

04

INST # 6497 J  
RECORDING FEE 20  
AUDITOR FEE \_\_\_\_\_  
RMA FEE ECOM5

*Please record this Original*

PREPARED BY: City Legal Department, 209 Pearl Street, Council Bluffs, IA 51503  
RETURN TO: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503

**COMPARED**

RESOLUTION NO. 03- 161

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT DOCUMENTS GRANTING A PERMANENT EASEMENT TO MIDAMERICAN ENERGY ON A STRIP OF LAND FIVE FEET IN WIDTH SITUATED IN THE SOUTHWESTERLY PORTION OF LOT 5, AUDITOR'S SUBDIVISION OF THE SW 1/4, NW 1/4 OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5<sup>TH</sup> P.M., CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has expressed its intent and held a public hearing in the matter of granting a permanent easement to MidAmerican Energy at the location described hereinabove; and

WHEREAS, the appropriate city staff has reviewed the easement documents and have found them to be acceptable as to form and content.

NOW, THEREFORE, BE IT RESOLVED

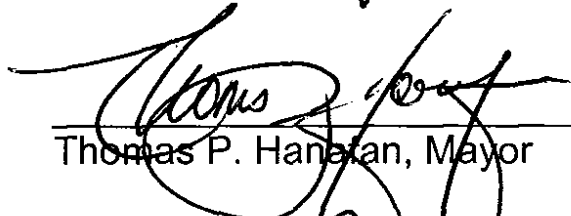
BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized and directed to execute the necessary documents in connection with granting a permanent easement to MidAmerican Energy for guy wire and anchor sets as described in said easement documents.

ADOPTED  
AND  
APPROVED July 28, 2003

  
Thomas P. Hanagan, Mayor

ATTEST:   
Cheryl Puntene, City Clerk

FILED FOR RECORD  
POTTAWATTAMIE CO IA  
03 SEP 10 PM 12:13  
JOHN SCIORTINO  
RECORDER

4A

A-1933

STATE OF: Iowa  
COUNTY OF: Pottawattamie  
CITY OF: Council Bluffs  
SECTION: 32 NW ¼  
TOWNSHIP: 75N  
RANGE: 43W  
PROJECT NO: DR 1564920  
TYPE: Anchor

**MidAmerican Energy  
Company  
(Anchor Easement)**

Prepared by and return to: David A. Lane, MidAmerican Energy Company, PO Box 778,  
Sioux City, Iowa, 51102 Phone: 712-277-7580, Email: dalane@midamerican.com.

The undersigned owner (s), **CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, an Iowa municipal corporation**, and the undersigned tenants(s), **none**, in consideration of \$1.00 and other valuable consideration, hereby grant (s) to MidAmerican Energy Company, an Iowa corporation, its successors and assigns, the right and privilege to install, maintain and remove 1 down guy and anchor sets in and over the following-described real estate, to-wit:

**Legal description:**

A strip of land, 5.00 feet in width situated in the Southwesterly portion of Lot 5 Auditor's Subdivision of the Southwest Quarter of the Northwest Quarter (SW ¼, NW ¼) of Section 32, Township 75 North, Range 43 West of the Fifth Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, said strip more fully described as follows:

**Easement description:**

Commencing at the Northwest Corner of said Lot 5; thence along the West line of said Lot 5; thence S 00 ° 00' 00" W 459.64 feet to the true point of beginning; thence N 90 ° 00' 00" E 5.00 feet; thence S 00 ° 00' 00" W, 17.23 feet; thence S 57 ° 56' 29" E, 17.23 feet; thence S 32 ° 03' 31" W, 5.0 feet to the Southwesterly line of said Lot 5; thence N 57 ° 56' 29" W, 20.00 feet along said Southwesterly line of said Lot 5 to the Southwest corner of said Lot 5; thence N 00 ° 00' 00" W 20.00 feet along the West line of said Lot 5 to the True Point of Beginning. Said strip contains an area of 0.004 acre, more or less.

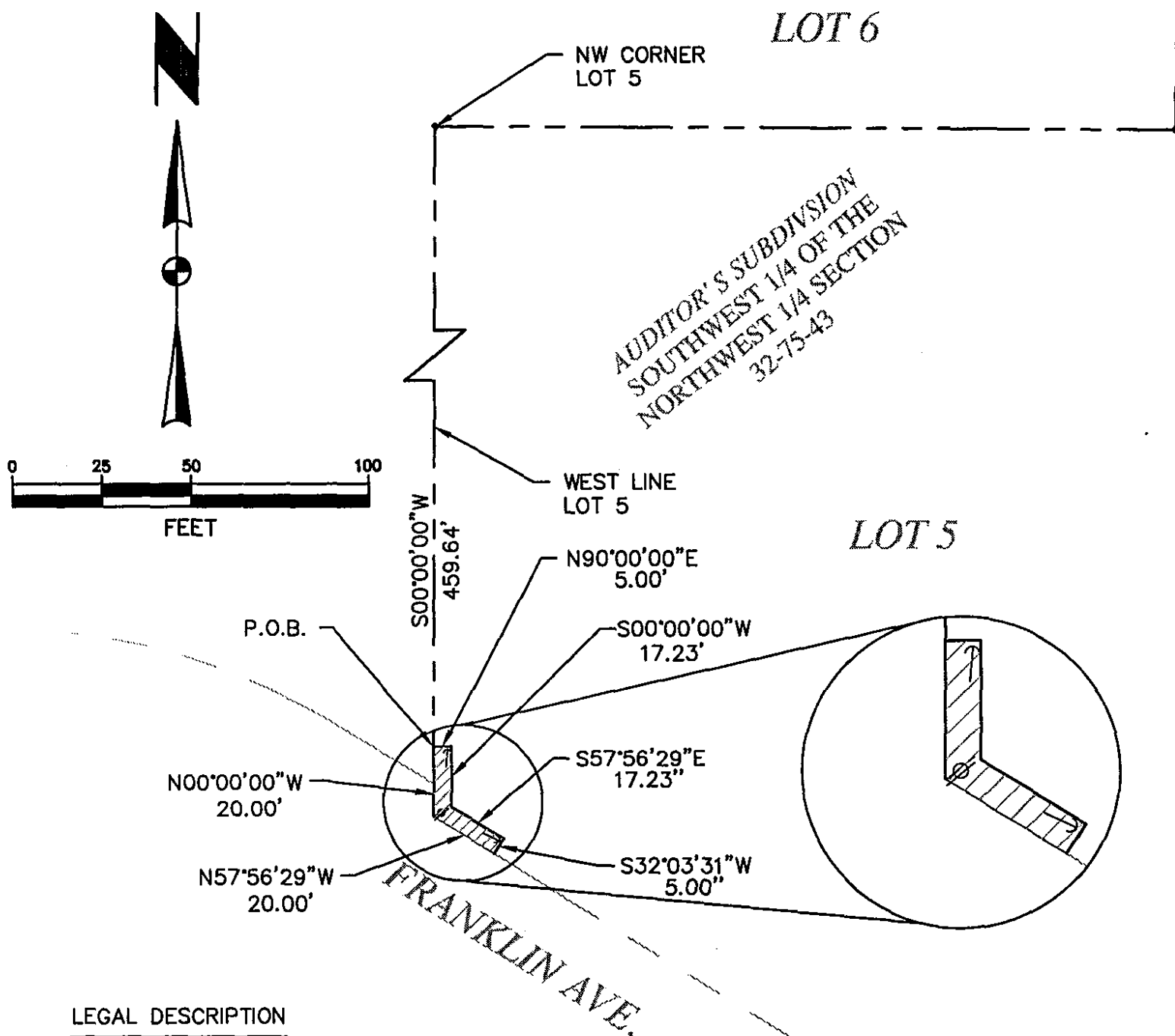
**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

The right is also granted to enter upon said premises for the purposes of installing, maintaining and removing said guy wire and anchor sets.



# EXHIBIT "A"

Prepared by: Mel Samples, P.L.S., HGM Associates Inc., P.O. Box 919, Council Bluffs, IA (712)323-0530



**LEGAL DESCRIPTION**

A STRIP OF LAND 5.00 FEET IN WIDTH SITUATED IN THE SOUTHWESTERLY PORTION OF LOT 5 AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, SAID STRIP MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5;

THENCE ALONG THE WEST LINE OF SAID LOT 5, S00°00'00"W, 459.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N90°00'00"E, 5.00 FEET; THENCE S00°00'00"W, 17.23 FEET; THENCE S57°56'29"E, 17.23 FEET; THENCE S32°03'31"W, 5.00 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 5; THENCE N57°56'29"W, 20.00 FEET ALONG SAID SOUTHWESTERLY LINE OF LOT 5 TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE N00°00'00"W, 20.00 FEET ALONG THE WEST LINE OF SAID LOT 5 TO THE TRUE POINT OF BEGINNING.

SAID STRIP CONTAINS AN AREA OF 0.004 ACRE, MORE OR LESS.

	<p>I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.</p> <p><i>Melvin G. Samples</i> 5-17-03                  MELVIN G. SAMPLES DATE</p>
	<p>License Number <u>10569</u>                  My license renewal date is December 31, <u>2004</u>                  Pages or sheets covered by this seal:                  1 OF 1</p>

project no. 10403  
 date MAY '03  
 sheet 1 OF 1

project **PERMANENT EASEMENT**  
 client MIDAMERICAN ENERGY  
 PO BOX 778 SIOUX CITY, IA 51102  
 sheet

DEF  
 drawn  
 MGS  
 designed  
 MGS  
 approved

**hgm**  
 ASSOCIATES INC.  
 ENGINEERING ARCHITECTURE SURVEYING  
 council bluffs omaha