

#1691

Lot H as shown on Plat  
of Subdivision of Plot C to  
Rivier Park, recorded July 21,  
1900 in Plat Book 7, p. 74

27<sup>TH</sup> ST. LIFT STATION

LEGAL DEPARTMENT  
INTEROFFICE MEMORANDUM

TO : SANDRA M. PARMERLEE                      DATE : JULY 24, 1989  
CLERK  
BOARD OF PUBLIC WORKS

FROM : JENNY PITTS MANIER *JPM*  
ASSISTANT CITY ATTORNEY

RE : EASEMENT AGREEMENTS; 27TH STREET LIFT STATION

I am attaching the letter I received from James W. Emans, P.E., of Lawson-Fisher Associates, concerning the above-referenced agreements.

As you know, on July 24, 1989, the South Bend Board of Public Works accepted two easement agreements from Mr. David Lesley, who owns property on which is located the 27th Street Lift Station. Mr. Emans, with the authority of the South Bend Wastewater Bureau, negotiated with Mr. David Lesley for the payment of \$1,500.00 for the easements in question.

At this point, although both Mr. Lesley and the Board have signed the Easement Agreements, the full consideration has not been paid by the City to Mr. Lesley. Consequently, the Easement Agreements should not be recorded with the St. Joseph County Recorder until such time as Mr. Lesley is paid in full. Please keep me informed as to when the claim for the \$1,498.00 in question is scheduled to be approved by the Board.

Attachment

cc: James W. Emans, P.E.  
Project Engineer  
Lawson-Fisher Associates  
525 West Washington Street  
South Bend, IN 46601

Karl R. Kopec, Director  
Wastewater Treatment Plant

C:2PARMERLEE

*7/31 - Jack Dillon advised me that he is processing claim - should come to BPW on 8/4 for approval by BPW on 8/7/89 - SK*





**LAWSON-FISHER ASSOCIATES**  
CONSULTING ENGINEERS

DANIEL R. LAWSON, P.E.  
JOHN E. FISHER, P.E.

525 WEST WASHINGTON STREET • SOUTH BEND, IND. 46601

PH: (219) 234-3167  
FAX: (219) 236-1330  
87239.10

July 20, 1989

JOHN A. MIDDLETON, P.E.  
ROBERT J. NOBLE, P.E.  
GREGORY L. HOLDEN, P.E.  
STEPHEN J. BENCZIK, P.E.  
JAMES W. EMANS, P.E.

Mr. David Lesley  
16511 Baywood  
Granger, IN 46530

Dear Mr. Lesley:

As we discussed by telephone yesterday, the City has agreed to pay you the total sum of \$1,500.00 for the easements pertaining to Lots H and I as described in the Easement Agreements. Each Easement Agreement states that you will grant the easement in exchange for the "sum of One Dollar (\$1.00) and other good and valuable consideration....". The difference of \$1,498.00 shall be considered "other good and valuable consideration" in this transaction.

As I informed you, after these documents are signed by you, in the presence of a Notary Public, they will be presented to the Board of Public Works and Safety for approval on the Monday following the signing.

After approval, it may take up to four (4) weeks for you to receive your check. This should be sent to you by mail by the City of South Bend.

If you have any questions, feel free to contact myself or Ms. Jenny Pitts-Mainer, Assistant City Attorney.

Very truly yours,

LAWSON-FISHER ASSOCIATES

James W. Emans, P.E.  
Project Engineer

JWE/s

c: → Jenny Pitts-Mainer  
Karl Kopec  
John Fisher

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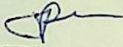
JUL 24 1989

CITY OF SOUTH BEND  
DEPT. OF LAW



LEGAL DEPARTMENT  
INTEROFFICE MEMORANDUM

**TO :** SANDRA PARMERLEE                      **DATE :** JULY 21, 1989  
CLERK, BOARD OF WORKS

**FROM :** JENNY PITTS MANIER   
ASSISTANT CITY ATTORNEY

**RE :** EASEMENT AGREEMENTS

Please place the attached easement agreements on the July 24th Board of Public Works agenda. The easements are being transferred to the City in connection with construction work that is taking place at the 27th Street lift station. At its meeting, the Board will accept the two easements. Upon payment by the City of the \$1500.00 consideration, the easement rights will formally vest in the City. At that point, you should record the easments with the County Recorder. You may want to ask Karl Kopec to keep you posted with respect to the payment of the \$1500.00 consideration.

cc; John Leszczynski







ST. JOSEPH CO. RECORDER  
FILE NO. \_\_\_\_\_  
MARIANNE SEACH  
RECORDER

MAR 3 8 05 AM '95

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD

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