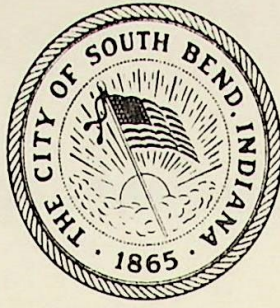


#1432

PARTIAL RELEASE OF EASEMENT - Ten foot Utility Easement along the Southerly line of Lot D as shown on the Plat of High Industrial Park, with the portion to be released being a parcel described as a 3' x 3' x 3' triangle portion approximately 105 feet Southeasterly and 7' North of the intersection of the East line of High Street and the Northerly property line of the Conrail Railroad.

(ART IRON, INC.)



City of South Bend

Joseph E. Kernan, Mayor

Board of Public Works

December 6, 1988

MS. EUGENIA S. SCHWARTZ
ATTORNEY AT LAW
NICKLE AND PIASECKI
205 West Jefferson, Suite 413
South Bend, Indiana 46617

RE: PARTIAL RELEASE OF WATER AND WASTE WATER EASEMENT
HIGH INDUSTRIAL PARK: ART IRON, INC.

Dear Ms. Schwartz:

Pursuant to your request of November 7, 1988, attached is a Partial Release of Easement which the Board of Public Works approved and executed at their meeting held on December 5, 1988.

I would appreciate your providing to this office a copy of the recorded Partial Release of Easement when it becomes available.

In the meantime, if you have any further questions regarding this matter, please don't hesitate to contact this office.

Sincerely,

BOARD OF PUBLIC WORKS

Sandra M. Parmerlee, Clerk

smp
Enc.

PARTIAL RELEASE OF EASEMENT

WHEREAS, the Civil City of South Bend, by and through its Board of Public Works, has retained an easement for water and wastewater, within a portion of land described as follows:

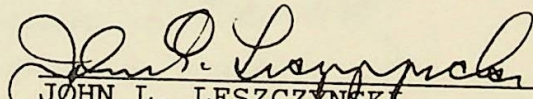
The ten foot Utility Easement along the Southerly line of Lot D as shown on the Plat of High Industrial Park, with the portion to be released being a parcel described as a 3' x 3' x 3' triangle portion approximately 105 feet Southeasterly and 7' North of the intersection of the East line of High Street and the Northerly property line of the Conrail Railroad.

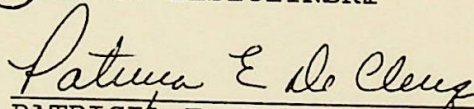
WHEREAS, the City of South Bend no longer has any need for the water and wastewater easement.

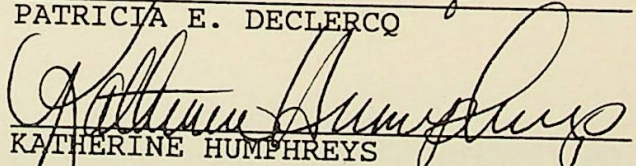
NOW, THEREFORE, BE IT RESOLVED that the Civil City of South Bend, by and through its Board of Public Works, hereby grants partial release and terminates all rights and interest in said easement as described above. This partial release shall be in effect so long as the existing structure(s) remain on the tract or parcel of land described above.

IN WITNESS WHEREOF, the members of the Board of of Public Works of the City of South Bend, Indiana hereunto set their hands and seals this 5th day of Dec., 1988.

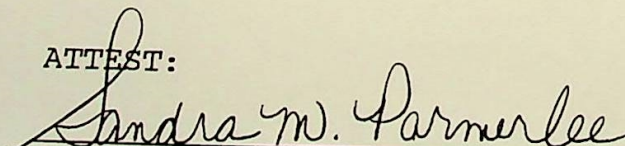
CITY OF SOUTH BEND, INDIANA
BY ITS BOARD OF PUBLIC WORKS


JOHN L. LESZCZYNSKI


PATRICIA E. DECLERCQ


KATHERINE HUMPHREYS

ATTEST:


Sandra M. Parmerlee, Clerk

NICKLE AND PIASECKI

ATTORNEYS AT LAW

205 W. JEFFERSON, SUITE 413

SOUTH BEND, INDIANA 46601

TELEPHONE 232-4747
AREA CODE 219

OF COUNSEL
THOMAS H. SINGER

ANDREW W. NICKLE
CARMEN M. PIASECKI
EUGENIA S. SCHWARTZ

November 7, 1988

Mr. John Leszczynski
City Engineer - City of South Bend
1300 County City Building
227 West Jefferson Blvd.
South Bend, Indiana 46601

Re: Partial Release of Water and Waste Water Easement
High Industrial Park: Art Iron, Inc.

Dear Mr. Leszczynski:

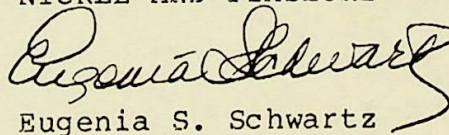
On behalf of Art Iron, Inc., I request that the City of South Bend Board of Water Commissioners and Board of Public Works grant partial releases of the easement described as follows:

The ten foot Utility Easement along the Southerly line of Lot D as shown on the Plat of High Industrial Park, with the portion to be released being a parcel described as a 3' x 3' x 3' triangle portion approximately 105 feet Southeasterly and 7' North of the intersection of the East line of High Street and the Northerly property line of the Conrail Railroad.

Please feel free to contact me if you need further information about this requested release. Thank you.

Sincerely yours,

NICKLE AND PIASECKI


Eugenia S. Schwartz

cc: Paul Ravas
Adam Kristek

ESS/1a

**LEGAL DEPARTMENT
INTEROFFICE MEMORANDUM**

TO : SANDRA M. PARMERLEE **DATE :** DECEMBER 1, 1988
CLERK

FROM : MARVA LEONARD-DENT *MLD*
ASSISTANT CITY ATTORNEY

RE : PARTIAL RELEASE OF EASEMENT

As requested by John Lesczycynski, attached is a partial release of an easement. Information on the requesting party can be found on the attachments.

MLD:jb

cc: John Lesczycynski

Attachments