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MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into the 3 day of JUNE, 1998, by and between BERNARD J. BEDA AND JANET M. BEDA (hereinafter called the "Owners"), and the Town of Highland Board of Zoning Appeals, by and through its chairperson, Gail Barenie, (hereinafter called the "B.Z.A."),

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WITNESSETH

WHEREAS, the Owners holds title in fee simple to the real estate located at 9820 Erie Street, in the Town of Highland, County of Lake, State of Indiana, bearing the following legal description:

Lots 1 and 4, Ladd Addition to the Town of Highland, as recorded in Plat Book 65, Page 56 in the Office of the Recorder, Lake County, Indiana.

WHEREAS, the property described above is in a designated R-2 district (duplex) in the Town of Highland, Indiana and that the owners propose to build a twenty by forty (20 x 40) foot, eight hundred (800) square foot garage on lot 4, which petition was granted by the B.Z.A. on May 27, 1998.

WHEREAS, the B.Z.A. has authorized a variance to the zoning ordinance of the Town of Highland to enable owners to erect a eight

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hundred (800) square foot garage on lot 4 of Ladd's Addition on the condition no business be operated from the garage.

NOW, THEREFORE, in consideration of the mutual promises, agreements, covenants and conditions herein set forth, and intending to be legally bound, the parties agree as follows:

1. The B.Z.A., acting by and through its Chairperson, Gail Barenie, shall upon the execution of this agreement and the recording of the same in the Office of the Lake County Recorder, authorize the Building Commissioner of the Town of Highland, Indiana, to issue a building permit to owners to erect a eight hundred (800) square foot garage on lot 4 of Ladd's Addition to the Town of Highland in accordance with the B.Z.A.'s decision of May 27, 1998.

2. The Owners agree and covenant that the land they own is in fee simple and described as follows:

Lots 1 and 4, Ladd Addition to the Town of Highland, as recorded in Plat Book 65, Page 56 in the Office of the Recorder, Lake County, Indiana.

and that owners covenant and agree that no business enterprise will be operated from said garage at any time, which garage is located on lot 4 of Ladd's Addition to the Town of Highland,

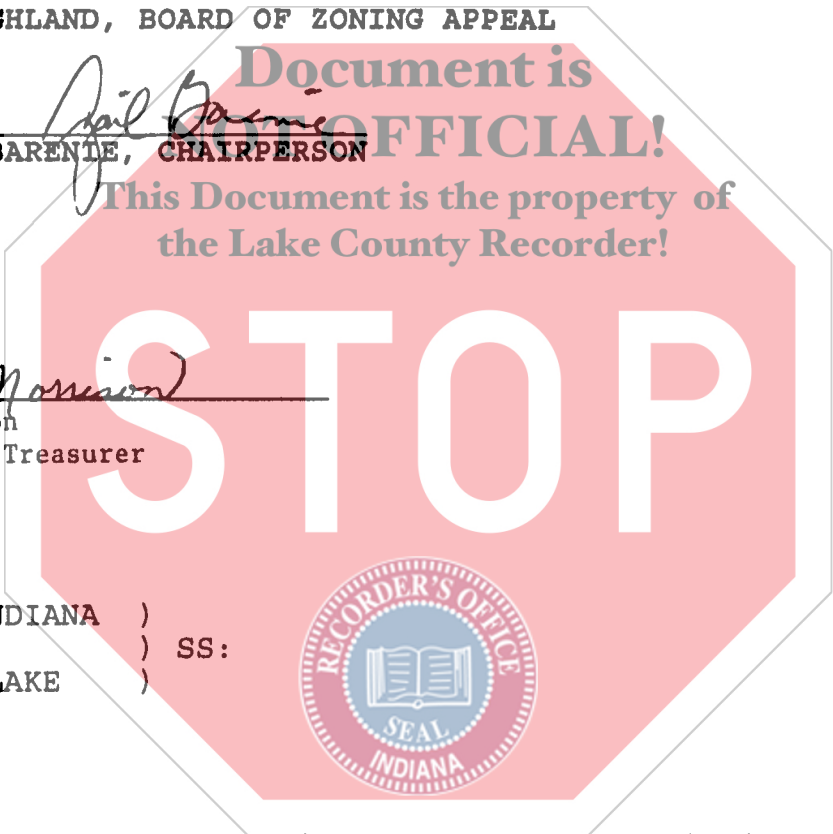
Indiana, and that this covenant is a covenant to run with the land.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the 9<sup>th</sup> date of June, 1998 first above written.

TOWN OF HIGHLAND, BOARD OF ZONING APPEAL

By:

GAIL BARENIE, CHAIRPERSON



ATTEST:

Carol L. Morrison  
Carol Morrison  
Deputy Clerk Treasurer

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF LAKE )

Before me, the undersigned, a Notary public in and for said County and State, personally appeared the within named **GAIL BARENIE**, Chairperson of the Board of Zoning Appeals, and acknowledged the execution of the foregoing document to be her voluntary act and deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal this 9<sup>th</sup> day of

voluntary act and deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal this 9<sup>th</sup> day of June, 1998.

My commission expires: 2/12/99  
Notary Public  
Resident of Lake County

Bernard J. Beda  
BERNARD J. BEDA  
Janet M. Beda  
JANET M. BEDA

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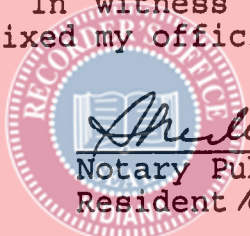
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the Lake County Recorder!

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF LAKE )

Before me, the undersigned, a Notary public in and for said County and State, personally appeared the within named **BERNARD J. BEDA AND JANET M. BEDA**, Owners of above described real estate and acknowledged the execution of the foregoing document to be their voluntary act and deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal this 3<sup>rd</sup> day of June, 1998.

My commission expires: 2-17-2008  
Notary Public  
Resident of Lake County



THIS INSTRUMENT PREPARED BY  
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