

#1324

WAIVER OF RIGHTS AND EASEMENTS,
Park Center Associates - E.H.
Rush's 4th Add., E.H. Rush's 1st
Add., Rachel Gallagher's 1st Add.
and Frantz' 3rd Add.

FROM THE DESK OF .

7/2
SANDRA M. PARMERLEE, CLERK
Board of Public Works &
Board of Public Safety

#1324
The Holladay Corporation

1-2073

South Bend, Indiana 46601

Maryrose,

we don't need to

re Maryrose I think we
we can usually file
this with the easements
& in the agreement
index type in
(see # _____)
Thanks
SP

sandy

ing a waiver of rights and
South Bend on water, sewer,
s vacated by the South Bend
th Addition, E.H. Rush's First
t Addition and Frantz' Third
l as shown on the attached
eed additional information

regarding Park Point, please contact Mr. Bernard Feeney, our
Surveyor, of Lang, Feeney and Associates.

Please sign this letter on the space provided as your approval
and waiver of rights and easements.

Sincerely,

James W. Laskowski
James W. Laskowski
Assistant Controller

JWL:bb
CC: Mr. Bill Keyes
Abstract Company

APPROVED
BOARD OF PUBLIC WORKS

JUL 2 1984

James W. Laskowski
Michael Feeney

Approval granted on waiver of rights and
easements for above-mentioned vacated
property:

NAME: _____

DATE: _____

FROM THE DESK OF .

7/2

SANDRA M. PARMERLEE, CLERK
Board of Public Works &
Board of Public Safety

1324

The Holladay Corporation

1-2073

South Bend, Indiana 46601

Maryrose,
We don't need to record this but I'm not sure where we should file it - maybe in 2 places - in the easement pile & agreements.

Let's talk

Sandy

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APPROVED
BOARD OF PUBLIC WORKS

JUL 2 1984
John D. Laskowski
Mitchell

Approval granted on waiver of rights and easements for above-mentioned vacated property:

NAME: _____

DATE: _____

#1324

The Holladay Corporation

404 S. Columbia, Suite 230

219-234-2073

South Bend, Indiana 46601

June 27, 1984

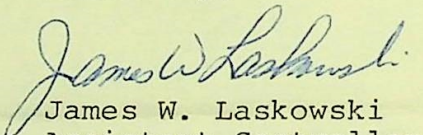
Mr. John Leszczynski
City Engineer
County-City Building
South Bend, Indiana 46601

Dear Mr. Leszczynski:

Park Center Associates is requesting a waiver of rights and easements retained by the City of South Bend on water, sewer, and drainage on streets and alleys vacated by the South Bend Redevelopment in E.H. Rush's Fourth Addition, E.H. Rush's First Addition, Rachel Gallagher's First Addition and Frantz' Third Addition to the City of South Bend as shown on the attached survey for Park Center. If you need additional information regarding Park Point, please contact Mr. Bernard Feeney, our Surveyor, of Lang, Feeney and Associates.

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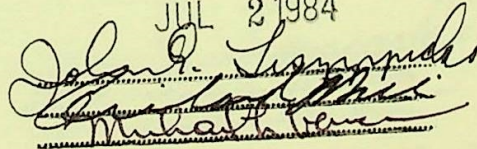
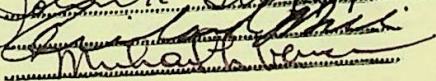

James W. Laskowski
Assistant Controller

JWL:bb

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Abstract Company

APPROVED
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James W. Laskowski
Assistant Controller

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Abstract Company

APPROVED
BOARD OF PUBLIC WORKS

JUL 2 1984
John D. Leszczynski
M. Feeney

Approval granted on waiver of rights and easements for above-mentioned vacated property:

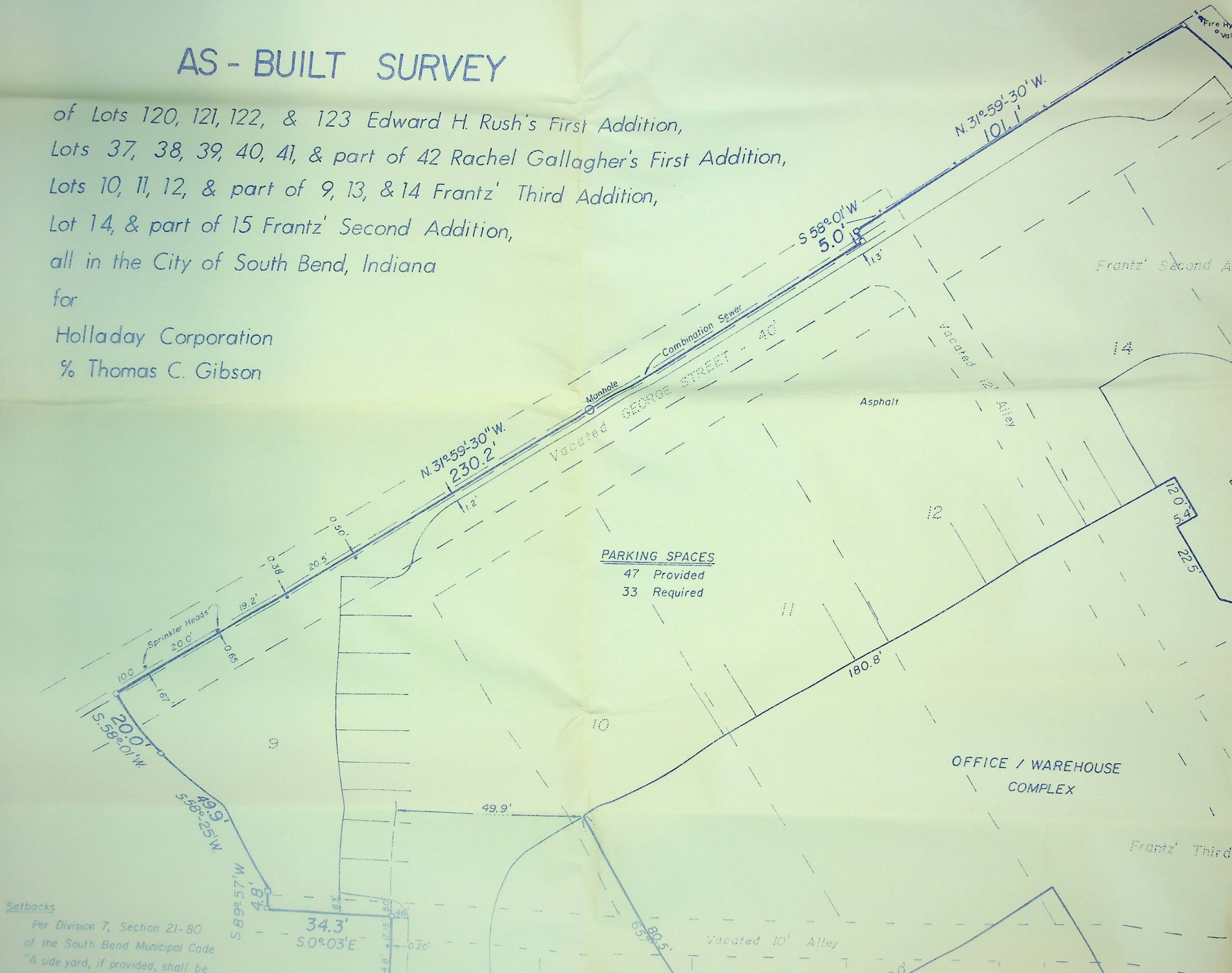
NAME: _____

DATE: _____

AS - BUILT SURVEY

of Lots 120, 121, 122, & 123 Edward H. Rush's First Addition,
 Lots 37, 38, 39, 40, 41, & part of 42 Rachel Gallagher's First Addition,
 Lots 10, 11, 12, & part of 9, 13, & 14 Frantz' Third Addition,
 Lot 14, & part of 15 Frantz' Second Addition,
 all in the City of South Bend, Indiana

for
 Holladay Corporation
 % Thomas C. Gibson



PARKING SPACES
 47 Provided
 33 Required

Setbacks
 Per Division 7, Section 21-80
 of the South Bend Municipal Code
 "A side yard, if provided, shall be

OFFICE / WAREHOUSE
COMPLEX

Frantz' Third A

Setbacks

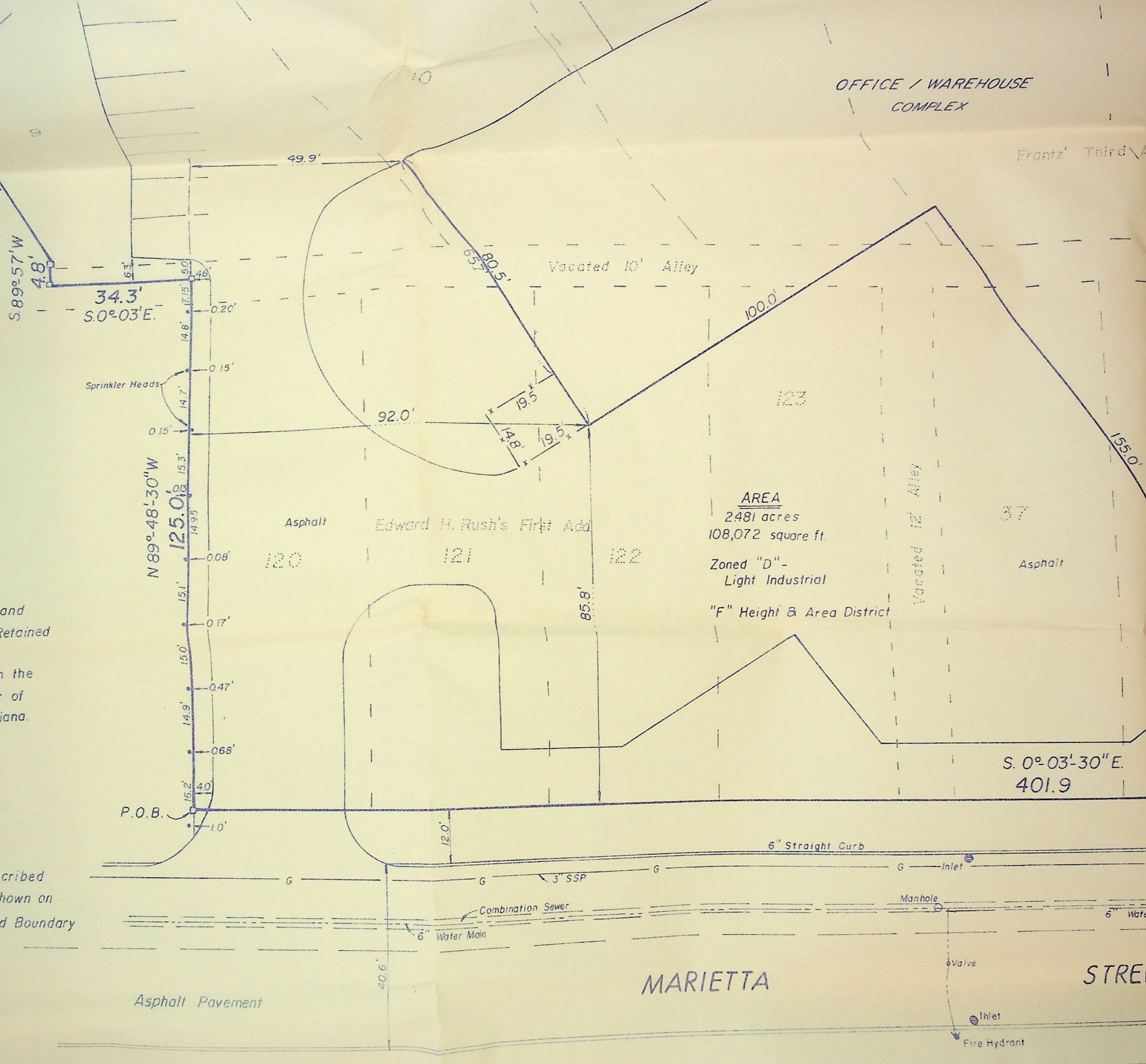
Per Division 7, Section 21-80 of the South Bend Municipal Code "A side yard, if provided, shall be not less than five (5) feet." No other setback requirements apply to this parcel in "F" Height & Area District.

Note

Vacated George Street and all vacated alleys are Retained Rights of Easement per Document #8203189 in the office of the Recorder of St. Joseph County, Indiana.

Flood Statement

The parcel of land shown and described herein is located in Zone C as shown on panel H & I - 04 of Flood Hazard Boundary Maps for the City of South Bend, Indiana as published by the U.S. Department of Housing and Urban Development - Federal Insurance Administration. Zone C is defined as "Areas outside 500-year flood."



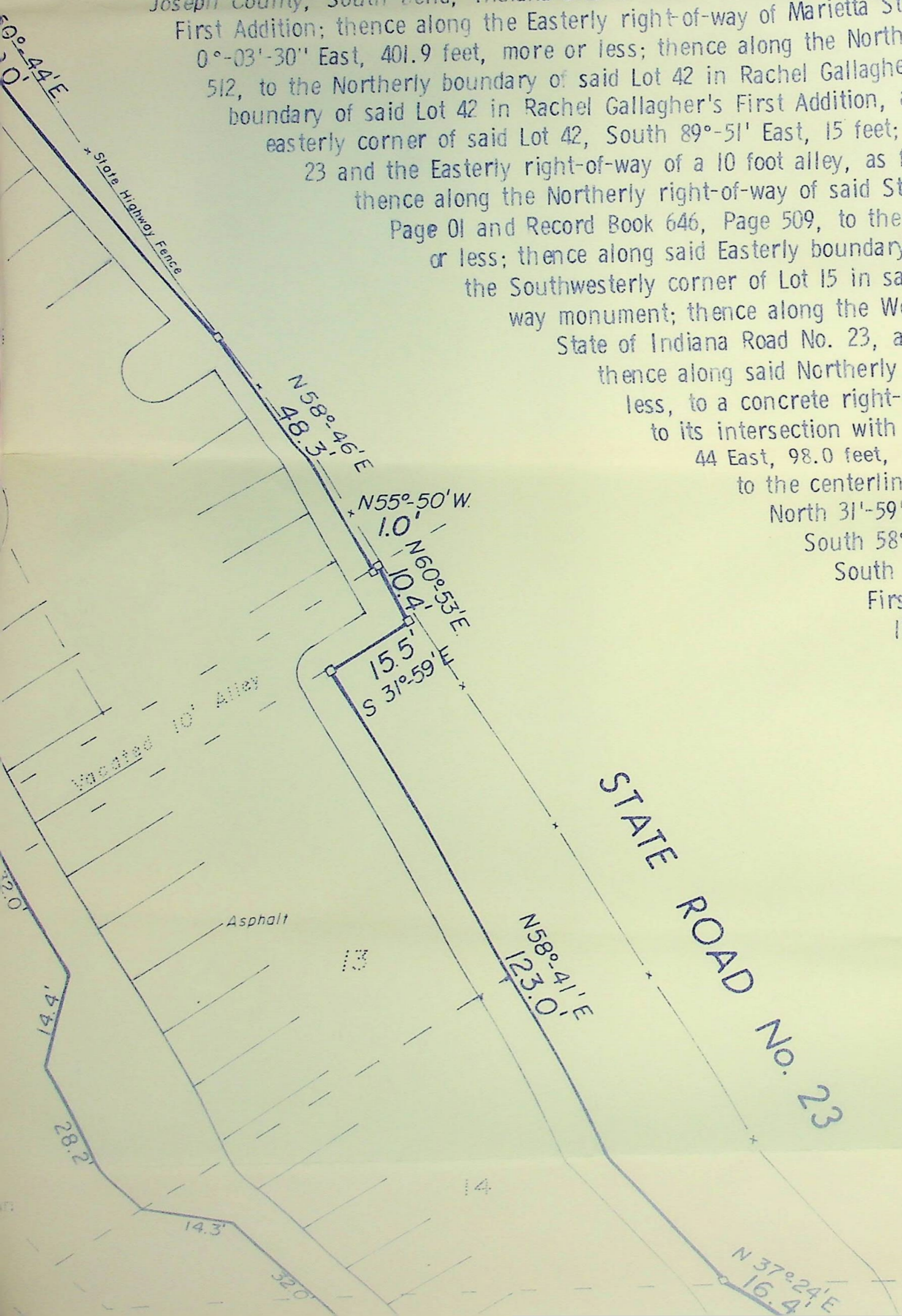
AREA
2481 acres
108,072 square ft.
Zoned "D" -
Light Industrial
"F" Height & Area District

MARIETTA

STREE

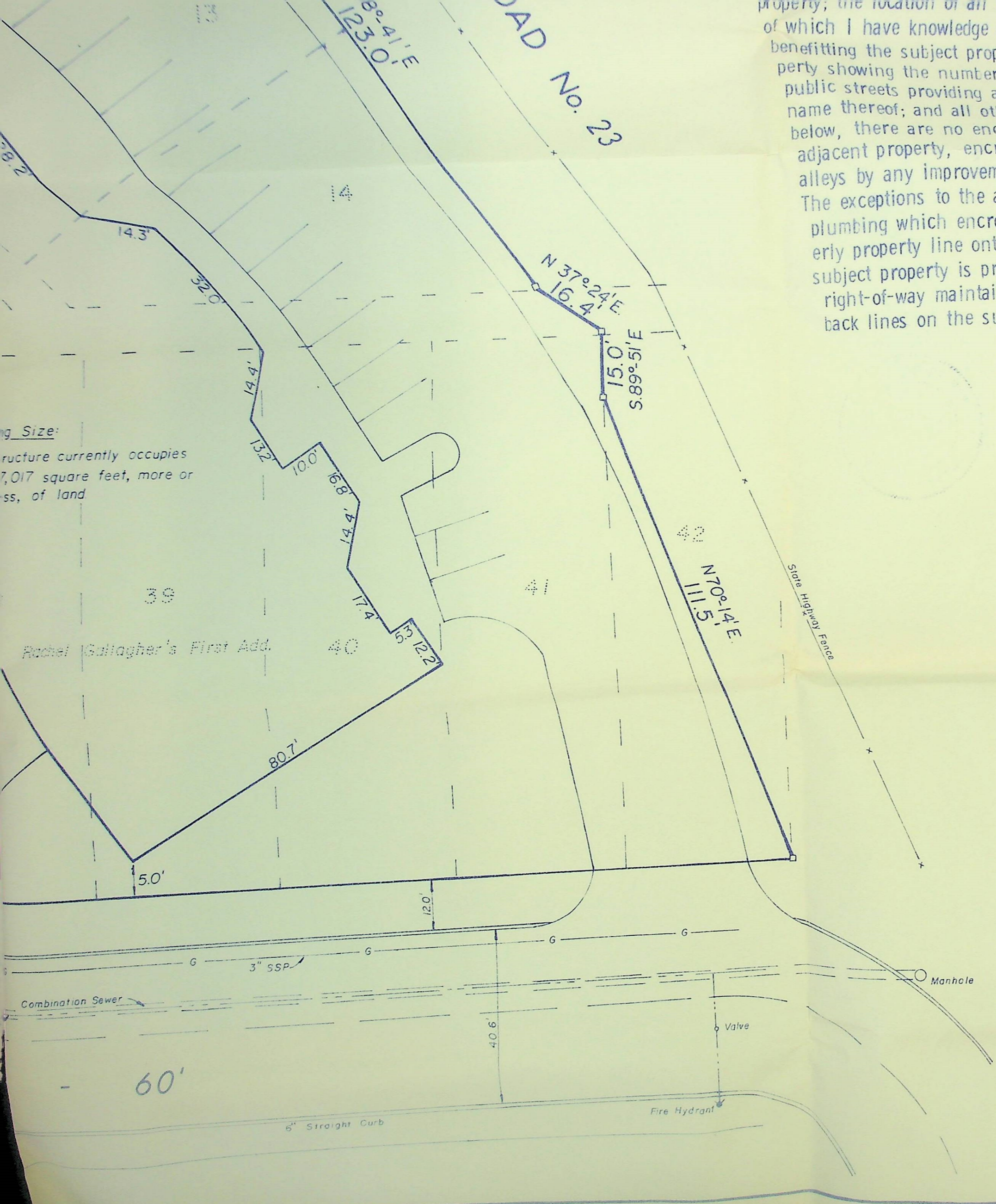
LEGAL DESCRIPTION:

Lots numbered 120, 121, 122 and 123 in Edward H. Rush's First Addition to the City of South Bend, Plat Book 7, Page 8 and Lots numbered 37, 38, 39, 40, 41 and a portion of Lot 42, all in Rachel Gallagher's First Addition to the City of South Bend, Indiana, Plat Book 5, Page 22 and Lots numbered 10, 11, 12 and portions of Lots 9, 13, and 14, all in Plat of Frantz' 3rd Addition to the City of South Bend, Indiana, Plat Book 5, Page 17, and Lot 14 and a portion of Lot 15, both in Plat of Frantz' 2nd Addition to the City of South Bend, Plat Book 5, Page 9. The foregoing Plat Books and ensuing Record Books are found in the Office of the Recorder of St. Joseph County, South Bend, Indiana and is described more specifically as follows: Beginning at the Northwestern corner of Lot 120 in said Edward H. Rush's First Addition; thence along the Easterly right-of-way of Marietta Street to the Southwesterly corner of Lot 42 in said Rachel Gallagher's First Addition, South 0°-03'-30" East, 401.9 feet, more or less; thence along the Northerly right-of-way of State of Indiana Road Number 23, as established in Record Book 646, Page 512, to the Northerly boundary of said Lot 42 in Rachel Gallagher's First Addition, North 70°-14' East, 111.5 feet, more or less; thence along the Northerly boundary of said Lot 42 in Rachel Gallagher's First Addition, also being the Northerly right-of-way of said State of Indiana Road Number 23, to the North-easterly corner of said Lot 42, South 89°-51' East, 15 feet; thence to the intersection of the Northerly right-of-way of said State of Indiana Road No. 23 and the Easterly right-of-way of a 10 foot alley, as found in said Rachel Gallagher's First Addition, North 37°-24' East 16.4 feet, more or less; thence along the Northerly right-of-way of said State of Indiana Road No. 23, as established in Record Book 642, Page 04, Record Book 642, Page 01 and Record Book 646, Page 509, to the Easterly boundary of Lot 13 in said Frantz' 3rd Addition, North 58°-41' East, 123.0 feet, more or less; thence to the Southwesterly corner of Lot 15 in said Frantz' 2nd Addition, North 60°-53' East, 10.4 feet, more or less, to a concrete right-of-way monument; thence along the Westerly boundary of said Lot 15 in Frantz' 2nd Addition, to the Northerly right-of-way of said State of Indiana Road No. 23, as established in Record Book 650, Page 596, North 55°-50' West, 1.0 foot, more or less; thence along said Northerly right-of-way of said State of Indiana Road No. 23, North 58°-46' East, 48.3 feet, more or less, to a concrete right-of-way monument; thence along said Northerly right-of-way of State of Indiana Road No. 23 to its intersection with a line 5 feet Northeasterly from and parallel to the centerline of George Avenue, North 50°-44 East, 98.0 feet, more or less; thence along said line, North 31°-59'-30" West, 101.1 feet, more or less; thence to the centerline of George Avenue, South 58°-01' West, 5.0 feet, more or less; thence along said centerline, North 31°-59'-30" West 230.2 feet, more or less; thence to the Southwesterly right-of-way of George Avenue, South 58°-01' West, 20.0 feet, more or less; thence South 58°-25' West, 49.9 feet, more or less; thence South 89°-57' West, 4.8 feet; thence to an extension of the Northerly line of Lot 120 in said E. H. Rush's First Addition, South 0°-03' East, 34.3 feet more or less; thence on said extension and Northerly line of Lot 120 in E. H. Rush's First Addition, North 89°-48'-30" West, 125.0 feet, more or less to the point of beginning.



To: Park Center Associates; Title Insuror; and Unionmutual Stock Life Insurance Company of New York

I hereby certify that on June 20, 1984: this survey was made on the ground as per the field notes shown on this survey and correctly shows the boundaries and areas of the subject property and the size, location and type of building and improvements thereon and the distance therefrom to the nearest facing exterior property lines of the subject property; the location of all rights-of-way, easements and any other matters of record (or of which I have knowledge or have been advised, whether or not of record) affecting or benefitting the subject property; the location of the parking areas on the subject property showing the number of parking spaces provided thereby; all abutting dedicated public streets providing access to the subject property, together with the width and name thereof; and all other significant items on the Subject property. Except as set forth below, there are no encroachments upon the subject property by improvements on adjacent property, encroachments on any easements or on adjacent property, streets or alleys by any improvements on the subject property, party walls, conflicts or protrusion. The exceptions to the above statements are as follows: Sprinkler Heads and attendant plumbing which encroach across the Northerly property line and across the Northeast-erly property line onto parcels of others. Adequate ingress to and egress from the subject property is provided by Marietta Street, the same being paved, dedicated public right-of-way maintained by the Civil City of South Bend. All required building set-



ing Size:
 ructure currently occupies
 7,017 square feet, more or
 ss, of land

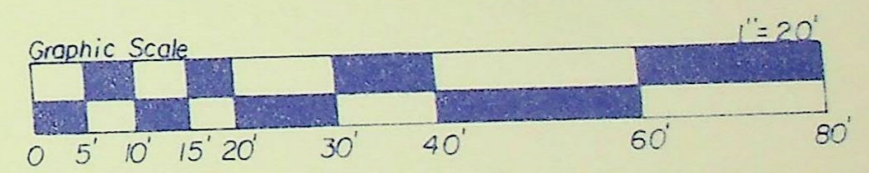
Rachel Gallagher's First Add.

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J. Bernard Feeney
 J. Bernard Feeney Indiana Registered Land Surveyor No. S 0309

LEGEND

- G — Gas Main
- — Water Main
- Iron Found
- ▲ Fire Hydrant
- Valve
- ⊕ Inlet
- Sprinkler Head



Prepared by: Lang, Feeney & Associates, Inc.	
205 W. Jefferson Blvd. - Suite 311 South Bend, Indiana 46601 Phone (219) 233-1841	
Land Surveying	
Scale 1" = 20'	Drawn NSP
Date 6-19-84	Checked
Rev.	Job No. 45-50A
Rev.	