Department of Engineering

May 11, 2021

Board of Public Works & Safety
10 South State Street
Greenfield, IN 46140

Dear Members,

Attached is a General Utility Easement Jeff and ConnieJo Harris located at 949 N State St. This easement will be used to build a new/relocated storm sewer that will parallel SR 9 and a relocated water line along the property line of Ye Olde Head Shoppe and Hancock Regional Hospital. The relocations were a part of an improvement project to replace and upsize the old storm line in SR 9 that is failing as a part of the larger INDOT SR 9 resurfacing project.

I would like to request that the Board approve and accept the General Utility Easement as presented. My office will record the documents with the County once it is signed and accepted.

Sincerely,

Jason Koch

Jason A. Koch, P.E.
City Engineer

GENERAL UTILITY EASEMENT

THIS INDENTURE WITNESSETH that JEFFREY A & CONNIE JO HARRIS ("GRANTOR"), of Hancock County, Indiana, hereby grants and conveys to the CITY OF GREENFIELD, of Hancock County, Indiana, ("GRANTEE"), a general utility easement together with all devices and appurtenances necessary for the proper construction or operation of its utilities, across and under the surface of the following described real estate located in Hancock County, Indiana:

> See Easement Description contained in the attached Exhibit "A" and shown on Parcel Plat in the attached Exhibit "B", being a part of Parent Parcel 30-07-32-100-007.000-009, containing 0.051 acre, more or less.

GRANTEE shall have the right of ingress and egress over adjoining premises and lands at all times required by GRANTEE in order to lay, construct, maintain and operate utility infrastructure. GRANTEE agrees to restore the real estate, as nearly as possible, to the condition in which it existed prior to any construction and/or repair.

GRANTEE shall save GRANTOR harmless from damage occasioned by the operation or maintenance of said installations on said easement. The GRANTEE covenants to hold the GRANTOR harmless in the event that the utility infrastructure is damaged due to "natural events".

It is further understood and agreed that any utility installations constructed on said easement shall be and remain the property of the GRANTEE.

It is further understood and agreed that no buildings or constructions shall be placed or be permitted to remain on said easement without the consent of GRANTEE.

GRANTOR hereby covenants that GRANTOR is the fee simple owner of the subject real estate, is lawfully seized thereof and has the legal right to grant and convey the foregoing easement therein. GRANTOR guarantees the quiet possession thereof to GRANTEE and GRANTOR will warrant and defend GRANTEE's title to said easement against all lawful claims. The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, Grantor has executed this Easement this _____ day of _____, 2021.

By: _____

Printed Name: _____

By: _____

Printed Name: _____

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____, who acknowledged the execution of the foregoing General Utility Easement and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this _____ day of _____ _____, 2021.

My Commission Expires:

_____ _____

Residing in _____ Co. ____

Grantee has caused this instrument to be executed in its corporate capacity by its duly qualified Board of Public Works and Safety of the City of Greenfield and as such is empowered to accept the above and foregoing General Utility Easement.

_____
Chuck Fewell, Mayor,

_____ _____
Kelly McClarnon, Member Larry J. Breese, Member

_____ _____
Katherine N. Locke, Member Glenna Shelby, Member

ATTEST:

_____
Lori Elmore, Clerk Treasurer

SEND TAX BILLS TO: City of Greenfield, P.O. Box 456, Greenfield, Indiana 46140.

RETURN DEED TO: City of Greenfield, P.O. Box 456, Greenfield, Indiana 46140.

This instrument prepared by: Gregg Morelock, Brand & Morelock, 6 W. South Street, Greenfield, Indiana, 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Gregg Morelock

EXHIBIT “A”

Project: State Street
Type: Perpetual Easement
Tax ID Number: 30-07-32-100-007.000-009

A part of the East Half of the Northeast Quarter of Section 32, Township 16 North, Range 7 East, Hancock County, Indiana, and being that part of the Grantor’s land, described in Instrument No. 010000871 in the Office of the Recorder in said County, lying within the Easement lines labeled “Tract 1” and depicted on the attached Plat, marked EXHIBIT “B”, more particularly described as follows: Commencing at a point in the center line of State Street (Indiana State Highway #9) in the City of Greenfield, Indiana, 1047 feet South of the North line of said Northeast Quarter Section, which is also the Southwest corner of Lot #76 in Holliday Park Addition to the City of Greenfield, Indiana; Thence East on the South line of said Lot #76 a distance of 160 feet to the Southeast corner thereof, and continuing East a total distance of 361 feet to a Northeast corner of the Grantor’s Land; thence South parallel with the center line of said State Street along the East boundary of the Grantor’s Land a distance of 161.09 feet to the North line of the Fair Grounds (Hancock Regional Hospital Grounds), which is the Southeast corner of the Grantor’s Land and the Point of Beginning of this description: Thence West on the North line of said Fair Grounds, which is also the South line of the Grantor’s Land, 131.00 feet to a Southwest corner of the Grantor’s Land; Thence North parallel with the center line of said State Street and along the boundary of the Grantor’s Land 15.00 feet; Thence East 131.00 feet to a point on the said East boundary of the Grantor’s Land; Thence South parallel with the center line of said State Street and along said East boundary of the Grantor’s Land 15.00 feet to the point of beginning and containing 0.045 acres, more or less.

Also, a part of the East Half of the Northeast Quarter of Section 32, Township 16 North, Range 7 East, Hancock County, Indiana, and being that part of the Grantor’s land, described in Instrument No. 010000871 in the Office of the Recorder in said County, lying within the Easement lines labeled “Tract 2” and depicted on the attached Plat, marked EXHIBIT “B”, more particularly described as follows: Commencing at a point in the center line of State Street (Indiana State Highway #9) in the City of Greenfield, Indiana, 1047 feet South of the North line of said Northeast Quarter Section, which is also the Southwest corner of Lot #76 in Holliday Park Addition to the City of Greenfield, Indiana; Thence

EXHIBIT "A"

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South along the center line of State Street a distance of 61.09 feet to a Southwest corner of the Grantor's land; Thence East along the South line of the Grantor's land parallel to the South line of said Lot #76 a distance of 36.55 feet to the East Boundary of said State Street and the Point of Beginning of this description: Thence continuing on the said South line of the Grantor's land a distance of 18.50 feet to a point 55.00 feet east of the said center line of State Street designated as "1" on said Parcel Plat; Thence North parallel with the center line of said State Street 5.26 feet to a point designated as "2" on said Parcel Plat; Thence Northwest to a point located 36.55 feet east of the center line of said State Street and 25.26 feet north of the said South line of Lot #76 designated as "3" on said Parcel Plat; Thence South parallel with the center line of said State Street 25.26 feet to the point of beginning and containing 0.006 acres, more or less.

This description was prepared for the City of Greenfield by Heath A. Titzer, Indiana Registered Professional Surveyor, License Number LS21000197, on the 16th day of April, 2021.

Heath A. Titzer, L.S.

Parcel: N/A
Project: State Street
County: Hancock

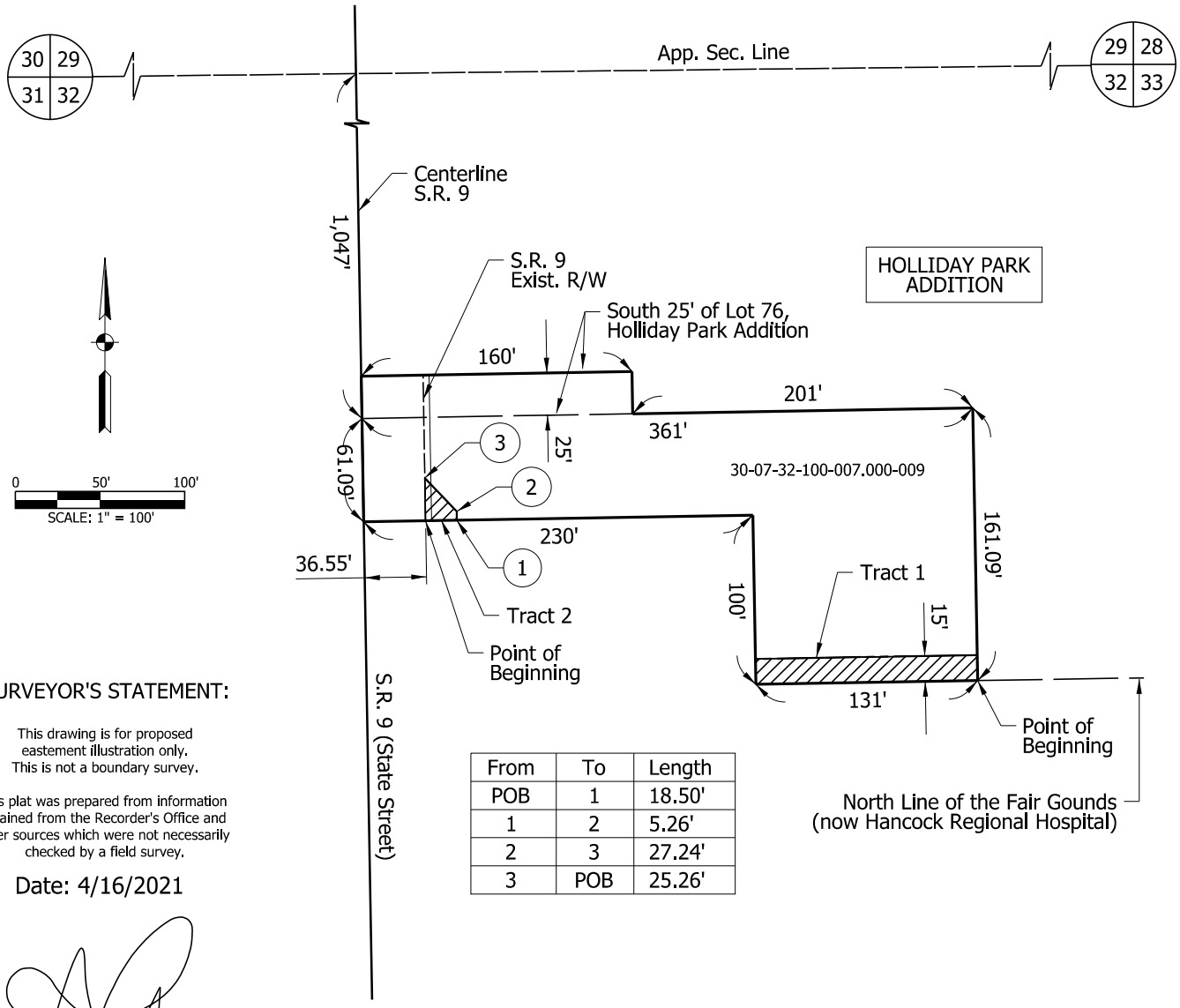
Purpetual Easement
Exhibit "B"

Owner: Jeffrey A. Harris & ConnieJo Harris, H/W
Warranty Deed: Inst. #010000871

Code: N/A

Prepared by: P.W.Delp
Checked by: H.A.Titzer

Hatched Area is the Approx. P.E.



From	To	Length
POB	1	18.50'
1	2	5.26'
2	3	27.24'
3	POB	25.26'

SURVEYOR'S STATEMENT:

This drawing is for proposed eastement illustration only. This is not a boundary survey.

This plat was prepared from information obtained from the Recorder's Office and other sources which were not necessarily checked by a field survey.

Date: 4/16/2021

Heath A. Titzer
LS21000197

HEATH A. TITZER
REGISTERED
NO.
LS21000197
STATE OF
INDIANA
LAND SURVEYOR