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LAKE COUNTY
FILED FOR RECORD
2007 DEC -6 AM 9:22
MICHAEL A. BROWN
RECORDER

MEMORANDUM OF CONTRACT

THIS MEMORANDUM OF CONTRACT evidences the existence of a Contract, dated October 26, 2007 (the "Contract"), made by Agee Concrete & Construction, Inc. as Contractor, and Nathaniel and Dorothy Austin, as Owner of real estate located in Gary, Lake County, Indiana, hereinafter called the "Property".

1. The legal description, key no, and common address of the Property subject to the Contract is:

**Carl Bolius 1st Addition Lot 3 N. 4 Ft. Lot 4 in the City of Gary, Lake County, Indiana;
Key #25-41-0085-0003, 3908 Madison Street, Gary, Indiana**

2. The amount of the Contract is: \$13,600.00. The terms of the Contract begins October 26, 2007 and ends October 26, 2012.

3. The following agreements and covenants of the Contract, as to which third parties are to have particular notice, are set forth in abbreviated or summary form and description:

(a) CONTRACTOR agrees to waive, and does hereby waive and relinquish, all right to lien upon the real estate herein above described and the building to be improved thereon in accordance with the terms of this contract. CONTRACTOR expressly agrees that no lien shall attach to the real estate.

(b) OWNER agrees to maintain the property as an owner-occupied residential property for a minimum of Five (5) years from the Memorandum of Contract (the "Affordability Period"). In the event that the OWNER shall sell, transfer, or refinance the property during the Affordability Period, then the Department of Community Development shall be entitled to the return of funds paid for repair of the property, on a pro rata basis. The Department shall have a lien on the property in the contract amount.

4. The Contract contains other agreements and covenants of the parties, as set forth in an executed counterpart of it in possession of the parties. A complete copy of the Contract is on file in the Department of Community Development of the City of Gary, 201 East 5th Avenue, Suite E, Gary, Indiana 46402. Such agreements and covenants are incorporated, by this reference, in this Memorandum as though contained in full herein.

SIGNED this 26th day of OCTOBER, 2007.

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GCD
SLJ

Agee Concrete & Construction, Inc.

Nathaniel and Dorothy Austin

By: *[Signature]*
CONTRACTOR

By: *[Signature]*
OWNER

By: *[Signature]*
OWNER

921 Aetna Street, Gary, IN
ADDRESS

3908 Madison Street, Gary, IN
ADDRESS

STATE OF INDIANA, COUNTY OF LAKE)ss:

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

Agee Concrete and Construction, Inc. and Nathaniel and Dorothy Austin, who

acknowledged the execution of the foregoing Memorandum of Contract, and who having been duly sworn, stated that the representations therein contained are true. Witness my hand and Notarial

Seal this 36th day of October, 2007.

My Commission Expires: April 16, 2010 Signature: *[Signature]*

Resident of Lawrence County

Printed: Brenda Halliburton

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.



Mail To:
Department of Community Development
201 East 5th Avenue, Suite E
Gary, IN 46402

(Prepared by City of Gary Law Department)