

1734

WATER

Consent to Annexation

02-2151-6964

Jeff Mader

9533835

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 2151 6964

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.

ST. JOSEPH CO. RECORDER
FILE NO. _____
MARIANNE SEACH
RECORDER

OCT 10 3 39 PM '95

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INDIANA
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provisions by said grantee, vendee, or contract purchaser and
their successors in title.

By *Jeff Mader*

APPROVED
BOARD OF PUBLIC WORKS

SEP 13 1995
Julie Ann Hawkins
Jeff Mader

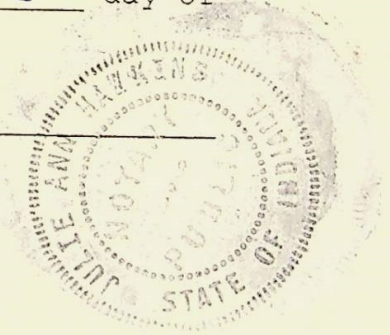
Print Name: JEFF MADER

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

I, Julie Ann Hawkins, a Notary public in and for said
county, in the state aforesaid, DO HEREBY CERTIFY THAT
Jeff Mader 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.

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

Julie Ann 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.

INDEXED

LEGAL DESCRIPTION
JEFFREY S. MADER
~~17416 MCERLAIN~~, SOUTH BEND, INDIANA

17490 S R 23

Lots Numbered Eight (8), Nine (9) and Ten (10) as shown on the recorded Plat of Dugdale Acres First Addition recorded June 12, 1946, in the Office of the Recorder of St. Joseph County, Indiana, in Plat Book 16, Page "D".

EXCEPTING THEREFROM:

A part of Lot 10 in Dugdale Acres, First Addition, a Subdivision in the West Half of the Northeast Quarter of Section 32, Township 38 North, Range 3 East, St. Joseph County, the Plat of which subdivision is recorded in Plat Book 16, Page "D", in the office of the Recorder of St. Joseph County, Indiana, described as follows: Commencing at the Northeast corner of said Lot; thence North 75 degrees 40 minutes 36 seconds West 69.81 feet along the Northeastern line of said lot to the Southeastern boundary of the intersection of McErlain Street and Edwardsburg Highway, S.R. 23; thence South 53 degrees 42 minutes 33 seconds West 45.98 feet along the boundary of the intersection of said McErlain Street and said Edwardsburg Highway, S.R. 23 to the point of beginning of this description; thence South 20 degrees 46 minutes 24 seconds West 111.42 feet; thence South 69 degrees 13 minutes 36 seconds East 35.00 feet; thence South 20 degrees 46 minutes 24 seconds West 52.67 feet to the Southwestern line of said Lot and the center line of Juday Creek; thence North 69 degrees 07 minutes 49 seconds West 40.00 feet along said Southwestern line and said center line to the Southeastern boundary of Edwardsburg Highway, S.R. 23; thence North 20 degrees 46 minutes 24 seconds East 156.30 feet along the boundary of said Edwardsburg Highway, S.R. 23 to the Southeastern boundary of the intersection of said Edwardsburg Highway, S.R. 23 and McErlain Street; thence North 53 degrees 42 minutes 33 second East 9.20 feet along the boundary of the intersection of said Edwardsburg Highway, S.R. 23 and said McErlain Street to the point of beginning.

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