

1709

WATSON

Consent to Annexation

leg # 02-2019-0463

Donald Anthony

9533805

Hold for: South Bend Board of Public Works
Room 1308, County-City Building
South Bend, Indiana 46601

CONSENT TO ANNEXATION AND
WAIVER OF RIGHT TO REMONSTRATE

In consideration for permission to connect to the public water main of the City of South Bend, Indiana, to provide water service to the following described property, (hereinafter referred to as the "Real Estate"), situated in St. Joseph County, Indiana:

Key Nos. 02 2019 0413

See Exhibit A

owner of the Real Estate, (hereinafter "Owner"), for itself and its successors in title and assigns, waives and releases any and all right which it may now or hereafter have to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation of the Real Estate by the City of South Bend.

In further consideration and to induce the City of South Bend to allow Owner to tap into the public water main of the City of South Bend, Owner, for itself and its successors and assigns, agrees hereby to vest in the City of South Bend the permanent right, at the City's discretion, to annex the Real Estate at any future time by duly authorized ordinance.

Owner further agrees that any deeds, contracts, or other instruments of conveyance made by Owner, its successors or assigns shall contain the waiver and release provisions contained herein, which provisions shall run with the land.

ST. JOSEPH CO. RECORDER
FILE NO. MARIANNE BEACH
RECORDER

OCT 10 3 37 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

ST. JOSEPH CO. RECORDER

9533805

FILE NO. MARIANNE BEACH
RECORDER

OCT 10 3 37 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

The delivery of any instrument of conveyance to the recorder, or to any successor, grantee, vendee or contractor, in the absence of the grantor, vendee or contractor, shall constitute an acceptance of the foregoing instrument by said grantee, vendee, or contractor, and their successors in title.

Print Name: _____

STATE OF INDIANA
COUNTY OF ST. JOSEPH

I, _____, a Notary Public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT _____ personally known to me to be the same person whose name is subscribed to the foregoing instrument, executed the foregoing instrument as a free and voluntary act and deed for the uses and purposes therein contained.

Given under my hand and official seal this _____ day of _____, 1995.



APPROVED

[Signature]

My Commission Expires: _____

This instrument was prepared by Anne Bensen, Assistant City Attorney, 1400 County-City Building, South Bend, IN 46601.

8

9533806

Hold for: South Bend Board of Public Works
Room 1308, County-City Building
South Bend, Indiana 46601

2

CONSENT TO ANNEXATION AND
WAIVER OF RIGHT TO REMONSTRATE

In consideration for permission to connect to the public water main of the City of South Bend, Indiana, to provide water service to the following described property, (hereinafter referred to as the "Real Estate"), situated in St. Joseph County, Indiana:

Key Nos. 02 2019 0413

See Exhibit A

owner of the Real Estate, (hereinafter "Owner"), for itself and its successors in title and assigns, waives and releases any and all right which it may now or hereafter have to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation of the Real Estate by the City of South Bend.

In further consideration and to induce the City of South Bend to allow Owner to tap into the public water main of the City of South Bend, Owner, for itself and its successors and assigns, agrees hereby to vest in the City of South Bend the permanent right, at the City's discretion, to annex the Real Estate at any future time by duly authorized ordinance.

Owner further agrees that any deeds, contracts, or other instruments of conveyance made by Owner, its successors or assigns shall contain the waiver and release provisions contained herein, which provisions shall run with the land.

ST. JOSEPH CO. RECORDER
FILE NO. MARJANE SEACH
RECORDER

Oct 10 3 37 PM '90

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

Delivery of any instrument of conveyance from the Owner to successor, grantee, vendee or contract party.

9533806

ST. JOSEPH CO. RECORDER

FILE NO. MARIANNE BEACH
RECORDER

Oct 10 3 37 PM '95

The delivery of any instrument of conveyance to any successor, grantee, vendee or contractor purchaser to the terms of this document and the acceptance of the instrument shall constitute an acceptance of the provisions by said grantee, vendee, or contractor purchaser and their successors in title.

FILED FOR RECORD

INDEXED

By [Signature]

APPROVED

Print Name: [Signature]

[Signature]

STATE OF INDIANA
COUNTY OF ST. JOSEPH

I, [Signature], a Notary Public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT [Signature] personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he executed the foregoing instrument as a free and voluntary act and deed for the uses and purposes therein contained.

Given under my hand and official seal this the [Signature] day of [Signature], 1995.



NOTARY PUBLIC

APPROVED

My Commission Expires: [Signature]

This instrument was prepared by Anne Binnell, Assistant City Attorney, 1408 County-City Building, South Bend, IN 46601.

WARRANTY DEED.

02 2091 043

This Indenture Witnesseth

That

89071

FRANCES MARIE HAGEY, single and of adult age, and ZAR HAGEY and CHRISTINE M. HAGEY, Husband and wife.

139/5 Taxing Unit Date

BOOK 668 PAGE 482

of St. Joseph County, State of Indiana Convey and Warrant

To DONALD R. ANTHONY and RUTH ANN ANTHONY, Husband and wife.



of St. Joseph County in the State of Indiana their heirs and assigns for the sum of



One Dollar (\$1.00) and other valuable consideration

the following Real Estate in St. Joseph County, Indiana to wit:

A lot or parcel of land in the North Half of the North East quarter of the South East quarter of Section No. 29, Township No. 38 North, Range No. 3 East, described as follows, viz: Beginning at a point 264.5 feet West of the North East corner of the South half of the North half of the North East quarter of the South East quarter of said Section No. 29; thence North 12 feet, more or less, to the Southerly line of the Indiana East-West Toll Road Right-of-Way; thence West along said line, 156 feet; thence South 312 feet, more or less, to the North line of Linda Street (formerly Second Street) as shown on the Hagey Linda Plat, as recorded in Plat Book 12, page 142 of the Records of the Recorder of St. Joseph County, Indiana; thence East 196.15 feet to the Northwesterly line of State Road 23 as now established; thence Northeasterly along said Northwesterly line 158.9 feet; thence Northwesterly at an angle of 90 degrees from said State Road 23, a distance of 190.9 feet; thence North 55.6 feet to the place of beginning, containing 1.61 acres, more or less, and being Lot No. 2 in the proposed Plat of Linda Vista. Subject to the right of the State of Indiana to use a small triangle at the South East corner of the above described Lot for highway purposes.

Subject to conditions, restrictions and easements affecting said premises as the same appear of record.

Subject to the second installment of taxes for the year 1964 payable in November, 1965, and all subsequent taxes and all of which the grantees herein assume and agree to pay.

and Covenant for themselves, their heirs, and personal representatives, that they are lawfully seized of the premises, have good right to convey the same, and guarantee the quiet possession thereof, that the same are free from all incumbrance, and that they will Warrant and Defend the title to the same against all lawful claims.

In Witness Whereof, the said grantors above named have hereunto set their hands and seals, this 22nd. day of September A.D. 1965.

L.S. *Frances Marie Hagey* L.S.
 Frances Marie Hagey
 L.S. *Zar Hagey* L.S.
 Zar Hagey
 L.S. *Christine M. Hagey* L.S.
 Christine M. Hagey
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.
 L.S. _____ L.S.

ST. JOSEPH CO. INDIANA
 FILED FOR RECORD
 Oct 4 4 19 PM '65
 EDWIN A. MALCZYNSKI
 RECORDER

State of Indiana, St. Joseph County, S. S.

Before me, the undersigned, a Notary Public in and for said County, came

FRANCES MARIE HAGEY, single and of adult age, and
 ZAR HAGEY and CHRISTINE M. HAGEY, Husband and wife.

BOOK 668 PAGE 483

and acknowledged the above Deed.

Witness, my hand and Notarial Seal,

ANTHONY P. SERGIO, Notary Public this 22 day of September 1965.
 My Commission Expires March 16, 1968

My Commission Expires

Anthony P. Sergio
 Notary Public.

This instrument was prepared by: John E. Monahan, Attorney

Bills to:

DONALD R. ANTHONY
1019 ST. RD 23
SOUTH BEND, IND
46635

INDIANA
FILED FOR RECORD

AUG 26 12 55 PM '86

FILM NO 8622326
WANDA A. HOWAT
RECORDER

Return to:

DONALD R. ANTHONY
17019 St. Rd. 23
SOUTH BEND, IND
46635

Transfer 5251

Taxing Unit Chug

Date 8-26-86

Warranty Deed

This Indenture Witnesseth, That First Interstate Bank of Northern Indiana, N.A.

CONVEY AND WARRANT to Donald R. Anthony and Ruth Ann Anthony, husband and wife

of St. Joseph County in the State of Indiana
their heirs and assigns for the sum of One Dollar (\$1.00)

and other valuable considerations
the following REAL ESTATE situate in St. Joseph County, in the State of Indiana, to-wit:

PARCEL 1

A lot or parcel of land in the South One-half (1/2) of the North One-half (1/2) of the North East Quarter of the Southeast Quarter of Section No. Twenty-nine (29), Township No. Thirty-eight (38) North, Range No. Three (3) East, described as follows, viz: Beginning on the East line of said Section No. 29 at a point 990.8 feet North of the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section No. 29; running thence South along the East line of said Section a distance of 50.86 feet to the Northwesterly right-of-way line of State Road #23, as now established; thence Southwesterly along the Northwesterly right-of-way line of said State Road #23, as now established, a distance of 179.35 feet; thence in a Northwesterly direction at an angle of 90 degrees from said right-of-way line, a distance of 190.9 feet; thence North 55.6 feet; thence East 264.5 feet to the place of beginning.

PARCEL 2

The East 264.5 feet of a tract of land described as follows: All that part of the South Half (1/2) of the North Half (1/2) of the North Half of the Northeast Quarter of the Southeast Quarter of Section 29, Township 38 North, Range 3 East, which lies Southerly of a line which is parallel with and 150 feet Southerly, measured at right angles, from the centerline of the Indiana East-West Toll Road (a centerline survey map of which is on file in the Office of the Recorder of St. Joseph County, Indiana).

PARCEL 3

A part of the Southwest Quarter of Section Twenty-eight (28), Township Thirty-eight (38) North, Range Three (3) East, described as follows, viz: Beginning at a point on the West line of said Quarter section 427 feet Southerly of the Northwest corner thereof, said point being in the centerline of the Edwardsburg Highway (State Road No. 23); thence North 44 degrees 10 minutes East, 163 feet, more or less, along the centerline of said road to a point 150 feet Southerly of, measured at right angles, to the centerline of the Indiana East-West Toll Road (a centerline survey map of which is on file in the Office of the Recorder of St. Joseph County, Indiana); thence South 89 degrees 17 minutes 57 seconds West, 112 Feet, more or less, to the West line of said Quarter section; thence Southerly, along said Quarter section line, 118 feet, more or less, to the place of beginning.
Subject to legal highways.

DULY ENTERED FOR TAXATION
BEVERLY D. CRONE
AUDITOR
ST. JOSEPH CO. INDIANA

Subject to the second installment of taxes for the year 1985 due in November, 1986 and all subsequent taxes, which the grantees herein assume and agree to pay.

Subject to restrictions and easements of record.

8622326

IN WITNESS WHEREOF, the said grantor above named has hereunto set its hand and seal this 21st day of August A.D., 1986

L.S. First Interstate Bank of Northern Indiana, N.A. L.S.

L.S. _____ L.S.

Attest: Mark L. Laudeman, Vice President By: Robert A. Binkley, Vice President

L.S. _____ L.S.

STATE OF INDIANA, ST. JOSEPH COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said County, came

First Interstate Bank of Northern Indiana, N.A., by Robert A. Binkley and Mark L. Laudeman, personally known to me to be the Vice Presidents of said Corporation.

and acknowledged the execution of the above deed.

WITNESS my hand and Notarial Seal, this 18 day of August 1986

My Commission Expires 9-05 1989

This instrument was prepared by

Sharon L. Lybarger
Notary Public

Thomas J. McFadden, Attorney

A resident of county of St. Joseph