

#1398

PLAT OF DEDICATION - Kensington
Farms East P.U.D. Section 3,
Part 8 (Aberdeen Drive &
Farnsworth Drive)

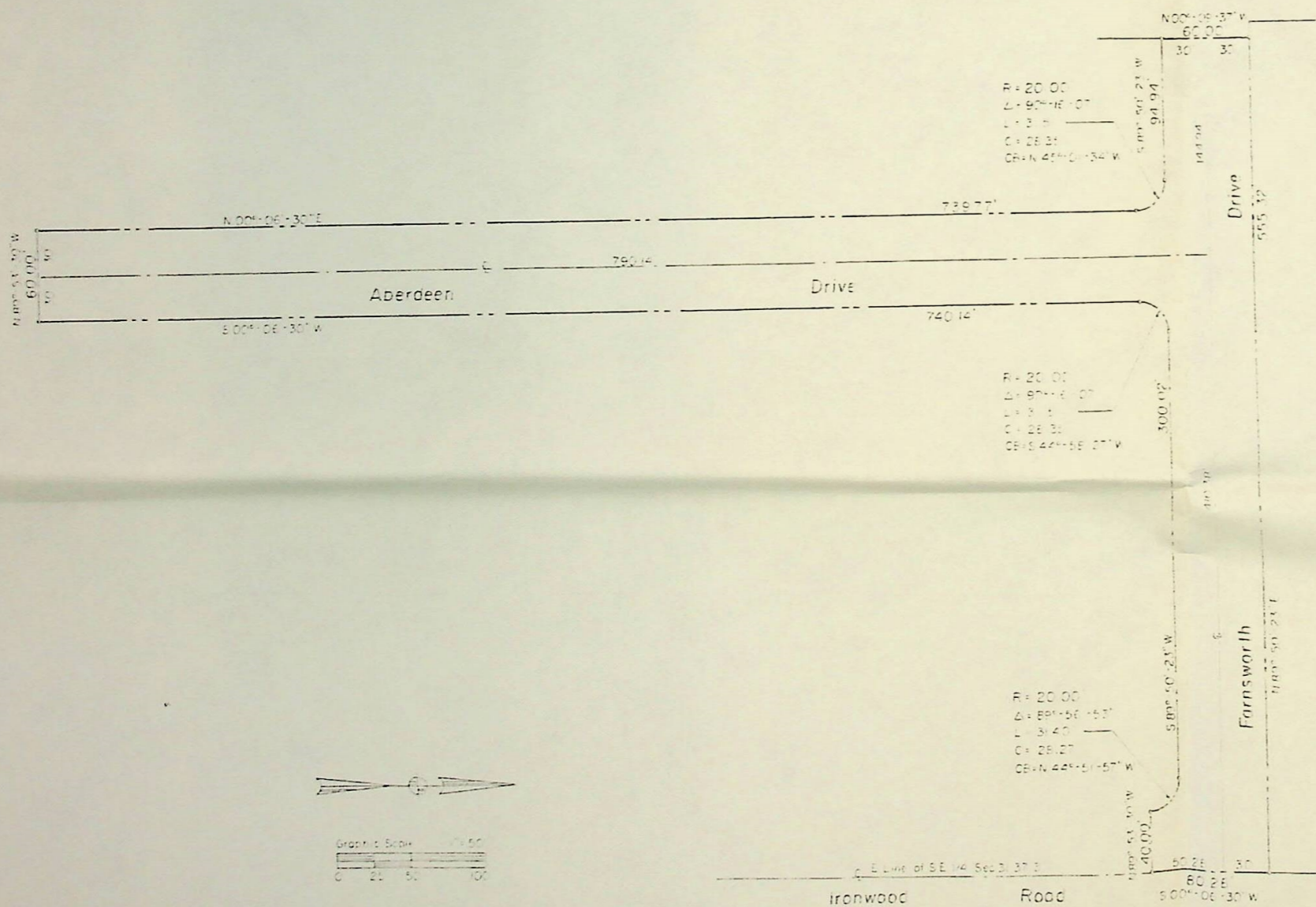
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ST. JOSEPH COUNTY, INDIANA
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PLAT OF DEDICATION KENSINGTON FARMS EAST P.U.D. SECTION 3, PART 8 ABERDEEN DRIVE AND FARNSWORTH DRIVE

Part of the Southeast Quarter of Section 31, Township
37 North, Range 3 East, Centre Township, St. Joseph
County, Indiana

for
Jack Hickey Associates, Inc.
5737 S. Ironwood Dr.
South Bend, Indiana 46614



#1393 EASEMENT AND RIGHT-OF-WAY

In consideration of the sum of _____ Dollars cash in hand paid, receipt whereof is hereby acknowledged, the undersigned hereby grant, bargain, sell, convey, transfer, deliver unto the Civil City of South Bend, a permanent easement and right-of-way, for the following purposes, to-wit: 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 thereon, 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:

A parcel of land being a part of the Southeast Quarter of Section 31, Township 37 North, Range 3 East, City of South Bend, Centre Township, St. Joseph County, Indiana and being more particularly described as follows:

Beginning at a point on the East line of said Southeast Quarter, a distance of 105.00 feet South 0°-06'-30" West of the Northeast Quarter of said Quarter Section; thence South 0°-06'-30" West, along said East line, a distance of 80.28 feet; thence North 89°-53'-30" West, a distance of 40.00 feet to a point on a non-tangent curve; thence Northwesterly along a curve to the left having a radius of 20.00 feet, a central angle of 89°-56'-53" and limited in length by a chord of 28.27 feet that bears North 44°-51'-57" West to a point of tangency; thence South 89°-50'-23" West a distance of 300.02 feet to a point of curve; thence Southwesterly along a curve to the left having a radius of 20.00 feet, a central angle of 90°-16'-07" and limited in length by a chord of 28.35 feet that bears South 44°-53'-27" West to a point of tangency; thence South 0°-06'-30" West, a distance of 740.14 feet; thence North 89°-53'-30" West a distance of 60.00 feet; thence North 0°-06'-30" East, a distance of 739.77 feet to a point of curvature; thence Northwesterly along a curve to the left having a radius of 20.00 feet, a central angle of 90°-16'-07" and limited in length by a chord of 28.35 feet that bears North 44°-01'-34" West to a point of tangency; thence South 89°-50'-23" West, a distance of 94.94 feet; thence North 0°-09'-37" West, a distance of 60.00 feet; thence North 89°-50'-23" East, a distance of 555.32 feet to the place of beginning.

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 Grantors hereby covenant with the Civil City of South Bend, Indiana, that they are lawfully seized and possessors of the aforesaid described tract or parcel of land; that they have a good and lawful right to sell and convey; that it is free from all encumbrances; and that they will warrant and forever defend the title in quiet possession thereto against the lawful claims of all persons whomsoever.

And as a further consideration for the payment of the purchase price, above stated, the Grantors hereby release all claims for damages 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 in the foregoing instrument the singular number is used, it will be held as plural, if and when necessary, and that wherever words of neuter gender are employed, it will likewise apply to the masculine gender, whenever the context requires.



Bernard Feeney
Notary Public, State of Indiana

Jack Hickey Associates, Inc.
By A. J. Hickey, President

I, Rosemary Hickey, certify that I am Secretary of the Corporation executing this easement and right-of-way agreement; that A. J. Hickey, who signed this agreement on behalf of the Corporation was then President of said Corporation; that said agreement was duly signed for and on behalf of said Corporation by authority of its governing body and is within the scope of corporate power.

Rosemary Hickey, Secretary

STATE OF INDIANA
COUNTY OF ST. JOSEPH

Before me, a Notary Public in and for the aforesaid County and State, personally appeared A. J. Hickey and Rosemary Hickey, known to me as President and Secretary respectively of Jack Hickey Associates, Inc., 5737 South Ironwood Drive, South Bend, Indiana, who on behalf of said Corporation acknowledged the execution of the above and foregoing instrument to be its voluntary act and deed.

Witness my hand and Notarial Seal this 2nd day of February, 1987.
My commission expires February 15, 1992
Notary is a resident of St. Joseph County, Indiana.

Bernard Feeney
Notary Public

APPROVED
BOARD OF PUBLIC WORKS

[Signature]

Long, Feeney & Associates, Inc
715 S. Michigan Street
South Bend, Indiana 46618
Phone: (219) 223-1884
Land Surveying



CITY of SOUTH BEND
ROGER O. PARENT, Mayor

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

John E. Leszczynski
Director, Public Works

(219) 284-9251

April 22, 1987

Board of Public Works
County-City Building
South Bend, IN 46601

RE: PLAT OF DEDICATION

Members of the Board:

Please accept this Plat of Dedication for portions of Stonehedge Lane, Aberdeen Drive and Farnsworth Dr. on behalf of the City of South Bend, Ind.

Public improvements are under construction and are the responsibility of Jack Hickey Association. A letter of credit is on file with the Board of Public Works for the completion of these improvements.

Very truly yours,

Michael P. Meeks, Director
Division of Engineering

Melvin B. Humphrey
Bureau of Design & Administration

JJP/MBH/slm