

1571

GRANT OF PERPETUAL EASEMENT

Lot 13 as shown on the plat of
Major's Addition to the City
recorded December 28, 1928.

Hold for City of South Bend,
Board of Public Works

River Crossing I

9228498

GRANT OF PERPETUAL EASEMENT

KEY# 18-7079-2883

SANITARY SEWER

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THIS INDENTURE made this 13 day of May, 1992, by and between Earl J. Redden, Jr., and John J. Redden, tenants in common, (hereinafter "Grantor"), and the Civil City of South Bend, Indiana (hereinafter "Grantee").

WITNESSETH:

Transfer 5213
Taxing Unit AB
Date 8-5-92

That for One Dollar (\$1.00) and other good and valuable consideration, the receipt of which Grantor hereby acknowledges, Grantor hereby grants and conveys to Grantee a perpetual easement of the nature and at the location hereinafter set forth and described for the installation, construction, operation, maintenance, adjustment, replacement, repair, alteration, removal, modernization, and use of a sanitary sewer system and related facilities, together with the right of ingress to and egress from said easement for the purpose of installing, constructing, operating, maintaining, adjusting, replacing, repairing, altering, removing, and modernizing said system and other equipment or facilities incident thereto, in, upon, over and under the following described real estate in the City of South Bend, St. Joseph County, State of Indiana, more particularly described as follows:

A part of Lot 13 as shown on the plat of Major's Addition to the City of South Bend, Indiana recorded December 28, 1928 in Plat Book 13, pages 34 and 35 in the Office of the Recorder of St. Joseph County, Indiana, described as follows:

Beginning at the southeast corner of said Lot 13; thence north along the east line of said lot, 233.04 feet to the southeast corner of an easement granted to the City of South Bend, Indiana recorded August 30, 1954, in Deed Record 531, pages 374 and 375 in said Recorder's office; thence west perpendicular to the east line of said Lot 13 along the south line of said recorded easement, 14.00 feet; thence south along a line 14.00 feet west of and parallel with the east line of said Lot 13, 228.50 feet, more or less, to the northerly line of Lincoln Way East; thence southeasterly along said northerly line of Lincoln Way East, 14.72 feet to the point of beginning.

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

The easement granted herein shall pertain to the air, surface, and subsurface rights and interests of the Grantor, for the use and benefit of the Grantee, to the nature and extent that the Grantee may desire said air, surface and subsurface rights and interests to reasonably accomplish and carry out the general purpose of this conveyance as the same has hereinabove been expressed. The easement hereby granted is for the benefit of the City of South Bend, Indiana, and expressly includes the right and privilege at reasonable times to

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FILED IN THE
RECORDER'S OFFICE
ST. JOSEPH COUNTY, INDIANA

clean and remove from said easement such timber, brush, debris, or other obstructions interfering with the sanitary sewer system.

Grantee shall have the right of ingress or egress over Grantor's real estate adjoining said easement when necessary to install, construct, operate, maintain, adjust, replace, repair, alter, remove, modernize, or use the sanitary sewer system and its appurtenances.

Grantee will restore the area disturbed by its work to as near the original condition as possible, subject to the terms of an Agreement between Grantor and Grantee dated the same date as this conveyance.

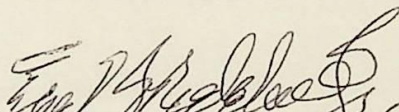
The Grantor reserves the right to use and occupy the surface area on and over the easement provided that said use and occupancy does not in any way conflict or obstruct the Grantee's right to use said surface for the purposes and intentions hereinabove expressed.

The easement granted herein and its associated benefits and obligations, shall constitute covenants running with the real estate, and shall be binding upon the Grantors and be an obligation thereof of every person or entity now or hereafter having any fee, leasehold, or other interest in all or any part of the said real estate.

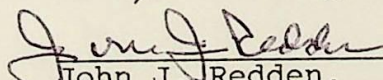
This indenture shall bind and inure to the benefit of the respective successors and assigns of the parties hereto.

Grantor hereby releases any and all claims from whatsoever cause, incidental to the exercise of any rights herein granted.

IN WITNESS WHEREOF, the said Grantor has executed this Grant of Perpetual Easement for sanitary sewer system on the date shown in the acknowledgment set forth herein.



Earl J. Redden, Jr.



John J. Redden,
Tenants in Common

STATE OF INDIANA

COUNTY OF ST. JOSEPH

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) SS: *1992 May 13*
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Before me, the undersigned, a Notary Public in and for said State, personally appeared Earl J. Redden, Jr., and John J. Redden, personally known by me to be the Grantor in the above Grant of Perpetual Easement, and acknowledged the execution of the same as their voluntary act and deed.

WITNESS my hand and Notarial Seal this 13 day of May, 1992.

Shirley A. Eades
(Written Signature)

Shirley A. Eades
(Printed Signature)

SHIRLEY A. EADES, Notary Public
A Resident of St. Joseph County, IN
My Commission Expires March 31, 1993

This instrument was prepared by Mary Hall Mueller, Assistant City Attorney, 1400 County-City Building, South Bend, IN 46501.



9228498

ST. JOSEPH CO. RECORDER

FILE NO. _____
MARIANNE SEACH
RECORDER

AUG 5 4 07 PM '92

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

