# 990

EASEMENT AND RIGHT-OF-WAY from Board of Commissioners of St.
Joseph County to City of South Bend, A permanent right-of-way easement described as follows: Beginning at a point 2616.14'
N. of the S.W. corner of Sec. 27, Twp. 38 N., Range 2 E., German Twp. (SEEDEED)

# 990

Bo-Park.

## EASEMENT AND RIGHT-OF-WAY

219485

In consideration of the sum of One (\$1.00)

ST. JOSEPH CO.
INDIANA
ILED FOR RECORD

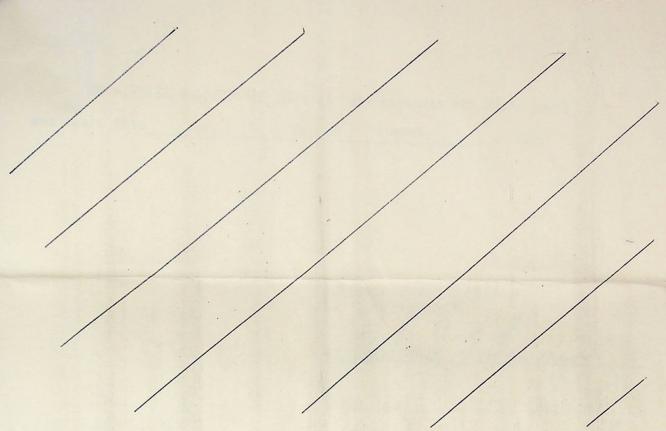
BY 3 11 25 AM 776

R4586

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 right-of-way easement described as follows: Beginning at a point 2616.14 feet north of the southwest corner of Section 27, Township 38 North, Range 2 East, German Township, Saint Joseph County, Indiana, which point is at the intersection of the west line of said Section 27 and the east and west center line of said Section 27; thence due east 40 feet; thence due north along a line 40 feet east of and parallel to the west line of said Section 27 a distance of 666.4 feet; thence due west a distance of 40 feet to the west line of said Section 27; thence due south along the west line of said Section 27 a distance of 666.4 feet to the point of beginning, all taken off of the west end of the following described tract of land.

Beginning at a point in the center of the Maple Road, which is likewise the center of the West line of Section Twenty-seven (27), Township thirty-eight (38) North, Range Two (2) East; thence East with the center line of said Section Sixteen Hundred and One and Sixtenths (1601.6) feet to the West line of land owned by the Board of Commissioners of St. Joseph County; thence North Six Hundred and Sixty-six and Four-tenths (666.4) feet; thence West Sixteen Hundred and One and Six-tenths (1601.6) feet to the center line of the aforesaid road; thence South Six Hundred and Sixty-six and Four-tenths (666.4) feet to the place of beginning, all in Section 27, Township 38 North, Range 2 East, German Township, Saint 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 aforedescribed 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.

Co Com 3.

	IN	WITNESS	WHEREOF	the	parties	have	hereunto	set	their	hands
and	seals	this	31st		day o	f	August	1976		76

BOARD OF COMMISSIONERS OF ST. JOSEPH COUNTY

Attest:

This instrument prepared by the City of South Bend, Indiana.

219485

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

SEP 3 11 25 AM '76 BOOK 821 PAGE 54/to-543
STEPHEN EGYHAZI
RECORDER

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