

#1419

PARTIAL RELEASE OF EASEMENT from  
Indiana Michigan Power Co. to  
City of South Bend

(SLUDGE FARM AREA)

Hold: Broker works

5800-152

#1419

Partial Release of Easement  
Form No. 8030 (Rev. 10/87)

Refers to Easement No. 50 Map No. 522

Received of ..... The Civil City of South Bend, Indiana .....

One Dollar (\$1.00) and other good and valuable consideration, in consideration of which INDIANA MICHIGAN POWER COMPANY, an Indiana corporation authorized to do business in the State of Michigan whose post office address is ..... P.O. Box 60, Fort Wayne, IN 46801 .....

hereby releases, conveys and quitclaims unto the said ..... Civil City of South Bend, St. Joseph Co., Indiana their successors, heirs and assigns, all the right, title and interest vested in it by virtue of that certain deed of easement granted to ... Indiana & Michigan Electric Company ...

by ..... Vernon C. Hastings and Marion H. Hastings .....

dated the 2nd day of September, 1925, and recorded in the office of the Register of Deeds for St. Joseph County, in Volume 192, Page 453, affecting that certain parcel of land situate in the Township of German County of St. Joseph, State of Indiana, being part of Section 28 and 29, Township 38N and Range 2E, as follows:

Beginning at the point where the East line of the West half of the West half of Section 28, Township 38 North, Range 2 East meets the South line of Cleveland Road; thence South along the said East line a distance of 3005.72 feet; thence West on a line parallel with the East-West center line of said Section 28, a distance of 440 feet; thence North on a line parallel with the East line of the West half of the West half of said Section 28, a distance of 390 feet to the East-West center line of said Section 28; thence West along the East-West center line of said Section 28 a distance of 840 feet, to a point on said line which is 40 feet East of the West line of said Section 28; thence North on a line parallel with the West line of said Section 28 a distance of 40 feet; thence West on a line parallel with the East-West center line of Sections 28 and 29 of Township 38 North, Range 2 East a distance of 480 feet; thence North on a line parallel with the West line of said Section 28 (being also the East line of Section 29) a distance of 1952.82 feet, to a point that is 642.9 feet South of the North line of said Section 29; thence East on a line that is 642.9 feet South of and parallel with the North line of Section 29 and 28 of said Township 38 North, Range 2 East, a distance of 744 feet; thence South on a line parallel with the West line of said Section 28 a distance of 307.1 feet more or less to a fence row; thence East along the fence row on a line parallel to the North line of said Section 28 a distance of 983 feet more or less to a point that is 40 feet West of the East line of the West half of the West half of said Section 28; thence North on a line parallel with the East line of the West half of the West half of Section 28 a distance of 930 feet more or less to the South line of Cleveland Road; thence East along the South line of Cleveland Road to the place of beginning.

EXCEPT a 100 foot wide permanent easement being 50 feet on both sides of the following described centerline:

Commencing at the point where the East line of the West half of (continued on back) Nothing herein contained is intended to change, modify, abridge, waive, diminish, discharge or affect in any way the right, title or interest of said Indiana Michigan Power Company in and to the remainder of the real estate mentioned or described in said Deed of Easement, referred to above; and PROVIDED, FURTHER, that the right to cut, to control or eliminate by herbicides, and at its option to remove from said real estate any trees, overhanging branches, vegetation, obstacles or obstructions which may endanger the safety or interfere with the installation, use, or enjoyment of all or any of said Company's facilities, and the right of ingress and egress to, over and from such real estate and any adjoining lands of the Grantors therein named at any and all times for the purposes of exercising and enjoying any and all rights vested in said Company thereby, as set forth in said Deed of Easement, shall not be affected in any way by this Partial Release of Easement and shall remain in full force and effect in the real estate hereinabove described.

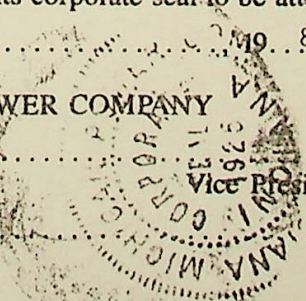
In Witness Whereof, INDIANA MICHIGAN POWER COMPANY has caused its corporate name to be hereunto affixed and this instrument to be signed and sealed by its Vice President and its corporate seal to be attested by its Asst. Secretary this 16th day of December, 1925.

Signed and acknowledged in the presence of:

W & RJE  
CKD SKK  
APPR. 24

INDIANA MICHIGAN POWER COMPANY  
By R.C. Meigs  
R.C. Meigs Vice President  
Attest: Elio Bafile  
Elio Bafile

Steven K. Kuffer  
Steven K. Kuffer



8800.152 ↓

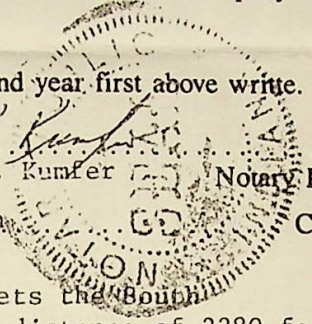
STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Be it remembered that on the...16th..day of.....December.....,19...87, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared ...R..C.. Menge, .Elio. Bafile..  
.....  
Vice President and Asst. Secretary respectively of INDIANA MICHIGAN POWER COMPANY, and acknowledged the execution of the foregoing instrument on behalf of said Company, as the voluntary act and deed of said Company for the uses and purposes therein set forth.

In Witness Whereof, I have hereunto set my hand and seal the day and year first above writte.

*Steven K. Kumer*  
.....  
Steven K. Kumer Notary Public

My commission expires ..6-6-89..... I am a resident of ...Allen... County



the West half of Section 28, Township 38 North, Range 2 East meets the South line of Cleveland Road; thence South along the said East line a distance of 2280 feet more or less to a point on the centerline of an existing electric transmission line, said point being the Point of Beginning; thence along said transmission line centerline North 68°47'07" West a distance of 1895 feet more or less to a point on the westernmost line of the above described property, said point being the Point of Terminus.

The side lines of said easement are extended or shortened to terminate at property lines.

This instrument was prepared by R. Fohrer, agent for Indiana Michigan Power Company on its behalf.

APPROVED  
BOARD OF PUBLIC WORKS

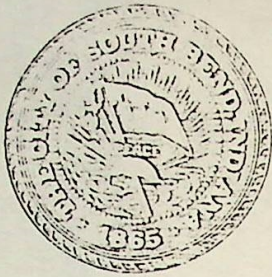
JAN 5 1988  
*Patricia E. Williams*  
*William H. ...*

INDEXED

ST. JOSEPH, INDIANA  
FILED  
JAN 6 9 48 AM '88  
WANDA A. WYMAN  
RECORDER

1050

#<sup>15</sup> 1418 & 1419



# CITY of SOUTH BEND

JOSEPH E. KERNAN, MAYOR

COUNTY-CITY BUILDING SOUTH BEND, INDIANA 46601

John E. Leszczynski  
Director, Public Works

(219) 284-9251

March 21, 1988

Indiana & Michigan Power Company  
P.O. Box 60  
One Summit Square  
Fort Wayne, Indiana 46801

Attention: Mr. Steve Kumfer

Dear Mr. Kumfer:

Pursuant to your request enclosed please find the original Easement and Partial Release of Easement approved by the Board of Public Works on October 13, 1987 and January 5, 1988, respectively.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

John E. Leszczynski  
Director, Public Works

JEL/mp  
Enclosures

Indiana Michigan  
Power Company  
One Summit Square  
P.O. Box 60  
Fort Wayne, IN 46801  
219 425 2111



John E. Leszczynski  
Director, Public Works  
Room 1316 County/City Bldg.  
South Bend, IN 46601

RECEIVED

DEC 18 1987

CITY OF SOUTH BEND  
DEPARTMENT OF ENGINEERING

December 17, 1987

RE: Eas. 50-1 Map 322

Dear Mr. Leszczynski:

Per your request I have enclosed the partial release of the existing easement concerning the sludge pond area. I am unaware of the property owners official name (no Deed copy available), therefore, that space at the top of the form has been left blank, as well as the "Grantors" information on the new easement.

The new easement needs to be signed and notarized at your earliest convenience. Upon completion of the documents please retain the copy for yourself and return the original to me.

It is imperative that we conclude our business as soon as possible. If any questions or problems arise don't hesitate to call me.

Sincerely,

Steven K. Kumfer  
Right-of-Way Section

SKK:sk

cc: R. Fohrer

12/19/87  
Mel  
Pls check  
this out and fill  
in the blanks.  
Thanks.  
JEB

1055

*Realt. Parker 412 Odd Fellows - R. P. B.*

42293

MAIL TO:

AUDITOR'S RECORD

Transfer No. 3752  
Taxing Unit Shelburne  
Date July 17, 1962

PERSONAL REPRESENTATIVE'S DEED

Eva E. Kroft and Lovella C. Wadel, as Co-Administratrices  
With the Will Annexed of the Estate of Thomas O. Mays, deceased,  
by order of the Probate Court of St. Joseph County, in the  
State of Indiana, entered in Order Book \_\_\_\_\_ of the  
records of said Court, on page \_\_\_\_\_, for and in consideration  
of the sum of Seventy-three Thousand Nine Hundred Dollars (\$73,900.00),  
the receipt whereof is hereby acknowledged, conveys to the Civil  
City of South Bend, Indiana the following Real Estate, in St. Joseph  
County, in the State of Indiana, to-wit:

Beginning at the NE corner of the West half of the  
West half of Section 28, Township 38 North, Range 2  
East; thence south along the East line of said West  
half of West half of Section 28 a distance of 3025.72  
feet more or less to a point which is 390.00 feet  
South of the East-West centerline of said Section 28;  
thence West, on a line parallel with the East-West  
centerline of said Section 28, a distance of 440  
feet; thence North on a line parallel with the  
East line of the West half of the West half of said  
Section 28, a distance of 390 feet to the East-West  
centerline of said Section 28; thence West along  
the East-West centerline of said Section 28 a  
distance of 840 feet, to a point on said line which is  
40 feet East of the West line of said Section 28;  
thence North on a line parallel with the West line  
of said Section 28, a distance of 40 feet; thence  
West parallel with said East-West centerline of  
Sections 28 and 29 of Township 38 North, Range 2 East  
a distance of 480 feet; thence North on a line parallel  
with the West line of said Section 28 (being also  
the East line of Section 29) a distance of 1952.82  
feet, to a point that is 642.9 feet South of the  
North line of said Section 29; thence East on a  
line that is 642.9 feet South of and parallel with  
the North line of Section 29 and 28 of said  
Township 38 North, Range 2 East, a distance of 737

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD  
JUL 17 1 54 PM '62  
BOOK PAGE  
EDWIN A. RICHMOND  
RECORDER

Indiana Michigan  
Power Company  
One Summit Square  
P.O. Box 60  
Fort Wayne, IN 46801  
219 425 2111



John E. Leszczynski  
Director, Public Works  
Room 1316 County/City Bldg.  
South Bend, IN 46601

December 17, 1987

RE: Eas. 50-1 Map 322

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It is imperative that we conclude our business as soon as possible. If any questions or problems arise don't hesitate to call me.

Sincerely,

Steven K. Kumfer  
Right-of-Way Section

SKK:sk

cc: R. Fohrer

12/19/87  
Mel  
Pls check  
this out and fill  
in the blanks.  
Thanks.  
JEB

1055

Robt. Forke 412 Odd Fellow Lodge R.P.

12293

WAS TO:

AUDITOR'S RECORD

Transfer No. 3752  
Facing Page  
Date July 17 1918

PERSONAL REPRESENTATIVE'S DEED

Eva B. Kraft and Lovella C. Wadel, as co-administratrices  
with the Will Annexed of the Estate of Thomas O. Mays, deceased,  
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 Seventy-three Thousand Nine Hundred Dollars (\$73,900.00),  
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East line of the West half of the West half of said  
Section 28, a distance of 390 feet to the East-West  
centerline of said Section 28; thence West along  
the East-West centerline of said Section 28 a  
distance of 340 feet; to a point on said line which is  
40 feet East of the West line of said Section 28;  
thence North on a line parallel with the West line  
of said Section 28, a distance of 40 feet; thence  
West parallel with the East-West centerline of  
Sections 28 and 29 of Township 38 North, Range 2 East  
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the North line of Section 29 and 28 of said  
Township 38 North, Range 2 East, a distance of 737

ST. JOSEPH CO. INDIANA  
FILED FOR RECORD  
JUL 17 11 50 AM '18  
BOOK  
EDWIN A. KACZMISKI  
RECORDER