

#1326

WARRANTY DEED from City of South
Bend to Business Development
Corporation.

(RE: TORRINGTON)

#1326

AUDITOR'S RECORD

Transfer No. _____

Taxing Unit _____

Date _____

WARRANTY DEED

The Civil City of South Bend, Indiana

the Grantor

Convey and Warrant to The Business Development Corporation of
South Bend, Mishawaka and St. Joseph County

the Grantee

for and in consideration of \$1.00 and other good and valuable considerations

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

Parcel 1:

A part of the Northeast Quarter, Section 16, Township 37 North, Range 2 East, 2nd P.M., in the City of South Bend, Saint Joseph County, Indiana and also being a part of the land of the Torrington Company, a Delaware corporation (Book 768, page 163 and Book 709, pages 559 and 560, Office of the Recorder) containing 5.118 Acres and more particularly described as follows:

Beginning at a point which is 40.0 feet South of the Northwest corner of the East Half of the Northeast Quarter of said section, said point being also on the South Right-of-Way line of Sample Street; thence S00°03' W (the bearing of said South Right-of-Way line is assumed due East-West) a distance of 395.6 feet; thence N90°00'W a distance of 9.00 feet; thence S0°03' W a distance of 465.0 feet; thence N 90°00'W a distance of 39.87 feet to the Easterly Right-of-Way of the New Jersey, Indiana and Illinois Railroad Company; thence N21°44'W a distance of 47.18 feet; thence Northwesterly along the arc of a curve to the left, having a radius of 487.15 feet, a central angle of 45°25'16" and a chord of 376.15 feet, a distance of 386.19 feet; thence N00°03'E a distance of 548.22 feet to the South Right-of-Way line of Sample Street; thence S90°00'E on said Right-of-Way line a distance of 330.00 feet to the point of beginning.

(continued on attached page)

Signed and dated on June 25, 1984

State of Indiana, St. Joseph County, ss:

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

Roger O. Parent and Irene K. Gammon, known to me to be the Mayor and City Clerk of the Civil City of South Bend, a municipal corporation of the State of Indiana.

Roger O. Parent
Signature
Roger O. Parent, Mayor
Typed or printed name

Irene K. Gammon
Signature
Irene K. Gammon, City Clerk
Typed or printed name

John Harper
Signature
Chief Deputy
Typed or printed name

and acknowledged the execution of the foregoing deed on

June 25, 1984

Patricia E. DeClercq
Signature
Patricia E. DeClercq, Notary Public
Resident of
Typed or printed name
St. Joseph
County

My commission expires 5/24/88

Signature
Typed or printed name

Prepared by Carolyn V. Pfothenauer, Assistant City Attorney, South Bend, Indiana
Attorney at Law

Also Parcel 2:

A part of the Northeast Quarter, Section 16, Township 37 North, Range 2 East, 2nd. P.M. in the City of South Bend, Saint Joseph County, Indiana and also being a part of the land of the Torrington Company, a Delaware corporation (Book 709, pages 559, 560 and 561, Office of the Recorder) containing 3.067 Acres and more particularly described as follows:

Beginning at a point 900.6 feet South of the North line of said Section 16, and 1390.55 feet East of the East line of Sheridan Avenue, which point is on the North line of proposed Industrial Avenue and on the Westerly line of an 18 foot railroad spur Right-of-Way for track 2; thence $S21^{\circ}29'E$ a distance of 123.45 feet along said Right-of-Way to the point of tangency of a curve to the left, and which Right-of-Way line is at all points 9.0 feet Westerly, at right angles from the center line of spur track Number 2 of said Railroad, said curve is more particularly defined by the following 4 courses running along said Right-of-Way Southeasterly from the point of tangency and measured along chords to said curve, viz; $S19^{\circ}41'E$ a distance of 60.0 feet; thence $S22^{\circ}54'E$ a distance of 100.0 feet; thence $S37^{\circ}14'E$ a distance of 100.0 feet; thence $S53^{\circ}52'E$ a distance of 100.0 feet to the North Right-of-Way line of spur track Number 1 of said railroad company, thence $N89^{\circ}51'W$ a distance of 364.44 feet along said Northern Right-of-Way line of spur track Number 1; thence $N00^{\circ}03'E$ a distance of 364.38 feet; thence $N89^{\circ}57'W$ a distance of 128.91 feet; thence $N00^{\circ}02'W$ a distance of 318.24 feet; thence $S89^{\circ}13'W$ a distance of 13.76 feet; thence $N00^{\circ}03'E$ a distance of 11.76 feet to the Westerly Right-of-Way of the New Jersey, Indiana and Illinois Railroad Company Right-of-Way of spur track Number 2; thence along said Right-of-Way Southeasterly 371.89 feet along an arc to the right having a radius of 469.15 feet and subtended by a long chord having a bearing of $S44^{\circ}26'30"E$ and a length of 362.22 feet to the point of tangency of said curve; thence $S21^{\circ}44'E$ a distance of 40.0 feet to the point of beginning.

Also including improvements thereon.

Together with a non-exclusive conveyance of any and all easements, leases, side-track agreements, and all other rights and property interests of every type and nature heretofore granted to or received by the Grantor and its predecessors in interest, regardless of the manner thereof, which are necessary, useful, or beneficial to, or which can be used in connection with, or that are appurtenant to any part or all of the real estate being conveyed herein.

It is expressly noted that Parcels I and II are not contiguous but that contiguity is interrupted by an eighteen foot (18') strip of land which is not conveyed herein.

Subject to all conditions, easements and restrictions of record, and applicable zoning ordinances.

Subject to all unpaid taxes and assessments.