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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 028519

2009 MAY -1 PM 12:49

MICHAEL A. BROWN
RECORDER

**MEMORANDUM OF CONTRACT
(SENIOR REHAB PROGRAM)**

THIS MEMORANDUM OF CONTRACT evidences the existence of a Contract, dated **April 3, 2009** (the "Contract"), made between **Agee Concrete & Construction 921 Aetna Street, Gary, IN.** as Contractor, and **Dorothy Newman 4461 Massachusetts Street, Gary, Indiana,** as Owner of real estate located in Gary, Lake County, Indiana, hereinafter called the "Property".

1. The legal description, key number, and common address of the Property subject to the Contract is:

Lots 32 and 33, Block 4, Broadway Heights Addition to Gary, as shown in Plat Book 9, Page 17, Lake County, Indiana. (Key Number 41-171-37) 4461 Massachusetts Street, Gary, IN 46409

2. The amount of the Contract is \$ **25,000.00**. The terms of the Contract begins **April 3, 2009** and ends **April 3, 2019**.

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 **Ten (10)** years from the date of the completion of the project (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, 839 Broadway, Suite 302N, Gary, Indiana 46402. Such agreements and covenants are incorporated, by this reference, in this Memorandum as though contained in full herein.

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GCD
CA

SIGNED this 3rd day of April, 2009.

By: *Cleveland Agee*
CONTRACTOR

By: *Dorothy Newman*
OWNER

By: _____
OWNER

921 Aetna Street
ADDRESS

4461 Massachusetts Street
ADDRESS

STATE OF INDIANA, COUNTY OF LAKE) SS:

Before me, a Notary Public in and for said County and State, personally appeared **Agee Concrete & Construction** and **Dorothy Newman**, 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 3rd day of April, 2009.

My Commission Expires April 16, 2010 Signature: *Adrian Yates*
Resident of: Lake County Printed: *Adrian Yates*

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
839 Broadway, Suite 302N
Gary, IN 46402

(Prepared by City of Gary Law Department)