

#1343

EASEMENT & RIGHT-OF-WAY from  
Numan Amouri to City of South Bend,  
A Utility easement to the City of  
S.B. for a sanitary sludge line  
being fifteen (15) feet in width  
along and adjacent to the entire  
North line of the following:

(SEE EASEMENT)

8520241

EASEMENT AND RIGHT-OF-WAY

In consideration of the sum of Ten (\$10.00) Dollars cash in hand paid, receipt whereof is hereby acknowledged, the undersigned hereby grants, bargains, sells, conveys, transfers, delivers 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:

2

A utility easement to the City of South Bend for a sanitary sludge line being fifteen (15') feet in width along and adjacent to the entire North Line of the following described property:

That part of the Northwest Quarter of Section 27 T. 38 N., R. 2 E., German Township, St. Joseph County, Indiana, which is described as: Beginning at a point on the East Line of the Northwest Quarter which is South (assumed bearing), 364.33 feet from the Northeast Corner of the Northwest Quarter of said Section; thence South along said Line 892.95 feet; thence North 23°41'13" West along the Centerline of Portage Road, 505.69 feet; thence, North 66°18'47" East, 30.00 feet; thence North 17°58'51" West, 437.16 feet to the South Line of the East-West Indiana Toll Road; thence North 89°37'52": East along said Line, 310.64 feet to the point of beginning.

Subject to all recorded highway easements. Containing 3.4605 acres.

FILED IN RECORD ST. JOSEPH CO. INDIANA  
 SEP 19 12 01 PM '85  
 WANDA A. HOWAK  
 REC'D  
 FILM NO. 8800000

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 Grantor hereby covenants with the Civil City of South Bend, Indiana, that he is lawfully seized and possessed of the aforescribed tract or parcel of land; that he has a good and lawful right to sell and convey; that it is free from all encumbrances; and he will warrant and forever defend the title in quiet possession thereto against the lawful claims of all persons whomsoever.

The Grantor reserves the right to pave over said easement or a portion thereof.

And as a further consideration for the payment of the purchase price, above stated, the Grantor hereby releases 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 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.

Numan Amouri  
Numan Amouri  
**APPROVED**  
BOARD OF PUBLIC WORKS

STATE OF INDIANA    )  
                          ) SS:  
ST. JOSEPH COUNTY    )

SEP 16 1985  
John L. ...  
John L. ...

Before me, a Notary Public in and for said County and State, personally appeared Numan Amouri, who acknowledged the execution of the above and foregoing instrument and easement as his free and voluntary act and deed this 10 day of September, 1985.

Edna B. Mills  
EDNA B. MILLS - Notary Public  
Resident, St. Joseph County, IN

MY COMMISSION EXPIRES:

May 6, 1988

8520241

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

SEP 19 12 01 PM '85

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

INDEXED

APPROVED  
BOARD OF PUBLIC WORKS

SEP 18 1985

STATE OF INDIANA  
ST. JOSEPH COUNTY

550  
M.L.L.