

1718
WATER

Consent to Annexation

02-2061-2652

Buan / Linda Gibbs

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

9533817

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. 02-2061-2652
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 Brian E. Grubbs Linda Grubbs

Print Name: Brian E. Grubbs Linda Grubbs

Title

Date: 9/13/95

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

OCT 10 3 38 PM '95

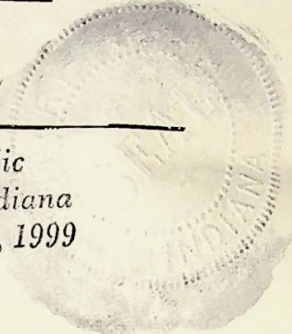
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

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

I, Karin E. Taylor, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT Brian F. Gribbs 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 his free and voluntary act and deed for the issues and purposes therein contained.

Given under my hand and official seal this the 13th day of September, 1999.

Karin E Taylor
NOTARY PUBLIC
Karin E. Taylor, Notary Public
County of St. Joseph, State of Indiana
My Commission Expires June 28, 1999



My Commission Expires:

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 09 1999

[Signature]
[Signature]

EXHIBIT A - LEGAL DESCRIPTION

Lot Numbered Seven (7) as shown on the recorded Plat of Hagey-Linda Plat, recorded June 27, 1927 in the Office of the Recorder of St. Joseph County, Indiana, in Plat Book 12, page 142 EXCEPTING THEREFROM a part of Lot Numbered Seven (7) in Hagey Linda, an Addition in the Northeast Quarter of the Southeast Quarter of Section 29, Township 38 North, Range 3 East, St. Joseph County, the plat of which addition is recorded in Plat Book 12, page 142, in the Office of the Recorder of St. Joseph County, Indiana, described as follows:

Beginning at the Southeast corner of said lot; thence North 89 degrees 57 minutes 51 seconds West 7.05 feet along the South line of said lot; thence Northeasterly 34.27 feet along an arc to the left having a radius of 11,409.16 feet and subtended by a long chord having a bearing of North 39 degrees 28 minutes 19 seconds East and a length of 34.27 feet to the Southwestern boundary of the intersection of Hagey Street and Edwardsburg Highway, S.R. 23; thence South 30 degrees 32 minutes 58 seconds East 5.66 feet along the boundary of the intersection of said Hagey Street and said Edwardsburg Highway, S.R. 23 to the Northwestern boundary of said Edwardsburg Highway, S.R. 23; thence South 39 degrees 12 minutes 54 seconds West 27.86 feet along said boundary to the point of beginning.

9533817

ST. JOSEPH CO. RECORDER

FILE NO. _____
MARIANNE SEACH
RECORDER

Oct 10 3 38 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

142 EXCEPTING THEREFROM a part of lot number 38
Haggy et al, an addition to the Northeast 1/4
Southeast Quarter of Section 25, Township 38 North Range 3
East 3d, Joseph County, the plat of which addition is recorded
in File Book 12, page 142, in the Office of the Recorder of St.
Joseph County, Indiana, described as follows:
Beginning at the southeast corner of said lot 38, thence North 82
degrees 57 minutes 22 seconds West 7.05 feet along the South
line of said lot thence Northwesterly 34.77 feet along an arc
to the left having a radius of 11,409.16 feet and subtended by a
low chord having a length of 34.77 feet to the Northwest
corner East and a length of 34.77 feet to the Northwest
boundary of the intersection of Haggy Street and Edwinstown
Highway, S. R. 23; thence South 32 degrees 32 minutes 24 seconds
East 2.66 feet along the boundary of the intersection of said
Haggy Street and said Edwinstown Highway, S. R. 23 to the
Northwestern boundary of said Edwinstown Highway, S. R. 23;
thence South 32 degrees 32 minutes 24 seconds West 27.82 feet
along said boundary to the point of beginning.