

#1294

EASEMENT AND RIGHT-OF-WAY from Jack Hickey Associates, Inc. to City of South Bend, a parcel of land being a part of the S.E.  $\frac{1}{4}$  of Section 31, Township 47 North, Range 3 East, in City of South Bend, Centre Township, St. Joseph County, and being more particularly described as follows: (SEE EASEMENT)

(KENSINGTON FARMS)



# CITY of SOUTH BEND

ROGER O PARENT, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

March 16, 1983

219/284-9412

## BOARD OF PUBLIC WORKS

John E. Leszczynski, President  
Richard L. Hill  
Joseph E. Kernan

Mr. A. J. Hickey, President  
Jack Hickey Associates, Inc.  
60735 U.S. 31 South  
South Bend, Indiana

RE: EASEMENT AND RIGHT-OF-WAY (KENSINGTON FARMS)

Dear Mr. Hickey:

The Board of Public Works at its meeting held on Monday, March 14, 1983, accepted and approved the above referenced easement and right-of-way. The easement and right-of-way provides for dedication of public right-of-way for sanitary and storm sewers and street improvements to be developed by Jack Hickey Associates in the Kensington Farms area. A copy of the executed easement is attached for your information.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

BOARD OF PUBLIC WORKS

*Sandra M. Parmerlee*  
Sandra M. Parmerlee, Clerk

SMP/mp  
Attachment



Hold Bd 3 Works.

8304421

#1294

RECORDER

MAR 23 10 48 AM '83

EASEMENT AND RIGHT-OF-WAY

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

In consideration of the sum of One (\$1)

**3** \_\_\_\_\_ 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 structures for 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:

RIGHT-OF-WAY AND EASEMENT DEDICATION:

A parcel of land being a part of the Southeast Quarter of Section 31, Township 37 North, Range 3 East, in the City of South Bend, Centre Township, St. Joseph County, Indiana, and being more particularly described as follows:

Beginning at the northeast corner of lot 156 as shown on the plat of Kensington Farms East P.U.D., Section 3, Part 1, Phase 2, as recorded in the Office of the Recorder of St. Joseph County, Indiana, as document numbered 8212411; thence North 2°40'55" West, along the westerly line of Bayswater Place, as shown on said plat, projected northerly a distance of 60.00 feet to a point of curvature; thence along a curve to the left having a radius of 470.00 feet, an arc length of 50.64 feet, a central angle of 6°10'26", and being subtended by a chord of 50.62 feet which bears North 5°46'08" West; thence North 81°08'39" East, radial to said curve, a distance of 60.00 feet; thence southerly along a curve to the right having a radius of 530.00 feet, an arc length of 57.11 feet, a central angle of 6°10'26", and being subtended by a chord of 57.08 feet which bears South 5°46'08" East; thence South 2°40'55" East, along the easterly line of said Bayswater Place, projected northerly, a distance of 60.00 feet to the northwest corner of lot 157, as shown on said plat; thence South 87°19'05" West, a distance of 60.00 feet to the point of beginning, containing 6833 square feet, more or less.



Hold Bd of Works.

8304421

#1294

WANDA A. NOWAK  
RECORDER

MAR 23 10 48 AM '83

EASEMENT AND RIGHT-OF-WAY

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

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SANITARY SEWER EASEMENT DEDICATION:

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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 aforescribed 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.



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ILM NO. \_\_\_\_\_  
WANDA A. NOWAK  
RECORDER

MAR 23 10 48 AM '83

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

INDEXED

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COOPERATIVE SEAL

STATE OF INDIANA  
ST. JOSEPH COUNTY

*[Faint, mostly illegible text]*

*[Faint signature]*  
Notary Public  
My Comm. Expires \_\_\_\_\_  
President of St. Joseph Co., Ind.

My Commission Expires January 15, 1984

APPROVED  
BOARD OF PUBLIC WORKS

7.00  
La.





# CITY of SOUTH BEND

ROGER O. PARENT, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

## BOARD OF PUBLIC WORKS

John E. Leszczynski, President

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March 16, 1983

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