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822

EASEMENT AND RIGHT-OF-WAY from
Leonard F. Tucker and Leonard
R. Tucker to City of South Bend.

(Northwest Corner Bendix & Lathrop)

Engineering Dept - 251

822

189827

EASEMENT AND RIGHT-OF-WAY

BOOK 802 PAGE 130

In consideration of the sum of \$1.00 and other considerations

_____ 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 construction, 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 tract of land in the S.E. 1/4, Section 28, T38N, R2E, German Township, St. Joseph County, Indiana; described as:

Beginning at the S.E. corner of said Section 28; thence westerly on and along the south line of said Section 28, said line also being the centerline of Lathrop Street, a distance of 540.00 feet; thence N 00°00'00" E a distance of 20.00 feet to the true place of beginning, said point also being on the existing North right-of-way of Lathrop Street; thence S 90°00'00" W a distance of 449.94 feet, thence N 00°10'55" E a distance of 20.00 feet; thence N 90°00'00" E a distance of 449.88 feet; thence S 00°00'00" W a distance of 20.00 feet to the place of beginning; said tract contains 0.21 acre, more or less.

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD
JUN 13 1 30 PM '75
BOOK 802 PAGE 131
EUGENE A. BASKER
RECORDER

Joseph T. Helling, Notary Public
My Commission Expires: Feb. 24, 1978.

THIS INSTRUMENT PREPARED BY: Joseph T. Helling, South Bend, Indiana. BOOK 802 PAGE 131

181-031-301-301

181-031-301-301

INDEXED

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

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 8th day of August, 1974.

STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

Before me, a Notary Public, in and for said County and State personally appeared Leonard F. Tucker and Leonard R. Tucker, Partners, who acknowledged execution of the above and foregoing instrument this 8th day of August, 1974.

Leonard F. Tucker
Leonard F. Tucker, Partner
Leonard R. Tucker
Leonard R. Tucker, Partner

Joseph T. Helling
Joseph T. Helling, Notary Public
My Commission Expires: Feb. 24, 1978.

131-031 802

131-031

INDEXED

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seals this 8th day of August, 1974.

STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

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Leonard F. Tucker
Leonard F. Tucker, Partner
Leonard R. Tucker
Leonard R. Tucker, Partner

Joseph T. Helling
Joseph T. Helling, Notary Public

My Commission Expires: Feb. 24, 1978.

THIS INSTRUMENT PREPARED BY: Joseph T. Helling, South Bend, Indiana. BOOK 802 PAGE 131



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INDEXED

189827

RECORDED
GENERAL BASKER
BOOK PAGE 130
JUN 13 8 02 AM '74
ST. JOSEPH COUNTY, INDIANA

131-30-131

RECEIVED
AUG 12 1974

PARTIAL MORTGAGE RELEASE

FOR VALUE RECEIVED, the St. Joseph Bank and Trust Company, South Bend, Indiana, hereby releases from the operation of a mortgage executed by Leonard R. Tucker and Leonard R. Tucker, partners, doing business as Tucker Realty Company, dated April 15, 1971 and recorded April 15, 1971 in Mortgage Record 1023 Page 273, of the records of St. Joseph County, State of Indiana, the following described real estate, to-wit:

A tract of land in the S.E. 1/4, Section 28, T38N, R2E, German Township, St. Joseph County, Indiana; described as:

Beginning at the S.E. corner of said Section 28; thence westerly on and along the south line of said Section 28, said line also being the centerline of Lathrop Street, a distance of 540.00 feet; thence N 00 00' 00" E a distance of 20.00 feet to the true place of beginning, said point also being on the existing North right-of-way of Lathrop Street; thence S 90 00' 00" W a distance of 449.94 feet; thence N 00 10' 55" E a distance of 20.00 feet; thence N 90 00' 00" E a distance of 449.88 feet; thence S 00 00' 00" W a distance of 20.00 feet to the place of beginning; said tract contains 0.21 acre, more or less.

It should be understood, however, that this is a partial release only and operates to release from said mortgage the foregoing described real estate only, and that the said mortgage is to remain in full force and effect as to the remainder of the real estate therein.

IN WITNESS WHEREOF, the said St. Joseph Bank and Trust Company, South Bend, Indiana, has caused its corporate name to be signed and its authorized officers, authorized August 1974.

Engineering Dept - 251

BOOK 1152

189828

RECEIVED

AUG 12 1974

PARTIAL MORTGAGE RELEASE

FOR VALUE RECEIVED, the St. Joseph Bank and Trust Company, South Bend, Indiana, hereby releases from the operation of a mortgage executed by Leonard F. Tucker and Leonard R. Tucker, partners, doing business as Tucker Realty Company, dated April 15, 1971 and recorded April 15, 1971 in Mortgage Record 1023 Page 273, of the records of St. Joseph County, State of Indiana, the following described real estate, to-wit:

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Beginning at the S.E. corner of said Section 28; thence westerly on and along the south line of said Section 28, said line also being the centerline of Lathrop Street, a distance of 540.00 feet; thence N 00 00' 00" E a distance of 20.00 feet to the true place of beginning, said point also being on the existing North right-of-way of Lathrop Street; thence S 90 00' 00" W a distance of 449.94 feet; thence N 00 10' 55" E a distance of 20.00 feet; thence N 90 00' 00" E a distance of 449.88 feet; thence S 00 00' 00" W a distance of 20.00 feet to the place of beginning; said tract contains 0.21 acre, more or less.

It should be understood, however, that this is a partial release only and operates to release from said mortgage the foregoing described real estate only, and that the said mortgage is to remain in full force and effect as to the remainder of the real estate therein.

IN WITNESS WHEREOF, the said St. Joseph Bank and Trust Company, South Bend Indiana, an Indiana Corporation, has caused its corporate name to be signed and its seal affixed and attested by its duly authorized officers Joel D. Gruber, Vice President and David Haber Assistant Cashier, this 7th day of August, 1974.

ST. JOSEPH BANK AND TRUST COMPANY,
SOUTH BEND, INDIANA

BY: Joel D. Gruber
Joel D. Gruber, Vice-President

ATTEST:
David Haber
David Haber Assistant Cashier

ST. JOSEPH CO. INDIANA
FILED FOR RECORD
JUN 13 1 38 PM '75
BOOK EUGENE A. BASKER
PAGE RECORDER

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

Before me the undersigned, a Notary Public in and for said County and State this 7th day of August, 1974, personally appeared the within named Joel D. Gruber, Vice-President, and David Haber, Assistant Cashier of the St. Joseph Bank and Trust Company, South Bend, Indiana, an Indiana Corporation, and acknowledged that they respectively signed the corporate name and affixed and attested the corporate seal of the said corporation to the foregoing instrument for and on behalf of said corporation, as its voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Mary K. Peck
Mary K. Peck, Notary Public

My commission expires: November 9, 1977

This instrument prepared by: Joel D. Gruber, Vice-President for and on behalf of the St. Joseph Bank and Trust Company, South Bend, Indiana.