

1724

WATER

Consent to Annexation

02-2157-7494

James +
Daniel Kuczynski

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

2
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.

ST. JOSEPH CO. RECORDER
FILE NO. MARIANN SEACH

OCT 10 3 38 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

ST. JOSEPH CO. RECORDER

9533823

FILE NO. _____
MARIANNE BEACH
RECORDER

OCT 10 3 38 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED



Print Name: _____

STATE OF INDIANA

COUNTY OF ST. JOSEPH

I, _____, a Notary Public in and for said County, in the State of Indiana, DO HEREBY CERTIFY THAT _____ 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 a free and voluntary act and deed for the uses and purposes therein contained.

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

NOTARY PUBLIC

By Commission Expires: _____

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

8'

9533824

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

2

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WAIVER OF RIGHT TO REMONSTRATE

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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 COUNTY RECORDER
FILE NO. MARIANNE BEACH

OCT 10 3 38 PM '95

ST. JOSEPH CO., INDIANA
FILED FOR RECORD

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

By Daniel Luczynski

DANIEL R. LUCZYNSKI, Attorney-in-Fact

APPROVED

BOARD OF PUBLIC WORKS

OCT 02 1995

[Handwritten signature]

Print Name: Daniel R. Luczynski

DANIEL R. LUCZYNSKI

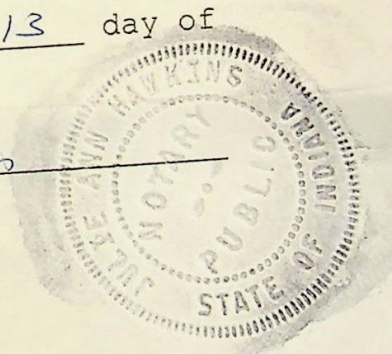
STATE OF INDIANA)
COUNTY OF ST. JOSEPH) SS:

I, Julie A. Hawkins, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT Daniel R. Luczynski, for himself * 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.

*and for
Matthew S.
Luczynski,
as his
attorney-in-fact

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

Julie A. Hawkins
NOTARY PUBLIC



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 CO. RECORDER

9533824

FILE NO. _____

MARIANNE BEACH
RECORDER

OCT 10 3 38 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

[Handwritten signature]

I, _____, a single male of legal age and of sound mind and memory, do hereby certify that _____ is the same person whose name is mentioned in the foregoing instrument, and that he appeared before me this _____ day of _____, 1995, and executed the foregoing instrument as a free and voluntary act and deed for the uses and purposes therein contained.

Given under my hand and official seal this _____ day of _____, 1995.



NOTARY PUBLIC

My Commission Expires: _____

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

