

#1333

AGREEMENT FOR FASEMENT - from City
of South Bend to Wells Electronics.

(4" TELEPHONE CONDUIT UNDER MAIN ST.)



CITY of SOUTH BEND

ROGER O PARENT, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

October 29, 1984

219/284-9412

BOARD OF PUBLIC WORKS

John E. Leszczynski, President
Richard L. Hill
Michael L. Vance

Mr. Richard Mullin
Vice President - Finance
Wells Electronics, Inc.
1701 South Main Street
South Bend, Indiana

RE: AGREEMENT FOR EASEMENT

Dear Mr. Mullin:

Attached for your information is a completely executed copy of the Agreement for Easement entered into between the City of South Bend and Wells Electronics, Inc. for the purpose of placing a four inch (4") diameter telephone conduit under Main Street, as described in Exhibit A of the Easement.

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

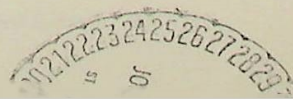
Sincerely,

BOARD OF PUBLIC WORKS

Sandra M. Parmerlee
Sandra M. Parmerlee, Clerk

SMP/mp
Attachment

filled and the hole shall be put into the same condition as it was prior to the jacking procedure.



HENKELS & M^cCOY, Inc.



GREAT LAKES DIVISION

1800 JOHNSON STREET • P.O. BOX 1067 • ELKHART, IN 46515
(219) 264-1121

12 - -

October 10, 1984

Board of Public Works
227 W. Jefferson
City County Bld. 13 Floor
South Bend, IN 46601

Sir:

This letter is being submitted to request easment described in detail with attached documents. This easment will belong to Wells Electronics located at 1701 S. Main St. South Bend, IN.

Once granted, this easment will allow Henkels & McCoy to place telephone cable in the described position and complete a telacommunications project belonging to Wells Electronics.

Sincerely,

Gene Tanger
Area Manager /

HENKELS & M^cCOY, Inc.



ROBERT CLEM
Supervisor
Great Lakes Division

Bus: (219) 264-1121

1800 N. Johnson St.
P.O. Box 1067
Elkhart, IN 46515-1067

PERFORMANCE has built our business . . .

prior to the jacking procedure.

22232425262728

Hold
Bd of Works

1333

8423278

AGREEMENT FOR EASEMENT

3

The City of South Bend, Indiana, hereinafter called "Grantor," in consideration for the sum of One Dollar (\$1.00) and other valuable consideration in hand paid to the Grantor, hereby grants to Wells Electronics Inc., hereinafter called the "Grantee," a permanent easement in and under the hereinafter described land for the purpose of placing a four inch (4") diameter telephone conduit under Main Street, in conformance with the Valley Engineering Consultants Inc. easement drawing of October, 1984, which drawing is designated as Job Number 1-89 and is attached hereto as Exhibit A. The real estate which is the subject of this easement is a part of the Southwest Quarter of Section 13, Township 37 North, Range 2 East, City of South Bend, Portage Township, Indiana and described as follows:

Commencing from the intersection of the North right-of-way line of Calvert Street with the West right-of-way line of Main Street; thence North 00°-05'-59" West (bearing assumed along the West right-of-way line of South Main Street, 175.25 feet to the point of beginning; thence continuing North 00°-05'-59" West, 2.00 feet; thence North 89°-54'-01" East, 99.00 feet; thence South 00°-05'-59" East, 2.00 feet; thence South 89°-54'-01" West, 99.00 feet to the point of beginning and containing 198.00 square feet more or less.

FILED FOR RECORD INDIANA

ST. JOSEPH CO.

NOV 2 8 53 AM '84

FILM NO. WANDA A. NOWAK RECORDER

The Grantee agrees that the telephone conduits to be jacked under said real estate shall be 4" PVC conforming to ASTM designation F512 and that the minimum depth of the pipe shall be five feet (5').

Grantee agrees that it will not close Main Street or interfere with vehicular traffic thereon during the jacking procedure and that following construction, the jacking trenches will be back filled and the real estate will put into the same condition as it was prior to the jacking procedure.

8423278

Hold
Bd of Works

8423278

AGREEMENT FOR EASEMENT

3

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FILM NO. WANDA A. NOWAK RECORDER
 NOV 2 8 59 AM '84
 ST. JOSEPH CO. INDIANA
 FILED FOR RECORD

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NOV 1984
 FILED
 JOSEPH F. NAGY
 AUDITOR
 ST. JOSEPH COUNTY
 INDIANA

8423278

Grantee will assume responsibility for informing all utility companies prior to jacking procedure and will repair any damage done to City property as a result of its use of this easement.

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

IN WITNESS WHEREOF, the parties have executed this agreement this 29th day of October, 1984.

WELLS ELECTRONICS, INC.

By: Richard J. Mull

Its: V.P. Finance

CITY OF SOUTH BEND
BOARD OF PUBLIC WORKS

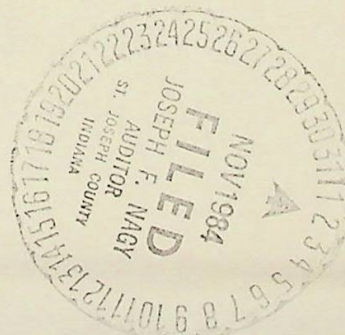
John E. Leszczynski
John E. Leszczynski, President

Richard L. Hill

Michael L. Vance
Michael L. Vance

ATTEST:

Sandra M. Parmerlee
Sandra M. Parmerlee, Clerk



This instrument prepared by Carolyn V. Pfothenauer, Assistant City Attorney, 1400 County-City Building, South Bend, Indiana 46601.

8423278 EASEMENT DRAWING

for

BURIED TELEPHONE CONDUIT

PART OF THE S.W. 1/4 OF SECTION 13
T. 37 N., R. 2 E., PORTAGE TOWNSHIP
SOUTH BEND, INDIANA

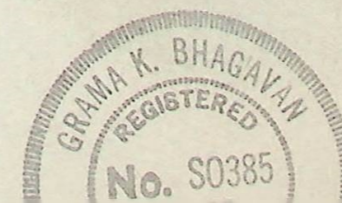
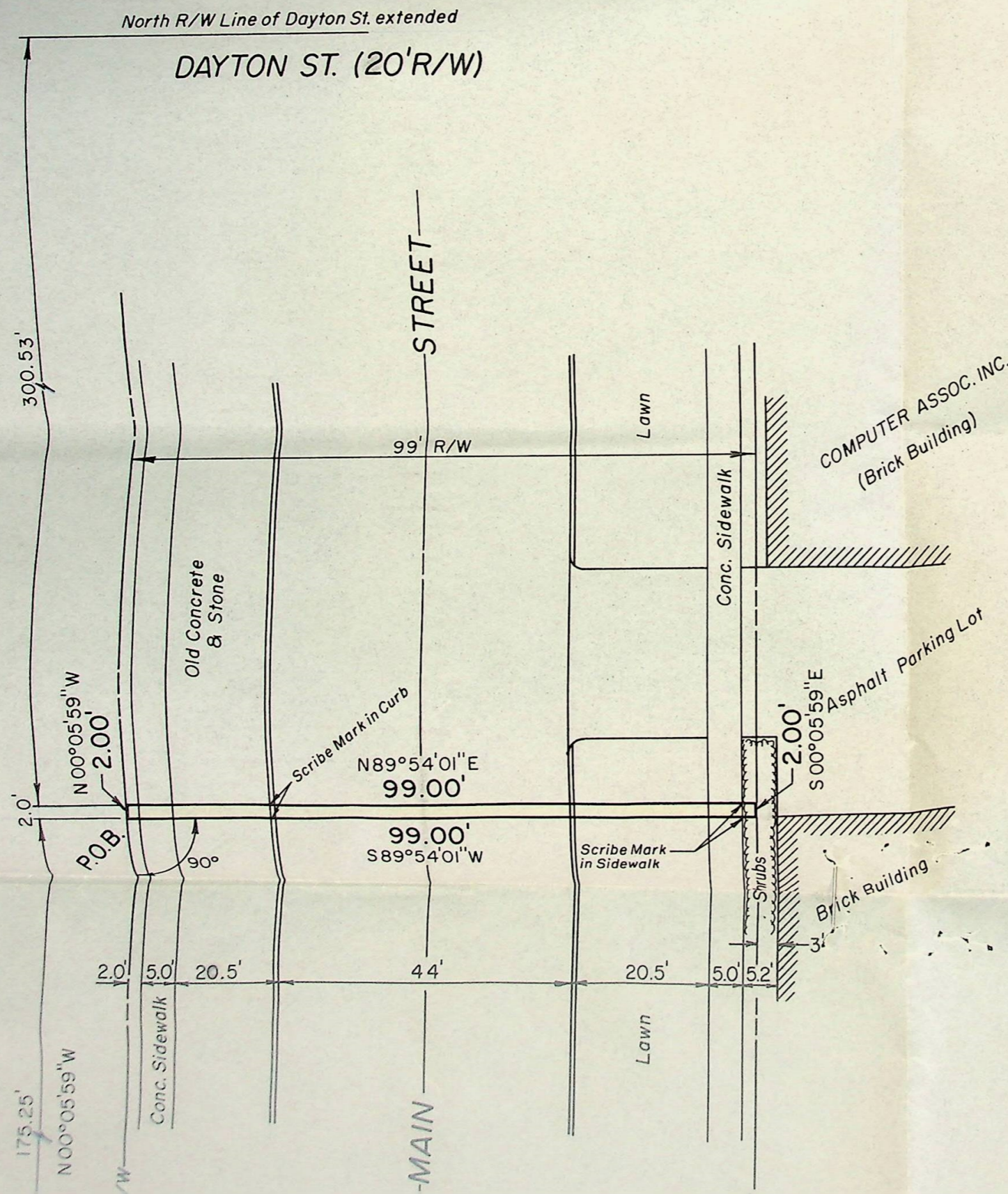
DESCRIPTION OF THE EASEMENT to be conveyed to Wells Electronics, Inc., 1701 South Michigan Street, South Bend, Indiana, from the Board of Public Works, City of South Bend, Indiana, for the purpose of jacking a 4-inch diameter telephone conduit under Main Street at the location and described in the drawing.

A part of the Southwest Quarter of Section 13, Township 37 North, Range 2 East, City of South Bend, Portage Township, Indiana and described as follows:

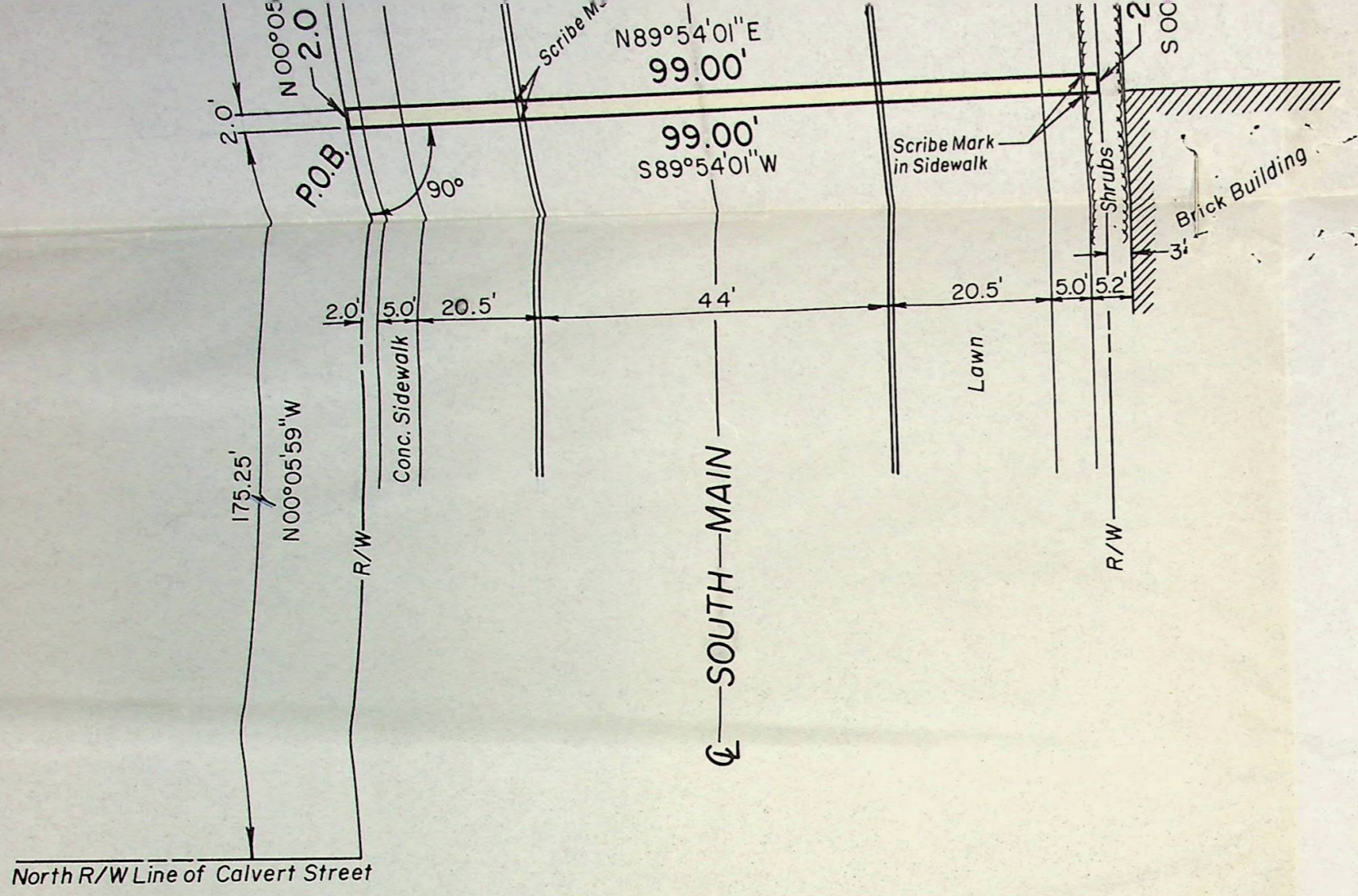
Commencing from the intersection of the North right-of-way line of Calvert Street with the West right-of-way line of Main Street; thence North 00°-05'-59" West (bearing assumed) along the West right-of-way line of South Main Street, 175.25 feet to the point of beginning; thence continuing North 00°-05'-59" West, 2.00 feet; thence North 89°-54'-01" East, 99.00 feet; thence South 00°-05'-59" East, 2.00 feet; thence South 89°-54'-01" West, 99.00 feet to the point of beginning and containing 198.00 square feet more or less.

NOTE:

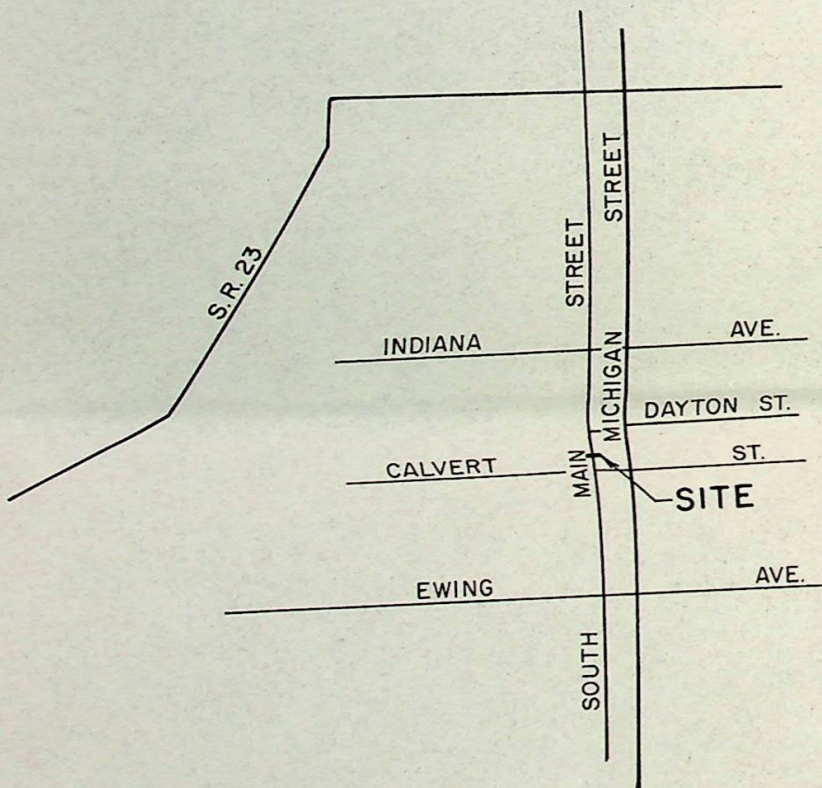
1. The telephone conduits to be jacked under Main Street shall be 4" PVC conforming to ASTM designation F512. The minimum depth of the pipe shall be 5 feet.
2. In no event, Main Street shall be closed for through vehicular traffic during the jacking procedure.
3. After the jacking, the jacking trenches shall be back filled and put back into its original condition.
4. The contractor shall inform all the utility companies prior to jacking for the location of any underground pipes, conduits, etc.
5. Any damage done to the City property during the jacking operation shall be repaired at contractor's expense.



Grama K. Bhagavan
Grama K. Bhagavan
Registered Professional Engineer No. 15891
No. S0385

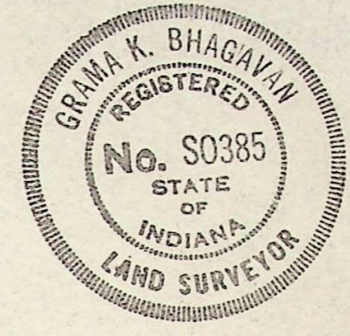


North R/W Line of Calvert Street
CALVERT ST. (60' R/W)

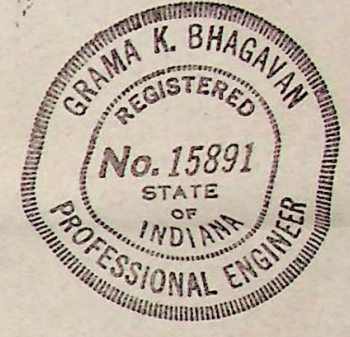


LOCATION MAP

- and put back into its original condition.
4. The contractor shall inform all the utility companies prior to jacking for the location of any underground pipes, conduits, etc.
5. Any damage done to the City property during the jacking operation shall be repaired at contractor's expense.



Grama K. Bhagavan
 Grama K. Bhagavan
 Registered Professional Engineer No. 15891
 Registered Land Surveyor No. 50385



approved by:
BOARD OF PUBLIC WORKS
 Roger O. Parent -- Mayor

John Leszczynski *John P. Leszczynski*
 President
 Richard Hill
 Member
 Michael Vance *Michael H. Vance*
 Member



for:
 Henkels & Mc Coy, Inc.
 1800 Johnson Street
 Elkhart, Ind. 46514

Revision		Date:
Revision		Date:
Valley Engineering Consultants, Inc.		
205 W. Jefferson Blvd. Suite 305 South Bend, Indiana 46601		
Phone 219/234-4494		
Professional Engineers & Land Surveyors		
Scale: 1"=20'	Drawn by: Ron	Job No: 1-84
Date: 10-84	Checked by: G.K.B.	Sheet 1 of 1

Grama K. Bhagavan
 Grama K. Bhagavan R.L.S.No. 50385

8422278

FILM NO. 8422278
WANDA A. KOVAK
RECORDER

Nov 2 8 53 AM '84
ST. JOSEPH CO. INDIANA
FILED FOR RECORD

BURIED PART OF THE S.W. 1/4 OF SECTION 13
SOUTH BEND, INDIANA
PORTAGE TOWNSHIP
DESCRIPTION OF THE EASEMENT TO BE CONVEYED TO WELLS ELECTRONICS, INC.
FOR THE INSTALLATION OF A 4-INCH DIAMETER TELEPHONE CONDUIT UNDER MAIN
STREET AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE
OF CALVERT STREET WITH THE WEST RIGHT-OF-WAY LINE OF MAIN STREET,
RANGE 3 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, INDIANA.

DESCRIPTION OF THE EASEMENT TO BE CONVEYED TO WELLS ELECTRONICS, INC. FOR THE INSTALLATION OF A 4-INCH DIAMETER TELEPHONE CONDUIT UNDER MAIN STREET AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF CALVERT STREET WITH THE WEST RIGHT-OF-WAY LINE OF MAIN STREET, RANGE 3 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, INDIANA.