

# 1592

RELEASE OF EASEMENT Leslie  
Minor Subdivision release of  
20.00 feet easement lot 227; a  
part of the southwest quarter  
of section 31, township 37  
norht, Range 3 east, of the  
Second Principal Meridian,  
Center Township, \*City of South  
Bend.



Hold City SB

9242859

RELEASE OF EASEMENT

Transfer \_\_\_\_\_  
Taxing Unit \_\_\_\_\_  
Date \_\_\_\_\_

WHEREAS, the Civil City of South Bend, Indiana, by and through its Board of Public Works (hereinafter "the City"), obtained an easement for storm water drainage on, over, upon, under and across a parcel of land situated in St. Joseph County, Indiana, commonly known as a part of Lots 226 and 227 of the Recorded Plat of Kensington Farms - Section Five, which easement is more particularly described as follows:

Leslie Minor Subdivision  
Release of 20.00-Foot Easement

(23-1031-1667.02)  
LOT 227

A part of the Southwest Quarter of Section 31, Township 37 North, Range 3 East, of the Second Principal Meridian, Centre Township, City of South Bend, Indiana, and described as follows:

A 20.00-foot drainage easement 10.00 feet on either side of Lots 226 and 227 of the Recorded Plat of Kensington Farms - Section Five as recorded in Book 24, Page K, dated May 26, 1970, at the Office of the Recorder, County of St. Joseph, Indiana; and

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WHEREAS, the storm sewer pipe is not yet located in the easement set out above and a replat of the subdivision requires a relocation of the storm sewer easement; and

WHEREAS, the City has agreed to release the easement described above upon the condition that a satisfactory replacement easement be provided to the City, which replacement easement is more particularly described as follows:

Leslie Minor Subdivision  
New 19.80-Foot Easement

A part of the Southeast Quarter of Section 31, Township 37 North, Range 3 East, of the Second Principal Meridian, Centre Township, City of South Bend, Indiana, and described as a 19.80 feet drainage easement, 9.90 feet on either side of Lots B and C of Leslie Minor Subdivision, a Resubdivision of Lots 225, 226, 227 and 228 of Kensington Farms - Section Five, as recorded under Book 24, Page K, dated May 26, 1970, at the Office of the Recorder, St. Joseph County, Indiana; and

BETWEEN  
(23-1031-1667.02)  
+  
(23-1031-1667.01)  
(LOT 226)

WHEREAS, as a part of the replat of the subdivision that was filed with the Area Plan Commission on September 16, 1992, the substitute drainage easement required by the City will be conveyed.

NOW, THEREFORE, BE IT RESOLVED that the Civil City of South Bend, Indiana, acting by and through its Board of Public Works, hereby releases and terminates all rights and interest in the following described easement, situated in St. Joseph County, Indiana:

Leslie Minor Subdivision  
Release of 20.00-Foot Easement

A part of the Southwest Quarter of Section 31, Township 37 North, Range 3 East, of the Second Principal Meridian, Centre Township, City of South Bend, Indiana, and described as follows:

A 20.00-foot drainage easement 10.00 feet on

ST. JOSEPH CO. RECORDER  
FILE NO.  
MARIANNE STACH  
RECORDER

Nov 17 9 41 AM '92

ST. JOSEPH CO.  
INDIANA  
FILED FOR BOARD

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



either side of Lots 226 and 227 of the Recorded Plat of Kensington Farms - Section Five as recorded in Book 24, Page K, dated May 26, 1970, at the Office of the Recorder, County of St. Joseph, Indiana.

IN WITNESS WHEREOF, the members of the Board of Public Works of the City of South Bend, Indiana, have hereunto set their hands and seals, this 9th day of November, 1992.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS

John Leszczynski  
John Leszczynski

James R. Caldwell  
James R. Caldwell

Mary Hall Mueller  
Mary Hall Mueller

ATTEST:

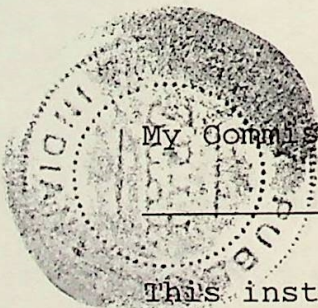
Sandra M. Parmerlee  
Sandra M. Parmerlee, Clerk

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

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Leszczynski, James R. Caldwell and Mary Hall Mueller and acknowledged the execution of the same as their voluntary act or deed.

WITNESS my hand and Notarial Seal this 9<sup>TH</sup> day of November, 1992.

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



My Commission Expires:  
7-24-96

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

releas.bpw



ST. JOSEPH CO. RECORDER

FILE NO. \_\_\_\_\_

MARIANNE SEACH  
RECORDER

9242859

Nov 17 9 47 AM '92

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

INDEXED

IN WITNESS WHEREOF, the members of the Board of Public Works of the City of South Bend, Indiana, have hereunto set their hands and seals, this 9th day of November, 1992.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS

*[Faint signatures and names of Board members]*

ATTEST:

*[Signature]*  
Sandra M. Parmelee, Clerk

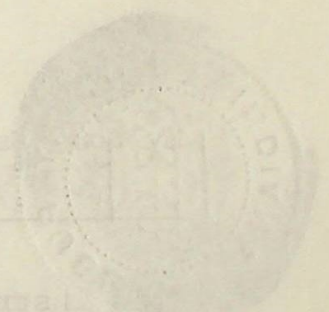
STATE OF INDIANA  
ST. JOSEPH COUNTY

before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Leszczynski, James R. Caldwell and Mary Nell Mueller and acknowledged the execution of the same as their voluntary act or deed.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of November, 1992.

*[Signature]*  
Notary Public, Notary Public  
& resident of St. Joseph County,  
Indiana.

Commission Expires:



This instrument was prepared by Mary Nell Mueller, Assistant City Attorney, 1408 Commercial Building, South Bend, IN 46601.