

#1478

GRANT OF EASEMENT Parcel of  
land located in the East half  
of the southeast quarter of  
section 1, township 37 north,  
Range 2 east and all being in  
Portage Township (Commencing at  
the intersection of the north  
right-of-way line of a public  
street now know as Cedar Street.)



GRANT OF EASEMENT

In consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the South Bend Board of Public Works (hereinafter known as Grantor) hereby grants to St. Joseph Medical Center, Inc., an Indiana not-for-profit corporation, for the purpose of constructing, operating, using, and maintaining a tunnel under the public right of way, a perpetual easement, as shown on the attached drawing, across and under real estate described as follows:

A parcel of land located in the East Half (E 1/2) of the Southeast Quarter (S.E.1/4) of Section One (1), Township Thirty-Seven (37) North, Range Two (2) East and all being in Portage Township, City of South Bend, St. Joseph County, Indiana, said parcel being a strip of land 46.36 feet wide and being 23.18 feet, measured at right angles to each side of the following described centerline:

Commencing at the intersection of the north right-of-way line of a public street now known as Cedar Street with the east right-of-way line of a public street now known as St. Peter Street, said point of intersection also being the southwest corner of Lot No. 10, as shown on the recorded plat of "The Replat of Chapton's Subdivision of Large (Outlot) No. 2, Cottrell's Addition to Lowell", now the City of South Bend, Indiana and as recorded in Plat Book No. 5, Page 68; thence east, along the north right-of-way line of said Cedar Street and also being along the south line of said Lot No. 10, a distance of 25.00 feet to the Point of Beginning of said centerline; thence southwesterly along said centerline a distance of 88.98 feet to a point on the south right-of-way line of said Cedar Street, said point being 24.67 feet east of, measured along the south right-of-way line of said Cedar Street, the intersection of the centerline of said St. Peter Street; extended, with the south right-of-way line of said Cedar Street, said point of intersection of the centerline of this parcel with the



south line of said Cedar Street being the point of Terminus of this description; the sidelines of said strip of land being shortened or extended to intersect with the north and south right-of-way lines of said Cedar Street.

This easement shall run with the land and shall be binding on the successors and assigns of the grantor and grantee.

This easement is made subject to all other rights and encumbrances of record.

The Grantor reserves the right to use and occupy the surface area on and over the easement granted as a public right of way.

IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 25<sup>TH</sup> day of NOVEMBER, 1991.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS

by John Leszczynski  
John Leszczynski, President

Patricia E. DeClercq  
Patricia E. DeClercq

Katherine Humphreys  
Katherine Humphreys



STATE OF INDIANA

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COUNTY OF ST. JOSEPH

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SS:

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Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Leszczynski, Patricia E. DeClercq, and Katherine Humphreys and acknowledged the execution of the foregoing Grant of Easement on \_\_\_\_\_, 1991.

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

My Commission Expires:

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This document prepared by Mary Hall Mueller, Assistant City Attorney, 1400 County-City Building, South Bend, IN 46601.

BPW/EAS-PER2





