

1091

EASEMENT AND RIGHT-OF-WAY from James
P. Locker 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 E.
(SEE EASEMENT)

(LUCKY STEER SEWER)



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

September 30, 1977

Mr. James Locker
Locker Realty
226 West Colfax Avenue
South Bend, Indiana

Dear Mr. Locker:

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

In consideration of the sum of One Dollar and 00/100

3

_____ 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 South west Quarter of the Southwest Quarter of section 33 Township 38 North, Range 2 East, described as being 570' feet East of Southwest corner of said Section 33; thence North 420' feet to a place of beginning; thence East 254' feet parallel with said South line of Section 33 thence South 20' feet thence West 254' feet; thence North 20' feet to the place of beginning all being a part of the Southwest ¼ of Section 33, township 38 North, Range 2 East St. Joseph County, Indiana.

BOOK PAGE
AUGUST H. COOREMAN
RECORDER

SEP 20 10 04 AM '77

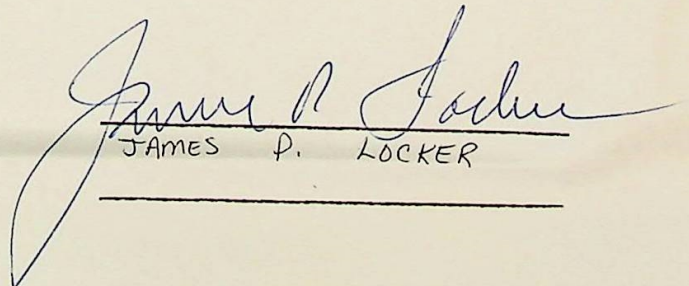
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

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.



JAMES P. LOCKER

ST. JOSEPH COUNTY)
STATE OF INDIANA)

7707623

SS.

Before me, a Notary Public, in and for said County and State,
personally appeared James P. Locker, president
Locker Realty, who acknowledged the execution of the above
and foregoing instrument and right-of-way as his free and voluntary
act and deed this 24th day of August 1977.

My commission expires:

May 20, 1981

Cheryl J. Kovatch
Notary Public
Cheryl J. Kovatch



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AUGUST H. COOREMAN
RECORDER

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