

1568

RELEASE OF EASEMENT Parcel of
land being a part of the
Northeast quarter of section
31, township 37 North, Range 3
East, Centre Township, City of
South Bend.

Board of Public Works

ST. JOSEPH CO. RECORDER
FILE NO. 23-1061-3448
MARIANNE BEACH
RECORDER
AUG 5 4 08 PM '92
ST. JOSEPH CO.
FILED FOR RECORD

Key No. 23-1061-3448

Transfer 5214
Taxing Unit SB Center
Date 8-5-92

9228499

RELEASE OF EASEMENT

WHEREAS, the Civil City of South Bend, by and through its Board of Public Works (hereinafter the "City") has obtained a drainage and lagoon easement over a portion of the Kensington Farms East Subdivision, which easement is recorded in the Office of the Recorder of St. Joseph County on the plat of said Subdivision as Document No. 9132455; and

WHEREAS, the City no longer has any need for a portion of said drainage and lagoon easement, which portion is described more particularly below.

NOW, THEREFORE, BE IT RESOLVED that the Civil City of South Bend, Indiana, by and through its Board of Public Works, hereby releases and terminates all rights and interests in the portion of the drainage and lagoon easement previously granted for the Kensington Farms East Subdivision as follows:

A parcel of land being a part of the Northeast Quarter of Section 31, Township 37 North, Range 3 East, Centre Township, City of South Bend, St. Joseph County, Indiana and being more particularly described as follows:

Beginning at a point on the West line of Lot 173A that is 42.06 feet South 8-24'-01" West of the Northwest corner of said Lot as the same is shown and designated on the Plat of Kensington Farms East, P.U.D. Third Replat, recorded as instrument number 9132455 in the office of the Recorder of St. Joseph County, Indiana, thence South 50-27'-45" East, along the Northerly line of a lagoon easement, a distance of 185.47 feet to a point on the Easterly line of said Lot 173A; thence North 71-21'-31" West, a distance of 71.44 feet to a point; thence North 38-20'-59" West, a distance of 121.44 feet to the place of beginning.

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

IN WITNESS WHEREOF, the Members of the Board of Public Works of the City of South Bend, Indiana, have set their hands and seals,

This is to certify that we surveyed the above property and find that the buildings stand strictly within the title lines and that there are no encroachments.

REGISTERED LAND SURVEYOR

Lang, Feeney & Associates, Inc.
Land Surveyors & Engineers
715 South Michigan Street
South Bend, Indiana 46601
Phone 219-233-1841
FAX 219-674-0374

SCALE	DATE	DRAWING NO.

this 6TH day of July, 1992.

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

John E. Leszczynski
John E. Leszczynski

James R. Caldwell
James R. Caldwell

Mary Hall Mueller
Mary Hall Mueller

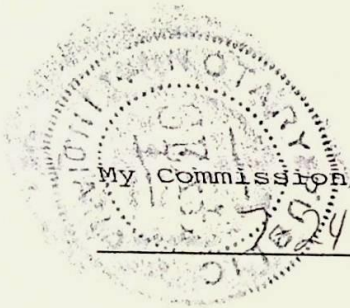
ATTEST:

Sandra M. Parmerlee
Sandra M. Parmerlee, Clerk

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

Subscribed and sworn to before me, a Notary Public in and for
said County and State, this 6TH day of July, 1992.

Sandra M. Parmerlee
SANDRA M. PARMERLEE, Notary Public
A resident of St. Joseph County, IN



My Commission Expires:
7-24-92

THIS INSTRUMENT PREPARED BY: Mary Hall Mueller
Assistant City Attorney
County-City Building
South Bend, Indiana 46601

MHM1/GENERA/RELEASEASEMENT

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SCALE	DATE	DRAWING NO.

9228499

ST. JOSEPH CO. RECORDER
FILE NO. _____
MARIANNE SEACH
RECORDER

AUG 5 4 08 PM '92

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

[Faint handwritten signatures]

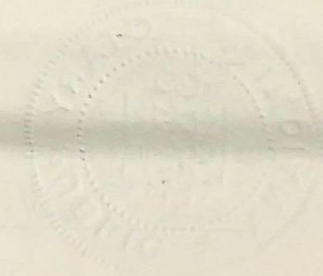
[Faint handwritten signatures]

[Faint handwritten signatures]

STATE OF INDIANA
ST. JOSEPH COUNTY

Subscribed and sworn to before me, a Notary Public in and for
said County and State, this 5th day of July, 1992.

[Faint handwritten signatures]



Notary Public
South West, Indiana 46001

THIS INSTRUMENT PREPARED BY:
MARIANNE SEACH

Key No. 23-1061-3448

RELEASE OF EASEMENT

WHEREAS, the Civil City of South Bend, by and through its Board of Public Works (hereinafter the "City") has obtained a drainage and lagoon easement over a portion of the Kensington Farms East Subdivision, which easement is recorded in the Office of the Recorder of St. Joseph County on the plat of said Subdivision as Document No. 9132455; and

WHEREAS, the City no longer has any need for a portion of said drainage and lagoon easement, which portion is described more particularly below.

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A parcel of land being a part of the Northeast Quarter of Section 31, Township 37 North, Range 3 East, Centre Township, City of South Bend, St. Joseph County, Indiana and being more particularly described as follows:

Beginning at a point on the West line of Lot 173A that is 42.06 feet South 8-24'-01" West of the Northwest corner of said Lot as the same is shown and designated on the Plat of Kensington Farms East, P.U.D. Third Replat, recorded as instrument number 9132455 in the office of the Recorder of St. Joseph County, Indiana, thence South 50-27'-45" East, along the Northerly line of a lagoon easement, a distance of 185.47 feet to a point on the Easterly line of said Lot 173A; thence North 71-21'-31" West, a distance of 71.44 feet to a point; thence North 38-20'-59" West, a distance of 121.44 feet to the place of beginning.

IN WITNESS WHEREOF, the Members of the Board of Public Works of the City of South Bend, Indiana, have set their hands and seals,

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Land Surveyors & Engineers

715 South Michigan Street
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Phone 219-233-1841
FAX 219-674-0374

SCALE

DATE

DRAWING NO.

INTER-OFFICE MEMORANDUM
CITY OF SOUTH BEND
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENGINEERING

TO : Mary Hall Mueller
Assistant City Attorney

FROM : Carl P. Littrell, PE, Director *CL*
Division of Engineering

RE : Easement in Kensington Farms

DATE : June 30, 1992

As we discussed last week, attached is the legal description of the portion of an easement Jack Hickey would like the City to release. This will make construction of a large home possible on the lot.

I recommend relinquishing this portion of the easement. As originally written the easement takes in an area larger than the retention basin it protects from development. The top of the basin's bank is outside the proposed relinquishment. Allowing development in the area will not reduce the storage capacity of the basin or cause harm or inconvenience to the City.

Please draft an agreement to accomplish this relinquishment. Jack Hickey Associates, Inc. is the current owner of the property.

Mr. Hickey would like the Board to act on this July 6.

cc: Sandra Parmerlee ✓

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Land Surveyors & Engineers

715 South Michigan Street
South Bend, Indiana 46601



LANG, FEENEY and ASSOCIATES, INC.
LAND SURVEYING - CONSTRUCTION ENGINEERING
715 SOUTH MICHIGAN STREET • SOUTH BEND, INDIANA 46601
TELEPHONE 219/233-1841 • FACSIMILE 219/674-0374

WILLIAM D. LANG, PRES.
JOHN B. FEENEY, L.S.
TERANCE D. LANG, L.S.

SUB-DIVISIONS
BOUNDARY SURVEYS
TOPOGRAPHIC SURVEYS
CONSTRUCTION SURVEYS

June 18, 1992

Mr. John Leszczynski, South Bend City Engineer
Mr Carl Littrell, Assistant City Engineer
1300 County-City Building
South Bend, In. 46601

Re: Lot 173A
Kensington Farms Third Replat

Dear Sirs,

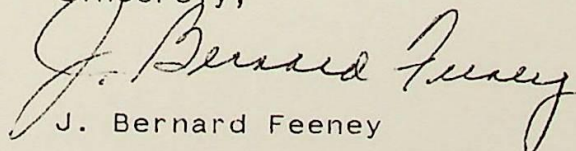
As previously discussed, we are hereby formally requesting that the South Bend Board of Public Works vacate a portion of the "lagoon easement" lying on the Southwesterly portion of lot 173A in the Third Replat of Kensington Farms East. We are including a copy of the site plan showing the proposed location of the house to be built on this lot and we have highlighted that area which we wish to vacate.

As you can see from the enclosed sketch, the top of bank will lie generally within the lagoon easement after the vacation has been taken care of. Further, we have drawn a contour line of this lot sketch which is wholly within the proposed lagoon easement as proposed. This contour line represents an elevation equal to the elevation of the inlet of the control structure which handles the overflow water from this lagoon.

We are also enclosing a legal description of that part of the lagoon easement which was shown on the recorded plat of the Third Replat of Kensington Farms East.

If there are any additional documents required by your office for presentation to the Board of Works or if you require additional information, please feel free to contact this office at your earliest convenience.

Sincerely,


J. Bernard Feeney

ENC
cc: Jack Hickey
File: Kensvaca.doc

'44.69'

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 JOHN B. FEENEY, L.S.
 TERANCE D. LANG, L.S.

SUB-DIVISIONS
 BOUNDARY SURVEYS
 TOPOGRAPHIC SURVEYS
 CONSTRUCTION SURVEYS

June 20. 1992

DESCRIPTION:

A parcel of land being a part of the Northeast Quarter of Section 31, Township 37 North, Range 3 East, Centre Township, City of South Bend, St. Joseph County, Indiana and being more particularly described as follows:

Beginning at a point on the West line of Lot 173 A that is 42.06 feet South 8-24'-01" West of the Northwest corner of said Lot as the same is shown and designated on the Plat of Kensington Farms East, P.U.D. Third Replat, recorded as instrument number 9132455 in the office of the Recorder of St. Joseph County, Indiana; thence South 50-27'-45" East, along the Northerly line of a lagoon easement, a distance of 185.47 feet to a point on the Easterly line of said Lot 173A; thence North 71-21'-31" West, a distance of 71.44 feet to a point; thence North 38-20'-59" West, a distance of 121.44 feet to the place of beginning.

Subject to any easements, covenants or restrictions of record.

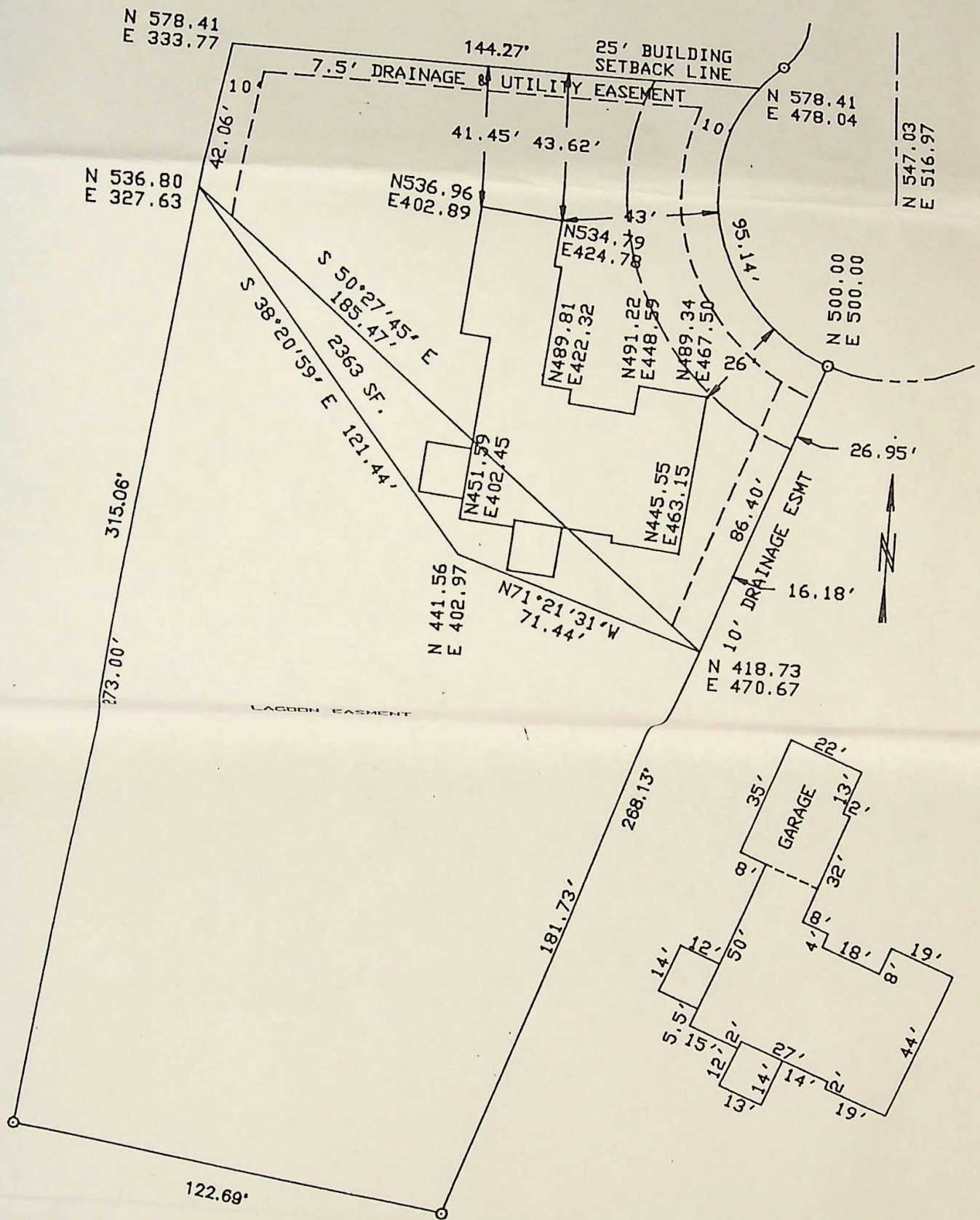
122.69'



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 Land Surveyors & Engineers



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