



Department of  
**Community Investment**

## Redevelopment Commission Agenda Item

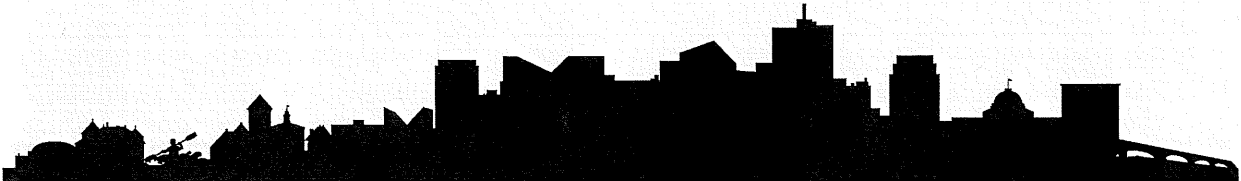
DATE: December 15, 2016  
FROM: David Relos, Economic Resources *DR*  
SUBJECT: AEP Utility Easement – Ignition Park South

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As part of preparing Ignition Park South as a developable site, streets and alleys have been vacated and utilities throughout the site need cleared to its perimeter. Currently AEP has a redundant feed to Ignition Park that is on the west side of Scott and needs to be relocated to the east side. Once the AEP work is completed AT&T can them come in and remove their lines on these shared poles, which should complete the utility removal in this ~ 12 acre site.

Staff requests approval of this AEP utility easement, allowing them to move their Ignition Park feed from the west side of Scott to the east side of Scott.

INTERNAL USE ONLY: Project Code: \_\_\_\_\_  
Total Amount new in budget: \_\_\_-0-\_\_\_\_\_; broken down by:  
Acct # \_\_\_none\_\_\_\_\_  
Going to BPW for Contracting? No Is this item ready to encumber now? Yes  
Existing PO# \_\_\_\_\_ Inc/Dec \$ \_\_\_\_\_



# EASEMENT & RIGHT OF WAY

*Parcel ID No. 018-8026-1035 (71-08-14-255-008.000-026)  
018-8026-1054 (71-08-14-278-001.000-026), 018-8026-1055 (71-08-14-278-002.000-026)  
018-8026-1058 (71-08-14-278-003.000-026) & 018-8026-1059 (71-08-14-278-004.000-026)*

**Easement No. IN161094  
Map No. 575**

**THIS INDENTURE**, made by and between **THE DEPARTMENT OF REDEVELOPMENT OF THE CITY OF SOUTH BEND**, for the use and benefit of the **DEPARTMENT OF REDEVELOPMENT**, by and through its governing body, the **South Bend Redevelopment Commission, 1400 S. County-City Building, 227 W. Jefferson Boulevard, South Bend, Indiana 46601**, (hereinafter referred to as "GRANTOR"), and **INDIANA MICHIGAN POWER COMPANY**, an Indiana Corporation, whose post office address is P.O. Box 60, One Summit Square, Fort Wayne, Indiana 46801 ("GRANTEE").

**WITNESSETH**, that for One (\$1.00) Dollar and other good and valuable consideration in hand paid, the receipt and sufficiency of which Grantor hereby acknowledges, Grantor does hereby grant and convey to Grantee an **THIRTY (30') FOOT WIDE EASEMENT AND RIGHT-OF-WAY** (*see Exhibit "A" attached hereto for the specific dimensions and location identification*) for the construction, operation, use, maintenance, repair, renewal, and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy and for communication purposes, including the right to permit attachments of others to said facilities, in, on, along, under, over, across, and through the said easement, which easement is located on the following described **REAL ESTATE**, to-wit:

A parcel of land located in the Northeast Quarter of Section 14, Township 37 North, Range 2 East, Portage Township, St. Joseph County, Indiana, and more particularly described as follows:

Lot 1 of RAFF'S THIRD ADDITION as recorded in Plat Book 9, Page 29, in the Office of the Recorder of St. Joseph County, Indiana. **AND** Lots 28 and 29 of STULL'S FOURTH ADDITION as recorded in Plat Book 8, Page 180, in the Office of the Recorder of St. Joseph County, Indiana.

Being the same (or a part of the same) property conveyed to **THE DEPARTMENT OF REDEVELOPMENT OF THE CITY OF SOUTH BEND**, for the use and benefit of the **DEPARTMENT OF REDEVELOPMENT**, by and through its governing body, the **South Bend Redevelopment Commission, 1400 S. County-City Building, 227 W. Jefferson Boulevard, South Bend, Indiana**, by Quit Claim Deed recorded as Document Record **1512713** on May 27, 2015, in the Office of the Recorder of St. Joseph County, Indiana.

**TOGETHER** with the right of ingress and egress to, from, and over said premises, and also the right to cut, trim, and/or remove any trees or bushes which may endanger the safety or interfere with the construction, maintenance, or use of said facilities.

**GRANTEE** shall promptly repair or replace all physical damage on the premises proximately caused by the construction, operation, and maintenance of Grantee's facilities.

**GRANTOR** warrants that no structure or building shall be erected upon said easement.

**AFTER** the completion of said system, the Grantor reserves the full use of the land which is not inconsistent with the existence and maintenance of said facilities but does agree not to change elevation or grade within the area of said easement without the written prior consent of Grantee.

**IT IS AGREED** that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions and shall be binding on their respective representatives, heirs, successors, and assigns.

**THE UNDERSIGNED PERSON** executing this document on behalf of Grantor represents and certifies that he is duly authorized and has been fully empowered by the Grantor to execute and deliver this document; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

**IN WITNESS WHEREOF**, the Grantor has hereunto set his/her hand and seal.

DEPARTMENT OF REDEVELOPMENT OF THE CITY OF  
SOUTH BEND, by and through its governing body:

**THE SOUTH BEND REDEVELOPMENT COMMISSION**

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, its \_\_\_\_\_  
(Please print your name and title on this line exactly as it appears above.)

**ATTEST:**

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, its \_\_\_\_\_  
(Please print your name and title on this line exactly as it appears above.)

**ATTEST:**

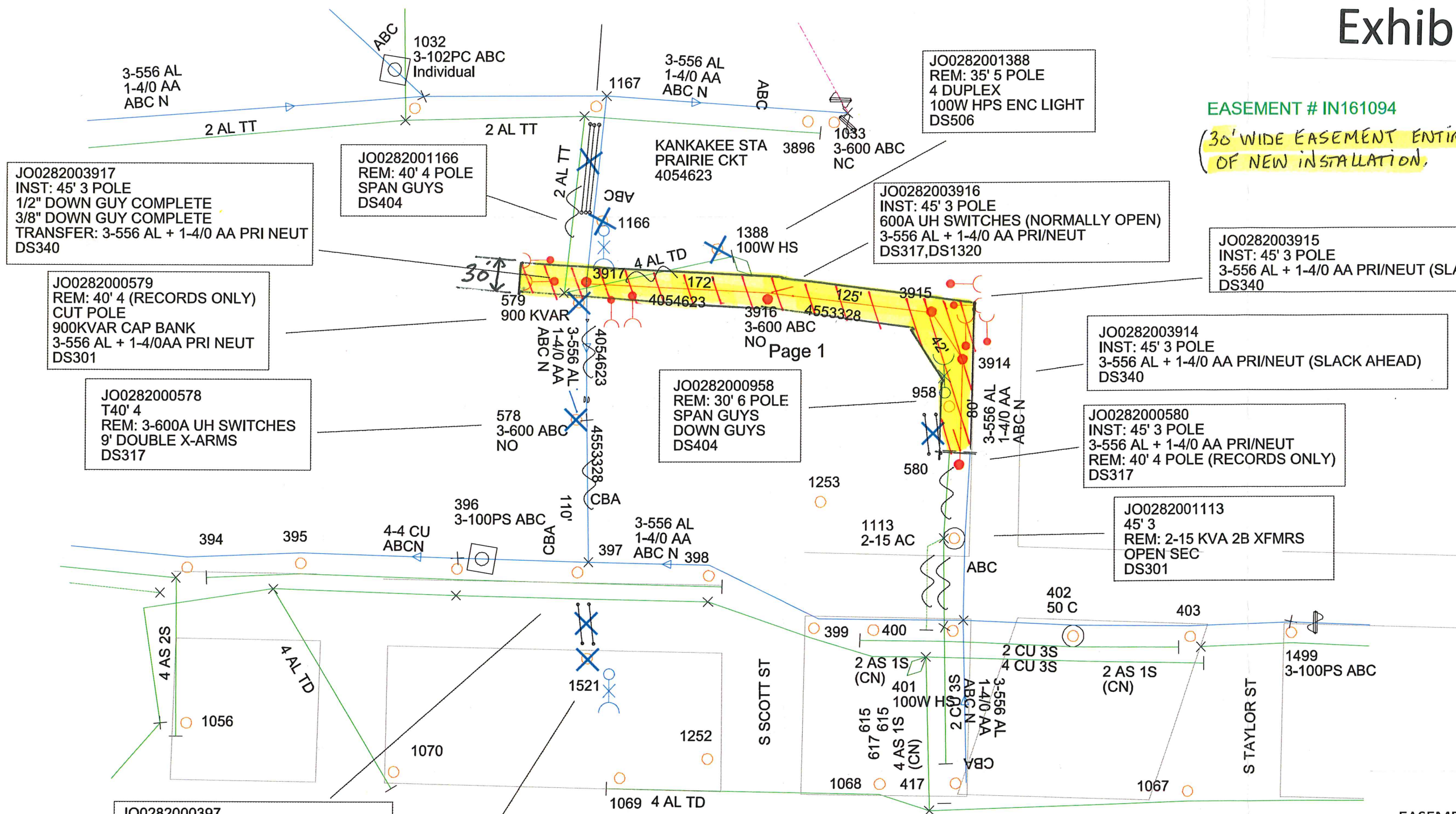
DATED: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, its \_\_\_\_\_  
(Please print your name and title on this line exactly as it appears above.)



# Exhibit "A"

EASEMENT # IN161094  
 (30' WIDE EASEMENT ENTIRE LENGTH)  
 (OF NEW INSTALLATION)



Page 1

JO0282000397  
 REM: 8' DOUBLE X-ARM  
 110' OF 3-556 AL + 1-4/0AA PRI/NEUT  
 DS301, DS335

JO0282001521  
 REM: 30' 6 POLE  
 DOWN GUY COMPLETE  
 SPAN GUYS  
 DS404

EASEMENT IN161094  
 W/R 56508153  
 DIM0158851  
 JO0282 - 580, 3914-3917

EXHIBIT "A"  
 EASEMENT IN161094, MAP 575  
 RAFFS THIRD ADD, 1<sup>ST</sup> REPLAT  
 GRANTOR CITY OF SOUTH BEND



Customer / Job Name <b>CITY OF SB</b>				Designed <b>AM</b>	Date <b>10/25/16</b>
Address / Job Location <b>REAR OF 615 W INDIANA AVE</b>				County <b>PORTAGE</b>	
W.R. # <b>56508153</b>	W.O. # <b>158851</b>	Voltage <b>12KV</b>	Phase	Township <b>ST JOSEPH</b>	
Station /Circuit Name <b>STUDEBAKER - ROADSTER</b>		Station /Circuit #		Quadrant	Map: <b>J282</b>
Joint Use # <b>2016-015-0664</b>	Joint Use # <b>2016-015-0665</b>	Joint Use #	R/W # <b>IN161094</b>	Scale	Page <b>1/1</b>