

#1421

QUIT-CLAIM DEED from Norfolk and  
Western Railroad to City of South  
Bend, as follows: Part of the E.  
half of the S.E. Quarter of the  
N.W. Quarter of Section 15, Township  
37 N., Range 2 E., St. Joseph Co., IN  
(SEE DEED) (INDIANA AVE. EXTENSION)



Hold: Bd. of Works

18-8075-2877.02

1400 Co.-City Bldg.  
So. Bend, IN 46601

#1421

8803248

QUITCLAIM DEED

Transfer 12184  
Taxing Unit 46  
Date 2-4-88

THIS INDENTURE WITNESSETH, that NORFOLK AND WESTERN RAILWAY COMPANY, a corporation organized and existing under the laws of the Commonwealth of Virginia, having its principal office in Roanoke, Virginia, hereinafter styled Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to it in hand paid, and pursuant to authority given by the Board of Directors of said corporation, does hereby release and QUITCLAIM unto the CITY OF SOUTH BEND, INDIANA, whose mailing address is 1400 County - City Building, South Bend, Indiana 46601, hereinafter styled Grantee, the following described Real Estate together with all structures located thereon situated in the County of St. Joseph, State of Indiana, to-wit:

Part of the East half of the Southeast Quarter of the Northwest Quarter of Section 15, Township 37 North, Range 2 East, St. Joseph County, Indiana described as follows:

Beginning at a point on the West line of Olive Street in the City of South Bend, South 89°52'30" West, 30.00 feet and North 00°00'30" East (Assumed Bearing), 124.31 feet from the center of said Section 15; thence South 89°52'30" West along the North line of Interplastics Corporation as in Deed Record 7810986 Office of the Recorder of St. Joseph County, Indiana, 105.64 feet (L. Vanosdol survey dated April 22, 1983); thence thru the land of the Norfolk and Western Railway Company North 56°40'30" East parallel to and 25 feet Southeasterly (measured at right angles to the centerline of ICC Track No. 77) from the centerline of the New Jersey, Indiana and Illinois Railroad Company's "Studebaker Spur" and also known as ICC Track No. 77, 126.44 feet to the West line of Olive Street; thence South 00°00'30" West along the West line of Olive Street, 69.23 feet to the point of beginning, containing 0.084 acres.

SUBJECT, however, to any conditions, restrictions, reservations, licenses or easements of record, rights of public utilities whether or not of record, and rights of the public in streets and roadways and rights which are apparent by visual inspection.

TO HAVE AND TO HOLD said parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said City of South Bend, Indiana, Grantee, its successors and assigns, forever, in fee simple.

Grantor further grants for the same aforestated consideration a permanent easement for a public roadway over and across that certain parcel of

3

FILM NO. WANDA A. NOWAK  
FEB 4 11 03 AM '88  
ST. JOSEPH CO INDIANA  
FILED FOR RECORD

DULY ENTERED FOR TAXATION  
BEVERLY D. CRONE  
AUDITOR  
ST. JOSEPH CO. INDIANA



land situated in the City of South Bend, St. Joseph County, Indiana, and more particularly described as follows: to wit,

Part of the East half of the Southeast Quarter of the Northwest Quarter of Section 15, Township 37 North, Range 2 East, St. Joseph County, Indiana described as follows:

Beginning at a point North 00°00'30" East (Assumed Bearing), 124.31 feet and South 89°52'30" West, 135.64 feet from the center of said Section 15; said point being an angle point in the Southeast right-of-way line of the Norfolk and Western Railway Company; thence thru the land of said Railroad Company as follows: South 89°52'30" West 20.00 feet; thence Southwesterly along a curve to the left having a radius of 230.00 feet and a chord bearing of South 76°56'12" West, 119.06 feet to the Northwest right-of-way of the N.J.I. & I.R.R. Company's "Studebaker Spur" and also known as ICC Track No. 77; thence Northeasterly along the Northwest right-of-way of said N.J.I. & I.R.R. Company along a curve to the left having a radius of 795.52 feet and a chord bearing of North 58°54'25" East, 67.90 feet; thence North 56°40'30" East along said N.J.I. & I.R.R. Company right-of-way, 57.41 feet; thence thru the land of said Railroad Company as follows: North 89°52'30" East 89.63 feet; thence South 56°40'30" West parallel to and 25 feet Southeasterly (measured at right angles to the centerline of said ICC Track No. 77) of the centerline of said ICC Track No. 77, 73.05 feet to the point of beginning, containing 0.089 acres.

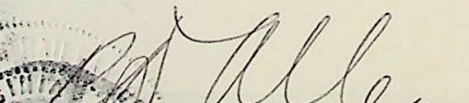
In the event Grantee, its successors and assigns shall at any time hereafter abandon the easement herein conveyed, and in evidence thereof shall discontinue the use of said easement for a public roadway, then and in such event the right of way hereby conveyed and all rights incident or appurtenant thereto shall revert to Grantor, its successors and assigns.

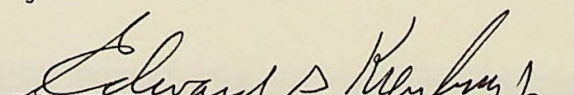
Grantor certifies there is no Indiana Gross Income Tax due and owing as the result of this conveyance.

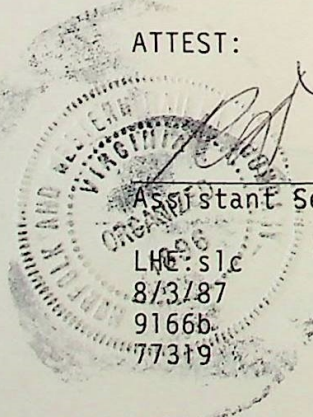
IN WITNESS WHEREOF, NORFOLK AND WESTERN RAILWAY COMPANY has caused its corporate name to be hereunto subscribed and its corporate seal to be hereunto affixed this 31<sup>st</sup> day of August, 1987.

ATTEST:

NORFOLK AND WESTERN RAILWAY COMPANY  
By

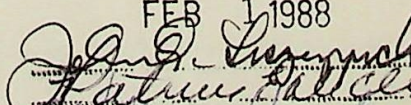
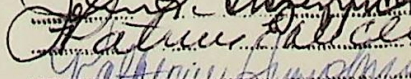
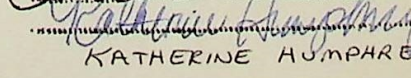
  
R. D. ALLEN  
Assistant Secretary

  
Vice President  
EDWARD G. KREYLING, JR.



LHC:sjc  
8/31/87  
9166b  
77319

**APPROVED**  
BOARD OF PUBLIC WORKS

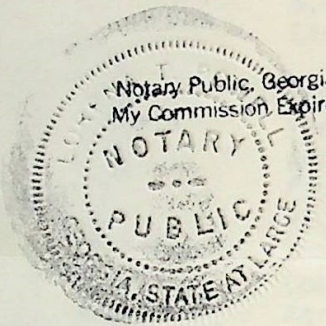
FEB 1 1988  
  
JOHN E. LESOCZYNSKI  
  
PATRICIA DECKER  
  
KATHERINE HUMPHREYS



STATE OF Georgia  
County  
CITY OF Fulton

Before me, the undersigned, a Notary Public in and for said <sup>County</sup> ~~City~~ and State, personally appeared the within named Edward S. Kreyling, Jr. and R. D. Allen, known to me to be the Vice President and Assistant Secretary, respectively, of NORFOLK AND WESTERN RAILWAY COMPANY, a corporation, and acknowledged the execution of the foregoing quitclaim deed for and in the name of and on behalf of said corporation as their free and voluntary act and deed and as the voluntary act and deed of said corporation.

WITNESS my hand and notarial seal, this 25th day of August, 1987. My commission expires February 19, 1988.



Lorena L. Lowell  
Notary Public  
LORENA L. LOWELL



8803248

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

FEB 4 11 03 AM '88

FILM NO. \_\_\_\_\_  
WANDA A. NOWAK  
RECORDER

INDEXED



8/5