

#414

Easement, south of Ireland
Road, west of U. S. 31
South

12419

BOOK 683 PAGE 306

EASEMENT AND RIGHT OF WAY

In consideration of the sum of One (\$1.00) Dollar cash in hand paid, receipt whereof is hereby acknowledged, the undersigned hereby grant, bargain, sell, convey, transfer, deliver unto the Civil City of South Bend, a permanent easement and right of way, for the following purposes namely: The right to enter upon the hereinafter described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild roads, streets, highways, together with such bridges, culverts, ramps, and cuts as may be necessary, on, over, and across the ground embraced within the right of way hereinafter described, further a permanent easement and right of way, including the perpetual right thereupon the real estate hereinafter described, at any time that it may see fit, for the purpose of constructing, maintaining and repairing, installing and renewing any water, sewer, and other utility facilities, whether used in conjunction with general street purposes, or for the sole purpose of constructing, maintaining, installing, repairing, and replacing and/or renewing such sewer or other facilities for all purposes whatsoever, including but not by way of limitation, drainage structures for both sanitary and storm sewer facilities or for flood control purposes, on, over, and across the ground embraced within the right of way hereinafter described, which is located within the boundaries of a tract or parcel of land situated in the County of St. Joseph, State of Indiana, briefly described as follows:

BOOK 683 PAGE 307

A strip of land thirty (30) feet wide east and west and two hundred and thirty (230) feet long north and south taken off of the entire east end of the following described tract of land: A part of the southeast one quarter (SE 1/4) of the northeast one quarter (NE 1/4) of Section 26, Township 37 North, Range 2 East bounded by a line running as follows: Beginning on the east line of said Section 26 at a point forty (40) feet north of the southeast corner of the northeast one quarter (NE 1/4) of said Section; thence running west one hundred and eighty-three (183) feet; thence north two hundred and thirty (230) feet; thence east one hundred and eighty-three (183) feet; thence south two hundred and thirty (230) feet to the place of beginning.

To have and to hold the said easement and right of way unto the Civil City of South Bend, Indiana, and unto its successors and assigns forever.

And the said Grantors hereby covenant with the Civil City of South Bend, Indiana that they are lawfully seized and possessed of the afore described tract or parcel of land; that they have a good and lawful right to sell and convey; that it is free from all encumbrances; and that they will warrant and forever defend the title in quiet possession thereto against the lawful claims of all persons whomsoever.

And as a further consideration for the payment of the purchase price, above stated, the Grantors hereby release all claims for damages, from whatsoever cause, incidental to the exercise of any of the rights herein granted, from the beginning of the world until this date.

BOOK 683 PAGE 307

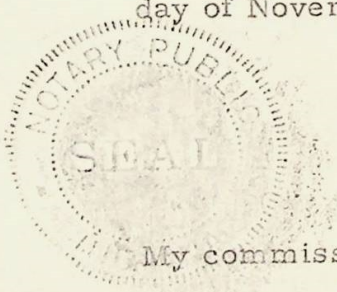
IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 18th day of November, 1966.

Coy Ward
Coy Ward

Jeannette Virginia Ward
Jeannette Virginia Ward

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

Before me a Notary Public, in and for said County and State, personally appeared Coy Ward and Jeannette Virginia Ward, husband and wife, who acknowledge the execution of the above and foregoing easement and right of way as their free and voluntary act and deed this 18TH day of November, 1966.



Warren A. Stahl
Notary Public

My commission expires:
SEPT. 28, 1970

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD
Dec 6 9 21 AM 1966
BOOK EDWIN A. KALCZYNSKI RECORDER PAGE 308

Return to

This instrument prepared by Robert M. Parker, Attorney, 411 Odd Fellows Bldg., South Bend, Indiana.