

# 835

EASEMENT AND RIGHT-OF-WAY from Gary James Pasalich to City of South Bend, a 15' permanent utility easement regarding the Fellows-Widener Lane Sanitary Sewer.

192311

SEC. 808

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

JUL 21 1 52 PM '75

BOOK 103  
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RECORDER

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# 835

EASEMENT AND RIGHT-OF-WAY

192311

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 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 utility easement 15' feet wide measured north and south and 81.7' feet long measured east and west taken off of and from the entire south end of the following described parcel of land: To wit,

Beginning 15.4 feet east of the north east corner of the south west 1/4 (One Quarter) of Section 25 Twp. 37 North, Range 2 East

- thence: due south 219.95' feet
- thence: due west 81.7' feet
- thence: due north 219.95' feet
- thence: due east 81.7' feet to the point of beginning all in Centre Twp., St. Joseph County, Indiana.

Also an additional temporary construction easement 15' wide measured north and south, north of and immediately adjacent to the above described permanent easement, also off of the aforescribed parcel of land.



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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 14 day of July, 1975

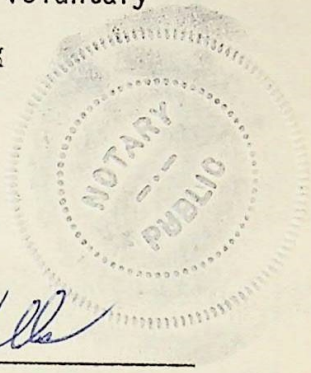
x Gary James Pasalich



ST. JOSEPH COUNTY )  
STATE OF INDIANA ) SS:

Before me, a Notary Public, in and for said County and State,  
personally appeared Gary James Pasilich, 514 East Ireland Road,  
South Bend, Indiana 46614

\_\_\_\_\_, who acknowledged the execution of the above  
and foregoing instrument and right-of-way as his free and voluntary  
act and deed this 14th day of July, 1975. ~~\*\*\*\*\*~~



My commission expires :  
Jan 22, 1979

David A. Wells  
Notary Public  
David A. Wells

This instrument prepared by: James A. Roemer, City Attorney.



N.E. CORNER OF  
S.W. 1/4 - OF SEC. 25  
15.4' ) TWP. 37-NORTH  
RANGE-2-EAST

FELLOW ST.

189.95'

MELVIN (MILLED)  
PASALICH  
504-EAST  
IRELAND RD.

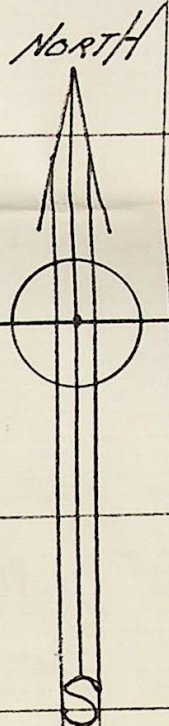
189.95'

WALTER & ESTHER  
PASALICH  
514 EAST  
IRELAND RD.

189.95'

81.7'

81.7'



15' TEMPORARY EASEMENT

15' PERMANENT EASEMENT  
81.7' 81.7'

9-9-74  
SCALE = 1" = 40'  
R.S.A.

- thence: due west 81.7' feet
- thence: due north 219.95' feet
- thence: due east 81.7' feet to the point of beginning all in Centre Twp., St. Joseph County, Indiana.

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