

*Colby Jan 18/95*

**CONSENT TO ENCROACHMENT AND COVENANT NOT TO ENFORCE**

This agreement made and executed this 16<sup>th</sup> day of January, 1995, by the undersigned being all of the owners of Hidden Oaks subdivision.

**RECITALS**

1. Turn Key Enterprises, Inc., (hereinafter referred to as Corporation) is the owner and developer of the following described parcels of real estate located in Lake County, Indiana:

Lots 1, 2, 4, 5 and 6 in Hidden Oaks, as per plat thereof recorded in Plat Book 74, Page 71 in the Office of the Recorder and as amended by a certain instrument recorded August 27, 1993 as Document Number 93056082.

2. That Judy K. Kortenhoven is the owner of the following described parcel of real estate also located in Hidden Oaks:

Lot 3 in Hidden Oaks as per plat thereof recorded in Plat Book 74, Page 71 in the Office of the Recorder and as amended by a certain instrument recorded August 27, 1993 as Document Number 93056082.

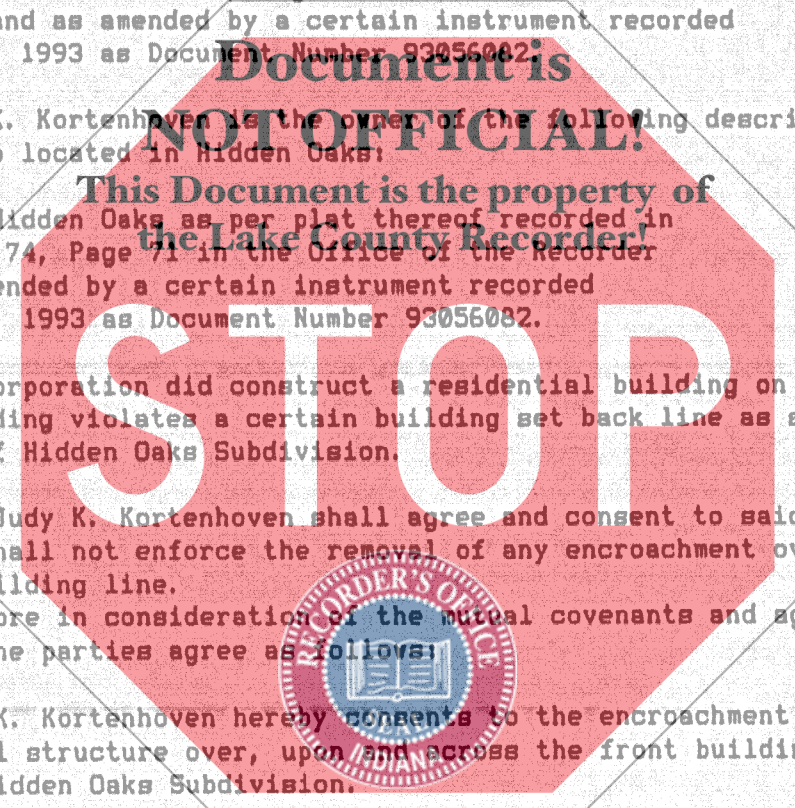
3. That the Corporation did construct a residential building on said Lot 2 and that said building violates a certain building set back line as set forth on recorded plat of Hidden Oaks Subdivision.

4. That said Judy K. Kortenhoven shall agree and consent to said encroachment and shall not enforce the removal of any encroachment over, upon and across said building line.

Now therefore in consideration of the mutual covenants and agreements herein contained the parties agree as follows:

1. That Judy K. Kortenhoven hereby consents to the encroachment of a certain residential structure over, upon and across the front building setback line of Lot 2 in Hidden Oaks Subdivision.

2. That Judy K. Kortenhoven further covenants and agrees not to pursue any action of forced removal of said encroachment.



**AMASA G. COLBY**  
**CHIEF DEPT RECORDER**  
**95003064**

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
95 JAN 18 AM 9:45

*ASG*

3. The corporation covenants and agrees that they shall not extend the encroachment any further than currently exists and in the event of complete destruction of said residence that the encroachment will be removed upon the erection of any subsequent structure.

4. This agreement shall be binding upon the parties hereto, their successors, heirs, assigns and also upon all subsequent successors in title of Lots 1 through 6, in Hidden Oaks Subdivision in addition who shall also be estopped from pursuing any action to force the removal of said encroachment presently located on Lot 2 in said Hidden Oaks Subdivision.

WITNESS OUR HANDS AND SEALS this 16<sup>th</sup> day of January, 1995.

TURN KEY ENTERPRISES, INC.

By: [Signature]  
DON READY, PRESIDENT

**Document is NOT OFFICIAL!**  
**This Document is the property of the Lake County Recorder!**

STATE OF INDIANA )  
COUNTY OF LAKE )

Before me, the undersigned, a Notary Public in and for said County and State, this 16<sup>th</sup> day of January, 1995 personally appeared [Signature] the President of TURN KEY ENTERPRISES, INC. and acknowledged the execution of the foregoing to be their voluntary act and deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.



[Signature]  
Notary Public  
Helen J. Ross

My Commission expires: 5-29-97  
County of residence: Lake

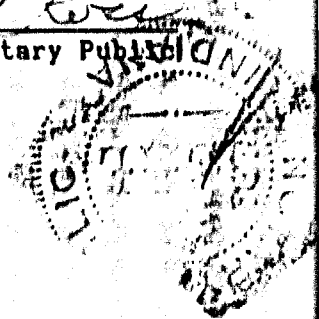
STATE OF INDIANA )  
COUNTY OF LAKE )

Before me, the undersigned, a Notary Public in and for said County and State, this 16<sup>th</sup> day of January, 1995 personally appeared JUDY K. KORTENHOVEN and acknowledged the execution of the foregoing to be her voluntary act and deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

*Helen J. Ross*

Helen J. Ross  
Notary Public

My Commission expires: 5-23-97  
County of residence: Lake



hb. 11-12, 94consent

This instrument prepared by: RICHARD A. ZUNICA, ATTORNEY AT LAW  
162 WASHINGTON STREET, LOWELL, IN 46356