

1446

GRANT OF EASEMENT - PEDESTRIAN
WALKWAY - ST/. JOSEPH/WAYNE STREET
PARKING GARAGE

ALSO SEE 1445

Hold Board of Pub Works

8934506 # 1446

Transfer 9994

GRANT OF EASEMENT

Taxing Unit South Bend

Date 12-28-89

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the South Bend Board of Public Works (hereinafter known as Grantor) hereby grants to the South Bend Redevelopment Authority for the purpose of constructing an enclosed elevated pedestrian walkway above the public right-of-way and to the South Bend Redevelopment Commission for the purpose of using, operating, maintaining, repairing and if necessary, replacing, the enclosed, elevated pedestrian walkway constructed by the South Bend Redevelopment Authority in, over and above the public right-of-way, the following easement:

A parcel of land located in the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of Section Twelve (12), Township Thirty Seven (37) North, Range Two (2) East and being a part of the plat of the original Town of South Bend, Portage Township, Indiana and being for the purpose of an aerial pedestrian bridge and more particularly described as follows:

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Commencing at the intersection of the north line of Wayne Street with the east line of Michigan Street, said point of commencement being the southwest corner of Lot No. 53, as shown on the plat of the original Town of South Bend, thence east, along the north line of said Wayne Street a distance of 185.21 feet to a point which is 6.21 feet east of, measured at right angles to, the east line of a 14.00 feet wide north/south alley; thence north, parallel with and 6.21 feet east of, measured at right angles to the east line of said 14.00 feet wide north/south alley, a distance of 176.03 feet to the point of beginning, said point of beginning being at elevation 729.88 U.S.G.S. datum as referenced on sheet C1 of Construction Documents for St. Joseph/Wayne Street garage as prepared by Walker-Parking Consultants-Restoration Engineers and designated as Project No. 87-28 by the City of South Bend, Indiana; thence westerly along a line having a deflection angle of 84°-00'-00" to the left from the preceding described course, a distance of 6.24 feet to a point on the east line of aforesaid 14.00 feet wide north/south alley, said point being at an elevation of 729.39; thence north along the east line of said 14.00 feet wide alley, a distance of 7.45 feet to a point, said point being at an elevation of 729.39; thence easterly along a line having a deflection angle of 96°-00'-00" to the right from the preceding described course a distance of 6.24 feet to a point, said point being at elevation 729.88, thence south, along a line having a deflection angle of 84°-00'-00" to the right from the preceding described course a distance of 7.45 feet to the point of beginning; the four preceding described courses defining the lower limit of elevation of this parcel with the upper limit of elevation being a plane which is parallel with and 10.57 feet, measured vertically, above the plane formed by the four preceding described courses.

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

ST. JOSEPH CO. RECORDER
LE. NO.
MARIANNE SEACH
RECORDER
Dec 28 9 22 AM '89
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

A parcel of land located in the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of Section Twelve (12), Township Thirty Seven (37) North, Range Two (2) East and being a part of the plat of the original Town of South Bend, Portage Township, Indiana and being for the purpose of an aerial pedestrian bridge and more particularly described as follows:

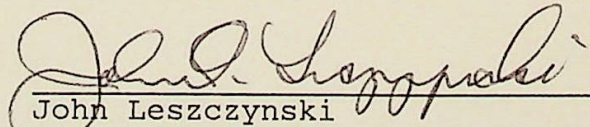
Commencing at the intersection of the north line of Wayne Street with the East line of Michigan Street, said point of commencement being the Southwest corner of Lot No. 53, as shown on the plat of the original Town of South Bend, thence east along the north line of said Wayne Street a distance of 165.00 feet to the west line of a 14.00 feet wide, north/south alley; thence north along said west line of said 14.00 feet wide north/south alley a distance of 178.15 feet to the point of beginning, said point of beginning being at elevation 728.28, U.S.G.S. datum as referenced on sheet C1 of Construction Documents for St. Joseph/Wayne Street garage as prepared by Walker-Parking Consultants-Restoration Engineers and designated as Project No. 87-28 by the City of South Bend, Indiana; thence continuing north along the west line of said 14.00 feet wide north/south alley, a distance of 7.45 feet to a point, said point being at an elevation of 728.28; thence easterly, along a line having a deflection angle of 96°-00'-00" to the right from the preceding course, a distance of 14.08 feet to a point on the east line of said 14.00 feet wide, north/south alley, said point being at an elevation of 729.39; thence south, along the east line of said 14.00 feet wide, north/south alley, a distance of 7.45 feet to a point, said point being at elevation 729.39; thence westerly, along a line having a deflection angle of 96°-00'-00" to the right from the preceding described course, a distance of 14.08 feet to the point of beginning; the four preceding described courses defining the lower limit of elevation of this parcel with the upper limit of elevation being a plane which is parallel with and 10.57 feet, measured vertically above the plane formed by the four preceding described courses.

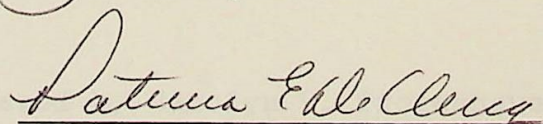
This easement shall be binding on the successors and assigns of the Grantor and upon the Grantee, its successors and assigns.

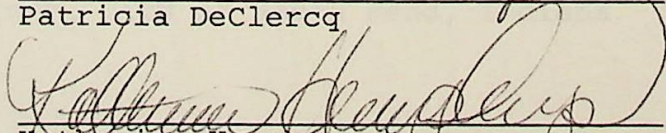
This easement shall be in effect so long as the elevated, enclosed pedestrian walkway exists in, over and above the public right-of-way.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 18th day of December, 1989.

BOARD OF PUBLIC WORKS


John Leszczynski

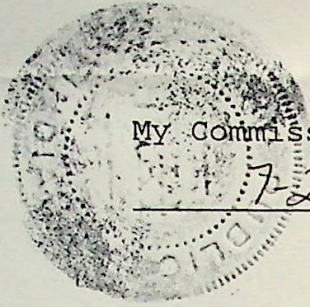

Patricia DeClercq


Katherine Humphreys

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

Before me a Notary Public in and aforesaid County and State personally appeared JOHN E. LESZCZYNSKI, PATRICIA E. DECLERCQ and KATHERINE HUMPHREYS members of the South Bend Board of Public Works who acknowledged the execution of the above and foregoing instrument as their free and voluntary act this 18TH day of DECEMBER, 1989.

Sandra M. Parmelee
SANDRA M. PARMERLEE, Notary Public
Resident of St. Joseph County, IN



My Commission Expires
7-24-92

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

REDE/2:Easement:6

8934506

ST. JOSEPH CO. RECORDER

FILE NO. _____
MARIANNE SEACH
RECORDER

Dec 28 9 22 AM '89

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

7/8



City of South Bend

Joseph E. Kernan, Mayor

Department of Economic Development

Jon R. Hunt
Executive Director

Ann E. Kolata
Deputy Executive Director

November 22, 1989

Board of Public Works
13th Floor, County-City Building
South Bend, IN 46601

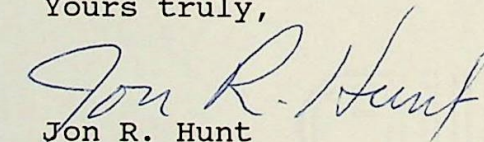
Re: Walkway Easements

Dear Board Members:

The South Bend Department of Redevelopment hereby requests that the Board of Public Works approve the granting of air rights easements to the South Bend Redevelopment Authority in order to permit the construction of two suspended walkways over and above the public right of way. The walkways will connect the Wayne Street Parking Garage with those buildings commonly known as the Penney's building and the IBM building and will be suspended over public alleyways. The dimensions of the walkway to the IBM building will be 26 feet 5 inches by 7 feet 1 inch. The dimensions of the walkway to the Penney's building will be 20 feet by 7 feet 2 inches. The legal description for the easement will be forwarded as soon as they are available.

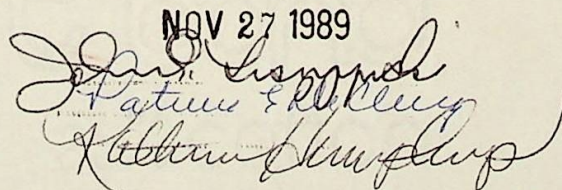
Thank you for your consideration of this matter.

Yours truly,


Jon R. Hunt
Executive Director

APPROVED
BOARD OF PUBLIC WORKS

NOV 27 1989



1200 County-City Building • South Bend, Indiana 46601 • 219/284-9371 Fax 219/284-9892

Redevelopment
Ann Kolata
284-9371

Economic Development
& Business Assistance
Donald Inks
284-9335

Housing Rehabilitation
Kathryn Baumgartner
521 Eclipse Place
284-9475

Financial & Program
Management
Elizabeth Leonard
284-9335

Human Rights
Cynthia Love-Bush
284-9355



City of South Bend

Joseph E. Kernan, Mayor

Department of Economic Development

Jon R. Hunt
Executive Director

Ann E. Kolata
Deputy Executive Director

November 22, 1989

Board of Public Works
13th Floor, County-City Building
South Bend, IN 46601

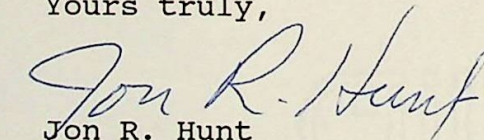
Re: Walkway Easements

Dear Board Members:

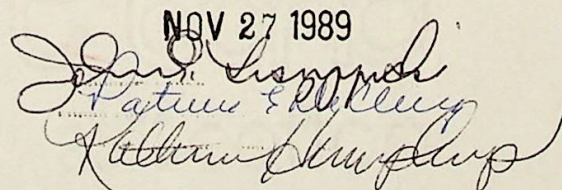
The South Bend Department of Redevelopment hereby requests that the Board of Public Works approve the granting of air rights easements to the South Bend Redevelopment Authority in order to permit the construction of two suspended walkways over and above the public right of way. The walkways will connect the Wayne Street Parking Garage with those buildings commonly known as the Penney's building and the IBM building and will be suspended over public alleyways. The dimensions of the walkway to the IBM building will be 26 feet 5 inches by 7 feet 1 inch. The dimensions of the walkway to the Penney's building will be 20 feet by 7 feet 2 inches. The legal description for the easement will be forwarded as soon as they are available.

Thank you for your consideration of this matter.

Yours truly,


Jon R. Hunt
Executive Director

APPROVED
BOARD OF PUBLIC WORKS

NOV 27 1989


1200 County-City Building • South Bend, Indiana 46601 • 219/284-9371 Fax 219/284-9892

Redevelopment
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284-9371

Economic Development
& Business Assistance
Donald Inks
284-9335

Housing Rehabilitation
Kathryn Baumgartner
521 Eclipse Place
284-9475

Financial & Program
Management
Elizabeth Leonard
284-9335

Human Rights
Cynthia Love-Bush
284-9355

Hold Board of Pub Works

144503
8934505

Transfer 9993
Taxing Unit Sub
Date 12-21-89

GRANT OF EASEMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the South Bend Board of Public Works (hereinafter known as Grantor) hereby grants to the South Bend Redevelopment Authority for the purpose of constructing an enclosed elevated pedestrian walkway above the public right-of-way and to the South Bend Redevelopment Commission for the purpose of using, operating, maintaining, repairing and if necessary, replacing, the enclosed, elevated pedestrian walkway constructed by the South Bend Redevelopment Authority in, over and above the public right-of-way, the following easement:

A parcel of land located in the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of Section (12), Township Thirty Seven (37) North, Range Two (2) East and being a part of the plat of the original Town of South Bend, Portage Township, Indiana and more particularly described as follows:

2

Commencing at the intersection of the north line of Wayne Street with the west line of St. Joseph Street; thence north, along the west line of said St. Joseph Street, along a curve to the left, said curve having a radius of 912.43 and being subtended by a long chord having a length of 186.66 feet and a central angle of 11°-44'-31", an arc distance of 186.99 feet to a point on the south line of a 26.00' feet wide east/west public street, now known as Helman Court; thence west, along the south line of said Helman Court, a distance of 141.51 feet to the point of beginning, said point of beginning being at elevation 729.33, U.S.G.S. datum, as referenced on drawing C1 of Construction Documents prepared by Walker-Parking Consultants-Restoration Engineers and being designated as Project No. 87-28 by the City of South Bend, Indiana; thence continuing west, along the south line of said Helman Court, a distance of 7.08 feet to a point, said point being at elevation 729.33; thence northerly, along a line having a deflection angle of 99°-00'-00" to the right from the preceding described course, a distance of 26.32 feet to a point on the north line of said Helman Court, said point being at an elevation of 730.58, thence easterly along the north line of said Helman Court, a distance of 7.08 feet to a point, said point being at elevation 730.58; thence southerly, along a line having a deflection angle of 99°-00'-00" to the right from the preceding described course, a distance of 26.32 feet to the point of beginning; the four previously described courses define the lower limit of elevation of this parcel with the upper limit of elevation being a plane parallel with and 10.57 feet, measured vertically, above the four previously described courses.

This easement shall be binding on the successors and assigns of the Grantor and upon the Grantee, its successors and assigns.

This easement shall be in effect so long as the elevated, enclosed pedestrian walkway exists in, over and above the public right-of-way.

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

ST. JOSEPH CO. RECORDER
FILE NO.
MAR 1 1989
DEC 20 9 22 AM '89
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 18th day of December, 1989.

BOARD OF PUBLIC WORKS

John Leszczynski
John Leszczynski

Patricia DeClercq
Patricia DeClercq

Katherine Humphreys
Katherine Humphreys

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

Before me a Notary Public in and aforesaid County and State personally appeared JOHN E. LESZCZYNSKI, PATRICIA E. DE CLERCQ and KATHERINE HUMPHREYS members of the South Bend Board of Public Works who acknowledged the execution of the above and foregoing instrument as their free and voluntary act this 18th day of DECEMBER, 1989.

Sandra M. Parmelee
SANDRA M. PARMERLEE, Notary Public
Resident of St. Joseph County, IN



My Commission Expires _____
9-29-92

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

REDE/2:Easement:9

5-52
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INDEXED

8934505
ST. JOSEPH CO. RECORDER
FILE NO. _____
HARRIS SEARCH
NUMBER
Dec 20 9 22 AM '89
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD