

1090

EASEMENT AND RIGHT-OF-WAY from Fred
and Mary Anna Slater to City of
South Bend, Part of the S.W. $\frac{1}{4}$ of
the S.W. $\frac{1}{4}$ of Sec. 33, Twp. 38 N.,
Range 2 East. (SEE EASEMENT)

(LUCKY STEER SEWER)



CITY of SOUTH BEND
PETER J. NEMETH, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

219/284-9412

BOARD OF PUBLIC WORKS
Patrick M. McMahon, P.E., President
Thomas J. Brunner, Jr.
Peter H. Mullen

September 30, 1977

Mr. & Mrs. Fred Slater
22801 Edison Road
South Bend, Indiana

Dear Mr. & Mrs. Slater:

Enclosed is the copy of the recorded easement in regard to the Lucky Steer sewer for your files.

Very truly yours,

BOARD OF PUBLIC WORKS

Patricia DeClercq
Patricia DeClercq, Clerk

PDC/mp
Enclosure

EASEMENT AND RIGHT-OF-WAY

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In consideration of the sum of Five hundred dollars and 00/100

_____ 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 purpose namely: The right to enter upon the hereinafter described land and grade, level, fill, maintain, repair, and rebuild, 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 sewer, whether used in conjunction with general purposes or for the sole purpose of constructing, maintaining installing, repairing, and replacing and/or renewing such sewer facilities, including but not by way of limitation drainage structures for sanitary 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:

Part of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 33, Township 38 North, Range 2 East, described as beginning on the South line thereof at a point Eight Hundred Twenty-four (824) feet East of the Southwest corner of said Section 33, which point is in the center of Edison Road, running thence North Four Hundred Twenty-eight and Thirty-one hundredths (428,31) feet which is the point of beginning thence East Two Hundred Eighty-one feet (281); thence South Twenty (20) Feet; Thence West Two Hundred eighty-one (281.0) feet; thence North Twenty (20) feet to the point of beginning.

Fred Slater 9-3-77
Mary Anna Slater 9-3-77

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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 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.

Fred Slater
FRED SLATER

Mary Anna Slater
MARY ANNA SLATER

7707624

ST. JOSEPH COUNTY)
STATE OF INDIANA) SS.

Before me, a Notary Public, in and for said County and State,
personally appeared Fred and Mary Anna Slater

_____, who acknowledged the execution of the above
and foregoing instrument and right-of-way as their free and voluntary
act and deed this 3rd day of September

My commission expires:
May 20, 1981

Cheryl J. Kovatch
Notary Public
Cheryl J. Kovatch



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