

A-1933

INST # 10274
RECORDING FEE 2000
AUDITOR FEE _____
RMA FEE 100 ECOM 500

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

03 OCT 20 AM 9:02

JOHN SCIORTINO
RECORDER

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)**

Being re-recorded as a separate document. Part of 104-06470

Prepared by and return to: David A. Lane, MidAmerican Energy Company, PO Box 778, *envelope*
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.

BK 104 PG 10260

Signed, sealed and delivered this 14th day of July, 2003.

CITY OF COUNCIL BLUFFS, IOWA
A municipal corporation

By: [Signature]
Thomas Hanafan, Mayor

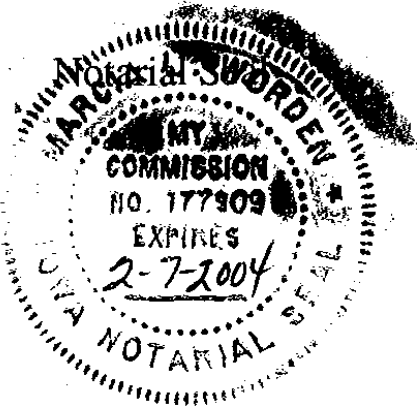
ATTEST



By: [Signature]
City Clerk / Deputy

STATE OF IOWA)
) Ss.
COUNTY OF POTTAWATTAMIE)

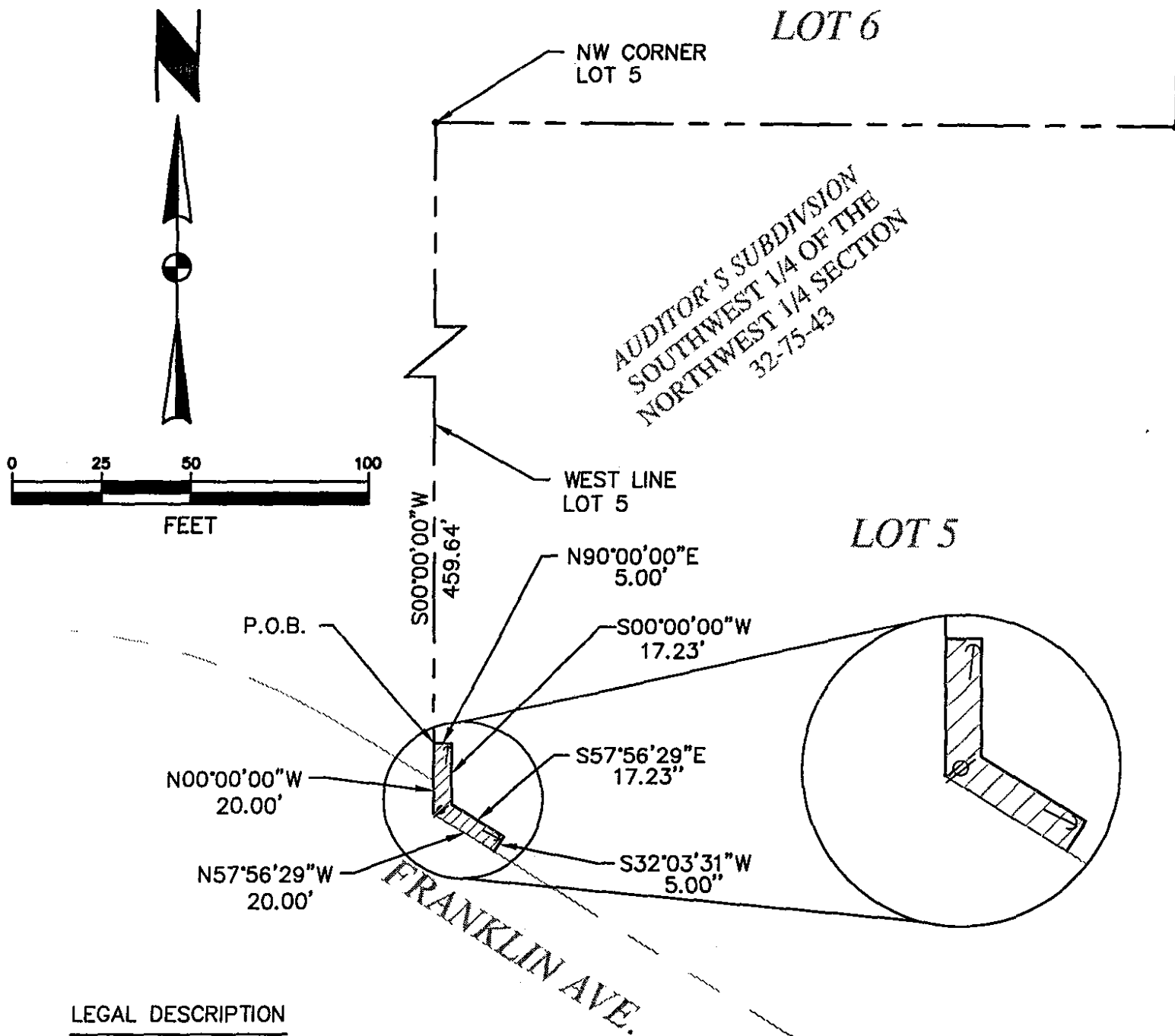
On this 14 day of July, A.D. 2003, before me, the undersigned, a Notary Public in and for the State of Iowa personally known, appeared Thomas P. Hanafan, and Cheryl Pentoney, who, being by me duly sworn, did say that they are the Mayor and City Clerk/Deputy, respectively, of the City of Council Bluffs, Pottawattamie County, Iowa an Iowa municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in a (motion) (resolution) (ordinance) (No. _____ if applicable) of the City Council on the 14 day of July, 2003; and Thomas P. Hanafan and Cheryl Pentoney acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



[Signature]
Notary Public in and for said State

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 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.

LICENSED LAND SURVEYOR

MELVIN G. SAMPLES

10569

IOWA

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.

Mel Samples 5-19-03
 MELVIN G. SAMPLES DATE

License Number 10569
 My license renewal date is December 31, 2004

Pages or sheets covered by this set:
1 OF 1

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

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

P4

INST # 6497
RECORDING FEE 30
AUDITOR FEE _____
RMA FEE ECOM 5

→ 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 PORITON OF LOT 5, AUDITOR'S SUBDIVSION OF THE SW 1/4, NW 1/4 OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH 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. Haney, Mayor

ATTEST: 

Cheryl Puntney, City Clerk

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