

#1263

RELEASE OF RIGHTS AND EASEMENTS TO  
CONSTRUCT AND MAINTAIN FACILITIES  
RE: alleys bounded by St. Joseph,  
Michigan, Washington and Colfax  
(commonly known as the "hole")

(First Bank/Marriott Project)

- a) City of South Bend
- b) Ind. Bell Telephone Co. (Partial)
- c) Northern Ind. Public Service Co.
- d) S.B. Board of Water Works
- e) Indiana & Michigan Electric Co.
- f) Indiana Cablevision











Filed.  
Sd. of Pub  
Works

8016805 #1263 (a)

AUGUST H. COOREMAN  
RECORDER

Oct 2 9 06 AM '80

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

RELEASE OF RIGHTS AND EASEMENTS TO  
CONSTRUCT AND MAINTAIN FACILITIES

This Release of Rights and Easements, made and entered into as of this 18<sup>th</sup> day of August, 1980, by the City of South Bend, Indiana, a municipal corporation duly organized and existing pursuant to the laws of the State of Indiana (hereinafter referred to as "City").

W I T N E S S E T H:

WHEREAS, the City is entitled to the use of easements reserved in Vacation Resolution No. 3419, 1975, as recorded May 2, 1977 in Miscellaneous Record 306 at Pages 129-147 both inclusive, in the office of the Recorder of St. Joseph County, Indiana and as mentioned on the recorded plat of River Bend Addition, Plat Book 31 Page R, which rights-of-way and easements are reserved in the rights-of-way of former streets and alleys, therein informally vacated; and

WHEREAS, the project known as the First Bank/Marriott Project involving construction by the City and FBT Bancorp, Inc. and Rahn Properties II is located on a portion of the property involved in the above referred to Vacation Resolution No. 3419, 1975; and

WHEREAS, said City has no need for the rights and easements reserved to it in said Vacation Resolution pertaining to the portion of the property constituting the First Bank/Marriott Project site; and

NOW, THEREFORE, in consideration of the construction of the project by FBT Bancorp, Inc., and Rahn Properties II, the City releases all rights and easements and agrees never to use in any matter or for any purpose the rights and easements over the following described property in St. Joseph County, Indiana:

2



Lots three (3) and four (4) of the recorded plat of River Bend Addition to the City of South Bend, Indiana as recorded in Plat Book 31, Page R in the office of the Recorder of St. Joseph County, Indiana

IN WITNESS WHEREOF, the proper officials have caused this Release of Rights and Easements to Construct and Maintain Facilities to be executed as of the date first above written.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS

Patrick M. McMahon  
Patrick M. McMahon

Attest:

Barbara J. Byers  
Clerk of the Board of Public Works  
Barbara J. Byers

Richard L. Hill  
Joseph E. Kernan  
Richard L. Hill  
Joseph E. Kernan

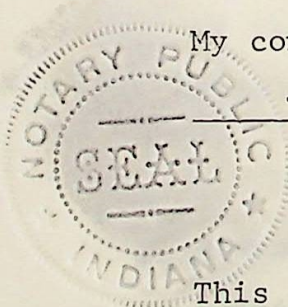
STATE OF INDIANA            )  
  )    SS:  
COUNTY OF ST. JOSEPH    )

Personally appeared before me, a Notary Public for said County and State, Patrick M. McMahon, Richard L. Hill and Joseph E. Kernan, known to and by me as members of the Board of Public Works, City of South Bend and acknowledged the execution of the foregoing instrument as the authorized act of the said Board of Public Works.

Witness my hand and notarial seal this 18th day of August, 1980.

Sandy Parmerlee  
Sandy Parmerlee  
Notary Public  
Residing in St. Joseph County

My commission expires:  
June 18, 1984



This instrument was prepared by Richard L. Hill, City Attorney, 1400 County-City Building, South Bend, Indiana 46601



Hold  
Bd. of Pub.  
Works

#1263 (c)

8016806

**FILED**

AUG 18 1980

Board of Public Works

BARBARA J. BYERS, Clerk

RELEASE OF RIGHTS AND EASEMENTS  
CONSTRUCT AND MAINTAIN FACILITIES

AUGUST H. COOREMAN  
RECORDER

OCT 2 2 31 PM '80

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

This Release of Rights and Easements, made and entered into as of this 14th day of August, 1980, by the NORTHERN IN. PUBLIC SERVICE CO., a corporation duly organized and existing pursuant to the laws of the State of Indiana (hereinafter referred to as "Corporation").

W I T N E S S E T H:

WHEREAS, the Corporation is entitled to the use of easements reserved in Vacation Resolution No. 3419, 1975, as recorded May 2, 1977 in Miscellaneous Record 306 at Pages 129-147 both inclusive, in the office of the Recorder of St. Joseph County, Indiana and as mentioned on the recorded plat of River Bend Addition, Plat Book 31 Page R, which rights-of-way and easements are reserved in the rights-of-way of former streets and alleys, therein informally vacated; and

WHEREAS, the project known as the First Bank/Marriott Project involving construction by the City and FBT Bancorp, Inc. and Rahn Properties II is located on a portion of the property involved in the above referred to Vacation Resolution No. 3419, 1975; and

WHEREAS, the Corporation has no need for the rights and easements reserved to it in said Vacation Resolution pertaining to the portion of the property constituting the First Bank/Marriott Project site; and

NOW, THEREFORE, in consideration of the premises and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, the Corporation releases all rights and easements and agrees never to use in any matter or for any purpose the rights and easements over the following described property in St. Joseph County, Indiana:

2



Lots three (3) and four (4) of the recorded plat of River Bend Addition to the City of South Bend, Indiana as recorded in Plat Book 31, Page R in the office of the Recorder of St. Joseph County, Indiana.

IN WITNESS WHEREOF, the proper officials have caused this Release of Rights and Easements to Construct and Maintain Facilities to be executed as of the date first above written.

NIPSCO

BY

Robert J. Benac  
Robert J. Benac

ATTEST:

Melvin B. Humphrey  
Melvin B. Humphrey

STATE OF INDIANA )  
COUNTY OF ST. JOSEPH )

SS:

Personally appeared before me, a Notary Public for said County and State, ROBERT J. BENAC, SUPT OF  
No Ind Pub Svc Co  
known to and by me as ~~members of~~  
~~and~~ acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.

Witness my hand and notarial seal this 14th day of Nov, 1980.

David A. Wells  
David A. Wells  
Notary Public  
Residing in St. Joseph County



My commission expires:

JAN 22, 1983

This instrument was prepared by Richard L. Hill, City Attorney, 1400 County-City Building, South Bend, Indiana 46601



File.  
Bd. of Pub. Works

#1263(d)

8016807

AUGUST H. COOREMAN  
RECORDER

OCT 2 2 30 PM '80

RELEASE OF RIGHTS AND EASEMENTS TO  
CONSTRUCT AND MAINTAIN FACILITIES

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

This Release of Rights and Easements, made and entered into as of this 18th day of August, 1980, by the South Bend Board of Water Works, a corporation duly organized and existing pursuant to the laws of the State of Indiana (hereinafter referred to as "Corporation").

W I T N E S S E T H:

WHEREAS, the Corporation is entitled to the use of easements reserved in Vacation Resolution No. 3419, 1975, as recorded May 2, 1977 in Miscellaneous Record 306 at Pages 129-147 both inclusive, in the office of the Recorder of St. Joseph County, Indiana and as mentioned on the recorded plat of River Bend Addition, Plat Book 31 Page R, which rights-of-way and easements are reserved in the rights-of-way of former streets and alleys, therein informally vacated; and

WHEREAS, the project known as the First Bank/Marriott Project involving construction by the City and FBT Bancorp, Inc. and Rahn Properties II is located on a portion of the property involved in the above referred to Vacation Resolution No. 3419, 1975; and

WHEREAS, the Corporation has no need for the rights and easements reserved to it in said Vacation Resolution pertaining to the portion of the property constituting the First Bank/Marriott Project site; and

NOW, THEREFORE, in consideration of the premises and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, the Corporation releases all rights and easements and agrees never to use in any matter or for any purpose the rights and easements over the following described property in St. Joseph County, Indiana.

2



Lots three (3) and four (4) of the recorded plat of River Bend Addition to the City of South Bend, Indiana as recorded in Plat Book 31, Page R in the office of the Recorder of St. Joseph County, Indiana.

IN WITNESS WHEREOF, the proper officials have caused this Release of Rights and Easements to Construct and Maintain Facilities to be executed as of the date first above written.

*Patrick M. McMahon*  
Patrick M. McMahon

*Joseph E. Kernan*  
Joseph E. Kernan

ATTEST:

*Barbara J. Byers*  
Barbara J. Byers

STATE OF INDIANA            )  
  )  
COUNTY OF ST. JOSEPH    )

SS:

Personally appeared before me, a Notary Public for said County and State, Patrick M. McMahon Joseph E. Kernan

known to and by me as members of Board of Water Works and acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.

Witness my hand and notarial seal this 18th day of August, 1980.

*Sandy Parmerlee*  
Sandy Parmerlee  
Notary Public  
Residing in St. Joseph County

commission expires:  
June 18, 1984



This instrument was prepared by Richard L. Hill, City Attorney, 1400 County-City Building, South Bend, Indiana 46601



Lots three (3) and four (4) of the recorded plat of River Bend Addition to the City of South Bend, Indiana as recorded in Plat Book 31, Page R in the office of the Recorder of St. Joseph County, Indiana.

IN WITNESS WHEREOF, the proper officials have caused this Release of Rights and Easements to Construct and Maintain Facilities to be executed as of the date first above written.

Patrick M. McMahon  
Patrick M. McMahon

Joseph E. Kernan  
Joseph E. Kernan

ATTEST:

Barbara J. Byers  
Barbara J. Byers

STATE OF INDIANA            )  
  )  
COUNTY OF ST. JOSEPH    )        SS:

Personally appeared before me, a Notary Public for said County and State, Patrick M. McMahon Joseph E. Kernan

known to and by me as members of Board of Water Works and acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.

Witness my hand and notarial seal this 18th day of August, 1980.

Sandy Parmerlee  
Sandy Parmerlee  
Notary Public  
Residing in St. Joseph County



commission expires: June 18, 1984

This instrument was prepared by Richard L. Hill, City Attorney, 1400 County-City Building, South Bend, Indiana 46601



Hold  
Pub  
Works

#1263(e)

8016808

RECEIVED

AUG 29 1980

AUGUST H. COOREMAN  
RECORDER

RELEASE OF RIGHTS AND EASEMENTS TO  
CONSTRUCT AND MAINTAIN FACILITIES

CITY OF SOUTH BEND  
DEPARTMENT OF LAW

OCT 2 2.0 PM '80

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

This Release of Rights and Easements, made and entered into as of this 27th day of August, 1980, by the \_\_\_\_\_ INDIANA & MICHIGAN ELECTRIC COMPANY \_\_\_\_\_, a corporation duly organized and existing pursuant to the laws of the State of Indiana (hereinafter referred to as "Corporation").

W I T N E S S E T H:

WHEREAS, the Corporation is entitled to the use of easements reserved in Vacation Resolution No. 3419, 1975, as recorded May 2, 1977 in Miscellaneous Record 306 at Pages 129-147 both inclusive, in the office of the Recorder of St. Joseph County, Indiana and as mentioned on the recorded plat of River Bend Addition, Plat Book 31 Page R, which rights-of-way and easements are reserved in the rights-of-way of former streets and alleys, therein informally vacated; and

WHEREAS, the project known as the First Bank/Marriott Project involving construction by the City and FBT Bancorp, Inc. and Rahn Properties II is located on a portion of the property involved in the above referred to Vacation Resolution No. 3419, 1975; and

WHEREAS, the Corporation has no need for the rights and easements reserved to it in said Vacation Resolution pertaining to the portion of the property constituting the First Bank/Marriott Project site; and

NOW, THEREFORE, in consideration of the premises and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, the Corporation releases all rights and easements and agrees never to use in any matter or for any purpose the rights and easements over the following described property in St. Joseph County, Indiana:

2



Lots three (3) and four (4) of the recorded plat of River Bend Addition to the City of South Bend, Indiana as recorded in Plat Book 31, Page R in the office of the Recorder of St. Joseph County, Indiana.

IN WITNESS WHEREOF, the proper officials have caused this Release of Rights and Easements to Construct and Maintain Facilities to be executed as of the date first above written.

R/W & R/E  
CK'D. *RA*  
APP'R. *W*

*R.C. Menge*  
VICE PRESIDENT R. C. Menge

*W.O. Keltner*  
ASSISTANT SECRETARY W. O. Keltner

ATTEST:

*Robert M. Hoffman*  
Robert M. Hoffman

STATE OF INDIANA )  
COUNTY OF ST. JOSEPH )

SS:

Personally appeared before me, a Notary Public for said County and State, R. C. Menge, Vice President and W. O. Keltner, Assistant Secretary, known to and by me as members of Indiana & Michigan Electric Company and acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.

Witness my hand and notarial seal this 27th day of August, 1980.

*Robert M. Hoffman*  
Robert M. Hoffman  
Notary Public  
Residing in ~~XXXXXXXXXXXXXXXXXX~~  
Allen County, Indiana



My commission expires:  
January 16, 1984



Held  
Bd. of  
Pub. Works

#1263(f)

8016809

**FILED**

AUG 18 1980

AUGUST H. COOREMAN  
RECORDER

OCT 2 2 30 PM '80

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

RELEASE OF RIGHTS AND EASEMENTS TO Board of Public Works  
CONSTRUCT AND MAINTAIN FACILITIES BARBARA J. BYERS, Clerk

This Release of Rights and Easements, made and entered into as of this 14th day of August, 1980, by the \_\_\_\_\_  
Indiana Cablevision, a corporation duly organized and existing pursuant to the laws of the State of Indiana (hereinafter referred to as "Corporation").

W I T N E S S E T H:

WHEREAS, the Corporation is entitled to the use of easements reserved in Vacation Resolution No. 3419, 1975, as recorded May 2, 1977 in Miscellaneous Record 306 at Pages 129-147 both inclusive, in the office of the Recorder of St. Joseph County, Indiana and as mentioned on the recorded plat of River Bend Addition, Plat Book 31 Page R, which rights-of-way and easements are reserved in the rights-of-way of former streets and alleys, therein informally vacated; and

WHEREAS, the project known as the First Bank/Marriott Project involving construction by the City and FBT Bancorp, Inc. and Rahn Properties II is located on a portion of the property involved in the above referred to Vacation Resolution No. 3419, 1975; and

WHEREAS, the Corporation has no need for the rights and easements reserved to it in said Vacation Resolution pertaining to the portion of the property constituting the First Bank/Marriott Project site; and

NOW, THEREFORE, in consideration of the premises and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, the Corporation releases all rights and easements and agrees never to use in any matter or for any purpose the rights and easements over the following described property in St. Joseph County, Indiana:

2



