

# 1103

EASEMENT AND RIGHT-OF-WAY from  
James P. Locker to City of South  
Bend, A part of the S.W.  $\frac{1}{4}$  of the  
N.E.  $\frac{1}{4}$  of Sec. 26, Twp. 37 N.,  
Range 2 E., St. Joseph County  
described as follows, viz:

(SEE EASEMENT)

IRELAND RD. INDUSTRIAL PARK SEWERS

Byt  
of Works. 4/2

# 1103

7709830

EASEMENT AND RIGHT-OF-WAY

In consideration of the sum of ONE DOLLAR

\_\_\_\_\_ 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 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 part of the Southwest Quarter (¼) of the Northeast Quarter (¼) of Section 26, Township 37 North, Range 2 East, St. Joseph County, Indiana, described as follows, viz:

Beginning at a point 968.73 feet East and 40.00 feet North of the Southwest corner of the Northeast Quarter (¼) of Section 26, Township 37 North, Range 2 East, said point of beginning being on the North line of Ireland Road; thence North 00°-00'-00" East, 699.50 feet; thence North 90°-00'-00" East, 15.00 feet; thence South 00°-00'-00" West, 699.50 feet to the North line of Ireland Road; thence South 90°-00'-00" West, 15.00 feet to the point of beginning.

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AUGUST H. GOOREMAN  
RECORDER  
OCT 14 11 11 AM '77  
ST. JOSEPH CO.  
INDIANA  
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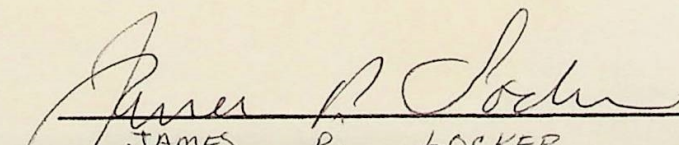
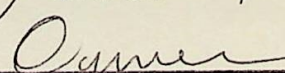
To have and to hold the said easement and right-of-way unto the Civil City of South Bend, Indiana, and unto its successors and assigns forever.

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 contact requires.

TITLE:

  
\_\_\_\_\_  
JAMES P. LOCKER  
  
\_\_\_\_\_

**FILED**

OCT 10 1977

Board of Public Works  
PATRICIA DeCLERCQ Clerk



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AUGUST H. COOREMAN  
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ST. JOSEPH COUNTY )  
STATE OF INDIANA )  
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Before me, a Notary Public, in and for said County and State,

personally appeared James P. Locker

\_\_\_\_\_ who acknowledged the execution of the  
above and foregoing instrument and right-of-way as his \_\_\_\_\_ free and  
voluntary act and deed this \_\_\_\_\_ 30th \_\_\_\_\_ day of September 1977.

My commission expires:

May 20 1981

Cheryl J. Koester  
Notary Public

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