

#1329

AGREEMENT FOR EASEMENT - St. Joseph
Care Group, Inc. (for construction
and maintenance of underground
pedestrian tunnel within the
right-of-way of Cedar Street
between St. Louis and St. Peter
Streets).

CITY ATTORNEY'S OFFICE

MEMO

RECORDER'S RECEIPT

No 954

South Bend, Ind., 9-21 1984

DATE: SEPTEMBER 14, 1984

TO:

FROM:

SUBJECT:

Received of Board of Works NO.

	AMOUNT
DEEDS	
MORTGAGES	
MECHANICS LIENS	
U.C.C. FILING	
RELEASES	
ASSIGNMENTS	
POWERS OF ATTORNEY	
ART. OF INCORP.	
PLATS	
MARGINAL RELEASES	
MARGINAL ASSIGNMENTS	
MISCELLANEOUS	

COPIES OF THE FOLLOWING: 1 Deedmen Agreement 7.00

DEED - No.	
MTG. - No.	
- No.	
- No.	
- No.	
- No.	

CHECK
CASH
REFUND

TOTAL \$ 7.00

WANDA A. NOWAK
ST. JOSEPH COUNTY RECORDER

anting to the St. Joseph's
nt for the construction and
trian tunnel within the
en St. Louis and St. Peter
the September 17 agenda.

CITY ATTORNEY'S OFFICE
INTER-OFFICE MEMO

TO: SANDY PARMERLEE
CLERK, BOARD OF WORKS

DATE: SEPTEMBER 14, 1984

FROM: CAROLYN PFOTENHAUER
ASSISTANT CITY ATTORNEY

SUBJECT: SEPTEMBER 17, 1984 BPW AGENDA

Attached is an easement granting to the St. Joseph's Care Group, Inc. a permanent easement for the construction and maintenance of an underground pedestrian tunnel within the right-of-way of Cedar Street between St. Louis and St. Peter Streets. Please put this item on the September 17 agenda.

CVP:dlm

FROM THE DESK OF . . .

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

9/17/84

OR EASEMENT

Carolyn,

Again, as I don't have any paperwork on this Agreement for Easement, I would appreciate your forwarding this completely executed copy to the appropriate party and cc-ing me.

Thanks.

Sandy

end, hereinafter called "Grantor," Dollar (\$1.00) and other good and to the Grantor, hereby grants to inafter called "Grantee," a of building, operating and in and under the following described h Bend, St. Joseph County, Indiana:

ve (5) feet both sides
ular from a line more
follows, VIZ:
he north line which
the northwest corner
of Part of Lot 8 of

COTTRELL'S 1ST addition in the City of South Bend; thence northwesterly (assumed bearing north 45° 0 minutes west) a distance of 116.67 feet more or less to a point on the south line of Lot 21 of M.E. Listenberger sub of Lot 3 of Cottrell's 1st addition which point is 20.1 feet east of the southwest corner of said lot 21, said point being the termination of said line; said described easement is only that portion of land that is within the right-of-way of Cedar Street, City of South Bend, Indiana.

The easement described herein is for the purpose of allowing the existence and operation of an underground pedestrian tunnel within the right-of-way of Cedar Street, between St. Louis and St. Peter Streets, which tunnel will connect the existing Medical Pavilion I building with the new Medical Pavilion II building.

The rights hereby granted shall extend to and be binding upon the successors and assigns of the parties hereto.

The Grantee agrees to indemnify and save harmless the Grantor



CITY of SOUTH BEND

ROGER O. PARENT, Mayor

COUNTY-CITY BUILDING

SOUTH BEND, INDIANA 46601

RICHARD L. HILL
CITY ATTORNEY

219/284-9241

THOMAS L. BODNAR
CHIEF DEPUTY

September 25, 1984

DAVID C. CHAPLEAU

GREGORY D. LOUGHRIDGE

JOHN M. MARNOCHA

CAROLYN V. PFOTENHAUER

ROBERT C. ROSENFELD

EUGENIA S. SCHWARTZ

Mr. R. Dahlkemper
Executive Vice President
St. Joseph Care Group, Inc.
P.O. Box 1935
South Bend, Indiana 46628

Re: Agreement for Easement

Dear Mr. Dahlkemper,

Attached for your files is a copy of the Agreement for Easement by which the City of South Bend grants to St. Joseph Care Group a permanent easement for the purpose of building, operating and maintaining an underground pedestrian tunnel within the right-of-way of Cedar Street.

Yours truly,

Carolyn V. Pfothauer
Assistant City Attorney

Attachment

cc: Sandy Parmerlee, Clerk, Board of Works

CVP:d1m

8419988

AGREEMENT FOR EASEMENT

The Civil City of South Bend, hereinafter called "Grantor," in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid to the Grantor, hereby grants to St. Joseph's Care Group, Inc., hereinafter called "Grantee," a permanent easement for the purpose of building, operating and maintaining structural appurtances in and under the following described real estate within the City of South Bend, St. Joseph County, Indiana:

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A parcel of land lying five (5) feet both sides of and measured perpendicular from a line more particularly described as follows, VIZ: beginning at a point on the north line which point is 7.6 feet east of the northwest corner of lot 16 in Howard's sub of Part of Lot 8 of Cottrell's 1st addition in the City of South Bend; thence northwesterly (assumed bearing north 45° 0 minutes west) a distance of 116.67 feet more or less to a point on the south line of Lot 21 of M.E. Listenberger sub of Lot 3 of Cottrell's 1st addition which point is 20.1 feet east of the southwest corner of said lot 21, said point being the termination of said line; said described easement is only that portion of land that is within the right-of-way of Cedar Street, City of South Bend, Indiana.

FILED FOR RECORD

INDIANA

ST. JOSEPH CO.

SEP 21 10 51 AM '84

FILM NO. WANDA A. NOWAK RECORDER

The easement described herein is for the purpose of allowing the existence and operation of an underground pedestrian tunnel within the right-of-way of Cedar Street, between St. Louis and St. Peter Streets, which tunnel will connect the existing Medical Pavilion I building with the new Medical Pavilion II building.

The rights hereby granted shall extend to and be binding upon the successors and assigns of the parties hereto.

The Grantee agrees to indemnify and save harmless the Grantor from and against any and all damage, injuries, losses, claims, demands or costs proximately caused by default, culpability or negligence of the Grantee in the use of the property encompassed by this easement.

The Grantor covenants that it has the good faith right to grant and convey the easement herein.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 13th day of September 1984.

ST. JOSEPH'S CARE GROUP, INC.

CITY OF SOUTH BEND, INDIANA, BY AND THROUGH ITS BOARD OF PUBLIC WORKS

By: R. Dahlkemper
R. Dahlkemper

John E. Leszczynski
John E. Leszczynski

Its: Executive Vice President

Richard L. Hill
Richard L. Hill

ATTEST:

David L. Rogers
David L. Rogers

Michael L. Vance
Michael L. Vance

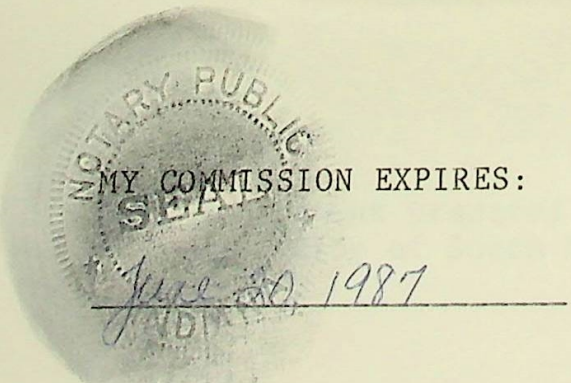
ATTEST:

Sandra M. Parmerlee
Sandra M. Parmerlee, Clerk

STATE OF INDIANA)
) SS
ST. JOSEPH COUNTY)

Before me, a notary in and for the said County and State, personally appeared R. Dahlkemper and _____ known to me and constituting the _____ Executive Vice-President of St. Joseph's Care Group, Inc. who acknowledged the execution of the above and foregoing instrument as their free act and deed this 13th day of September, 1984.

Shelley J. Sieroslowski
Notary Public
Resident of St. Joseph County



STATE OF INDIANA)
ST. JOSEPH COUNTY)SS

8419988

Before me, a notary in and for the said County and State, personally appeared John E. Leszczynski, Richard L. Hill and Michael L. Vance, known to me and constituting the Board of Public Works of the City of South Bend, St. Joseph County, Indiana, who acknowledged the execution of the above and foregoing instrument as their free act and deed this 17th day of Sept., 1984.

Sandra M. Parmerlee
Sandra M. Parmerlee, Notary Public
Resident of St. Joseph County

MY COMMISSION EXPIRES:

July 24, 1988

This instrument prepared by Carolyn V. Pfothenauer, Assistant City Attorney, City of South Bend, Indiana 46601.

8419988

FILM NO. _____
WANDA A. NOWAK
RECORDER

SEP. 21 10 51 AM '84

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

Before me, _____
personally appeared John E. Jaszczynski, Richard Hill and Michael E. Vance, known to me and constituting the Board of Public Works of the City of South Bend, St. Joseph County, Indiana, who acknowledged the execution of the above and foregoing instrument as their free act and deed this _____ day of _____, 1984.

Wanda A. Nowak
Recorder
Resident of St. Joseph County



This instrument prepared by Carolyn V. Florenzano, Assistant City Attorney, City of South Bend, Indiana 46601.

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