

#565

EASEMENT - Doris J. Banaszak and John P. Banaszak  
to City of South Bend. Jewelwood Addition.

#565

Rel to: Wells  
city E. Joff K-251

Sub-10

106038

EASEMENT AND RIGHT-OF-WAY

BOOK 744 PAGE 634

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 repair-  
 ing, 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 facili-  
 ties 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 and right-of-way extending thirty (30)  
 feet to the south of and adjacent to a line described as  
 follows: Beginning at a point on the east lot line of

(Page 1 of 3 pages)

DULY ENTERED FOR TAXATION  
 STEPHEN M. EGYHAZI  
 AUDITOR  
 ST. JOSEPH CO., INDIANA

Lot No. 40 of the Jewelwood Addition 714.4 feet south of the centerline of Jewel Street, said point being on the centerline of Ritter Street extended; thence proceeding easterly 90 feet along the centerline of Ritter Street extended to the east line of the W $\frac{1}{2}$  of Lot 30 of Ritters Proposed to Dixie Gardens -- taxing unit Key No. 2-01-01,  
17.340-03  
all in the NE $\frac{1}{4}$  of Section 35, Township 37 North, Range 2 East, Centre Township, St. Joseph County, Indiana.

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 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 contract requires.

(Page 2 of 3 pages)

BOOK 744 PAGE 605

ST. JOSEPH COUNTY  
RECORDS  
OCT 10 9 11 AM '71  
EGGA  
EDWIN  
RECORDS



575#

10003

ST. JOSEPH CO. INDIANA FILED FOR RECORD

OCT 10 9 11 AM '71

BOOK 744 PAGE 604-606  
EDWIN A. WINDY RECORDED

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 15th day of October, 1971.

# INDEXED

*[Signature]*  
Doris J. Bannasak

*[Signature]*  
John F. Bannasak

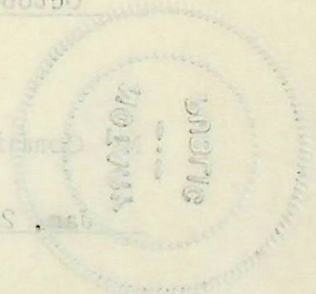
ST. JOSEPH COUNTY )  
                          ) SS:  
STATE OF INDIANA )

Before me, a Notary Public, in and for said County and State, personally appeared Doris J. Bannasak and John F. Bannasak, husband and wife, who acknowledge the execution of the above and foregoing instrument and right of their free and voluntary act and deed this 15th day of

October, 1971.

*[Signature]*  
Notary Public  
David A. Wells

Commission Expires: Jan. 22, 1975



Prepared by: S.J. Grumbecker

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

BOOK 744 PAGE 605

