

1712

WATER

Consent to Annexation

02-2061-2645 lot 16 + vac alley

02-2061-2644 lot 17 "

02-2061-2643 lot 18 "

Janet Careton

Donald Evanovich

Form

9533809

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. 02-2061-2645 (lot 16 & vac alleys)
- 02-2061-2644 (lot 17 & vac alleys)
- 02-2061-2643 (lot 18 & vac alleys)

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.

The delivery of any instrument of conveyance from the Owner to any successor, grantee, vendee or contract purchaser is subject to the terms of this document and the acceptance of such instrument shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contract purchaser and their successors in title.

COMPANY

By Jo Anna Butterworth (daughter)
 Print Name: Jo Anna Butterworth Per. Rep.
 Its: _____ Title
 Date: Sept. 6, 1985

for Mildred V. Harter deceased Apr. 7, 1995

ST. JOSEPH CO. RECORDER
FILE NO. _____
MARILYN SEACH
RECORDER

OCT 10 3 30 PM '85

ST. JOSEPH CO. RECORDER
FILED FOR _____

13 '95 09:13AM SO BEND MAYOR OFFICE

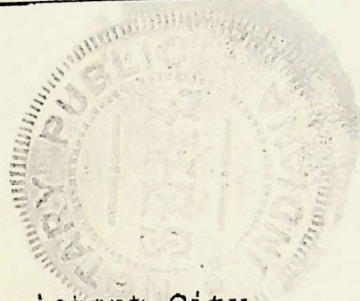
STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

I, Janet L. Carlton, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT JoAnna Butterworth 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 She executed the foregoing instrument as her free and voluntary act and deed for the issues and purposes therein contained.

Given under my hand and official seal this the 6 day of September, 1995.

Janet L. Carlton
NOTARY PUBLIC

My Commission Expires:
March 16, 1997



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

C:\docs\Consent.frm

APPROVED
BOARD OF PUBLIC WORKS

SEP 02 1995
[Signature]
[Signature]

9533809

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

OCT 10 3 37 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED



APPROVED

CHICAGO TITLE INSURANCE COMPANY

02-206-2665

A corporation of Missouri, herein called the Company

For a valuable consideration, hereby commits to issues its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

Cressy & Everett
c/o York Title & Escrow, Inc.
Escrow Department
Attention: Gina

YORK TITLE & ESCROW, INC.
P.O.Box 4608
South Bend, Indiana 46634-4608

210 North Ironwood Drive
South Bend, Indiana 46615
(219) 233-8258/FAX 239-1700

SCHEDULE A

<u>COMMITMENT No.</u>	<u>EFFECTIVE DATE</u>		Policy or Policies to be issued:	
			<u>ALTA Owner's Policy</u> <u>(10-17-92)</u>	<u>ALTA Loan Policy</u> <u>(10-17-92)</u>
00120387	July 19, 1995 at 8:00 a.m.	\$	69,900.00	\$ 69,900.00

Proposed Insured - LOAN: TBD

Proposed Insured - OWNER'S: Donald Evanovich

The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:
Devises of Mildred Harter, deceased

The land referred to in this Commitment is described as follows:
Situate in St. Joseph County, State of Indiana:

Lots Numbered Sixteen (16), Seventeen (17) and Eighteen (18), as shown on the recorded Plat of Hagey Linda Plat, recorded in the Office of the Recorder of St. Joseph County, Indiana, in Plat Book 12, page 142.

EXHIBIT A

02-2061-2645

Notice of Administration

IN THE ST. JOSEPH PROBATE COURT

STATE OF INDIANA)
) SS:
ST. JOSEPH COUNTY)

ESTATE NO. 71 J01 9504 ES
FILED 00219

APR 18 1995

IN THE MATTER OF THE ESTATE OF)
)
MILDRED V. HARTER)
) Deceased)
)
JOANNA BUTTERWORTH)
)
Personal Representative)

St. Joseph Probate Court
Clerk

Notice is hereby given that JOANNA BUTTERWORTH
was on the _____ day of April, 1995, appointed Personal Representative of the
estate of MILDRED V. HARTER deceased, who died on the 7th day of
April, 1995.

All persons who have claims against this estate, whether or not now due, must file the claim in the office of the Clerk of this Court within five (5) months from the date of the first publication of this Notice, or within one (1) year after the decedent's death, whichever is earlier, or the claims will be forever barred.

Dated at South Bend, Indiana this _____ day of April, 1995.

Victor L. McFadden, #9484-71
Attorney for Estate
220 South Taylor Street
Street Address
South Bend, Indiana 46601
City, State and Zip Code

Linda D. Segalitis
Clerk, St. Joseph Court
for St. Joseph County, Indiana
By Jurgen Kesting
Deputy Clerk

Publish once each week for two consecutive weeks in Tri-County News

~~DO NOT PUBLISH THE FOLLOWING INFORMATION~~

CHICAGO TITLE INSURANCE COMPANY

A corporation of Missouri, herein called the Company

For a valuable consideration, hereby commits to issues its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

Cressy & Everett
c/o York Title & Escrow, Inc.
Escrow Department
Attention: Gina

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EXHIBIT A

Form

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

9533813

CONSENT TO ANNEXATION AND
WAIVER OF RIGHT TO REMONSTRATE

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COMPANY

By Donald E. Egan

Print Name: DONALD E. EGAN

Its: Title

Date: 9-5-95

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

OCT 10 3 37 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

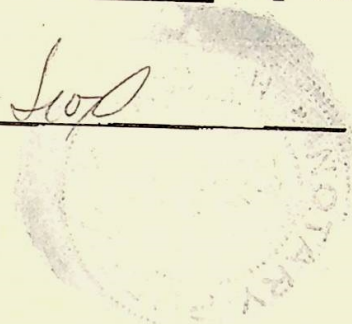
2

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

I, Deborah G. Scop, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT Donald Ewanovich 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 h_ free and voluntary act and deed for the issues and purposes therein contained.

Given under my hand and official seal this the 12 day of September, 1995.

Deborah G. Scop
NOTARY PUBLIC



My Commission Expires:
10-21-95

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

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APPROVED
BOARD OF PUBLIC WORKS

SEP 20 1995
[Signature]
[Signature]

ST. JOSEPH CO. RECORDER

9533813

FILE NO.

MARIANNE SEACH
RECORDER

Oct 10 3 37 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED



NOTARY PUBLIC

My Commission Expires:

This instrument was prepared by Anne Brunel, Assistant City Attorney, 1400 Connersville Building, South Bend, IN 46802.

APPROVED

[Handwritten signature]