

#1337

PERSONAL REPRESENTATIVE'S OR
GUARDIAN'S DEED FROM GLEN D. SEELY
TO CIVIL CITY OF SOUTH BEND, IN,
LOTS 1 AND 2 AS SHOWN ON THE RECORDED
PLAT OF DUBAIL'S FIRST ADDITION TO THE
CITY OF SOUTH BEND.

See lease file -

*Glen
Seely*

*1716 So.
Michigan*

CITY ATTORNEY'S OFFICE
INTER-OFFICE MEMO

TO: SANDRA PARMERLEE
CLERK, BOARD OF WORKS

DATE: APRIL 17, 1985

FROM: CAROLYN V. PFOTENHAUER *CVP/jj*
ASSISTANT CITY ATTORNEY

SUBJECT: SOUTH SECTOR STATION - LAND PURCHASE

You will recall that the City, acting through its Board of Public Works, purchased the South Sector Police Station on a land contract. The contract has been paid off and I am forwarding herewith a copy of the Title Insurance, a Petition for Authority to Convey Real Property, Order on Petition for Authority to Convey Real Property and a Personal Representative's Deed transferring the property to the Civil City of South Bend. The Deed should be recorded and the remaining documents should be kept in your files.

CVP:jj

In witness whereof, I have hereunto subscribed my name and affixed my official seal, this 4th day of April, 1985.

DeVere D. Goheen
DeVere D. Goheen, Notary Public

My commission expires February 14, 1986
Residing in St. Joseph County, Indiana

Examined, approved and ordered delivered in open court this 12th day of April, 1985.

Carolyn V. Pfotenhauer
Pfotenhauer
Judge of the St. Joseph Probate Court

PH CO.
ANA
RECORD
44 AM '85
A. NOWAK
ORDER

1337

*Hold
Bd of Public Works*

AUDITOR'S RECORD

Transfer No. 1199
Taxing Unit SB
Date 4-30-85

**PERSONAL REPRESENTATIVE'S
OR GUARDIAN'S DEED**

8507761

Ronald E. Little as Executor

of the estate of Glen D. Seely

by order of the Probate Court of St.

Joseph County, in the State of Indiana, entered in Order Book _____ of the recorder of said Court,

on page _____, for and in consideration of the sum of \$65,722.00 Dollars,

the receipt whereof is hereby acknowledged, conveys to CIVIL CITY OF SOUTH BEND, in

St. Joseph County, Indiana, the following REAL ESTATE, in

St. Joseph County, in the State of Indiana, to-wit:

Lots 1 and 2 as shown on the Recorded Plat of
Dubail's First Addition to the City of South Bend.

Subject to all taxes, assessments, restrictions,
covenants and easements of record.

DULY ENTERED FOR TAXATION
JOSEPH F. NACY
AUDITOR
ST. JOSEPH CO., INDIANA

Signed and dated this 4th day of April, 1985.

STATE OF INDIANA, ST. JOSEPH COUNTY, ss:

Before me, the undersigned, a Notary Public in and for said

County and State, personally appeared:

Ronald E. Little, Executor of the
estate of Glen D. Seely,

and acknowledged the execution of the foregoing deed.

In witness whereof, I have hereunto subscribed my

name and affixed my official seal, this 4th day of

April, 1985.

DeVere D. Goheen
DeVere D. Goheen, Notary Public

My commission expires February 14, 1986
Residing in St. Joseph County, Indiana

Examined, approved and ordered delivered in open court this 12th day of April, 1985.

Proten
Judge of the St. Joseph Probate Court

Ronald E. Little, Executor SEAL
Ronald E. Little, Executor

SEAL

FILM NO. _____
WANDA A. NOWAK
RECORDER
APR 30 10 44 AM '85
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

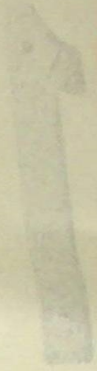
8507761

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

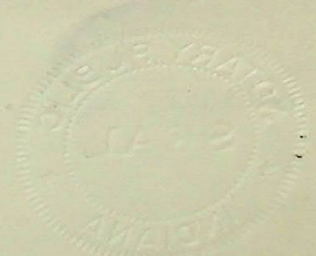
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FILM NO. _____
WANDA A. NOWAK
RECORDER

INDEXED



ST. JOSEPH CO., INDIANA
A. J. LEECH
CLERK



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Prepared for:
D. D. Goheen, Attorney at Law

Lawyers Title Insurance Corporation

National Headquarters
Richmond, Virginia

COMMITMENT FOR TITLE INSURANCE SCHEDULE A

1. Effective Date April 1, 1985 at 8:00 A.M. Case No. 45395

2. Policy or policies to be issued:
(a) Amount \$ 65,722.00

- ALTA Owner's Policy—Form B-1970 (Rev. 10-17-70)
- ALTA Residential Title Insurance Policy—1979

Proposed insured: CITY OF SOUTH BEND, ACTING BY AND THROUGH ITS BOARD OF PUBLIC WORKS

(b) ALTA Loan Policy, 1970 (Rev. 10-17-70) Amount \$ _____
Proposed insured:

(c) Amount \$ _____
Proposed insured:

3. Title to the fee simple estate or interest in the land described or referred to in this Commitment is at the effective date hereof vested in:

DEVISEES OF THE LAST WILL OF GLEN D. SEELY, DECEASED; SUBJECT TO THE RIGHTS OF RONALD E. LITTLE AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SAID DECEDENT; ESTATE NO. 36055, IN ST. JOSEPH COUNTY PROBATE COURT.

4. The land referred to in this Commitment is described as follows:

The following described real estate located in St. Joseph County, Indiana:

Lots Numbered One (1) and Two (2) as shown on the recorded Plat of Dubail's First Addition to the City of South Bend, in St. Joseph County, Indiana.

Countersigned at South Bend, Indiana
ABSTRACT COMPANY OF ST. JOSEPH COUNTY, INC.

Mark T. Myers
Authorized Officer or Agent (7th)

Commitment No. _____
Schedule A—Page 1

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached.

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

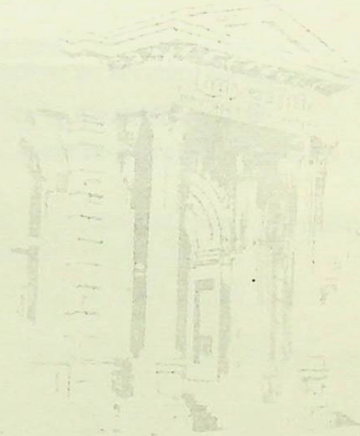
RICHMOND, VIRGINIA

SCHEDULE B-2 cont'd.

9. continued

Miriam J. Harvey, husband and wife, dated November 30, 1973 and recorded December 3, 1973 in Deed Record 779, page 210, a copy of which is attached hereto and made a part hereof.

10. We have made a special judgment search for the ten years last past against the proposed purchaser and find nothing.



Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B—Section 2 Exceptions

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession, boundary line disputes, overlaps, encroachments, and any other matters not shown by the public records which would be disclosed by an accurate survey and inspection of the land described in Schedule A.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes or assessments which are not shown as existing liens by either the public records or the records of any taxing authority that levies taxes or assessments on real property.
6. Taxes for the year 1985, payable in 1986.
7. Taxes for the year 1984, payable in 1985 as follows:

Lot 1: Spring installment of \$280.99, unpaid. Fall installment of \$280.99, unpaid. (Key No. 18-7042-1653 - South Bend) 1984
Valuations: Land \$4,950. No Imprv. No Exemp. Total \$4,950.

Lot 2: Spring installment of \$904.29, unpaid. Fall installment of \$904.29, unpaid. (Key No. 18-7042-1654 - South Bend) 1984
Valuations: Land \$5,060. Imprv. \$10,870. No Exemp. Total \$15,930.

NOTICE: Above information, from County's tax computer, is for limited purpose only, and may not reflect current assessment figures or exemption status. For tax proration purposes, contact appropriate authorities for current information.

8. Subject to the rights of City of South Bend, acting by and through its Board of Public Works by virtue of an unrecorded Land Contract from Glen D. Seely, dated September 17, 1984.
9. Party Wall Agreement contained in Deed from Glen D. Seely and Kathern A, Seely, husband and wife, to George M. Harvey and

(Continued)

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached.

Schedule B-Section 2-Page 1-Commitment No. 45395

Lawyers Title Insurance Corporation

National Headquarters
Richmond, Virginia

SCHEDULE B—Section 1

Requirements

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. Properly executed Personal Representative's Deed to proposed purchaser.

MAIL TO: 3312 So Michigan St
South Bend, In 46614

COPYRIGHT MAY 1961 BY JOSEPH COUNTY RECORDERS ASSOCIATION

AUDITOR'S RECORD

Transfer No. 9136
Taxing Unit 201
Date 12-3-73

WARRANTY DEED

157857

This indenture witnesseth that

GLEN D. SEELY and KATHERN A. SEELY,
husband and wife, being the same and identical
persons who took title by deed dated 6/8/51,
recorded 6/13/51 in Book 486 at page 131,

BOOK 779 PAGE 210

of St. Joseph County in the State of Indiana

Convey and warrant to GEORGE M. HARVEY and MIRIAM J. HARVEY,
husband and wife,

of St. Joseph County in the State of Indiana
for and in consideration of one dollar and other good and valuable consideration,
the receipt whereof is hereby acknowledged, the following Real Estate in St. Joseph County
in the State of Indiana, to wit:

Lot Numbered Three (3) as shown on the recorded Plat of Dubail's
First Addition to the City of South Bend, in St. Joseph County,
Indiana.

Subject to 1/12 of the 1973 taxes payable in 1974, and to all
assessments, restrictions, covenants and easements of record.

Subject further to the right of the grantors, their successors and
assigns, as owners of Lot 2 of Dubail's First Addition and the build-
ing next north of and adjacent to the real estate herein sold to use
the north wall of the building now situate on the real estate herein
sold as a party wall with full right of roof support upon and in said
wall with right to have said wall maintained as a partition wall so
long as the existing building or any form thereof now situate on
Lot 2 shall remain.

With the further continuing right to drain roof water from the roof
of the building on said Lot 2 to the roof of the building on said
Lot 3, all of which rights and privileges shall be as covenants run-
ning with the land herein sold and shall be binding upon the suc-
cessors in title, their heirs and assigns.

Signed and dated this 30th day of November, 1973.

State of Indiana, St. Joseph County, ss:

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

Glen D. Seely and Kathern A. Seely,
husband and wife, known to me to be
the same and identical persons who
took title by deed dated 6/8/51,
recorded 6/13/51 in Book 486 at page
131,

Glen D. Seely
Kathern A. Seely

and acknowledged the execution of the foregoing deed.
In witness whereof, I have hereunto subscribed my name and affixed
my official seal, this 30th day of November, 1973.

DeVere D. Goheen
Notary Public

My commission expires * February 14, 1974

JOSEPH CO
INDIANA
FILED FOR RECORD
DEC 3 2 00 PM '73
PAGE
FUSENE A. BASKIN
RECORDED

This instrument was prepared by DeVere D. Goheen, 402 National Bank Building, South Bend, Indiana 46601

FILED
APR 12 1985

STATE OF INDIANA)
ST. JOSEPH COUNTY)
St. Joseph Probate Court)

IN THE ST. JOSEPH PROBATE COURT
ESTATE NO. 36055

IN THE MATTER OF THE ESTATE)
OF GLEN D. SEELY, DECEASED)

PETITION FOR AUTHORITY TO CONVEY
REAL PROPERTY

Ronald E. Little, as executor of the estate of Glen D. Seely, deceased, respectfully shows the court:

1. Glen D. Seely died testate, a resident of St. Joseph County, on the 22nd day of November, 1984.
2. Your petitioner qualified as executor of the estate of said decedent on the 26th day of November, 1984, and is the duly appointed, qualified and acting executor of said estate.
3. Among the assets of the estate of said decedent is a certain conditional contract of sale dated September 17, 1984, under the terms of which said decedent, as seller, sold unto the Civil City of South Bend the following described real property located in St. Joseph County, Indiana, towit:

Lots 1 and 2 as shown on the Recorded Plat of Dubail's First Addition to the City of South Bend.
4. The executor named in the decedent's will is empowered "to sell any estate property for cash or credit" but there is lacking specific authority to execute a deed of transfer as to contracts made by the decedent, except by implication, and the executor believes this court should direct delivery of the deed herein.
5. Said conditional sales contract purchaser is now prepared to pay the balance owing by it under the terms of said contract, and desires a deed of conveyance from a person properly entitled so to convey.

WHEREFORE, said executor respectfully prays the court that

it make an order herein authorizing and directing him upon receipt of the balance of the purchase price in full, to convey said real property to the Civil City of South Bend and for all other and proper relief in the premises.

Ronald E. Little, Executor
Ronald E. Little, Executor

STATE OF INDIANA)
ST. JOSEPH COUNTY) SS:

Ronald E. Little, says that he is the duly appointed, qualified and acting executor herein, that he has read the above and foregoing Petition and that the matters and things therein set forth are true as he verily believes.

Ronald E. Little
Ronald E. Little

Subscribed and sworn to before me a notary public in and for St. Joseph County, Indiana, this 4th day of April, 1985.

DeVere D. Goheen
DeVere D. Goheen, Notary Public

My Commission Expires:

February 14, 1986

STATE OF INDIANA

ST. JOSEPH COUNTY

FILED
APR 12 1985
Irvin J. Manuszak, Clerk
St. Joseph Probate Court

IN THE ST. JOSEPH PROBATE COURT

ESTATE NO. 36055

IN THE MATTER OF THE ESTATE
OF GLEN D. SEELY, DECEASED

ORDER ON PETITION FOR AUTHORITY TO
CONVEY REAL PROPERTY

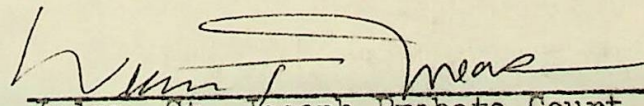
Comes now Ronald E. Little, as executor of the estate of Glen D. Seely, deceased, and files his verified petition herein praying for authority to convey certain real property; which petition is in the following words and figures, to wit: (H. I.)

And the court being fully advised in the premises and hearing evidence, finds that the averments in said petition contained are true; that the prayer thereof should be granted; and that the Civil City of South Bend is entitled to a conveyance of real property in said petition described, upon payment in full by it of the purchase price of said real property.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED by the court that Ronald E. Little, as executor of the estate of Glen D. Seely, be and he is hereby authorized and directed to execute a deed as required by said contract, conveying the following described real property located in St. Joseph County, Indiana, to wit:

Lots 1 and 2 as shown on the Recorded Plat of
Dubail's First Addition to the City of South Bend,

unto the Civil City of South Bend and upon receipt by him of the balance owing upon the purchase price to make delivery of said deed under the terms and conditions of a conditional sales contract executed by and between said decedent and said purchaser.



Judge, St. Joseph Probate Court
↓
Pro Ten

Dated: April 12, 1985.