

#1399

RELEASE OF EASEMENT - A portion
of Maplewood Street

(SEE EASEMENT)

8713818

RELEASE OF EASEMENT

2

WHEREAS, the Civil City of South Bend, by and through its Board of Public Works, has retained an easement for sewage and drainage for the vacated portion of Maplewood Street within the parcel of land described as follows:

A portion of Maplewood Street, beginning at the south right-of-way line of Progress Drive and the east right-of-way line of Maplewood Street, south 345 feet to the southwest corner of Lot 27 in Post Place Addition, thence west 50 feet; thence north 345 feet; thence east 50 feet to the place of beginning; and

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

MAY 12 2 08 PM '87

FILM NO.
WANDA A. NOWAK
RECORDER

WHEREAS, a copy of the document reserving said easement was recorded in the Office of the Recorder of St. Joseph County in Miscellaneous Record 7708867 on October 4, 1977; and

WHEREAS, the City of South Bend no longer has any need for the easement.

NOW, THEREFORE, BE IT RESOLVED that the Civil City of South Bend, by and through its Board of Public Works, hereby releases and terminates all rights and interest in said easement.

IN WITNESS WHEREOF, the members of the Board of Public Works of the City of South Bend, Indiana, hereunto set their hands and seals this 5th day of May, 1987.



CITY OF SOUTH BEND, INDIANA
BY ITS BOARD OF PUBLIC WORKS

John E. Leszczynski
John E. Leszczynski, President

ATTEST:

Michael L. Vance

Sandra M. Parmerlee
Sandra M. Parmerlee, Clerk

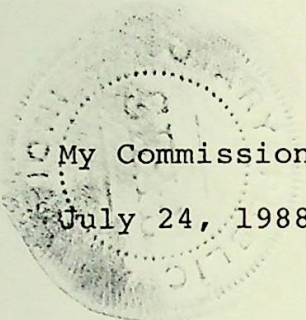
Patricia E. DeClercq
Patricia E. DeClercq

8713818

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

Before me, a notary in and for said County and State,
personally appeared John E. Leszczynski, ~~Michael L. Vance~~ and
Patricia E. DeClercq, known to me and constituting the Board of
Public Works of the City of South Bend, Indiana, who acknowledged
the execution of the above and foregoing instrument at their free
act and deed this 5th day of May, 1987.

Sandra M. Parmerlee
Sandra M. Parmerlee, Notary Public
Resident of St. Joseph County, IN



My Commission Expires:
July 24, 1988

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

8713818 ✓

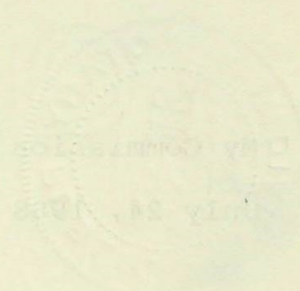
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

MAY 12 2 08 PM '87

FILM NO. _____
WANDA A. NOWAK
RECORDER

INDEXED

Wanda A. Nowak, Recorder,
St. Joseph County, Indiana



This instrument prepared by Thomas J. Bohan, Chief Deputy
City Attorney, 1400 County-City Building, South Bend, IN 46801

RELEASE OF EASEMENT

The Civil City of South Bend by and through its Board of Public Works hereby releases and terminates all rights and interest in an easement retained by said City for water, sewer and drainage in a portion of Maplewood Avenue vacated by the City of South Bend, Indiana, pursuant to Vacation Resolution No. 3446, 1977, which portion is more particularly described as follows:

A portion of Maplewood Avenue, beginning at the South right-of-way line of Progress Drive and the East right-of-way line of Maplewood Avenue, South 345 feet to the Southwest corner of Lot 27 in Post Place Addition; thence west 50 feet; thence North 345 feet; thence East 50 feet to the place of beginning.

IN WITNESS WHEREOF, the members of the Board of Public Works of the City of South Bend, Indiana, hereunto set their hands and seals this 17th day of September, 1984.

CITY OF SOUTH BEND, INDIANA
BY ITS BOARD OF PUBLIC WORKS

John E. Leszczynski
John E. Leszczynski

Richard L. Hill
Richard L. Hill

Michael L. Vance
Michael L. Vance

ATTEST:

Sandra M. Parmerlee
Sandra M. Parmerlee, Clerk

*Never
recorded
New Release
approved
5/5/87*

STATE OF INDIANA)
ST. JOSEPH COUNTY) SS

Before me, a notary in and for the said County and State, personally appeared John E. Leszczynski, Richard L. Hill and Michael L. Vance, known to me and constituting the Board of Public Works of the City of South Bend, Indiana, who acknowledged the execution of the above and foregoing instrument as their free act and deed this 17th day of September, 1984.

Sandra M. Parmerlee
Sandra M. Parmerlee, Notary Public
Resident of St. Joseph County

MY COMMISSION EXPIRES:

July 24, 1988

This instrument prepared by Carolyn V. Pfothenauer, Assistant City Attorney, City of South Bend, Indiana 46601.

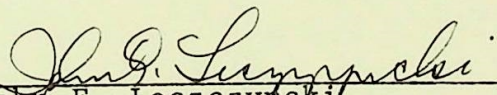
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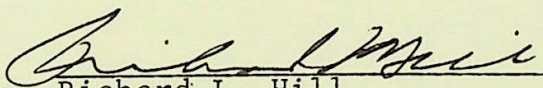
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IN WITNESS WHEREOF, the members of the Board of Public Works of the City of South Bend, Indiana, hereunto set their hands and seals this 17th day of September, 1984.

CITY OF SOUTH BEND, INDIANA
BY ITS BOARD OF PUBLIC WORKS



John E. Leszczyński

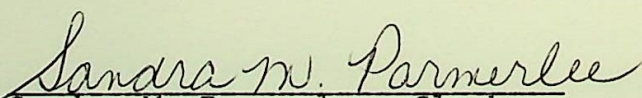


Richard L. Hill



Michael L. Vance

ATTEST:



Sandra M. Parmerlee, Clerk

This instrument prepared by Carolyn V. [unclear], Assistant City
Attorney, City of South Bend, Indiana 46601.

STATE OF INDIANA)
ST. JOSEPH COUNTY) SS

Before me, a notary in and for the said County and State, personally appeared John E. Leszczynski, Richard L. Hill and Michael L. Vance, known to me and constituting the Board of Public Works of the City of South Bend, Indiana, who acknowledged the execution of the above and foregoing instrument as their free act and deed this 17th day of September, 1984.

Sandra M. Parmerlee
Sandra M. Parmerlee, Notary Public
Resident of St. Joseph County

MY COMMISSION EXPIRES:

July 24, 1988

This instrument prepared by Carolyn V. Pfotenhauer, Assistant City Attorney, City of South Bend, Indiana 46601.

FROM THE DESK OF . . .

SANDRA M. PARMERLEE, CLERK
Board of Public Works &
Board of Public Safety
9/17/84

RELEASE OF EASEMENT

Carolyn,
Sorry to dump this one on you.
Attached is an executed copy of the
Release of Easement - I thought
perhaps the rep. from Stanz Cheese
that requested this should be sent
a copy - since I don't know who
that was, could you please forward
this and cc: me?
Thanks.
Sandy

end by and through its Board of
terminates all rights and interest in
or water, sewer and drainage in a
by the City of South Bend, Indiana,
3446, 1977, which portion is more
venue, beginning at
line of Progress Drive
line of Maplewood
the Southwest
Place Addition;
line North 345 feet;
the place of

IN WITNESS WHEREOF, the members of the Board of Public Works
of the City of South Bend, Indiana, hereunto set their hands and seals
this 17th day of September, 1984.

CITY OF SOUTH BEND, INDIANA
BY ITS BOARD OF PUBLIC WORKS

John E. Leszczyński
John E. Leszczyński

Richard L. Hill
Richard L. Hill

Michael L. Vance
Michael L. Vance

ATTEST:

Sandra M. Parmelee



CITY of SOUTH BEND

ROGER O. PARENT, Mayor

COUNTY-CITY BUILDING

SOUTH BEND, INDIANA 46601

RICHARD L. HILL
CITY ATTORNEY

219/284-9241

THOMAS L. BODNAR
CHIEF DEPUTY

DAVID C. CHAPLEAU

GREGORY D. LOUGHRIDGE

JOHN M. MARNOCHA

CAROLYN V. PFOTENHAUER

ROBERT C. ROSENFELD

EUGENIA S. SCHWARTZ

September 25, 1984

Mr. Clyde Geraghty, President
Stanz Cheese Company, Inc.
1840 N. Commerce Drive
South Bend, Indiana 46628

Re: Release of Easement

Dear Mr. Geraghty,

Attached for your files is a copy of the Release of Easement requested by your company by which the City releases its interest in the easement in a portion of Maplewood Avenue which has been vacated.

Yours truly,

Carolyn V. Pfothauer
Assistant City Attorney

Attachment

cc: Sandy Parmerlee, Clerk, Board of Works
CVP:dln


10/11/84

LEGAL DEPARTMENT
INTER-OFFICE MEMO

4/28/87
To: Sandy
DS

TO: JOHN E. LESZCZYNSKI
CITY ENGINEER

DATE: APRIL 27, 1987

FROM: THOMAS L. BODNAR 
CHIEF DEPUTY CITY ATTORNEY

SUBJECT: RELEASE OF EASEMENTS

Earlier this month, Sandy brought to my attention two easements which had never been released because of differences with the St. Joseph County Recorder's Office.

Attached are new releases which should not run into any problems with the County Recorder.

TB/BPW/1

Attachments

RECEIVED

APR 27 1987

CITY OF SOUTH BEND
DEPARTMENT OF ENGINEERING

Handwritten note in red ink:
To: New City

BOARD OF PUBLIC WORKS
INTER-OFFICE MEMO

DATE: April 22, 1987

TO: THOMAS BODNAR
CHIEF DEPUTY CITY ATTORNEY

FROM: SANDRA M. PARMERLEE, CLERK

RE: UNRECORDED RELEASE OF EASEMENT - MAPLEWOOD AVENUE

In response to your request for any information I might have in the files that would indicate when the original Easement in regards to Maplewood Avenue was recorded, I have been unable to find any mention of an original "Easement" having been recorded.

However, I have located Vacation Resolution No. 3446, 1977 and a copy of a transcript of proceedings in regards to this vacation. A note on the transcript indicates that it was "recorded" on 10/4/77 (#7708867). As you know, whenever the City vacates, it usually does so subject to any and all utility easements. Perhaps that could be considered the original easement. For your information I have attached a copy of the Vacation Resolution and the transcript.

Hope this information helps!

Thanks

smp

*10/4/77
New Apr 22*

BOARD OF PUBLIC WORKS
INTER-OFFICE MEMO

COPY

DATE: April 3, 1987

TO: THOMAS BODNAR
CHIEF DEPUTY CITY ATTORNEY

FROM: SANDRA M. PARMERLEE, CLERK *SP*

RE: "OLD - UNRECORDED" RELEASE OF EASEMENTS

I would appreciate your assistance with two (2) items still unresolved from the time Carolyn Pfothenauer acted as the Board of Public Works Attorney.

They are Releases of Easements which were never recorded because the Recorder's Office would not accept them until they contained information as to the book and page number of the original easements. Carolyn was going to check into these matters and add language to these Releases. This was never done.

Anyway, I've been holding these Releases now since 1984 and would like to clear this matter up. For your information, I have enclosed copies of the two (2) Releases.

Thanks!

smp
Enc.

*Rec
recd
new app 51*

CITY ATTORNEY'S OFFICE
INTER-OFFICE MEMO

TO: SANDY PARMERLEE
CLERK, BOARD OF WORKS

FROM: CAROLYN PFOTENHAUER
ASSISTANT CITY ATTORNEY *CP*

SUBJECT: SEPTEMBER 10, 1984 BPW AGENDA

DATE: SEPTEMBER 12, 1984

Attached you will find a Release of Easement requested by Stanz Cheese Company by which the City releases its interest in the easement in a portion of Maplewood Avenue which has been vacated. This item should be on the September 17 agenda.

Attachment

cc: Richard Hill

CVP:dlm

*10/10/84
New York*