

1017

CORPORATE WARRANTY DEED from Indiana & Michigan Electric Company to City of South Bend, the East 40 feet of the following described real estate:

(SEE DEED)

Assent

22872

**CORPORATE
WARRANTY DEED**

FROM

.....
.....
.....
.....

Received for record this

day of

at

Recorded in Book No.

Recorder

Duly entered for taxation this

day of

Auditor's fee \$

Auditor..... County.

**DULY ENTERED FOR TAXATION
EUGENE A. BASKER
AUDITOR
ST. JOSEPH CO., INDIANA**

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

FEB 10 9 13 AM '71
M., and

BOOK 228 PAGE 293
AUGUST H. COOREMAN
RECORDER

INDEXED

Gilbert bond

MISSOURI

Case - Brdg Public, Walker

#1017

229720

W.O. _____
USE _____

Corporate Warranty Deed

DEED NO. 761
PLAT NO. SB
2-10-77

THIS INDENTURE WITNESSETH, That INDIANA & MICHIGAN ELECTRIC COMPANY

_____ a corporation duly organized
and existing under the laws of the state of Indiana

located in Allen County, in the State of Indiana Convey and Warrant
to THE CITY OF SOUTH BEND, INDIANA

of St. Joseph County, in the State of Indiana, for and in consideration of the sum of
Five Hundred and Fifty DOLLARS (\$ 550.00) and other

good and valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate
in St. Joseph County, in the State of Indiana, to-wit:

The East forty (40) feet of the following described Real Estate:

Part of the Southeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and part
of the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section
Twenty-Eight (28), Township Thirty-eight (38) North, Range Two (2) East,
described as beginning at the Northeast corner of the Southeast Quarter
($\frac{1}{4}$) of said Section Twenty-eight (28); thence North along the East line
of said Section, Sixty-five (65) feet; thence West Six Hundred Sixty
(660) feet; thence South Sixty-five (65) feet; thence West Three Hundred
Thirty (330) feet; thence South One Hundred Seventy-seven (177) feet;
thence East Nine Hundred Ninety (990) feet to the East line of said
Section; thence North along said Section line ~~One Hundred Seventy-seven~~
(177) feet to the place of beginning.

Indiana Gross Income Tax on Sale of Real Estate	
Paid by	<u>Indiana & Michigan Electric Co.</u>
	Grantor
Date Paid	<u>2-7-1977</u>
Amount Paid \$	<u>8.25</u>
Treasurer's Receipt #	<u>299256</u>

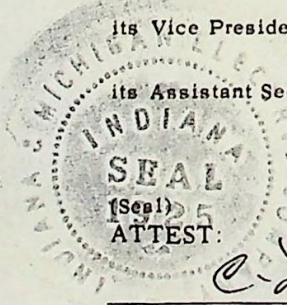
ST. JOSEPH CO
INDIANA
FILED FOR RECORD
FEB 16 9 15 AM '77
BOOK PAGE
AUGUST H. COOREMAN
RECORDER

IN WITNESS WHEREOF, The said INDIANA & MICHIGAN ELECTRIC COMPANY
St. Joseph County

has caused this Deed to be executed by R. C. Menge, Vice President

its Vice President, and attested by C. L. Mast, Asst. Secretary

its Assistant Secretary, and its corporate seal to be hereunto affixed.



ATTEST:
C. L. Mast Asst. Secretary

C. L. Mast
(Printed Name)

this 3rd day of February 1977
INDIANA & MICHIGAN ELECTRIC COMPANY

By R. C. Menge Vice President

R. C. Menge
(Printed Name)

STATE OF INDIANA, ALLEN County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named
R. C. Menge Vice President and C. L. Mast Asst. Secretary
to me known to be such Vice President and Assistant Secretary of said Corporation and acknowledged the execution
of the foregoing Deed for and on behalf of said Corporation and by its authority.

WITNESS, my hand and Notarial seal this 3rd day of February 1977
My commission expires July 19, 1980
Rita K. Sauders Notary Public

This instrument prepared by: George H. Brigham, Agent for Indiana & Michigan Electric Company, 2101 Spy Run Avenue, Fort Wayne, Indiana.

750
2

225720
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

FEB 10 9 15 AM '77

BOOK 1211 PAGE 501-506
AUGUST H. COOREMAN
RECORDER

INDEXED

Case

Book of Public Wards

229720

Transfer ~~76A~~
Taxing Unit ~~AB~~
Date ~~2-10-77~~

THIS INDENTURE, made this 6th day of January 1977, between Irving Trust Company, a corporation existing under and by virtue of the laws of the State of New York (Corporate Trustee) and D. W. May (successor Individual Trustee), as Trustees, (hereinafter called "Trustees") parties of the first part, and Indiana & Michigan Electric Company, a corporation existing under and by virtue of the laws of the State of Indiana, with principal office at 2101 Spy Run Avenue, Fort Wayne, Indiana (hereinafter called "Company"), party of the second part:

WHEREAS, by the Mortgage and Deed of Trust between the Company and Irving Trust Company and Frederick G. Herbst, as Trustees, dated as of June 1, 1939, and recorded among other places in the Office of the Recorder of the County of St. Joseph, State of Indiana, in Mortgage Record No. 312 at Page 321, Chat. Mtg. Rec. 251.

the Company did convey the property hereinafter described unto the said Trustees; and

WHEREAS, by a certain instrument between the Company and Richard H. West, dated as of June 4, 1945, and recorded among other places in the aforesaid St. Joseph County Recorder's Office in Mortgage Record No. 83 (MISC) at page 566,

the said Richard H. West was appointed by the Company as successor Individual Trustee under said Mortgage and Deed of Trust and accepted such appointment; and

WHEREAS, by a certain instrument between the Company, Irving Trust Company and James A. Austin, dated as of June 19, 1950, and recorded among other places in the aforesaid St. Joseph County Recorder's Office in Mortgage Record No. 497 at page 184,

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD
FEB 10 9 15 AM '77
BOOK AUGUST H. COOREHAN
PAGE RECORDER

and Irving Trust Company as successor Individual Trustee under said Mortgage and Deed of Trust and accepted such appointment; and

BOOK 1211 PAGE 502

WHEREAS, by a certain instrument between the Company, Irving Trust Company and E. J. McCabe, dated as of February 1, 1967, and recorded among other places in the office of the Recorder of the County of St. Joseph, State of Indiana, in Mortgage Record No. 922 at page 55 the said E. J. McCabe was appointed by the Company and Irving Trust Company as successor Individual Trustee under said Mortgage and Deed of Trust and accepted such appointment; and

WHEREAS, by a certain instrument between the Company and Irving Trust Company and D. W. May, dated as of December 1, 1973 and recorded among other places in the office of the Recorder of the County of St. Joseph, State of Indiana, in Mortgage Record No. 1111 at page 404^{- 434} the said D. W. May was appointed effective December 14, 1974 by the Company and Irving Trust Company as successor individual Trustee under said Mortgage and Deed of Trust and accepted such appointment; and

WHEREAS, said Mortgage and Deed of Trust has been amended and supplemented by the instruments hereinafter listed, which instruments are identified, dated and recorded in

<u>Instrument</u>	<u>Date</u>	<u>Mortgage Record No.</u>	<u>Page</u>
Indenture Supplemental	9/1/48	451	390
		Chat. Rec. 14	251
Indenture Supplemental	6/1/50	497	189
		Chat. Rec. 16	251
Indenture Supplemental	1/1/52	546	146
		Chat. Rec. 17	251
Indenture Supplemental	9/1/53	590	15
		Chat. Rec. 19	237
Indenture Supplemental	10/1/54	616	134
		Chat. Rec. 21	222
Indenture Supplemental	2/1/58	699	541
		Chat. Rec. 28	282
Indenture Supplemental	11/1/58	720	125-146
		Chat. Rec. 30	288
Indenture Supplemental	8/1/63	828	78
		Chat. Rec. 41	303
Indenture Supplemental	5/1/68	950	161
Indenture Supplemental	6/1/69	982	281-312
Indenture Supplemental	4/1/70	1001	89-129
Indenture Supplemental	2/16/71	1019	455
Indenture Supplemental	12/1/73	1111	404-434
Indenture Supplemental	6/1/74	1125	468-494
Indenture Supplemental	3/1/75	1145	596-626
Indenture Supplemental	9/1/75	394	111

WHEREAS, the Company has requested the Trustees to release the property hereinafter described from the lien of said Mortgage and Deed of Trust, as amended and supplemented, in order that the Company may sell, convey and transfer the said property clear, free and discharged of and from such lien; and

WHEREAS, the Company has complied with all the terms and conditions of said Mortgage and Deed of Trust, as amended and supplemented, with respect to obtaining the release of the property hereinafter described from the lien thereof;

NOW, THEREFORE, THIS INDENTURE WITNESSETH:

That the Trustees, for and in consideration of the application by the Company and its compliance with all applicable provisions of the Mortgage relating to the release of property from the lien of the Mortgage, have released, quitclaimed and set over, and by these presents do release, quitclaim and set over unto the Company, its successors and assigns, all their right, title and interest as Trustees as aforesaid in and to the mortgaged property hereinafter particularly described, to-wit:
Certain property located in St. Joseph County, Indiana as described on page 1(a) attached hereto.

BOOK 1211 PAGE 503

The following described Real Estate in St. Joseph County, in the State of Indiana, to-wit:

Part of the Southeast Quarter (1/4) of the Northeast Quarter (1/4) and part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Twenty-Eight (28), Township Thirty-eight (38) North, Range Two (2) East, described as beginning at the Northeast corner of the Southeast Quarter (1/4) of said Section Twenty-eight (28); thence North along the East line of said Section, Sixty-five (65) feet; thence West Six Hundred Sixty (660) feet; thence South Sixty-five (65) feet; thence West Three Hundred Thirty (330) feet; thence South One Hundred Seventy-seven (177) feet; thence East Nine Hundred Ninety (990) feet to the East line of said Section; thence North along said Section line One Hundred Seventy-seven (177) feet to the place of beginning.

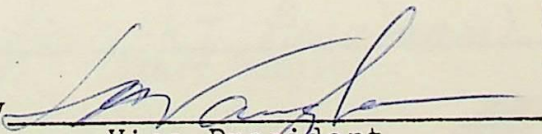
TO HAVE AND TO HOLD the said property hereby released to the Company, its successors and assigns, to its and their own proper use, benefit and behoof forever, clear free and discharged of and from any and all liens or claims under and by virtue of said Mortgage and Deed of Trust, as amended and supplemented as aforesaid.

It is expressly understood that no part of the property covered by and subject to the said Mortgage and Deed of Trust, as amended and supplemented as aforesaid, is hereby discharged or released therefrom, other than the property above described, and that nothing herein does in any way affect or impair the right of the said Trustees to hold the said Mortgage and Deed of Trust, as amended and supplemented as aforesaid, for security as therein provided on the remainder of the premises and property thereby conveyed or intended so to be, and not heretofore released from the lien of said Mortgage and Deed of Trust, as amended and supplemented as aforesaid.

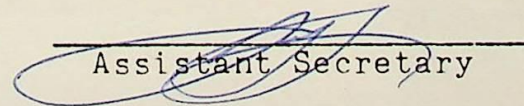
IN WITNESS WHEREOF, and as Trustees under the Mortgage and Deed of Trust, as amended and supplemented as aforesaid, the Irving Trust Company has caused this writing to be signed by its Vice President, and its corporate seal to be hereunto affixed, duly attested by its Assistant Secretary, under authority duly given, and the said D. W. May has hereunto set his hand and seal, all of which is done this

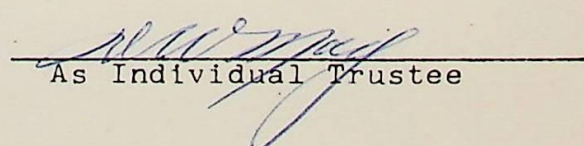
6th day of *January*, 1977.

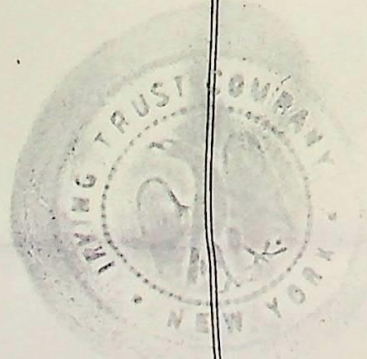
IRVING TRUST COMPANY
as Corporate Trustee

By 
Vice President

Attest:


Assistant Secretary


As Individual Trustee





Faint, illegible text, likely bleed-through from the reverse side of the page.



DULY ENTERED FOR TAXATION
EUGENE A. BASKER
AUDITOR
ST. JOSEPH CO., INDIANA

BOOK 1511 PAGE 202