Consent to annexaction waters

02-2061-2620

Johan (nany Frankiwiz

9533818

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 2061 2620

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.

FILE NO. REGGROER FILE NO. REGGROER REGGROER GOT 10 3 38 PM '95

ST. JOSEPH CO. S

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.

APPROVED

BOARD OF PUBLIC WORKS

De Stame

Mancy a. Frankiewicz

Print Name: JORDAN FRANKIEWICZ

NANCY A. FRANKIEWICZ

William Millian

STATE OF INDIANA

SS:

COUNTY OF ST. JOSEPH

I, Suite A. Rouse, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT Sorden a Mency A. Frankiewicz 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 he free and voluntary act and deed for the issues and purposes therein contained.

Given under my hand and official seal this the 13 day of Sectombed , 1995.

NOTARY PUBLIC

My Commission Expires:

JULIE ANN HAWKINS
TOTARY PUBLIC STATE OF INDIANA
ST. JOSEPH COUNTY
COMMISSION EXP. SEPT 18,1998

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

LEGAL DESCRIPTION

EXHIBIT A

Property belonging to Jordan and Nancy Frankiewicz, 17100 Linda Street, South Bend, IN 46635, described as:

Lot 35 & 33 1/3' Lot 36 Hagey Linda Plat 9533818

ST. JOSEPH 11 REGORDER FILE NO. MARIANNE SEACH REGORDER

Oct 10 3 38 PM '95

ST. JOSEPH CO. INDIANA FILED FOR RECORD

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