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FILED

MAY 31 1990

KEY # 29-7-8+9  
Cass N. Antos  
AUDITOR LAKE COUNTY

SEWER AGREEMENT

WHEREAS, PAUL KUSS and JOANNE KUSS, husband and wife, hereinafter referred to as "Kuss", are the owners in fee simple of the following described real estate in Lake County, State of Indiana, to-wit:

The South 57 feet of that part of the Southwest Quarter of the Southwest Quarter of Section 8, Township 37 North, Range 9 West of the 2nd P.M. Lying West of the Westline of Schrage Avenue and East of the East line of White Oak Avenue (formerly Kreuter Road) in Whiting, Lake County, Indiana; and

WHEREAS, "Kuss" is constructing a residence on said parcel of real estate with an overhead sewer system and it is necessary to connect said system to the City of Whiting sewer interceptor system; and

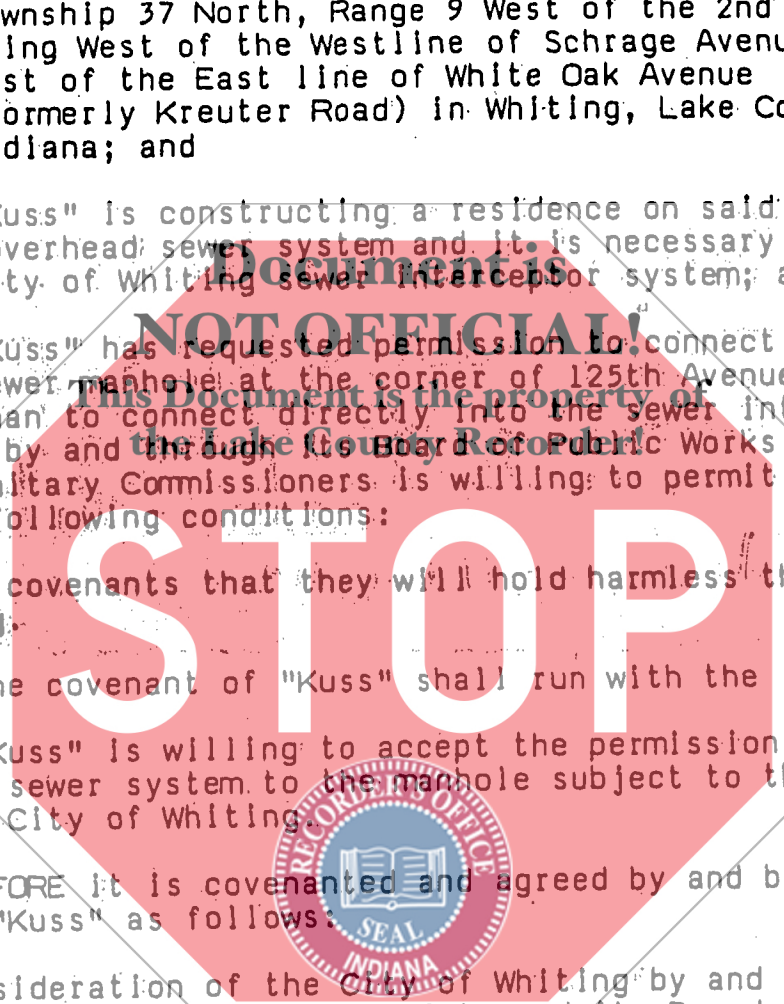
WHEREAS, "Kuss" has requested permission to connect its overhead sewer system to the sewer manhole at the corner of 125th Avenue and Schrage Avenue rather than to connect directly into the sewer interceptor and the City of Whiting by and through its Board of Public Works and Safety and its Board of Sanitary Commissioners is willing to permit such a connection subject to the following conditions:

1. "Kuss" covenants that they will hold harmless the City of Whiting.
2. That the covenant of "Kuss" shall run with the land; and

WHEREAS, "Kuss" is willing to accept the permission for connection of the overhead sewer system to the manhole subject to the conditions required by the City of Whiting.

NOW, THEREFORE it is covenanted and agreed by and between the City of Whiting and "Kuss" as follows:

1. In Consideration of the City of Whiting by and through its Board of Public Works and Safety and its Board of Sanitary Commissioners permitting the connection of the overhead sewer system to the manhole at 125th Avenue and Schrage Avenue in the City of Whiting "Kuss" shall execute this sewer agreement.
2. "Kuss" for themselves, their heirs, executors, administrators, assigns, and successors in interest covenant and agree that they will hold harmless the City of Whiting, its various departments, officers and employees from any and all actions, claims and demands whatsoever for or by reason of granting permission for "Kuss" to connect the overhead sewer lines into the sewer manhole at 125th and Schrage Avenue rather than into the interceptor sewer line.



STATE OF INDIANA/SS. HO.  
LAKELAND CITY, IND.  
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ROBERT B. REYNOLDS, CLERK



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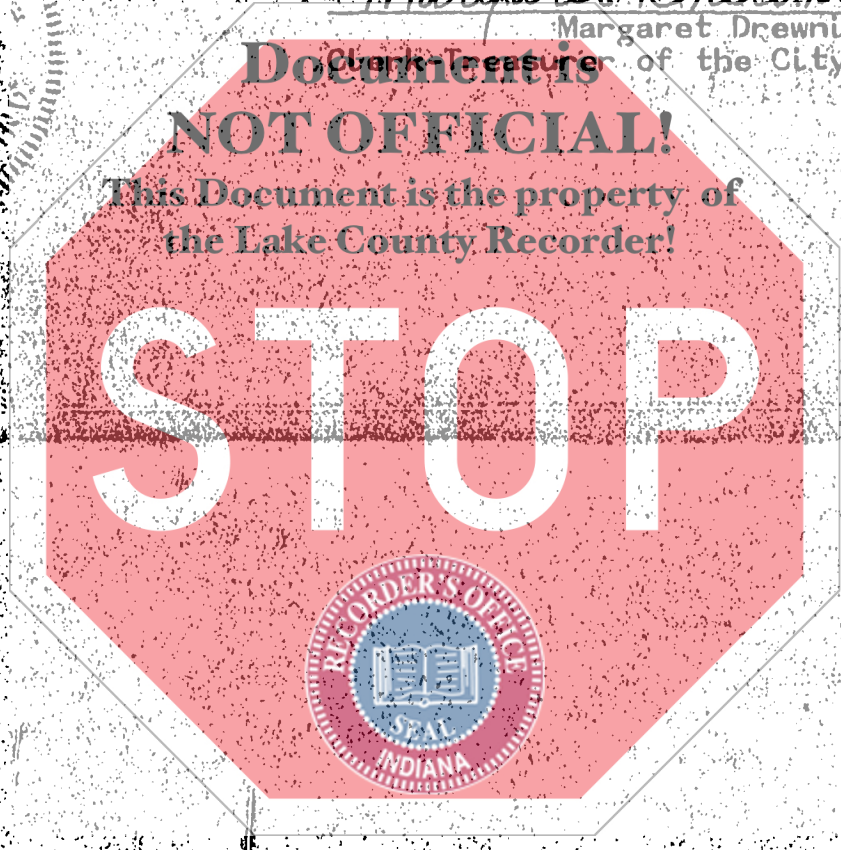
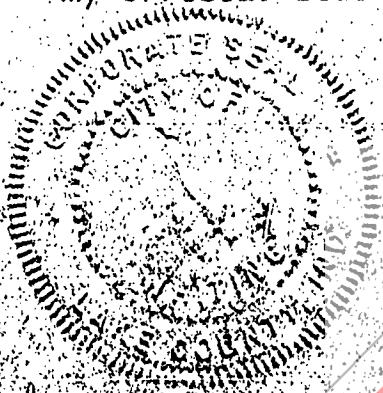
State of Indiana )  
                          )  
County of Lake ) SS:

Before me, the undersigned, the Clerk-Treasurer of the City of Whiting, State of Indiana, this 7<sup>th</sup> day of May, 1990, personally appeared Mayor Robert J. Bercik as President of the Board of Public Works and Safety and Edward Harbin as President of the Board of Sanitary Commissioners of the City of Whiting and acknowledged the execution of the above and foregoing Sewer Agreement.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

*Margaret Drenniak*

Margaret Drenniak  
Clerk-Treasurer of the City of Whiting



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This instrument prepared by: Donald L. Gray, City Attorney,  
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PO Box 591