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**GRANT OF RIGHT TO INSTALL WATER LINES,
CONNECT TO THE WATER UTILITY SYSTEM OF THE
TOWN OF ST. JOHN, AND WAIVER OF RIGHT TO
REMONSTRATE AGAINST ANNEXATION**

2006 0226 0814

THIS MUTUAL AGREEMENT MADE this 16th day of March, 2006 between the Town of St. John and/or the St. John Waterworks District pursuant to motion made, seconded and duly approved by the St. John Waterworks District on the 20th day of February, 2006, as Grantor (hereinafter "The Town") and JOHN RUZICH and LINDA RUZICH, (hereinafter, "the Grantee").

WITNESSETH, that for and in consideration of the sum of Twenty-Five Dollars (\$25.00), which sum shall be used to defray the administrative costs of processing this grant by the Waterworks District of the Town of St. John, and other good and valuable consideration, the receipt of which is hereby acknowledged, as more particularly set forth hereinafter, the parties hereby agree as follows:

1. The Town gives and grants to the Grantee, the right to construct water mains and appurtenances in accordance with plans and specifications to be approved by the St. John Waterworks District in accordance with the standards set forth in Paragraph 2 following, in and along public rights-of-way and/or easements, owned, dedicated or to be granted to the Town of St. John.

2. The Town of St. John will accept such water mains and appurtenances, except local connections, as and for public water mains and will undertake the obligation of maintenance for said water mains upon inspection and proof of compliance with the laws and statutes of the State of Indiana, including but not limited to the issuance of no objection letter issued by Indiana Department of Environmental Management, if required and unless waived by the Board of Directors of the Waterworks District of the Town of St. John, in its sole discretion, and such testing as the superintendent of Public Works of the Town of St. John may require to insure compliance with the standards of the Town of St. John concerning exfiltration/infiltration, quality of pipe, bedding, water tight condition, inspection, and other requirements of the Town of St. John as more particularly set forth in Ordinance No. 433 of the Town of St. John, Lake County, Indiana adopted the 9th day of February, 1976, as it may from time to time be amended and the recommended standards for water works, 1982 edition as adopted by the Great-Lakes Upper Mississippi Board of State Sanitary Engineers and the Indiana Department of Environmental Management, or any supplement thereto.

3. The Grantee agrees to pay all charges for capacity and connection pursuant to the provisions of Ordinance No. 454 of the Town of St. John, Lake County, Indiana, all system development charges and all user rates prescribed therein as amended.

4. In the event the Board of Directors of the St. John Waterworks District, in their sole discretion, determine that an engineering review of the plans and specification is required, the Grantee shall pay the direct costs and charges for such review by the municipal engineer, using the

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL A. REYNOLDS
RECORDER
MAR 31 AM 10:32

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schedule of rates and charges approved by the Town of St. John and/or the Plan Commission of the Town of St. John for similar engineering services.

5. Pursuant to the provisions of I.C. 1971, 8-1.5-4-3 the real estate described in Exhibit "A," attached hereto and made a part hereof (H.I.), (hereinafter "The Real Estate") shall become, upon recordation of this Agreement with the Recorder of Lake County, a part of the Waterworks District of the Town of St. John, Lake County, Indiana and the Grantees hereby agree to pay any and all ad valorem taxes imposed by the Waterworks District of the Town of St. John, Lake County, Indiana and certified by the State Board of Tax Commissioners as the lawful tax rate for said district.

6. The Grantee hereby agrees for herself/himself, her/his executors, administrators, heirs, devisees, grantees, successors, and assigns that they will:

- (A.) Neither object to nor file a remonstrance against the proposed annexation of the above-described real estate by the Waterworks District of the Town of St. John within the boundaries of the district.
- (B.) Neither object to nor file a remonstrance against the proposed annexation of the above-described real estate by the Town of St. John.
- (C.) Not appeal from any order or judgment annexing the above-described real estate to the Town of St. John.
- (D.) Not file a complaint or action against any annexation proceedings brought by either the Town of St. John or its Waterworks District.

7. That the Grantee has provided current evidence of title to the real estate in the form of a commitment for title insurance and/or a policy of title insurance, and hereby certified that Grantee has not executed, or permitted anyone in Grantee's behalf to execute, any conveyance, or lease of the Real Estate, which is now outstanding or enforceable against the real estate. Grantee has made no contract to sell all or a part of the Real Estate to any person other than the Grantee. Grantee has not given to any person an option, which is presently exercisable, to purchase all or any part of the Real Estate. Grantee represents that the Real Estate is now in the possession of herself/himself, as owner, and no other person has a right to possession or claims possession of all or any part of the Real Estate.

8. The conditions, provisions and terms of the Agreement shall be null and void, and of no force and effect, unless the Grantee(s) makes application to the appropriate authorities of the Town of St. John and connects to the public water mains, **within twelve (12) months from the date of approval of this Agreement by Board of Waterworks of the Town of St. John, Indiana.**

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the 20th
day of February, 2006.

GRANTEE:

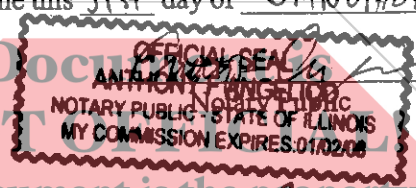
John Ruzich
JOHN RUZICH
12616 West 85th Avenue
St. John, IN 46373

Linda Ruzich
LINDA RUZICH
12616 West 85th Avenue
St. John, IN 46373

STATE OF INDIANA)
)SS:
COUNTY OF LAKE)

Subscribed and sworn to before me this 31st day of JANUARY, 2006.

My commission expires: 01/02/08
County of Residence: Lake

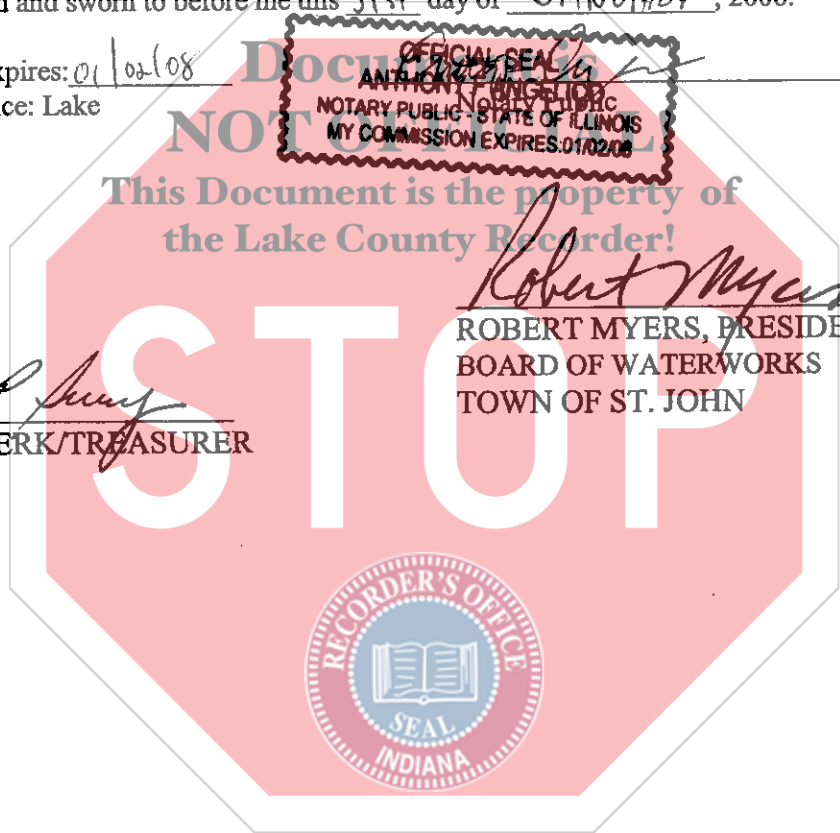


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ATTEST:

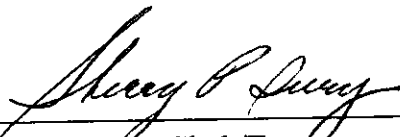
Sherry Surr
Sherry Surr, CLERK/TREASURER

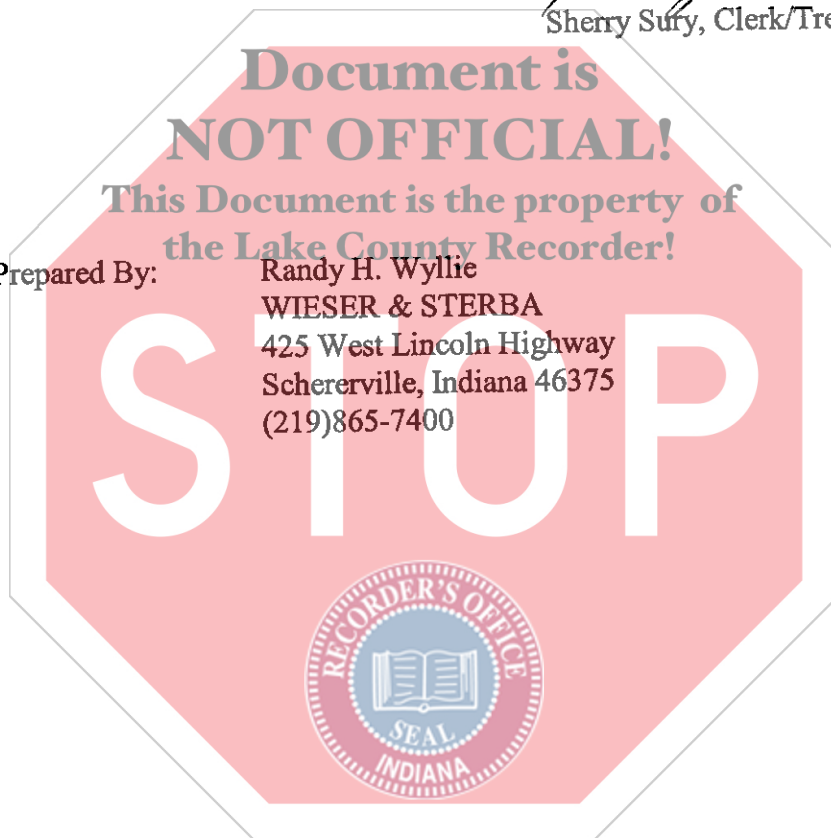
Robert Myers
ROBERT MYERS, PRESIDENT
BOARD OF WATERWORKS
TOWN OF ST. JOHN



CERTIFICATION

I, Sherry Sury, hereby certify that I am the duly elected, qualified, and acting Clerk-Treasurer of the Town of St. John, Lake County, Indiana, a municipal corporation and that the above and foregoing grant of right to install sewer lines, connect the Waterworks system of the Town of St. John, and waiver of right to remonstrate against annexation is a true and accurate copy of such document as it appears in the records of the St. John Waterworks District and the Town of St. John, having been approved by said entities by motion duly made and seconded on the 20th day of February, 2006 and the 16th day of March, 2006 respectively.


Sherry Sury, Clerk/Treasurer



This Instrument Prepared By:

Randy H. Wyllie
WIESER & STERBA
425 West Lincoln Highway
Schererville, Indiana 46375
(219)865-7400

EXHIBIT "A"

LEGAL DESCRIPTION

12616 West 85th Avenue, St. John, Indiana

Lots numbered twenty-two (22), Twenty-three (23), and Twenty-four (24), as marked and laid down on the recorded plat of Pon and Company's St. John Acres, a subdivision of the N.E. ¼ of the S.E. ¼ of Sec. 19, Township 35 North, Range 9 West, also the N.E. ¼ of the N.W. ¼ of Sec. 29, except that part lying Northeasterly of the Dyer-St. John Road, also the W. ½ of the S.W. ¼ of Sec. 20, except 1 square acre beginning 33 rods North of the S.W. ¼ corner thereof, all in Township 35 North, Range 9 West of the 2nd P.M., Lake County, Indiana as the same appears of record in Plat Book 26, page 42, in the Recorder's Office of Lake County, Indiana.

