1121 Consent to anneyation when 02-2157-7498

marc/mary Heller

9533820

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 2157 7498

Lot Numbered Twenty-three (23) as shown on the recorded Plat of Dugdale Acres Second Addition, a Subdivision in St. Joseph County, Indiana

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.

PESCHOER RECORD 0325556

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

Jane

STATE OF INDIANA

COUNTY OF ST. JOSEPH

SS:

I, Julie A. Nouse and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT make the 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.

Print Name:

Given under my hand and official seal this the 13 day of section bed 1995.

NOTARY BUBLIC

My Commission Expires:

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

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

ST. JOSEPH JO. REGORDER FILE NO. MARIANNE SEACH RECORDER

Oct 10 3 38 PM '95

ST. JOSEPH CO. IND ANA FILED FOR RECORD

NOFAED