

#476

EASEMENT FOR SEWER - Washington Avenue, Niles
to St. Jos. River Beginning on a line 273.0
feet south of the south line of Colfax Avenue
and 167.9 feet west of the west line of Ginz
Ave. (etc.)

E A S E M E N T

78709

THIS INDENTURE WITNESSETH THAT: South Bend Screw Products, Inc., a corporation organized and existing under the laws of the State of Indiana, hereinafter called the Grantor, under the conditions hereinafter stated and for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations, hereby grants, bargains, sells, conveys, warrants, and quit-claims unto the Civil City of South Bend, Indiana and its successors or assigns, hereinafter called the Grantee, to have and to hold forever, a right-of-way and easement to construct, operate, maintain, repair, replace and re-construct water and sewer lines, including both sanitary and storm, with appropriate man-holes, feeders, and other necessary and usual appurtenances thereto, including the perpetual right to enter upon the property hereinafter described at any time it may see fit, under, along, through, over and across the following described property owned by the Grantor in the City of South Bend, Township of Portage, County of St. Joseph and State of Indiana, to-wit:

Beginning on a line 273.0 feet south of south line of Colfax Avenue and 167.9 feet west of the west line of Ginz Avenue, measured parallel with Colfax Avenue, thence southeasterly to a point on the north line of Washington Avenue 130.0 feet west of the west line of Ginz Avenue, thence west along the north line of Washington Avenue 20.1 feet, thence northwesterly to a point which is 273.0 feet south of south line of Colfax Avenue and 188.0 feet west of the west line of Ginz Avenue, thence east along a line 273.0 feet south of and parallel to the south line of Colfax Avenue 20.1 feet to the place of beginning.

Grantor hereby covenants that it is the owner of the above described real estate and in possession thereof.

Grantee, by acceptance hereof, agrees to indemnify and hold harmless the Grantor from any and all costs, damages, suits, claims or judgments which might arise or result from any action taken or work performed by Grantee, its successors, assigns, lessees or contractors in the construction, maintenance, repair or replacement of any water or sewer lines or appurtenances thereto on the easement herein granted.

Grantee further agrees, after the completion of any work on said easement, to grade and level the surface of the ground, to remove all excess excavated dirt, and generally to do all things required to replace the property in relatively the same condition as it was prior to commencement of the work, with the exception that Grantee shall have the right to permanently remove trees, brush, undergrowth and any other obstructions which might interfere with the construction, operation, maintenance or replacement of said sewer and water lines.

ST. JOSEPH CO. INDIANA
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IN WITNESS WHEREOF the Grantor has executed this instrument on the 11th day of May, 1970.

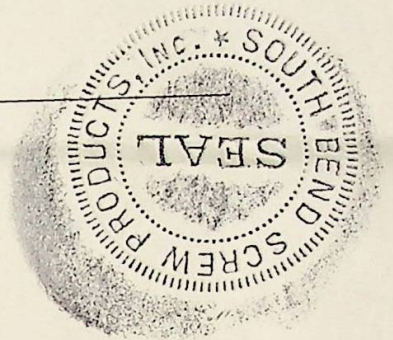
SOUTH BEND SCREW PRODUCTS, INC.

ATTEST:

By

Leo G. Swinehart
Secretary

C. B. Huizenga
President



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

Before me, the undersigned, a notary public in and for said County and State, personally appeared C. B. Huizenga and Leo G. Swinehart to me known to be the president and secretary of South Bend Screw Products, Inc. and acknowledged the execution of the foregoing instrument for and on behalf of said corporation as its voluntary act and deed, for the purposes therein mentioned.

Witness my hand and official seal this 11th day of May, 1970.



Dorothy Raderstorf
Notary Public

ST. JOSEPH CO.
INDIANA
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EDWIN A. KALCZYNSKI
RECORDER

My Commission Expires:
DOROTHY RADERSTORF
Notary Public, Berrien County, Mich.
~~My Commission Expires Oct. 11, 1971~~

THIS INSTRUMENT PREPARED BY: ROBERT RICHARDSON,
ENGINEERING PLANNING SERVICES, INC.
1520 N. Main Street
Mishawaka, Indiana