RELEASE OF RIGHTS AND EASEMENTS TO CONSTRUCT AND MAINTAIN FACILITIES -

INDIANA BELL TELEPHONE CO.
(COVELESKI STADIUM)

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RELEASE OF RIGHTS AND EASEMENTS TO CONSTRUCT AND MAINTAIN FACILITIES

This Release of Rights and Easements, made and entered into as of this 26th day of September , 1986, by the INDIANA BELL TELEPHONE 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

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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.

ATTEST:

By:

D. F. Schriner

District Manager OPE

STATE OF INDIANA

SS:

COUNTY OF MARION

SY:

D. F. Schriner

District Manager OPE

SS:

Personally appeared before me, a Notary Public for said County and State, D. F. Schriner & Joseph C. Zur Schmiede known to and by me as members of Indiana Bell Telephone Company, and acknowledged the execution of the foregoing instrument as the authorized act of the said Corporation.

Witness my hand and notarial seal this 26th day of September , 1986.

My Commission Expires:

Carla M. Quinn

, Notary Public

CARLA

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Residing in Marion County

4-24-87

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

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