

Affidavit, Release and Covenant
Building Permit Number 97-665
Lake County Building Department

STATE OF INDIANA)
COUNTY OF LAKE)

We the undersigned, being duly sworn under oath state, release and covenant as follows:

1. We, Richard D. Whitten, Husband and Wife, hereinafter referred to as owners, applied for and received Permit Number 97-665 from the Lake County Plan Commission.

2. Permit Number 97-665 was issued to owners for the construction of: new Building - Sales Office on property commonly known as 2000 E. Main St., Griffith, In 46319 Lake County, Indiana, whose legal description is as follows: (If parcel is not located in a subdivision, legal description is attached.)

- 3. We are the owners of the aforementioned real property described in paragraph (2) above.
- 4. Several of the improvements on the subject real property were completed by the owners or their agents prior to inspection by the Lake County Building Department.
- 5. The nature of the improvements completed by owners and their agents now prohibits persons from the Lake County Building Department from inspecting the improvements and determining whether the improvements were constructed in accordance with applicable regulations.
- 6. The improvements that were completed by owners or their agents and that cannot now be inspected are as follows:

*Footing Inspection and
Foundation Inspection*

7. For and in consideration of the Lake County Building Department not requiring that the owners dig up the improvements so that the construction can be inspected as required by the applicable regulations and ordinances, the owners, their transferees, assignees, successors in interest, and anyone taking title by and through owners hereby and presently releases the Lake County Plan Commission, the Lake County Building Department, and any Lake County, Indiana appointed or elected official, department or division, as well as their employees or agents from any liability directly or indirectly related to any defects in the improvements listed in paragraph 6-(a), 6-(c), and 6-(d) above that would have been ascertained by inspection of these improvements at the time specified in the Lake County Building Code in force at the time this permit was issued and the improvements constructed.

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STATE OF INDIANA
LAKE COUNTY
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- 8. This release of liability is personal to the owners, their transferees, assignees, successors in interest, and anyone taking title by and through these owners, and also shall constitute a covenant that runs with the land and is binding upon any person who acquires any interest of any nature whatsoever in the subject real property or improvements therein.
- 9. This Affidavit and Release shall be recorded in the Office of the Lake County Recorder, Crown Point, Indiana in the appropriate file.

WHEREFORE this Affidavit, Release and Covenant is hereby executed this 25 day of November, 1997.

(OWNER) Linda S. Whitten

(OWNER) _____

STATE OF INDIANA)
COUNTY OF LAKE)

Before me, a Notary for the said County and State, personally appeared

Linda Whitten
(Husband and Wife)

and being duly sworn, executed the above and foregoing instrument of their free will.

(NOTARY) Mary Beth Dawjokas

(COUNTY OF RESIDENCE) Lake

My Commission Expires 7-5-2001