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**FILED**

APR 23 1997

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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

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SAM ORLICH  
AUDITOR LAKE COUNTY

MORRIS W. CARTER  
RECORDER

MEMORANDUM OF CONTRACT

This Memorandum of Agreement ("MEMORANDUM") is made this 23 day of April, 1997, by and between GERALD A. DOTY and MARJORIE DOTY, Trustees, or their Successors in Trust, under the DOTY LIVING TRUST, dated September 26, 1996, hereafter "Sellers", and KENNETH R. FISCHER and ANN L. FISCHER, Husband and Wife, hereafter "Buyers".

WITNESSETH:

WHEREAS, the Sellers are the current Owners of a certain piece of Real Estate located at 424 Fairview Ave., Crown Point, Lake County, Indiana, which real estate is more particularly described as follows:

Key 9-238-12

Lot 12, Except the West 5 Feet Thereof, Block 4, Fairview Heights, in the City of Crown Point, as shown in Plat Book 30, Page 81, in Lake County, Indiana.

(Commonly Known As: 424 Fairview Avenue, Crown Point, Indiana 46307); and

WHEREAS, the Buyers are interested in purchasing the above-referenced Real Estate under the Contract (as defined below); furthermore, the Buyers are signatories to said Contract and this Memorandum for the purpose of consenting to the terms and provisions of the Contract and this Memorandum; and

WHEREAS, the Sellers and the Buyers executed a certain Contract for the Conditional Sale of Real Estate (the "Contract"), dated the 23 day of April, 1997, which sets forth the terms and conditions governing the purchase of the above-referenced Real Estate; and

WHEREAS, the Contract for Conditional Sale of Real Estate contemplates that the Parties shall record a Memorandum of the Contract in the Office of the Recorder of Lake County, Indiana.

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NOW, THEREFORE, in consideration of the execution of the Contract, the recitals above, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency which is acknowledged by the Parties hereto, the Parties set forth the following with respect to the Contract:

1. **Incorporation of Agreement by Reference.** The terms and conditions contained in the Contract are incorporated into this Memorandum by reference thereto, and shall be deemed to be a part of this Memorandum as though fully set forth herein.

2. **Governing Law.** This Memorandum of Contract shall be construed and enforced in accordance with the Laws of the State of Indiana.

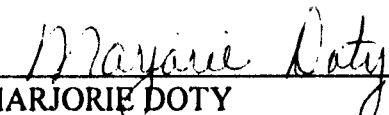
3. **Purpose of this Memorandum of Contract.** This Memorandum of Contract has been prepared for the sole purpose of recordation, and it in no way modifies or alters any of the terms and conditions contained in the Contract. In the event of a conflict between the terms and conditions of this Memorandum of Contract and the Contract, the Contract shall govern.

4. **Run With the Land.** The terms and provisions of the Contract and this Memorandum shall be deemed to be covenants that run with and bind the land as to the above-referenced Real Estate, and shall be and remain in effect perpetually to the extent permitted by the Laws of the State of Indiana.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum of Contract as of the date first written above.


**SELLERS**

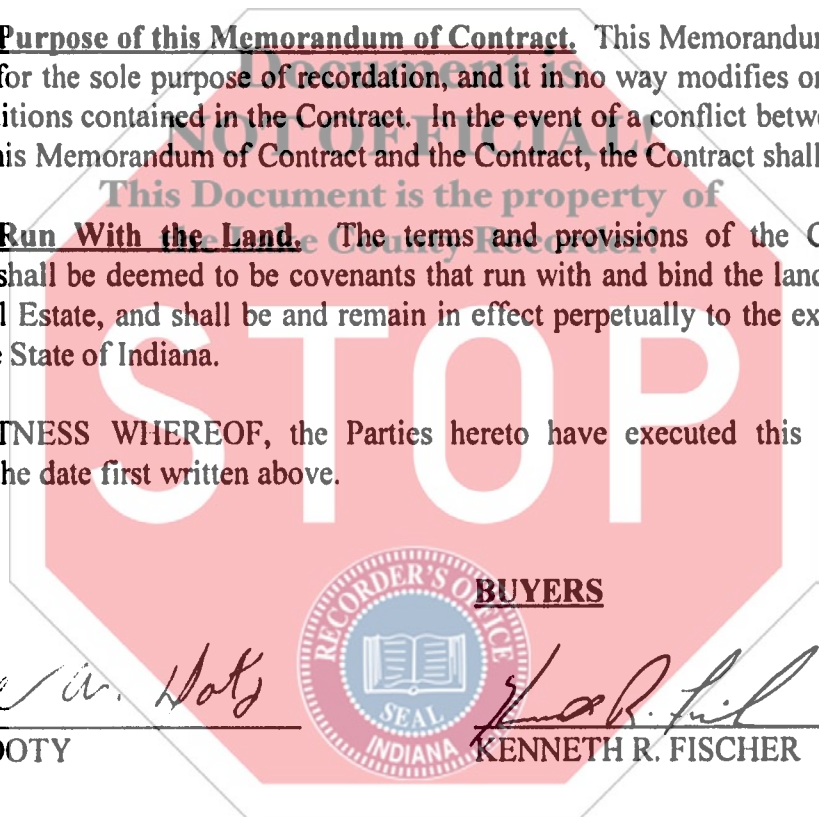
  
\_\_\_\_\_  
GERALD A. DOTY

  
\_\_\_\_\_  
MARJORIE DOTY

**BUYERS**

  
\_\_\_\_\_  
KENNETH R. FISCHER

  
\_\_\_\_\_  
ANN L. FISCHER



STATE OF INDIANA )  
 ) SS:  
COUNTY OF LAKE )

Before me, a Notary Public in and for said County and State, on this 23 day of April, 1997, personally appeared GERALD A. DOTY and MARJORIE DOTY, not Individually, but as Trustees under the DOTY LIVING TRUST dated September 26, 1996, and acknowledged the execution of the above and forgoing Memorandum of Contract to be their voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
03/20/01

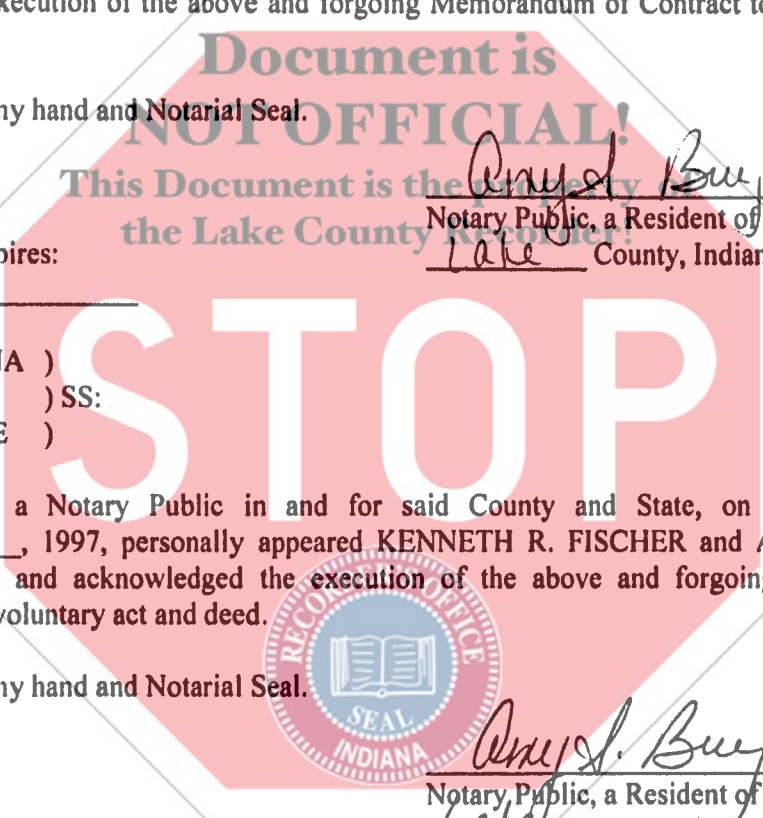
STATE OF INDIANA )  
 ) SS:  
COUNTY OF LAKE )

Before me, a Notary Public in and for said County and State, on this 23 day of April, 1997, personally appeared KENNETH R. FISCHER and ANN L. FISCHER, Husband and Wife, and acknowledged the execution of the above and forgoing Memorandum of Contract to be their voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
03/20/01

This Instrument prepared by: Austgen, Reed & Decker, P.C., by Attorney David M. Austgen, 130 North Main Street, Crown Point, Indiana 46307.



Amy S. Benjamin  
Notary Public, a Resident of  
Lake County, Indiana

Amy S. Benjamin  
Notary Public, a Resident of  
Lake County, Indiana

