

SOUTH MICHIGAN STREET - SOUTH MAIN STREET

WALTER STREET SEWER AREA

EASEMENT AND RIGHT OF WAY

Helen S. Bartol

Ret. to office City Eng.
Room 1316 County City Bldg
att: W. H. Johnson.

#500

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SOUTH MICHIGAN STREET - SOUTH MAIN STREET -
WALTER STREET SEWER AREA

EASEMENT AND RIGHT-OF-WAY

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

The North thirty (30) feet extending from the northwest corner to a point 174.24 east of the northwest corner,

and a parcel of land thirty (30) feet east to west by 170.2 feet north to south beginning 174.24 feet east of the northwest corner of the following described parcel of land:

A parcel of land taken off of the south end of the west one-half of the northwest quarter of Section 25, Township 37 North, Range 2 East, that lies east of Michigan Road and is bounded by a line running as follows: Beginning at a point One Thousand Four Hundred Ninety and Twenty-Five Hundredths feet (1490.25) west of the southeast corner of the northwest quarter of said Section 25; running thence north One Hundred Seventy and Two-Tenths (170.2) feet; thence west Three Hundred and Nine and Six-Tenths (309.6) feet to the east line of Michigan Road; thence south $83^{\circ} 45'$ west with said line of Michigan Road One Hundred Seventy-One and Two-Tenths (171.2) feet; thence east Three Hundred Twenty-One (321) feet to the place of beginning in St. Joseph County, Indiana, excepting all legally constituted highways.

Subject to the existing easement held by Indiana & 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.

