

#1245

EASEMENT from South Bend Gospel
Tabernacle, Inc. to City of South
Bend - RE: Zoning variance for
the Southeast corner of Chippewa
and Michigan Streets.

(SEE EASEMENT)



CITY of SOUTH BEND

ROGER O. PARENT, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

BOARD OF PUBLIC WORKS
Patrick M. McMahon, P. E., President
Richard L. Hill
Joseph E. Kernan

219/284-9412

March 6, 1980

Mr. Richard W. Morgan
Sixth Floor
First Bank Building
South Bend, Indiana 46601

Dear Mr. Morgan:

Enclosed are two copies of the easement from South Bend Gospel Tabernacle, Inc. in regard to a zoning variance for the Southeast corner of Chippewa and Michigan Streets. The easement has now been recorded and the two copies are for your records.

Very truly yours,

BOARD OF PUBLIC WORKS

Barbara J. Byers
Barbara J. Byers, Clerk

BJB/mm
Enclosures (2)

FILE
AU
FILE
feet to the Northwest corner of said Lot Numbered 38, which is also the Southwest corner of said Lot Numbered 37; thence Northeasterly, along the Westerly line of said Lot Numbered 37 and Lot Lettered A, to the place of beginning.

The specific location of this easement is shown on the attached drawing marked "Exhibit A".

RECEIPT No 54034

RECEIVED

FEB 08 1980

Received of South Bend, Ind., 2-18 1980
Board of Works

MCGILL, DEAHL, HARMAN, CAREY & MURRAY
ATTORNEYS AT LAW
SIXTH FLOOR, FIRST BANK BUILDING
SOUTH BEND, INDIANA 46601
TELEPHONE (219) 233-1171
CABLE ADDRESS "THORNGILDE"

CITY OF SOUTH BEND
DEPARTMENT OF ENGINEERING
305 FIRST NATIONAL BANK BUILDING
ELKHART, INDIANA 46514
219 293-0681

1200 EIGHTEENTH STREET, N. W.
WASHINGTON, D. C. 20036
202 331-8585

| NO. | AMOUNT |
|----------------------|--------|
| DEEDS | |
| MORTGAGES | |
| MECHANICS LIENS | |
| U.C.C. FILING | |
| RELEASES | |
| ASSIGNMENTS | |
| POWERS OF ATTORNEY | |
| ART. OF INCORP. | |
| PLATS | |
| MARGINAL RELEASES | |
| MARGINAL ASSIGNMENTS | |
| MISCELLANEOUS | |
| 1 Easement | 4.50 |

February 5, 1980

COPIES OF THE FOLLOWING:

| | |
|------------------------|------|
| DEED - Bk. & Pg. _____ | ant |
| MTG. - Bk. & Pg. _____ | |
| _____ Bk. & Pg. _____ | |
| _____ Bk. & Pg. _____ | |
| _____ Bk. & Pg. _____ | |
| _____ Bk. & Pg. _____ | 5601 |
| POSTAGE | |

South Bend Gospel Tabernacle, Inc.
Variance for Southeast Corner
Lawrence and Michigan Streets

| | |
|--------|----------|
| TOTAL | \$ 4.50 |
| CHECK | \$ _____ |
| CASH ✓ | \$ _____ |
| REFUND | \$ _____ |

BH August H. Cooreman
ST. JOSEPH COUNTY RECORDER

to enclose herewith an Easement from
Tabernacle, Inc. to the City of South Bend
for variance, repair, etc., storm water reten-
tion facilities across the northern 25 feet of the Church's
property at the above-captioned location. This is in satis-
faction of the original request by the City for such an ease-
ment in connection with the approval of the site plan and
zoning variance. Should you have any questions regarding the
enclosure, do not hesitate to contact me.

Very truly yours,

THORNBURG, MCGILL, DEAHL,
HARMAN, CAREY & MURRAY

Richard W. Morgan

RWM:jj
Encl.
cc: Rev. Lee V. Lebsack

... north
... thence West 150
feet to the Northwest corner of said Lot Numbered
38, which is also the Southwest corner of said
Lot Numbered 37; thence Northeasterly, along the
Westerly line of said Lot Numbered 37 and Lot
Lettered A, to the place of beginning.

The specific location of this easement is shown on the attached
drawing marked "Exhibit A".

THORNBURG, MCGILL, DEAHL, HARMAN, CAREY & MURRAY

RECEIVED
FEB 08 1980

ATTORNEYS AT LAW

SIXTH FLOOR, FIRST BANK BUILDING
SOUTH BEND, INDIANA 46601
TELEPHONE (219) 233-1171
CABLE ADDRESS "THORNGILDE"

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| | |
|---------------------|------------------------|
| JAMES F. THORNBURG | FRANKLIN A. MORSE II |
| WARREN E. MCGILL | STEPHEN A. SEALL |
| WARREN A. DEAHL | GORDON S. ESLICK |
| JOHN L. CAREY | RICHARD E. STEINBRONN |
| THOMAS L. MURRAY | FREDERICK F. THORNBURG |
| WILLIAM J. REINKE | JOHN A. BURGESS |
| EDWARD J. GRAY | R. MICHAEL PARKER |
| JOHN R. HARMAN | NELSON J. VOGEL, JR. |
| RICHARD M. TRECKELO | ROGER W. BENKO |
| DANIEL W. RUDY | DAVID R. MELTON |
| JACK C. DUNFEE, JR. | BRIAN J. LAKE |
| BRUCE R. BANCROFT | RICHARD W. MORGAN |
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| SAMUEL S. THOMPSON | DAVID A. HAIST |
| JAMES R. BYRON | JERRY T. GORMAN |
| RICHARD B. URDA, JR. | JAMES E. McMAHON |
| J. ROBERT STOLL | ERNEST J. SZARWARK |
| LAWRENCE C. DiNARDO | PAUL E. BECHER |
| LISA A. WEILAND | THOMAS L. SCHOAF |

February 5, 1980

Mr. David Wells, Assistant
City Engineer
City of South Bend
Engineering Department
County-City Building
South Bend, Indiana 46601

Re: South Bend Gospel Tabernacle, Inc.
Zoning Variance for Southeast Corner
of Chippewa and Michigan Streets

Dear Mr. Wells:

I am pleased to enclose herewith an Easement from South Bend Gospel Tabernacle, Inc. to the City of South Bend for purposes of maintenance, repair, etc., storm water retention facilities across the northern 25 feet of the Church's property at the above-captioned location. This is in satisfaction of the original request by the City for such an easement in connection with the approval of the site plan and zoning variance. Should you have any questions regarding the enclosure, do not hesitate to contact me.

Very truly yours,

THORNBURG, MCGILL, DEAHL,
HARMAN, CAREY & MURRAY

Richard W. Morgan

RWM:jj
Encl.
cc: Rev. Lee V. Lebsack

... North
... feet to the Northwest corner of said Lot Numbered
38, which is also the Southwest corner of said
Lot Numbered 37; thence Northeasterly, along the
Westerly line of said Lot Numbered 37 and Lot
Lettered A, to the place of beginning.

The specific location of this easement is shown on the attached drawing marked "Exhibit A".

EASEMENT

In consideration of the sum of Ten (\$10.00) Dollars cash in hand paid, receipt of which is hereby acknowledged, the undersigned hereby grant to the City of South Bend an easement for the following purposes: The right to enter upon the land described below and grade, level, fill, maintain and repair storm water retention facilities embraced within the easement as may be reasonably necessary for both sanitary and storm sewer purposes. The duration of the easement shall continue until such time as the Grantors or their successors or assigns deliver to the City of South Bend an easement granting the City other land or additional facilities adequate to replace this easement, which land or other facilities shall provide storm water retention facilities which conform to the then existing building code of the City of South Bend and which constitute a reasonable replacement for this easement.

This easement is located within the following described property:

A strip of land twenty-five (25) feet in width taken off of the entire north end located at:

A part of Lot Lettered A, all of Lot Numbered 37 and a part of Lot Numbered 38 as shown on the recorded Second Plat of Chippewa Heights, now a part of the City of South Bend, which part of said lots is described as follows: Beginning at a point on the Westerly line of said Lot Lettered A, 11 feet Southwesterly from the Northwest corner of said lot; thence East, on a line parallel to the North line of said Lot Lettered A, a distance of 317.88 feet, more or less, to a point on the East line of said lot, 11 feet South of the Northeast corner thereof; thence South, along the East line of said Lot Lettered A and Lots Numbered 37 and 38 a distance of 128 feet to the Southeast corner of said Lot Numbered 38; thence West, along the South line of said Lot Numbered 38, to a point 150 feet East of the Southwest corner of said lot; thence Northerly, on a line parallel with the West line of said lot, a distance of 50 feet to the North line of said Lot Numbered 38; thence West 150 feet to the Northwest corner of said Lot Numbered 38, which is also the Southwest corner of said Lot Numbered 37; thence Northeasterly, along the Westerly line of said Lot Numbered 37 and Lot Lettered A, to the place of beginning.

The specific location of this easement is shown on the attached drawing marked "Exhibit A".

AUGUST H. COOREMAN
RECORDER

FEB 10 10 18 AM '80

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

Site Plan for:

CALVARY TEMPLE PARKING LOT

MICHIGAN STREET & CHIPPEWA AVENUE

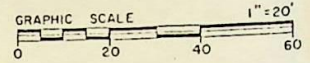
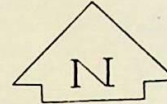
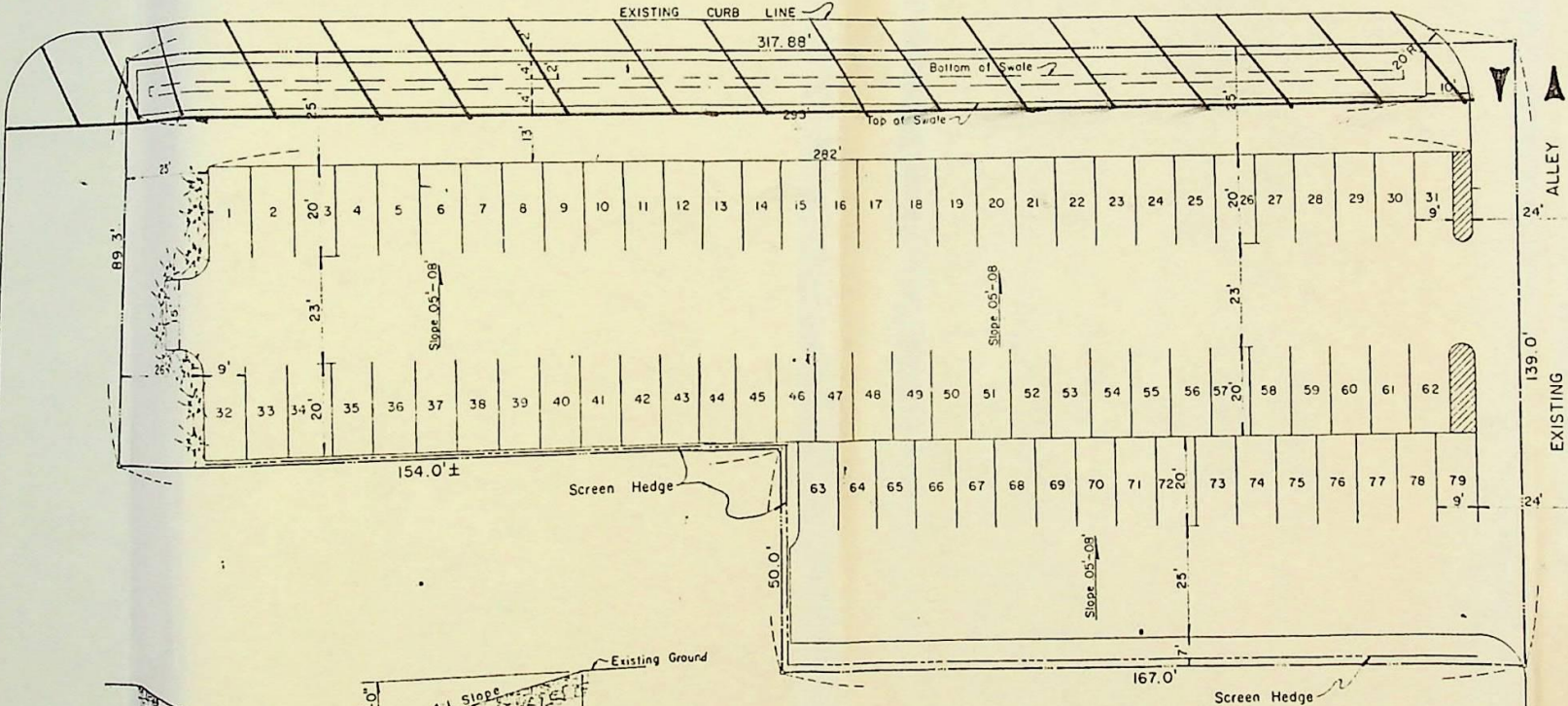


EXHIBIT A

U.S. 31
MICHIGAN STREET - 100'

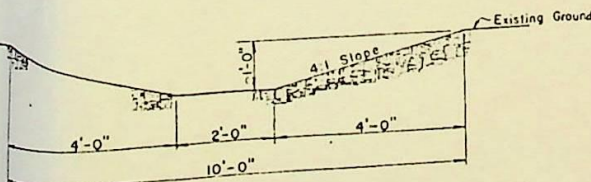
CHIPPEWA

AVE. 50'



ALLEY 24'
EXISTING 139.0'
24'
14'

Note:
EXISTING ALLEY
TO BE PAVED TO
A 24' WIDTH.



TYPICAL SECTION OF RETENTION SWALE
SCALE: 1" = 2'-0"

Drainage Notes:

- PAVED AREA INCLUDING DRIVE - 28,251^{sq}
- CITY STANDARDS REQUIRE RETENTION OF STORM WATER AT 30 GALLONS PER 100 Sq. Ft. OF COVERED OR PAVED AREA.
- STORM WATER TO BE RETAINED - 8,475 GALLONS OR 1,133 CUBIC FEET.

8002760