

SOUTH MICHIGAN STREET - SOUTH MAIN STREET -
WALTER STREET SEWER AREA, EASEMENT AND RIGHT
OF WAY.

The South Side Church of God, Incorporated

Lots 86, 87, 88

89751

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

JAN 6 3 00 PM '71

BOOK 734 PAGE 92-94
EDWIN A. KALCZYNSKI
RECORDER

INDEXED

STATE OF INDIANA
COUNTY OF ST. JOSEPH

Ret. to office of City Eng. Room 1316 County City Bldg.
227. N. Main Street

SOUTH MICHIGAN STREET - SOUTH MAIN STREET -
WALTER STREET SEWER AREA
EASEMENT AND RIGHT-OF-WAY

88751

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the undersigned

THE SOUTH SIDE CHURCH OF GOD, INCORPORATED does hereby release, grant, transfer and deliver unto the Civil City of South Bend, Indiana 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 on, over, and across the ground embraced within the right-of-way hereinafter described in St. Joseph County, Indiana, to wit:

30 feet changed to 15 feet.
50 feet changed to 20 feet for maintenance.

The West thirty ^{for construction} (30) feet of Lots numbered 86, 87 and 88, and also the south fifty (50) feet of Lot numbered 88, all in the plat of Myer's and Funk's Third Plat of Chippewa Heights in the City of South Bend, St. Joseph County, Indiana.

Subject to the existing easement held by Indiana and Michigan Electric Company and applicable zoning ordinances.

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 aforementioned 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 damage, from whatsoever cause, incidental to the exercise of any of the rights herein granted, from the beginning of the world until this date.

It is understood and agreed by the parties hereto, that wherever in the foregoing instrument the singular number is used, it will be read as plural, if and when necessary, and that wherever words of neuter gender are employed, they will likewise apply to the masculine gender, whenever the contracts require.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 27th day of January, 1968.

Hudson D. Firestone
Hudson D. Firestone, Chairman

Ross C. Brown
Ross Brown, Treasurer

Ivan Hamman
Ivan Hamman, Secretary

William Grenert
William Grenert

Howard Zerbe
Howard Zerbe

ST. JOSEPH CO.
INDIANA
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BOOK PAGE
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RECORDER

ST. JOSEPH COUNTY
RECORDED
JAN 29 3 00 PM '68
BOOK 734 PAGE 94
EDWIN J. KALINSKI
RECORDED

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

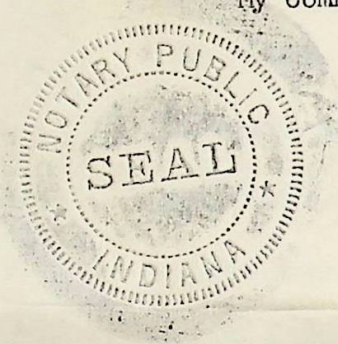
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Before me the undersigned Notary Public, an officer of St. Joseph County, State of Indiana, on this 27th day of January 1968 personally appeared Hudson D. Firestone, Chairman, Ross Brown, Treasurer, Ivan Hamman, Secretary William Grenert and Howard Zerbe, and acknowledged in the execution of the foregoing instrument.

Blanche Kirkendall
Notary Public

My Commission Expires: Sept. 13, 1971

BLANCHE KIRKENDALL
NOTARY PUBLIC, ST. JOSEPH COUNTY
My Commission Expires Sept. 13, 1971



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