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THIS INDENTURE WITNESSETH, That Indiana Service Corporation, an Indiana Corporation, hereinafter referred to as "Grantor", quitclaims to the City of Wabash, of Wabash County, in the State of Indiana, hereinafter referred to as "Grantee", for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the following-described real estate situated in Wabash County, in the State of Indiana, to wit:

The now abandoned right of way of the Indiana Service Corporation, commencing at the West line of Huntington Street and continuing westwardly therefrom over and across Race Street, Wabash Street, Miami Street, Cass Street, Carroll Street and Pettit Street to the South line of Edsall Street, a short distance West of Pine Street in the City of Wabash, Wabash County, Indiana, (excepting that portion between Wabash Street and Miami Street), consisting of 15 separate tracts described as follows, to-wit: (4-2) 570 P- 9 to 10

1. So much of the South 100 feet of Lot No. 3 in S. & H. Hanna's Southern Addition to the town, now City of Wabash, as lies West of Huntington Street. Also, the South 100 feet of Lot No. 4 and Lot No. 5 of said S. & H. Hanna's Southern Addition, being part of a tract of land conveyed by George C. Hipekind to the Indiana Service Corporation as recorded in Book 130, Page 126, of the records of Wabash County, Indiana.

2. Also that part of Outlet No. 2 Murphy's Addition to the City of Wabash described as follows, to wit: Beginning at the southeast corner of said Outlet in the North line of Fulton Street; thence West on the north line of Fulton Street sixty (60) feet; thence Northeast Fifty-two (52) feet to a point in the Easterly line of said Outlet; thence twenty-three (23) feet to the point of beginning, containing approximately one hundredths (.01) of an acre. The aforescribed tract of land is the same as conveyed to Franklin W. Plummer by Harry Fadley and Mary Fadley, his wife, as recorded in Deed Record 131 page 288, of the records of Wabash County, Indiana.

3. Also that part of Out Lot Number three (3) in Murphy's Addition to the City of Wabash lying North of a line parallel with and one hundred (100) feet South of the North line of Fulton Street, being a part of the land conveyed by Harry Fadley to the Indiana Service Corporation as recorded in Book 130, page 248 of the records of Wabash County, Indiana.

4. Also that part of Lot Number five (5) in Murphy's Addition to the City of Wabash, Wabash County, Indiana, as lies North of a line parallel with and one hundred (100) feet South of the North line of Fulton Street, being a part of the tract of land conveyed to Franklin W. Plummer by Louis M. Berry and Lucile Berry, his wife, as recorded in Deed Record 130, page 476 of the records of Wabash County, Indiana, and re-conveyed by said Franklin W. Plummer and Clarissa Plummer, his wife, to Indiana Service Corporation, recorded Book 132, pages 43 and 44 of the records of said Wabash County.

5. Also, a part of Fractional Section 14, in Township 27 North, Range 6 East, situated within the corporate limits of the City of Wabash, bounded and described as follows, to wit:

Commencing at a point in the West line of Miami Street in said City of Wabash, which is 581.25 feet South of the Northeast corner of Inlot No. 24 in the Southern Addition to the town, now City, of Wabash; thence South 85 degrees West 623.7 feet to the Northwest corner of a tract of land conveyed to Franklin W. Plummer by Mary E. Bowers, as recorded in Deed Record 130, page 319, of the records of Wabash County, Indiana; thence North to the South line of Fulton Street; thence East on the South line of Fulton Street 623.7 feet to the West line of Miami Street; thence South on the West line of Miami Street to the place of beginning.

5. (a). Also, a part of Fractional Section 14, in Township 27 North, Range 6 East, situated within the corporate limits of the City of Wabash, bounded and described as follows, to wit:

Commencing at a point in the West line of Miami Street in said City of Wabash, which is 581.25 feet South of the Northeast corner of Inlot No. 24 in the Southern Addition to the town, now City, of Wabash; thence running North along the said West line of Miami Street, 139.69 feet for the place of beginning; thence South 85 degrees West 623.7 feet to the Northwest corner of a tract of land conveyed to Franklin W. Plummer by Mary E. Bowers, as recorded in Deed Record 130, Page 319, of the records of Wabash County, Indiana; thence North to the South line of Fulton Street; thence East on the South line of Fulton Street 623.7 feet to the west line of Miami Street; thence South on the West line of Miami Street to the place of beginning.

The land intended to be hereby conveyed is the same land as is conveyed at description No. 5 hereof, immediately preceding this description, which land was conveyed to Indiana Service Corporation by deed recorded in Deed Record 132, pages 43 and 44, of the records in the office of the Recorder of Wabash County, Indiana, wherein the real estate was erroneously described.

6. Also, a strip of land 60 feet wide of even width off of the entire north side of Out Lot No. 1 in Pettit and Ferry's Addition of Out Lots to the City of Wabash, lying immediately South of the South line of Fulton Street. The aforescribed parcel is part of a tract of land conveyed to Franklin W. Plummer by Mc M. Turner, as recorded in Deed Record 130, Page 176, of the records of Wabash County, Indiana.

7. Also, Lot No. 1 in Bigler's Addition to the City of Wabash, Wabash County, Indiana. The aforescribed lot being the same as conveyed to Franklin W. Plummer by Charles S. Baer and Ella Baer, his wife, as recorded in Deed Record 130, Page 314, of the records of Wabash County, Indiana.

8. Also, Lots 7, 8 and 11 in Bigler's Addition to the City of Wabash, Wabash County,

Indiana. The aforescribed lots being the same as was conveyed to Franklin W. Plummer by Robert M. Kunse and Lois B. Kunse, his wife, as recorded in Deed Record 130, Page 317, of the records of Wabash County, Indiana.

9. Also, that part of Lot No. 9 of Pettit and Ferry's Addition to the City of Wabash, described as follows, to-wit:

Being a strip of land 80 feet wide of even width 30 feet on the Northerly side and 50 feet on the Southerly side of the center line of the former Indiana Service Corporation railway track as located across said part of Out Lot no. 9, said center line beginning at a point in the East line of said Out Lot no. 9, 202 feet North of the Southeast corner thereof of said Lot; running thence Southwestwardly on a curve to the left whose radius is 716.34 feet, 80 feet to a point of tangent; thence on said tangent in a Southwestwardly direction 147 feet to a point in the West line of the East 172 feet of said Lot No. 9, 108 feet North of the Southwest corner thereof; containing approximately 0.38 acre. The aforescribed parcel being a tract of land conveyed by Merlin S. Wilson, Trustee, to Franklin W. Plummer, as recorded in Deed Record 130, Page 589, of the records of Wabash County, Indiana.

10. Also, part of Out Lots No. 9, 10 and 12 in Pettit and Ferry's Addition of Out Lots to the City of Wabash, and a part of Fractional Section 15, Township 27 North, Range 6 East, all in the City of Wabash, Wabash County, Indiana, more particularly described as follows, to-wit:

A strip of land 80 feet in width, being 30 feet on the Northerly side and 50 feet on the Southerly side of the following-described center line, to-wit:

Beginning at a point in the East line of the West 199 feet of Out Lot No. 9 in said Pettit and Ferry's Addition, 108 feet North of the North line of Pettit Avenue; thence in a Southwestwardly direction 209 feet to a point in the West line of said Out Lot no. 9, 10 feet North of the North line of Pettit Avenue; thence continuing Southwestwardly on a tangent to the aforesaid Southwestwardly line 98 feet; thence Southwestwardly on an 8 degree curve to the right whose radius is 716.34 feet, 280 feet; thence tangent to said curve in a Westerly direction 518 feet; thence by an 8 degree curve to the right whose radius is 716.34 feet, 312 feet to a point in the West line of Subdivision No. 8 in Ewing and Hanna's Subdivision of Charley's Section extended Southward 472 feet South of the South line of a certain Reserve known as Charley's Section, being bounded on the East by the East line of the West 199 feet of said Out Lot No. 9 of said Pettit and Ferry's Addition, and on the West by the West line of said Subdivision No. 8 of Ewing and Hanna's Subdivision extended Southward. Containing approximately 2.64 acres. The aforescribed parcel is a tract of land conveyed by the United Paper Board Company to Franklin W. Plummer, as recorded in Deed Record 130, page 506, of the records of Wabash County, Indiana.

11. Also, a triangular plat of land, a part of fractional Section 15, Township 27 North, Range 6 East, in the City of Wabash, Wabash County, Indiana, more particularly described as follows, to-wit:

Commencing at a stone in the South line of Charley's Section, said stone also being the Southeast corner of Subdivision, No. 11 of Ewing and Hanna's Subdivision of Charley's Section; running thence East on the South line of Charley's Section 26 feet for the place of beginning; thence continuing East along said South line of Charley's Section 52.5 feet to the boundary line between the lands of Clement L. V. Potterf and the Northern Indiana Public Service Company; thence South on said boundary line 98 feet; thence Northwestwardly to the place of beginning, containing approximately 0.08 acre. The aforescribed parcel being part of a tract of land conveyed by Clement L. V. Potterf to Franklin W. Plummer, as recorded in Deed Record 130, page 559 of the records of Wabash County, Indiana.

12. Also, the following part of Subdivision No. 11 of Ewing and Hanna's Subdivision of Charley's Section in the City of Wabash, Wabash County, Indiana, described as follows, to-wit:

Beginning at a point in the East line of said Subdivision 49 feet North of the Southeast corner thereof; running thence in a Northwesterly direction approximately 280 feet to a point in a line which is 100 feet South from and parallel with the South line of Edsall Street, said point being 135 feet West on said line with its intersection with the East line of said Subdivision No. 11; thence East 135 feet to the East line of said Subdivision No. 11; thence South on the East line of said Subdivision to the place of beginning, containing approximately 0.44 acre. The aforesaid parcel being part of a tract of land conveyed to Franklin W. Plummer by Merlin S. Wilson, Trustee, as recorded in Deed Record 130, Page 589, of the records of Wabash County, Indiana.

13. Also, a strip of land 100 feet wide, measured 50 feet on each side of the center line of the railway track as formerly located of the Indiana Service Corporation, described as follows, to-wit:

Beginning at a point 85 feet West of the Northeast corner of Subdivision No. 11 of Ewing and Hanna's Subdivision of Charley's Section, in the City of Wabash, Wabash County, Indiana; running thence Southeastwardly to a point which is 100 feet South and 26 feet West of the Northeast corner of said lot; thence West parallel with the South line of Edsall Street to a point which is 135 feet West and 100 feet South of said Northeast corner of said Subdivision No. 11; thence Northwestwardly to a point in the South line of Edsall Street, which is 194 feet West of said Northeast corner of said lot; thence East on the said South line of Edsall Street 109 feet to the place of beginning, containing approximately 0.21 acre. The aforescribed parcel is a part of a tract of land conveyed to Franklin W. Plummer by Clement L. V. Potterf as recorded in Deed Record 130, Page 559, of the records of Wabash County, Indiana.

Tracts No. 5 to 13 inclusive above are included along with several other tracts of land conveyed by Franklin W. Plummer and Clarissa Plummer, his wife, to the Indiana Service Corporation, recorded in Book 132, Pages 43 and 44 of the records of Wabash County, Indiana.

14. Also, a part of Lots 5, 6, 7 and 8 in B. Walter and Company's Addition to the City of Wabash, Wabash County, Indiana, more particularly described as follows, to wit:

Beginning at a point in the South line of Lot No. 8 in B. Walter and Company's Addition, 30 feet West of the Southeast corner of said Lot No. 8; thence in a North-westerly direction to the Northwest corner of said Lot No. 5 in said B. Walter and Company's Addition; thence South on the West line of said Lots, No. 5, 6, 7, and 8 to the Southwest corner of said Lot No. 8; thence East on the South line of said Lot No. 8 to the place of beginning, containing approximately 0.22 acre, being land conveyed by Franklin W. Plummer and Clarissa Plummer to the Indiana Service Corporation as recorded in Book 132, Page 396, of the records of Wabash County, Indiana.

15. Also, beginning at the Northeast corner of Subdivision No. 11 of Ewing and Hanna's Subdivision of Charley's Section in the City of Wabash, Wabash County, Indiana; running thence South on the East line of said Subdivision No. 11 a distance of 100 feet; thence West parallel with the South line of Edsall Street 26 feet; thence Northwestwardly to a point in the South line of Edsall Street 85 feet West of the place of beginning; thence East on the South line of Edsall Street 85 feet to the place of beginning, containing 0.13 of an acre. The aforescribed parcel is part of a 0.34 acre tract of land conveyed by Clement L. V. Potterf to Franklin W. Plummer as recorded in Deed Record 130, Page 559, of the records of Wabash County, Indiana, being one of several tracts reconveyed by Franklin W. Plummer and Clarissa Plummer, his wife, to Indiana Industrial Land Company as recorded in Book 132, Pages 41 and 42. Reconveyed by Indiana Industrial Land Company to Harry E. Vordermark, James S. Clark and John R. McKay, as Trustees, as recorded in Book 136, Page 175, and by them in turn conveyed to the Indiana Service Corporation, as recorded in Book 139, Page 457.

The Grantor also quitclaims, subject to the conditions and terms as hereinafter set forth, which shall be binding upon the Grantee, its successors and assigns, all of its right, title, and interest in and to the leases hereinafter described and the real estate therein embraced, subject to the further condition that the Grantee shall not surrender said leases in any way so as to impair or destroy the easement rights in said real estate, to which this conveyance is subject, to wit:

1. Lease from Northern Indiana Public Service Company to Indiana Service Corporation for the period from December 22, 1930, to December 22, 1980, recorded in Misc. Record No. 1, Page 132, of the records in the office of the Recorder of Wabash County, Indiana, for the following-described real estate, situated in Wabash County, Indiana, to wit:

A part of the Northeast Quarter of Section 15, Township 27 North, Range 6 East in the City of Wabash, Wabash County, Indiana, being a strip of land 30 feet wide of even width lying 30 feet on the northerly side and 50 feet on the southerly side of the following described center line to wit: Commencing at the Southwest corner of Lot 8 of Ewing and Hanna's Sub-division of Charley's Section; thence South on the West line of the United Paper Board Company's land 472 feet for a place of beginning, thence by an 8 degree curve to the right whose radius is 716.34 feet, a distance of 512 feet to a point of tangency; thence northwesterly on said tangent 110 feet to the South line of Charley's Section, containing approximately .79 acre. Said strip is part of a 7 acre tract heretofore conveyed by the Indiana Lighting Company to the Northern Indiana Gas and Electric Company, as recorded in Deed Record 106 page 44 of the records of Wabash County, Indiana.

2. Lease from Northern Indiana Public Service Company to Indiana Service Corporation for the period from December 22, 1930, to December 22, 1980, recorded in Misc. Record No. 1, Page 132, of the records in the office of the Recorder of Wabash County, Indiana, for the following-described real estate, situated in Wabash County, Indiana, to wit:

A parcel of land in the city of Wabash, Wabash County, Indiana, described as follows, to wit:

Beginning in the West line of Miami Street 36.85 feet south of the intersection of the south line of Fulton Street with the West line of Miami Street; thence continuing south on the west line of Miami Street 25 feet; thence west at right angles 50 feet; thence North parallel with the west line of Miami Street 25 feet; thence east 50 feet to the place of beginning.

All of the above-described real estate is conveyed subject to the conditions and terms as hereinafter stated which shall be binding upon the Grantee, its successors and assigns:

The Grantor saves, excepts, and reserves unto itself and its successors and assigns, and in consideration of the foregoing conveyance the Grantee for itself, its successors and assigns, hereby expressly grants to the Grantor, its successors and assigns, a right of way and perpetual easement to construct, install, maintain, operate, repair, replace, and renew a line or lines with all necessary or convenient towers, poles, structures, wires, cables, guys, and other equipment and appurtenances for the transmission, distribution, and delivery of electrical energy, and a line or lines of pipe with all necessary or convenient service pipes, lines, connections, equipment, structures, and appurtenances for the transmission, distribution, and delivery of oil, gas, and water, and/or other similar products, all to the grantee and to other persons, firms, and corporations, and to the public in general for light, heat, power, telephone, telegraph, and/or other purposes in, upon, along, over, and under the above described real estate. Such poles or towers shall be located at the top of the grade of the real estate hereinbefore described, but at a place or places at the top of the grade thereof to be mutually agreed upon by the parties hereto. Upon the erection of such poles, towers, or conduits at the place or places agreed upon by the parties hereto, the Grantor, its successors and assigns, shall not be obligated or required to relocate the same unless and until the cost thereof shall have first been paid to the Grantor, its successors and assigns, by the Grantee, its suc-

cessors and assigns.

The failure of the Grantor, its successors and assigns, to exercise said easement for any one or more of the purposes for which the same is reserved and granted for any period of time, shall not in any manner or degree be deemed or constitute an abandonment of said easement, or a surrender of any of the Grantor's rights or privileges hereunder, but instead said easement shall run with the land and shall be available to the Grantor, its successors and assigns, for each and all of the purposes for which the same is reserved and granted at any time or times in the future.

The Grantor shall and will indemnify and save harmless the Grantee from any and all damages, injuries, losses, claims, demands, or costs proximately caused by the fault, culpability, or negligence of the grantor in the construction, maintenance, and operation of said electric and/or gas lines and the structures and appurtenances connected therewith, in, upon, along, over and under the above-described real estate.

Access to the above-described real estate over the adjoining lands of the Grantee is hereby granted where necessary to the Grantor, its successors and assigns, but where a public highway adjoins the real estate above described, then access shall be from such highway. The Grantor may cut or trim trees, bushes, or other perennial growth growing upon or extending over the above-described real estate, so far as may be reasonably necessary to the construction, maintenance, and operation of said electric and gas lines.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its President and Secretary duly authorized so to do by the Board of Directors of the Grantor, and the Grantee has caused this instrument to be executed by its Mayor duly authorized so to do by Ordinance Number 9, Of 1941 adopted by the Common Council of the City of Wabash, Indiana, in the manner provided by law, all this 29th day of August, 1941.

(Corporate Seal)

Attest: B. P. Shearon,
Its Secretary.

Indiana Service Corporation
By W. Marshall Dale,
Its President
Grantor

City of Wabash
By James L. Smallwood,
Its Mayor Grantee

State of Indiana, County of Allen ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 5th day of September, 1941, personally appeared W. Marshall Dale and B. P. Shearon, known to me to be, respectively, President and Secretary of Indiana Service Corporation, an Indiana corporation, Grantor in the above conveyance, and acknowledged the execution of the foregoing instrument of conveyance to be their voluntary act and deed as such President and Secretary and the voluntary act and deed of said corporation, and the said B. P. Shearon, being duly sworn, on his oath said that he knew the corporate seal of the corporation, and that the corporate seal hereunto affixed was the genuine corporate seal thereof, and that this instrument was executed pursuant to authority granted by the Board of Directors of said company

WITNESS my hand and notarial seal.

(N.P. Seal)
My commission expires March 18, 1943.

Grace K. Misner,
Notary Public.

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State of Indiana, County of Wabash, ss:

Before me, the undersigned, a Notary Public in and for said County and State, this 12 day of September, 1941, personally appeared James L. Smallwood, known to me to be Mayor of the City of Wabash, Wabash County, Indiana, grantee in the above conveyance, and acknowledged the execution of the foregoing instrument to be his voluntary act and deed as such Mayor and the voluntary act and deed of said City of Wabash, and said James L. Smallwood, being duly sworn, upon oath said that he knew the seal of the City of Wabash, Indiana, and that its seal hereunto affixed was the genuine corporate seal of said City of Wabash and that he executed this instrument pursuant to authority granted by Ordinance Number 9 of 1941 of the Common Council of the City of Wabash, Indiana.

WITNESS my hand and notarial seal.

(N.P. Seal)
My commission expires June 12-1945.
Duly Recorded this 19th day of June, 1942, at 2:30 o'clock P.M.

Marcella DeVine,
Notary Public.

S. C. McCloud

R.W.C.