

1631

GRANT OF PERPETUAL EASEMENT A
part of lot 218 as shown on
the plat of Bowman's 6th
Addition to the City of South
Bend; a strip of land 42.00
feet in length, north and
south, taken off of and from
the entire north end of said lot
218

of Sub Works

9311709

ST. JOSEPH CO. RECORDER
FILE NO. _____
MARSHALL BEACH
AUG 11 12 02 PM '93

GRANT OF PERPETUAL EASEMENT

DRAINAGE -- BOWMAN CREEK

4

This Indenture is made this 1ST day of AUGUST, 1992, by and between Perry N. Lawson and Minion J. Lawson, husband and wife (hereinafter "Grantor(s)") and the Civil City of South Bend, Indiana (hereinafter "Grantee").

For and in consideration of the Grantee's agreement to reconstruct and improve a segment of Bowman Creek located on or adjacent to Grantor(s) real estate, Grantor(s) hereby grant(s) and convey(s) to Grantee a perpetual easement at the location hereinafter set forth for the reconstruction, reinforcement, widening, improvement, operation and maintenance of Bowman Creek, together with the right of ingress to and egress from said easement for the purpose of reconstructing, improving, repairing and maintaining said Bowman Creek and other 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 218 as shown on the plat of Bowman's 6th Addition to the City of South Bend, Indiana recorded July 24, 1902 in Plat Book 8, page 89 in the Office of the Recorder of St. Joseph County, Indiana, described as follows:

A strip of land 42.00 feet in length, north and south, taken off of and from the entire north end of said lot 218.

Key No. 187040(1592)

The easement rights granted herein shall pertain to the air, surface, and subsurface rights and interests of the Grantor(s), for the use and benefit of the Grantee, to the nature and extent that the Grantee may desire or need 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 and expressly includes the right and privilege at reasonable time to clean and remove from said easement timber, brush, debris, structures or other obstructions interfering with the operation of Bowman Creek and the free flow of storm water; provided, however, that Grantor(s) may retain the existing garage in its present location, which is partially on the area of permanent easement granted herein, until and unless future widening of Bowman Creek requires the removal of the structure.

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, or modernize the Bowman Creek improvements.

WITNESS my hand and Notarial Seal this 1ST day of AUGUST,
1992.

Sandra M. Parmelee
(Written Signature)

SANDRA M. PARMERLEE
(Printed Signature)
RESIDENT OF ST. JOSEPH CO.

My Commission Expires:

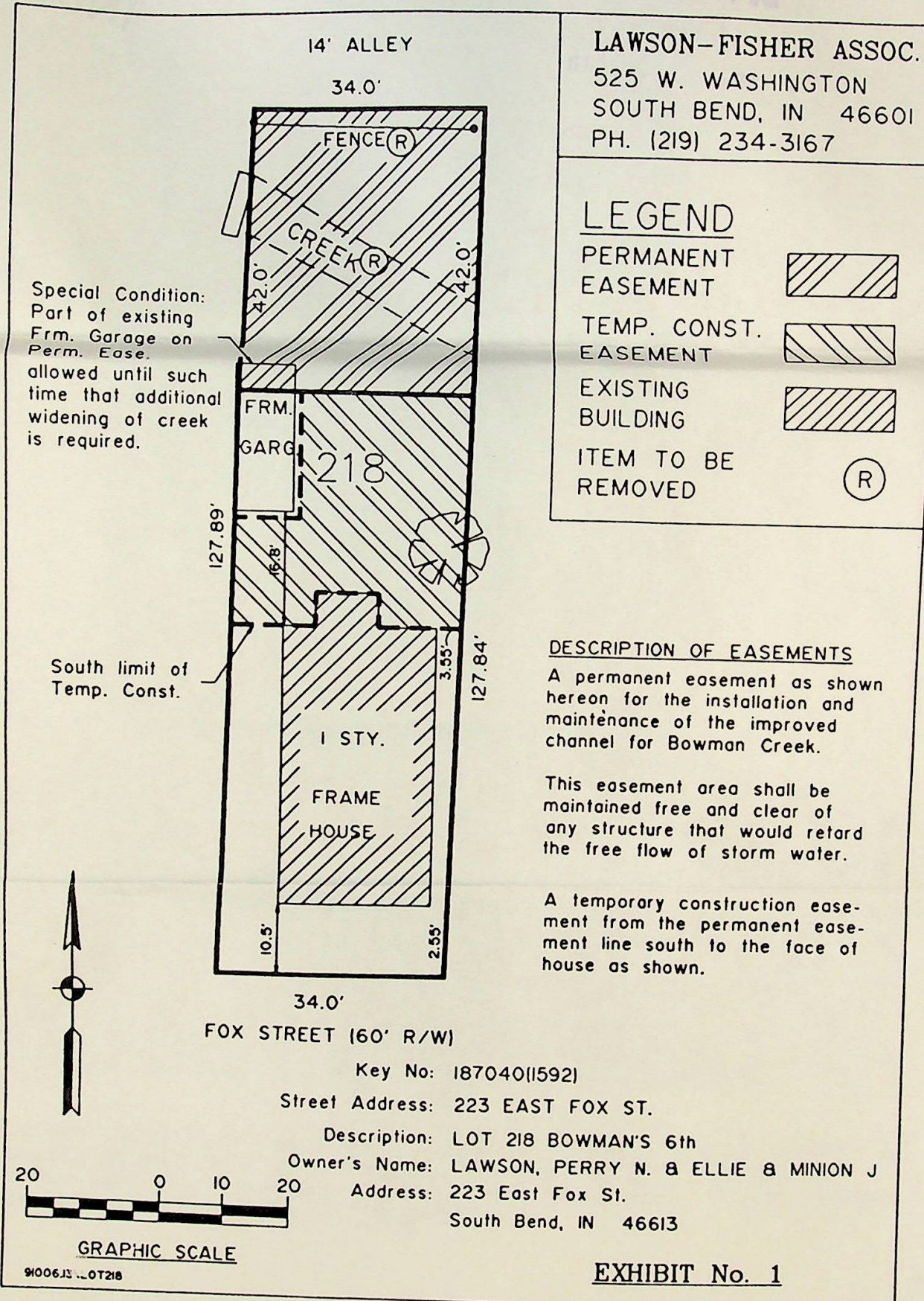
7-24-96

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

BPW4/LAWSN-EAS

8051100

EP 75 30 51 71 100



LAWSON-FISHER ASSOC.
 525 W. WASHINGTON
 SOUTH BEND, IN 46601
 PH. (219) 234-3167

LEGEND

- PERMANENT EASEMENT
- TEMP. CONST. EASEMENT
- EXISTING BUILDING
- ITEM TO BE REMOVED

Special Condition:
 Part of existing
 Frm. Garage on
 Perm. Ease.
 allowed until such
 time that additional
 widening of creek
 is required.

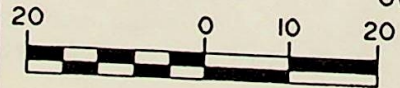
South limit of
 Temp. Const.

DESCRIPTION OF EASEMENTS

A permanent easement as shown hereon for the installation and maintenance of the improved channel for Bowman Creek.

This easement area shall be maintained free and clear of any structure that would retard the free flow of storm water.

A temporary construction easement from the permanent easement line south to the face of house as shown.



GRAPHIC SCALE

9100613 - 07218

34.0'
 FOX STREET (60' R/W)

Key No: 187040(1592)

Street Address: 223 EAST FOX ST.

Description: LOT 218 BOWMAN'S 6th

Owner's Name: LAWSON, PERRY N. & ELLIE & MINION J

Address: 223 East Fox St.

South Bend, IN 46613

EXHIBIT No. 1

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

9311709

Apr 14 12 02 PM '93

ST. JOSEPH CO.
FILE NO. _____
RECORDER

INDEXED

12-