



**North Liberty City Council
Regular Session
March 26, 2024**



City Administrator Memo



To **Mayor and City Council**
From **Ryan Heiar, City Administrator**
Date **March 22, 2024**
Re **City Council Agenda March 26, 2024**

Consent Agenda

The following items are on the consent agenda and included in the packet:

- City Council Minutes (03/12/24)
- Pay Application #1, Streets & Maintenance Facility Remodel, Peak Construction Group Inc., \$43,549.54
- Liquor Licenses
 - Aldi (new)
 - Quail Creek Golf Course (renewal)
- Claims

Meetings & Events

Tuesday, Mar 26 at 6:30p.m.
City Council

Tuesday, April 2 at 6:30p.m.
Planning Commission

Thursday, April 4 at 7:00p.m.
Parks & Recreation Commission

Tuesday, April 9 at 6:30p.m.
City Council

Micromobility Devices (E-Scooter) Ordinance

Staff is seeing more and more electric, non-bicycle type devices on the City's streets, sidewalks and trails. These devices include, but are not limited to, e-scooters, e-skateboards, e-unicycles, etc. In an effort to regulate these devices for the safety of the users, pedestrians, and other right-of-way users, staff recommends amending Chapter 76 of the City Code to include provision regarding electric micromobility and personal assistive devices. The amendment adds definitions and outlines requirements for the use of these devices on public rights-of-way. Some of the more significant regulations in the proposed ordinance include maximum speed, use of lights, and areas of operation. Staff recommends approval of the ordinance amendment.

North Liberty Community Pantry CDBG Application

It was discovered that the public hearing notice for the March 12 public hearing was not published. As a result, the City Council must hold the hearing and approve the accompanying resolution once more.

The North Liberty Community Food Pantry is requesting assistance with a Community Development Block Grant Application that, if funded, would provide them with \$100k for fresh food purchases. As proposed, the City will submit the application, which is being prepared by East Central Iowa Council of Governments (ECICOG), and act as a conduit for funding should the application be approved. Since the administration of the grant will be handled by ECICOG, the staff time needed to potentially leverage \$100k for the

Pantry is minimal. Staff recommends proceeding with the application and approval of the related resolution.

Linn County REC Easement Sharing Agreement

Some time ago, North Liberty acquired a large sanitary sewer and public utility easement from TL & L Inc. running along portions of Forevergreen Road and Jones Boulevard. The easement allows the City to elect to share space with other utilities in its discretion. Linn County REC has requested to use a portion of the existing easement on Jones Blvd to provide additional service to the University of Iowa Hospitals and Clinics facility. Staff have drafted an agreement which sets forth the parameters for such use, and recommends approval.



Agenda

CITY COUNCIL

March 26, 2024

6:30 p.m.

Regular Session

Council Chambers

1 Quail Creek Circle

1. Call to order
2. Roll call
3. Approval of the Agenda
4. Consent Agenda
 - A. City Council Minutes, Regular Session, March 12, 2024
 - B. Streets & Maintenance Facility Remodel, Pay Application Number 1, Peak Construction Group, Inc., \$43,549.54
 - C. Liquor License Application, Aldi #57
 - D. Liquor License Renewal, Quail Creek Golf Course
 - E. Claims
5. Public Comment
6. Engineer Report
7. City Administrator Report
8. Mayor Report
9. Council Reports
10. Micromobility Devices (E-Scooter) Ordinance
 - A. Public Hearing regarding proposed E-scooter ordinance
 - B. First consideration of Ordinance 2024-02, An Ordinance amending Chapter 76 of the North Liberty Code of Ordinances concerning the operation of electric personal assistive and micromobility devices
11. North Liberty Community Pantry CDBG Application
 - A. Public Hearing regarding proposed CDBG – CV application
 - B. Resolution Number 2024-33, A Resolution approving a Grant Application for Community Development Block Grant Coronavirus (CDBG-CV) Funds to purchase fresh food and adopting the State of Iowa CDBG-CV Duplication of Benefits (DOB) Policies and Procedures for the City of North Liberty

12. Linn County REC Public Utility Easement Sharing Agreement
 - A. Resolution Number 2024-34, A Resolution approving the Public Utility Easement Sharing Agreement between Linn County Rural Electric Cooperative Association and the City of North Liberty
13. Old Business
14. New Business
15. Adjournment



Consent Agenda

TO OWNER/CLIENT:

PROJECT:

APPLICATION NO: 1

023-025 North Liberty Streets and Maintenance Facility - Interior Remodel
437 South Front Street
North Liberty, Iowa 52317

INVOICE NO: 1

PERIOD: 02/01/24 - 02/29/24

PROJECT NO: 023-025

FROM CONTRACTOR:

VIA ARCHITECT/ENGINEER:

CONTRACT DATE:

Peak Construction Group, Inc.
660 Liberty Way Unit C
North Liberty, Iowa 52317

CONTRACT FOR: North Liberty Streets and Maintenance Facility

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. Original Contract Sum	\$608,000.00
2. Net change by change orders	\$0.00
3. Contract Sum to date (Line 1 ± 2)	\$608,000.00
4. Total completed and stored to date (Column G on detail sheet)	\$45,831.10
5. Retainage:	
a. 5.00% of completed work	\$2,291.56
b. 0.00% of stored material	\$0.00
Total retainage (Line 5a + 5b or total in column I of detail sheet)	\$2,291.56
6. Total earned less retainage (Line 4 less Line 5 Total)	\$43,539.54
7. Less previous certificates for payment (Line 6 from prior certificate)	\$0.00
8. Current payment due:	\$43,539.54
9. Balance to finish, including retainage (Line 3 less Line 6)	\$564,460.46

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$0.00	\$0.00
Total approved this month:	\$0.00	\$0.00
Totals:	\$0.00	\$0.00
Net change by change orders:	\$0.00	

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Peak Construction Group, Inc.

By: Steve Owen Date: 3/5/2024
DocuSigned by: 2C31A567B16F4EC...

State of:

County of:

Subscribed and sworn to before me this 2/28/2024 day of

Notary Public:

My commission expires:

By: Ashley Roeder
DocuSigned by: 35B7512BF4EFA4B8...


ARCHITECT'S/ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Architect's/Engineer's knowledge, information and belief that Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$43,539.54

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to confirm the amount certified.)

ARCHITECT/ENGINEER:

By: Tommy [Signature] Date: 03/18/2024

This certificate is not negotiable. The amount certified is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
ALDI INC	ALDI #57	(219) 216-6513		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
725 Highway 965 NortheastPenn		North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
1 Aldi Drive	Dwight	Illinois	60420	

Contact Person

NAME	PHONE	EMAIL
Julie Spencer	(219) 216-6513	julie.spencer@aldi.us

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Class B Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
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SUB-PERMITS

Class B Retail Alcohol License

PRIVILEGES

Status of Business



State of Iowa

Alcoholic Beverages Division

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Heather McCarthy	North Liberty	Iowa	52317	Vice President	0.00	Yes
David Behm	North Liberty	Iowa	52317	President	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: ALDI INC

Name of Business (DBA): ALDI #57

Address of Business: 725 N Highway 965 North Liberty IA 52317

Business Phone: 219-216-6513

Email: julie.spencer@aldi.us

State of Iowa ABD License #: _____

Johnson County Health Department:

The above referenced business possesses a valid Johnson County Public Health food license.

Name: Rob Thul

Title: EHM Date: 1.26.24

Signature: 



North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

February 8, 2024

Liquor License Check

Business: Aldi #57
725 N Hwy 965
North Liberty, IA 52317

Owners: Heather McCarthy (DOB: 1981)
David Behm (DOB: 1970)

The North Liberty Police Department does not have any documented contacts with the owner(s) or premise in conflict with their liquor license.

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.





State of Iowa
Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
T L & L, INC.	Quail Creek Golf Course	(319) 626-2281		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
700 Club House Road		North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
700 Club House Road	North Liberty	Iowa	52317	

Contact Person

NAME	PHONE	EMAIL
Theodore Lewis	(319) 430-6911	lewis.ted@live.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Special Class C Retail Alcohol License	8 Month	Submitted to Local Authority
TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS	
Mar 15, 2024	Nov 15, 2024		
SUB-PERMITS			
Special Class C Retail Alcohol License			



State of Iowa
Alcoholic Beverages Division

PRIVILEGES

Living Quarters, Outdoor Service

Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Theodore Lewis	North Liberty	Iowa	52317	President	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Selective Insurance Company of America

POLICY EFFECTIVE DATE

Feb 14, 2024

POLICY EXPIRATION DATE

Feb 14, 2025

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: T.L. & L. Inc

Name of Business (DBA): Quail Creek Golf Course

Address of Business: 700 Club House Rd North Liberty, IA 52317

Business Phone: 319-626-2281

Email: lewis.ted@live.com


State of Iowa ABD License #: BB_V_96744

Johnson County Health Department:

The above referenced business possesses a valid Johnson County Public Health food license.

Name: Rob Thul

Title: EHM Date: 3/5/24

Signature: 



E-Scooter Ordinance

ORDINANCE NO. 2024-02

AN ORDINANCE AMENDING CHAPTER 76 OF THE NORTH LIBERTY CODE OF ORDINANCES CONCERNING THE OPERATION OF ELECTRIC PERSONAL ASSISTIVE AND MICROMOBILITY DEVICES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

SECTION 1. NEW SECTIONS. Chapter 76 of the North Liberty Code of Ordinances is amended by adding the following new sections:

76.13 ELECTRIC PERSONAL ASSISTIVE AND MICROMOBILITY DEVICES DEFINED.

1. "Electric personal assistive mobility device" has the same meaning as set forth under Iowa Code § 321.1(20B).
2. "Micromobility Device" means any device not an electric personal assistive mobility device and not a bicycle or low-speed electric bicycle, designed to carry one rider or operator, where such device is equipped with an electric motor of less than seven hundred fifty watts, and where such device is not required to be licensed or registered by the State of Iowa. Micromobility devices may be propelled either by the power of the rider or by an electric motor or a combination thereof. Micromobility devices include, but are not limited to, electric unicycles, electric tricycles, electric stand-up scooters, electric sit-down scooters, and motorized skateboards.

76.14 SAFE OPERATION OF ELECTRIC PERSONAL ASSISTIVE AND MICROMOBILITY DEVICES.

1. Electric personal assistive mobility devices may be operated on sidewalks and bikeways in accordance with this section and the provisions of Iowa Code § 321.235A.
2. Micromobility devices may be operated on sidewalks and bikeways in accordance with this section.
3. A person who operates an electric personal assistive mobility device or micromobility device shall exercise caution to avoid colliding with any pedestrian, shall yield the right of way to any pedestrian, and shall not operate the device in such a manner as to indicate a willful or wanton disregard for the safety of persons.

4. It shall be unlawful for any person to operate an electric personal assistive mobility device or a micromobility device upon any publicly owned property at a speed greater than 20 miles per hour.
5. No person shall operate an electric personal assistive mobility device on any roadway, except for designated bikeways and traversing the roadway at marked pedestrian crossings.
6. No person shall operate a micromobility device on any roadway unless the person possesses a valid driver's license and obeys the rules of the road.
7. Prohibited Operation: No person shall operate a micromobility device upon any road with a posted speed limit greater than 25 miles per hour.
8. All electric personal assistive mobility devices and micromobility devices used during the hours from sunset to sunrise shall display or their drivers shall wear a lamp on the front part of the device, and the lamp shall emit a white light visible from a distance of at least three hundred feet (300') from the front of the device and a red visible light from a distance of at least three hundred feet (300') from the back of the device.

76.15 AUTHORIZED POLICE DEVICES. An on-duty police officer operating a duly authorized Police Department bicycle, electric personal assistive device, or micromobility device may, when necessary, in the performance of his/her official duties, operate or park such bicycle, electric personal assistive device, or micromobility device contrary to the provisions of this Chapter. The foregoing provision shall not relieve the operator of an authorized bicycle, electric personal assistive device, or micromobility device of the duty of operating with due regard for the safety of all persons nor shall such provision protect the operator from the consequences of his/her reckless disregard for the safety of others.

76.16 PENALTY. Violations of this chapter are a simple misdemeanor punishable by a fine of twenty-five dollars (\$25.00) for a first offense. Second and subsequent offenses are simple misdemeanors punishable in accordance with the standard city criminal penalty set forth in Chapter 1.14.

SECTION 2. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 4. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2024
Second reading on _____, 2024.
Third and final reading on _____, 2024.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2024-02 in the Cedar Rapids *Gazette* on the ____ day of _____, 2024.

TRACEY MULCAHEY, CITY CLERK



North Liberty Community Pantry CDBG Application

Resolution No. 2024-33

A RESOLUTION APPROVING A GRANT APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS (CDBG-CV) FUNDS TO PURCHASE FRESH FOOD AND ADOPTING THE STATE OF IOWA CDBG-CV DUPLICATION OF BENEFITS (DOB) POLICIES AND PROCEDURES FOR THE CITY OF NORTH LIBERTY

WHEREAS, the City of North Liberty, Iowa, (hereinafter referred to as "City") has determined a need for additional fresh food in response to increased demand for food following the COVID-19 pandemic at the North Liberty Community Food Pantry; and

WHEREAS, direct food supports, e.g. free school lunches and increased EBT funds, to families in response to pandemic have ended; and

WHEREAS, the City desires to meet the demands for food security and provide more fresh food options for households; and

WHEREAS, an application has been prepared to request funding from the CDBG-CV Program in the amount of \$100,000 to purchase approximately 450,000 pounds of food; and

WHEREAS, the City Council is required to ensure that Duplication of Benefits (DOB) does not occur with the utilization of CDBG-CV funds; and

WHEREAS, it is now procedurally necessary to adopt the State of Iowa CDBG-CV DOB Policies and Procedures via resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of North Liberty, Iowa, that the above-referenced CDBG-CV application and all necessary forms are hereby approved and the above-referenced State of Iowa CDBG-CV DOB Policies and Procedures be and the same are hereby adopted.

APPROVED AND ADOPTED this 26th day of March, 2024.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK



Easement Sharing Agreement

Preparer & Return to
Information Julie L. Pulkrabek, 4698 Fox Lane NE, Iowa City, IA 52240 319/330-3087

PUBLIC UTILITY EASEMENT SHARING AGREEMENT

WHEREAS, the City of North Liberty, Iowa (“City”) was the Grantee of a permanent easement pursuant to a Public Utility Easement Agreement between it and T. L. & L., Inc. dated February 9, 2007, and recorded March 1, 2007, in the records of the Recorder, Johnson County, Iowa;

WHEREAS, said Public Utility Easement Agreement provided that “[s]aid permanent easement may also be used for other public utilities in the City’s discretion and by its direction...”;

WHEREAS, the Linn County Rural Electric Cooperative Association (“LCREC”) requests to share a portion of the permanent easement for installation of electrical lines for distribution of electric energy; and

WHEREAS, the City has agreed, it is discretion to share a portion of the permanent easement with LCREC under the following terms and conditions:

1. LCREC shall share the portion of the permanent easement described as the West 5 feet adjacent to the Jones Boulevard right-of-way line from the point of beginning of the permanent easement, then south along the Jones Boulevard right-of-way to the point when the easement turns east, all in the NW¹/₄ of Section 24, Township 80 North, Range 7 West of the 5th P.M. of North Liberty, Johnson County, Iowa as shown on Exhibit A attached hereto.
2. LCREC shall have the right, privilege, and non-exclusive license to enter in and upon the described portion of the easement to install, maintain, replace and remove electric lines or conduit below the surface of the ground for the distribution of electric energy, including without limitation all appropriate wires for the distribution of electric energy (“Facilities”). This license does not extend to work performed in City right-of-way, which requires a separate permit. LCREC agrees to exercise reasonable care in working around and protecting existing City utility facilities in sewer easement areas, which

includes portions of the sanitary sewer system, storm intakes, storm pipes, and fire hydrants. LCREC further agrees to coordinate with the City and the University of Iowa Board of Regents in coordinating the location of utilities in the area of a proposed traffic signal for the University of Iowa Hospital Facility to be installed on Forevergreen Road between Highway 965 and Jones Boulevard.

3. The Facilities described above shall remain the property of LCREC. LCREC shall have the right to inspect, rebuild, remove, repair, and improve in and to its Facilities as it may from time to time deem advisable.
4. For the purposes of installing, inspecting, maintaining, or operating its facilities, LCREC shall have the right of ingress and egress to the portion of permanent easement over lands adjacent to the easement and lying between public roads and the easement, such right to be exercised in such manner as shall occasion the least practicable damage and inconvenience to the landowner and the City.
5. LCREC shall be bound by same obligations as the City to T. L. & L., Inc. provided in said Public Utility Easement Agreement referred to above regarding the portion of permanent easement described in Exhibit A.
6. LCREC shall, at its own expense and without compensation, relocate the Facilities as the City may reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair or any public improvement of Jones Boulevard adjacent to the easement area. Notice of such relocation request shall be given in the same manner as provided in North Liberty Code Chapter § 117.05.

Dated: _____

CITY OF NORTH LIBERTY

Signed: _____

By: Chris Hoffman, Mayor

Signed: _____

Tracey Mulcahey, Assistant City Administrator
& City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this _____ day of _____, 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Chris Hoffman and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; and that the instrument was signed on behalf of the municipal corporation by the authority of its

City Council, as contained in Resolution No. _____ of the City Council on the _____ day of _____, 2024, and that Chris Hoffman and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

x:\reference files\AR-Base > P:\Projects\104188-0\Easements\dwg\DP-B1-01-DWG | DATE: 09/20/2006 | TIME: 11:23 |
 P:\Projects\104188-0\Easements\dwg\DP-B1-01-DWG | DATE: 09/20/2006 | TIME: 11:23 |

PREPARED BY SHIVE-HATTERY, INC. 2834 NORTHGATE DRIVE, IOWA CITY, IOWA 52245 (319) 384-3040

EASEMENT ACQUISITION PLAT

PERMANENT SANITARY SEWER AND TEMPORARY CONSTRUCTION
 A PART OF THE NORTHWEST QUARTER OF SECTION 24-80-07
 NORTH LIBERTY, JOHNSON COUNTY, IOWA

PERMANENT EASEMENT DESCRIPTION

A permanent Sanitary Sewer Easement on that part of the Northwest Quarter of Section 24, Township 80 North, Range 7 West of the 5th P.M., North Liberty, Johnson County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 24;

thence North 00°46'23" West 2168.83 feet along the West line of said Northwest Quarter (assumed bearing for this description only) to a point of intersection with the Westerly prolongation of the South line of Lewis First Addition to North Liberty, as recorded in Plat Book 41, Page 98 of the records of Johnson County, Iowa;

thence North 89°14'21" East 33.00 feet along said South line to a point of intersection with the Easterly Right-of-Way line of Jones Boulevard and the Point of Beginning;

thence South 00°48'23" East 654.18 feet along said Easterly Right-of-Way line;

thence North 90°00'00" East 700.57 feet;

thence South 00°00'00" East 1480.79 feet to a point of intersection with the Northerly Right-of-Way line of Forevegreen Road;

thence North 89°54'21" East 1890.87 feet along said Northerly Right-of-Way line to a point of intersection with the Westerly Right-of-Way line of State Highway No. 965;

thence North 00°35'50" West 938.06 feet along said Westerly Right-of-Way line;

thence North 04°35'29" West 200.56 feet along said Westerly Right of Way line;

thence South 89°24'10" West 36.03 feet;

thence South 00°35'50" East 1057.43 feet;

thence South 44°39'16" West 42.61 feet;

thence South 89°54'21" West 1760.08 feet parallel with and 50 feet in perpendicular distance from the Northerly Right-of-Way line of said Forevegreen Road;

thence North 00°00'00" West 1480.70 feet;

thence South 90°00'00" West 776.24 feet;

thence North 00°46'23" West 604.50 feet parallel with and 25 feet in perpendicular distance from the Easterly Right-of-Way line of said Jones Boulevard to a point of intersection with the South line of said Lewis First Addition;

Thence South 89°14'21" West along said South line 25.00' to the Point of Beginning.

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

A Temporary Construction Easement for the purpose of installing Sanitary Sewer on that part of the Northwest Quarter of Section 24, Township 80 North, Range 7 West of the 5th P.M., North Liberty, Johnson County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 24;

thence North 00°46'23" West 2168.83 feet along the West line of said Northwest Quarter (assumed bearing for this description only) to a point of intersection with the Westerly prolongation of the South line of Lewis First Addition to North Liberty, as recorded in Plat Book 41, Page 98 of the records of Johnson County, Iowa;

thence North 89°14'21" East 58.00 feet along said South line to the Point of Beginning;

thence South 00°46'23" East 604.50 feet coincident with an Easterly line of the Permanent Sanitary Sewer Easement described on this page;

thence North 90°00'00" East 726.24 feet coincident with a Northerly line of said Permanent Sanitary Sewer Easement;

thence South 00°00'00" East 1480.70 feet coincident with an Easterly line of said Permanent Sanitary Sewer Easement;

thence North 89°54'21" East 1760.08 feet coincident with a Northerly line of said Permanent Sanitary Sewer Easement;

thence North 44°39'16" East 42.61 feet coincident with a Northwesterly line of said Permanent Sanitary Sewer Easement;

thence North 00°35'50" West 1057.43 feet coincident with a Westerly line of said Permanent Sanitary Sewer Easement;

thence South 89°24'10" West 50.00 feet;

thence South 00°35'50" East 1037.25 feet parallel with and 50.00 feet in perpendicular distance to a Westerly line of said Permanent Sanitary Sewer Easement;

thence South 89°54'21" West 1689.82 feet parallel with and 50.00 feet in perpendicular distance to a Northerly line of said Permanent Sanitary Sewer Easement;

thence North 00°00'00" West 1480.62 feet parallel with and 50 feet in perpendicular distance to an Easterly line of said Permanent Sanitary Sewer Easement;

thence North 90°00'00" West 751.02 feet parallel with and 50 feet in perpendicular distance to a Northerly line of said Permanent Sanitary Sewer Easement;

thence North 00°46'23" West 554.83 feet parallel with and 25 feet in perpendicular distance to an Easterly line of said Permanent Sanitary Sewer Easement to a point of intersection with the South line of said Lewis First Addition;

Thence South 89°14'21" West along said South line 25.00 feet to the Point of Beginning.

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.
 DRAWN: _____
 DATE: 20 SEPTEMBER 2006
 SCALE: AS-SHOWN
 FIELD BOOK: 1017
 REVISION: _____
 PROJECT NO. 104188-0
 SHEET NO. B1.02



EASEMENT ACQUISITION PLAT
 NW 1/4 SECTION 24-80-7
 NORTH LIBERTY, IOWA
 DATE: 20 SEPTEMBER 2006
 SCALE: AS-SHOWN
 FIELD BOOK: 1017
 REVISION: _____
 PROJECT NO. 104188-0
 SHEET NO. B1.02

Resolution No. 2024-34

**A RESOLUTION APPROVING THE PUBLIC UTILITY
EASEMENT SHARING AGREEMENT BETWEEN LINN COUNTY
RURAL ELECTRIC COOPERATIVE ASSOCIATION AND THE
CITY OF NORTH LIBERTY**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

WHEREAS, Linn County Rural Electric Cooperative Association is requesting to share a portion of a permanent easement granted to the City of North Liberty for use for a electric utility;

WHEREAS, a public Easement is required for the installation and distribution of electricity;

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding concerning the agreement for the project.

NOW, THEREFORE, BE IT RESOLVED that the attached agreement between the City of North Liberty and Linn County Rural Electric Cooperative Association is approved for the property legally described as follows:

A permanent Sanitary Sewer Easement on that part of the Northwest Quarter of Section 24, Township 80 North, Range 7 West of the 5th P.M., North Liberty, Johnson County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 24;

Thence North 00°46'23" West 2168.83 feet along the West line of said Northwest Quarter (assumed bearing for this description only) to a point of intersection with the Westerly prolongation of the South line of Lewis First Addition to North Liberty, as recorded in Plat Book 41, Page 98 of the records of Johnson County, Iowa;

Thence North 89°4'21" East 33.00 feet along said South line to a point of intersection

with the Easterly Right-of-Way line of Jones Boulevard and the Point of Beginning;

Thence South 00°46'23" East 654.18 feet along said Easterly Right-of-Way line;

Thence North 90°00'00" East 700.57 feet;

Thence South 00°00'00" East 1890.87 feet along said Northerly Right-of-Way line to a point of intersection with the Westerly Right-of-Way line of State Highway No. 965;

Thence North 00°35'50" West 938.06 feet along said Westerly Right-of-Way line;

Thence North 04°35'29" West 200.56 feet along said Westerly Right-of-Way line;

Thence South 89°24'10" West 36.03 feet;

Thence South 00°35'50" East 1057.43 feet;

Thence South 44°39'16" West 42.61 feet;

Thence South 89°54'21" West 1760.08 feet parallel with and 50 feet in perpendicular distance from the Northerly Right-of-Way line of said Forevergreen Road;

Thence North 00°00'00" West 1480.70 feet;

Thence South 90°00'00" West 726.24 feet;

Thence North 00°46'23" West 604.5 feet parallel and 25 feet in perpendicular distance from the Easterly Right-of-Way line of said Jones Boulevard to a point of intersection with the South line of said Lewis First Addition;
Thence South 89°14'21" West along said South line 25.00' to the Point of Beginning.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement.

APPROVED AND ADOPTED this 26th day of March, 2024.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

TRACEY MULCAHEY, CITY CLERK