#567

EASEMENT - Erma A. Searfoss to the City of South Bend. NE $\frac{1}{4}$ Sec. 35, Twp. 37 N., R. 2 E., Center Twp. St. Joseph Co., Inc.

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OF INDIANA 1 210 -6/2 (ANAIGNI 30 ANAIGNI 3

INDEXED WILLIAM TO THE TOTAL OF THE TOTAL OF

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

Committe : Dawles #567

City 25 0ff x 251

10:000

EASEMENT AND RIGHT-OF-WAY

BOOK 744 PAGE 610

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 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 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 sixty (60) foot wide permanent easement and right-of-way extending thirty (30) feet on either side of a line more fully described as: beginning at a point on the centerline of Ritter Street extended, said point being 974.7 feet westerly along the centerline of Jewel Street and 717.9 feet southerly of the intersection of the centerline of Jewel Street and the west line of Main Street; thence extending Easterly along the centerline of Ritter Street

extended to the east property line of the Erma A. Searfoss property, which is the west line of the dedication of right-of-way for Ritter Street, all in the NE¼ of Section 35, Twp.37N, Range 2 East, Centre Township, St. Joseph County, Indiana.

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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.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 29 day of Systember, 1971.

Erma A. Searfoss

Erma A. Searfoss

(Page 2 of 3)

ST. JOSEPH COUNTY)

) SS:
STATE OF INDIANA)

Before me, a notary Public, in and for said County and State, personally appeared Erma A. Searfoss, who acknowledged the execution of the above and foregoing easement and right-ofway as her free and voluntary act and deed this 29 day of

September, 1971.

My Commission Expires:

My Commission Expires Jan. 3, 1975.

Notary Public

ST. JOSEPH CO.
FILED FOR RECORD

OCT 10 9 11 AM '71

BOOK
EDMIN A. NALCZYNSKI
RECORDER

Prepared by: S.J. Crumpacker

ST. JOSEPH CO. INDIANA FINED FOR RECORD

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BOOK 744 PAGE 610 -612 (AMATOMI TO RECORDER TO STITUTE VISION & SM STORES

RECORDER TO STITUTE VISION & SM STORES

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