

RESOLUTION NO. 23-05

**RESOLUTION DIRECTING EXECUTION OF ACCESS EASEMENT**

**WHEREAS**, it is deemed advisable to authorize the Mayor and City Clerk to execute an assessment easement by which Corn Belt Telephone Co., Inc., will have access over a property owned by the City of Auburn in order to access a tower; and,

**WHEREAS**, the dimensions of said access easement are described as follows:

A PART OF THE FORMER CHICAGO AND NORTHWESTERN RAILROAD GROUNDS AND PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 86 NORTH, RANGE 35 WEST OF THE 5<sup>TH</sup> P.M., SAC COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SPRUCE STREET WITH THE SOUTHERLY LINE OF FIRST STREET; THENCE SOUTH 00° 25'06" WEST 114.16 FEET; THENCE NORTH 84°44'00" EAST, 21.00 FEET; THENCE SOUTH 00°15'07" EAST, 100.33 FEET; THENCE SOUTH 84°44'00" WEST, 72.43 FEET; THENCE NORTH 00°25'06" EAST, 214.60 FEET; THENCE NORTH 84° 44'00" EAST, 50.25 FEET TO THE POINT OF BEGINNING

**WHEREAS**, attached hereto as though fully set forth herein is an access easement by which the City will grant an access easement to Corn Belt Telephone Co., Inc.

**IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, IOWA, THAT:**

The Mayor and City Clerk of Auburn, Iowa, are authorized and directed to execute the attached access easement document on behalf of the City of Auburn, Iowa.

Approved and adopted by the City Council this 13th day of March, 2023.

  
Richard Heim, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Nuckolls, City Clerk

It was moved by Council member Barto and seconded by  
Council member Theulen that the foregoing Resolution be adopted.

The motion was duly put to vote of the Council, the ayes and nays were called and the vote thereon  
was as follows:

AYES: Theulen, Meister, Rath, Barto, and Ludwig

\_\_\_\_\_  
NAYS: None

ABSENT: \_\_\_\_\_

Whereupon the Mayor declared the motion duly carried and the Resolution duly adopted.

CERTIFICATE

I, Tammy Nuckolls, City Clerk of the City of Auburn, Iowa, hereby certify that the  
foregoing is a true copy of a Resolution adopted by the City Council of the City of Auburn, Iowa,  
at a regular meeting of the City Council held on the 13th day of March, 2023, and the vote  
thereon as recorded in the records of the City now in my custody.

Dated this 13th day of March, 2023.

  
\_\_\_\_\_  
Tammy Nuckolls, City Clerk

(CITY SEAL)