

1740

WATER

Consent to Annexation

02-2157-7494

02-2157-7497-Res.

Kathleen Nagy

9533843

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 7496
02 2157-7497-RES.

Lots numbered twenty-one (21) and twenty-two (22) in Dugdale Acres, Second Addition, in the West one-half of the Northeast one-quarter of Section Thirty-two (32), Township Thirty-eight (38) north, Range Three (3) east in Clay Township, 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.

ST. JOSEPH CO. RECORDER
FILE NO. MARQUETTE SEACH
RECORDER

OCT 10 3 39 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

2

ST. JOSEPH CO. RECORDER

FILE NO. _____

MARIANNE SEACH
RECORDER

9533843

OCT 10 3 39 PM '95

ST. JOSEPH CO.
INDIANA

FILED FOR RECORD

INDEXED

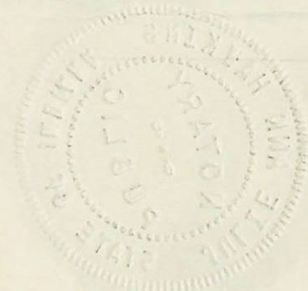
By _____
Print Name: _____

[Handwritten signature]

STATE OF INDIANA

COUNTY OF ST. JOSEPH

I, _____, 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,
appeared before me this day in person and acknowledged that he
executed the foregoing instrument as his 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: _____
County of _____
State of _____

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

9533844

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

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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. MARION SEACH
RECORDER

OCT 10 3 40 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.

INDEXED

By John P Nagy

APPROVED
BOARD OF PUBLIC WORKS

Print Name: John P NAGY

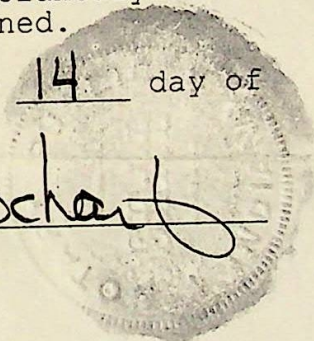
OCT 02 1995
John P. Nagy
John P. Nagy

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

I, Patricia S. Scharf, a Notary public in and for said county in the state aforesaid, DO HEREBY CERTIFY THAT John P. Nagy 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 his free and voluntary act and deed for the issues and purposes therein contained.

Given under my hand and official seal this the 14 day of September, 1995

Patricia S. Scharf
NOTARY PUBLIC



My Commission Expires:

PATRICIA S. SCHARF, Notary Public
A Resident of St. Joseph County, IN
My Commission Expires March 14, 1996

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

ST. JOSEPH CO. RECORDER

9533844

FILE NO. _____
MARIANNE SEACH
RECORDER

Oct 10 3 40 PM '95

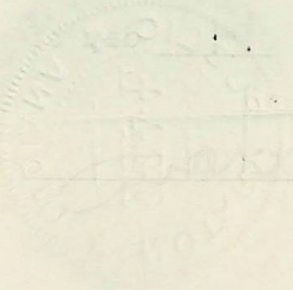
The delivery of any instrument of conveyance to any successor, grantee, vendee or contractor of the subject to the terms of this document and the acceptance of the instrument shall constitute an acceptance of the foregoing provisions by said grantee, vendee, or contractor and their successors in title.

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED

[Faint, illegible handwritten notes and signatures]

STATE OF INDIANA
COUNTY OF ST. JOSEPH
I, Patricia S. Soran, a Notary Public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT John T. Reay 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 10th day of October, 1995.

Patricia S. Soran
NOTARY PUBLIC

My Commission Expires:
PATRICIA S. SORAN, Notary Public
A Resident of St. Joseph County, IN
My Commission Expires March 14, 1996

This instrument was prepared by Anne E. Innes, Assistant City Attorney, 1400 County-City Building, South Bend, IN 46801.