Consent to anney ation

02-2157-7494

James Gueggnski

## 9533823

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. 02-2157-7494

Lot Numbered Nineteen (19) as shown on the recorded plat of Dugdale Acres, Second Addition, in St. Joseph County, Indiana, located in the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirty-two (32), Township Thirty-eight (38) North, Range Three (3) East.

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.

APPROVED BOARD OF PUBLIC WOLKS

Print Name: JAMES V. LUCTINGS I.

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STATE OF INDIANA

COUNTY OF ST. JOSEPH

SS:

I, Shannon L. Gamble, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT

James V. Luczynski 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 1695 day of 1995.

Shannen Slamble NOTARY PUBLIC

My Commission Expires:

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

ST. JOSEPH 30 PEGGRDER FILE NO. MARIANNE SEACH RECORDER 9533823

Oct 10 3 38 PM '95

ST. JOSEPH CO.
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FILED FOR RECORD

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## 9533824

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. 02-2157-7494

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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 C. RECORDER PROPERTY OF THE MAN STANDS OF THE MAN STAND

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. MATTHEW S. LUCZYNSKI DANIEL R. LUCZYNSKI, attorney-in-Fact BOARD OF PHEHIC WORKS Print Name: Venil R. Laugusto. DANIEL R. LUCZYNSKI STATE OF INDIANA COUNTY OF ST. JOSEPH

I, Salie 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, 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.

xand for Matthew S. Given under my hand and official seal this the 13 day of Luczynski, as his and and a Horny-in-fact September , 1995.

My Commission Expires:

JULIE ANN HAWKINS

NOTARY PUBLIC STATE OF INDIANA

NOTARY PUBLIC STATE OF INDIANA

ST. JOSEPH COUNTY

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.

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ST. JOSEPH IS PERORDER FILE NO. MARIANNE SEACH RESIDENCE

9533824

OCT 10 3 38 PM '95

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0 2-2157-74PMP

## POWER OF ATTORNEY

I, MATTHEW S. LUCZYNSKI, of St. Joseph County, State of Indiana, do hereby designate DANIEL R. LUCZYNSKI, of St. Joseph County, State of Indiana, my true and lawful attorney in fact, or agent to have the following powers:

to make, draw and indorse promissory notes, checks or bills of exchange and to waive demand, presentment, protest, notice of protest, and notice of non-payment of all such instruments.

to make and execute any and all contracts;

to purchase, sell, dispose of, assign and pledge notes, stocks bonds and securities and to exercise such voting rights as my ownership of any notes stocks, bonds and securities may entitle me, either in person or by proxy; to represent me in all matters pertaining to the business

of any corporation in which I may have any interest; to receive and to demand all sums of money, debts, dues, accounts, bequests, interest, dividends, and demands whatsoever which are now or shall hereafter become due or payable to me and to compromise or discharge the same;

to bargain for, contract concerning, buy, sell, mortgage and in any and every way and manner deal with personal property of any

kind or nature;

to execute instruments to effect the transfer of title to any motor vehicle owned by me;

to execute and file tax returns;

to purchase, sell, mortgage, convey and lease any interest in real estate, wherever located, of which I may be owner now or hereafter;

to conduct and transact any and all lawful business of whatever nature or kind for me, in my behalf, and in my name;

and I hereby ratify and confirm all that my said attorney in fact or agent shall do by virtue hereof.

If DANIEL R. LUCZYNSKI is incapaciated or for any reason does not so act as my true and lawful attorney in fact, or agent, then I appoint JAMES V. LUCZYNSKI as his successor to act as my true and lawful attorney in fact, or agent.

In the event that JAMES V. LUCZYNSKI is incapacitated or for any reason does not so act as successor to DANIEL R. LUCZYNSKI as my true and lawful attorney in fact, or agent, I appoint ERIN L. BRAMLETT as his successor to act as my true and lawful attorney in fact, or agent.

I hereby reserve the right of revocation; however, the powers conferred by me herein shall not be affected should I become incompetent subsequent to the execution of this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of January, 1987.

Matthew & Juczynski. MATTHEW S. LUCZYNSKI

STATE OF INDIANA

SS:

COUNTY OF ST. JOSEPH

Before me, a Notary Public in and for said County and State personally appeared MATTHEW S. LUCZYNSKI, who acknowledged the execution of the foregoing Power of Attorney.

Witness my hand and Notarial Seal this 15th day of January, 1987.

My Commission Expires:

8-16-90

V. FILIPPELLO, Notary Public Residing in St. Joseph County

This instrument was prepared by George V. Filippello, Attorney at Law 104 West 3rd St., Mishawaka, Indiana (256-5003)