

EASEMENT

#544

Gilmer Park Sewer, Divisions B & C - From
Forest G. Hay 5/11/71

call 251 City-Eng

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EASEMENT

In consideration of the sum of One (\$1.00)

Dollars 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 at any time that it may see fit, for the purpose of 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 maintaining, installing, repairing, 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:

A Permanent Easement fifteen (15) feet wide for sewer installation, and a Temporary Easement forty (40) feet wide for sewer installation and construction, adjacent to and North of the Permanent Easement, said Permanent Easement extending ten (10) feet South of and five (5) feet North of a line more fully described as follows:

Beginning at a point on the West line of Lot 15, Forest Park First Subdivision, ten (10) feet North of the Southwest corner of said lot; thence proceeding Easterly along a line parallel to and ten (10) feet North of, and measured perpendicular to, the South line of said Lot 15 to the East line of said Lot 15.

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.

ST. JOSEPH CO. INDIANA
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PAGE
EDWIN A. KALCZYNSKI
RECORDER

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 damage, from whatsoever cause, incidental to the exercise of any of the rights herein granted, from and after 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 context requires.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 11 day of MAY, 1971.

Forest G. Hay

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

Before me, a Notary Public, in and for said County and State, personally appeared FOREST G. HAY

who acknowledge the execution of the above and foregoing easement as their free and voluntary act and deed this 11 day of MAY, 1971.

My Commission Expires:

22, 1975

David A. Wells
Notary Public

