

# 1096

DEED OF DEDICATION from Leo E.  
Zickler, CANTERBURY COURTS, INC.,  
to City of South Bend, Part of  
described tract not heretofore  
dedicated to the public as a  
part of 27th Street and 28th  
Street is hereby so dedicated.

(SEE DEED)

Call  
4:2  
Board of Works

7705361

#1096

DEED OF DEDICATION

Transfer 6400

Taxing Unit SB

Date 8-25-97

THIS INDENTURE WITNESSETH that

WHEREAS, Canterbury Courts, Inc., a corporation organized and existing under and by virtue of the laws of the State of Indiana, and having its principal place of business in the City of Indianapolis, Marion County, Indiana (hereinafter sometimes called Grantor) is the owner of the following described land and is willing to cede the same to the Civil City of South Bend, Indiana, situated in St. Joseph County, Indiana, a municipal corporation, (hereinafter called the City) for purposes of installing operating and maintaining streets and street appurtenances, subject to the ordinances, rules and regulations of said City and its departments concerning same.

2

NOW THEREFORE said Grantor, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and release and dedicate to the City, and its successors, all of the following described parcels of land located in South Bend, St. Joseph County, Indiana:

PARCEL I: A part of the Northeast Quarter of the Southwest Quarter of Section 8, Township 37 North, Range 3 East, St. Joseph County, Indiana, lying North of the Right-of-Way of the Grand Trunk Western Railroad, now within and a part of the City of South Bend, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said quarter-quarter section; thence South 00 degrees 58 minutes 30 seconds East along the East line thereof 62.50 feet to the South line of Jefferson Boulevard; thence South 90 degrees 00 minutes 00 seconds West along said South line 767.07 feet to its intersection with the East line of 27th Street; thence South 00 degrees 02 minutes 00 seconds East along said East line 210.00 feet, said point being the true place of beginning; thence North 90 degrees 00 minutes 00 seconds East 47.00 feet; thence South 00 degrees 02 minutes 00 seconds East 94.00 feet; thence South 90 degrees 00 minutes 00 seconds West 144.00 feet; thence North 00 degrees 02 minutes 00 seconds West, 94.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 97 feet to the place of beginning. All that part of the above described tract not heretofore dedicated to the public as a part of 27th Street is hereby so dedicated.

PARCEL II: A part of the Northeast Quarter of the Southwest Quarter of Section 8, Township 37 North, Range 3 East, St. Joseph County, Indiana, lying North of the Right-of-Way of the Grand Trunk Western Railroad, now within and a part of the City of South Bend, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said quarter-quarter section; thence South 00 degrees 58 minutes 30 seconds East along the East line thereof 62.50 feet to the South line of Jefferson Boulevard; thence South 90 degrees 00 minutes 00 seconds West along said South line 421.07 feet to its intersection with the East line of 28th Street; thence South 00 degrees 02 minutes 00 seconds East along said East line 210.00 feet, said point being the true place of beginning; thence North 90 degrees 00 minutes 00 seconds East 47.00 feet; thence South 00 degrees 02 minutes 00 seconds East 94.00 feet; thence South 90 degrees 00 minutes 00 seconds West 144.00 feet; thence North 00 degrees 02 minutes 00 seconds West 94.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 97 feet to the place of beginning. All that part of the above described tract not heretofore dedicated to the public as a part of 28th Street is hereby so dedicated.

Together with the appurtenances and existing street improvements located thereon, and all the estates and rights of Grantor in and to same.

To have and hold the above granted premises unto said City and its Successors as fully as if the same had been acquired for street purposes by condemnation proceedings.

Said 27th Street and 28th Street were heretofore dedicated, as set out in "Dedication of Canterbury Courts" dated August 4, 1950 in Plat Book 18, page C in the Office of the Recorder of St. Joseph County, Indiana, and it is the intention of the Grantor to complete the dedication of said

streets as they are presently laid out and constructed, as well as to grant unto the City and its successors all the rights of Grantor to all the street improvements existing on the premises hereby granted, and those which may hereafter be constructed.

It is the further intent of said Grantor that, in the event of subsequent vacation of said 27th Street or 28th Street, as heretofore and as hereby dedicated, the title to the land within said Streets heretofore and hereby dedicated shall vest in the then owners of the real estate abutting on said streets as heretofore and hereby dedicated, and not in this Grantor.

Grantor hereby releases the City from all damages by reason of the laying out, opening and improving of the land hereby granted and dedicated, for street and street appurtenances purposes.

The undersigned persons executing this deed on behalf of said Grantor corporation represent under oath to the City that they are the duly elected officers of the Grantor corporation and have been duly and fully empowered by proper resolution of the Board of Directors of said Grantor corporation to execute, acknowledge on its behalf, and to deliver this deed of dedication; that said Grantor corporation has full corporate capacity to convey and dedicate the real estate herein described for street and street appurtenance purposes, and that all necessary corporate action for the making of such conveyance and dedication has been taken and done. Grantor certifies under oath that no Indiana gross income tax is due or payable in respect to the transfer made by this deed.

In Witness Whereof, the said Canterbury Courts, Inc., has caused this deed of dedication to be executed this 11th day of August, 1977.

ATTEST:

CANTERBURY COURTS, INC.

[Signature]  
Signature

By [Signature]  
Signature

William J. Kuth  
Printed  
Assistant Secretary  
Office

Leo E. Zickler  
Printed  
President  
Office

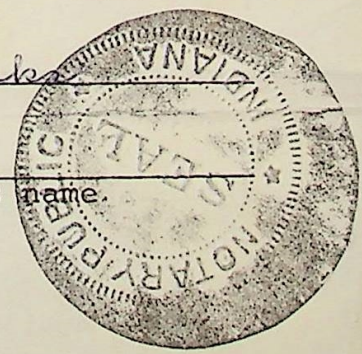
State of Indiana )  
County of Marion ) SS;

FILED FOR RECORD  
AUG 25 10 13 AM '77  
ST. JOSEPH CO. INDIANA  
BDOK AUGUST COORDINATOR  
PAGE

Before me, a Notary Public in and for said County and State, personally appeared William J. Kuth and Leo E. Zickler, the Assistant Secretary and President respectively of Canterbury Courts, Inc., a corporation organized and existing under the laws of the State of Indiana, and acknowledged the execution of the foregoing Deed of Dedication for and ~~on~~ behalf of said corporation, and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS my hand and Notarial Seal this 11th day of August, 1977.

Joanne Banks  
Notary's signature  
Joanne Banks  
Typewritten Notary's name



My commission expires:  
March 4, 1979

This instrument was prepared by Horace B. Clarke, Attorney at Law.

... as they are presently laid out and constructed, as well as to ... and its successors, all the right of Grantor in and to ... the street improvements existing on the premises hereby granted, and ... those which may hereafter be constructed.

It is the further intent of said transfer that, in the event of ... vacation of said 2 1/2 acres or 2 1/4 acres, as hereinafter and ... hereby dedicated, the title to the land with said streets hereinafter ... and hereby dedicated shall vest in the then owners of the real estate ... existing on said streets as hereinafter and hereby dedicated, and not in ... this Grantor.

Grantor hereby releases the City from all demands by reason ... of the laying out, opening and improving of the land hereby granted and ... dedicated, for street and street improvement purposes.

The undersigned persons, executing this deed on behalf of said ... corporation, represent and warrant that they are the ... duly elected officers of the Grantor corporation, and have been duly and ... fully authorized by proper resolution of the board of directors of said ... Grantor corporation to execute, acknowledge on its behalf, and to ... deliver this deed of dedication, together with the real estate herein described ... corporate capacity to ... for street and street ... corporate action for the ... been taken and done, ... on available in respect to ... In witness whereof, the undersigned, Secretary of said corporation, has ... caused this deed of dedication to be executed this 11th day of August, 1977.

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
AUGUST H. COOREMAN  
RECORDER

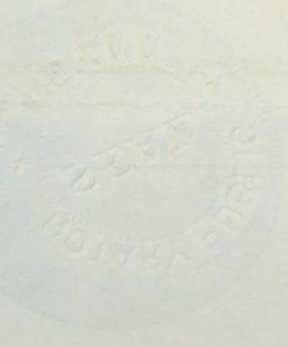
AUG 25 10 13 AM '77

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

INDEXED

7705361

STATE OF INDIANA )  
COUNTY OF MADISON )  
I, \_\_\_\_\_, a Notary Public in and for said County and State, )  
personally appeared \_\_\_\_\_ and \_\_\_\_\_ )  
and \_\_\_\_\_, )  
respectively of Grantor, Inc., a corporation )  
organized and existing under the laws of the State of Indiana, )  
and acknowledged the execution of the foregoing deed of dedication for )  
and on behalf of said corporation, and who, having been duly sworn, stated )  
that the representations therein contained are true. )  
WITNESSES my hand and Notarial Seal this 11th day of August, )  
1977.



DUTY ENTERED FOR TAXATION  
EUGENE A. BASKER  
AUDITOR CO., INDIANA  
ST. JOSEPH CO.

3.50  
B



# 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

August 22, 1977

Mr. Chad Smith  
Smith-Zeisz Realty Company  
1402 Mishawaka Avenue  
South Bend, Indiana 46615

Dear Mr. Smith:

At a regular meeting of the Board of Public Works held on August 22, 1977, the Board accepted the Deed of Dedication for cul-de-sacs on 27th and 28th Streets, south of Jefferson Boulevard in Canterbury Courts, Inc.

The deed will now be recorded and you will receive a recorded copy for your records.

Very truly yours,

BOARD OF PUBLIC WORKS

*Patricia DeClercq*  
Patricia DeClercq, Clerk

WITHIN THE TITLE LINES AND THAT THERE ARE NO ENCROACHMENTS.

*Larry E. Vanosdol*  
REGISTERED LAND SURVEYOR

**LARRY E. VANOSDOL**

registered land surveyor

52691 Lilac Rd. South Bend

MORTGAGE SURVEY OF A TRACT OF LAND IN THE  
NE1/4, SW1/4, SECTION 6, T 37 N, R 3 E, ST.  
JOSEPH COUNTY, INDIANA.

SEE ATTACHED SHEET FOR LEGAL DESCRIPTION

DRAWN BY LEV

SCALE 1" = 30'

DATE 8/01/77

JOB NO 77520-11

## INTER-OFFICE MEMO

TO: David A. Wells, P.E.

FROM: John Leszczynski

SUBJECT: Canterbury Court

DATE: August 10, 1977

I have inspected the "hammerhead" cul-de-sacs as per your request and have found the following to be true.

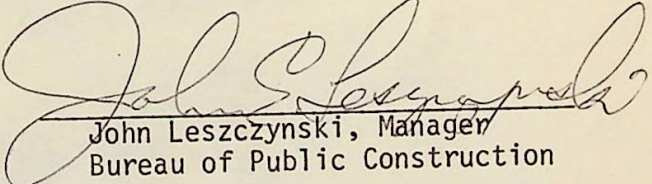
### 27th Street

1. Clean plugged catch basin at northeast corner.
2. Clean manhole in center of street and pour invert along with placing mortar around pipe.


### 28th Street

1. Repair broken catch basin at northeast corner.
2. Clean and repair manhole in center of street the same as above.

Both cul-de-sacs are concrete and the joints have an abundance of weeds growing from them. These sections under discussion now more so than the straight sections. If at all possible, it would be nice to have all cracks and joints cleaned and sealed. But it may be difficult in that the City hasn't maintained their sections.

  
John Leszczynski, Manager  
Bureau of Public Construction

WITHIN THE STATE LINES AND THAT THERE ARE NO ENCROACHMENTS.

  
REGISTERED LAND SURVEYOR

<b>LARRY E. VANOSDOL</b> registered land surveyor 52691 Lilac Rd. South Bend		MORTGAGE SURVEY OF A TRACT OF LAND IN THE NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , SECTION 6, T 37 N, R 3 E, ST. JOSEPH COUNTY, INDIANA.  SEE ATTACHED SHEET FOR LEGAL DESCRIPTION
DRAWN BY LEV	SCALE 1" = 30'	DATE 8/04/77
		JOB NO 77520-11



# CITY of SOUTH BEND

PETER J. NEMETH, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

Patrick M. McMahon, P.E.  
Director, Public Works

Bureau of  
Design and Administration

Reply To:

August 16, 1977

Board of Public Works  
South Bend, Indiana

Gentlemen:

Attached is a deed for portions of cul-de-sacs which were not dedicated years ago with the adjacent streets. This defect appeared when title insurance was attempted to be purchased.

The areas in question have been inspected by the Bureau of Construction and found to be essentially in the same condition as the rest of the streets now under City maintenance.

Further, no money is involved in this transaction.

Based on all of the above, it is our recommendation that this Deed of Dedication be accepted by the City.

Very truly yours,

David A. Wells, P.E.  
Manager

DAW/mkm

cc: Mr. Chad Smith  
John E. Leszczynski

Attachment

**APPROVED**  
BOARD OF PUBLIC WORKS

AUG 22 1977

REGISTERED LAND SURVEYOR

**LARRY E. VANOSDOL**

registered land surveyor

52691 Lilac Rd. South Bend

MORTGAGE SURVEY OF A TRACT OF LAND IN THE  
NE 1/4, SW 1/4, SECTION 6, T 37 N, R 3 E, ST.  
JOSEPH COUNTY, INDIANA.

SEE ATTACHED SHEET FOR LEGAL DESCRIPTION

DRAWN BY LEV

SCALE 1" = 30'

DATE 8/31/77

JOB NO 77520-11

Aug 9, 1977

John L:

The owners of Canterbury Courts now wish to dedicate the areas marked in red on the attached map.

I suspect they are of equal quality ~~at~~ as the heretofore dedicated 27th and 28th Streets.

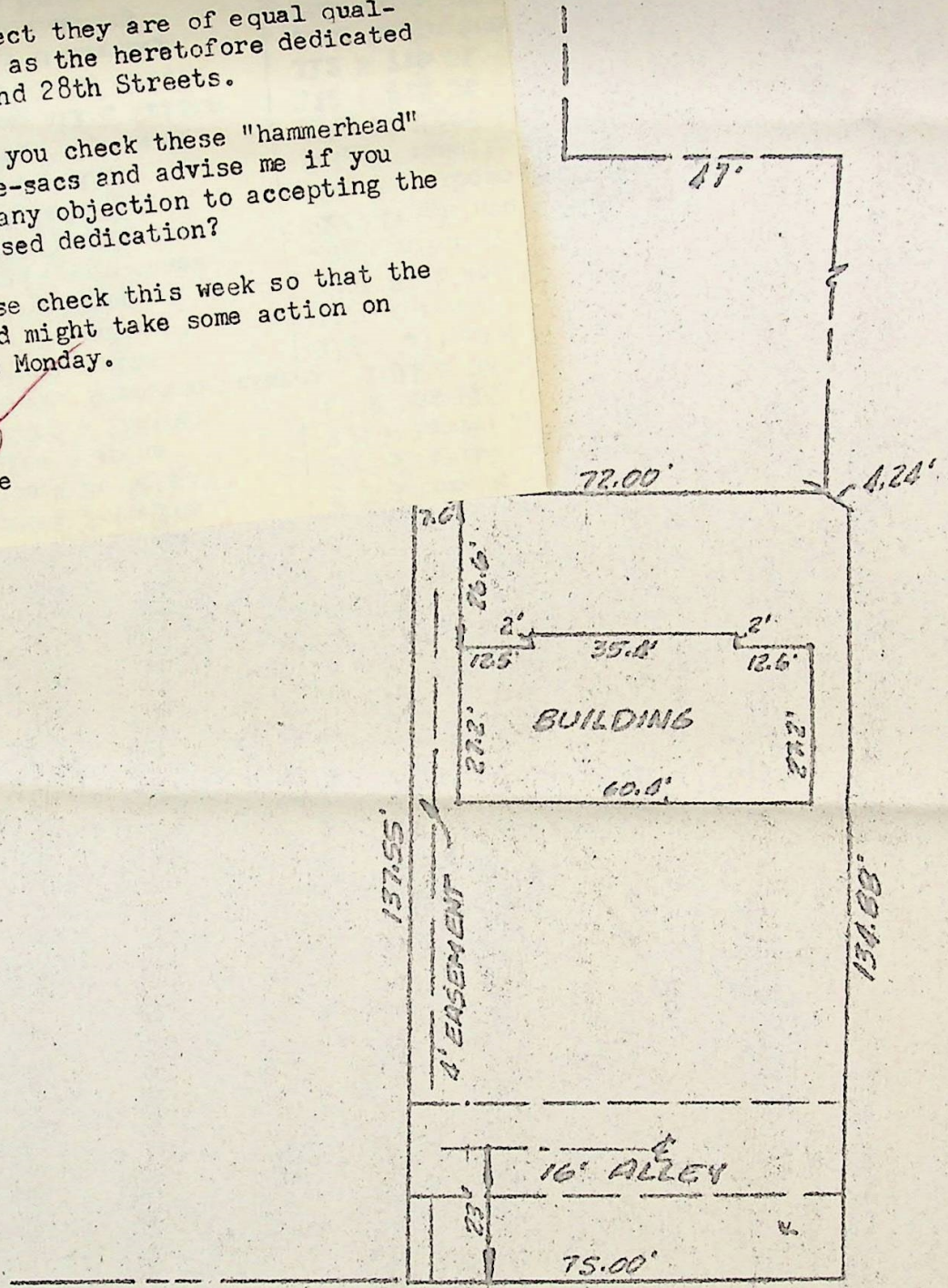
Would you check these "hammerhead" cul-de-sacs and advise me if you have any objection to accepting the proposed dedication?

Please check this week so that the Board might take some action on ~~Monday~~ Monday.

*Dave*  
Dave

*Alley*

NE Corner NE 1/4, SW 1/4 -  
Section 8, T 37 N, R 3 E  
44607  
LINE JEFFERSON BLVD



15' INDIANA & MICHIGAN ELECTRIC EASEMENT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND SHOWN ABOVE FOR MORTGAGE PURPOSES AND FIND THAT THE BUILDING STANDS WITHIN THE TITLE LINES AND THAT THERE ARE NO ENCROACHMENTS.

*Larry E. Vanosdol*  
REGISTERED LAND SURVEYOR

LARRY E. VANOSDOL

registered land surveyor

52691 Lilac Rd. South Bend

MORTGAGE SURVEY OF A TRACT OF LAND IN THE NE 1/4, SW 1/4, SECTION 8, T 37 N, R 3 E, ST. JOSEPH COUNTY, INDIANA.

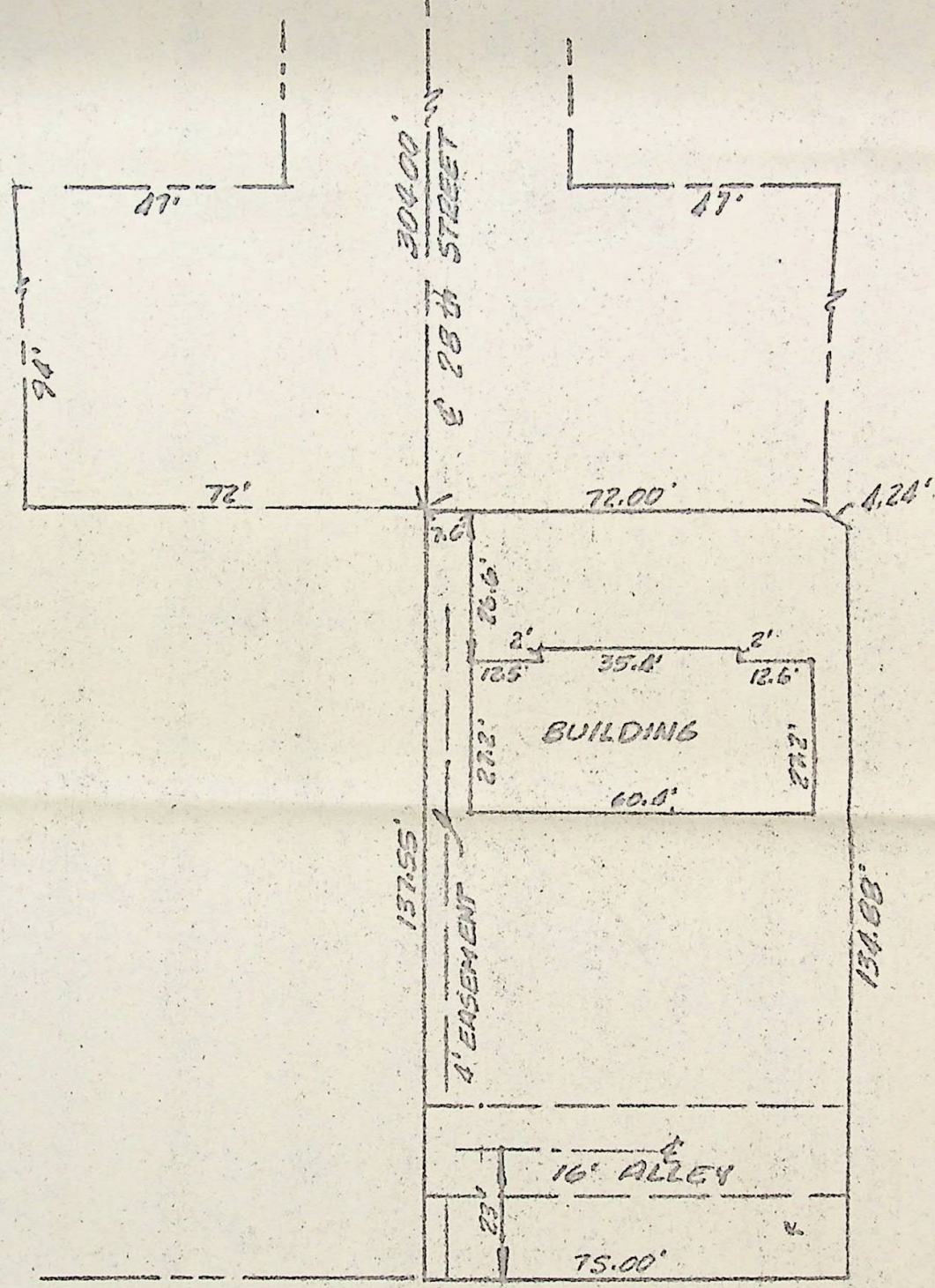
SEE ATTACHED SHEET FOR LEGAL DESCRIPTION

DRAWN BY LEV SCALE 1" = 30' DATE 8/01/77 JOB NO 77520-11



NE Corner NE 1/4, SW 1/4 -  
 Section 8, T 37 N, R 3 E  
 446.07

S. LINE JEFFERSON BLVD



15' INDIANA & MICHIGAN ELECTRIC EASEMENT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND SHOWN ABOVE FOR MORTGAGE PURPOSES AND FIND THAT THE BUILDING STANDS WITHIN THE TITLE LINES AND THAT THERE ARE NO ENCROACHMENTS.

*Larry E. Vanosdol*  
 REGISTERED LAND SURVEYOR

**LARRY E. VANOSDOL**

registered land surveyor

52691 Lilac Rd. South Bend

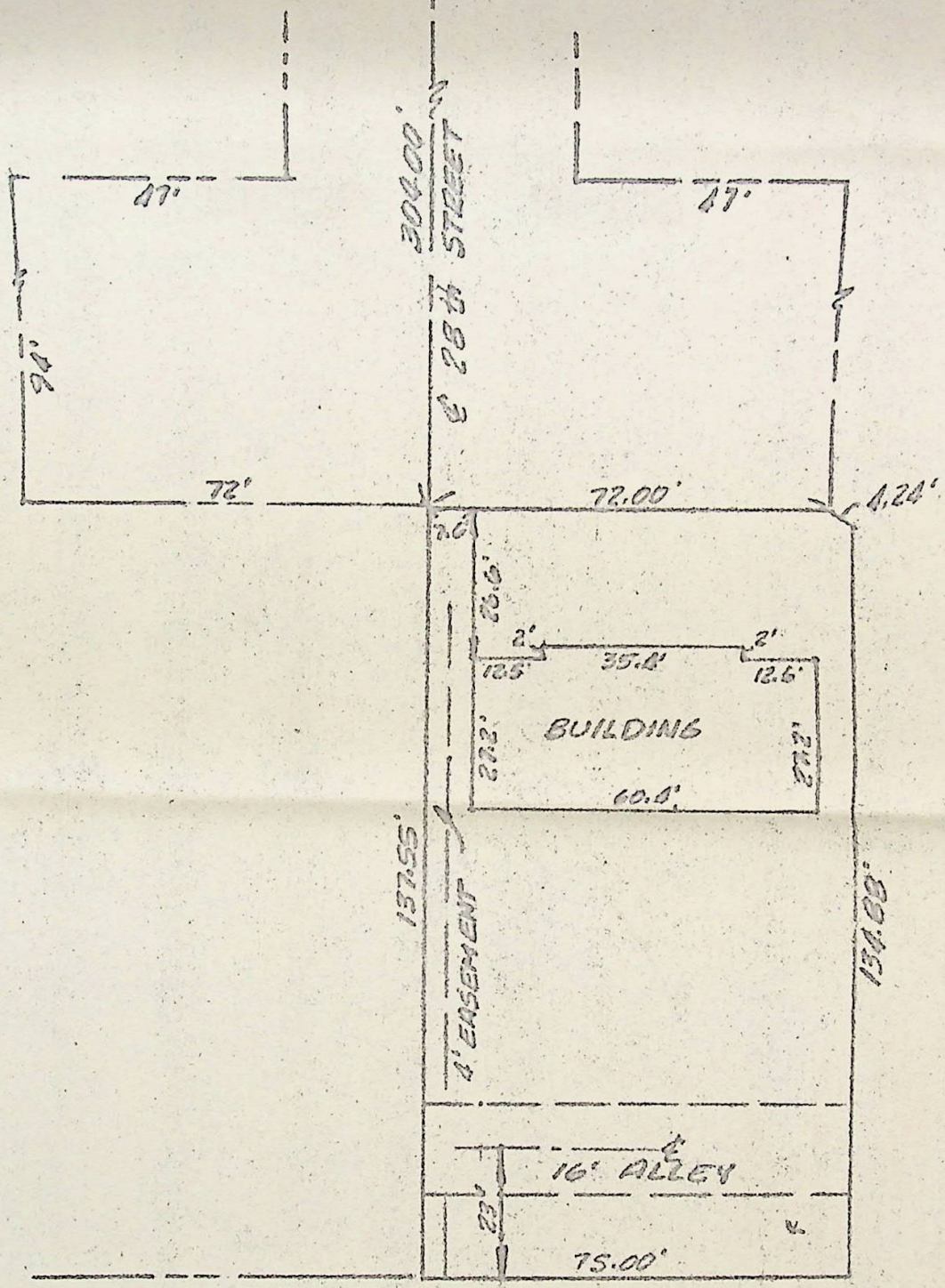
MORTGAGE SURVEY OF A TRACT OF LAND IN THE NE 1/4, SW 1/4, SECTION 8, T 37 N, R 3 E, ST. JOSEPH COUNTY, INDIANA.

SEE ATTACHED SHEET FOR LEGAL DESCRIPTION

NE Corner NE 1/4, SW 1/4 -  
Section 8, T 37 N, R 3 E  
44607

62.5'

S. LINE JEFFERSON BLVD



15' INDIANA & MICHIGAN ELECTRIC EASEMENT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND SHOWN ABOVE FOR MORTGAGE PURPOSES AND FIND THAT THE BUILDING STANDS WITHIN THE TITLE LINES AND THAT THERE ARE NO ENCROACHMENTS.

*Larry E. Vanosdol*  
REGISTERED LAND SURVEYOR

**LARRY E. VANOSDOL**

registered land surveyor

52691 Lilac Rd. South Bend

MORTGAGE SURVEY OF A TRACT OF LAND IN THE NE 1/4, SW 1/4, SECTION 8, T 37 N, R 3 E, ST. JOSEPH COUNTY, INDIANA.

SEE ATTACHED SHEET FOR LEGAL DESCRIPTION

DRAWN BY	LEV	SCALE	1" = 30'	DATE	8/04/77	JOB NO	77520-11
----------	-----	-------	----------	------	---------	--------	----------

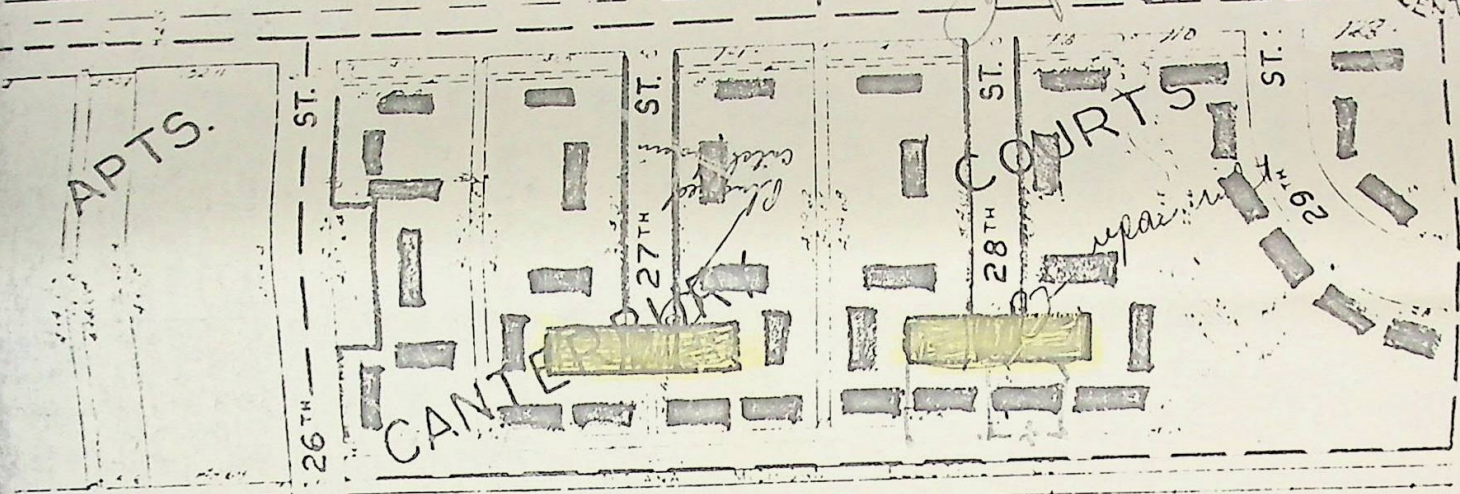
# NORTH BEND C.8 PORTAGE TWP.

85

INCH T37N R3E OF THE 2ND P.M.  
SEE PAGE 83

*Jefferson Blvd*

SECTION  
8  
CENTER



ADD.	ST.													ST. ADD.	
		27 <sup>th</sup> St	4.9	2.7											
		clean and seal all faucets	1.51	1.61											
		clean plugged catal. bases	1.12	1.03											
			1.24	1.50											
		clean M.H. and floor connect as well as seal pipe	1.76	1.74											
			1.10	1.11											
			1.13	1.76											
			1.17	1.11											
			1.11	1.11											
			1.11	1.11											
			1.11	1.11											
	ADD.	ST.													
			2.24	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											
			1.21	1.74											

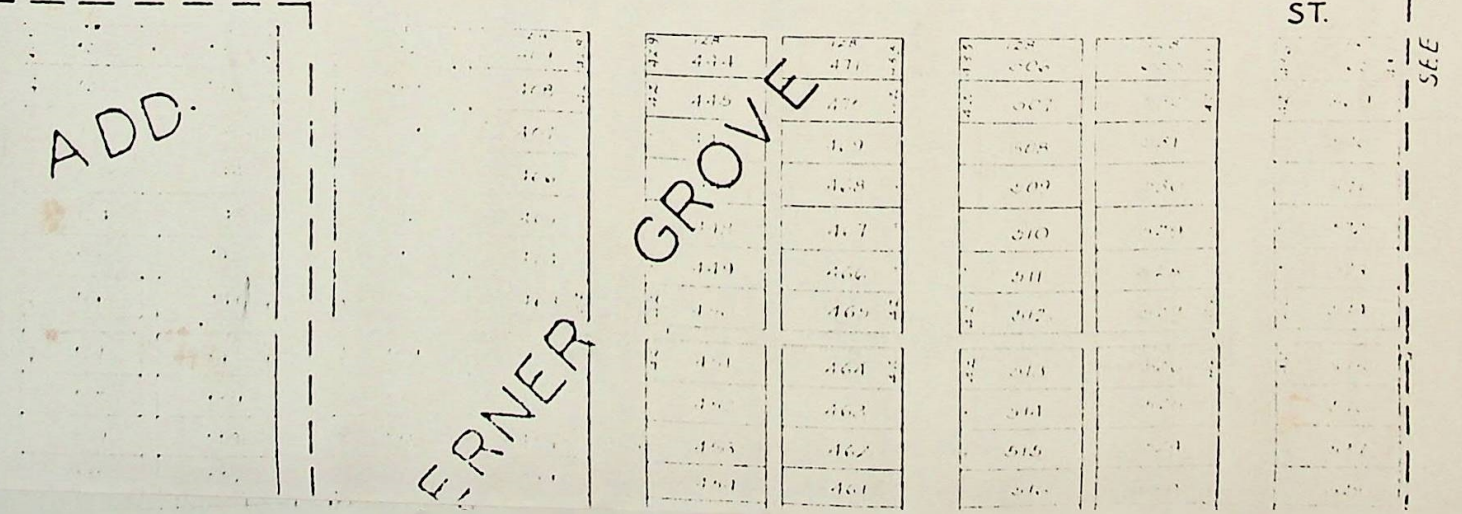
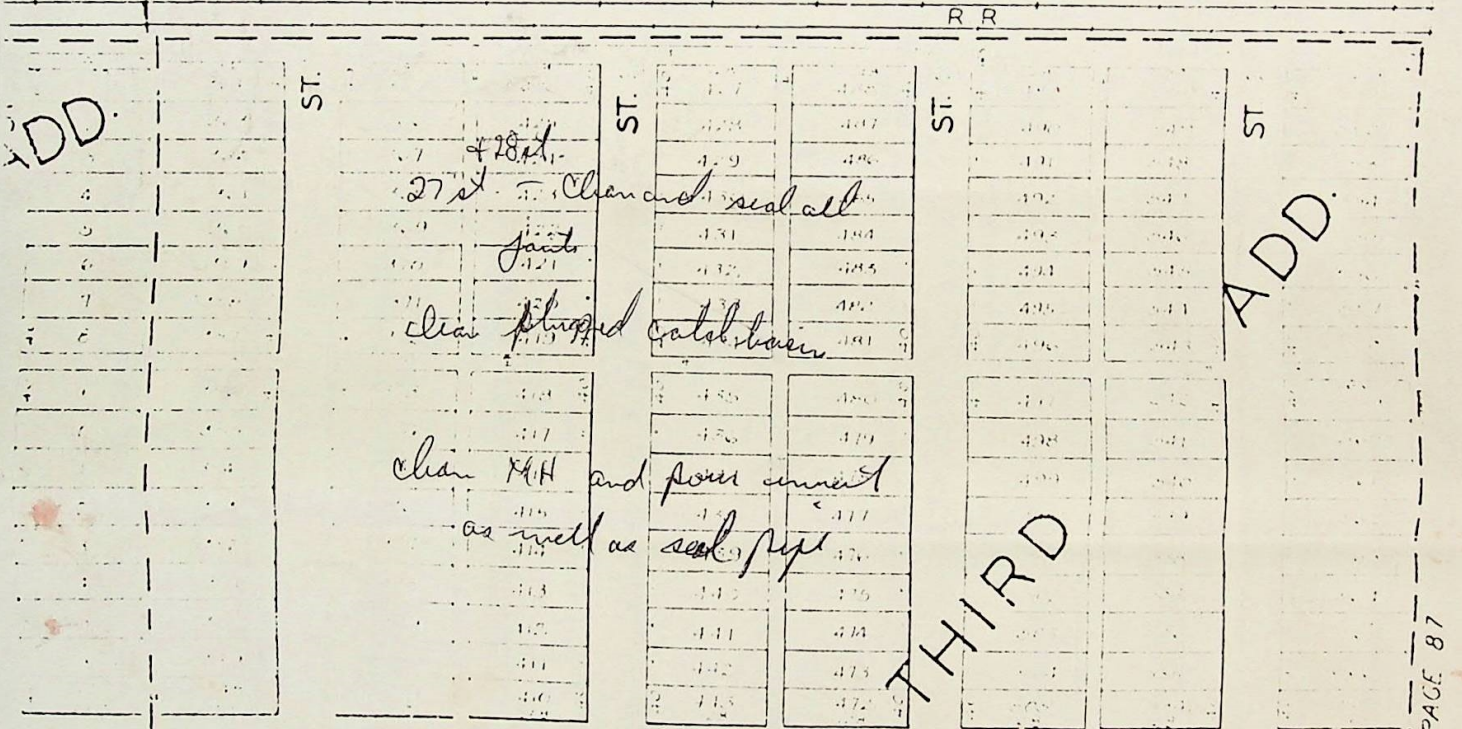
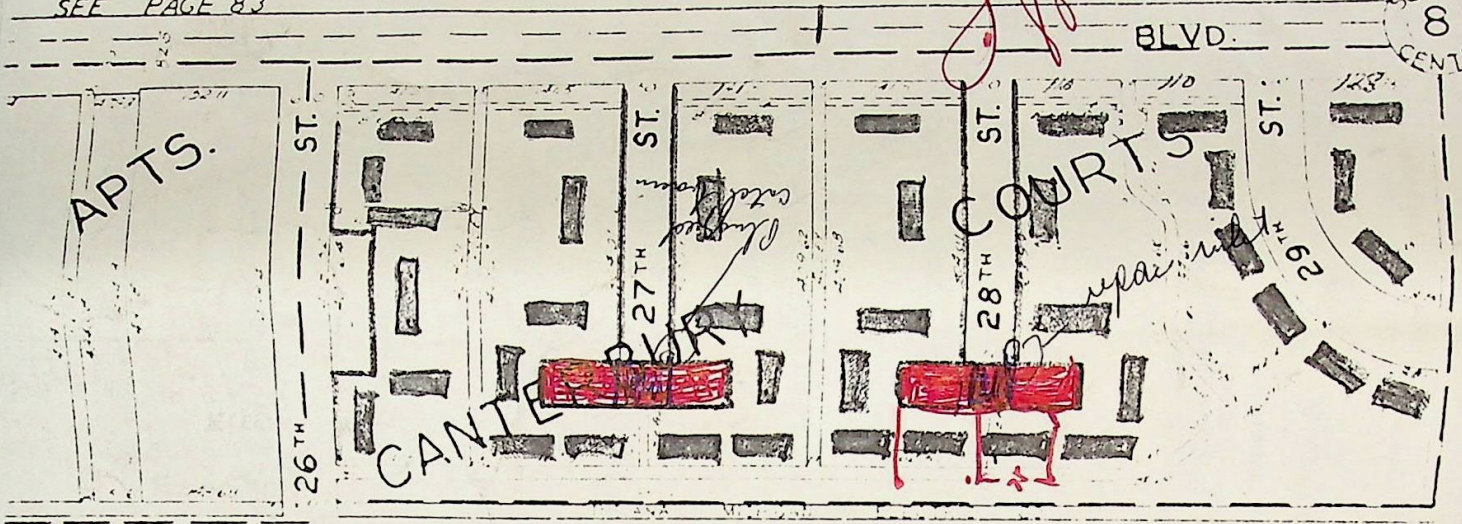
SEE PAGE 87

OUTH BEND

C. 8 PORTAGE TWP.

INCH T 37N R 3E OF THE 2ND P.M.  
SEE PAGE 83

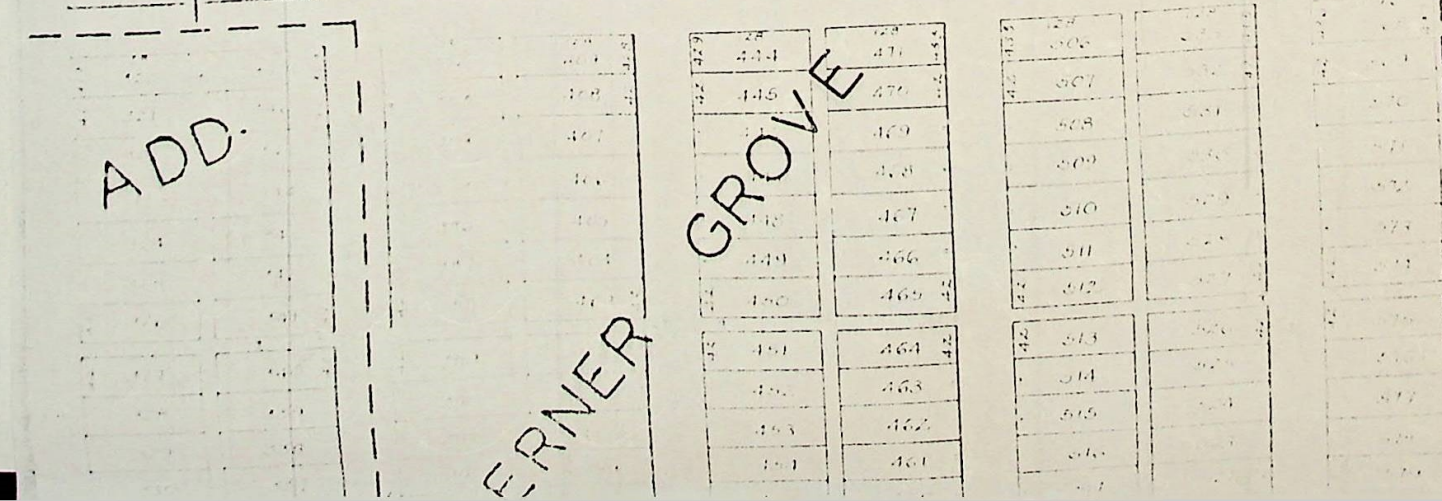
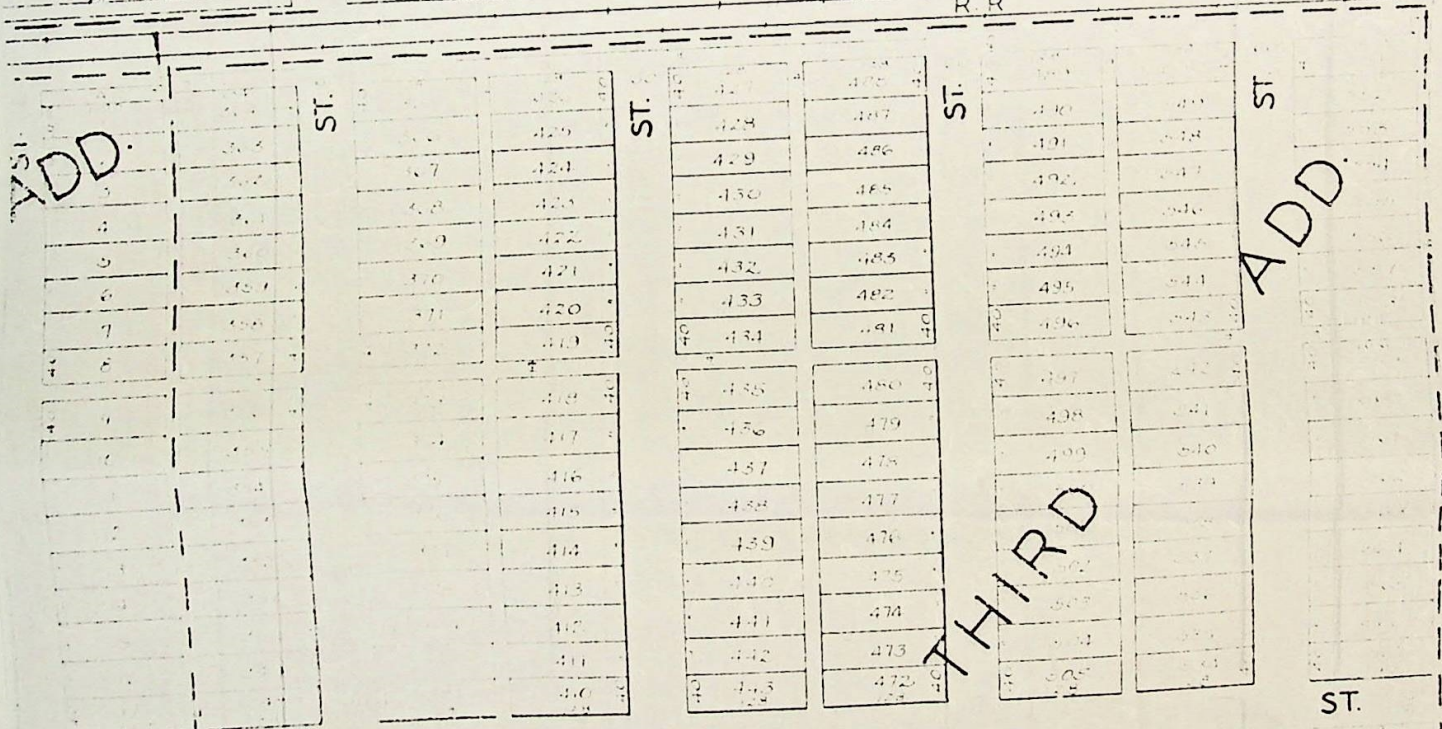
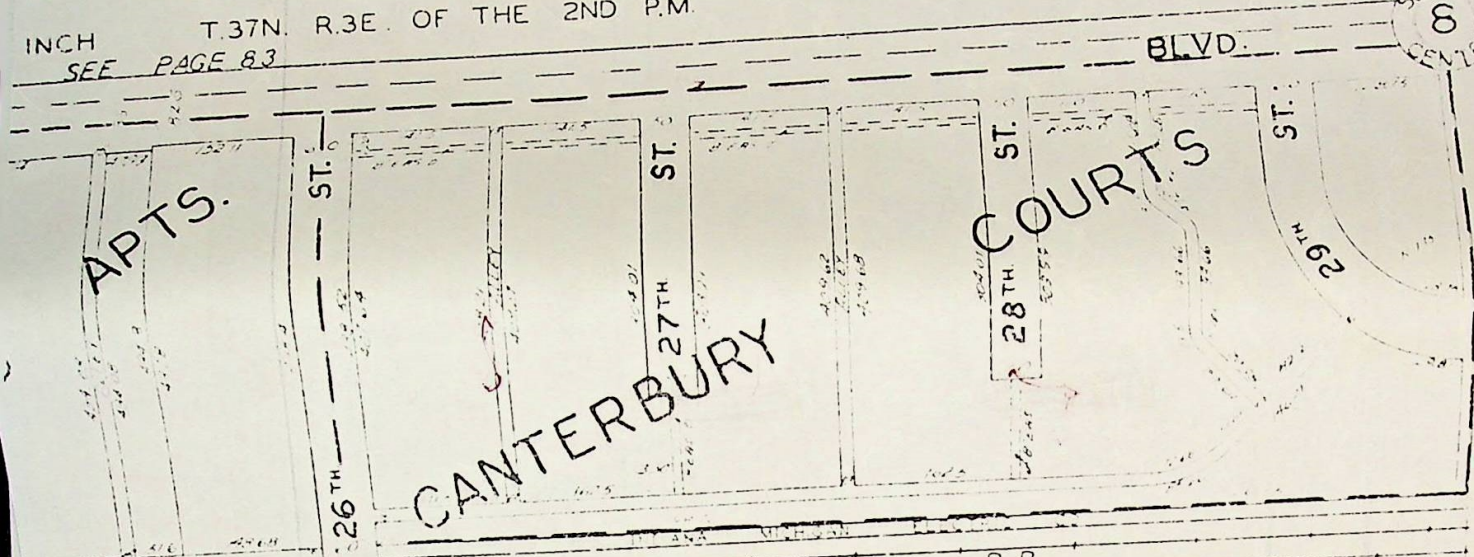
*Jefferson Blvd*



# SOUTH BEND C. 8 PORTAGE TWP.

INCH T.37N. R.3E. OF THE 2ND P.M.  
SEE PAGE 83

SECTION  
8  
CENTER



SEE PAGE 87



# CITY of SOUTH BEND

PETER J. NEMETH, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

## BOARD OF PUBLIC WORKS

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

219/284-9412

October 11, 1977

Mr. Chad Smith  
Smith Zeisz Realty Company  
1402 Mishawaka Avenue  
South Bend, Indiana 46615

Dear Mr. Smith:

The Deed of Dedication accepted by the City of South Bend and recorded on August 25, 1977 is for cul-de-sacs on 27th and 28th Streets, south of Jefferson Boulevard, in Canterbury Courts, Inc. This information is sent to correct names of streets listed in the letter sent you on August 31, 1977.

Very truly yours,

BOARD OF PUBLIC WORKS

*Patricia DeClercq*  
Patricia DeClercq, Clerk



# CITY of SOUTH BEND

PETER J. NEMETH, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

BOARD OF PUBLIC WORKS

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

August 31, 1977

219/284-9412

Mr. Chad Smith  
Smith Zeisz Realty Company  
1402 Mishawaka Avenue  
South Bend, Indiana 46615

Dear Mr. Smith:

Enclosed you will find one recorded copy of the Deed of Dedication accepted by the City for cul-de-sacs on 27th and 28th streets, south of Jefferson Boulevard in Canterbury Courts, Inc.

Very truly yours,

BOARD OF PUBLIC WORKS

*Patricia DeClercq*  
Patricia DeClercq, Clerk

Enclosure