742-EAST of the 5th P.M., Rottawittwada 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 19° 36' 41" E on the northeasterly line of said Lots 3 and 4, 126.92 feet; thence S 69° 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 69° 59' 18" W on a line 43.50 feet west of and parallel to the east line of said Lot 4, 126.92 feet to a point of curve; thence northeasterly on a curve to the left (radius 161.63 feet, chord bearing N 19° 36' 01" W, chord distance 104.77 feet), an arc distance of 104.79 feet to a point of tangency; thence S 38° 48' 44" W on a line 8.00 feet southeasterly of and parallel to the northeasterly line of said Lot 3, 297.87 feet; thence N 78° 21' 08" W, 31.40 feet to a point on the northeasterly line of said Lot 3; thence N 50° 18' 19" E on the northeasterly line of said Lot 3, 22.00 feet to the point of beginning.

H. Lee Gendler
6-18-77