



Department of
Community Investment

Redevelopment Commission Agenda Item

DATE: February 23, 2017
FROM: David Relos, Economic Resources *DR*
SUBJECT: AEP Utility Easement – Ignition Park South

As part of preparing Ignition Park South as a developable site, streets and alleys have been vacated and utilities throughout the site are being cleared to its perimeter. Currently AEP has a redundant feed to Ignition Park that is on the west side of Scott St. and needs to be relocated to the east side. Once the AEP work is completed AT&T can then 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? No
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.)

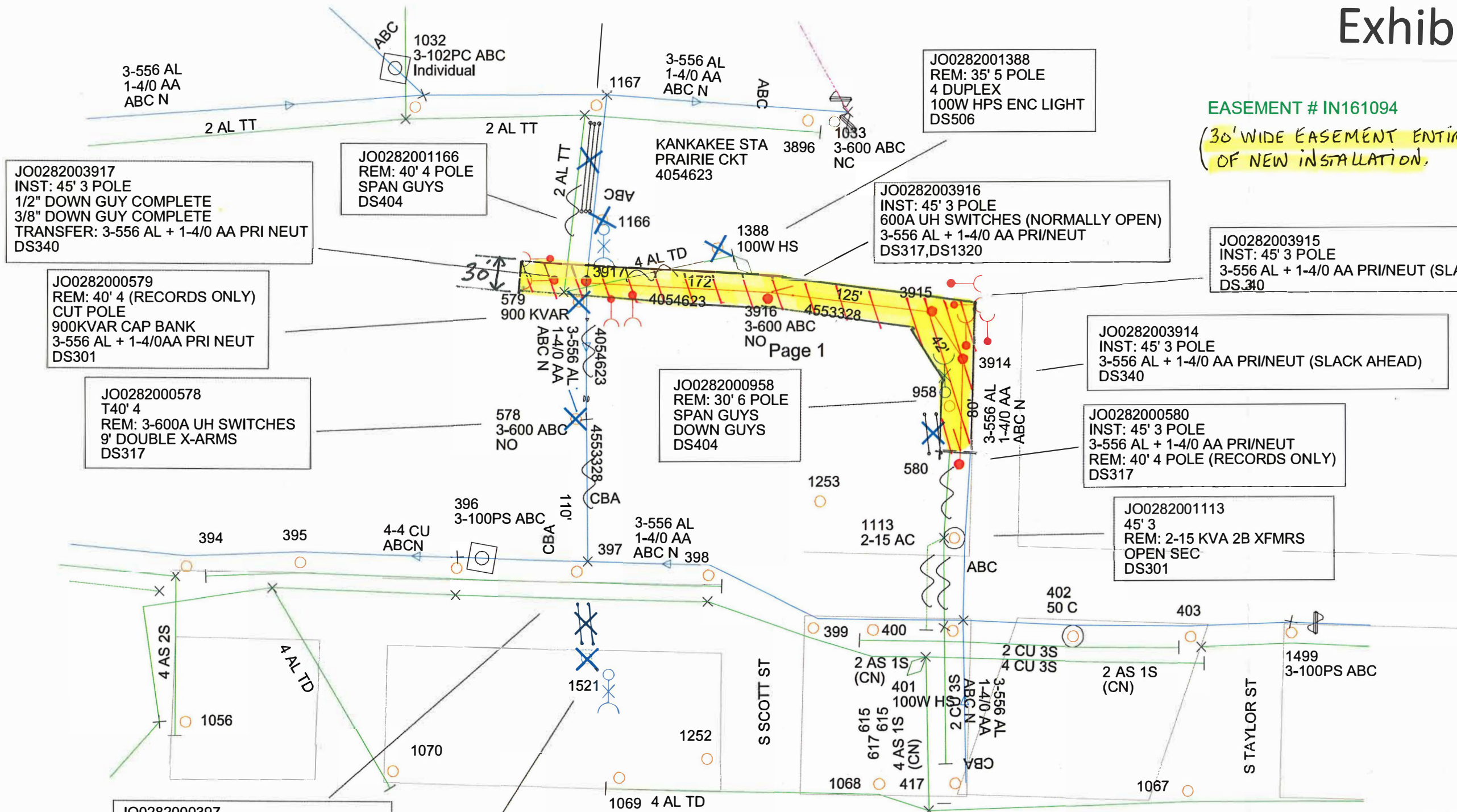
ATTEST:

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)



JO0282003917
 INST: 45' 3 POLE
 1/2" DOWN GUY COMPLETE
 3/8" DOWN GUY COMPLETE
 TRANSFER: 3-556 AL + 1-4/0 AA PRI NEUT
 DS340

JO0282001166
 REM: 40' 4 POLE
 SPAN GUYS
 DS404

JO0282001388
 REM: 35' 5 POLE
 4 DUPLEX
 100W HPS ENC LIGHT
 DS506

JO0282003916
 INST: 45' 3 POLE
 600A UH SWITCHES (NORMALLY OPEN)
 3-556 AL + 1-4/0 AA PRI/NEUT
 DS317, DS1320

JO0282003915
 INST: 45' 3 POLE
 3-556 AL + 1-4/0 AA PRI/NEUT (SLACK BACK)
 DS310

JO0282000579
 REM: 40' 4 (RECORDS ONLY)
 CUT POLE
 900KVAR CAP BANK
 3-556 AL + 1-4/0AA PRI NEUT
 DS301

JO0282003914
 INST: 45' 3 POLE
 3-556 AL + 1-4/0 AA PRI/NEUT (SLACK AHEAD)
 DS340

JO0282000578
 T40' 4
 REM: 3-600A UH SWITCHES
 9' DOUBLE X-ARMS
 DS317

JO0282000958
 REM: 30' 6 POLE
 SPAN GUYS
 DOWN GUYS
 DS404

JO0282000580
 INST: 45' 3 POLE
 3-556 AL + 1-4/0 AA PRI/NEUT
 REM: 40' 4 POLE (RECORDS ONLY)
 DS317

JO0282001113
 45' 3
 REM: 2-15 KVA 2B XFMRs
 OPEN SEC
 DS301

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

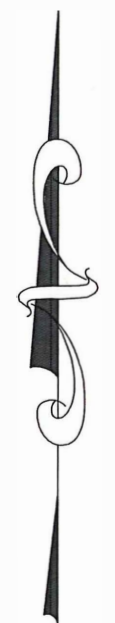


EXHIBIT "A"
 EASEMENT IN161094, MAP 575
 RAFFS THIRD ADD, 1ST REPLAT
 GRANTOR CITY OF SOUTH BEND



South Bend/ Elkhart District

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