Consent to annewation "ON A-2023-054806"

noll Yarger

9533850

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:

Kev Nos. 02 2023 054806

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.

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.

By Toel Jacque

COUNTY OF ST. JOSEPH

I, Lake A House (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

Given under my hand and official seal this the 13 day of

executed the foregoing instrument as h free and voluntary act

and deed for the issues and purposes therein contained.

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.

C:\docs\Consent.frm

CLOSINO STATEMENT

SELLERS: RICHARD N. SHOUPE and LOIS E. SHOUPE, husband and wife

PURCHASERS: NOEL H. YARGER and RUTH A. YARGER, husband and wife

REAL ESTATE SOLD:

Part of the East Half (1/2) of the Northeast Quarter (1/4) of Section 32, Township 38 North, Range 3 East, Clay Township, St. Joseph County, Indiana, described as follows: Beginning at a point 1012.42 feet South and 360 feet East of the Northwest corner of the East Half (1/2) of the Northeast Quarter (1/4) of Section 32, Township 38 North, Range 3 East; thence South 83°53' East 150 feet; thence South 290 feet parallel to the West line of the said East Half (1/2) of the Northeast Quarter (1/4) to the South line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4); thence West 150 feet along said South line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) to a point 360 feet East of the West line of the East Half (1/2) of the Northeast Quarter (1/4); thence North 309 feet to place of beginning.

ST. JOEEPH JO. RECORDER FILE NO. MARIANNE SEACH RECORDER

9533850

OCT 10 3 40 PM '95

ST. JOSEPH CO. INDIANA FILED FOR RECORD INDEXED

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