

1742
WATER

Consent to Annexation

02 2061 2614 2615

Dan / Mary Ullery

9533846

Form

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; 2061 2614 - 2615

Lots Numbered Forty (40) and Forty-one (41) as shown on the recorded Hagey Linda Plat recorded in the Office of the St. Joseph County Recorder, in Plat Book 12, page 142.

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.

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

OCT 10 3 40 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

COMPANY

By *Danny L. Wilkey + Mary Wilkey*
Print Name: DANNY L. WILKEY + MARY WILKEY
Its: _____ Title _____
Date: 9-12-95

STATE OF INDIANA)

COUNTY OF ST. JOSEPH)

) SS:

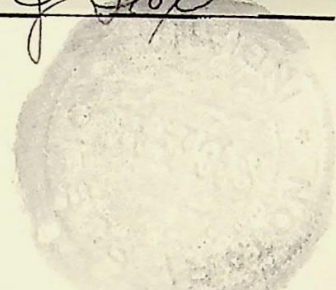
I, Heborah J. Loof, a Notary public in and for said county, in the state aforesaid, DO HEREBY CERTIFY THAT Henny & Mary Kelly personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he executed the 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 12 day of September, 1995.

Heborah J. Loof
NOTARY PUBLIC

My Commission Expires:

10-21-95



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

C:\docs\Consent.frm

APPROVED

BOARD OF PUBLIC WORKS

OCT 02 1995

[Handwritten Signature]

ST. JOSEPH CO. RECORDER 9533846

FILE NO. _____
MARIANNE BEACH
RECORDER

Oct 10 3 40 PM '95

ST. JOSEPH CO.
INDIANA
FILED FOR RECORD

INDEXED



8'

02 2061 2614

Key No. 02; 2061 2614 - 2615
Grantee's mailing address

Property Address:
17162 Linda St.
South Bend, IN 46635

Corporate Warranty Deed

This Indenture Witnesseth, That Jack Hickey Homes, Inc., an Indiana Corporation

Conveys and Warrants to Danny L. Ullery, Jr. and Mary Ullery, husband and wife

for the sum of Ten & 00/100 Dollars (\$10.00) and other valuable consideration, the following described real estate in St. Joseph County, in the State of Indiana:
Lots Numbered Forty (40) and Forty-one (41) as shown on the recorded Hagey Linda Plat recorded in the Office of the Recorder of St. Joseph County, Indiana, in Plat Book 12, page 142.

Subject to the second installment of taxes for the year 1993 due in November, 1994 and all subsequent taxes.

Grantor certifies that there is no Indiana Gross Income Tax due or payable at this time.

The undersigned persons executing this deed on behalf of said grantor corporation represent and certify that they are duly elected officers of said corporation and have been fully empowered, by proper resolution of the Board of Directors of said corporation to execute and deliver this deed; that the grantor corporation has full corporate capacity to convey the real estate described herein and that all necessary corporate action for the making of such conveyance has been taken and done.

Subject To any and all easements, agreements, and restrictions of record.

Signed this 1st day of July 19 94 .

Jack Hickey Homes, Inc.

BY: Austin J. Hickey
Austin J. Hickey
Chairman of the Board

STATE OF INDIANA, ST. JOSEPH COUNTY, ss:

Before me, a Notary Public in and for the said County and State, personally appeared Austin J. Hickey as Chairman of the Board of Jack Hickey Homes, Inc., an Indiana Corporation

who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and notarial seal this 1st day of July , 19 94 .

My commission expires:
Dec. 3, 1994

Signature Kathleen R. Guthrie

Printed Kathleen R. Guthrie, Notary Public

Residing in St. Joseph County, Indiana

This instrument prepared by: Louis Klatch, Attorney at Law

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