

RELEASE OF RIGHTS AND EASEMENTS TO CONSTRUCT AND MAINTAIN FACILITIES -

I & M ELECTRIC CO.

(COVELESKI STADIUM)

#1388

Bd. Works

## 8628183

### RELEASE OF RIGHTS AND EASEMENTS TO

#### CONSTRUCT AND MAINTAIN FACILITIES

This Release of Rights and Easements, made and entered into as of this 3rd. day of October , 1986, by the INDIANA & MICHIGAN ELECTRIC COMPANY, a corporation duly organized and existing pursuant to the laws of the State of Indiana (herein referred to as "Corporation").

#### WITNESSETH:

WHEREAS, the Corporation was entitled to the use of easements, in the following area:

A part of Vail's Southwest Addition to South Bend as shown on the Recorded Plat thereof in the St. Joseph County, Indiana, Recorder's Office, more particularly described as follows:

Beginning at the Southwest corner of Lot 8, Block 10 of said Vail's Southwest Addition; thence North 00° 00' 00" East along the East line of the north-south alley between Taylor Street and William Street to the Northwest corner of Lot 1, Block 10 of said Vail's Southwest Addition; thence North 45° 00' 00" East, 177.00 feet; thence South 89° 51' 44" East, 362.00 feet; thence South 45° 00' 00" East, 120.00 feet; thence South 00° 00' 00" West, 310 feet; thence South 45° 00' 00" West, 199.53 feet to the North line of South Street; thence North 89° 51' 44" West, along said North line of South Street, 249.52 feet; thence North 89° 40' 05" West, along said North line of South Street, 181.41 feet to the Point of Beginning, containing 6.547 acres, more or less,

which rights-of-way and easements include but are not limited to those in the rights-of-way of former streets and alleys of the City of South Bend, which have since been vacated by the City of South Bend; and

WHEREAS, the project known as the Stanley Coveleski Regional Stadium Project which involves construction by the City of South Bend on behalf of its Park Board, which Board is acting for itself and as agent for Security Pacific National Bank, is located on a portion of the property constituting the Stanley Coveleski Regional Stadium; and

WHEREAS, the Corporation has no need for the rights and easements reserved to it in said Vacation Resolution pertaining to the portion of the property constituting the Stanley Coveleski Regional Stadium Property site; and

NOW, THEREFORE, in consideration of the premises and other valuable consideration, receipt and sufficiency of which are hereby

# 8628183

acknowledged, the Corporation releases all rights and easements and agrees never to use in any matter or for any purpose the rights and easements over the following described property in St. Joseph County, Indiana:

A part of Vail's Southwest Addition to South Bend as shown on the Recorded Plat thereof in the St. Joseph County, Indiana, Recorder's Office, more particularly described as follows:

Beginning at the Southwest corner of Lot 8, Block 10 of said Vail's Southwest Addition; thence North 00° 00' 00" East along the East line of the north-south alley between Taylor Street and William Street to the Northwest corner of Lot 1, Block 10 of said Vail's Southwest Addition; thence North 45° 00' 00" East, 177.00 feet; thence South 89° 51' 44" East, 362.00 feet; thence South 45° 00' 00" East, 120.00 feet; thence South 00° 00' 00" West, 310 feet; thence South 45° 00' 00" West, 199.53 feet to the North line of South Street; thence North 89° 51' 44" West, along said North line of South Street, 249.52 feet; thence North 89° 40' 05" West, along said North line of South Street, along said North line of South Street, 181.41 feet to the Point of Beginning, containing 6.547 acres, more or less.

IN WITNESS WHEREOF, the proper officials have caused this
Release of Rights and Easements to Construct and Maintain Facilities
to be executed as of the date first above written.

See A	INDIANA & MICHIGAN ELECTRIC COMPANY
ATTEST SEAL	By: R. C. Menge
Call Mon	By:
Carl J Moos	
	foliu e pir i
STATE OF INDIANA ) ) SS:	CK'DST
county of <del>st. joseph</del> )  allew	
Personally appeared before me, a Notary Public for said County and State, R.C. Menge Carl J. Moos	
known to and by me as members of Indiana & Michigan Electric Company, and acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.	
Witness my hand and notarial, 1986.	seal this 3rd day of October.
	Atom & Karren
My Commission Expires:	Residing in St. Joseph County, IN
June 6, 1989	aller
	معاشره عائد والعدادة

This instrument was prepared by Thomas L. Bodnar, Chief Deputy City Attorney, 1400 County-City Building, South Bend, IN 46601

and the said