

1735

Consent to Annexation

WATON

02-2157-7491

lots 16+17 Dugdale Ave

9533836

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

2
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. 02-2157-7491

Lots 16 and 17 Dugdale Acres

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. MARSHALL REACH
RECORDER

OCT 10 3 39 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.

ALMA KEARNS

APPROVED
BOARD OF PUBLIC WORKS

By Wilma L. Stoll
WILMA L. STOLL, Attorney-in-Fact

SEP 09 1995
[Signature]
J.P. Manier

Print Name: WILMA L. STOLL
Attorney-in-Fact

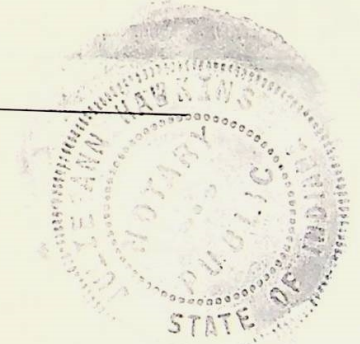
STATE OF INDIANA)
COUNTY OF ST. JOSEPH) SS:

I, Julie A. Hawkins, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT Wilma L. Stoll, as attorney in * 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.

fact for
Alma
Kearns

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

[Signature]
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
FILE NO. _____
MARIANNE SEACH
RECORDER

9533836

OCT 10 3 39 PM '95

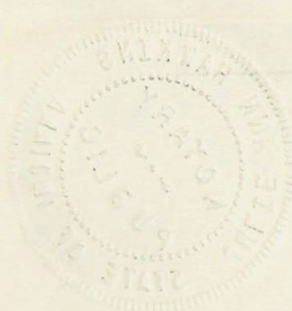
ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

The delivery of any instrument of conveyance by any successor, grantee, vendee or contractor to the terms of this document and the acceptance of the instrument shall constitute an acceptance of the provisions by said grantee, vendee, contractor and their successors in title.

... a Notary Public in and for the State of Indiana, DO HEREBY CERTIFY THAT the foregoing instrument was subscribed to the foregoing instrument, appeared before me in person and acknowledged that he executed the foregoing instrument as a free and voluntary act and that the contents and purposes therein contained.

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



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

8'



FILE COPY

City of South Bend

Joseph E. Kernan, Mayor

Department of Law

Richard A. Nussbaum, II
City Attorney

Jenny Pitts Manier
Chief Assistant City Attorney

September 25, 1995

James R. Kuehl
17330 McErlain
South Bend, IN 46635

RE: Lot 3 Dugdale Acres

Dear Mr. Kuehl:

Enclosed please find a Consent to Annexation and Waiver of Right to Remonstrate form for the City of South Bend. Please execute this form, have it notarized, and return it to my attention at your earliest convenience.

Your cooperation on this matter is greatly appreciated.

Thank you.

Sincerely,

Anne E. Bruneel
Assistant City Attorney

AEB:jah
Enclosure

1400 County-City Building • South Bend, Indiana 46601 • 219/235-9241 • TDD 219/235-5567

Thomas L. Bodnar
Aladean M. DeRose

John E. Broden
Jeffrey M. Jankowski

Anne E. Bruneel
Robert C. Rosenfeld

