#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)

City of South Bend
Ind. Eell Telephone Co. (Partial)
Northern Ind. Public Service Co.
S.B. Board of Water Works
Indiana & Michigan Electric Co. a) b) cd

e)

Indiana Cablevision

# 16-68-Be: but

#### 8016804

PARTIAL RELEASE OF EASEMENT #1263 (E

PE 334

EXCHANGE So. Bend 23-28
RECORD SECTION

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.

OCT 2 2 31 PM '80

ST. JOSEPH CO.

INDIANA
FILED FOR RECORD

IN WITNESS WHEREOF, INDIANA BELL TELEPHONE COMPANY, INCORPORATED, has caused this instrument to be executed by it District Manager this 10 % day of 55 tember, 19 80, at Indianapolis, Indiana.

INDIANA BELL TELEPHONE COMPANY, INCORPORATED

BY MScars

District Manager , T.M. SEARS

State of Indiana)
)SS
County of Marion)

Personally appeared before me, a Notary Public, in and for said County and State, this 10th day of SENTEMBER, 19 80, of the INDIANA BELL

TELEPHONE COMPANY, INCORPORATED, and acknowledged the execution of the above instrument as a voluntary act and deed on behalf of said corporation.

SLAL

WM. L. WERMUND

Resides in Manion

County

My commission expires 2 17,1981

This instrument was prepared by H. T. Schulhof, Attorney

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:

#### 8016804

EXCHANGE So. Bend 23-28 RECORD SECTION

PARTIAL RELEASE OF EASEMENT #1263 (6

PE 334

KNOW ALL MEN BY THESE PRESENTS, that for value received, INDIANA BELL TELEPHONE COMPANY, INCORPORATED, Grantee of a certain easement in the real-estate located in Section 12 , Township 36N , Range 2E , Township of Portage , County of St. Joseph , State of Indiana, under the terms of a written grant executed by Board of Public Works of the City of South Bend , at South Bend , Indiana on May 2 , 19 77 , and recorded in the office of the County Recorder of St. Joseph County, Indiana on May 2 , 19 77 , in Record Miscellaneous 306, Page 129-147 , hereby agrees to and hereby does release said easement in and to that part of real estate as herein described to wit:
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.  FILED FOR RECORDER AND CORDER RECORDER
IN WITNESS WHEREOF, INDIANA BELL TELEPHONE COMPANY, INCORPORATED, has caused this instrument to be executed by it District Manager this 105h day of September, 1980, at Indianapolis, Indiana.
State of Indiana)  State of Marion)  INDIANA BELL TELEPHONE COMPANY, INCORPORATED  BY  District Manager, T.M. SEARS  County of Marion)
Personally appeared before me, a Notary Public, in and for said County and State, this day of SETEMBER, 19 80.  T. M. SEARS , of the INDIANA BELL  TELEPHONE COMPANY, INCORPORATED, and acknowledged the execution of the above instrument as a voluntary act and deed on behalf of said corporation.  Notary Public WM. L. WERMUND  Resides in Manna County

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:

This instrument was prepared by H. T. Schulhof, Attorney

Bd. B Pub Warker

AUGUST H. COOREMAN

Oct 2 9 06 AH'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 /// 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").

#### WITNESSETH:

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:



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

Attest:

Clerk of the Board of Public Works Barbara J. Byers

Richard L. Hill

oneph E. Kernan

STATE OF INDIANA )
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

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

UGUST H. COOREMAN & OF STATE O

#1263 ( 3016806



**Board of Public Works** 

RELEASE OF RIGHTS AND EASEMENTS BURBARA J. BYERS, Clerk CONSTRUCT AND MAINTAIN FACILITIES

#### WITNESSETH:

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:

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.

ATTEST:

Robert J. Benac

Robert J. Benac

Robert J. Benac

STATE OF INDIANA

COUNTY OF ST. JOSEPH

SY

ROBERT J. Sonac

Robert J. Benac

Personally appeared before me, a Notary Public for said County and State, Reser J. Benoc Supi or No No No No Suc Co

and acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.

Nitness my hand and notarial seal this 14th day of

David A. Wells Notary Public

Residing in St. Joseph County

S My dommission expires:

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

#1263(d

Ba ob pub.

8016807

AUGUST H. COOREMAN

OCT 2 2 30 PM '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 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").

## WITNESSETH:

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,

Tali ono.

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

Joseph E. Kernan

ATTEST:

Barbara J. Byers 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

hugust, 1980.

Sandy Parmerlee Notary Public

Residing in St. Joseph County

commission expires:

June 18, 1984

DIAN

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

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

Joseph E. Kernan

ATTEST:

Barbara J. Byers

Barbara J. Byers

STATE OF INDIANA

SS:

COUNTY OF ST. JOSEPH

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 Notary Public

Residing in St. Joseph County

commission expires:

June 18, 1984

DIANP

8016802

AUG 29 1980

AUGUST H. COOREMAN RECORDER

RELEASE OF RIGHTS AND EASEMENTS TO CONSTRUCT AND MAINTAIN FACILITIES

CITY OF SOUTH BEND DEPARTMENT OF LAW

2 .0 PM'80

INDIANA 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").

### WITNESSETH:

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 rightsof-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:

#### 8016808

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

VICE PRESIDENT R. C. Menge

W. O. Keltner

ATTEST:

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

August , 1980.

Robert M. Hoffman Notary Public

My commission expires: January 16, 1984

for worked pub.

#/263 (FILED)
AUG 18 1980

RECORDER OCT 2 2 30 PM '80 JOSEPH CO. INDIANA FOR RECORD

RELEASE OF RIGHTS AND EASEMENTS TOBOard of Public Works

CONSTRUCT AND MAINTAIN FACILITEREBARA J. BYERS, Clerk

#### WITNESSETH:

Indiana (hereinafter referred to as "Corporation").

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:

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.

Indiana Cablevision

By John Koczan

ATTEST:

Melvin B. Humphre

STATE OF INDIANA

COUNTY OF ST. JOSEPH

SS:

Personally appeared before me, a Notary Public for said County and State, \_\_\_\_\_\_ John Koczan

known to and by me as members of Indiana Cablevision 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 August , 1980.

Barbara J. Byers Notary Public Residing in St

Sarbara

Residing in St. Joseph County

.commission expires:

DIAN February 10, 1984

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