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2023-13014
RECORDED AS PRESENTED ON
06/13/2023 12:19 PM
MARY BETH WISNIEWSKI
ST. JOSEPH COUNTY
RECORDER
PGS: 3 FEES: 25.00

RELEASE OF EASEMENT

WHEREAS, on December 19, 1983, Romy Hammes, Inc. and Gerald G. Hammes (hereinafter referred to as "Grantor") granted an easement to the City of South Bend, recorded in the St. Joseph County Recorder's office on December 20, 1983, as Instrument No. 8324416, which instrument gave a right for a water main and sewer easement concerning certain property described as:

An easement 20 feet in width being 10 feet (by right angle measurement) either side of a centerline in part of the Northeast Quarter of Section 10, Township 37 North, Range 2 East, City of South Bend, St. Joseph County, Indiana, said centerline being more particularly described as follows, viz:

Commencing at the intersection of the East line of Olive Street with the North line of Western Avenue in said City; thence South 89°-37'-00" West along said North line of Western Avenue, a distance of 1564.70 feet; thence North 0°-03'-20" West, a distance of 453.20 feet to the place of beginning for this description; thence South 89°-59'-41" West, a distance of 456.90 feet; thence continuing through the said Grantor's property and North through the Grantor's property where the said water main and sewer are presently located, to the Northerly boundary line of said Grantor's property where the same intersects the Conrail (New York Central Railroad right-of-way railroad).

WHEREAS, the easement is no longer necessary and the City desires to release its easement; and

WHEREAS, Penske Truck Leasing Co., L.P. holds the successor interest in the easement contemplated within this Release of Easement; and

WHEREAS, Penske Truck Leasing Co., L.P., as the holder of the successor interest in the easement being released under this document has been advised of the intention to execute this Release of Easement as contemplated herein.

NOW, THEREFORE, the City of South Bend hereby releases the "Water Main and Sewer Easement" granted to it by Romy Hammes, Inc. and Gerald G. Hammes and recorded in the St. Joseph County Recorder's Office as Instrument No. 8324416 and all of the rights thereunder, with the intent that the Water Main and Sewer Easement may be forever extinguished.

MBW

IN WITNESS WHEREOF, the City of South Bend by and through its Board of Public Works has authorized the undersigned to execute this Release of Easement this 13th. day of June, 2023.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS

Elizabeth A. Maradik, President



Gary A. Gilot, Member



Murray L. Miller, Member



Joseph R. Molnar, Vice President



Jordan V. Gathers, Member



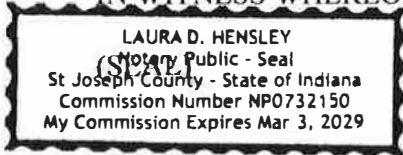
Attest: Theresa M. Heffner, Clerk

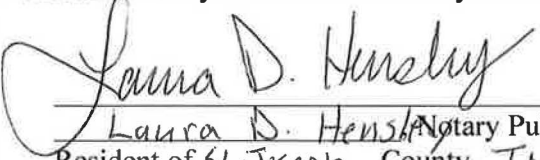
Date: June 13, 2023

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

Before me, the undersigned, a Notary Public in and for said County and State, this 13th day of June, 2023, personally appeared Elizabeth A. Maradik, personally known to me as the President of the South Bend Board of Public Works, the contracting body of the City of South Bend, and acknowledged the execution of the foregoing Release Of Easement for and on behalf of the City of South Bend.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.





Laura D. Hensley, Notary Public
Resident of St. Joseph County, IN

My commission expires:

March 3, 2029

This instrument was prepared by Michael J. Schmidt, Assistant City Attorney, 1200 S. County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana 46601.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael J. Schmidt

