

3031

9/5/1961

Quit Claim Deed

LOT NO.

SUB:

Kelly, Henry

Description:

All that part of the the 50 foot right of way in the northwest quarter (1/4) of the northwest quarter (1/4) of Section No. One (1) Township No. 37 North Range No. 2 East, lying east of and adjacent to the right of way of the Michigan Central Railroad COpa

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WARRANTY DEED & QUIT CLAIM DEED:

RESOLUTION OF BOARD OF PUBLIC WORKS & SAFETY

Henry M. Kelly and Florence E. Kelly
(Property east and adjacent to right-of-way
of Michigan Central R.R. and Pokagon St.)

Deed from City

3037

RESOLUTION OF THE BOARD OF PUBLIC WORKS
AND SAFETY OF THE CITY OF SOUTH BEND.

WHEREAS, on the 5th day of September, 1961 the Municipal City of South Bend by its Mayor Frank J. Bruggner and attested by its City Clerk Freda G. Noble executed and delivered its Warranty Deed to Henry M. Kelly and Florence E. Kelly, husband and wife, for the following described real estate situate in St. Joseph County, Indiana, to-wit:

All that part of the Fifty (50) foot right of way in the North West Quarter (1/4) of the North West Quarter (1/4) of Section No. One (1), Township No. Thirty-seven (37) North, Range No. Two (2) East, lying East of and adjacent to the right of way of the Michigan Central Railroad Company that lies South of the South line of Pokagon Street extended West and Northwesterly of the West line of Michigan Street (U.S. #31), in the City of South Bend,

and

WHEREAS the Board of Public Works and Safety of the City of South Bend at a prior date had found that said real estate was no longer necessary for the use of the said city of South Bend, and

WHEREAS the Common Council of the City of South Bend confirmed the action of the Board of Public Works and Safety that said real estate was no longer necessary for the use of said city, and

WHEREAS at the time of the drawing of said Warranty Deed dated September 5, 1961 an error was made in failing to include a portion of a vacated alley in said description, and

WHEREAS it was the intention of the Board of Public Works and Safety that said portion of the vacated alley be included in said description and in said deed and

WHEREAS said description of the portion of said vacated alley and the description of the real estate heretofore conveyed should read as follows:

All that part of the Fifty (50) foot right of way in the North West Quarter (1/4) of the North West Quarter (1/4) of Section No. One (1), Township No. Thirty-seven (37) North, Range No. Two (2) East, lying East of and adjacent to the right of way of the Michigan Central Railroad Company that lies South of the South line of Pokagon Street extended West and Northwesterly of the West line of Michigan Street (U.S. #31), in the City of South Bend.

Also

The West one half (1/2) of a vacated twenty (20) foot public alley lying between the West line of Lot No. 15 Samuel Leeper's 2nd Addition, from Peashway St. northwest to the South line of the alley North of Peashway Street: Subject to the retention of the necessary utility easements and surface drainage easements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of South Bend that it finds that said Warranty Deed should be corrected including the real estate description heretofore set out in said deed and further including the portion of the vacated alley as herein above described and that the new and corrective deed be submitted to Frank J. Bruggner, Mayor for his signature and that said signature be attested by Freda G. Noble, Clerk of said city.

Frank J. Bruggner
Freda G. Noble

RESOLUTION OF THE BOARD OF PUBLIC WORKS
AND SAFETY OF THE CITY OF SOUTH BEND.

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and

WHEREAS the Board of Public Works and Safety of the City of South Bend at a prior date had found that said real estate was no longer necessary for the use of the said city of South Bend, and

WHEREAS the Common Council of the City of South Bend confirmed the action of the Board of Public Works and Safety that said real estate was no longer necessary for the use of said city, and

WHEREAS at the time of the drawing of said Warranty Deed dated September 5, 1961 an error was made in failing to include a portion of a vacated alley in said description, and

WHEREAS it was the intention of the Board of Public Works and Safety that said portion of the vacated alley be included in said description and in said deed and

WHEREAS said description of the portion of said vacated alley and the description of the real estate heretofore conveyed should read as follows:

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WHEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of South Bend that it finds that said Warranty Deed should be corrected including the real estate description heretofore set out in said deed and further including the portion of the vacated alley as herein above described and that the new and corrective deed be submitted to Frank J. Bruggner, Mayor for his signature and that said signature be attested by Freda G. Noble, Clerk of said city.

Frank J. Bruggner
Freda G. Noble
George L. Wallace

MAIL TO:

HENRY M. KELLY
1317 WALL ST.
So Bend, Indiana

56183
COPYRIGHT MAY 1955, BY JOSEPH COUNTY INDIANA BAR ASSOCIATION

AUDITOR'S RECORD

Transfer No. 58

Taxing Unit SB

Date 9/6/61

WARRANTY DEED

This indenture witnesseth that THE MUNICIPAL CITY OF SOUTH BEND

BOOK 618 PAGE 580

of St. Joseph County in the State of Indiana

Convey and warrant to HENRY M. KELLY and FLORENCE E. KELLY,
Husband and wife,

of St. Joseph County in the State of Indiana

for and in consideration of One Dollar and other good and valuable considerations the receipt whereof is hereby acknowledged, the following Real Estate in St. Joseph County

All that part of the Fifty (50) foot right of way in the North West Quarter (1/4) of the North West Quarter (1/4) of Section No. One (1) Township No. Thirty-seven (37) North, Range No. Two (2) East, lying East of and adjacent to the right of way of the Michigan Central Railroad Company that lies South of the South line of Pokagon Street extended West and Northwesterly of the West line of Michigan Street (U. S. #317) in the City of South Bend.

Subject to all restrictions of record.

FILED
SEP 6 9 48 AM '61
JAMES E. WILSON
RECORDER

Signed and dated this 5th day of July 1961

State of Indiana, St. Joseph County, ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared:

THE MUNICIPAL CITY OF SOUTH BEND,

by Frank J. Bruggner, its Mayor, and Freda G. Noble, Clerk, for and on behalf of said City

THE MUNICIPAL CITY OF SOUTH BEND

BY: *Frank J. Bruggner* Seal
Frank J. Bruggner, Mayor

ATTEST: *Freda G. Noble* Seal
Freda G. Noble, Clerk

and acknowledged the execution of the foregoing deed.
In witness whereof, I have hereunto subscribed my name and affixed my official seal, this 5th day of September 1961.

Irving J. Smith

My commission expires July 7, 1963

This instrument was prepared by Irving J. Smith, 1004 Tower Building, South Bend, Indiana

MAIL TO: Henry M. Kelly
1317 Wall Street
South Bend, Indiana

COPYRIGHT MAY 1953, BY JOSEPH COUNTY INDIANA BAR ASSOCIATION

AUDITOR'S RECORD

Transfer No. _____

Taxing Unit _____

Date _____

QUIT-CLAIM DEED

This indenture witnesseth that THE MUNICIPAL CITY OF SOUTH BEND

of St. Joseph County in the State of Indiana

Release and Quit Claim to HENRY M. KELLY and FLORENCE E. KELLY,
Husband and wife,

of St. Joseph County in the State of Indiana

for and in consideration of One Dollar (\$1.00) and other valuable consideration,
the receipt whereof is hereby acknowledged, the following Real Estate in St. Joseph County
in the State of Indiana, to wit:

All that part of the Fifty (50) foot right of way in the North West Quarter (1/4)
of the North West Quarter (1/4) of Section No. One (1), Township No. Thirty-
seven (37) North, Range No. Two (2) East, lying East of and adjacent to the right
of way of the Michigan Central Railroad Company that lies South of the South line
of Pokagon Street extended West and Northwesterly of the West line of Michigan
Street (U.S. #31), in the City of South Bend.

Also

The West One half (1/2) of a vacated twenty (20) foot public alley lying
between the West line of Lot Two, 15 Samuel Leeper's 2nd Addition, from Peashway
St. Northwest to the South line of the alley North of Peashway Street; Subject
to the retention of the necessary utility easements and surface drainage easements.

Subject to all restrictions of record.

This deed is given to convey any interest that the City of South Bend may have
acquired by the vacation of said alley and not already heretofore conveyed by
a prior deed between the same parties dated September 5, 1961 and recorded in
Deed Record 618 at page 580 in the office of the Recorder of St. Joseph County,
Indiana.

Signed and dated this 30th day of December 1963

State of Indiana, St. Joseph County, ss:

Before me, the undersigned, a Notary Public in and for said County
and State, personally appeared

THE MUNICIPAL CITY OF SOUTH BEND,

by Frank J. Brugener, its Mayor, and Freda G.
Noble, Clerk, for and on behalf of said City

and acknowledged the execution of the foregoing deed

In witness whereof, I have hereunto subscribed my name and affixed

my official seal, this 30th day of December 1963

Notary Public

My commission expires February 12, 1964

THE MUNICIPAL CITY OF SOUTH BEND

By Frank J. Brugener
Frank J. Brugener, Mayor

ATTEST:

Freda G. Noble, Clerk

Seal

Seal

Seal

Seal

Seal

RESOLUTION OF THE BOARD OF PUBLIC WORKS
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WHEREAS the Board of Public Works and Safety of the City of South Bend at a prior date had found that said real estate was no longer necessary for the use of the said city of South Bend, and

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