

#1268

QUIT-CLAIM DEED from State of
Indiana - (Encroachment for
First Bank Center on State R/O/W)

City turned
over to
Redevelopment
1-19-81
(copy of deed
enclosed)

REGULAR MEETING

NOVEMBER 24, 1980

ACCEPTANCE OF QUITCLAIM DEED FOR STATE RIGHT-OF-WAY
(FIRST BANK CENTER)

Mr. McMahon explained that the city had been attempting to pursue an encroachment agreement with the State Highway Commission regarding the construction of the First Bank Center and certain underground encroachments onto state highways around the project, more specifically U.S. 20 and State Road 33. Mr. McMahon stated that the state was agreeable to quitclaiming those highways in question to the city. Upon a motion made by Mr. McMahon, seconded by Mr. Hill and carried, the quitclaim deed for the above rights-of-way was accepted and the Clerk was instructed to record same. The matter was also referred to the Legal Department to determine how the rights-of-way would be deeded back to the state excluding those portions which were being encroached upon.

Recorded: 1-19-81 # 8100905

AUDITOR'S RECORD	
Transfer No.	246
Taxing Unit	S.B.
Date	1-19-81

QUIT-CLAIM DEED

CITY OF SOUTH BEND

the Grantor

Release and Quit-Claim to CITY OF SOUTH BEND DEPARTMENT OF REDEVELOPMENT

the Grantee

for and in consideration of One Dollar (\$1.00)

the receipt of which is hereby acknowledged, Real Estate in St. Joseph County, Indiana, described as follows:

ST. JOSEPH STREET (ST.RD.#33)

Beginning at a point on the Easterly line of Lot 3 of the recorded plat of River Bend Addition to the City of South Bend, Indiana as recorded in the office of the Recorder of St. Joseph County, Indiana in Plat Book 31, Page "R", at a distance of 24.43 feet South 20°-25'-28" East from the Northeast corner of said Lot 3; thence North 84°-00'-01" East, a distance of 13.27 feet; thence South 5°-59'-59" East, a distance of 4.50 feet; thence South 84°-00'-01" West, a distance of 9.50 feet; thence South 5°-59'-59" East, a distance of 10.14 feet to said Easterly line of Lot 3; thence North 20°-25'-28" West, along said Easterly line, a distance of 15.12 feet to the place of beginning containing 70.3 square feet more or less.

COLFAX AVENUE (U.S.#20) AND PART OF ST. JOSEPH STREET (ST.RD.#33)

Beginning at the Northwest corner of Lot 4 of the recorded plat of River Bend Addition to the City of South Bend (continued on attached sheet)

Signed and dated on January 19, 1981.

State of Indiana, St. Joseph County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared:

John E. Leszczynski, Richard L. Hill and Joseph E. Kernan, known to me to be members of the Board of Public Works of the Civil City of South Bend, a municipal corporation of the State of Indiana.

and acknowledged the execution of the foregoing deed on

January 19, 1981.

Barbara J. Byers, Notary Public
Resident of St. Joseph County

My commission expires February 10, 1984

John E. Leszczynski
Signature

John E. Leszczynski
Typed or printed name

Richard L. Hill
Signature

Richard L. Hill
Typed or printed name

Joseph E. Kernan
Signature

Joseph E. Kernan
Typed or printed name

Signature

Typed or printed name

Prepared by Richard L. Hill, City Attorney, 14th Floor, County-City Building South Bend, Indiana

Bend, Indiana as recorded in the office of the Recorder of St. Joseph County, Indiana in Plat Book 31, Page "R"; thence South $89^{\circ}-39'-54''$ West, along the Westerly projection of the North line of said Lot 4, a distance of 6.74 feet; thence North $0^{\circ}-01'-48''$ East, a distance of 0.68 feet; thence South $89^{\circ}-59'-14''$ East, a distance of 112.42 feet to the North line of said Lot 4; thence South $89^{\circ}-39'-54''$ West, along said North line, a distance of 105.68 feet to the place of beginning containing 38.4 square feet more or less.

Also, beginning at the Northeast corner of Lot 3 of said River Bend Addition; thence South $20^{\circ}-25'-28''$ East, along the Easterly line of said Lot 3, a distance of 4.11 feet; thence North $0^{\circ}-00'-46''$ East, a distance of 3.94 feet; thence North $89^{\circ}-59'-14''$ West, a distance of 100.90 feet; thence South $0^{\circ}-00'-46''$ West, a distance of 0.68 feet to the North line of Lot 4 in said addition; thence North $89^{\circ}-39'-54''$ East, along the North lines of said Lots 4 and 3, a distance of 99.46 feet to the place of beginning containing 40.8 square feet more or less.

Hold
Pd. of Works
Public - Works

AUGUST H. COOKMAN
RECORDER

Nov 25 10 02 AM '80

8020848 #1268

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

Transfer 7326
Taxing Unit JB
Date 11-25-80

QUITCLAIM DEED

THIS INDENTURE WITNESSETH that the State of Indiana, in consid-
eration of the sum of One Dollar and other valuable considerations,
hereby quitclaims to The City of South Bend, St. Joseph County, State
of Indiana, the following described real estate situated in St. Joseph
County, State of Indiana, to wit:

St. Joseph Street (ST.RD.#33)

Beginning at a point on the Easterly line of Lot 3
of the recorded plat of River Bend Addition to the City
of South Bend, Indiana as recorded in the office of the
Recorder of St. Joseph County, Indiana in Plat Book 31,
Page "R", at a distance of 24.43 feet South 20°-25'-28"
East from the Northeast corner of said Lot 3; thence
North 84°-00'-01" East, a distance of 13.27 feet; thence
South 5°-59'59" East, a distance of 4.50 feet; thence
South 84°-00'-01" West, a distance of 9.50 feet; thence
South 5°-59'-59" East, a distance of 10.14 feet to said
Easterly line of Lot 3; thence North 20°-25'-28" West,
along said Easterly line, a distance of 15.12 feet to
the place of beginning containing 70.3 square feet more
or less.

Colfax Avenue (U.S. #20) and part of St. Joseph Street (St. Rd. #33)

Beginning at the Northwest corner of Lot 4 of the
recorded plat of River Bend Addition to the City of South
Bend, Indiana as recorded in the office of the Recorder of
St. Joseph County, Indiana in Plat Book 31, Page "R"; thence
South 89°-39'-54" West, along the Westerly projection of the
North line of said Lot 4, a distance of 6.74 feet; thence
North 0°-01'-48" East, a distance of 0.68 feet; thence South
89°-59'-14" East, a distance of 112.42 feet to the North line
of said Lot 4; thence South 89°-39'-54" West, along said
North line, a distance of 105.68 feet to the place of begin-
ning containing 38.4 square feet more or less.

5

DULY ENTERED FOR TAXATION
JOSEPH F. NAGY
AUDITOR
ST. JOSEPH CO., INDIANA

Page 1 of 5 Pages

FILED

NOV 24 1980

Board of Public Works
BARBARA J. BYERS, Clerk

1268

Transfer 7326

8020848

Also, beginning at the Northeast corner of Lot 3 of said River Bend Addition; thence South 20°-25'-28" East, along the Easterly line of said Lot 3, a distance of 4.11 feet; thence North 0°-00'-46" East, a distance of 3.94 feet; thence North 89°-59'-14" West, a distance of 100.90 feet; thence South 0°-00'-46" West, a distance of 0.68 feet to the North line of Lot 4 in said addition; thence North 89°-39'-54" East, along the North lines of said Lots 4 and 3, a distance of 99.46 feet to the place of beginning containing 40.8 square feet more or less.

WHEREAS, the grantor in this instrument is the State of Indiana, no gross income tax shall accrue; and

WHEREAS, the fee simple title to the real estate hereinabove described was acquired by the State of Indiana through the Indiana State Highway Commission in the acquisition of real estate for S.R. 33 and U.S. 20 in the county of St. Joseph, State of Indiana; and

WHEREAS, the Indiana State Highway Commission, by appropriate resolution, has determined that the above described real estate will not be needed for highway purpose or purposes incidental thereto within a reasonable time in the future; and

WHEREAS, THE CITY OF SOUTH BEND, under the provisions of I.C. 5-18-1-1, have agreed to accept said area for their use:

NOW THEREFORE this quitclaim deed is executed by the State of Indiana in full conformity with the I.C. 5-18-1-1.

8020848

IN WITNESS THEREOF, the State of Indiana has hereunto set its hand by the Governor of the State of Indiana, attested to by the Auditor of the State of Indiana and attached the Corporate Seal of the State of Indiana, this 10th day of November 1980.

STATE OF INDIANA

Otis R. Bowen

Otis R. Bowen, M.D., Governor
State of Indiana

ATTEST:

Charles D. Loos
Charles D. Loos, Auditor
State of Indiana 11/10/80

Approved as to form and legality by:

Theodore L. Sendak
Theodore L. Sendak, Attorney General
State of Indiana
RECEIVED 10-27-80
SIGNED NOV 3 1980

This instrument prepared by:

John W. Brossart, Chief
Division of Land Acquisition

LOGGED
11-3-80
date recd.

11-6-80 M.E.C.
Approved by
SJP
Assistant
NOV 3 1980 Signed by Governor
Released to _____ Dept.

OFFICE OF THE
AUDITOR GENERAL
265 39 1380
RECEIVED

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County, personally appeared this 7th day of November 1980, Otis R. Bowen, M.D., Governor of the State of Indiana, he being thereunto duly authorized, and acknowledged the execution of the foregoing Quitclaim Deed for and on behalf of the State of Indiana.

Witness my hand and seal.



Mary A. McIntyre
MARY A. MCINTYRE
Notary Public

My Commission expires: 8-10-84

County of Residence: Marion

8020848

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County, personally appeared this 10th day of November 1980, Charles D. Loos, Auditor of State, he being thereunto duly authorized, and acknowledged the execution of the foregoing Quitclaim Deed for and on behalf of the State of Indiana.

Witness my hand and seal.

Wilma Wood
Notary Public WILMA WOOD

My Commission expires: 3-5-83

County of Residence: Marion

