

# 1056

EASEMENT AND RIGHT-OF-WAY from Ferne  
E. Smith. Dog and Suds Restaurant at  
Edison Road and S.R. 23 (Sewer)

REGULAR MEETING

MAY 2, 1977

Indiana Equipment Company  
Indianapolis, Indiana

Bid was signed by Arthur G. Wilson, Jr.  
non-collusion affidavit was in order  
and a 10% bid bond was submitted.

Bid - Tandem Roller - Net \$17,051.00

APPROVAL OF EASEMENT AND SIGNING OF TITLE SHEET FOR DOG AND SUDS SEWER

Mr. McMahon advised the Board that the Dog and Suds Restaurant at Edison Road and S.R. 23 in South Bend is planning to install a private sewer at their location. In connection with this project, the owner has conveyed to the City of South Bend a permanent easement and right-of-way. The executed Easement and Right-of-Way Agreement was submitted to the Board. Upon motion made by Mr. McMahon, seconded by Mr. Mullen and carried, the Easement and Right-of-Way Agreement from Ferne E. Smith for the Dog and Suds Restaurant was approved by the Board and will be recorded. The title sheet approving the plans for the sewer were submitted to the Board. Mr. McMahon noted that the construction will be done in accordance with all City specifications but paid for by the developer. Upon motion made by Mr. McMahon, seconded by Mr. Mullen and carried, the title sheet approving the plans for the construction of the Dog and Suds sewer was approved.

TRAFFIC CONTRAL DEVICES APPROVED

Ralph J. Wadzinski, Manager of the Bureau of Traffic and Lighting, submitted to the Board the following recommendations for traffic control devices:

- A. No Turn on Red at Sample and Sheridan, a newly signalized intersection. Upon motion made by Mr. McMahon, seconded by Mr. Mullen and carried, the installation was approved.
- B. No Parking, east side of Sheridan from Sample to the first east-west alley north of Sample at a newly signalized intersection. Upon motion made by Mr. McMahon, seconded by Mr. Mullen and carried the installation was approved.
- C. No Parking, south side of Western, from Olive to a point 125' east of Olive. Upon motion made by Mr. McMahon, seconded by Mr. Mullen and carried, the installation was approved.
- D. No Turn on Red, Portage, Woodlawn, Wilbur and Hamilton, at a newly signalized intersection. Upon motion made by Mr. McMahon, seconded by Mr. Brunner and carried, the installation was approved.
- E. No Parking, Portage-Woodlawn-Wilbur-Hamilton, at a newly signalized intersection. Upon motion made by Mr. McMahon, seconded by Mr. Mullen and carried, the installation was approved.

STREET LIGHT INSTALLATIONS APPROVED

Ralph J. Wadzinski, Manager of the Bureau of Traffic and Lighting, recommended installation of the following street lights:

- On Dorothy, ½ block south of Ewing, 7,000L MV \$4.80/mo.
- On Ewing, midblock between Glen and Brookfield, 7,000L MV \$4.80/mo.
- On Cedar, midblock between Notre Dame and Frances, 7,000L MV \$4.80/mo.
- On Provincial at Colonial, 7,000L MV \$4,80/mo.
- On Huron, ½ block west of Camden, 7,000L MV \$4,80/mo.
- On Keller, ½ block west of Adams, 7,000L MV \$4.80/mo.

225289

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

MAY 6 1 49 PM '77

BOOK 432 PAGE 70-74  
AUGUST H. COOREMAN  
RECORDER

INDEXED



# CITY of SOUTH BEND

PETER J. NEMETH, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

BOARD OF PUBLIC WORKS

219/284-9412

Patrick M. McMahon, P.E., President  
Thomas J. Brunner, Jr.  
Peter H. Mullen

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

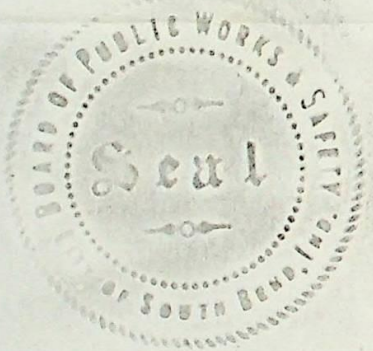
I, Patricia DeClercq, Clerk of the Board of Public Works of the City of South Bend, County of St. Joseph, Indiana hereby certify that the attached and foregoing is a full, true, complete and correct copy of

Minutes of the Board of Public Works meeting with reference to Approval of an Easement and Right-of-Way for the Dog and Suds Restaurant Sewer under date of May 2, 1977 the originals of which are now on file in the Office of the Clerk of the Board of Public Works of the City of South Bend.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Board of Public Works of the City of South Bend, St. Joseph County, Indiana, this 6th day of May, 1977.

*Patricia DeClercq*

Patricia DeClercq  
Clerk of the Board of Public Works  
City of South Bend





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 aforescribed 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.

Dated this 29 day of April, 1977

Signed Ferne E. Smith  
Title owner

Signed \*\*\*\*\*  
Title \_\_\_\_\_

Signed \*\*\*\*\*  
Title \_\_\_\_\_

ST. JOSEPH COUNTY )  
STATE OF INDIANA ) SS:

Before me, a Notary Public, in and for said County and State,  
personally appeared Ferne E. Smith

\_\_\_\_\_, who acknowledged the execution of the above  
and foregoing instrument and right-of-way as Her free and voluntary  
act and deed this 29 day of April, ~~1977~~ 1977

My commission expires :

September 29, 1978

*Barry A. Frydrych*  
Notary Public

BARRY A. FRYDRYCH, Notary Public



**APPROVED**  
BOARD OF PUBLIC WORKS

MAY 2 1977  
*[Handwritten signatures]*