1154

EASEMENT AND RIGHT-OF-WAY from Maple Lane Associates, Phase I, to City of South Bend, Utility Easement 7.5 feet either side of a line described as follows:

(SEE EASEMENT)

Board of Cublic Works

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#1154

EASEMENT AND RIGHT-OF-WAY

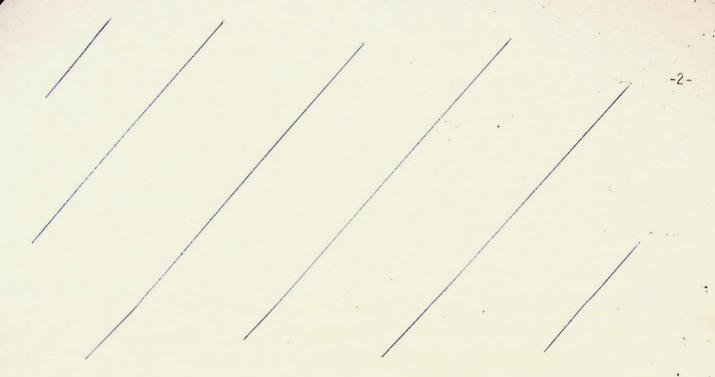
In consideration of the sum of One Dollar (\$1.00)

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 structure 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:

UTILITY EASEMENT - 7.5 feet either side of a line described as follows:

Commencing at the northwest corner of Section 27, Township 38 North, Range 2 East, St. Joseph County, Indiana; thence S 00° 01'30" West along the West line thereof, 1918.65 feet; thence S 89° 58' 30" East, 40.00 feet to the true place of beginning; thence continuing S 89° 58' 30" East, 69.06 feet to the common line between tracts 3 and 4 of Maple Lane Fours; thence North 53° 34' 50" East along said line and the extension thereof, 166.66 feet to its intersection with the extended common line between, tracts 6 and 7 in said Maple Lane Fours; thence S 89° 58' 30" East along said extended line and along said line itself, 219.37 feet to a point 7.5 feet East of the East line of said tracts 6 and 7; thence S 00° 01' 30" West, 180.00 feet to the terminus of said description.





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 aforedescribed 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.

JUL Z7 Z 25 PM "78
ST. JOSEPH CO.
ST. JOSEPH CO.
INDIANA

TIME: PARTNER PHAIR

MAPLE LANE ASSOCIATES PLASE

781.5830

BOOK PAGE AUGUST H. COOREMAN REGORDER

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ST. JOSEPH CO. INDIANA FILED FOR RECORD

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