

# 676

EASEMENT AND RIGHT-OF-WAY - Benjamin J. & Ella M. Ratajczak - A 10' wide permanent easement along the entire Westerly property line of Lot 55, common to and overlapping the existing 10' wide drainage ditch easement all in Lot 55, Meadow View 2nd Addition, N.E.  $\frac{1}{4}$  of Sec. 30, Twp. 37 N. Range 3 East Centre Twp.

141728

ST. JOSEPH CO.  
INDIANA  
FILED RECORD

APR 26 1 50 PM '73

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EUGENE A. BASKER  
RECORDER

INDEXED



EASEMENT AND RIGHT-OF-WAY

In consideration of the sum of One **141728**

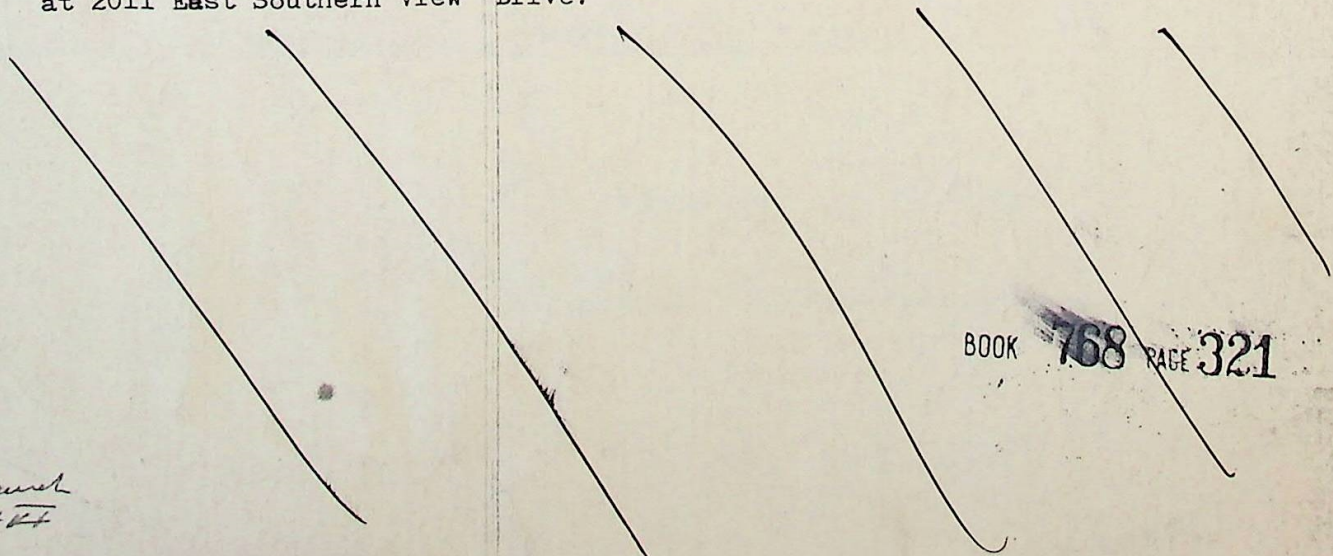
                         Dollars cash in hand paid, receipt whereof is hereby acknowledged, the undersigned hereby grant, bargain, sell, convey, transfer, deliver unto the Civil City of South Bend, a permanent easement and right-of-way, for the following purposes namely: The right to enter upon the hereinafter described land 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 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 10' wide permanent easement along the entire Westerly property line of Lot 55, common to and overlapping the existing 10 foot wide drainage ditch easement all in Lot 55, Meadow View 2nd Addition, (N.E. 1/4) North East One Quarter of Section 30, Twp. 37 North Range 3 East Centre Twp., St. Joseph County, Indiana.

Also, the ~~X~~City will relocate nine (9) fir trees from the easement to east of the easement if necessary for the construction of the sewer.

Also, the city will ~~replace~~ ~~any~~ any disturbed portion of the ditch affected by the construction in ~~the~~ easement with sod.

Also the City will allow a free hookup to the trunk sewer to the residence at 2011 East Southern View Drive.





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 8th day of March, 1973.

ST. JOSEPH CO.  
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RECORDER

X Raymond J. Ratzysak  
X Edith M. Ratzysak

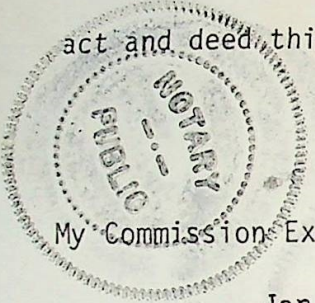
Trumb Sewer  
Repts 4-1-73



ST. JOSEPH COUNTY )  
STATE OF INDIANA ) SS:

Before me, a notary Public, in and for said County and State,  
personally appeared Benjamin J. and Ella M. Ratajczak,  
2011 E. Southern View Drive, South Bend, Indiana 46614

\_\_\_\_\_, who acknowledged the execution of the above  
and foregoing instrument and right-of-way as their free and voluntary  
act and deed this 8th day of March, 1973.



My Commission Expires:  
Jan 22, 1975

David A. Wells  
Notary Public David A. Wells

This instrument prepared by: James A. Roemer, Attorney

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